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Exploring the Experiences of Black Men as Respondents in University Student Conduct Processes

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EXPLORING THE EXPERIENCES OF BLACK MEN AS RESPONDENTS IN UNIVERSITY STUDENT CONDUCT PROCESSES

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Dissertation Abstract

Exploring the Experiences of Black Men as Respondents in University Student Conduct Processes

Student conduct processes in higher education have been studied and theorized extensively from a structural perspective, yielding a wealth of guidance for practitioners on how they can best design and administer disciplinary interventions (e.g., Lancaster & Waryold, 2008b). However, very little published research has focused on students' perceptions of and experiences with student conduct processes, and to what extent these are congruent with the espoused learning goals of student conduct practitioners (Dannells, 1997; Karp & Sacks, 2014; Stimpson & Stimpson, 2008). Among these scant studies, the findings of King (2012) and Karp and Sacks (2014) suggest that Black men may find their experiences as respondents in student conduct processes to be less fair and educational than do White students.

The purpose of this phenomenological qualitative study was to develop a better understanding of the experiences of Black male college students as respondents in the student conduct process at universities within the United States. Data were collected via one-on-one interviews with four participants who met the selection criteria for the study. Five themes emerged from the data: the salience of race within student conduct processes, personal experiences within the student conduct process, critiques of student conduct processes and systems, learning (or absence thereof) as a result of student conduct experiences, and recommendations for improving student conduct practice.

The findings of this study provide additional evidence that Black male collegians are often treated unfairly within student conduct processes, which serves as a barrier to

any learning that may have otherwise occurred as a result of their experiences. Further, the findings point toward both specific strategies for transforming student conduct practice to be more racially equitable and additional questions worthy of future research endeavors.

This dissertation, written under the direction of the candidate's dissertation committee and approved by the members of the committee, has been presented to and accepted by the Faculty of the School of Education in partial fulfillment of the requirements for the degree of Doctor of Education. The content and research methodologies presented in this work represent the work of the candidate alone.

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DEDICATION

For Kaleah, my dear niece.

Never doubt in your ability to accomplish whatever lofty goals you may set for yourself,

no matter what obstacles the world may place in your path.

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CHAPTER I: THE RESEARCH PROBLEM

Personal Story

Throughout my 15-year career as a student affairs practitioner in the functional area of residential life, I have had responsibilities in the administration of student conduct processes. As a student leader, I was charged with confronting possible policy violations occurring in the residence halls, documenting my observations, and referring my report to my supervisor for adjudication. Later, as a graduate student, I interned in my institution's student conduct office, where I advised a board of students who heard cases of alleged misconduct by their peers using a script based on the one advanced by Stoner and Lowery (2004); made findings of responsibility or non-responsibility for policy violations; and determined what sanctions, if any, to assign. Further, it was here that I made my first foray into serving as a solo hearing officer for what were considered low-level policy violations (e.g., first violations of the alcohol policy, noise complaints, etc.), making decisions using the same frameworks that guided the student review board I advised. As my career has progressed, I have continued to serve as an individual hearing officer with increasing levels of sanctioning authority including dismissal from on-campus housing and university suspension, as well as an appellate officer for decisions reached by other adjudicators.

The student conduct practices I learned as a graduate student and continue to implement in my daily work have been studied and theorized extensively in the student development literature (Lancaster & Waryold, 2008b). I value this body of work, which has helped to inform my pedagogy in the student conduct setting by both enjoining me to strive for meaningful learning as the primary goal of my professional practice, and

illuminating possible strategies for promoting such learning. Even so, I have often struggled to reconcile my responsibilities as an adjudicator with my commitment to fostering student learning and my identity as a social justice educator. Though the explicit intentions of identified best practices in student conduct are often in alignment with my values, I question to what degree they have the desired impact on student learning and development, as well as their capacity to facilitate equitable outcomes for diverse groups of students.

As a case in point, I was once asked to serve as an appeal officer for a student conduct case in which the respondent, a Black male student named Casey[1], was held responsible for serious policy violations, including becoming so intoxicated on alcohol in his residence hall that his fellow residents had to call for emergency medical assistance. He was assigned heavy sanctions, including removal from University housing. My institution's published protocols for adjudicating such incidents were adapted directly from Stoner and Lowery's (2004) model code and hearing script. Of note, respondents were required to write an appeal statement based on one or more of a prescribed set of grounds as published in the student handbook. Casey based his appeal upon the ground that the sanction of removal from housing was disproportionate to the violation for which he had been found responsible. This ground was narrowly defined in the student handbook, excluding subjective consideration about the severity of the sanction in favor of evaluation of whether the sanction was consistent with those issued for similar violations.

[1] Casey is a pseudonym used to protect this student's privacy.

Reading Casey's honest and vulnerable appeal was a gut-wrenching experience for me. In his statement, he was forthcoming about his misconduct and accepted full responsibility for the decisions he had made to violate policy. Casey also explained that he was aware of the widespread ideology that frames Black men as criminals and troublemakers. He said that his awareness of and extreme discomfort about this ideology made it enormously difficult for him to represent himself well during the highly formalized adjudication process. For example, he stated that his distress during his hearing was so intense that he was too focused on defending himself to talk with the adjudicator about what led him to engage in misconduct in the first place.

Casey shared his struggles to navigate a campus racial climate he found chilly and hostile and explained that he had consumed alcohol to excess as part of a means of coping with these stressors. He stated that, in hindsight, he saw these choices as maladaptive, particularly because they caused great distress and disruption for his friends who attended to him during the incident and reflected poorly on him among those for whom he wished to be a positive role model. Casey acknowledged that he needed to be held accountable for his actions, yet pled for an opportunity to remain in University housing and make amends within his housing community.

As I read Casey's story, I felt sad and angry, not with him but with myself and my profession. Casey's choices to violate campus rules were significantly driven by his experiences of racism on campus; yet our conduct process was not designed to take such information into account. Instead, adjudication focused primarily on holding Casey to account for his drinking. Then, the appeal process allowed virtually no space for considering why he had engaged in that behavior, his reflection upon the impact of his

choices on himself and others, and the sincerity of his desire to rebuild relationships. Instead the process focused only on whether the sanction was consistent with those issued for the same or similar violations. Certainly, the process was not designed to hold the institution responsible for creating conditions so intolerable for Casey that he saw self-medication with alcohol as a viable coping mechanism, nor promote institutional changes that might prevent students of color from experiencing such hardships.

Moreover, I could not help but imagine how different the appeal would be had it be written by a student with dominant group privileges denied to Casey. Would a White student have entered the hearing with a fear that his whiteness would mark him as a troublemaker? Would a student with the financial means to consult or secure the services of an attorney have made any admission of wrongdoing, or submitted an appeal that did not follow the "letter of the law" as articulated in the policy? Would either of these students have viewed the conduct process, which Schrage and Thompson (2009) described as highly formal and resonant with dominant groups, as unfamiliar and frightening? Indeed, it seemed to me that however positive the intentions of this process, its design could not help but produce inequitable outcomes based on race.

This experience continues to trouble me deeply given my subscription to the belief that

> ... any worthwhile theory of schooling *must be partisan*. That is, it must be fundamentally tied to a struggle for a qualitatively better life for all through the construction of a society based on nonexploitative relations and social justice. The critical educator doesn't believe there are two sides to every question, with both sides needing equal attention. For the critical educator, there are many sides to a

> problem, and often these sides are linked to certain class, race, and gender interests. (McLaren, 1989, p. 194)

As a scholar-practitioner with student conduct responsibilities and a commitment to using critical pedagogy, I wonder what race and gender interests are served by putatively fair and egalitarian student conduct practices. This curiosity, coupled with my deep concern over the patterns of discrimination against Black men in other disciplinary contexts such as K-12 education and the criminal justice system, drove my decision to focus my dissertation research on the experiences of Black men in student conduct processes.

Introduction

Learning in colleges and universities in the United States extends beyond the boundaries of the classroom and into students' cocurricular lives. Such learning does not occur accidentally; student affairs educators must make an intentional effort to facilitate meaningful and transformative learning experiences for and with their students (Day et al., 2004). One such responsibility is to create strategies for helping students develop sound ethical decision-making skills and a sense of personal integrity (Baldizan, 2008; Council for the Advancement of Standards in Higher Education, 2015; Kuh, 2008). These important efforts may thereby promote behaviors that maintain safety and security on the campus. In addition to philosophical rationales for pursuing these kinds of outcomes, colleges and universities are also motivated by advocacy and guidance from the courts and governmental agencies such as the Office of Civil Rights and the United States Department of Education. These bodies have supported institutions of higher education in maintaining an emphasis on learning in their response to student misbehavior, while also

making recommendations and directives about how such responses should be constructed in order to uphold relevant laws (Gregory & Bennett, 2014; Lowery, 2008).

In response to these needs, the functional area of student conduct administration has evolved within the field of student affairs in higher education. Student conduct administrators are charged with a complex task: the provision and implementation of systems for responding to student violations of institutional policies and rules, which must adhere to legal mandates (Stoner, 2008) while simultaneously promoting student learning and development (Waryold & Lancaster, 2008). Student conduct processes themselves have been studied and theorized extensively from a structural perspective, yielding a wealth of guidance for practitioners on how they can best design and administer disciplinary interventions (e.g., Lancaster & Waryold, 2008b). However, very little published research focuses on students' perceptions of and experiences within student conduct processes, and to what extent these are congruent with the espoused learning goals of student conduct practitioners (Dannells, 1997; Karp & Sacks, 2014; Stimpson & Stimpson, 2008). Among these scant studies, the findings of King (2012) and Karp and Sacks (2014) suggest that men of color may find their experiences as respondents in student conduct processes to be less fair and educational than do White students.

These recent findings echo a wealth of research examining the ways that primary and secondary school disciplinary processes disproportionately punish children of color, and particularly Black male children (e.g., Ferguson, 2000; McCarthy & Hoge, 1987; Skiba et al., 2011; Wallace, Goodkind, Wallace, & Bachman, 2008). However, a review of the literature indicates that higher education scholars have not similarly interrogated

student conduct policies and practices to determine how and in what ways they may be producing inequitable outcomes for Black men. A recent study enumerating the ways that Black male college students successfully navigate college also highlighted that educators "often engaged in practices that had harmful effects on Black male students' aspirations, college choice processes, and educational outcomes" (Harper, 2010b, p. 20). This study presents evidence that student conduct practices may have such harmful effects on Black men. Thought leaders in higher education have enjoined student affairs practitioners to study such problems in order to promote social justice and inclusion for all students (ACPA & NASPA, 2015; Council for the Advancement of Standards in Higher Education, 2015).

Background and Need for the Study

Activism challenging systemic racism perpetrated against people of color in the United States has promoted renewed public attention to the unjust social construction of Black men as criminals and wrongdoers. Young Black men are systematically and unjustly targeted for arrest and incarceration for minor offenses, despite the fact that they do not perpetrate these crimes at rates that differ from their white counterparts (Ehlers, Schiraldi, & Lotke, 2004). This problem is compounded by mandatory minimum sentencing laws, which require judges to mete out punishments much harsher than called for by the offenses in question. Once released from overly lengthy periods of incarceration, the label of "felon" forever limits the opportunities for these men to secure employment, access education, participate in the democratic process through voting, and pursue other life goals (Alexander, 2010).

Archer (2009) argued that this problem is exacerbated by the school-to-prison

pipeline, “the collection of education and public safety policies and practices that push our nation's schoolchildren out of the classroom and into the streets, the juvenile justice system, or the criminal justice system” (p. 868). K-12 school discipline processes have been specifically identified and investigated as a component of the school-to-prison pipeline that disproportionately impacts upon children of color. For instance, although Black students do not appear to engage in misconduct at higher rates than white students (McCarthy & Hoge, 1987), one study found that

> … students from African American families are 2.19 (elementary) to 3.78 (middle) times as likely to be referred to the office for problem behavior as their White peers … [and] students from African American … families are more likely than their White peers to receive expulsion or out of school suspension as consequences for the same or similar problem behavior. (Skiba et al., 2011, p. 85).

This differential pattern appears to be attributable not to frequency or severity of misbehavior by Black students, but rather to subjective decisions to refer and more harshly punish these students within school discipline systems (Skiba et al., 2011; Wallace et al., 2008). For Black male students in particular, these outcomes may be related to the widespread view of them among teachers and administrators as troublemakers and, in some cases, destined for prison (Ferguson, 2000).

Though the school-to-prison pipeline has been rigorously and extensively researched in the K-12 setting, little scholarship explores the degree to which higher education practices may play a role in creating and sustaining the pipeline. Student conduct processes in higher education play a role analogous to K-12 disciplinary

practices, yet have not been similarly investigated to determine if they produce inequitable outcomes by race.

Purpose of the Study

The purpose of this phenomenological qualitative study was to develop a better understanding of the experiences of Black male college students as respondents in the student conduct process at universities within the United States. By seeking out these students' stories and perspectives on the student conduct process, I hoped to identify promising professional practices that other practitioners may wish to adopt, as well as those practices that may be marginalizing Black male college students within the academy. Given the specific gaps identified in the existing literature on this subject, I delved into the participants' perceptions of the fairness and educational value of the student conduct process.

Research Questions

The following research questions guided the inquiry of this study:

1. What are the experiences of Black male college students who have been respondents in student conduct processes?
2. (a) How do these Black male college students describe their experiences of *fairness* within student conduct processes? (b) What recommendations would they make for promoting *fairness* within student conduct processes?
3. (a) How do these Black male college students describe their experiences of *learning* within student conduct processes? (b) What recommendations would they make for promoting *learning* within student conduct processes?

Theoretical and Conceptual Framework

Critical race theory

Critical race theory (CRT) is "an evolving methodological, conceptual, and theoretical construct that attempts to disrupt racism and dominant racial paradigms in education" (Buenavista, Jayakumar, & Misa-Escalante, 2009, p. 71). CRT is comprised of five grounding principles: the intersectionality of race, racism, and other forms of systemic oppression; the need to challenge dominant race-neutral and post-racism ideologies, such as what Bonilla-Silva (2006) called color-blind racism, that mask the lived realities of race and racism in contemporary society; the commitment to creating a more socially just and equitable world; the belief that the experiential knowledge of people of color has value and should be brought from the margins to the center of discourse; and the value of interdisciplinary perspectives and approaches in understanding complex social problems (Buenavista et al., 2009; Ladson-Billings & Tate, 2009; Solórzano, Villalpando, & Oseguera, 2005). These principles can be used to generate insightful critiques of scholarship in many fields, including college student development (Patton, McEwen, Rendón, & Howard-Hamilton, 2007).

CRT is foundational to my interest in the subject of the present study, my research questions, and my approach to inquiry. Through the lens of CRT, the question for me is not *if* race and racism are embedded within student conduct scholarship and practice, for instead I *presume* it is so. From this stance, my work as a scholar-practitioner is to surface and examine the specific ways that student conduct ideology has been shaped by racism and White supremacy; to discern how this ideology influences the experiences of Black males as respondents in student conduct processes; to reveal otherwise-obscured ways in which the structure of student conduct processes (such as codes of conduct to

which students are held accountable, scripts for conducting hearings, templates for written communication from adjudicators to respondents, and matrices for selecting sanctions to assign) may produce inequitable outcomes for Black males; to prioritize the wisdom contained in the stories of Black male collegians who have been respondents in student conduct processes; and to apply my findings to generate recommendations for assuring that student conduct practice more fully fulfills its promise of promoting justice and learning for all students.

Social justice analysis of conflict resolution

In recent years, student conduct administrators have begun to embrace the spectrum of conflict resolution options, or SRO, model, which reframes student misconduct as a form of conflict and identifies adjudication as one of multiple methods that colleges and universities can use to respond (Schrage & Thompson, 2009). The SRO model was developed in part out of a belief that adjudication, while necessary in many cases, is overused in higher education (Giacomini, 2009). Further, the authors of the model note that on diverse campuses, many different forms of conflict culture are present, so it is necessary to develop systems and strategies for responding that are responsive to and resonant with a wider range of these cultures.

Schrage and Thompson (2009) provided what they called a "social justice analysis of conflict resolution" (p. 74), as displayed in Figure 1, as a means of helping to

Informal ←==========→ Formal

Emphasis on community/harmony	Emphasis on individual/rights
"Disputants"	"Accuser" v. "Accused"
High context cultures	Low context cultures
Parties control outcome	Outcome controlled by third parties
Party focused	Results focused
Less punitive	More punitive
Counter narrative	Master narrative
Resonates with marginalized communities	Resonates with dominant culture
Challenges status quo	Maintains status quo

Figure 1. Social justice analysis of conflict resolution (Schrage & Thompson, 2009)

explain the importance of the SRO model. This analysis describes qualities of formal and informal conflict resolution. Of note, informal processes (e.g., restorative justice) are identified as being more resonant with marginalized and high-context cultures. By contrast, formal processes (e.g., adjudication) are more resonant with dominant cultures.

In their book on intercultural competence, Lustig and Koester (2006) described several characteristics of high-context cultures, including an emphasis on indirect and nonverbal communication and a high commitment to engaging with others in ways that preserve and strengthen interpersonal bonds. They also explicitly identified African-American cultures as high-context. Further, many scholars (e.g., Lipsitz, 2006; West, 2001) have offered incisive analyses arguing that African-American communities are systematically marginalized within the United States. As such, the Schrage and Thompson (2009) model predicts that Black male students are more likely to prefer informal conflict resolution processes to formal ones. I applied this conceptual framework to the student conduct processes experienced by the participants in this study to determine whether they were more formal or informal. Equipped with this information, I was better positioned to understand the extent to which these processes resonated with the Black male students who served as participants in this study.

Significance

As stated earlier, recent research studies have indicated that Black male respondents in university student conduct processes describe their experiences as being less fair and educational than those of their White peers (Karp & Sacks, 2014; R. H. King, 2012). However, there are no published studies that seek to explain these racialized differences in experiences of student conduct processes. Without such knowledge,

student affairs educators are poorly positioned to evaluate how student conduct policy and procedures may produce divergent outcomes based on race, nor to advance changes that would better support respondents' learning and development. My research study generated findings that can be used to transform student conduct policy and practice in ways that promote positive educational experiences for Black male college students.

CHAPTER II: LITERATURE REVIEW

As stated in Part I of this proposal, there is a dearth of published research that specifically explores the experiences of Black male collegians as respondents within student conduct processes. Therefore, in conducting a literature review on this subject, it is necessary to expand the scope of inquiry beyond the narrowly defined research problem to understand the broader context in which the problem is situated. In addition to the literature that directly addresses student conduct in higher education and its gendered and racial dimensions, research scrutinizing the educational and disciplinary experiences of Black men before and beyond college has also been included. Recent research is emphasized throughout, though some acknowledged classics in the field have also been included.

The literature review is organized into three sections, each of which includes an introduction summarizing its contents. The first section explores the wealth of research on what I have described as the "disciplinary context" for Black men in the United States. This research includes both inquiries regarding the discipline of Black male children in primary and secondary education, and scholarship pertaining to the treatment of Black men within criminal justice systems. The second section includes studies examining the experiences of Black male collegians, with an emphasis on identity development theories and factors that contribute to this population's postsecondary success. The third section covers the literature specific to student conduct practice in higher education, including history, philosophy, practical considerations for administration, and assessment of outcomes for college students who are referred for discipline.

Disciplinary Context for Black Men

Though there are scant published studies that shed light on the specific experiences of Black men in postsecondary student conduct processes, scholars have examined myriad other sites in which Black males are disciplined. A review of this research illustrates a broad disciplinary context in which we may more fully understand the experiences of Black male respondents in student conduct processes. For example, an ample number of studies have explored the over-referral of Black male children for discipline in primary and secondary education, as well as the harsher punishments they tend to receive when compared to White children (e.g., Skiba et al., 2011; Skiba, Michael, Nardo, & Peterson, 2002; Wallace et al., 2008). Additional research has scrutinized the criminal justice system, suggesting that young Black men are systematically and disproportionately targeted for arrest and incarceration, creating obstacles to their full participation in society that persist long after their release from prison (e.g., Alexander, 2010; Carson, 2015; Ehlers et al., 2004). These patterns may exert a powerful influence on Black male students' perspectives on various disciplinary processes, including school-based ones. Taken together, the combined effects of K-12 disciplinary practices and criminal justice processes that disproportionately impact upon Black men constitute what many scholars have described as the school-to-prison pipeline (e.g., Archer, 2009; Dancy, 2014).

Discipline of Black males in primary and secondary education

As demonstrated by a wealth of research, Black male children have significantly different experiences of school discipline than do White children within both primary and secondary education in the United States. In their mixed methods study of school discipline, Mendez, Knoff, and Ferron (2002) found that Black male children are

disproportionately subjected to different forms of exclusionary discipline, including suspension and expulsion. This dynamic was further examined by the U.S. Department of Education Office of Civil Rights (OCR) (2014), which reported that Black students were three times more likely than White students to be suspended or expelled from school. Losen and Gillespie (2012) examined national school suspension data secured from OCR and observed that nearly one in every six Black children is suspended at least once in an academic year, as compared to just one in every twenty White children. In a different but related perspective, Aud, Fox, and KewalRamani (2010) noted that Black children represented 42.8% of all children who had been suspended or expelled from school, whereas White children comprised just 15.6%. Further, when the authors disaggregated these data by gender, they found that Black male children represented nearly 50% of all male students who had been expelled or suspended, whereas White boys made up just 21.3% of this population.

Russell J. Skiba has conducted multiple studies of the trend of disciplinary disproportionality, in partnership with other scholars. Skiba, Michael, Nardo, and Peterson (2002) performed a quantitative analysis of middle school disciplinary data from an urban school district. They found that students of color were suspended two to three times more often than White students and disproportionately represented in other forms of discipline such as corporal punishment and expulsion. Among students of color, males and Black students were significantly overrepresented in referrals for disciplinary action, out-of-school suspensions, and expulsions.

In a later study, Skiba, Horner, Chung, Rausch, May, and Tobin (2011) examined a much larger pool of quantitative disciplinary data from 365 elementary and middle

schools across the United States. Their findings affirmed and extended upon those of Skiba et al. (2002) in several ways. For example, Black male students were once again found to be referred for disciplinary action with significantly more regularity than White students and other students of color; further, these referrals were more likely to be based upon subjectively determined grounds such as defiant behavior (Skiba et al., 2011). Once referred for discipline, Black students were more likely than White students to receive harsh punishments such as suspension or expulsion for minor infractions (Skiba et al., 2011), contrasting earlier findings which suggested that disproportionate referral for discipline may be more influential than race in contributing to the high rate of harsh punishments for Black children (Skiba et al., 2002).

The disproportionate rate of Black male suspension has a particularly concerning impact on the educational experiences of this population. In their analysis of data culled from multiple national sources, the Schott Foundation for Public Education (2012) reported that suspension detracts from students' overall ability to learn, retain knowledge, and persist in their studies in order to attain a high school diploma. Brown (2007) used a combination of quantitative and qualitative measures to delve more deeply into the academic, social, and emotional impacts of school suspension from the perspectives of high school students who had been suspended, more than 75% of whom were Black. She found that these students' time out of school due to suspension contributed to their missing out on in-class learning opportunities, falling behind in their assignments and development of important academic skills, failing courses, and stalling in their progression to the next grade level. She also learned that the students believed their disciplinarians applied punishments unfairly and were unconcerned about their wellbeing.

These experiences caused students to feel frustrated by and alienated from the school environment, and in some cases contributed to their engagement in additional misconduct.

Brown's (2007) findings regarding the impact of suspension and expulsion upon student's attitudes toward schooling were affirmed in related studies by McNeely, Nonnemaker, and Blum (2002) and Sakayi (2001). McNeely, Nonnemaker, and Blum (2002) examined the impact of students' sense of connectedness to their school and learned that schools in which exclusionary discipline techniques were used regularly demonstrated lower levels of student-to-school connectedness than schools that used less punitive approaches. Sakayi's (2001) phenomenological study of resistance to schooling among alternative high school students revealed that the participants' prior experience with exclusionary discipline caused them to feel mistrust of educators, whom they viewed as unsupportive of their success.

In addition to their efforts to verify the existence and impact of racialized differences in school discipline, scholars and researchers have also attempted to explain why Black male children appear to be singled out for punitive and exclusionary treatment. In her classic anthropological study of the approach to student discipline within a West Coast elementary school, Ferguson (2000) argued that teachers and administrators labeled their Black male students as troublemakers and treated them accordingly. She described this as part of a "hidden curriculum to marginalize and isolate black male youth in disciplinary spaces and brand them as criminally inclined" (p. 2). Ferguson also asserted that such practices often have the opposite of their presumed intention to promote positive school behaviors, in that they play into rather than disrupt problematic constructions of Black masculinity. For example, as Kunjufu (1986) similarly argued in

his book on parenting and teaching Black male children, rule-breaking and disinterest in academic success have been widely cast as desirable qualities in Black men toward which Black male children may aspire. Indeed, as Fordham and Ogbu (1986) suggested in their journal article about how Black children's sense of shared racial identity influences their engagement with schooling, studiousness may be viewed as a form of racial betrayal or "acting White."

In multiple works, Ferguson (2000, 2007) argued that many of Black male student behaviors labeled as defiant or disruptive by educators are actually forms of resistance to racist power structures within schooling. For example, by making unauthorized noise in the classroom, Black male children may not seek to disrupt their or others' learning, but rather challenge authoritarian ideology that seeks not simply to empower the teacher, but to disempower the students. When educators respond to such behavior not by engaging with the students but by exercising their power to implement punishments, they may do more to edify students' negative views of schooling than facilitate changed behaviors. Moreover, Ferguson (2000) suggested that punishment may unintentionally result in feelings of pride. She shared the example of one Black male student who expressed awe and a sense of accomplishment when he was shown his thick folder of disciplinary documentation. This student interpreted the folder as evidence that he had made "an important mark on the school" (p. 9).

While not discounting Fordham and Ogbu's (1986) nor Ferguson's (2000) ideas about how Black male students' use of an oppositional stance to education may factor into school discipline problems, Lewis (2012) cautioned against relying too heavily upon these explanations. He argued that this narrative positions Black students and their

culture as the primary cause of any failures they experience in school despite evidence to the contrary. For example, Lewis cited Harris's (2010) estimate that only 5% of Black students in the United States demonstrate the "acting White" perspective, significantly diminishing its power to explain the persistence of a Black-White academic achievement gap. This viewpoint was echoed by Bush and Bush (2013), who challenged narratives identifying biological or cultural deficiencies within Black males as the chief sources of their challenges in education. Instead, they suggested that scholars should investigate the ways in which socially constructed systems create educational problems for Black males.

Ladson-Billings (2011) argued that educators contribute to the troubling synergy between school punishment and the social construction of Black masculinity by treating Black male children not as youths but rather grown men whose behavior must be controlled. In his theoretical article exploring the possible causes and solutions to the school-to-prison pipeline, Dancy (2014) expanded on this concept of adultifying Black male children through the practice of school discipline:

> … the assumption is that black male children embody a malevolent, destructive, and irrational disregard for property rather than simple carelessness. What is read as natural naughtiness in white children becomes inherent viciousness and insubordination that must be controlled in black male children. Though our culture sees children humanely and worthy of the perception of innocence (although immature), systems of oppression deny Black males even that benefit of the doubt. (Dancy, 2014, p. 485)

Ladson-Billings (2011) draws parallels between the many forms of behavioral control exerted by schools upon Black male children – including but not limited to

disciplinary actions – and those utilized within the prison system to regulate all aspects of the lives of incarcerated people. Her views were affirmed by Wald and Losen (2003), who stated "the racial disparities between the two systems are so similar – and so glaring – that it becomes impossible not to connect them" (p. 11). These analyses resonate with research that demonstrates the influence of exclusionary discipline beyond the realm of education and into non-school-based justice systems. In their study of the impact of school disciplinary practices across 53 counties in the state of Missouri, Nicholson-Crotty, Birchmeire, and Valentine (2009) found that "racial disproportion in out-of-school suspensions, which cannot be explained solely by differences in delinquent behavior, is strongly associated with similar levels of disproportion in juvenile court referrals" (p. 1003). These findings were echoed in Fabelo, Thompson, Plotkin, Carmichael, Marchbanks III, and Booth's (2011) similar study in the state of Texas, in which they concluded that students who were suspended were three times more likely to have contact with the juvenile justice system in the year following. Moreover, according to the Schott Foundation for Public Education (2012), students who have been suspended are three times more likely to face incarceration at a later point in their lives.

Scholars such as Archer (2009), Dancy (2014), and Wald and Losen (2003) have referred to the connection between exclusionary discipline and incarceration as the school-to-prison pipeline. Archer (2009) defines the school-to-prison pipeline as "the collection of education and public safety policies and practices that push our nation's schoolchildren out of the classroom and into the streets, the juvenile justice system, or the criminal justice system" (p. 868). Darensbourg, Perez, and Blake (2010) posit that the disproportional application of exclusionary disciplinary practices on Black male children

"alienate[s] them from the learning process by steering them from the classroom and academic attainment and toward the criminal justice system" (p. 197).

Criminal justice and Black men

Disproportional treatment of Black male children closely mirrors trends within the criminal justice system. According to data from the United States Census Bureau (2012), 13.2% of all men in the United States are Black, including bi- and multiracial men who identify as Black. Yet as outlined in a report issued by the U.S. Department of Justice (Carson, 2015), Black men represent 37% of incarcerated men, roughly three times what one might expect based on their share of the general United States population. In comparison, White men comprise 31% of the general population and 32% of incarcerated men, a nearly equal proportion.

Alexander (2010) offered a complex and multilayered explanation of this phenomenon in her exhaustively researched book on racial disproportionality in mass incarceration. She contended that, while explicitly racist law enforcement practices are now largely considered both socially and legally unacceptable, Jim Crow-style attitudes have taken new forms in order to maintain legitimacy in the modern era. Lipsitz (2006) made similar arguments about how public policy evolved following landmark civil rights legislation in order to continue discriminating against people of color in areas such as education and housing, while maintaining the appearance of race-neutrality. Extending on this analytical thread, Alexander (2010) stated that the War on Drugs was created and implemented in a manner that disproportionately impacted upon Black men. Were it true that the War on Drugs is as colorblind as it purports to be, we would expect Black and White people to be stopped and arrested on drug charges with roughly equal frequency,

as Black Americans report only a slightly higher rate of illegal drug use than do White Americans (Substance Abuse and Mental Health Services Administration, 2014). Yet a study by the American Civil Liberties Union (2013) revealed that "on average, a Black person is 3.73 times more likely to be arrested for marijuana possession than a white person" (p. 4). In their analysis of nationwide drug arrest data, Human Rights Watch (2009) maintained that a similar pattern of racialized disproportionality exists for all types of drug arrests. Taken together, these findings suggest that racial profiling by police and civilians who report possible crimes plays a significant role in creating disparate arrest rates by race.

Once arrested at these disproportionately high rates, Alexander (2010) observes that Black men are then subjected to lengthy mandatory minimum prison sentences. Legislators have mandated these sentences, often viewed as too harsh even by the judges required by law to issue them, using a nominally race-neutral "tough on crime" stance to justify their actions. However, King, Mauer, and Young (2005) posited that harsh mandatory sentences have only a marginal impact on crime rates, with approximately 75% of reductions in crime attributable to factors other than sentencing. Further, Alexander identifies such sentencing as the primary cause of the explosive growth of the United States prison population, challenging the conventional wisdom that higher crime rates are to blame.

Ehlers, Schiraldi, and Lotke (2004) affirmed Alexander's (2010) arguments about crime and sentencing, particularly her critiques of mandatory sentencing, in their examination of California's Three Strikes law. This state law specifies escalating sanctions that must be assigned when a person is convicted of more than one felony

offense, concluding with a "third strike" that carries with it a minimum 25-year sentence for serious or violent crimes. The authors found that Black Californians "are treated more harshly at every stage of the [criminal justice] system – beginning at arrest and ending, for some of them, with a sentence under Three Strikes" (p. 19). The authors presented data indicating that Black Californians comprise 6.5% of the state's population, but account for 21.7% of felony arrests, whereas Whites comprise 47.1% of the population yet account for only 35.7% of felony arrests. Moreover, "as cases move through the [criminal justice] process into progressively harsher punishments, the proportion of whites diminishes while the proportion of African Americans increases" (p. 3).

Alexander (2010) argues that the drug felon label, applied more often to Black men due to racialized enforcement patterns and mandatory minimum sentencing, restricts their life opportunities in perpetuity, leaving many with few options for survival beyond returning to criminal activity:

> … for drug felons, there is little hope of escape. Barred from public housing by law, discriminated against by private landlords, ineligible for food stamps, forced to "check the box" indicating a felony conviction on employment applications for nearly every job, and denied licenses for a wide range of professions, people whose only crime is drug addiction or possession of a small amount of drugs for recreational use find themselves locked out of the mainstream society and economy – permanently. (p. 92)

Black Male College Students

Despite the obstacles presented by the school-to-prison pipeline, many Black men can and do attain access to college. This section of the literature review situates the

present study within the existing body of research, theory, and scholarship pertaining to the experiences of Black men in higher education. Palmer, Wood, Strayhorn, and Dancy (2014) observed that the extant literature on Black male collegians includes studies from predominately white institutions (PWIs), historically Black colleges and universities (HBCUs), and community colleges; they also note that the vast majority of scholarship focuses on the first category of institution.

This section of the literature review examines two categories of scholarship that may prove useful in understanding the stories shared by study participants. First in this section is a discussion of research pertaining to both the challenges faced by Black male college students, as well as factors that support their success. This research may help to explain why particular forms of student conduct practice may either help or hinder Black male collegians in their postsecondary education, and thus provided a valuable lens through which I scrutinized the experiences of the participants in the present study.

Next is a consideration of identity development theories describing the processes by which Black men develop racial and gender identities. Such theories are regularly used in the college student development literature to analyze and interpret data in studies of college students (Evans, Forney, Guido, Patton, & Renn, 2010; Pope, Mueller, & Reynolds, 2009; Torres, Jones, & Renn, 2009), including those focusing on Black men (Palmer et al., 2014). Patton, McEwen, Rendón, and Howard-Hamilton (2007) argued that racial identity development theories should be deployed as part of a critical race perspective on extant student affairs scholarship, which is often based on race-neutral ideology even though it has been created by predominantly White scholars based upon data provided primarily by White participants. In order to critique this color-blind

perspective, Patton et al. (2007) suggested using racial identity development theories to illustrate the ways in which student affairs practice has failed to account for the developmental needs of diverse populations of students. Similarly, Davis and Laker (2004) and Ludeman (2004) asserted that student affairs practice has paid insufficient attention to men's gender identity development, leading to problematic outcomes for college men, particularly in the realm of student conduct. Thus, Black and male identity development theories proved to be useful analytical tools in the present study.

Factors impacting upon success of Black male collegians

As Harper (2010b) and Palmer et al. (2014) have noted, both researchers and mass media have paid extensive attention to the challenges faced by Black men in college. In 2002, Black men represented only 4.3% of all college enrollments, a figure Harper (2006) and Strayhorn (2010) noted was the same as in 1976. Once enrolled, Black men have the lowest college completion rates of any other gender, racial, or ethnic group within the United States (Cuyjet, 2006; Harper, 2006, 2012; Strayhorn, 2010). The U.S. Department of Education Statistics (2010) reported that in 2009, Black men lagged significantly behind Black women in all levels of postsecondary degree attainment, from Associate's degrees through doctorates. Cuyjet (1997) documented other manifestations of this gender gap among Black college students, noting that Black men spent less time and energy on academically productive activities or in meaningful leadership activities than did Black women.

Harper (2010b) and Palmer et al. (2014) argue that many explorations of Black male college experiences reflect deficit thinking about this population. Valencia (1997) describes deficit thinking as a mindset in which students, and particularly students of

color, are presumed to be the cause of their own struggles in education. From this perspective, researchers attending to the challenges faced by Black male collegians may unduly focus on identifying and correcting faults and failings within these students and their communities of origin.

In response to the predominance of deficit thinking regarding Black male college students, Harper (2010a, 2010b) advanced an anti-deficit framework for studying this population. Rather than framing inquiry around the diagnosis of problems among Black male college students, Harper asserted that instead we should engage with the many Black men who not only survive, but thrive, in college. In both his national study of high-achieving Black male collegians across all disciplines and institution types (2010b) as well as his research on Black men majoring in science, technology, engineering, or mathematics (2010a), Harper sought to identify what personal qualities and educational practices helped them to succeed. In so doing, he identified several protective factors that bolstered Black men through their postsecondary experiences. Further, through the observations of his participants, he shed light on systemic forces and professional educational practices that created barriers to the success of this population.

Familial (e.g., parental, guardian, elder, etc.) support is among the powerful factors that enabled the men in Harper's (2010b) study to excel in college. Within this broad category, Harper focused on several specific forms of support that emerged as strong themes in his research. First, Harper noted that his participants generally came from families that consistently framed academic achievement and a college education in a positive manner, from early childhood through adulthood. In their families, "the question was never *if*, but *where* they would attend college" (Harper, 2010b, p. 19). Such

parenting choices may have a particularly positive impact for young Black men given what hooks (2004b) described as the propensity in many African-American families to shame and emasculate studious male children.

Further, students thrived more when families provided them with both psychosocial support to persist in their studies and advisement about how to navigate the college environment. Such provision comes more readily to family members who have themselves attended college, as found in research by Pascarella, Pierson, Wolniak, and Terenzini (2004). Given that more than two-thirds of Black male college students are also the first in their families to attend college (Palmer et al., 2014), Harper (2010b) stressed the importance of building programs and initiatives designed to equip the families of these students with knowledge about how to enter, persist, and succeed in college.

Harper (2010b) also found that pre-college preparatory programs played a significant role in bolstering Black male success as noted by the study participants. Those interviewed for the study highlighted their participation in interventions such as high school study academies, college application workshops, and summer bridge programs designed to orient newly admitted underrepresented students to postsecondary life. Harper also observed that particularly effective summer bridge programs teach students how to access funding resources to offset the cost of college. Study participants who secured such funding spent more time and energy focusing on academics and co-curricular activities.

Co-curricular activities also facilitated the study participants' success. Among these activities are joining student clubs and organizations, including but not limited to those focused specifically on Black and African-American student needs and interests;

serving in leadership roles which include a robust leadership development curriculum and, in some cases, financial compensation (e.g., resident assistant, orientation leader, etc.); participating in service-learning and study abroad programs; and developing peer mentoring relationships with other Black men on-campus. Harper's (2010b) findings affirm well-established wisdom within the student development literature that students who engage in high-quality on-campus involvements are more likely to persist and be satisfied with their postsecondary studies (Astin, 1984, 1993; Berger & Milem, 1999; Tinto, 1987), as well as experience greater cognitive development (Carini, Kuh, & Klein, 2006; Pascarella & Terenzini, 2005); technical skill development (Chickering & Reisser, 1993); moral and ethical development (Jones & Watt, 1999); and, for Black male students, racial identity development (Flowers, 2004; Harper & Quaye, 2007; Taylor & Howard-Hamilton, 1995).

Other studies have linked Black male academic success in college with the development of positive racial and gender identities. Hrabowski, Maton, and Greif (1998) interviewed the parents of high-achieving Black college men to learn what parenting practices may support academic success. Among their findings was that the parents took care to nurture their sons' healthy and positive self-image in terms of both race and gender. Nasim, Roberts, Hamell, and Young (2005) conducted research with 250 Black male collegians and discovered that participants with a more positive view of their racial identity performed better academically. These findings were affirmed by Reid (2013), whose research indicated that Black college men who demonstrate a positive integrated racial identity as described in the Cross (1991, 1995) model also build stronger social support networks, report higher levels of connectedness to their institution, and cultivate

deeper relationships with faculty members than do their peers who hold more negative and unresolved racial identities. Each of these benefits has been identified by Kuh, Kinzhie, Schuh, Whitt, and Associates (2005) as enhancing academic achievement for college students, regardless of identity group membership.

Barriers to the success of Black male collegians

Researchers and practitioners do not always scrutinize the roles played by educational systems, structures, scholarship, administrative functions, and teaching practices in perpetuating inequality along racial and gender lines. In his summary of key concepts within critical pedagogy, McLaren (1989) suggested that such failure, whether intentional or not, ultimately protects the interests of the powerful at the expense of oppressed communities. Anthropologist Nader (1972) argued for the necessity of close examination of powerful systems when investigating challenges faced by marginalized cultural groups, a process she termed "studying up" (p. 284). Without such curiosity about how educational systems may create or worsen inequitable outcomes for students of color, Kumashiro (2002) asserts that even educators and scholars committed to social justice may unconsciously approach their work from a deficit perspective; in so doing, they will almost certainly reproduce rather than ameliorate problems. Scholars with an interest in race and gender have heeded the call to turn a critical eye toward the institution of higher education itself, in order to identify the ways in which its actions and inactions may prevent Black men from persisting and excelling as college students.

Although the primary goal of his study was to identify factors that promoted high achievement of Black men in college, Harper (2010b) also identified a number of ways in which aspects of the institutional environment worked against the participants. Perhaps

the strongest theme in these findings was the racist behavior of not only White peers but also faculty and staff members. Participants reported spending significant amounts of time, thought, and emotional energy to dealing with a barrage of racial microaggressions, which Sue (2010) defined as "the brief and commonplace daily verbal, behavioral, and environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial … slights and insults to the target person or group" (p. 5). This finding affirmed the research of Solórzano, Ceja, and Yosso (2000), which indicated that racial microaggressions occur frequently in postsecondary education and create a hostile learning environment for Black students. Examples of microaggressions shared by the participants in Harper's (2010b) study included their professors' regular expressions of surprise and at times suspicion when they did well on an assignment or exam. Additionally, participants noted that faculty and staff often presumed they "grew up in high-poverty urban ghettos and fatherless homes" (Harper, 2010b, p. 13).

Harper (2010b) noted that his participants' involvement with Black and African American student organizations (e.g., historically Black Greek-letter organizations, honor societies, academic clubs, etc.) and peer mentoring relationships played a key role in helping them to manage the stress caused by microaggressions. In these spaces of gathering with Black peers, faculty, and staff, the participants processed their emotions openly and honestly. This healthy expression of negative feelings helped to combat what Harper, Davis, Jones, McGowan, Ingram, and Platt (2011) referred to in other research as racial isolation. Further, student organizations were fertile ground for the participants to generate productive strategies for responding to microaggressions, echoing similar findings from Harper and Quaye's (2007, 2009) previous studies of Black student

involvement, as well as Harper's (2009) own work. Moreover, engagement in Black-centered spaces such as organizations and mentorships reaffirmed for participants that they were intellectually capable and belonged on their campuses, despite the messages they received to the contrary from White peers, professors, and administrators.

Given the importance of positive campus involvement for Black male collegians, Harper (2010b) enjoined higher education leaders to take greater leadership in promoting such involvement. The participants in Harper's study noted that the onus for finding involvement opportunities fell primarily to them, with little direction or guidance from faculty or staff. Harper suggested that college and university agents should develop strategies for outreaching to Black men on their campuses and educating them about clubs, organizations, leadership positions, and other high-quality involvement opportunities. Further, he encouraged leaders to provide the resources (e.g., funding, supplies, meeting space, and faculty and staff advisors) that Black and African-American student organizations need to thrive in campus climates that are often chilly for students of color.

While Harper (2010b) recognized the value of helping Black male collegians to develop the skills and social networks that would facilitate their navigation through racist experiences, he was also unequivocal in his assertion that the first task for postsecondary leaders must be the prevention of racist behaviors and actions on their campuses. He argued that this task "demands honest discussions about the realities of race on campus, systematic climate assessment activities, widespread dissemination of assessment data, collaborative planning and programming, and accountability at all levels of the institution" (pp. 22-23). He also stated that this task belonged not only to those

institutional agents who are specifically charged with leadership around diversity and inclusion issues, such as chief diversity officers or staff members in multicultural affairs; instead, it must be understood as the responsibility of each and every staff and faculty member. Harper recognized that this effort necessitates remedial education for some staff and faculty, who are experts in their fields but may never have been educated to lead and teach in culturally competent and socially just manners.

Although competence in diversity, social justice, and inclusion have been clearly established as core student affairs competencies by international professional organizations (ACPA & NASPA, 2015) as well as Pope, Reynolds, and Mueller (2004), fewer than three-quarters of student affairs graduate preparation programs require a course focused on cultivating such knowledge (Flowers, 2003). Patton et al. (2007) further argued that key theories taught in student affairs graduate programs appear race-neutral on their face but in fact represent primarily White concerns. The authors recommend that student affairs practitioners must therefore endeavor to develop and apply a critical race perspective to their daily practice; recognize, unearth, and discuss the ways that racism is embedded within student affairs scholarship, services, and programs; and develop a clear sense of their own racial identity and how it influences their interactions with students and colleagues.

Black identity development

Jean S. Phinney is one of many scholars who have investigated and theorized about ethnic identity development amongst adolescents in general (Phinney, 1989) and college students in particular (Phinney & Alipuria, 1990). Employing a mixed methods research approach including both interviews with students of color and established

quantitative measures, Phinney (1989) articulated a model of ethnic identity development for people of color that describes different stages of development and illustrates the positive benefits of a strong and positive sense of ethnic identity.

Phinney (1989) describes four stages of ethnic identity development for students of color:

1. Diffuse: Little or no exploration of one's ethnicity and no clear understanding of the issues.
2. Foreclosed: Little or no exploration of ethnicity, but apparent clarity about one's own ethnicity. Feelings about one's ethnicity may be either positive or negative, depending on one's socialization experiences.
3. Moratorium: Evidence of exploration, accompanied by some confusion about the meaning of one's own ethnicity.
4. Achieved: Evidence of exploration, accompanied by a clear, secure understanding of one's own ethnicity. (p. 38)

While the value of supporting college students in reaching the achievement stage of ethnic identity development may appear self-evident, Phinney (1989) also identified a range of specific positive benefits for students of color in this stage, including "higher scores on self-evaluation, sense of mastery, social and peer interactions, and family relations" (p. 47) as compared to their peers in the other three stages.

While Phinney's (1989) ethnic identity development model applies broadly to people of color, Cross's (1971, 1991, 1995) theory of psychological nigrescence specifically examines the process by which individuals in the United States develop a sense of Black identity. Nigrescence is a term taken from the French language, which

translates in English to “turning Black” (Vandiver, 2001, p. 166). Although other scholars have advanced models of Black identity development, Cross’s work remains especially influential among scholars of higher education and student affairs (Evans et al., 2010). While the original version of Cross’s nigrescence theory (1971) is still routinely cited in the literature, he significantly updated it (1991, 1995) based upon decades of additional research and its impact upon his thinking (Vandiver, 2001).

Cross’s revised theory of nigrescence (1991, 1995) is comprised of four stages. Three of the four stages are further differentiated based upon the salience of race, which Cross defined as the relative importance and valence (positive or negative) of race to an individual. In the first stage, *Pre-Encounter*, identity is based upon mainstream ideology that privileges qualities associated with whiteness and devalues those associated with blackness. Within this stage, Cross argued that the race salience can produce two identities. *Assimilation* occurs for individuals who value adherence to normative American ways of being, and for whom race is relatively unimportant. In contrast, those in the *anti-Black* status have internalized racist beliefs about blackness, express a clear dislike for being Black, and are likely to have low self-esteem.

The second stage, *Encounter*, represents a transitional phase of identity in which one or more events disrupt the dominant views on race that esteem whiteness and denigrate blackness, and promote active reevaluation of previous views on race (Cross, 1991). Such events could include interacting with people who articulate Black-positive viewpoints or learning accurate information about Black history. Dawson-Threat (1997) suggests that Black college students in the Encounter stage may strongly benefit from

journaling or dialogue activities that facilitate the sorting out of their complex and changing thoughts and feelings about being Black.

The reexamination processes during the Encounter stage lead to the third stage, *Immersion-Emersion*, which "chronicles a volatile twofold transition from the old racial identity to a new one" (Vandiver, 2001, p. 166). Initially, people in this stage immerse themselves within Black culture and communities, and withdraw from White ones. During this stage, individuals are likely to hold highly positive views of blackness, and either neutral or negative ones regarding whiteness. Cross characterized this stage as an intensely emotional one, wherein individuals express great anger and sadness about racial injustice, which are often directed toward both White people and Pre-Encounter Black people, who are viewed as the perpetrators of these misdeeds (Vandiver, Fhagen-Smith, Cokley, Cross, & Worrell, 2001). Immersion-Emersion individuals may also experience many positive emotions, such as pride in blackness and joy in being amid other Black people.

As these emotions begin to attenuate, individuals begin their transition to the fourth stage, *Internalization*. Here, a positive sense of Black identity forms a foundation from which individuals can more confidently interface with and work alongside different cultural groups, thus creating opportunities for the development of greater intercultural competence and the creation of coalitions working for multiple social justice causes. While blackness remains a critically important identity to people in the Internalization stage, it no longer eclipses the importance of other identities such as gender, socioeconomic status, or sexual orientation (Vandiver, 2001). As such, individuals at this

stage may hold what Cross (1991) refers to as bicultural or multicultural positions, in which they emphasize one or more identities in addition to being Black.

Male identity development

Davis and Laker (2004) argue that grounding student affairs programs targeted at men in a theoretical understanding of their gender identity development is not simply useful in securing their participation but rather should be a "professional mandate" (p. 48). Many of the well-researched and thoroughly tested theories of college student development have been justly critiqued as androcentric, having been created primarily through studies of mostly men. However, these theories have not specifically accounted for the social construct of gender as a factor that influences the identity development of male students. Absent such a theory, student affairs practitioners have limited ability to design meaningful educational interventions that support positive identity development for college men (Davis & Laker, 2004) or challenge the ways that hegemony shapes the construction of masculinity in the United States (Ludeman, 2004). In recent years, scholars of student development have sought to correct this problem by conducting research on men's identity development that explicitly accounts for the role of gender.

Edwards and Jones (2009) conducted a grounded theory study to better understand how college men come to define their identities as men and perform masculinity. The researchers approached this task from a social justice theoretical perspective in order "to gain a better understanding of how internalized patriarchy is learned, reinforced, and perhaps transcended by individual men" (Edwards & Jones, 2009, p. 212). Further, the researchers selected a racially diverse participant sample in order to examine how race influenced the process of college men's identity development.

To explain their resultant model of male identity development, Edwards and Jones (2009) used the powerful metaphor of a mask with an elastic band. The mask represents a socially constructed and enforced hypermasculine ideal, "a set of social behaviors including feelings, thoughts, and actions" (Edwards & Jones, p. 222) to which college men feel pressure to conform. Men learn this ideal through interactions with individuals, their families and communities, and institutions such as schools, churches, and mass media. Through these interactions, which occur both before and during college, men learn what qualities to avoid if they wish to be seen as men, such as femininity, emotional sensitivity, and queer sexualities. They also learn desirable markers of manhood, such as athletic prowess, lean and muscular physiques, aggression, competitiveness with other men, pursuit of multiple and exclusively sexual relationships with women who are to be treated primarily as sex objects, and, particularly germane to the present study, engaging in rule-breaking behavior.

The participants in Edwards and Jones's (2009) study describe a process whereby they come to discover the mask of desirable masculine behaviors and, in response to various social pressures, adopt those behaviors even when they do not wish to. Men of color noted that their experiences of racism were often emasculating and thus especially powerful drivers of their decisions to wear the mask, a claim echoed by social constructionists who study Black masculinities (Majors, 2001; e.g., Majors & Billson, 1992). In order to bolster or reclaim their manhood amid oppressive and disempowering forces, men of color in the Edwards and Jones (2009) study described common responses such as "believing the stereotypes, choosing the stereotypes, needing to not be the stereotype which for many results in experiencing stereotype threat, or overcompensating

according to the traditional definition, which often unintentionally reinforced racist perspectives of cultural masculinities" (p. 217).

Later, men begin to question the legitimacy of the mask as they notice its negative impact upon their ability to form healthy and genuine relationships with people, as well as the way the mask may chafe against what they see as their true self. Eventually, many men begin resisting the mask and attempting to construct and express a more personally authentic masculine identity. However, this process is made difficult by external pressures and internalized messages of normative masculinity, which together act like an elastic band that constantly works to keep the mask in place. Men who have reached this stage discussed many factors that helped them to continue struggling with the mask, including positive support from peers and mentors and availing themselves of opportunities to learn about masculinities that better align with their self-image.

Harris III (2010) conducted his own grounded theory study to develop a conceptual model of how college men develop and change their understandings of acceptable masculinity. Harris III more closely examined the construction of what Edwards and Jones (2009) called the mask of masculinity, and his findings affirmed and added depth to their earlier work. Like Edwards and Jones, Harris III found that precollege experiences played a strong role in shaping a template for idealized attributes for men, which echoed the hypermasculine traits that emerged in the Edwards and Jones study. Harris III also argued that many aspects of participants' collegiate experience, which he called the campus context, prompted them to revise this template. In particular, interactions with diverse male peers resulted in participants' increased awareness that a wide array of masculinities exist, and they need not be limited to the normative one.

However, participants in the Harris III (2010) study also observed that college men whose bodies and behaviors aligned with the hypermasculine archetype received positive reinforcement from peers. In order to access these social benefits, participants reported that they would often engage in hypermasculine behaviors even if they did not truly wish to do so. For example, they identified competitiveness in consuming alcohol as one effective method by which to "assert and affirm their masculinities with male peers" (p. 308). Given these findings, Harris III called upon colleges and universities to engage in "efforts that help men to: (a) see the range of healthy options that are available to them in expressing their masculinities and (b) recognize how developing less-conflicted gender identities leads to a host of productive outcomes that will serve them well throughout their lives" (p. 314). Colleges and universities use their student conduct processes to address many of the behaviors comprising the masculine ideal, such as aggression and using alcohol. As such, student conduct may be one site wherein the efforts recommended by Harris III could be meaningfully undertaken.

Black male masculinity in college

Harris III, Palmer, and Struve (2011) noted that "no one dominant masculine form persists across all social settings but rather *multiple masculinities* (e.g.. Black, White, gay, heterosexual) that are situated in sociocultural contexts" (p. 49). In light of this viewpoint and with an aim toward developing a richer and specific understanding of Black masculinities in higher education, the authors accessed the data from Harris III's (2010) earlier study, then extracted and examined those data provided by Black participants. Their analysis resulted in a model for how Black male collegians conceptualize masculinity and translate those understandings into behavioral expressions.

As in the studies by Edwards and Jones (2009) and Harris III (2010), Harris III et al. (2011b) learned that Black male collegians conceive masculinity as being tough, aggressive, materially successful, responsible, and emotionally restricted. In order to actualize these conceptions within the college environment, the participants reported that they aimed to excel both in terms of academics and their cocurricular activities. They were not concerned that they would be emasculated by peers for being studious, as they connected academic success to their ability to accumulate wealth and provide for a family, qualities that aligned with their concept of masculinity. Further, the participants avoided and denigrated behaviors that would be seen as gay or feminine, while also seeking out casual and often purely sexual relationships with women.

While the authors described these latter behaviors as "very troubling and destructive, one needs to recognize them as symptoms of a larger, cultural phenomenon rooted in racist stereotypes about Black men" (Harris III et al., 2011, p. 57). Often, these behaviors result in forms of misconduct on campus to which campuses might respond using their student conduct systems. Harris III et al. (2011) asserted that such responses should "challenge and support the men in expressing themselves in more appropriate, positive, and less-destructive ways and to address the larger campus and environmental issues that encourage men to rely on these strategies in the first place" (p. 57).(2011a)

Student Conduct Practice

Student conduct practice has been extensively theorized and studied within the higher education literature (e.g., Lancaster & Waryold, 2008b; Schrage & Giacomini, 2009; Stimpson & Stimpson, 2008). Much of this scholarship describes the historical and theoretical rationale driving colleges and universities to design student conduct

procedures that align with relevant laws, afford students with due process, and promote both accountability to school policies and development of ethical decision-making abilities (e.g., Baldizan, 1998, 2008; Lopez-Phillips & Trageser, 2008; Lowery, 2008). Other pieces, such as those which proffer model codes of conduct and hearing scripts, make recommendations for the structure and function of student conduct processes (e.g., Karp, 2009; Pavela, 1997; Stoner & Lowery, 2004). Among these pieces, the emergent research on alternatives to adjudication points the way toward new models for addressing student misconduct that more fully align with its purported goals. Yet as stated earlier, few published research studies focus on the impact of student conduct processes on the students who participate in them. Those studies that do exist are reviewed here.

Evolution of student conduct scholarship and practice

Waryold and Lancaster (2008) summarized the philosophical underpinnings of contemporary student conduct practice when they stated, "[the] fundamental purpose of student conduct work is to promote growth and development in students while protecting the interests of the larger campus community" (p. 8). However, this perspective has only become the prevailing one in recent decades, after a lengthy evolution from a very different mindset with its roots in the origins of higher education in the United States.

The first colleges in the United States were established in the 1600s, shortly after the outset of European colonialism in this country. The primary function of these colleges was to groom young White men for service as religious leaders (Rudolf, 1962). Members of the faculty of these colleges were responsible for all aspects of the institution's academic and cocurricular functions, serving as teachers, counselors, and disciplinarians. They defined their roles as serving *in loco parentis*, or in the place of the parents; their

approach to student relationships was thus paternalistic, reflecting a view of their students as children requiring strict control. As such, with regard to discipline, faculty were focused on controlling student behavior and punishing actions they viewed as insubordinate (Stoner & Lowery, 2004).

> Students' lives were regulated in virtually every way—when they arose and retired, when and what they ate, what they wore, and how they behaved in and out of class … punishments ranged from expulsion … to fatherly counseling … [to] flogging … public reprimands and confessions ("degradation"), fines, loss of privileges, and extra assignments. (Dannells, 1997, p. 8)

This approach to student conduct began to change in the early twentieth century with the birth of the student affairs profession. During this period, higher education institutions in the United States sought to revive a focus on holistic student development, which many believed had been diminished during the widespread adoption of research-centered missions based upon those of German universities. In *The Student Personnel Point of View*, the American Council on Education's Committee on Student Personnel Work (1949) clearly articulated an evolving and broadening stance on postsecondary education:

> The student personnel point of view encompasses the student as a whole. The concept of education is broadened to include attention to the student's well-rounded development – physically, socially, emotionally, and spiritually – as well as intellectually. (p. 2)

Rather than continuing to demand that faculty shoulder the full weight of the task of providing a holistic, student-centered education, colleges and universities began to

create what they called student personnel administrators. These practitioners were charged with attending to students' out-of-classroom needs, thus allowing faculty to focus primarily on the academic endeavors of teaching, research, and service. The authors of *The Student Personnel Point of View* (Committee on Student Personnel Work, 1949) recommended that administrators be charged with responsibility for a wide range of cocurricular functions, including physical and mental health, orientation programs, housing and residential life, recreational activities, and student discipline. However, although the Committee on Student Personnel Work framed discipline as an educational activity, they also imbued it with the same ethos of paternalistic control that characterized earlier forms. They stated that the essential functions of discipline were to "modify personal behavior patterns and to substitute socially acceptable attitudes for those which have precipitated unacceptable behavior" (p. 8). Disciplinary specialists were free to define "socially acceptable attitudes" and "unacceptable behavior" in any way they saw fit, as well as the rules and practices by which to enforce their expectations, including expulsion.

These systems of discipline went largely unchallenged until the 1960s, when critical masses of college students began organizing for action around a wide range of social and political issues. Demonstrations against racial injustices perpetrated against people of color, forced conscription in the armed services, and exclusion of students from campus governance structures took place with increasing regularity at college campuses across the country (Dannells, 1997). Disciplinary authorities responded by using their complete discretionary power to punish and expel student activists who participated in such protests, providing the students with neither explanations nor opportunities to

present arguments on their own behalf. The activists believed such actions abridged their constitutional rights to freedom of expression and assembly.

As such, student discipline itself became a subject of activism, with students taking their colleges and universities to court to contest disciplinary actions. In *Dixon v. Alabama State Board of Education* (1961), six students challenged their expulsion without a hearing from Alabama State College, which occurred following their participation in demonstrations associated with the Civil Rights Movement. The courts found in the students' favor, arguing that they had a property right to their state-supported education and thus could not be legally deprived of it without some measure of due process. This landmark finding was reinforced by similar outcomes in many subsequent lawsuits (Lowery, 2008) and is widely credited as heralding the end of *in loco parentis* approaches to student conduct (Baldizan, 1998; Dannells, 1997; Rudolf, 1962).

In response to the emerging case law requiring colleges and universities to provide their students with due process, disciplinary authorities substantially redesigned their approaches to their work in ways they hoped would reduce the risk of further legal action. Given that these changes were primarily driven by the outcome of courtroom proceedings, it is perhaps unsurprising that those same judicial proceedings were used as the new models for how to approach student discipline (Stoner & Lowery, 2004). This shift in professional mindset was reflected in the language used to describe student conduct work. The term *discipline* was replaced by a new one – *judicial affairs* (Dannells, 1997). Further, in contrast to the opacity of their earlier discredited approaches, judicial affairs practitioners shifted toward systems that were more transparent, rigidly structured, and formal. Institutions began writing and publishing student handbooks that included

detailed codes of conduct that more clearly defined acceptable and unacceptable student behaviors, step-by-step descriptions of how allegations of misconduct would be investigated and adjudicated, and standardized options for disciplinary sanctions when students were found responsible for violations (Pavela, 1997; Stoner & Cerminara, 1990).

The risk reduction emphasis and resultant formalization of student conduct occurred while the focus within other student affairs functional areas moved in a different direction. Following the publication of *The Student Personnel Point of View* (Committee on Student Personnel Work, 1949), researchers began building a body of scholarship regarding college student development, including theories helping to explain various forms of college student identity development (e.g., Cass, 1979, 1984; Chickering, 1969; Chickering & Reisser, 1993; Cross, 1995; Josselson, 1987; Phinney, 1989), moral and ethical development (e.g., Gilligan, 1982; Kohlberg, 1975), and the impact of both academic and cocurricular involvement on students' educational outcomes (Astin, 1984). As these scholars deepened and expanded our understanding of the complexities of how students develop throughout their college years as a result of their out-of-classroom experiences, student affairs practitioners began to describe such development as a form of learning (Day et al., 2004; Engelkemeyer & Brown, 1998). Consequently, professional associations of student affairs researchers and practitioners positioned the dual promotion of learning and development as the primary goal of student affairs programs and services (Schroeder, 1996).

As this ethos of student learning and development gained increasing prominence, student affairs professionals, including those from judicial affairs, began to critique what they described as the overly legalistic and adversarial approaches to addressing

misconduct that had become typical since the 1960s and 1970s. Indeed, many scholars and practitioners observed that the swing toward risk reduction, well-intended though it may have been, resulted in overly formal and adversarial systems that appeared to have lost sight of student affairs' fundamental goal of promoting learning and personal growth (Dannells, 1997; Giacomini & Schrage, 2009). Moreover, many observed that the courts, even in rebuking institutions for failing to honor students' legal rights, had also consistently affirmed and protected colleges' need to address misconduct non-legalistically and in keeping with their educational missions (Karp, 2013; Lowery, 2008; Stoner, 2008; Stoner & Lowery, 2004).

Thus, another significant sea change began within judicial affairs, as practitioners sought to differentiate themselves from the judiciary on which many of their systems and structures had been purposefully patterned. For example, many argued that the term *judicial* evokes the very criminal and civil justice processes and procedures from which colleges and universities needed to distinguish themselves (Stoner & Lowery, 2004). The term *student conduct* emerged in its place and is now the preferred label by which institutions of higher education refer to their approaches to addressing misconduct. Indeed, the international Association for Student Judicial Affairs, which was formed in 1986 to provide resources and professional networking opportunities related to disciplinary issues in higher education, officially changed its name to the Association of Student Conduct Administrators in 2008 (Giacomini & Schrage, 2009). This language change was also reflected in major new publications providing guidance to student conduct practitioners (e.g., Lancaster & Waryold, 2008b; Schrage & Giacomini, 2009)

and updates to professional standards of practice (e.g., ACPA & NASPA, 2015; Council for the Advancement of Standards in Higher Education, 2015).

Moreover, the student development and student conduct literature reflects a growing commitment to promoting equity and inclusion for increasingly diverse college and university communities. Multicultural proficiency and social justice leadership ability, once considered niche skill sets reserved for those employed in multicultural affairs, are now defined as core competencies which every student affairs practitioner must cultivate regardless of their functional area (ACPA & NASPA, 2015; Pope et al., 2004). Scholars have specifically argued that student conduct systems should challenge social injustice on their campuses (Lancaster & Waryold, 2008a; Stoner & Lowery, 2004) and claimed that student conduct practitioners have a special obligation to develop and hone their capacities to educate and lead in socially just manners (Fischer & Maartman, 2008; Holmes, Edwards, & DeBowes, 2009; Lopez-Phillips & Trageser, 2008).

Contemporary approaches to student conduct practice

Adjudication

Structure and function. Adjudication is the predominant, and in most cases the only, method by which colleges and universities respond to allegations of student misconduct (Giacomini & Schrage, 2009). Adjudication models rely heavily on codes of conduct, in which colleges and universities articulate clear rules governing student behavior both on- and off-campus, and outlining consequences for violating these expectations. Stoner and Lowery (2004) advanced a Model Code of Conduct for student conduct administrators to use as a resource in writing codes for their institutions that uphold relevant laws while encouraging student learning and development. Though other

scholars have published similar model codes (e.g., Pavela, 1997, 2006), Stoner and Lowery's work, itself an update of earlier versions (Stoner, 1998; Stoner & Cerminara, 1990), is widely considered to be the standard in the field of student conduct (Giacomini, 2009; Karp & Sacks, 2014). Innumerable institutions have used this document to create and/or revise their own student codes of conduct; therefore, it has had a profound structural influence on student conduct practices on a national scale.

When campus police, residential life staff members, faculty members, students, and other individuals observe potential violations of their institution's code of conduct, they may submit written or verbal reports to their institution's student conduct office (Giacomini, 2009). Upon receipt of these reports, the student conduct administrator determines if the report merits action. In most cases, the administrator hears cases requiring action or assigns them to a designee to serve as the hearing officer. Less commonly, either based on their own judgment or by request from the student implicated in the report – often referred to as the *respondent* – the administrator may instead refer the case to a hearing board consisting of students, staff, and/or faculty members who have been trained in adjudication procedures (Zdziarkski & Wood, 2008). In either case, the hearing body is responsible for identifying possible rule violations based upon the report, providing notice regarding these alleged violations to the implicated student(s), and offering an opportunity for said student(s) to respond to the allegations and present evidence for the hearing body's consideration. Typically, these opportunities take the form of a meeting between the respondent and the hearing body, although written testimonies may be accepted in lieu of in-person interactions. These meetings are often referred to as a *student conduct conference* (Zdziarkski & Wood, 2008). Uncommonly

but in some circumstances, other parties may participate in the conference, including witnesses to the incident in question and advisors to the respondent (Stoner & Lowery, 2004).

Following the conference, the hearing body assesses the information available regarding the allegations. Typically, the hearing body uses a preponderance of evidence standard to determine if it is more likely than not that the respondent violated the code of conduct (Giacomini, 2009). If the hearing body finds that there is not a preponderance of evidence, the charges are dismissed; if instead they find that there is a preponderance, they hold the respondent responsible for rule violations and then select sanctions, usually from a set of pre-articulated options, that the respondent will have to complete (Stoner & Lowery, 2004). Some of these sanctions may be passive (e.g., written warnings or disciplinary probation) while others require the respondent to take specific action (e.g., community service, research project, or various forms of counseling) by a deadline (Dannells, 1997). Stoner and Lowery (2004) stress that sanctions should be educational and caution hearing bodies against using them as forms of punishment.

Critiques of adjudication. In recent years, student conduct practitioners and higher education scholars have scrutinized and posed important questions regarding the predominance of adjudication techniques. These critiques include concerns described earlier in this literature review regarding the overly formal, inherently adversarial, and legalistic structure of adjudication processes. Ludeman (2004) contended that this structure is reflective of an inherent power differential, as students have less knowledge of and influence over the student conduct process than adjudicators. He went on to

suggest that adjudication thus "may not be conducive to student development and learning" (p. 81).

Giacomini (2009) expanded on these critiques by observing that an institution too heavily reliant on a model code-based adjudication system will often attempt to use it to respond to any and all forms of conflict, an effort that

> … overtaxes the administrative system; moderates the significance and attention given the most serious reports; keeps students from alternative, viable resolution pathways; and inaccurately models adjudication as the best and only means of resolution. (p. 183)

Attempting to force a concern about student conduct into an adjudication-only resolution process when such a process is a poor fit, while perhaps well intended, detracts from the educational potential of the experience. Because of its highly formal and often scripted structure, adjudication may fail to promote respondents' deep reflection upon the underlying causes for their behavior; understanding of how their choices impacted upon members of their communities (e.g., friends, roommates, professors, family members, etc.); and development of the skills needed to resolve various forms of conflict without intervention from authorities (Giacomini & Schrage, 2009). As noted earlier in this literature review, Harris III (2010) and Harris III et al. (2011) promoted precisely such reflection as a goal for student conduct administrators working with college men in general, and Black college men in particular. As such, these disadvantages of adjudication reflect a failure to account for diversity of race and gender, as well as the intersections of these identities, among college students.

Another limitation of adjudication is its inadequate engagement all those who may have a stake in an incident of misconduct, particularly students who were harmed by another student's behaviors. In adjudication, the focus is on the respondent who has allegedly violated a rule and how they should be held to account. Other members of the community who may have been negatively impacted by a student's conduct are rarely invited to participate in adjudication beyond reporting an incident of possible misconduct or, in the case of a board hearing, presenting evidence as witnesses. The information community members contribute in hearings is generally limited to responses to the board's scripted questions, which do not probe for how they were impacted or how they would like to see the matter resolved. Moreover, they do not have the opportunity to speak directly with the respondent, as all communication flows through the board chair (Stoner & Lowery, 2004). In so circumscribing community members' participation, adjudication does not provide opportunities for impacted parties to more fully understand the actions of the person who harmed them, have their needs attended to in the resolution of the case, develop skills in conflict resolution, and experience healing (Giacomini, 2009; Goldblum, 2009; Karp, 2013; Schrage & Thompson, 2009).

While these limitations of adjudication affect all students, they may have a disproportionate impact on those who are members of oppressed and historically underrepresented groups (e.g., students of color), whose previous experiences with disciplinary systems both in and outside of education are likely to have been negative, as discussed earlier in this literature review. In recognition of this possibility, Giacomini (2009) proposed multiple methods by which student conduct practitioners may change the ways they adjudicate in order to be more fully inclusive of diverse student

populations. Even so, adjudication remains fundamentally patterned on formal systems of conflict resolution that resonate more with dominant social groups (Schrage & Thompson, 2009). As such, if adjudication continues to occupy its privileged position as the preferred or only method available for responding to behavioral concerns, student conduct administrators may further marginalize members of oppressed groups who do not see their values reflected within nor needs attended to by the conflict resolution systems used on their campuses (Holmes et al., 2009).

Even when used by equity-minded administrators to address student behaviors reflecting overt or covert bias against marginalized communities, adjudication may deepen rather than heal wounds. Kors and Silverglate (1998) describe many examples in which colleges and universities used adjudication to punish speech that negatively impacted members of oppressed groups and were subsequently and successfully sued by the respondents for breach of their First Amendment rights. In these cases, adjudication contributed to the entrenchment of respondents in an adversarial stance; they fought in court to protect their constitutionally protected right to use racist, sexist, and otherwise oppressive speech, rather than reflect on the impact of their actions and pursue opportunities to make amends and heal their communities. Simultaneously, the courts effectively invalidated the experiences of those who were targeted by problematic behavior while vindicating the perpetrator, reinforcing the notion that justice systems in the United States are insensitive to the concerns of marginalized groups and further weakening trust that such systems might treat them with fairness. Thus, student conduct administrators inadvertently bolstered the very systems of oppression they sought to disrupt through adjudication.

Spectrum of resolution options

In response to the critiques of adjudication discussed in the previous section, student conduct practitioners began demonstrating increasing receptivity to and enthusiasm for alternative approaches (Giacomini, 2009; Lancaster & Waryold, 2008a). These scholars and administrators began to embrace the spectrum of conflict resolution options (SRO) model, which reframes student misconduct as a form of conflict. Proponents for the SRO argue that adjudication "need not be a first resort, but should be reserved for cases with the potential for the most significant consequences for a student" (Schrage & Thompson, 2009, p. 66) or for which the law forbids alternative approaches, such as reports of sexual assault (Zdziarkski & Wood, 2008). The SRO identifies a range of methods – such as conflict coaching, facilitated dialogue, mediation, and restorative justice – that colleges and universities can use alongside adjudication to respond to reports of concerning student behaviors (Schrage & Thompson, 2009).

Restorative justice. Of these less widely utilized methods, restorative justice shows particular promise for complementing adjudication and promoting high quality learning experiences for all college students (Goldblum, 2009; Karp, 2013; Karp & Sacks, 2014; Ludeman, 2004). Restorative justice is "… a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible" (Zehr, 2002, p. 37). Though restorative justice has been applied in K-12 education for decades, it remains in its nascent stages of adoption in postsecondary education (Karp, 2013; Schrage & Giacomini, 2009).

Restorative justice pathways in student conduct processes may yield particularly positive results for respondents of color, given its resonance with marginalized communities who have had negative prior experiences with disciplinary structures (Schrage & Thompson, 2009). In contrast to the multitude of negative adjudication stories told by Kors and Silverglate (1998), Karp (2013) shares an example of how a restorative justice process in the higher education setting facilitated the repair of an interracial friendship damaged by one White student's use of a racist slur against an Asian student. Within this process, the White student's use of his free speech rights was framed not as a possible rule violation, but as an action that caused harm to someone whom he held in positive regard. Simultaneously, the Asian student was not simply asked to make a report and answer an adjudicator's questions; instead, he was actively involved in the process of identifying harms and determining how it would be repaired.

Among the theoretical models that underpin contemporary restorative justice practice is the social discipline window (Wachtel, 2012). Within this framework, a student conduct practitioner who disciplines stringently without also nurturing is described as using a punitive approach. Conversely, one who does not enforce high standards of behavior but does express encouragement is using a permissive approach. Neither approach helps people to learn and grow. Instead, restorative justice advocates recommend that educators maintain both high expectations of behavior and high support when working with students who may have engaged in wrongdoing.

The concept of fair process also supports a restorative approach to responding to misconduct. According to Kim and Mauborgne (2003), participants in a process will view

it as fair and trustworthy, even if it does not find in their favor, provided it exhibits three key qualities:

- Engagement – listening to and demonstrating true understanding of the concerns, ideas, and perspectives of all participants;
- Explanation – making clear to everyone involved why, in light of all the available information, the process resulted in a particular outcome;
- Expectation clarity – assuring that all participants know what is expected of them during and after the process.

Learning goals within student conduct

Scholars articulate the promotion of student learning as a primary interest of good student conduct practice within both the broader body of student development literature (e.g., Day et al., 2004; Schroeder, 1996) and the portion thereof focused on student conduct practice (e.g., Lowery, 2008; Stoner, 2008; Stoner & Lowery, 2004; Waryold & Lancaster, 2008). For example, Stoner and Lowery (2004) recommend colleges and universities include a statement of educational values at the beginning of their codes of conduct, thus situating student conduct procedures as a means for operationalizing these values. Further, the authors state that each component of the process – from written correspondence to the hearing to the nature of the sanctions assigned – is intended to promote learning. Student conduct administrators presiding over hearing proceedings are urged to set an "educational instead of an adversarial tone" (Stoner & Lowery, 2004, p. 71).

Learning and education are cited regularly as important drivers of the student conduct process. Toward these goals, the literature includes a wealth of direction for how

student conduct systems should be structured (e.g., Karp, 2009; Pavela, 1997, 2006, Stoner, 1998, 2008; Stoner & Cerminara, 1990). However, scholars such as Ludeman (2004), Stimpson and Stimpson (2008) and Karp and Sacks (2014) have observed that there is little in the literature by way of specific advisement regarding what and how students should learn as a result of their participation in student conduct processes. For these pedagogical considerations, student conduct practitioners must rely primarily on broad guidance from the literature as they work to articulate specific learning goals for their programs. For example, the Council for the Advancement of Standards in Higher Education, abbreviated as CAS (2015), has synthesized higher education research and scholarship to articulate a comprehensive set of learning outcomes for student affairs work. CAS specifically advises student conduct programs to clarify which of the learning outcomes will guide their work within their institutions, and develop clear and measurable strategies for so doing.

Among the CAS learning outcomes are several focusing on moral and ethical development. Baldizan (1998, 2008) emphasized the importance of promoting such development through the student conduct process. Baldizan argued that conduct hearings have the potential to serve as forums for meaningful dialogue with students about the values they hold, how those values informed any actions they took which may have violated rules, and how their actions may have impacted upon others. She contended that such dialogues, as well as any sanctions assigned during the resolution of a case, should be designed to promote students' reflection upon and, thus, greater understanding of their personal values, decision making processes, and desired ways of showing up as members of their communities. Baldizan recommended that student conduct practitioners use the

moral development theories advanced by both Kohlberg (1975) and Gilligan (1982), as well as Chickering and Reisser's (1993) framework for how college students develop a sense of integrity, to first make sense of their observations of student participation in the conduct process and then create sanctions tailored to facilitate their growth as ethical actors.

Like Baldizan (1998, 2008), Karp and Sacks (2014) argued that student conduct should be designed to promote moral and ethical development, while lamenting what they viewed as a dearth of clearly articulated learning goals for student conduct practice within the literature. In order to close this gap in the literature, Karp and Sacks synthesized relevant theories and created a set of six interrelated student development outcomes toward which student conduct programs should strive:

- ***Just community/self-authorship:*** Drawing on the work of Baxter Magolda (2001) and Ignelzi (1990), Karp and Sacks (2014) suggested that student conduct experiences should help students to integrate their institution's code of conduct into their own authentic internal voice, so that their "… behavior is guided by conscience and recognition of the ethical responsibilities inherent in community membership" (p. 158).
- ***Active accountability:*** Karp and Sacks (2014) contended that many approaches to student conduct promote passive accountability among students, whereby they make amends for misconduct through accepting punishments assigned by external authorities. Instead, they suggested that student conduct practitioners help students identify in their own words how their misconduct has impacted upon

others, and play an active role in the process of determining how best to repair these harms.

- ***Interpersonal competence:*** Student affairs practitioners should aim to help students learn the skills for developing and navigating healthy relationships with others (Astin & Astin, 1996; Chickering & Reisser, 1993; Chickering, 1969). Among these skills, student conduct practitioners should focus upon "the ability to listen to others' perspectives, express remorse, and repair fractured relationships at least to the point that students in conflict can safely and civilly co-exist in the campus community" (Karp & Sacks, 2014, p. 159).
- ***Social ties to the institution:*** Arguing that students who feel positively connected to their college and university are less apt to engage in misconduct, Karp and Sacks (2014) encouraged student conduct practitioners to cultivate such feelings among respondents in order to prevent recidivism.
- ***Procedural fairness:*** People are more open to learning from processes in which they believe they have been treated fairly (Kim & Mauborgne, 2003; Tyler & Huo, 2002). As such, the authors assert that student conduct practitioners should aim to promote such a perception among respondents. As such, this proposed outcome is as focused on practitioners as it is on students.
- ***Closure:*** Engaging in and being held to account for misconduct can be an emotionally difficult experience for students, particularly when harms they have caused and of which they are aware go unresolved. Thus, Karp and Sacks (2014) enjoined student conduct practitioners to work with respondents to "… simultaneously accept responsibility for the behavior, but compartmentalize it to

be able to continue functioning as a student … enabling them to confidently pursue future goals rather than anxiously mull over the past" (p. 160).

Research on outcomes

Given that the literature offers relatively few specific recommendations for learning outcomes in student conduct, it is perhaps unsurprising that there are scant published, peer-reviewed studies on how student conduct impacts upon growth and development, even though many have advocated for such scholarship (Dannells, 1997; Lancaster & Waryold, 2008a; Stimpson & Stimpson, 2008). Van Kuren and Creamer (1989) observed that most research on student conduct issues focused on identifying characteristics of frequent offenders as opposed to understanding why they engaged in misconduct or what impact adjudication had on their learning. The studies discussed in this section are among the few, if not the only, in which researchers generated and analyzed data from respondents to ascertain what they learned through their participation in student conduct processes.

Mullane (1999) utilized quantitative methods in her pioneering research on the degree to which students perceived conduct processes to be fair and educationally valuable. She also sought to determine what relationship might exist between these variables and the level participants had attained within Kohlberg's (1975) model of moral development. Mullane (1999) found that students generally believed their conduct experiences to be reasonably fair and educational; the latter was also positively correlated with the former, meaning that it was more likely students would find the process to be educational if they also believed it to be fair. Further, students who were found to be at

lower levels of moral development were less likely to find educational value in their conduct experiences.

Given the focus of this dissertation study on the experiences of Black men as respondents, it is worth noting that Mullane (1999) did not disaggregate her findings by race. As such, it is unknown whether there were statistically significant differences between racial groups in her participant sample. Moreover, Kohlberg (1975) developed his moral development theory based upon research with an all-white and -male participant group; as such, its applicability to students of color has been called into question (Patton et al., 2007).

King's (2012) quantitative research, utilizing a variation of Mullane's (1999) survey instrument, involved a larger (n=1,184) and more diverse participant sample than the previous studies. King (2012) found that roughly half the participants "felt their discipline proceedings were not fair or did not possess educational value" (p. 577). She also found that male participants reported the student conduct process to be less fair and educational than did women, but did not find statistically significant differences in these variables based on race.

Janosik and Stimpson (2017) conducted a quantitative study seeking to identify variables that impact upon the educational impact of student conduct practice. Using an instrument of their own design, the Student Conduct Adjudication Processes Questionnaire, or SCAPQ (Janosik & Stimpson, 2007), the researchers surveyed 13,761 students from multiple U.S. institutions of higher education over a seven-year period. Echoing the studies of both Mullane (1999) and King (2012), they found that "the more students perceive the conduct hearing process to be fair, timely, and consistent, the more

students report learning" (Janosik & Stimpson, 2017, p. 39). They also found, in contrast to King, that respondents' race and gender had a small yet statistically significant impact on student learning. However, they did not indicate the directionality of this impact, so it is not apparent from their study whether students who identified as African-American men had more or less positive assessments of the fairness and educational value of their student conduct experiences than their white peers.

Howell (2005) conducted a qualitative study to gauge how students believed their learning was impacted and future behaviors shaped by their experiences in the student conduct process. Like Mullane (1999), he found that students learn and make attempts to modify their policy-violating behaviors as a result of their conduct experiences. However, it is not clear from Howell's (2005) research that students learn and develop in the ways that conduct administrators intend. For example, rather than reflecting on the impact of their choice to violate policies and advancing in their ability to navigate ethical dilemmas, the participants reported learning about the mechanics of the conduct process itself and developing the ability to represent views they do not authentically hold to appease their adjudicator. The participant sample for this study was small (n=10) and all racially white-identified; as such, its findings may not translate to the experiences of Black male college students.

The results of a quantitative study by Karp and Sacks (2014) indicate that for learning outcomes associated with the four domains of "just community/self-authorship, active accountability, procedural fairness, and closure, white students reported higher levels of learning than students of color as a result of their participation in the conduct

process" (p. 169). Karp and Sacks go on to state that additional research is needed to explore what might account for such racialized differences in student experience.

Gender and student conduct

Of the limited research focusing on the outcomes of conduct processes, even less speaks specifically to how gender factors into students' behavioral choices and experiences as respondents. Dannells (1997) and Harper, Harris III, and Mmeje (2005) observed that men are overrepresented among those referred for collegiate student conduct action. Dannells (1997) identified several characteristics typical of these men, including that they are typically in the first half of their undergraduate careers, live in on-campus housing, have less positive feelings toward their institutions than do their peers who do not engage in rule violations, and are usually under the influence of alcohol when engaging in misconduct. While this scholarship sheds light on qualities of the men who find themselves referred for student conduct action, it does not offer explanation of how they found themselves there to begin with or what they experienced as a result.

Recognizing this gap in the literature, Harper et al. (2005) synthesized theories from sociology, psychology, men's studies, and education in order to create a theoretical model explaining this gendered pattern of college student misconduct. They identified six variables that they argued interact with one another to precipitate misconduct among college men: pre-college socialization, the social construction of masculinities, male gender role conflict, the development of competence and self-efficacy, context-bound social norms, and environmental ethos and corresponding behaviors. Each variable will be explained in more detail in the following paragraphs.

Echoing the findings of theorists who advanced the models of male identity development discussed earlier in this literature review (Edwards & Jones, 2009; Harris III, 2010; Harris III et al., 2011), Harper et al. (2005) argued that *pre-college socialization* begins at an early age and encourages young men to express masculinity through aggressive and rule-breaking behavior. Indeed, they suggest that many K-12 educators view mild forms of misconduct as normal and to be expected among boys. Having absorbed this message in primary education, collegiate men

> may presume that occasionally disobeying rules (without committing acts that are punishable in criminal court) is simply "what boys do" at school, and subsequently in college. Thus, some male undergraduates, to varying degrees, willingly disregard campus policies and risk being subjected to judicial sanctioning. Sudden freedom from parents and living on one's own only intensifies this problem. (p. 570)

Harper et al. (2005) observed that beliefs about the inevitability of misconduct among men and boys is but one of many manifestations of *the social construction of masculinity*. The social constructivist model rejects the idea that commonly held beliefs about appropriate masculinity represent an objective reality about maleness, instead embracing the perspective that humans create, sustain, and transmit these beliefs through their interactions with one another on individual and institutional levels. The authors identified male peer groups, sports, and popular culture as the "three primary institutions in which masculinity is constructed" (p. 573). Much like Edwards and Jones (2009), Harris III (2010), and Harris III et al. (2011), Harper et al. (2005) found that collegiate

men are socialized by the three primary institutions to believe that aggression and rule-breaking are natural and even desirable behaviors.

Harper et al. (2005) further posited that *male gender role conflict* arises when college men perceive that they have failed to adequately embody masculine ideals or demonstrated feminine qualities. As Ludeman (2004) noted, collegiate men are often ill-equipped to manage the intense emotions that accompany male gender role conflict as a result of their socialization within hegemonic masculine norms that devalue the abilities to recognize, express, and process emotions, a set of competencies Goleman (2005) termed as emotional intelligence or EQ. Low EQ in collegiate men may constitute a form of what Levant (1997) termed "normative male alexithymia", defined as a lack of awareness or ability to articulate feelings. hooks (2004a) echoed these concerns about restricted emotionality within men, which she attributed to patriarchal norms of masculinity that harm men. Ludeman (2004) argued that alexithymia may lead male college students to engage in disruptive and violent behaviors, because it “leaves only aggression and sexuality as accepted channels for the release of emotional energy” (p. 79). Capraro (2004) identified excessive alcohol consumption among college men as one example of such behavior. These behaviors are likely to trigger student conduct action because they violate many of the policies recommended in model codes of student conduct (e.g., Pavela, 2006; Stoner & Lowery, 2004).

Combining and applying the theories of Chickering (1969), Chickering and Reisser (1993), and Bandura (1977, 1997), Harper et al. (2005) suggested that college men may engage in misconduct in their efforts toward the tasks of *developing interpersonal competence and self-efficacy*. Both tasks are heavily influenced by peer-to-

peer interactions, specifically the processes of forming relationships with peers, observing peer behaviors, and receiving feedback from peers. While engaged in these three processes, the authors argue that collegiate men may perceive that it is necessary to cultivate their ability to perform to the scripts of normative masculinity, such as engaging in behaviors that may constitute conduct code violations, even if they identify such behaviors as personally inauthentic. This argument resonates strongly with the image of the mask of masculinity as proffered by Edwards and Jones (2009).

Harper et al. (2005) noted that hegemonic norms of masculinity are not the only ones to which collegiate men feel pressured to adhere. *Context-bound gendered social norms* specific to their colleges and universities may also contribute to men's engagement in misconduct. Often, such norms are subjective and not grounded in truly representative data about how men are expected to behave at their institutions. For example, men at a given university may perceive that all or most other male students on their campus drink to excess on a regular basis and communicate this story to one another, even though in reality only a small minority engages in this kind of alcohol use. Yet the story may be sufficiently powerful to motivate men to either attempt to model such behavior themselves or hide their own divergence from this perceived norm.

The final variable, *environmental ethos and corresponding behaviors*, is based upon Lewin's (1936) classic work in which he proposed that an individual's behaviors result from interactions between one's personal characteristics, background, and elements of their environment. Harper et al. (2005) applied this perspective to argue that a college or university's environment may have significant positive or negative influence on the behaviors of male collegians. For example, they suggested that campuses with hard-

partying fraternity cultures that go unchallenged or student conduct systems that are permissive of men's misconduct may "incite destructive behaviors among those who come to the environment already socialized to deem such behaviors excusable" (p. 579).

When college men engage in rule-breaking behaviors, Laker (2003) observed that student conduct practitioners tend to respond with a "Bad Dog" approach. This approach relies upon the use of punishments to encourage obedience to the student code of conduct. However, Laker argued that punishments alone fail to promote men's learning and understanding about the reasons for their behavior or the impact thereof on others in their community. In their theoretical piece on connecting collegiate men to student affairs programs and services, Davis and Laker (2004) contended that the "Bad Dog" approach may unintentionally reify hegemonic masculinity and thus work at cross-purposes to the goal of inspiring men to make different behavioral choices.

For student conduct practitioners who recognize the limitations of the "Bad Dog" approach, the literature offers several suggestions. For example, Ludeman (2004), Harper et al. (2005), and Edwards and Jones (2009) each recommended that student conduct practitioners seek out more proactive opportunities to help college men discover alternatives to hegemonic masculinity before they engage in misconduct. Harper et al. (2005) specifically advocated that colleges offer presentations on positive masculinity during new student orientation programs, all-male small group therapy at college counseling centers, and programs aimed at helping collegiate men find space for themselves within women's centers, ethnic resource centers, and LGBTQ centers. Edwards and Jones (2009) suggested that all men may be interested in and receptive to such efforts given their participants' reflections on their efforts to remove the inauthentic

mask of hegemonic masculinity. Further, they posit that men of color may be especially keen to engage because “men who perceive they have less privilege and feel a greater need to prepare for life after graduation may be willing to take advantage of curricular and co-curricular opportunities, particularly if they are framed in a culturally relevant manner” (p. 224)/

Proactive efforts are unlikely to eliminate male misconduct on college campuses. When such misconduct occurs, Davis and Laker (2004) suggested that student conduct practitioners use male identity development theories to reframe the behaviors. Through these theoretical lenses, misconduct can be viewed not necessarily as a character flaw to be punished, but instead as a potential opportunity to engage men in a critical examination of how normative constructions of masculinity influenced their decision-making. Along these lines, Ludeman (2004) specifically suggested that

> For college men to understand possible reasons for their inappropriate choices and behaviors, the judicial process venue must be open to men's exploration of their emotionality and its connection to their behavioral choices. This means incorporating emotional work with students into the judicial process. (p. 80)

Ludeman (2004) further observed that student conduct practitioners often use sanctioning to promote such emotional work rather than situating it within the adjudication process itself. For example, he noted that male respondents who are found responsible for a rule violation may be referred to counseling or assigned a reflective paper to complete, but that such content is not typically discussed within the hearing. Indeed, no such dialogue is evident within Stoner and Lowery’s (2004) model hearing script. In critiquing this observation, Ludeman (2004) noted that such emotional work

may be considered feminine and thus relegating it to sanctioning may suggest to respondents that it is less important than "the primary "masculine" work of adjudicating misbehavior" (p. 81).

Summary

This literature review outlined key findings from extant research regarding the pre- and non-college disciplinary experiences of Black men in the United States as well as the evolution of student conduct practice in the higher education setting. Together, these works provide a larger context in which the present study must be situated. Moreover, they illustrate a gap in scholarly knowledge by comparing the relative wealth of studies examining the roles that race and racism play in shaping the outcomes of K-12 student discipline for Black males to the virtual absence of such studies in higher education. The present study aims to address this gap in two key ways. First, it seeks to generate data from Black male collegians who have been respondents in student conduct processes, a population whose perspectives on this phenomenon are not widely reflected in the existing published literature. Second, it presents an opportunity to more deeply explore possible connections between these students' experiences in higher education and the broader disciplinary context for Black men. Black male college students have ample evidence that neither K-12 disciplinary practices nor criminal justice processes will treat them equitably as compared to their White peers, but we do not yet know if or in what ways this lens informs their experiences within postsecondary student conduct systems. Further, we know little about the degree to which student conduct practice supports or impedes the success of Black male collegians. On this subject, the present study presumes, in the spirit of Harper's (2010b) research, that Black male collegians who have

been respondents in student conduct processes have unique wisdom to which we as student affairs scholars and practitioners must listen in order to understand the impact of our work. Only in so doing can we hope to engage in socially just and transformative professional practice.

CHAPTER III: METHODOLOGY

Overview

As stated in Chapter I, the purpose of this research study is to develop a better understanding of the experiences of Black male college students as respondents in the student conduct process in the United States. I am compelled to seek out these students' stories and perspectives on the student conduct process because, as stated by Upcraft and Schuh (1996), "since each student has a unique environment, there is no way to know the environment facilitated or inhibited an individual's growth and development without having a discussion with that student" (p. 188). Such discussions have the potential to illuminate important truths about the congruence between the positive intentions of such processes and their actual impact on Black males, a student population that is often poorly served within higher education and marginalized within a range of disciplinary contexts in the United States. Moreover, as stated by Howard (2013), "one of the tools that may be used to combat age old and narrow constructions of Black male experiences and can be useful in the paradigm shift is to center them as the author of their experiences" (p. 64). The findings from this study may point toward both problematic aspects of student conduct administration, as well as practices that may yield better outcomes for Black male students.

Ferguson (2000) noted that "statistics about school trouble and punishment provide a map that delineated a raced and gendered pattern of who gets punished in school … but they can tell us very little about the actual processes that give rise to this configuration" (p. 7). As such, the goals of the present study are best met using a qualitative approach, which is less interested in measuring and determining causation of

phenomena, and more interested in developing a rich and nuanced description of "the processes that people experience, why they responded as they did, the context in which they responded, and their deeper thoughts and behaviors that governed their responses" (Creswell, 2013, p. 48). Indeed, qualitative studies are useful in following up on quantitative studies such as those that have sought to understand how college students experience conduct processes (Karp & Sacks, 2014; King, 2012; Mullane, 1999), as the combined approaches can render a more complete picture of a given phenomenon (Creswell, 2010, 2013; Dannells, 1997). Further, qualitative research has historically emphasized bringing previously unheard voices into scholarly discourse on a range of subjects (Bogdan & Biklen, 2007), and thus aligns well with the aims of this study.

Within the broad framework of qualitative methods, I utilized a phenomenological approach. Phenomenological research attempts to describe "the common meaning for several individuals of their lived experiences of a concept or phenomenon" (Creswell, 2013, p. 76). In other words, it aims to discover the essence of an experience that many people share, even if they do not do so at the exact same time and under the exact same circumstances (Bogdan & Biklen, 2007; van Manen, 1990). The student conduct process represents just such a phenomenon, owing to the uniformity of its administrative structure and relative consistency of implementation across multiple colleges or universities. Even though students do not commonly participate jointly as respondents in student conduct processes, there are many similarities in how their individual processes are executed. A phenomenological approach is thus a good fit for attempting to identify and understand the common experiences of Black males as respondents within these processes.

Research Questions

As stated in Chapter I, the following research questions guided the inquiry of this study:

1. What are the experiences of Black male college students who have been respondents in student conduct processes?
2. (a) How do these Black male college students describe their experiences of *fairness* within student conduct processes? (b) What recommendations would they make for promoting *fairness* within student conduct processes?
3. (a) How do these Black male college students describe their experiences of *learning* within student conduct processes? (b) What recommendations would they make for promoting *learning* within student conduct processes?

Research Setting

Initially, I attempted to use a single research site on the West Coast of the United States. I hoped this choice would facilitate physical travel to and from the research site, as well as discovery of the participants' shared experiences within the student conduct process by minimizing any procedural differences in its administration, which would be greater if participants were drawn from different institutions. I aimed to secure a research site that demonstrated evidence that its Black undergraduate student populations were actively engaged around campus life (e.g., had a Black Student Union or similar organization, had been the site of Black student activism, etc.). Such engagement suggested that there may be Black men on campus who had not only experience as respondents in the student conduct process, but also interest in speaking on concerns related to Black student life. Further, I limited my outreach to research sites that used an

adjudication model based on one of the model codes and hearing scripts described in the literature review. This delimitation did not exclude any of the sites I researched from the study; while some employed multiple forms of student conduct practice (e.g., restorative justice), none eschewed model code adjudication.

I contacted the head of student conduct administration for a range of institutions that met the selection criteria above. I shared and discussed with these individuals my research prospectus, explained what forms of support and assistance I would require from their student conduct administration, and responded to any questions or concerns about my project. Further, I provided evidence that I had secured permission to conduct research from the Institutional Review Board for the Protection of Human Subjects (IRBPHS) at the University of San Francisco. This process allowed the head of student conduct administration to make an informed decision about whether to grant consent for my research project to move forward at their institution.

Securing a research site proved difficult. Initially, I contacted six potential research sites. Four of them politely but decisively declined to join the study, generally without providing rationale, but always wishing me luck in my research and expressing an interest in hearing about the results. One, however, provided a direct and honest explanation: that they shared the concerns about racial inequity that motivated me to undertake this study, but were too concerned about the possible political fallout should it become known that it was conducted on their campus. I suspect, but will never definitively know, that the other four shared similar sentiments.

Thankfully, one of these sites was enthusiastic about joining the study. Once I secured approval from their Institutional Research Board, my sponsors at this first

research site and I were persistent in efforts to recruit participants. Over the course of several months, we sent out multiple email notices, posted flyers at various locations on the campus, and corresponded with student leaders who were active in Black student life. Even so, I found that I could not field enough participants from this site to meet the methodological requirements of phenomenology. Here again, I cannot be certain why it proved so challenging to secure participants. However, I wager that there is generally only a small group of students on any given campus who meet all of the selection criteria for the study, as discussed in the next section.

In light of this challenge, I significantly expanded my initial geographic delimitation, casting a nationwide net for research sites and opening the possibility of having participants from more than one site. Ultimately, I successfully obtained approval from both student conduct administration and the Institutional Review Board for diverse research sites representing an array of institutional types as defined by the Carnegie Foundation for the Advancement of Teaching (2015):

- "Western State University (WSU)," a large-sized public university on the West Coast of the United States. WSU is a minority-serving institution, or MSI, as defined by Benítez and DeAro (2004), with students of color comprising more than half of all enrolled students, but Black students comprising just 4%.
- "Western Private University (WPU)," a medium-sized private university on the West Coast of the United States. WPU is a predominantly white institution, or PWI, as defined by Bourke (2016), with white students comprising 63% of all enrolled students and Black students comprising 2%
- "Midwestern State University (MSU)," a medium-sized public university in the

Midwest of the United States. MSU is also a minority-serving institution, and Black students comprise its largest racial group at 37%.

- "Eastern State University (ESU)," a large-sized public university on the East Coast of the United States. ESU is a predominantly white institution with white students comprising 57% of all enrolled students and Black students comprising 20%.
- "City University (CU)," a large-sized private university on the East Coast of the United States. CU is also a minority-serving institution, yet Black students comprise just 7% of its total student enrollment.

Recruitment of Participants

Recommendations for the number of participants in a phenomenological study range widely, but there is general agreement that three to ten will yield positive benefits (Creswell, 2013). I aimed for the high end of that range – between eight to ten participants – with the belief that such a pool would yield more data and greater opportunity for discovery of shared experiences within the student conduct process.

Due to the nature of phenomenological inquiry, a purposeful sampling method is necessary in order to identify participants who are likely to have knowledge and lived experience with the phenomenon in question (Creswell, 2010). As such, I employed a criterion sampling approach, which required that participants meet clearly articulated criteria relevant to the purpose and questions of the study (Creswell, 2013). For this study, those criteria for participants were as follows:

1. Be a currently enrolled undergraduate student at the research site

2. Self-identify as a Black and/or African-American male[2]
3. Have been a respondent in the student conduct process at the research site at some point during his undergraduate career, and be willing to be interviewed by the researcher about his experiences therein
    a. Students whose conduct history includes allegations of any form of interpersonal violence (e.g., physical altercation, sexual harassment, or sexual assault) will be excluded from participation in the study
4. Be willing to allow the researcher to record and transcribe the interviews
5. Be willing to participate in a study that may eventually be published in an academic publication such as a journal, monograph, white paper, or book.

In order to identify participants who met the selection criteria, I partnered with the office responsible for administering student conduct at each research site to send an email invitation to participate to their currently enrolled Black- and male-identified students who had been respondents within the past two years. I authored this message, in which the purpose of the study was briefly described and the criteria for participant selection enumerated. The message included my email address, telephone number, and a request that interested participants initiate contact. To incentivize participation, I offered each participant entry into a raffle for a $100.00 gift card, which I personally funded, at their university's bookstore. Once potential participants made contact, I provided a more detailed description of the study, information about the confidentiality of the data they would provide if they choose to participate, and a timeline for interviews. I also sent them an electronic copy of a consent form for their participation in the study, so that they could

[2] This criterion includes bi- and multiracial students who identify as Black and/or African-American, as well as both transgender- and cisgender-identified men.

review and sign it in advance of our interview. I collected the form from each participant before the interview.

Ultimately, even with five research sites, I was only able to recruit and interview four participants. I wonder what factors may have limited my ability to field a larger pool of participants – the sensitivity of the issue, the busy schedules of students, my inability to conduct in-person recruitment, etc. Although I was disappointed to have fallen short of my ideal goal, I was gratified to have secured enough participants to meet the methodological requirements of phenomenology. Further, I was pleased that each of the four participants attended a different institution, helping to add rich diversity of experiences to the study. "James" was a student at WPU; "Brandon," from MSU; "Alex," from ESU; and "Randall," from CU. I have summarized information about the participants in Table 1.

Table 1

Summary of Participant Information

Participant Name	Institution	Institution Size	Institution Type	PWI or MSI	Additional Background Information
James	WSU	Medium	Private	PWI	Born and raised in the U.S. South; proposed film studies major
Brandon	MSU	Medium	Public	MSI	
Alex	ESU	Large	Public	PWI	
Randall	CU	Large	Private	MSI	Born and raised in Brooklyn, NY; double-major in finance and computer science; aspires to work in an investment bank or tech company; enjoys chess, coding, and basketball

Note. Though all participants were offered an opportunity to provide additional background information about themselves, only James and Randall did so.

Data Collection

I collected the primary data set for this study via interviews with the participants, which I conducted from March 2017 to September 2017. I conducted interviews using FaceTime and Skype. I recorded the audio from all interviews using Callnote Pro by Kanda Software. At the point of the interview, I provided an opportunity for each participant to select a pseudonym of their own choosing. For those who elected not to choose their own pseudonym, I selected one on their behalf. Throughout the duration of the study, I used only pseudonyms when making reference to specific information shared during participants' interviews in order to protect the confidentiality of their responses.

Although interviewing is typically the primary approach to data collection in phenomenology, Bowen (2009) states that qualitative researchers should utilize at least two different kinds of data sources. This approach allows the researcher to triangulate the different sources of data and "seek convergence and corroboration" (p. 28). Many different kinds of documents can serve as rich sources of qualitative data, including written material, images, and in some cases physical objects (Altheide, 1987; Bowen, 2009; Creswell, 2010, 2013; Merriam, 2009). As explained by Bowen, "documents provide background and context, additional questions to be asked, supplementary data, a means of tracking change and development, and verification of findings from other data sources" (pp. 30-31).

Moore (2014) used document analysis in her ethnographic study of the United States Army, in which she leveraged military recruitment manuals as a source of data. In this study, I utilized a similar approach to mine data from documents originating within the research sites, including their codes of student conduct and official publications on

the demographics of their student bodies. I then contextualized the interview data within this secondary data set to more clearly establish how each institution and its student conduct process influenced the outcomes reported by the participants. This kind of examination was described by Nader (1972) as *studying up*, and helped to paint a more complete and nuanced picture of the phenomenon of the student conduct process.

Data Analysis

I personally produced verbatim transcriptions of all interviews using InqScribe by Inquirium Software, rather than use a transcription service. This effort was time consuming, yet it helped me to become more intimately familiar with the data and facilitated stronger analysis thereof. Once I transcribed all interviews, I organized the participants' responses using the research questions as an overarching structure, identifying themes and subthemes that helped to answer each question.

Ethical Considerations

Given the many challenges experienced by Black male college students (e.g., Palmer et al., 2014), I believe they can be classified as a vulnerable population. Creswell (2013) stated that qualitative researchers must take care when working with research participants who constitute such populations, in order to avoid exploiting or exacerbating their marginalization within their communities. While I believe such caution was important for me as the scholar undertaking this study, I also challenge deficit thinking that frames vulnerable populations as being without agency and requiring protection from beneficent others. Palmer, Wood, Strayhorn, and Dancy (2014) observed that such deficit thinking is typical within the extant literature on Black male collegians. Yet, as stated in the literature review, Black men bring cultural wealth that facilitates their success within

higher education, even under adverse conditions (e.g., Bonner, 2014; Harper, 2010b).

The Federal Educational Right to Privacy Act (FERPA) protects college students' conduct records. Under FERPA, a student must give consent before any aspect of their conduct records (including their existence at all) can be discussed, released, or in any other way made available to someone other than the student. In order to assure that participants understood they could choose what information about their conduct experiences to disclose to me, including any of their university's records, I clearly explained FERPA protections to all participants, both verbally and in writing via the consent form.

I also needed to provide confidentiality to each research site in order to secure their assent for participation. As discussed earlier, many of the universities I contacted believed my proposed research had merit and would add value to the field of student conduct administration. Still, they seemed to be concerned about the impact on their institution's reputation should my findings include critique of processes that appear to have negative impact on Black male students. In several cases, I wondered if these concerns translated into reluctance to grant permission for my research. To proactively mitigate such concerns, I provided a pseudonym for each institution rather than use their real names. Further, I included in this paper only the most general of information for each institution, such as in what region of the United States it is located, whether it is public or private, its size, and its student racial demographics. These choices were intended to minimize possible speculation by readers as to the identities of each research site while still providing details with relevance to the purpose and questions of the study.

Delimitations and Limitations of the Study

Data for this research study were collected between March 2017 and September 2017. The study involved a small sample of four participants drawn from four different universities. While this approach allowed for the development of a rich and nuanced understanding of the central phenomenon from the perspectives of the participants, the findings are not generalizable to all Black male college students in the United States. Palmer, Wood, Strayhorn, and Dancy (2014) assert that "research on Black men can be best utilized when it is uniquely situated in the institutional context in which Black students are enrolled" (p. 90); as such, the findings from the present study will be most directly applicable for universities whose attributes are similar to those of the research sites. Replication studies, with participants drawn from other institution types (e.g., community colleges, technical schools) and geographic areas within and beyond the United States, would be necessary to articulate more generalizable findings.

Protection of Human Subjects

I successfully applied for permission to conduct research from the Institutional Review Board for the Protection of Human Subjects (IRBPHS) at the University of San Francisco. Further, as stated earlier in this proposal, I provided all potential participants with a thorough explanation of the purpose of the study and research methods to be used. Prior to collecting any data, I secured and documented the participants' formal consent to participate, and informed them that they may withdraw their consent and cease their participation at any time. Recordings of interviews, interview transcripts, field notes, and researcher memos will be held electronically in an encrypted file to which only I will have access. Three years following the conclusion of the study, these electronic files will be securely deleted.

Background of the Researcher

Though my personal and professional interests are important to acknowledge as I prepare to undertake this research, so too is the reality that my relationship to the research problem differs substantially from those of my participants. I identify as biracial, Asian and White. Phenotypically, I present as a person of color and am read as such by most people. As such, I experience the many forms of racism arrayed against people of color, bi- and multiracial people, and Asian people. Still, those forms do not include disproportionate referral to and punishment within United States disciplinary systems, both within and outside of education. It was thus important for me to name that reality and keep it within my consciousness as I collected and analyzed data.

Moreover, my status as both a student conduct practitioner and doctoral student presented additional power differentials between the participants and me. Undergraduate students who have been respondents in the student conduct process may have been reluctant to discuss their experiences with an administrator, even one who did not adjudicate their cases or work at their university, out of concern that I would be biased toward portraying student conduct practices in a positive light. These students may also have felt a sense of distance from me because of the differences in our educational backgrounds and the privileges conferred upon me as a person who has undertaken advanced graduate study. In order to proactively mitigate these possible concerns, I began each participant relationship by explaining why I am concerned about the experiences of Black male respondents in student conduct processes, naming the existence of evidence that our practices do not produce equitable outcomes by race. Further, I framed my research as a method for seeking better understanding of why such problems might exist,

the resolution thereof requiring a consideration of the special knowledge that only the participants could bring to bear. Articulating my honest belief in the participants' experiential expertise in student conduct could not erase the power and identity differentials that exist between us, but I hoped it would bolster their confidence in our ability to successfully navigate those differentials in service of a shared goal. I believe these efforts were effective, based on my sense of good rapport with each participant, and their frank, honest, and at times vulnerable disclosures to me during the research process.

CHAPTER IV: FINDINGS OF THE STUDY

Overview

Reorganizing the research questions

As stated earlier, the following research questions guided the inquiry of this study:

4. What are the experiences of Black male college students who have been respondents in student conduct processes?
5. (a) How do these Black male college students describe their experiences of *fairness* within student conduct processes? (b) What recommendations would they make for promoting *fairness* within student conduct processes?
6. (a) How do these Black male college students describe their experiences of *learning* within student conduct processes? (b) What recommendations would they make for promoting *learning* within student conduct processes?

Initially, I intended to use these three questions as the overarching structure for analyzing the data and organizing my findings. However, the more time I spent immersed in the data, searching for the relationships and synergies between the participants' experiences, the clearer it became that I needed to take a different approach. My attempts to classify the themes underneath each of the questions, while illuminating, was also frustrating. I had answers to each question, yet those answers often defied easy categorization, as the themes from the data often straddled multiple questions. I came to understand that I needed to revise the structure (but not the content) of the questions to better align with my evolving understanding of their meaning.

Question 1 is the overarching question I sought to answer with this study: How do Black male collegians experience the phenomenon of student conduct? Questions 2(a) and 3(a) probe specific dimensions of that phenomenon; thus, they function more as sub-questions to Question 1 than as entirely separate questions. Further, the participants' answers to both parts of Questions 2

and 3 revealed that they often could not neatly classify aspects of the student conduct process as promoting *either* fairness *or* learning; rather, a dependent and overlapping relationship between these two constructs emerged from the data.

Based on these new understandings, I reorganized the research questions:

1. What are the experiences of Black male college students who have been respondents in student conduct processes?
    a. How do these students describe their experiences of *fairness* within student conduct processes?
    b. How do these Black male college students describe their experiences of *learning* within student conduct processes?
2. What recommendations would these students make for promoting:
    a. *fairness* within student conduct processes?
    b. *learning* within student conduct processes?

Within this new structure, I was better able to organize the data. Ultimately, I found five themes within the data, each with a set of subthemes, as summarized in Table 2. The first four themes offered answers to Question 1 and its two sub-questions, while the fifth theme collected responses to both dimensions of Question 2.

Table 2

Phenomenon of Student Conduct

Themes	Arrivals	Departures
Salience of race (Question 1)	• White adjudicators/Black students • Disparate treatment based on race	• Unclear on salience of race
Personal experiences (Question 1)	• Disconnect from self-image • Treated kindly by individual adjudicator	• Supported in aligning choices with self-image
Process/system critiques (Question 1)	• Adjudication even when no misconduct occurred • Unreliable information • View punishment as inevitable	• Hearing boards
Learning (Question 1)	• Learned about policy/rules • (Threat of) punishment impedes learning	• Reinforcing existing beliefs • No learning at all
Recommendations (Question 2)	• Clearer and more honest processes and explanations • More and better gathering of information • Facilitate meetings between parties involved • Absence of recommendations to promote learning, but interest in learning	• Diversify adjudicators (not just based on race) • "Innocent until [proven] guilty" • Maintain critical race consciousness • Status quo, "keep doing what you're doing"

Arrivals and departures

Within each theme, I further organized the subthemes using Nicolazzo's (2016a, 2016b) inspired conceptualization of *arrivals* and *departures*, which ze created to report the findings of hir pioneering research on the experiences of transgender college students. Nicolazzo (2016b) offered the following description of this approach:

> By arrivals, I mean the ways data share commonalities, and by departures, I mean how data diverge from one another. The metaphor of arrivals and departures is similar to how travelers gather at an airport, itself a similar point of arrival, but

> then depart in several different directions. Moreover, even though some travelers may come to the same airport for the same flight, thus arriving at the same point seemingly for the same departure, the specific reasons, purposes, and meanings they make of their similar arrivals and departures may have commonalities and differences … (p. 47)

This framework of arrivals and departures is a strong fit for the data in the present study. Each of the four participants described different experiences of and recommendations for the student conduct process. Within each theme, various aspects of multiple participants' experiences converge, and I describe these convergences as arrivals, points at which the data coalesce into a subtheme. At other times, participants provided powerful reflections that I believe reveal important aspects of the student conduct process, yet are not shared with other participants. The concept of departures creates space for such data within the study, allowing them to help shape a theme even if they are not directly echoed by the stories of other participants.

Findings

Theme 3: Salience of race

In all my outreach to possible participants - from the invitation to join the study to the consent form, I clearly conveyed my specific interest in understanding the experiences of Black men in student conduct processes and the degree to which those processes result in equitable outcomes for Black men. As such, I expected race to be top of mind for the participants during our interviews. Instead, I found there was variation in the degree to which race was a salient aspect of the participants' student conduct experiences; generally, the participants did not volunteer such reflections until I specifically probed for them. From the perspective of some participants, race did not play a clear role in how they viewed their student conduct experiences as a whole, or with respect to fairness and educational value. For others, race and racism was a meaningful

part of the experience, but usually in subtle ways to which they sometimes appeared resigned as simply part of the fabric of their everyday lives in a white-dominated world.

Arrival: White adjudicators/Black students

To a person, each of the participants observed that their adjudicators – whether individual hearing officers or members of a hearing board – were nearly always white. Only Alex identified any people of color among his adjudicators, a single person among otherwise all white people. Both Alex and James said they believed this pattern was consequential in some way to their student conduct experiences. Although Alex did not identify specific ways in which he believed the fairness of his treatment was impacted by these racial disparities, he clearly was troubled by them.

> ALEX: It was still annoying for the fact that my fate was decided by a board that was overwhelmingly from a similar background … I still don't think the makeup of the panel was necessarily fair.

Like Alex, James believed the fact that he was Black and his adjudicator was White was a meaningful part of his conduct process. James saw this interaction as reflecting a pattern of racial dynamics between white faculty and staff and Black students at WPU.

> JAMES: I'd say, a lot of the departments amongst the faculty are predominantly very white and Eurocentric … But just, it's like, these are just all white people, and I just feel like there's no one here that has a similar experience to me or can represent me. And when dealing with the student conduct, I mean it wasn't like racist when I went to student conduct at all, or I felt prejudice or anything, it's just, you know, there's no one here that can really represent me or I feel like can understand me. Because I'm not having the same kind of experience that all of these other kids are … You know what I mean? So it's very different for me.

Here, James connected his experience with his white student conduct officer to a general observation he referenced frequently throughout our interview: namely, that he often saw a gap between the way WPU represented itself and its beliefs about promoting

racial equity "on paper" and the behaviors of white faculty and staff. On one hand, he praised WPU for taking what he called a "zero tolerance" stance on racism, noting that "they do a great job on a *formal* [emphasis added] level of giving everyone a fair trial and listening to them." Still, James felt that even when white faculty and staff espoused good rhetoric regarding racial justice, he often found their actions did not reflect understanding of the challenges he faced as a Black student on the predominantly white campus. James wondered how this lack of understanding might have impacted upon the decisions rendered in his student conduct case.

Arrival: Disparate treatment based on race

While Alex and James did not believe their white adjudicators engaged in overtly racist behavior, they were also aware of differences in the ways that they were treated within the conduct processes at their institutions as compared to their white peers. Such differences became apparent to Alex in his second student conduct case. As is typical in model code-based adjudication processes, students may have a support person present with them during their hearings. The support person's role is to provide advisement and counsel to the respondent. Alex asked his white roommate Tony[3], who had also been through ESU's student conduct process for a different case, to serve as his support person. Later, as they debriefed the hearing experience with each other, Tony told Alex that his experience was "completely different" than Alex's. For example, Tony was distressed that Alex had been initially told he was not allowed to challenge testimony provided by other participants at the hearing. Had Tony not been present to encourage Alex to challenge this faulty guidance based on his own experience, Alex believed the outcome in

[3] "Tony" is a pseudonym I selected for Alex's roommate.

his case would likely not have been in his favor. Moreover, Tony was not the only white student whose feedback suggested to Alex that he had been treated differently based on his race.

> BRIAN: … your support person, who is your roommate, is white, and he had had experiences in the conduct process, and [he] reflected back to you, "my experience is really different than what's happening here."
> ALEX: Yeah, and a lot of other people told me too. Like, I'll explain what happened to them … and they'll be like, "oh, that's crazy, that's crazy. That shouldn't have happened that way. It shouldn't be like this." And I feel like, if students know that's wrong, like, why is that the way?

Similarly, James was aware that the outcome of his student conduct process was different than that of his white roommate to whom the alcohol in question belonged. Specifically, in addition to the alcohol education workshop they were both required to attend, James received a $75.00 fine, but his roommate did not.

> BRIAN: So your roommate who had the rum didn't have a fine.
> JAMES: No.
> BRIAN: Okay. Do you have any sense as to why that difference happened in terms of, you know, why you had that outcome and your roommate had a different outcome?
> JAMES: Um, no, not really. But, I am Black and he's White, so I guess that's the elephant in the room.

As a researcher, I was stunned by this portion of our interview; had I not probed further, James may not have shared this part of his story, even though I saw it as critically relevant to the research questions. Following the above exchange, I asked James if he had any additional reflections about the significance of race in his student conduct experiences. In response, James situated his student conduct story as just one – and perhaps, in his view, relatively unremarkable – facet of a broader racist national context, wherein he expected even nominally nonracist systems to produce unfair outcomes for Black people, even those who are hyper-vigilant about avoiding trouble.

> JAMES: It's just something that's really plaguing all of America right now. Um, I'd say [at WPU] … like, it's still there, but they're just a lot nicer about it than they are in places like South Carolina, like Mississippi. But it's definitely still there. That's why, like, as a person of African descent, you have to take extra precautions in dealing with people, what you do, even like the activities that you participate in, because you may be seen a different way versus if someone of European descent does it. And I'm not just talking about White people, I'm talking about even, um, you know, White Spanish people, Asian people, you know, you're just seen, it's like, "oh no, you're Black, you know, you can't get away with this." You know what I mean? So you just have to be careful and be twice as good. There's a saying, "you have to work twice as hard to get half of what they have." And that's just true … you have to be twice as good, and that same thing applies to college, so you know, you have to stay out of trouble. Because they won't hesitate to just throw you out. You know, so. Welcome to Planet Earth.

Departure: Unclear on salience of race

Whereas race was a salient factor in the student conduct experiences of Alex and James, Brandon and Randall had different perspectives. In Brandon's view, race did not have any clear impact on his experience of the student conduct process. He was satisfied that he had been treated fairly and in the same manner as students of all other racial identities under similar circumstances. While Randall expressed doubts at various points of his interview about whether he had been treated fairly in the student conduct process, he was hesitant to draw any connections between these concerns and racism.

> BRIAN: From your perspective, you know, are there any ways that you felt like race was salient or was showing up in the way that this process unfolded for you?
> RANDALL: I'm not really sure. And so since I'm not really sure, I'm not gonna jump to the conclusion that there was racism. So I guess my answer is, no, there wasn't anything about that.

Randall was not foreclosed on the idea that racism could have been a part of his student conduct experience. In retrospect, I wonder whether he had considered that possibility before our interview. In any case, his assessment diverged substantially from that of Alex and James, even though their stories somewhat resonated with each other's in that none of them believed they had experienced overtly racist behavior.

It bears noting here that Alex and James each attended predominantly white institutions, whereas Brandon and Randall attended minority serving institutions. In Chapter Five, I explore the possible implications of these different institutional contexts, and how they may impact upon the salience of race in student conduct processes for Black male collegians.

Theme 2: Personal experiences

Within this second theme, participants described how they experienced the student conduct process on a personal level. Whereas other themes relate more specifically to the participants' observations about the process itself, this theme collects their reflections on how being referred to the student conduct process was dissonant with their self-image. Further, it also describes the quality, rather than the content, of the participants' one-on-one interactions with individual student conduct officer. The mild and at times pleasant individual interactions herein stand in contrast to the overall experience of student conduct as illuminated in the subsequent themes. While this theme is smaller and less rich than the other four, it adds important nuance and depth to the overall picture of student conduct as experienced by the participants, as I will discuss in Chapter Five.

Arrival: Disconnect from self-image

Three of the four participants expressed clearly that "getting into trouble," in their words, was out of step with how they viewed themselves and wished to be viewed by others. James and Randall stated that their student conduct cases resulted from allegations that they had violated university rules when they asserted they had not. For both students, being referred for student conduct action chafed against their self-image as responsible

members of the campus community. They described themselves as the sort of people who did not get into and actively sought to avoid trouble. James used humor to explain why his referral to student conduct was out of step with how he viewed himself.

> JAMES: Like, I don't engage in those kind of deviant activities. (Laughs) I'm actually like kind of a nerd.

In contrast, Brandon acknowledged that his student conduct case resulted from his decision to drink alcohol in university housing, even though he was below the legal drinking age. In other words, he admitted that he had violated MSU's code of student conduct. However, like James and Randall, he held a negative view of rule-breaking behavior, and expressed a sense of disappointment in himself for having elected in this case to act in a manner that was not congruent with his values or the manner in which he was raised. He further expressed concern that his actions could diminish his reputation within the MSU community, saying, "I don't want to be known as a person who caused trouble around the school."

Arrival: Treated kindly by individual adjudicator

James, Brandon, and Randall each had an individual meeting with a student conduct officer, the most typical hearing format in student conduct practice. As I discuss in Theme 2, James and Randall had mostly negative observations about their overall student conduct experiences. However, they and Brandon all described a positive tenor to their meeting with their adjudicator. Randall said there was "nothing bad" about the experience of meeting with his adjudicator, and described her as "very nice." Further, he noted that she said complimentary things about him during their meeting, calling him "nice" and "smart." James stated that his meeting felt "great," "smooth," and "very relaxed." Poignantly, considering some of his other observations about his student

conduct experience, James said that he "… didn't feel discriminated against" due to his race or gender. Brandon recalled the way in which his adjudicator appeared to recognize that having a student conduct meeting might be stressful and took steps to try to put him at ease.

> BRANDON: The experience, it was, you know, it was very settled. I just came in, you know, just talking normal even though we was talking about like a main issue, it was just like one-on-one conversation. Like, "you don't have to be nervous, you don't have to be scared. Just sit and, you know, just tell the truth and everything will be fine."

Brandon went on to note that the way his adjudicator discussed the incident with him reflected a belief that he was capable of making good decisions, and that his choice to violate policies did not forever brand him as a problem in the eyes of MSU. He interpreted her conversation with him to mean that she was "… taking the time and seeing like if this student [Brandon] really is a troublemaker."

Theme 3: Critiques of processes and systems

While several of the participants found their adjudicators to be kind people, such kindness did not necessarily translate into an overall positive experience as respondents in the student conduct process. I identified several shared concerns about how student conduct processes and systems are administered in ways that chafed against the participants' sense of fairness; as further discussed in Theme 4, these concerns appeared to have a significant impact on how and what the participants believed they learned, if anything, as a result of their experiences.

Arrival: Adjudication even when no misconduct occurred

Whereas Brandon explained that he had violated a university rule, each of the remaining participants asserted that they had not and expressed varying degrees of frustration that they were still referred for student conduct action. James shared that he

was summoned to appear at the student conduct office because an RA[4] reported having seen a bottle of alcohol in the residence hall room he shared with another student who, like him, was below the legal drinking age. James said that the alcohol belonged to his roommate, not him. As he described it, "… it was in my room too, so you know, guilty by association." James was disappointed that he had to go through the student conduct process due to actions undertaken by another student, rather than his own. Randall recounted a similar story.

> RANDALL: I was walking into my friend's room with a few of my friends ... And I walk in, I see alcohol. And then, um, when I'm walking out to like leave, and I was only in there for a second to say "hi," and an RA comes, and then she tells me to go back in the room and that I'm in trouble, with the rest of the people that are also in the room.

Like James, Randall felt his referral for student conduct was based on circumstances over which he had no control rather than any actual misconduct in which he had engaged. While others in the room were drinking alcohol, he did not do so, did not plan to do so, and was attempting to remove himself from the situation when the RA arrived. He found this situation to be unfair to him.

Alex described having been referred twice for student conduct action, each time based on what he believed were baseless accusations of misconduct. During our interview, he elected not to share with me any of the details about the nature of the allegations against him, although he did say that in at least one of the cases, they related to a dispute he had with another student. However, he expressed frustration that he was subjected to stressful and energy-consuming adjudication processes that weighed heavily on him over the course of several months, even though he had done nothing wrong. It

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[4] Abbreviation for "Resident Assistant," a common job title for students employed by their campus's housing office.

was no comfort to him that both processes ultimately concluded he had not broken any rules, as he had contended all along; for Alex, the processes themselves had already exacted a toll on him, and as described later in this dissertation, would continue to do so even after they concluded.

Arrival: Unreliable information

Randall and Alex each relayed that, however kind or well-intentioned their student conduct staff members may have been during face-to-face interactions, they also provided unreliable information as the conduct process moved forward. Specifically, the conduct officers gave inaccurate or changing guidance about how the student conduct process was supposed to unfold, the due process rights to which respondents are entitled, and their assessment of the evidence regarding the allegations of misconduct in question. Randall described the following experience with his adjudicator that led him to question her honesty about the process, and thus the extent to which she was treating him and other respondents with fairness.

> RANDALL: After we got done talking, she told me how, like, she thinks I'm a really nice and smart kid, and that she believes me, and she believes everything I said in my story, and that the report matches up with my story, that I was just coming out of the room and the RA saw me coming out, but they told me to go back in. She was like really nice about it. But when I talked to my other friends that were involved in the situation, she told one of [them] that she thinks that he's telling the truth, and that everyone else is lying, and that she can see that he is the best kid and all this other stuff. It felt like really manipulative, because obviously, if he's the only one that's telling the truth, then supposedly I'm the one lying to her after she said that she believed I was telling the truth.

Further, Alex shared that one of the staff members at ESU's student conduct office, whether purposely or on accident, misled him regarding what he could and could not say during his hearing.

> ALEX: And what really kind of set me off with student conduct is they told me … I wasn't allowed to like directly challenge what the person against me was saying.

> But I found out at the end I was allowed to. And I actually found that out by mistake, through like an outside source. And so it kind of felt weird that when I was being, like, prepped for this whole thing, they told me I couldn't say anything, which at first hurt, like, my ability to prove my innocence.

Initially, Alex trusted the guidance he had received from the student conduct office. Thus, he was deeply troubled to learn from someone who did not work for the office that this specific guidance was incorrect. Alex expressed frustration that student conduct staff members, whom he expected to know student conduct procedures, could fail to provide accurate information about them when so doing could have had serious repercussions for him or other students in similar positions.

Arrival: View punishment as inevitable

Alex, James, and Randall each denied having violated any rules, and were thus particularly disappointed – though not necessarily surprised – that they were sanctioned anyhow. Randall was found responsible for violating CU's code of student conduct and given a formal written warning, an outcome he could not reconcile with his account of the incident or the feedback he had received directly from his adjudicator. In his view, he was in the wrong place (i.e., he walked into a room where other students were breaking the rules) at the wrong time (i.e., just before an RA arrived), and he explained as much to the adjudicator. In turn, the adjudicator told him that his account aligned with the RA's report and praised him for giving a truthful account of the incident. As such, being found responsible for a rule violation anyway felt to him like an injustice.

Similarly, James was found responsible for misconduct even though the alcohol seen in his room belonged not to him, but to his roommate. As a result, he was sanctioned to attend a workshop on alcohol use and fined $75.00. Like Randall, James questioned the fairness of this consequence, arguing "… if my roommate brings alcohol into our

room, why in the hell do I need to pay you a damn thing?" He felt as though his roommate's choice to bring alcohol into their shared room had placed him into a no-win situation regarding student conduct. From his perspective, the conduct system did not appear to care whether he had done anything wrong, but seemed more invested in financially extorting him (as he believed it did to other students as well) based only on his proximity to another student's violation of the rules.

Unlike Randall and James, Alex was not found responsible for misconduct in either of his two cases, yet he stated that for one of them, he was still punished. Specifically, in the case wherein he and another student were in a dispute, he was required to move out of the residence hall where they both lived because, as explained to him, it was uncomfortable for the other student to be near him or in his presence. Alex was wounded by this forced separation from his roommates and friends in the building, who were key sources of social support in his college experience. He did not understand why he had to move even though he was not found responsible for a rule violation.[5] However, his puzzlement did not translate to surprise, in that he had come to expect that punishment was inevitable once referred for student conduct action.

> ALEX: It seems like no one goes to student conduct who doesn't pay like $100.00 or $150.00. So like everyone knows, once you go to student conduct, you're kind

[5] As both an adjudicator and a university housing officer, I am aware that some student behaviors may not constitute a rule violation but still create problems in residential communities that must be addressed through actions such as relocating students, even if it is against their wishes. Although room reassignments of this nature are generally not thought of by student affairs practitioners as conduct process sanctions, in my experience this nuance can be easily lost on students even if clear explanation is provided. It is possible that this was the case with Alex's relocation, and would make more sense than him receiving a sanction even if no rule violation occurred. However, the fact remains that from Alex's perspective, the relocation was inseparable from his student conduct experience.

> of just, you're in trouble … Like, very few people go to student conduct and leave without any repercussions, regardless of the case.

Departure: Hearing boards

Unlike the other three participants in this study, Alex's two student conduct hearings were conducted by boards rather than an individual adjudicator. At ESU, such boards were convened when respondents might be subject to suspension or expulsion if found responsible for the allegations of misconduct in the case at hand. Each board was comprised of a student conduct officer and other members, who might be other student conduct staff members or students. ESU's published board hearing procedures were more formal and regimented than one-on-one meetings. Structurally, these procedures appeared to have been based on Stoner and Lowery's (2004) model code, reviewed in Chapter Two.

Given the significant differences in the approach to adjudication and the seriousness of the potential outcomes thereof, it is not surprising that Alex's experience of the student conduct process diverged from those of the other participants. Specifically, Alex articulated unique critiques of the process that added to and amplified the impact of those he shared with Randall and James. For example, Alex described his experience as one where the adjudication processes and procedures were treated as centrally important, and respondents as people whose needs, concerns, and fears were secondary at best. One way he saw this dynamic manifesting was in the guidance he received about the participation of any witnesses he might call to testify on his behalf.

> ALEX: When student conduct called me in, they were like, "you can't call any witnesses because anyone you talk to past this point will know you're in trouble." But I'm like, "how was I supposed to know to call witnesses for something that allegedly happened two months ago?" Like, I don't just walk by and tell people, like, "hey, just in case I need you, you might be a witness." You know, I was kind

> of fending for myself with no witnesses … I don't know how to have witnesses prepared without talking with them.

From Alex's perspective, the rules of engagement as they were explained to him put him at a disadvantage in his efforts to make a case for his innocence. Though nominally these rules appeared intended to protect his rights to privacy, he ultimately saw them as hindrances that did him more harm than good. His sense that the process was treated as more important than the student was reinforced by the way communication occurred at various points in the process.

> ALEX: As soon as you go in, it's like, what's your side of the story? And from there, you just don't hear anything, you just kind of hear their decision. You know?

Following the hearing, wherein he felt procedurally constrained in his ability to tell his "side of the story," Alex had to wait for several weeks to hear the outcome, a stressful time in which he was left wondering whether he had a future as a student of ESU. He did not see the process as recognizing his interest as a respondent to have a timely resolution, but rather favoring the student conduct office in issuing an outcome on a timeline that aligned with its operational needs. Further, when the decision finally arrived and the findings were in his favor, no one acknowledged the stress and difficulty he had endured throughout the process.

> ALEX: Like, the entire time, I was kind of getting almost pushed toward suspension or expulsion for something I didn't do. And then … they were like, "all right, that's the end of it, we can't do anything to you."

This abrupt end to the process, without acknowledgement of how hard it must have been for him, caused Alex to question his adjudicators' capacity for empathy. He was frustrated that their behavior continued to reflect a lack of concern for his feelings and well-being even after he had prevailed in a process he believed to be stacked against

him in the first place. In other words, he felt he was treated consistently as a wrongdoer and as someone whose feelings were thus unimportant. When all was said and done, he believed his student conduct processes were unfairly designed to make it difficult for him as a respondent to establish the truth of his innocence. He saw what he identified as a presumption of guilt embedded within all aspects of the process, from start to finish.

> ALEX: Instead of innocent until guilty, it's more like guilty until innocent. It's really hard to explain. Like, from the minute you walk in, it's kind of like, "this is what's gonna happen," and like, "show us overwhelming proof that you didn't or you're getting in trouble."

Theme 4: Learning

The participants in this study had a range of reflections upon the educational value, or lack thereof, of their student conduct experiences. While some of them clearly believed they had learned something, they varied in the degree to which they assessed their learning as valuable. Further, it appeared that they cultivated little by way of new knowledge, as the learning that occurred most often seemed to affirm information that was already available and known to the participants. More troubling, there was evidence that for some participants, no learning occurred at all, and that the process itself constrained the capacity to learn even in other settings at the institution.

Arrival: Learned about policy and rules

Brandon and James were referred to student conduct based on allegations that they had violated alcohol policies. These allegations informed the educational sanctions they were assigned when they were held responsible for the violations in question. Brandon was assigned a reflective paper to write.

> BRANDON: I had to write about, you know, the consequences of breaking the policy, and what the policy is, and you know, what did I learn from the policy … Well, it was normal, just like any other paper that I've ever written. I just had to, you know, explain the main topic of the paper, which was the policy that I'd

> broken. You know, give facts about it. You know, give my own opinion about it. And just explain like how to avoid being in [and] how I ended up in that kind of situation.

When I asked Brandon what he had learned from completing this assignment, he said, "I learned that the policy is real strict, because they want everybody to be safe. And they don't want too much drama going on, because people could get hurt around the school." In other words, he learned about what the rules were and the reasons why administrators had created them, with which he appeared to agree given his already espoused desire to avoid "getting into trouble."

James was also assigned a sanction focused on alcohol education – specifically, an in-person seminar on alcohol use. However, his frustrations about the unfairness of the findings in his case and the burden of his assigned $75.00 fine appeared to be his primary takeaways.

> JAMES: And we learned about, you know, how much to drink, how much not to drink, and you know, how to drink responsibly. And I'm like, well why are you doing this after the fact that we've already been fined? [And] I didn't even drink, like you know, I could have never had a sip of alcohol in my life, you know what I mean? But yeah, I mean, I learned something, but I was being financially extorted in the process.

Arrival: (Threat of) punishment impedes education

James's focus on his frustrations about the $75.00 fine reflects his view that punishing wrongdoing is apparently more important to adjudicators than promoting learning. As he lamented during our interview, "Why [is it that], if someone breaks a rule, the incentive to correct that student is money? … Why can't I actually *learn something* [emphasis added]?" This final sentence is particularly telling, in that it provides evidence that students wish to learn from student conduct experiences, and are frustrated when they feel as if the process is not designed to effectively promote such outcomes.

Alex was even more pointed in his response to my question of his experience of learning within the student conduct process.

> ALEX: If anything, I think the experience is like traumatizing. It's kind of scary to one day get an email and just find out you're being put up for expulsion … it's hard to focus on school and like other things, once you're dealing with that. 'Cause they make it seem like there's no point in continuing. Like, if I was facing expulsion, what's the point of doing my homework for next week? Like, if I might not go to school after Friday? You know, it just kind of makes it hard for you to think ahead. So if anything ... *I think it impedes education* [emphasis added].

For Alex, the threat of exclusionary discipline loomed over all aspects of his life during the student conduct process. The resultant stress made it nearly impossible for him to focus on his studies or to engage with the student conduct process in a manner that might have allowed him to learn from it. In so doing, Alex indicated that the student conduct experience failed to meet its purported goal of promoting learning and, in fact, actively reduced his capacity to learn.

Departure: Reinforcing existing beliefs

When I asked Brandon to share what, if anything, he had learned through the student conduct process, he spoke of how it helped him to remember previous life lessons that shaped his view of who he wanted to be in the world, and recommit to living his life in congruence with that self-image.

> BRANDON: I've been told, you know, "you know you did wrong and … you're never gonna forget the actions you did, and I hope you just learn from it. You know, you'll never do it again." And those things take a toll on me. You know, like I said, I don't like to get in trouble that much, so I try to avoid bad situations as much as possible. So if I do get to a bad situation, I will quickly try to opt out of it and just, you know, keep going into it, making it more pressure on myself, you know. If I get into a bad situation, you know, doubting myself, doubting who I am ... this is not me, I'm supposed to be going the other way. Because that's the way I was raised.

By his own account, Brandon's most significant learning was more specifically re-learning. He appreciated the opportunity to revisit those ideas through the student

conduct process and used his refreshed knowledge to inform his choices moving forward. As such, his experience of learning differs substantially from the other participants in this study. In Chapter V, I explore the potential significance of this difference.

Departure: Absence of learning

Whereas Brandon believed he relearned valuable lessons through the student conduct process, and Alex and James asserted they had learned little while also having their overall capacity for learning diminished, Randall could not identify having learned anything at all.

> RANDALL: Yeah, I don't know, I don't think I learned much from it.
> BRIAN: Okay, so I definitely got that you didn't learn much. Was there anything that you would say, at all, that you learned from it? And it could really be about anything.
> RANDALL: Uh, no, I don't feel like I learned anything from the entire process.

This complete absence of any kind of learning experience resonates with Alex's experience, yet also differs from it in that Randall did not say he believed the process impeded learning. Rather, Randall asserted that learning was simply a non-factor in his student conduct experience. As such, rather than omitting this portion of Randall's experience from my analysis, I have instead classified it as a departure within the overall theme of learning. Even on its own and in its relative simplicity, this part of Randall's interview adds an important layer of understanding to how the participants experienced learning as respondents in the student conduct process.

Theme 5: Recommendations

Based on their varying experiences with student conduct, whether positive or negative, the participants offered useful suggestions as to how student conduct practitioners could improve upon our administration of these processes to better align with the goals of promoting fairness and learning for all students, specifically those who

identify as Black men. Some recommendations related to the structures, procedures, and methods of interaction used in student conduct. Others pointed toward shifts in adjudicator mindset and philosophy that the participants believed would result in more sensitive treatment of Black men in the student conduct process.

Arrival: Clearer and more honest processes and explanations

As described in earlier themes, Alex and Randall were often at a loss to understand how the student conduct process was supposed to be administered and whether they could trust the information with which they were provided by adjudicators. Thus, they both recommended that student conduct officers prioritize providing respondents with clear and consistent information. For example, Alex suggested that at the outset of a student conduct case, adjudicators should take care to provide a step-by-step outline of how the process is intended to unfold, from start to finish. He also noted that when he was provided with procedural information about the conduct process, it focused primarily on his *responsibilities* – the actions he was required to take as a respondent – and failed to adequately outline his *rights* (e.g., the fact that he was indeed permitted to question other participants in his student conduct hearing, when he was initially told he could not).

Alex also recommended that student conduct staff should consistently explain to respondents what the possible sanctions could be at the outset of a case, because "a big part of the issue, a big part of the stress is not knowing what could happen." While he was informed that suspension or expulsion were options, he did not know how likely they were nor what the other potential outcomes could be if he was found responsible for none, some of, or all the allegations against him. In particular, he wished he had known that his

housing assignment could be changed even if he was not found responsible for a rule violation.

As described earlier, Randall was troubled by what he saw as the shifting, and perhaps even dishonest, way his adjudicator framed his testimony when speaking about it with other respondents in the same case. Therefore, he wanted to advise student conduct practitioners to either remain consistent in their articulation of their understanding of the information respondents provided to them in their hearings, or to explain clearly when and why their understanding may have shifted, especially if the change is from belief to disbelief. Such action would help promote greater trust and belief in the positive intentions of adjudicators, even when they do not find in favor of respondents.

Arrival: More and better information gathering

Further, Alex and Randall felt that their adjudicators were insufficiently thorough in gathering information and evidence to determine whether they were responsible for violating university rules. Each believed that the first report alleging misconduct is generally treated as the most important or reliable evidence in student conduct proceedings.

> ALEX: They turn everything into either a "he said, he said" or "he said, she said" kind of situation. And so usually … whoever reports first, wins. Because they have the most information to go off of or something like that. So that's why ... they need to more investigate and try to ask for input and piece stuff together.

Similarly, Randall was concerned that his adjudicator did not spend as much time as she should have on gathering information and interviewing the students involved. He specifically suggested that multiple interviews with a given respondent might be in order. In his conduct case, a second interview with the adjudicator would have presented her an opportunity to explain why her initially espoused belief that he had told the truth in his

first meeting had changed, as well as for him to respond directly to this new information and potentially help resolve conflicts between different students' accounts of the incident.

Arrival: Facilitate meetings between disputants

The cases in which Alex and Randall were respondents involved multiple parties, including both other respondents as well as complainants. As they saw it, many of the problems in these situations arose from misunderstandings between students, which the conduct process was not structured to resolve. As such, they each suggested group meetings between students whose accounts of the same incident were divergent would be the most effective method for creating clarity.

> ALEX: I know a lot of schools don't do it, but I feel like it would be productive to have a meeting with both parties, if there's more than one party. You know, sometimes student conduct may not have the issue of multiple parties. But if they had all parties involved there, it would help clear up all initial like "he said, she said" stuff. Or like, I feel like there's better ways to do it, you know, than just kind of like, "what's your side, and what's your side? Then like wait a month and we'll let you know." I feel like that's just not a good way to do it.

Randall had a similar perspective. He suggested that group meetings could have additional benefits for students beyond elucidating the facts of a given case, and thus would help the student conduct process do a better job of accomplishing the full range of its intended goals.

> RANDALL: Maybe even a group interview with everyone that was involved in the incident. Um, just to like try to get all of the facts out of like, of what's happened, really … I feel like getting, allowing the students to talk it out with one another, and allowing another adult to be there, as well, could be helpful for like, one, a learning experience, and two, relationships.

Arrival: Absence of recommendations to promote learning, but interest in learning

This final arrival within the theme of recommendations is what I call a *subtheme by omission*. What defines this subtheme is not a commonality in what multiple participants said, but rather in what they did not say. Specifically, although each

participant was asked to provide recommendations about how to promote learning through student conduct, none did so. Instead, their focus regarding recommendations seemed to be in improving the degree to which the processes were fair to them. Even so, as seen in some of the quotes in the sections above, both James and Randall stated that they wanted student conduct processes to be learning experiences. In Chapter Five, I offer my thoughts on why I think this subtheme emerged, and why it is important.

Departure: "Keep doing what you're doing"

Brandon's experience in the student conduct process stood well apart from those of the other participants. While Alex, James, and Randall each had significant critiques of student conduct, Brandon articulated only satisfaction with his experience, from the way he was treated by the adjudicator to the outcomes of the process. Apparently extrapolating from his experience at MSU to student conduct practices at other institutions, his only recommendation for administrators was to "keep doing what you're doing."

Departure: Diversify adjudicators (not just based on race)

Considering the concerns Alex expressed regarding the racial demographics of his adjudicators, he suggested it would be useful to increase diversity within this group, and particularly on hearing boards.

> ALEX: And I also think that kind of like changing the makeup of [the student conduct] office or like the board [would help].
> BRIAN: Right. And just to clarify, so in terms of changing the makeup of the office and the board, that's specifically having more racial diversity?
> ALEX: Well, hopefully, but just like, there's no diversity at all, at least some kind of diversity.

Alex did not limit his consideration of diversity to race, but instead indicated that increasing adjudicator diversity along multiple dimensions of identity could help to make

the student conduct process fairer for Black students. While he did not indicate specifically how he felt such diversity would improve the conduct process, I see parallels between this recommendation and James's reflections in the theme about white adjudicators and Black students. I explore and make meaning from these synergies in Chapter Five.

Departure: "Innocent until [proven] guilty"

Alex asserted that the hearing boards who adjudicated his cases approached the process in manners that indicated to him they presumed him responsible for violating rules until and unless he could prove his innocence. He felt this mindset reflected a lack of requisite objectivity and thus compromised the fairness of the process. Tellingly, despite the efforts of student conduct practitioners to avoid legalistic terminology, Alex recommended that they adopt a stance of "innocent until proven guilty" – an adage strongly associated with criminal proceedings in the United States legal system – in their adjudication practice.

Departure: Maintain critical race consciousness

James said that his primary advice for adjudicators was, in his words, "simple," yet I found it to be among the most profound pieces of wisdom shared throughout this study.

> JAMES: Just treat everyone completely equally. Do not, you know, cater to someone because of their race or their socioeconomic status or what God they choose to pray to. Just, you know, treat everyone fair and equally, but also keep in mind that when you are dealing with Black men and darker colored and indigenous people, that they are treated at a disadvantage around the rest of the world because of the color of their skin, and it's very important to keep that in mind when you're handling that case ... you know, it's just like, not as it just pertains to Black people, as it pertains to Mexican people, Indians as well. The darker you are, the less equally people treat you and like to affiliate with you. It's really fucked up, but it's just reality, man. It's just how it is.

James believed it was vitally important for student conduct officers to develop and bring to bear a critical race consciousness in their work with Black men and other students of color. He wanted adjudicators to approach their work with an understanding of the myriad ways that Black men are treated unfairly as they move through the world. Absent such knowledge, James believed that adjudicators are poorly positioned to identify and correct aspects of the student conduct process that impact negatively upon Black men.

Summary

Each of the four participants in this research study had a unique experience as a respondent in his university's student conduct process. Even so, five common themes emerged among their stories – personal experiences, critiques of the student conduct process and systems, the degree to which race and racism had an impact, the extent to which learning occurred, and recommendations for student conduct administrators. Within these themes, the participants' stories at times converged into powerful subthemes; at other points, one participant's account stood apart from the rest, yet even on its own offered important insights about how Black male collegians experience the phenomenon of student conduct. Together, these findings point toward deeper and richer understandings of this phenomenon as already established in the relevant literature, implications for improving professional practice in student conduct, and questions worthy of exploration via future research; I discuss each of these in depth in Chapter Five.

CHAPTER V: SUMMARY, DISCUSSION, CONCLUSIONS, AND RECOMMENDATIONS

Summary

The present phenomenological study explored the experiences of four Black male collegians as respondents in university student conduct processes. In addition to seeking to develop a better general understanding of student conduct through interviews with the participants, I hoped to shed light on why Black male respondents may not find student conduct processes to be as fair or educational as do their White peers. My findings resonated with and extended upon those in the extant literature. In this section, I explain how the findings offer important insights on how student conduct processes may be failing to provide true fairness for Black men, and how race and racism play a role in this problem. Further, I discuss how the lack of fairness obstructs the potential for learning through student conduct processes for Black men.

The results of my study have important implications for professional practice among student conduct practitioners. Thus, I articulate the ways I believe the findings call student conduct officers to develop critical race consciousness and apply it to the task of transforming our systems and processes to better serve marginalized student communities, including Black men. Moreover, the findings raise new questions worthy of pursuit by higher education scholars who wish to further expand the boundaries of what we know about the outcomes of student conduct processes and what factors influence those outcomes, especially for students of color.

Discussion and Conclusions

The participants in the present study did not have a unified experience in student conduct. Even so, the themes and subthemes that emerged from the data pointed toward commonalities that help illustrate the phenomenon of student conduct from the perspectives of Black male respondents. A dichotomous picture of student conduct emerges from the data. The participants struggled to reconcile their self-image as positive campus citizens with their sense that student conduct systems – and by extension, their agents (e.g., adjudicators) – presumed them to be wrongdoers and seemed fundamentally oriented toward labeling and punishing them as such.

None of the participants viewed themselves as troublemakers, which for several of them made their referral to and experience within the student conduct process all the more puzzling. James described himself as a "nerd" and positioned this identity as a counter-narrative to the outcome of his student conduct process, wherein he was held responsible for violating a rule he asserted he had not broken. Brandon noted that he was raised to avoid trouble, a fact of which he was proud. These observations suggest that the participants may have received positive familial support to view and comport themselves as scholars (Harper, 2010b, 2010a) and develop racial and gender identities that rejected stereotypes of Black men as non-academic and prone to misbehavior (Hrabowski et al., 1998). These positive identities stood in contrast to the treatment some participants described within their student conduct processes, wherein from start to finish Alex believed he was viewed as "guilty until [proven] innocent."

Race and racism

Alex and James suggested that race and racism were important forces that shaped their student conduct experiences. They identified having been treated with less

procedural fairness and receiving harsher outcomes than did their white friends and acquaintances. These observations echoed those from the literature regarding K-12 school discipline for Black male children, who are often presumed to be troublemakers by school authorities and educators (e.g., Ferguson, 2000) and are thus more readily referred for disciplinary action and subjected to harsher punishments than white students (e.g., Aud, Fox, & KewalRamani, 2010; Losen & Gillespie, 2012; Skiba et al., 2011; Skiba, Michael, Nardo, & Peterson, 2002). As such, the findings of the present study provide evidence that the same structural problems which produce inequitable outcomes in K-12 school discipline are also present in student conduct practice in higher education.

Such problems are not the only possible connection between student conduct in higher education and the broader disciplinary context for Black male children and adults as described in the literature review. James suggested that the racially inequitable treatment he received in his student conduct process, while concerning, was also just a part of what he saw as life as a Black man on "Planet Earth." From his perspective, the disciplinary context that works to push Black men out of school into a life of permanent disenfranchisement is the fabric of his social reality. Within the weave of this fabric, his concerns about student conduct are just one unfortunate thread among many. He found this thread problematic, yet appeared almost resigned to it as "just how it is." Student conduct practitioners must find ways to pull on this thread not just to transform our daily work with students but also to weaken – and ultimately help unravel – the broader systems and structures that effect racial injustice in other arenas.

Even so, it should be noted here that both Randall and Brandon reported different experiences than James and Alex with regard to race. While Randall raised concerns

about the fairness of his treatment, he was not clear if race and racism played a role in that treatment. Brandon did not believe he was treated differently than any other student at MSU would have been. This is a noteworthy divergence in the data, for which there is no conclusive explanation. However, I find it interesting that Randall and Brandon attended minority-serving institutions, whereas Alex and James were students at predominantly white institutions. Further, Black students comprised the largest racial group at Brandon's institution, and a small one at Randall's. Thus, the results of the present study suggest that there may be differences in the student conduct experiences of Black male respondents at MSIs and PWIs.

All four participants felt they were treated with kindness on an individual level by their adjudicators, who were almost exclusively white. Still, Alex and James observed that the student conduct systems at their institutions appeared to produce harsher outcomes for them than for their white peers. These findings pointed toward the possible operation of color-blind racism (e.g., Alexander, 2010; Bonilla-Silva, 2006) within student conduct processes, whereby educators who do not consciously hold racist viewpoints may still administer nominally race-neutral systems in manners that result in inequity for students of color. Further, a color-blind approach to race issues may also prevent student conduct educators from recognizing and correcting these inequities even if they aspire to approach their work from a social justice stance as called for by multiple scholars of student conduct (e.g., Fischer & Maartman, 2008; Holmes, Edwards, & DeBowes, 2009; Lopez-Phillips & Trageser, 2008).

Persistent encounters with racial discrimination within the university environment may have a significant impact on Black male collegians' identity development. Within

Cross's (1991, 1995) model of Black identity development, the Immersion-Emersion stage is characterized by intense emotions which must attenuate to facilitate progression into the Internalization stage, wherein Blackness is better integrated with other identities and greater intercultural competence can be more readily achieved. Thus, the more regularly Black students are targeted by anti-Black racism, even in comparably mild forms such as microaggressions, the greater the odds of a prolonged or precluded transition into Internalization. Further, Edwards and Jones (2009) found that racist experiences in the college environment stunts the ability for men of color to resist unhealthy hypermasculine stereotypes and construct healthy, personally meaningful masculinities. Student conduct administrators are responsible for pursuing our work in ways that promote positive identity development for a diverse array of social groups (ACPA & NASPA, 2015; Pope et al., 2004). However, the findings from this study provide evidence that we may fail in these endeavors with our Black male students if we do not identify and uproot racism from our efforts to address allegations of misconduct.

Fairness

The salience of race factors significantly into the overall picture painted by participants regarding their experience of fairness. While Brandon felt that he was treated fairly, the remaining participants did not. James, Alex, and Randall pointed specifically to having been referred for discipline and punished even though they did not engage in misconduct. Further, Alex and Randall highlighted the ways in which they believe their adjudicators misled them, purposefully or not, during their student conduct proceedings. These experiences contributed to the participants' overall assessment that they had been

treated unfairly, which was compounded for Alex and James by their view that racial inequity was also part of the equation.

Several of the theoretical frameworks presented earlier in this study may help to explain why the participants found these processes to be unfair. As I argued in Chapter I, Schrage and Thompson's (2009) social justice analysis of conflict resolution predicts that formal adjudication processes will not resonate with Black men, and the data from the present study align with that prediction. Of note, the participants took issue with the adversarial "accuser vs. accused" tone of the proceedings, the focus on process rather than on the students involved, and punitive outcomes of the student conduct process. The latter concern is magnified when viewed through the lens of the social discipline window (Wachtel, 2012). In this model, punitive approaches are characterized by what may well be an appropriate emphasis on maintaining high standards of conduct, yet are not accompanied by the psychosocial support necessary for people to make positive changes to their behavior and reestablish themselves as productive and valuable members of their communities. Finally, because the participants were often confused by the procedures and outcomes of a student conduct system they found unresponsive to their input, they did not experience "fair process" as defined by Kim and Mauborgne (2003).

Learning

Janosik and Stimpson (2017), King (2012), and Mullane (1999) all found that the degree to which respondents believe their adjudication processes to be fair is of critical importance to their educational value. Further, Karp and Sacks (2014) found that students of color experience conduct processes as less fair and educational than their white peers. The findings of the present study echo and add additional depth to our understanding of

learning within student conduct processes for Black men. Although some participants indicated that they would have liked to learn something from their student conduct experiences, learning was virtually impossible without starting from a foundation of fairness. Alex went further to assert that, if anything, his student conduct process impeded his ability to learn, not just from the process itself but in any space at ESU.

Moreover, while James and Brandon could identify some degree of learning from their student conduct processes, this learning was limited to information they already knew (e.g., what kind of person they wished to be, how they wished to comport themselves in the world, and how they wanted others to perceive them) or about their institutions' rules and conduct processes themselves. This latter example is in keeping with Howell's (2005) findings. There is no evidence in the data from the present study that the participants achieved any of the learning goals espoused by scholars of student conduct, such as the development of more sophisticated moral and ethical reasoning abilities (e.g., Baldizan, 1998, 2008) or the six outcomes – just community/self-authorship, active accountability, interpersonal competence, social ties to the institution, procedural fairness, and closure – for which Karp and Sacks (2014) advocated.

As explained in Chapter II, many scholars (e.g., Giacomini, 2009; Giacomini & Schrage, 2009; Holmes et al., 2009; Karp, 2013; Ludeman, 2004; Schrage & Thompson, 2009) have raised concerns about the shortcomings of adjudication in promoting student learning, especially for students of color. The stories shared by Alex, James, Brandon, and Randall provide additional evidence of the limitations of adjudication as an educational strategy, while simultaneously highlighting the promise held by alternative practices. For example, the participants' recommendations for improving student conduct

practice included: 1) facilitating meetings between involved parties to create more clarity and build stronger relationships; 2) gathering more and better information about the allegations of misconduct through increased direct engagement with the parties involved; and 3) making sure respondents understand what is happening at every step of the process. Each of these recommendations suggests that using the spectrum of resolution options (Schrage & Thompson, 2009) and infusing restorative practices into adjudication approaches (Giacomini, 2009; Karp, 2013) would have been welcomed by the participants, increasing the likelihood that their student conduct experiences would have enhanced rather than detracted from their learning and development.

Unexplored questions

As I suspect is true of most research projects, there are many more questions I wish I could have explored with my participants were time not a limiting factor. Had I been able to take more time with this study, I would have sought additional opportunities for dialogue with my participants (e.g., second interviews and email correspondence) to further explore a number of questions; should I have opportunity to revisit this study in the future, I hope to explore them with the participants. For example, I did not ask the participants to offer their own definitions of fairness and learning, nor did I provide them with mine as outlined in the literature on student conduct. Rather, my goal was to allow their understanding of these constructs to emerge from their responses to my questions and to examine those understandings through the literature. However, I acknowledge that their own definitions would have been relevant to the study and might have yielded additional insights had I asked for them.

Further, I did not ask the participants about whether or not they had ever encountered disciplinary processes in their primary and secondary educational experiences or had previous contact with the criminal justice system. This choice was intentional, grounded in my intention to maintain a studying up (Nader, 1972) stance as a researcher. While I was interested in the students' prior beliefs and attitudes about disciplinary processes, I was also concerned that focusing on them treaded too closely to deficit thinking (Valencia, 1997). I was keen to avoid attributing any participant's negative student conduct experience to what readers might see as the students' own prejudices or factors external to student conduct processes and procedures themselves. Even so, I also understand that this kind of information could have added more richness to the study, provided it was carefully framed from an explicitly anti-deficit perspective.

Recommendations for Practice

Taken together with the evidence from the relevant published scholarship, the present study illuminates the critical importance of transforming student conduct practice to produce more equitable outcomes for Black men and support their learning and development as respondents. Below, I articulate several specific recommendations that other student conduct practitioners and I should pursue in order to accomplish these goals. These recommendations are often not new; some have already been advanced in some shape or form by other scholars and practitioners, to whom I give attribution. Regrettably, we in the professional community of student conduct administrators have been quick to endorse such recommendations but slow to adopt and build them into our policies and practices, if we have done so at all. In adding my voice and the evidence from my study to the chorus, I hope to speed our collective progress toward these goals. Moreover, by

articulating these recommendations here, I also aim to create personal accountability for infusing them info my personal practice and advocating for systemic changes that will foster more widespread improvement.

Intentionally cultivate critical race consciousness

One of the pillars of critical race theory (Buenavista et al., 2009; Ladson-Billings & Tate, 2009; Solórzano et al., 2005) is that educators must challenge race-neutral and post-racism ideologies that mask racial inequities, lest we allow color-blind racism to persist (Bonilla-Silva, 2006). Though all the pillars of CRT apply to student conduct work, this one has special relevance in that student conduct processes are presumed to be race-neutral, yet this study provides evidence that they may not produce equitable outcomes for Black male respondents. Thus, every student conduct practitioner must invest the necessary and ongoing effort to cultivate critical race consciousness. This effort means doing significant self-work to understand our own racial identities (ACPA & NASPA, 2015; martinez, 2012; Obear, 2012), how they influence our access to various forms of power and privilege, and how that access may shape our tendency to recognize or ignore the embeddedness of racism in our daily work (Patton et al., 2007). Only with this kind of awareness will we be able to approach our work with the sensitivity to the broader experiences of Black men for which James wished. Moreover, such awareness better prepares us to examine the policies, procedures, and approaches we use in student conduct; identify the ways in which they edify systems of racism; and change them in ways that will promote positive student behavior in a racially just manner. In a real sense, developing this ability is foundational for success in adopting the remaining recommendations in this section.

As Harper (2010b) recognized, cultivating critical race consciousness will almost certainly require remedial education for many student conduct practitioners. I suggest that those who head student conduct administration for their respective campuses partner with experts in racial justice education to create an ongoing professional development plan for themselves and their student conduct staff. Further, they should articulate a critical understanding of racial justice as a required qualification for all student conduct staff members in their organizations. Finally, they should create regular opportunities for the student conduct team to come together as what Nieto (2009) called "critical colleagues," supporting and challenging one another in the ongoing effort to increase their capacity to educate in equitable and inclusive ways.

Rethink and prioritize fairness in student conduct

The present study strengthens existing arguments in the literature that student conduct processes must meet a threshold of fairness in order for learning to occur, yet often fail to do so (Janosik & Stimpson, 2017; King, 2012; Mullane, 1999). This problem may be especially acute for Black men (Karp & Sacks, 2014). The critiques of student conduct offered by the participants in the present study focused primarily on fairness; learning was virtually absent from their reflections on their student conduct experiences. Therefore, I propose that while we must continue to develop strategies for advancing learning within student conduct, such efforts may be of limited value if we do not first strive to assure that every student believes they have been treated fairly.

This task also requires us to rethink what fairness means and how we have built it into our methods for responding to student misconduct. In student conduct practice and scholarship, fairness has been largely focused on providing due process to every

respondent (Baldizan, 1998). Due process is generally defined by provision of a code of student conduct and standardized and highly formal set of procedures for adjudicating cases and assigning sanctions (e.g., Pavela, 2006; Stoner, 2008; Stoner & Cerminara, 1990; Stoner & Lowery, 2004). However, this approach fails to recognize that fairness is not necessarily about treating everyone the same. A system applied by people in positions of authority (e.g., student conduct administrators) to those over whom they have power (e.g., students) cannot be expected to produce fair outcomes if it was not clearly designed based on the diverse needs and concerns of those who are subject to the system. Most student conduct systems, in their reliance on adjudication as the main or only approach to addressing misconduct (Giacomini, 2009), do not reflect such a mindset around fairness.

In making this argument, I do not suggest we eliminate clear standards of due process. Such a suggestion would not align with the views of the participants in the present study. Here, one of James's powerful quotes is once again helpful.

> JAMES: Just treat everyone completely equally. Do not, you know, cater to someone because of their race or their socioeconomic status or what God they choose to pray to … but also keep in mind that when you are dealing with Black men and darker colored and indigenous people, that they are treated at a disadvantage around the rest of the world because of the color of their skin, and it's very important to keep that in mind when you're handling that case ...

I believe James and the other participants in this study want us to think additively about fairness by demonstrating consideration of how diverse populations of students, and especially men of color, may experience due process.

For example, based on the recommendations of the participants, we should assess how we communicate with and gather information from students throughout the student conduct process. Much of our communication is one-way, from student conduct officers to students (e.g., publishing codes of conduct and hearing procedures in a student

handbook, summoning students to appear for a hearing, communicating the outcome of a case and outlining any sanctions the respondent must complete). How do we develop similarly systematic approaches to actively engaging respondents throughout the process? What procedural steps do we take that go beyond collecting students' accounts of the allegations of misconduct and include answering their questions, surfacing and addressing their fears and concerns, and incorporating their input in clear and measurable ways into the way the case is resolved? Such approaches would also provide opportunities to include the kinds of emotional work that Ludeman (2004) asserted are so essential, yet usually lacking, for men in student conduct processes.

Similarly, we should consider the mechanisms we use for communication. Many adjudication models are reliant upon various forms of written communication from student conduct administrators to students and include just one formal opportunity for in-person dialogue – the hearing. However, the participants in the present study clearly placed a high value on individual and group meetings. Student conduct administrators should thus consider how and when to more purposefully include more opportunities for direct conversation with and between students, such as pre-hearing conversations to explain processes and answer questions; group hearings when multiple students are involved in an incident; and follow-up conversations prior to issuing final decisions when adjudicators have reason to believe respondents will have a difficult time understanding the outcome (e.g., when the adjudicator's take on whether the student is responsible for a rule violation changes between their last point of contact and the final decision).

Utilize a spectrum of resolution options

Redefining and prioritizing fairness leads naturally to renewed consideration of the spectrum of resolution options model (Schrage & Thompson, 2009). Although this model has been well-received in the nearly ten years since its publication, even earning the endorsement of the Association of Student Conduct Administrators, relatively few colleges and universities have used it to re-envision their approaches to student conduct on a systematic level. Restorative justice is gaining traction as a method to use both alongside and as part of adjudication (Karp, 2009, 2013). However, restorative justice remains a significantly underutilized choice within higher education; even so, it is more likely to be reflected structurally in student conduct practice than any of the other methods outlined in the spectrum of resolution options model.

What might account for the slow adoption of this model? This question came up recently during an informal conversation I had about my dissertation with a group of colleagues, including several fellow student conduct officers. As one of them opined, limited staff time and resources are likely among the barriers. Adjudication, she reflected, is seen as efficient. It allows institutions to meet their obligations to respond to misconduct quickly and with less investment of costly person hours than any of the other options in the spectrum model. Further, it is more easily read by external stakeholders as a rigorous system of accountability, given its ironic similarity to legal proceedings. I suspect these truths usually win out with those positioned to make or influence decisions on any given campus about how to approach student misconduct, even if they recognize the shortcomings of adjudication and the benefits of additional approaches.

Real though this obstacle may be, higher education leaders must not allow it to deter them in creating student conduct systems that bring students' needs from the

margins to the center. We cannot continue to rely almost exclusively on adjudication even when we have growing evidence that it does not serve marginalized communities, including Black men. Doing so would mean resigning ourselves to operating against our values of learning and social justice, in order to practice a short-sighted form of efficiency. Instead, we need to be persistent in our work to convince gatekeepers that it is not only beneficial but essential to change our professional practice based on the research in our field. Further, we must be creative in our efforts to secure any additional resources (e.g., staff, funding, and training) we need to make these changes. Though ideally such resources would come through institutions allocating additional funds to their student conduct operations, there may be other options for increasing organizational capacity for enacting more of the options from the spectrum model. Such options could include grant writing; conducting a program review to identify activities within the student conduct operation that could or should be discontinued to free up resources for other uses; and developing strategic partnerships with other campus entities (e.g., residential life, multicultural student services, and academic departments) who may share the goal of improving student conduct practice and be willing to collaborate toward that end.

Take affirmative steps to diversify student conduct officers

Alex said that he believed student conduct practice would be improved if there were more diversity – in terms of both race and other identity groups – reflected among student conduct officers, be they individual adjudicators or members of hearing boards. In his view, this increased diversity of perspectives would lead to fairer processes. His recommendation suggests that students of color might have more faith in conduct processes if they were administered by groups of people that better reflect the diversity of

the world in which we live. This study does not indicate that Black male respondents specifically want or need Black adjudicators, yet does suggest that they may view a diverse team of student conduct officers as more likely to possess awareness of the challenges arrayed against Black men in higher education. Thus, I recommend that institutions and professional associations make a concerted effort to increase diversity in the field of student conduct.

One way to act on this recommendation would be to build pipelines into the field for people of color and members of other marginalized communities. For example, professional associations such as the ASCA, ACPA, and NASPA could develop webinars, symposia, institutes, and other learning and networking opportunities that specifically focus on cultivating interest in student conduct among promising student affairs practitioners from underrepresented groups. Such a project would come with all the usual challenges associated with event planning, as well as the likelihood of a skeptical audience. Many of the intended participants may be wary of student conduct for the same reasons cited by the participants in the present and previous studies on this topic. If more colleges and universities take action on the previous recommendations in this section, it might make a career in student conduct more appealing to a diverse and talented pool of candidates, and facilitate greater participation in pipeline programs.

Many colleges and universities place value on hiring a diverse staff, yet this task is often challenging for reasons beyond the control of any given institution. Private institutions often have more latitude than public ones in making affirmative hires, especially in states like California where affirmative action is legally restricted and fair hiring laws limit employers' ability to take identity-based information into account when

acquiring talent. As such, student conduct offices with vacant positions may have to rely primarily on strong efforts to recruit diverse pools of qualified applicants. There are a multitude of strategies that could produce the desired results, including advertising positions more broadly and in spaces most likely to be accessed by potential candidates from underrepresented groups; including information about the office's efforts to adopt more inclusive and culturally responsive student conduct practices in the job posting; and writing or strengthening language in the job description framing intercultural competence and knowledge of research on educational equity as required qualifications.

Similar approaches may be useful in recruiting hearing boards from an institution's community of students, staff, and faculty. For example, student conduct officers should consider sending recruitment notices to and holding information sessions in identity-based student centers, academic departments focused on issues of social justice and diversity, and meetings of student organizations centered on members of underrepresented groups. Some members of these communities may be critical of student conduct practice; these individuals may be well-positioned to serve as thought partners in reshaping it to be more fair and educational, and thus should be encouraged to become actively involved in student conduct work through service on a hearing board.

Recommendations for Future Research

While the present study has added to our collective understanding of the phenomenon of student conduct and how it is experienced by Black male respondents, it also illuminates questions yet unanswered. I believe these questions represent fertile ground for additional research. To that end, I offer the following recommendations for future scholarly inquiry. Each question is posed from what Nader (1972) might describe

as a *studying up* mindset, wherein institutions and how they operate toward specific ends are the subjects of inquiry.

Develop quantitative data set on student conduct in higher education

As outlined in Chapter II, a wealth of research has compellingly demonstrated that Black male children are disproportionately referred for school-based disciplinary action and more harshly punished than white children. Such research is possible in part because data about school discipline are much more readily available for K-12 public education than for higher education. K-12 schools that receive state and/or federal funding are required to report these data to government agencies (e.g., U.S. Department of Education), from whom researchers can then obtain them for analysis. However, no such legal requirements currently exist for institutions of higher education. Thus, we are poorly positioned to determine whether or not a similar racialized pattern of school discipline exists within postsecondary education. However, the accounts of James and Alex, wherein white students experienced fairer adjudication processes and less harsh sanctions, raise questions about possible disproportionality in higher education. We need more data to understand if such a problem exists.

To this end, quantitative researchers may wish to consider developing a data set that could help reveal any patterns of disproportionality in student conduct practice in higher education. This project would require colleges and universities to willingly contribute data. Generally speaking, these data are readily available via each institution's student conduct database; indeed, the research sites for the present study accessed them in order to identify and send the call for participants to Black male students. However, as I learned and discussed in Chapter III, many institutions may be fearful of participating in

such an effort, even if they believe it may be of value. However, there may be less apprehension about providing de-identified quantitative data as part of a project involving a larger number of institutions, as such data would be even more difficult to attribute to specific campuses.

Assess critical race consciousness among student conduct practitioners

The present study presents evidence that critical race consciousness is an important, and perhaps lacking, competency among student conduct practitioners. However, I am not aware of any published research that specifically explores this subject. To what extent have student conduct officers developed critical race consciousness? How have they gone about this task? In what ways have their professional practice and the outcomes thereof been shaped by critical race consciousness? Each of these questions could be the seed for a new study that might help us to build more capacity as a field for cultivating critical race consciousness and using it to conduct our work in more just and culturally responsive ways.

Identify barriers to adopting the spectrum of resolution options model

As stated earlier, the many endorsements of the spectrum of resolution options model (Schrage & Thompson, 2009) have not yet translated to widespread influence on the structure and functions of student conduct organizations within colleges and universities. While I speculate that resource scarcity and narrow definitions of efficiency could be at play, my only sources of data are my own experience and dialogue with my colleagues. However anecdotal these data may be, they may yet point toward questions worthy of research. If we can identify the barriers that have prevented institutions from

building the spectrum of resolution options into the structure of their student conduct offices, we would be able to develop more well-informed strategies for overcoming them.

Influence of institution type on salience of race in student conduct

Race and racism figured prominently into how Alex and James experienced their student conduct processes, yet did not have a clear impact for Brandon and Randall. As I indicated earlier, I find this dichotomy interesting in that Alex and James both attended predominantly white institutions, while Brandon and Randall attended minority-serving institutions. Thus, I wonder what influence, if any, being at one institution type or the other might have on the degree to which race is salient for Black men as respondents in the student conduct process. Given that all the research sites in this study used a model code-based adjudication approach to student conduct, it may be most useful to focus on any possible differences in how adjudication is administered, the attitudes and practices used by student conduct officers, or the broader campus racial climate and how it may influence the student conduct experience for Black men.

Explore student conduct experiences of additional marginalized groups

The present study focused on the experiences of Black male collegians in student conduct processes. My decision to narrow the scope of the study to this population was informed by my broad concern about anti-Blackness in higher education, my specific study of the impact of the school-to-prison pipeline and the prison industrial complex on Black men, and my belief that a tight focus would best allow me to successfully complete a thorough and sound dissertation study. However, there is evidence that other populations of marginalized student groups are also poorly served by student conduct practice. King and Sacks' (2014) findings suggest that students of color from multiple

racial groups (e.g., Chicanx/Latinx students, Asian students, and Native American students), regardless of gender, view student conduct processes as less fair and educational than do White students. Moreover, research in K-12 education indicates that Black female students are also subject to the school-to-prison pipeline (e.g., Morris, 2012). Therefore, I believe additional research on the student conduct experiences of these and other marginalized student populations is likely to yield important knowledge. Such research, alongside the present study, would assist student conduct practitioners in the essential task of transforming student conduct practice into more fully inclusive forms.

Closing Reflection – On Accountability and Love

As I near the completion of this dissertation, the biggest and most important research project of my life thus far, I cannot help but think back to my experience in International and Multicultural Education 709 just over two years ago, where I began developing my topic in the company of fellow emerging scholars. I had the great fortune of being paired with an extraordinary writing partner, Dr. Alejandro Covarrubias, now a faculty member in the School of Education and the newest member of my dissertation committee. I have been friends with Dr. Covarrubias, or "Ale," for many years. We first met as fellow student affairs practitioners and colleagues, and that relationship deepened as doctoral students in the IME program. Ale has been a critical (pun very much intended) part of my dissertation journey. He has been one of my most treasured thought partners since the outset and is now part of the team of scholars who will sharpen my work at the end.

Ale has many gifts, one of which being his way with words. I know few people as skillful as he in finding words that connect the head and the heart, the intellectual and the

emotional. This talent was on full display during an early peer feedback session, at which I had presented to him the first draft of what is now Chapter I of this dissertation. He shared many useful nuggets of wisdom that evening, including this powerful and haunting question: "Can we show men of color that it is possible for us to hold them accountable, and still love them?" Of all the feedback I have received about my dissertation since this process began, it is this question that I remember the most clearly, and to which I have returned over and over again as the study progressed.

During my extended period of data collection for the present study, I read Nicolazzo's (2016b) beautiful research on transgender college students and the ways they navigated the often hostile environment of higher education while engaging in practices that helped them to be resilient. Hir writing has been enormously influential for me in multiple ways. For example, the framework of arrivals and departures ze employed in hir writing proved instrumental to my approach to data analysis in the present study. Further, in the final pages of hir book, ze encouraged student affairs practitioners wishing to promote equity and inclusion for trans and gender nonconforming students to develop and employ what Palmer and Zajonc (2010) described as an "epistemology of love" (p. 94). Nicolazzo (2016b) went on to describe an epistemology of love as

> … seeing and hearing each other for who we are, which requires giving each other the agency to define who we are for ourselves as well as allowing each other to change and amend who we are or could be in the future. (p. 153)

Nicolazzo (2016b) argues that using an epistemology of love is important in part because, "[p]articularly for students with marginalized identities … love may be missing from their lives" (p. 153). Accordingly, ze enjoins educators to practice an epistemology of love in our daily work by

> … exploring the many ways connections between strangers are encouraged and discouraged … [and] addressing the myriad ways systemic privilege and oppression operate on campuses to influence such (dis)connections. Truly engaging in this kind of work means making a commitment to self-reflection, which may reveal how an individual is complicit in systemic trans* oppression. These realizations are never easy, desirable, or welcome. However, it behooves us all to take on this project if we are to embrace an epistemology of love that may very well increase possibilities for students being and doing trans* genders in college. (pp. 154-155)

Reading these words felt like being struck by a bolt of lightning. Once again, as I had many times before, I remembered Ale's question about accountability and love. And for the first time, I noticed that love has been entirely absent from my training as a student conduct practitioner. That training has always focused on due process, fairness, and overtures about promoting learning. Never was it suggested that our process of holding students accountable for misconduct should be informed by love. Yet now, at the conclusion of my study, I see clearly that we should endeavor to love every respondent in student conduct processes, because treating people with fairness – true, meaningful fairness – is an act of not just respect, but love. Treating respondents as though we believe they are much more than any alleged act of misconduct, even (perhaps especially) when we believe the allegation is true, is an act of love. This may be especially impactful for Black men, given how rarely they are treated with love in any other disciplinary setting.

Moreover, I see that for much of my career, I have failed to love respondents in student conduct processes. I have failed to sufficiently reflect on my complicity with the widespread reliance on adjudication models I know to be insufficient on their own to promote positive student engagement and learning. This failure has no doubt been felt especially acutely by the respondents from marginalized groups with whom I have

worked; students like Casey, the student in my personal story at the beginning of Chapter I, for whom I knew adjudication was ill-suited. This realization is uncomfortable for me as an educator who seeks to facilitate transformative learning experiences for all students, and especially those for whom there has been too little room made in the academy.

Now, having conducted a close study of the experiences of Black men as respondents in student conduct processes, I am obligated to use what I have learned to change those processes to reflect an epistemology of love. In other words, it is my duty to assure that this dissertation does not sit on a shelf collecting dust, but rather that it inflects my daily practice and informs my advocacy for new and better approaches to student conduct that produce desirable outcomes for all students. For any student conduct practitioners who may read this dissertation, I hope you will join me in these efforts, help me to continuously sharpen and evolve in my thinking, and steer me back on course should I veer off-track. We conduct officers need accountability and love, too.

Finally, to Alex, Brandon, James, and Randall: thank you for being generous with your time and wisdom. You may not think that your participation in this study was extraordinary or especially memorable, yet for me it is among the greatest gifts I have ever received. I see you. Your experiences matter. Your knowledge matters. And you are loved.

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