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### Publication Date

2023

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UNIVERSITY OF CALIFORNIA SAN DIEGO  
CALIFORNIA STATE UNIVERSITY SAN MARCOS

A Qualitative Study of Conduct Officers' Understanding of Culturally Relevant Practices and  
Sanctioning

A dissertation submitted in partial satisfaction of the  
requirements for the degree Doctor of Education

in

Educational Leadership

by

Alexandra Elizabeth Serrano

Committee in Charge:

University of California San Diego

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California State University San Marcos

Joni Kolman

2023

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The dissertation of Alexandra Elizabeth Serrano is approved, and it is acceptable in quality and form for publication on microfilm and electronically.

University of California San Diego  
California State University, San Marcos

2023

## **DEDICATION**

For Daddy

My father always said that my education would be his legacy. He knew that an education is the one thing in life that can never be taken away from you, and it is the key to success. My father did not get a diploma, but he got an education. He knew that book smarts and street smarts went hand in hand, and filled my world with travel, diverse people and perspectives, and a lifelong passion for reading. I am forever grateful for the gift of knowledge.

To my husband, my mom, and my Shannah; your unconditional love, support, and faith are my pillars of strength in everything that I do. Making you proud is my motivation for everything I do. I love you deep in my bones and I am so grateful to share this moment and my life with you.

To my family, my girlfriends, my colleagues, and cohort; you have lighted my life and this path in big and small ways, and I am forever grateful to know you and stand with you.

Finally, to my child; your education will be my legacy.

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## ACKNOWLEDGEMENTS

I would like to thank the Joint Doctorate Program faculty and staff for guiding me and teaching me how to think, question, and analyze the world in a new way. I am grateful for the time we had in person together, and I hope to continue learning from you in the future.

I love knowing and learning from women, and I would like to thank my committee, Dr. Carolyn Hofstetter and Dr. Joni Kolman. I would especially like to acknowledge my Chair, Dr. Amy Bintliff for your guidance, mentorship, and friendship during this process. It was a privilege working with you.

I would like to thank Cohort 16 for showing me what leadership should be. I am in awe of your passion and commitment to this work, and I am so grateful to stand beside you. I wish that we had been able to spend more time in person, but I trust that the Bear family will always show up for each other.

Finally, I want to acknowledge my family and friends for making me feel like I can do anything. I love and value you all more than you will ever know.

## VITA

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## ABSTRACT OF THE DISSERTATION

A Qualitative Study of Conduct Officers' Understanding of Culturally Relevant Practices and  
Sanctioning

by

Alexandra Elizabeth Serrano

Doctor of Education in Educational Leadership

University of California San Diego, 2023  
California State University, San Marcos, 2023

Amy Bintliff, Chair

Students of color are overrepresented in the student conduct process and tend to receive more punitive sanctions than their White peers. The conduct officer's attitude towards culturally relevant practices and oppression can have lasting impacts on the students' academic success and future endeavors. A conduct officer is the university staff member who is responsible for investigating the incident and meeting with the students involved. If students are found

responsible for violating policy, there are punitive and/or restorative sanctions assigned to them. Guiding a student through restorative sanctions and other creative methods for change, instead of enforcing punitive measures that may gravely impact their academic future, will help close an equity gap and encourage students of color to persevere and heighten their moral development. Managing student discipline is a complex process that requires critical thinking and culturally relevant pedagogy. This qualitative research study involving 25 survey and interview participants explores how conduct officers make meaning of the conduct process and investigates the interplay and effect of the conduct process and potential challenges or barriers to implementing a culturally relevant and individualized conduct process. Key findings include barriers to the conduct process that impact conduct officers' ability to implement culturally relevant pedagogy in their choice of sanctions. When conduct officers attempt to move away from a one-size-fits-all conduct model, their advocacy is questioned and met with pushback from campus stakeholders. To provide a more equitable experience for students of color, study results indicate a need for an ever-evolving student conduct process that supports conduct officers through ongoing training in culturally relevant practices and campus-wide education and advocacy.

## **CHAPTER ONE: INTRODUCTION OF THE STUDY**

### **Introduction to the Context of the Study**

Student discipline in higher education is complex and the process can have lasting effects on students' collegiate experience. There has been evidence that policy violations and the outcomes of the conduct process are not equitable, thus specific populations of historically underserved students on college and university campuses are disproportionately impacted by traditional punitive sanctions (Townsend, 2000). Managing the complexities of student discipline requires culturally relevant pedagogy so that conduct officers can work with students who have diverse and multifaceted identities and make fair sanctioning decisions (Brown-Jeffy & Cooper, 2011). Regardless of personal or professional intentions, there are barriers in place that impact conduct officers' ability to prioritize an educational and restorative conduct process.

This is a qualitative study that is investigating the relationship between culturally relevant pedagogy and conduct officers' use and understanding of restorative sanctions. Specifically, exploring what factors are contributing to conduct officers having good intentions with their approach to conduct and sanctioning, but not necessarily being able to deliver the restorative practice. This study focuses on racial disparity in the conduct process and identifies it as an issue of social justice and cultural proficiency, but also is integral to educational efficacy. Punitive sanctions may be harmful for students who already feel vulnerable and guiding a student through restorative sanctions and other creative methods for change can help close an equity gap and encourage students of color to feel a sense of belonging and the support needed to persevere (Lancaster & Waryold, 2008).

The research in this study illustrates that managing student discipline requires critical thinking, cultural competence, and ongoing training and support to effectively implement

culturally relevant pedagogy (Ladson-Billings, 1995; Lindsay, et al, 2019). Conduct officers who are working with emerging adults need to be taught to make sound and fair judgments, manage the conduct process free from bias, and assign sanctions that will contribute to a student's personal and moral development (Cordner & Brooks, 1987; Parks, 2011).

### **Statement of the Problem**

Students of color and other underprivileged identities are vastly overrepresented in student discipline and face harsher consequences in higher education for lesser offenses than their White peers (Government Accountability Office, 2018). In the 2013-2014 school year, Black students made up 15.5 percent of public K-12 school students, but represented approximately 39 percent of suspensions, an overrepresentation of about 23 percent (Government Accountability Office, 2018). Black students are often disciplined for subjective incidents, such as allegedly being disruptive or disrespectful, whereas White students are likely to be disciplined for offenses more clearly defined in a student code of conduct (Quick, 2018; Simson, 2014). Student codes of conduct outline campus policies and behavioral expectations for the university community and describe the process for holding students accountable when alleged policy violations occur (King, 2012). Managing student discipline is a complex process and requires critical thinking and culturally relevant pedagogy so that conduct officers can effectively engage with students who have backgrounds different than their own (Brown-Jeffy & Cooper, 2011).

Student discipline in higher education is often referred to as the student conduct process, and conduct officers are traditionally student affairs professionals. Conduct officers meet with students who allegedly violate policy to discuss the incident. If the student is found responsible for the violation, the conduct officer will assign consequences or actions that need to occur to

resolve the incident. These actions are generally referred to as sanctions. To confront common policy violations, many conduct officers have shared a one-size-fits-all approach to misconduct and sanctioning, but researchers have shown a standard process is not optimal due to the diverse and multifaceted identities and experiences of students (Bennett et al., 2014). Instead, a culturally inclusive model and alternative forms of sanctioning should be considered to effectively address diverse student experiences (Lancaster & Waryold, 2008). During the conduct meeting, conduct officers must prioritize time to learn about each student's experience, and engage with them as individuals with unique cultures and backgrounds that are contributing to why they may have violated policy. Some cases require the student to leave the university for a period of time or permanently, usually in an effort to protect the safety and wellbeing of the community. However, this literature review will focus on violations that do not meet that threshold, but still greatly impact a student's ability to continue their academic journey.

Student's behavior and decision-making may be impacted by challenges outside the classroom, or not being as equally prepared as their peers for the personal responsibility of college. Research shows that experiencing poverty and other forms of adversity in childhood may lead to educational challenges, including lower grades and increased use of mental health services (Government Accountability Office, 2018). The conduct process and corresponding sanctions can be detrimental for students who already feel underserved and vulnerable at the university. Student retention, connection to the community, and future potential may be impacted by the way they experience these meetings and the related sanctions (Fronius et al., 2016). It is paramount that students feel the conduct process is built on respect, and they are being appropriately held accountable and receiving fair sanctions contributing to their overall

education. Helping students translate their behavior into decisions and actions will enable them to be successful beyond the walls of the university (Bennett et al., 2014).

There are traditionally sanctions assigned to the student ranging from punitive to restorative sanctions. Punitive sanctions for students may include a warning, probation, and in extreme or repeated cases, may result in disqualification from campus involvements and organizations (Karp & Conrad, 2006). Punitive sanctions are typically straightforward and tend to not leave a lot of room for individualization. Researchers and educators are becoming more critical of purely punitive sanctioning models and are promoting sanctioning that is fair, explanative, and fosters student learning (Stimpson & Janosik, 2015). Restorative and educational sanctions may include conversation circles, reflection papers, apology letters, campus engagement, or community service. These sanctions are meant to provide the student with an opportunity to reflect on what they learned from their conduct meeting, repair any harm caused, and to practice critical thinking for how their behavior may impact them as both students and in their future endeavors. Restorative sanctions are more beneficial to ending recidivism and fostering moral development than strictly punitive sanctions (Kompalla & McCarthy, 2001).

Racial disparity in the conduct process is both an issue of social justice and cultural proficiency, but also questions educational efficacy. Scholars have contemplated many different strategies and tools for educators to successfully interact with diverse students and challenge the impacts of cultural inequity, one theory that has developed is culturally relevant pedagogy (Brown-Jeffy & Cooper, 2011). If provided with consistent training and support, conduct officers may have the opportunity to utilize culturally relevant practices in each interaction with students, and appropriately tailor the meeting and corresponding sanctions to meet the unique and diverse experiences of their students. Moving away from uniform and predominantly punitive sanctions,



conduct officers can reach students on a deeper educational level, and contribute to not only their moral development, but also enhance the student's connection to the university and contribute to their academic success (Hyde, 2014). Culturally responsive practices are crucial because conduct officers' attitude towards culturally relevant processes and assignment of sanctions can have lasting impacts on underserved students' academic success and moral development (Kompalla & McCarthy, 2001). Despite personal and professional efforts, the conduct process is complex, and there are barriers in place that impact conduct officers' decision-making around individualized and culturally relevant sanctions.

### **Purpose of the Study**

This study has three overall goals. The first goal is to explore conduct officers' beliefs regarding one-size-fits-all sanctions versus sanctioning rubrics (Bennett et al., 2014). Next, the study seeks to understand the perspectives of the conduct officers regarding equitable sanctioning and to gather more data on the difficulties conduct officers have in translating their beliefs about culturally relevant practices and restorative sanctions to their real on-the-job practice (Patton, et al, 2016). Similarly, this study will inquire about the real or perceived lack of empowerment that conduct officers experience regarding their freedom to be innovative and individualized in their assignment of sanctions.

### **Research Questions**

My research questions for this study are: (1) How do conduct officers articulate their understanding of the conduct and sanctioning process? (2) What do conduct officers understand about culturally relevant practices in sanctioning? (3) How do conduct officers describe the barriers that impede them from making individualized sanctioning decisions?

## **Methods Overview**

This study used qualitative methods (Mertler, 2019). Qualitative methods were selected because they can illustrate the complexities of implementing a culturally relevant student conduct process. I wanted to better understand the interplay and effect of the conduct process and to investigate the disconnect between values and process. I explored what is contributing to the challenges of working in a results-based system with equity-based beliefs. My combination of a survey and interviews allowed for data saturation (Saldaña, 2016).

This study used initial coding that focused on breaking the interviews and open-ended survey questions into smaller more manageable pieces of data (Strauss & Corbin, 1998). In the second round of coding, focused coding was directed to each specific research question (Saldaña, 2016). Finally, I transitioned my codes and categories into themes. My survey and interview questions will be designed to measure the conduct officers' reflection of their attitudes and beliefs on the relationship between culturally relevant practices and the value of restorative sanctioning.

This study started with an online survey that was sent to three listserv groups of conduct officers. The survey included click-button and open-ended questions that collected data on conduct officers' demographics, training received, and reflections on their beliefs. I received 25 eligible responses. Once the data from the survey had been collected and analyzed, 7 participants were asked to participate in an individual semi-structured interview. The purpose of the interview was to make meaning of the conduct officers' experiences and beliefs regarding student conduct, and to unpack terminology and practices that are influencing their process.

## **Significance of Study**

This study may inform conduct officers and those who supervise student conduct and ethical development officers of the relationship between students' identities and culture and the impacts of sanctions. Through this study, the impacts and benefits of restorative sanctions on students' sense of belonging, academic success, and moral development are evident in the literature; however, there is little research on whether or not conduct officers consider student's identity and culture when making their decisions on sanctioning. Insights from this study are unique since the conduct officers were asked to make meaning of their own worldviews and practices and connect them to their understanding of their work as conduct officers (Saldaña, 2016). There is research on the correlation between conceptual frameworks and student conduct, but there is a gap in the literature regarding the conduct officer's experience. This study expanded research on student conduct in higher education by gaining new insights on the attitudes of the conduct officers who are making these high stakes decisions and imposing actions that can greatly impact a student's access to education and retention (Kompalla & McCarthy, 2001). This study provides evidence that this process is complex and not well defined and established. This study may reignite the importance of consistently reexamining current practices and seeing each student case as an opportunity to prioritize educational sanctions (Karp & Conrad, 2005). In turn, the results of this study will be shared with a network of conduct officers in California in the hopes of improving the disproportionality in the current sanctioning process.

## **Definition of Terms**

The following key terms will be a helpful guide in the reading of this dissertation. The reader will need to be familiar with these terms and concepts to successfully learn and benefit from this study.

*Punitive Sanctions*- Punitive sanctions may include a warning, probation, and suspension or disqualification from campus involvements or from the university (Karp & Conrad, 2006). Punitive sanctions are typically rigid and do not allow for individualization (Stimpson & Janosik, 2015).

*Restorative Sanctions* - Restorative justice emphasizes repairing harm through restorative dialogue and reconciliation (Fronius et al, 2019). Restorative sanctioning in a university means to identify the root causes impacting students' misbehavior and to prioritize repairing the harm through dialogue and inclusion in the community (Zehr, 2002).

*Educational Sanctions* - Educational sanctions may include reflective assignments, apology letters, or community service. These sanctions are meant to provide the student with an opportunity to reflect on what they learned from their conduct meeting and how to assess their standards for themselves in the future (Karp & Conrad, 2005).

*Culturally Relevant Pedagogy* – Cultural relevancy is an educational model that has three primary components: student learning or academic success, cultural competence, and sociopolitical or critical consciousness (Ladson-Billings, 1995, 2014, 2021). These three components guide student growth through the conduct process and emphasize conduct officers' responsibility to support students of diverse and underserved identities in navigating the forms of institutional oppression that may be contributing to their collegiate experience (Ladson-Billings, 2021). Culturally relevant pedagogy recognizes that racism and other forms of oppression are

present and prevalent in the students' collegiate experience and needs to be considered a "vehicle for learning" (Ladson-Billings, 1995, p. 161). Culturally relevant pedagogy teaches that conduct officers need to be open and inclusive of all cultures and identities for the conduct process to be effective and educational (Brown-Jeffy & Cooper, 2011).

## **CHAPTER TWO: LITERATURE REVIEW**

This literature review will first describe who conduct officers are and the importance and impact of their work. It will define the different types of sanctions and explore the societal and systemic forms of oppression that are intensified by punitive versus restorative sanctions. To further legitimize these arguments, different theoretical approaches are explored and incorporated. The theoretical framework that guides the interpretation of the results is Culturally Relevant Pedagogy, which is informed by elements of Critical Race Theory, specifically examining the intersectionality between race, class, and gender (Crenshaw, 1995; Ladson-Billings, 1995). The literature review will then explore research on the value of a comprehensive and intentional conduct process and how sanctioning and general interactions could be more equitable if grounded in culturally relevant pedagogy.

### **Conduct Officer Roles and Responsibilities**

Student conduct in higher education is the set of rights and responsibilities college students must abide by as members of the community. Students are responsible for their behavior and are expected to know and comply with all campus policies. When a member of the university's faculty or staff encounters a policy violation or has an incident reported to them, they are charged with gathering information and documenting the incident. Policy violations may range from low level alcohol policy violations to more urgent issues like assault, drug sales, and bias related incidents (actions against students based on their race, gender, religion, ability status, sexual orientation, etc.) that can have emotional, psychological, and even physical consequences (Altmaier, 2019; U.S. Department of Education, 2011). This incident report is given to the conduct officer who will create a formal case, assign alleged charges to be reviewed, and meet with the students to investigate and decide the outcome of the case. Conduct officers' main job

function is to work with students who violate the student code of conduct to determine responsibility and assign the appropriate sanctions or next steps to resolve the incident (Lancaster & Waryold, 2008).

The purpose of meeting with all involved students is to create a clear picture of the incident, examine contributing factors, and make an informed decision based on their findings (Association for Student Conduct Administration, 2021). These meetings should provide a space for students to work through the incident by participating in reflection, sharing, and the transformation of new knowledge; researchers call this “learning through crisis” (Kumashiro, 2000, p. 31). Additionally, the conduct officer must be able to balance holding the student who violated policy accountable, maintaining the safety and wellbeing of the campus, while also supporting the student’s ethical development (Association for Student Conduct Administration, 2021). One of the key principles for the Association for Student Conduct Administration (ASCA) is “cultivating student responsibility and accountability;” by engaging and educating their students in ethical decision making and moral development, which means developing the ability to make “thoughtful decisions and recognize how their actions affect others” (Association for Student Conduct Administration, 2021). Conduct officers should undergo training to learn how to best uphold student development and the safety of the community (Perez, 2017). The student conduct process at universities should be in constant motion, changing and evolving to meet the needs of the students they are serving.

### **Culturally Relevant Sanctioning**

Conduct officers must be able to interact effectively with diverse cultures and value each student’s differences as assets in furthering the campus’ commitment to diversity, educational equity and social justice (Lindsey, et al., 2019). Throughout the conduct process, and especially

when assigning sanctions, it is crucial to recognize the societal and systemic forms of oppression that are impacting how students experience their education and continuing feelings of marginalization. It is also important to be considerate of what ripple effects educational processes may have on each individual student, especially if there are legal or punitive factors, and be ready to challenge systems and social order (Ladson-Billings, 1995). For many students, the road to college has been paved with several barriers that have made their college experience fragile; but if the conduct officer uses culturally relevant practices, the meeting is an opportunity for the student to feel heard and have their presence at the university affirmed. To achieve this, conduct officers need to be trained to reframe their approach from simply determining responsibility and assigning one-size-fits-all punishments to practicing “caring confrontation,” where the goal of the sanction is to have the student learn from the incident through a supportive interaction (Dannells, 1997, p. 4).

### ***Punitive Sanctions***

Punitive sanctions have historically been prioritized as a response to student misconduct, mirroring the prevalence of retributive justice used in the United States (Jacobson, 2013). Inequitable discipline processes have been a topic of scholarly debate for many years (Blake et al., 2017). Racial threat theory argues that schools with a greater proportion of Black and Hispanic students have a higher usage of harsh and punitive sanctions and are less likely to respond in a restorative manner, resulting in a culture of criminalization for these students (Payne & Welch, 2010; Townsend, 2000). Research has also demonstrated that students who experience punitive discipline, especially sanctions that remove them from the classroom, are more likely to fail a course, leave the university, or become involved in the legal justice system (Government Accountability Office, 2018). Black and Brown students tend to receive more



punitive sanctions that may involve law enforcement because some campus faculty and staff may perceive them as future criminals (Ferguson, 2000). These statistics mirror how and why society is uncritically accepting of the majority of crimes being committed by Black and Brown men (Klobassa & Laker, 2018). These patterns of racialized approaches to discipline extend outside of schools and are being played out on the news and social media. Images of young people of color being arrested or detained for small actions is becoming commonplace (Quick, 2018).

It is important to consider the intersection of gender and race when studying the student conduct system (Crenshaw, 1995). Female Black K-12 students are 12% more likely to be suspended than their male counterparts; this is 3 times the national average for female suspensions (U.S. Department of Education, Office for Civil Rights, 2014). The adultification and over surveillance of Black girls is a complex social stereotype that leads to a greater propensity for punitive sanctions (Graham & Lowery, 2004). Additionally, gendered racial bias elevates discipline for Black females who do not fit into the gender norms and standards of femininity for White middle-class girls (Blake et al, 2011). There continues to be growing empirical evidence in higher education that racial bias is a contributor to increased discipline and punitive sanctions for Black females (Blake et al, 2017).

Another consideration that needs to be made when addressing the student conduct process is colorism. Colorism is the hierarchical structure of people of color based on secondary features like skin tone, facial features, etc., and those with features closer to White people have high social capital and related privileges (Blake, 2017). Colorism contributes to Black students receiving disproportionate school conduct processes and punitive sanctions because darker-skinned students are more likely perceived to be involved in disorderly conduct and criminal activity. Black students with darker skin were more likely to be seen as unintelligent and

aggressive than lighter-skinned students. Blake et al (2017) hypothesized that the degree to which Black students look and behave like White students is a good indicator of whether their punitive sanctions increase or decrease.

Researchers have attempted to determine and/or justify why students of color disproportionately receive punitive sanctions, some claiming that they are predisposed to anger and violence due to a history of oppression or distrust for authority (Payne & Welch, 2010). Most of these studies have been discredited overtime as more thorough studies argue that Black and Brown students have not had a higher rate of misconduct than their White peers, and racial disparities in the conduct process are not attributable to more frequent or offensive behavior (Payne & Welch, 2010). In fact, Black and Brown students are more often the victim of bias-related incidents and policy violations, including verbal and physical threats (Altmaier, 2019). Stereotypes and media images of Black male criminality are deeply ingrained in the justice system. These images can also impact school personnel's reaction to misconduct, by viewing Black students as unworthy of restorative justice (Ferguson, 2000). Additionally, student misconduct is often defined by legal and criminal justice language, referring to students as "suspects" or "repeat offenders," and having to initiate an "investigation" (Payne & Welch, 2010). University police are often called to serve as "back-up" in anticipation of students becoming argumentative or violent. It is because of these trends in terminology and institutional norms that the conduct process needs to focus more thoroughly on developing cultural proficiency skills and practices. Withholding education from these students undermines their future successes, increasing the odds of engaging with the criminal justice system later in life (Payne & Welch, 2010).

Punitive sanctioning is a more traditional style of conduct that focuses on incidents as being wrong or right, black and white, victim and perpetrator, and focusing solely on punishment without attempting to resolve any underlying issues (Hyde, 2014; Koss et al., 2014). Typical punitive sanctions that were developed for a dominant culture including fines, holds on registration, and probation, may have greater impacts on underprivileged communities who cannot afford to have gaps in their learning opportunities (Waitoller & Artiles, 2013). Conduct officers must acknowledge the majority of punitive sanctions were created before student development theories and the art of pedagogy were studied and implemented. Because there was, and still is, such a focus on the adjudication process, the student's needs and desires were often left unaddressed (Koss et al., 2014). This propensity for punitive sanctions diminishes the feeling of support and belonging for Black and Brown students. Shame and a fear of marginalization can have lasting effects on emerging adults, and higher education practitioners are in a strategic position to empower and develop young members of society (Lancaster & Waryold, 2008). Therefore, punitive methods for discipline need to be reexamined and interpreted to serve the school environment and each of the students' diverse identities.

### ***Restorative Sanctions***

As research on student development has progressed, most institutions and individual conduct officers are emphasizing the importance of shifting from punitive actions to sanctions that are both educational and restorative in nature. Conduct Officers hold a great amount of power to deeply impact a student's collegiate trajectory, including their moral development and understanding of citizenship, and that is why there is an even greater responsibility to be fair and restorative in their actions (Karp & Conrad, 2005). Students should feel empowered to leave the

conduct meeting with new knowledge, deepened problem-solving skills, and tangible next steps for effectively restoring their place as a member of the community (Kumashio, 2000).

Restorative justice was initially applied in the criminal justice system and strongly emphasized repairing and maintaining relationships through restorative dialogue and mediation (Fronius et al, 2019). Due to the high number of suspended or expelled students who enter into the “school-to-prison pipeline,” the use of restorative justice has become an important social movement in both education and criminal justice systems (Losen, 2015; Fronius et al, 2019). Broadly, restorative sanctioning in a university means to first identify the root causes impacting students’ misbehavior and to prioritize repairing the harm through dialogue and inclusion in the community (Zehr, 2002). Through the promotion of reflection and critical thinking, the conduct officer is able to uphold campus policy while balancing the needs of the student. They can engage the student as active participants in the process and promote the students’ agency in how to use the conduct experience to enhance their ethical decision making (Zehr, 2002; Simson, 2014). Traditional punitive sanctions can further isolate the student by making them feel shame and alienation, instead of the promotion of responsibility, ethical decision-making, and integration into the community that restorative sanctions can provide (Zehr, 2002; Lancaster, 2012; Paul & Dunlop, 2014). Restorative sanctions teach the student they have the ability to regain their status as a community member in good standing by taking responsibility and fulfilling what actions are deemed necessary to repair the harm done (Karp & Conrad, 2005, p. 318).

In determining sanctions, conduct officers must remember the role of an educator is to shape future leaders to be culturally aware, empathetic, and inclusive. The most effective sanctioning model is challenging yet intentional and creates a campus environment of care and

compassion, reinforcing the university's focus on students' moral development (Dannells, 1997). By utilizing restorative sanctions and having students be active participants in the process, the conduct officer is demonstrating a commitment to serving the student's education, adapting and adjusting the framework of certain policies to be inclusive of all perspectives, and engaging students to recognize their impact on the campus community.

As opposed to punitive sanctions that may create further division for the student, restorative practices promote inclusion in the university, and strengthen students' commitment to the safety and wellbeing of the community (Lancaster & Waryold, 2008). For students who already feel oppressed and do not trust the university to support them, the consequences of misconduct can be detrimental to their sense of belonging in the collegiate community (Karp & Conrad, 2005). Restorative practices promote campus inclusion and an emphasis on rebuilding relationships and trust that may have been lost (Karp & Conrad, 2005). They have the potential to mend all harms that have occurred, not just the harm from that particular incident (Karp & Conrad, 2005; Karp & Sacks, 2014).

If students feel isolated and disconnected, they may not feel a sense of responsibility to uphold policies and community guidelines, resulting in misconduct. By learning about the student's experience and any marginalization they have experienced, the conduct officer has an opportunity to address not only the consequences of the student's behavior, but also their relationship with the university. By utilizing the tools of culturally relevant pedagogy and implementing restorative practices, there is an opportunity to have the student conduct process be a thoughtful and culturally sensitive system of care, one that addresses each case as an individualized experience and contributes to the student's academic and social success (Cross, 1989). Acknowledging that a student is more than just their behavior will allow the conduct

officer to design sanctions that are tailored to that student's holistic education. Restorative sanctions put an end to sanctions that discourage highly motivated and deserving students from meeting their potential (Lindsey et al., 2019, p. 28). Guiding a student through restorative sanctions and other creative methods for change, instead of enforcing punitive measures that may gravely impact their academic future, will help close an equity gap and encourage underserved students to persevere and be a part of shaping the school's culture and future.

Punitive sanctions keep all decision making and consequences at an egocentric level where the lesson is to not get caught again, whereas restorative sanctions allow for students to move beyond their own experience, and see their responsibility to the community (Chassey, 2002). A strong benefit of restorative sanctions is that they can be preventative of future misconduct (Dannells, 1997). This impact of restorative practices was demonstrated in a study conducted at a medium sized institution; students who were required to complete community service, write a reflective paper, or received other restorative sanctions exhibited lower rates of recidivism than those who received punitive sanctions (Kompalla & McCarthy, 2001). Furthermore, several studies have shown there is a significant drop in the rate of suspensions and an overall increase in a student's feeling of inclusion once restorative sanctioning is implemented (Simson, 2014). This shift from a punitive approach to a restorative model has been recognized and commended in both student conduct systems, but is gaining more popularity and respect in the legal system due to the long-term and preventative outcomes (Bennett et al., 2014). While every university is going to be slightly different, some universities report a recidivism rate of less than 10 percent for students who fulfill restorative sanctions, showing that restorative sanctions work (Karp & Conrad, 2015).

## **Culturally Relevant Theoretical Approaches for Sanctioning**

Researchers and theorists have presented various ideologies and tools for a developmental conduct process. By integrating the work, knowledge, and studies of their colleagues, conduct officers will gain a deeper understanding of the student experience and impactful disciplinary interventions and strategies (Boots, 1987; Torres et al., 2009). Theories should be more than a summary of data; theories should provide the answer to the question “why” as educators are engaging with students and developing a “symbiotic relationship” between pedagogy and practice (Ladson-Billings, 2014, p. 83). Incorporating theory into the conduct process will provide more credibility and significance to the responsibility conduct officers have in upholding a socially just collegiate experience for all students. If conduct officers understand a theory, and have investigated their own bias, but are not able to implement the theory in their daily decision-making, preexisting normative practices in sanctioning will continue.

## ***Culturally Relevant Pedagogy***

Educators should rely on a host of theories and frameworks leading to the development and education of the whole student (Bennett et al., 2014). There is a longstanding call for student conduct officers to receive training on culturally relevant pedagogy to address the disparate impacts of racial bias in the student conduct process (Ladson-Billings, 1995). Critical Race Theory (CRT) was developed in the 1980s as a way to explore and explain the relationships between laws, race, and power (Simson, 2014). CRT exposes social inequities and systems that uphold the status quo, and questions the deficit mindset that many conduct officers may hold when processing cases for underserved students (Zamudio, et al., 2011). Intentional inclusion of student’s backgrounds and intersectional cultural identities and valuing how they make meaning

through culturally relevant pedagogy supports the tenets of CRT (Brown-Jeffy & Cooper, 2011). Without the students' identities at the forefront of the conduct process, the conduct officer will be stifling the opportunity for the student to share their truth and therefore be unable to appropriately implement sanctions that will constructively facilitate learning and moral development for that individual student (Ladson-Billings, 2006).

In a "remix" to their earlier 1995 theory of culturally relevant pedagogy, Ladson-Billings (2014) revisits the three major domains that contribute to culturally relevant pedagogy. Briefly, the first domain is "student learning," the growth that students' experience from learning opportunities; "cultural competence" is the ability for students to appreciate their own culture and gain understanding and appreciation for diversity; lastly, "sociopolitical consciousness" is the ability to use what is being learned at school and apply it to real-world situations (Ladson-Billings, 2014, p. 75). While this study and the corresponding theory was intended for predominantly Black students and schools, it speaks to the need for culturally relevant pedagogy across all departments and areas of education. This "remix" from cultural relevance to cultural sustainability is intended to reflect the fluidity of culture and scholarship, and they updated their work to meet the evolving dynamics of culture.

Utilizing culturally relevant and sustaining pedagogy during the conduct process means using words and practices that have meaning and context for that student's experience and developmental stage (Ladson-Billings, 2000, 2014). This method is the antidote to the one-size-fits-all approach that punitive sanctions promote (Bennett et al., 2014). This highlights that the learning from their individual conduct experience will be applicable in students' lives outside of college, versus punitive discipline that does not often prioritize self-reflection and moral development. Utilizing sociopolitical consciousness may include exploring community issues



and current events that have contributed to the student's misconduct or is at stake if their decisions affect their ability to achieve an education. It will also promote reflecting on the impact their decisions have on them as members of their cultural groups. The conduct officer can also guide them in drawing connections between their responsibility as a member of the university community and how their behavior would translate into future societal roles (Ladson-Billings, 2000). By asking students to reflect on the student code of conduct and the expectations society and groups will have for them, students will internalize their responsibility to their community, and set higher standards for themselves (Karp & Conrad, 2006).

When educators are not committed to getting to know each individual student, and instead succumb to standard rules and processes, it can be described as an academic "death" (Ladson-Billings, 2014). In the conduct process, the conduct officer needs to operate from the mindset that misconduct is a learning opportunity, and that moral development is relevant and crucial to a student's overall success and education. Implementing culturally relevant pedagogy and sociopolitical consciousness requires conduct officers to take risks and be open to finding creative ways to navigate systemic injustices that are impacting students (Ladson-Billings, 2014). It is crucial that conduct officers are trained to invest in all students and be cognizant of the vulnerability that young students of color have to the criminal justice system, and the vicious cycle that punitive sanctions may be perpetuating.

### **Culturally Relevant Conduct Process**

Developing a culturally relevant and effective conduct model is not straightforward. Implementing culturally relevant pedagogy has the potential to ensure conduct officers have a shared set of values and ideology for how student conduct is to be addressed. An effective student conduct structure can offer conduct officers the skills necessary to allow the student to

feel comfortable being forthcoming about what happened, express understanding and remorse for the harm they caused, and a willingness to participate in making amends (Karp & Conrad, 2005). To combat a natural instinct to be defensive, it is important conduct officers learn how to create this environment of trust and connection to the university community (Karp & Conrad, 2005).

Conduct officers may be trained in several different ways; some receive on-the-job training from a supervisor or peers, and others participate in a more formalized training process through an institute or professional development conference. Regardless of how training is being provided, it must go beyond foundational knowledge of policy violations cause and effect and should include exploring the systems in place that lead to misconduct (Altmaier, 2019). With the growing number of students of color attending universities, the need for cultural relevance to be a cornerstone of the conduct process has become more critical. Conduct officers should not be expected to demonstrate culturally relevant pedagogy and multicultural competence without proper support (Harris, 2011). This means regular discussions on diversity, social justice, and impactful current events are necessary in both initial and ongoing training (Association of College and University Housing Officers- International, 2012).

Often diversity training is focused on the plight of *the other* but does not encourage reflection of one's own identity and their socialized assumptions and biases, and how their identities may be divergent with their students' experiences (Ladson-Billings, 2014). There may be an inclination to briefly brush over the racial issues that may come up in a student conduct meeting, but not dedicate time to the examination of the conduct officers' own contribution to institutionalized and systemic racism. To successfully educate students on ethical decision making, hearing officers must also reflect on their own values and behaviors, and have the courage to commit to growth, before they are able to support others. It is recommended that

conduct officers should use an “inside-out approach” by reflecting on their own values, biases, and behaviors to cultivate an awareness of their racial consciousness and prejudices (Lindsey et al., 2019). Considering the responsibility many White student conduct officers have to support the academic and emotional security of students of color, it is important conduct officers are challenged and trained to examine their own identities and use their experiences and learning to better understand how the conduct process may impact the multidimensional identities of their students. This approach is necessary to effectively interact with students of color in these vulnerable situations and comprehending the vast impacts of the conduct process (Klobassa & Laker, 2018).

For conduct officers to be culturally aware and competent in their interactions with students, evidence suggest that they be trained to inform the students that their voices and realities are not only being heard, but that they are aware of the systems of oppression the students are facing and that their experience matters (Brown-Jeffy & Cooper, 2011). When conduct officers can admit that forms of oppression exist and are impactful, the conduct process can move forward in an effective way.

### ***Culturally Relevant Interactions***

Although all higher education practitioners should strive to be educational in all interactions, that is not always easy (Stimpson & Janosik, 2015). Researchers have shown both the physical and emotional environment are paramount to the student feeling supported in taking responsibility for their behavior and wanting to atone for their misconduct (Lancaster, 2012). Students consider the relationship they develop with their conduct officer to be the most valuable and influential part of the conduct experience, and there is higher satisfaction for both students and professional staff when values are congruent (Altmaier, 2019; Howell, 2015). Researchers

argue that no other subject reflects a university's commitment to students than how their faculty and staff define their duty and relationship with them (Dannells, 1997). Therefore, it is crucial conduct officers are trained and committed to truly getting to know their students, and to better understand how they are engaging in the college environment and all factors that are contributing to their experience. Conduct officers must be trained to facilitate an open dialogue that explores the intent and impact of the student's actions and provides an opportunity for moral development (Lancaster, 2012). A conduct officer must enter into each conduct case and interaction with students with a value of care, a purpose to listen, to learn and educate, and "an authentic desire to reach their students" and support them in "developing to their full social, emotional, and academic potential" (Singleton, 2015, p. 36).

A conduct officers need to be aware of how the dynamics of power, privilege, and oppression are contributing to the student's experience, and should be questioning how a student's cultural backgrounds and feeling of oppression may be further impacted during the conduct process (Klobassa & Laker, 2018). For students of color who may already be bearing "hidden injuries," including micronegations, insufficient resources, and likely withstanding stereotypes and prejudice, the conduct meeting needs to not feel like another potentially harmful space (Kumashiro, 2000). It is important the meeting serves as a "safe space," where the student does not fear the decisions or actions of the conduct officer will further marginalize them, and an "affirming space," where their cultural backgrounds and current experiences are appreciated and taken into consideration when making a conduct decision (Kumashiro, 2000, p. 27). The student's interaction with the conduct officer is a large factor in the student feeling their rights and educational access are being upheld; to further contribute to a student's feelings of oppression is complicity (King, 2012; Kumashiro, 2000). The conduct meeting should not be a

space where students feel that doors are being closed to them, and highly motivated students enter and exit quickly because they do not feel like they belong (Lindsey et al., 2019).

### ***Sanctioning***

Decision making and sanctioning are the most difficult components of the student conduct process (Karp & Conrad, 2005). For instance, conduct officers must be able to discern if a behavior is a major threat to the university, or if it is an issue of poor decision making or acting out (Siegal & Cornish, 2014). There will be times when punitive sanctions are necessary and an appropriate response to behavior that threatens the safety and academic equity of the community. These instances should be approached with understanding and consideration for the long-term impacts. This will require teaching conduct officers to avoid adversarial methods in favor of promoting ethical decision-making (Karp & Conrad, 2005).

New conduct officer professionals may be overwhelmed by the autonomy and arbitrary feeling of restorative sanctions (Karp & Sacks, 2014). This is why significant and ongoing training on the efficacy of restorative sanctioning is essential to their success. Some conduct officers may need to reframe their understanding of discipline and reimagine it as an opportunity for guidance and support (Dannells, 1997). Challenging conduct officers to rethink how they view certain sanctions may also be necessary. For example, some may see community service as a punitive sanction, but when framed as an opportunity to learn about civic engagement and the value of contributing positively to one's community, it is a very impactful restorative sanction (Karp & Conrad, 2005). This discernment is an essential component of an onboarding program because the restorative philosophy may be new to them and conduct officers will need support as they rethink their own understandings of justice and punishment (Karp & Conrad, 2005).

In an effort to alter how universities determine appropriate sanctions that do not further oppress students of color, conduct officers must comprehend the structural and institutional barriers that historically marginalized students experience that contribute to their decision making and behavior (Mueller and Pope, 2005). It is crucial that conduct officers receive the ongoing training and support necessary to have a basic level of cultural competence when assigning sanctions. This will require conduct officers to engage in difficult conversations about how sanctioning can have a significant effect on upholding systemic racism, oppression and may hinder students' moral development and academic futures (Altmaier, 2019).

Interactive professional development that provides opportunity for role-playing, discussion panels, and debriefing recent cases and strategies are all successful tools for culturally relevant sanctioning (Karp & Conrad, 2005). Honest dialogues and examples of past successes and failures will generate the motivation to create change and overtime continue challenging assumptions for what is considered fair (Singleton, 2015). Ladson-Billings (2014) describes a training program called "Pedagogy, Performance, & Culture" that was intended to help educators produce a culturally relevant learning experience using popular culture to explain theoretical concepts and practices (p. 79). By utilizing aspects of this program in sanctioning, conduct officers can engage in social and cultural conversations with students and meet the unique needs of each individual student. It is beneficial to train conduct officers to believe that creative and non-traditional sanctioning is necessary for resonating with students' experiences and facilitating opportunities for reflection on the impact their decision-making has on the community.

Training should also teach conduct officers how to guide the student in being able to articulate the impacts and consequences of their behavior on the community, and how that translates into their futures beyond college. One way to articulate the impacts on the community

is to introduce the “circles of harm” which could include emotional harm, harm to campus property, or harm to the safety of the community (Karp & Conrad, 2015). Lastly, presenting examples of sanctions that are creative and specific to the student, and enables the student to acknowledge responsibility and work to regain the trust of the community (Karp & Conrad, 2005). Conduct officers having the knowledge and tools necessary to invest in creative and effectual sanctioning is important in sustaining a community that promotes student development and a sense of mattering and retention for all students.

### **Student Development and Sanctions**

The student conduct process, while not a typical co-curricular experience, is still an educational space and an important opportunity for student development. Helping students to grow and develop, and be successful in and outside of the classroom, is a key component in the conduct process (Boots, 1987; Howell, 2005). This mindset adds an additional responsibility to the role of conduct officers. However, when the conduct process is viewed from start to finish as a teachable moment, student development can be achieved (Ragle & Paine, 2009). A commitment to fostering students’ educational growth strengthens the whole campus community and demonstrates a clear pathway to personal and academic success (Bennett et al., 2014; Ragle & Paine, 2009; Lancaster, 2012).

A successful conduct experience is one where the student feels a sense of belonging in the community and experiences intrinsic motivation (Karp & Sacks, 2014). Conduct officers can use the meeting as an opportunity to guide students in articulating the reasoning behind their decisions, understand the impacts of their actions, and form better critical thinking and reasoning skills (Boots, 1987). Additionally, students’ development will be heightened by exploring the consequences their actions may have on their futures in multiple settings including their future

careers (Lancaster, 2012). “By ensuring adjudicated students’ comprehension of their rights and being cognizant of each student’s unique attributes, practitioners have the opportunity to transform a potentially adversarial disciplinary proceeding into a developmental intervention that fosters student learning” (King, 2012, p. 578).

Conduct officers typically have a preventative component to their positions as well, and the hope is by informing students of their rights and responsibilities at the beginning of their collegiate tenure, they will be less likely to violate policies. Dannells (1997) concurs, stating that by creating a campus environment that is rooted in care and equity, and emphasizes the importance of community engagement and responsibility, misconduct is more likely to be deterred. Institutions of Higher Education benefit from shifting their approach to student conduct from strictly discipline to a developmental opportunity. By fostering an inclusive space that considers elements of cultural proficiency and understands their leadership role, conduct officers can transform the disciplinary process from basic information gathering and punitive measures to a process that supports moral development and empowers students to contribute to improving the safety and value of diversity in the collegiate atmosphere (Boots, 1987).

### **Summary of Findings**

There is racial disparity in both the population of students who go through a formalized conduct process and the types of sanctions they receive. Students of color are more likely to receive punitive sanctions, aligning with the racial stereotypes seen in the criminal justice system. For students who are already withstanding forms of oppression, the consequences of punitive sanctions can be very harmful to their educational equity and future success. Conduct officers must be trained to guide a student through restorative sanctions, utilizing creative methods for change, instead of enforcing punitive measures that may greatly impact their futures.



Restorative sanctions offer students an opportunity to reflect on the cause and effect of their decision making, repair any harm caused to the community, and to practice critical thinking for how their behavior may impact them as both students and in future settings. These restorative sanctions motivate students to invest in their moral development. Therefore, the conduct process should be dedicated to developing culturally relevant practices and fostering an understanding and commitment to the value of restorative sanctions. Conduct officers have the potential to reach students who have experienced marginalization on an individual level and contribute to their moral development. Exercising discernment and consideration for the long-term impacts of the conduct process and subsequent sanctions will help to close the current academic equity gap.

## **CHAPTER THREE: METHODOLOGY**

### **Introduction**

The intention of this chapter is to provide an explanation of the methods used in this study. These methods were selected to explore how conduct officers articulate the complexities of working within the student conduct process. This chapter will present the research design and a summary of the qualitative data analysis that facilitated an understanding of conduct officers' beliefs around the conduct process and identify barriers that influence their decision-making regarding culturally relevant sanctioning (Charmaz, 2006).

### **Review of the Statement of the Problem**

Students of color are overrepresented in the student conduct process and tend to receive more punitive sanctions than their White peers (Government Accountability Office, 2018). Culturally relevant practices and other creative methods for change, instead of enforcing punitive measures, will help close an equity gap and empower conduct officers to be advocates for systemic change through their use of restorative sanctions. New conduct officers need to fully understand their role in the academic success of students from historically oppressed communities (Altmaier, 2019). Research questions were designed to investigate the potential of culturally relevant values in the midst of complex sanctioning processes.

### **Research Questions**

My research questions for this study are: (1) How do conduct officers articulate their understanding of the conduct and sanctioning process? (2) What do conduct officers understand about culturally relevant practices in sanctioning? (3) How do conduct officers describe the barriers that impede them from making individualized sanctioning decisions?

### **Research Design**

The research questions served to help focus my study and guide the methodology in the research design (Maxwell, 2013). This is a qualitative research design that focused on narrative data, specifically a survey and interviews (Mertler, 2019). The rationale for using qualitative methods was to better understand the conduct process and to investigate factors that contribute to conduct officers having good intentions with their approach to conduct and sanctioning, but not necessarily being able to deliver the restorative practice (Mertler, 2019). The data was collected through a survey and interviews because together they can best capture demographic data and their experiences with sanctioning. There were two phases of this study; a survey phase and an interview phase. Having both a survey and interview phase counters the risks and flaws that can occur in single method studies (Maxwell, 2013). The survey is qualitative because it was analyzed and coded and not evaluated statistically (Maxwell, 2013; Mertler, 2019). The survey included demographic questions and attitudinal questions regarding their opinions and beliefs on one-size-fits-all sanctioning. (Mertler, 2019). The survey permitted me to gain a lot of data quickly, and this survey data informed the interview questions (Maxwell, 2013).

In phase two, one-on-one semi-structured interviews were conducted with 7 conduct officers solicited from the phase one survey. Interviews were held virtually using Zoom Pro. Participants were asked to review the consent form and verbally state their agreement prior to the start of the interview. The interview protocol included core questions that all participants were asked, but it also included some thoughtful follow up questions or areas of interest that I wanted to touch on, if time allowed for it (Mertler, 2019). Occasionally, I needed to ask clarifying questions or change my approach to provide the participants with the necessary “nudge” to motivate them to keep the conversation on track towards responding to the research questions (Seidman, 2006).

I recorded and transcribed the interview sessions using Zoom Pro, and I wrote a corresponding analytic memo after each interview to reflect on the interview, but also to begin coding (Emerson, 1995). The codes that I identified became categories and through open and focused coding, I developed my findings. Coding will be discussed further in the Data Analysis section of this chapter.

Considering my connection to the topic, I was aware that I could hold assumptions that may impact my interpretation (Emerson, 1995). To maintain validity, I used different methods that allowed for checks and balances to reduce risks of bias and have a more secure understanding of the participants' experience (Maxwell, 2013). I used triangulation, made up of the survey data, interview notes and transcript, analytical memos, and member checks to ensure that I was interpreting what the participants were sharing appropriately and to maintain validity in the data collection and corresponding findings (Maxwell, 2013). Utilizing triangulation also allowed me to examine the strengths and limitations of my different methods. I performed member checks by sending my participants my data to confirm that my interpretation was valid and accurate. This will be discussed further under validity.

## **Participants**

An important step in qualitative research was to seek out participants who were current university student conduct officers and were able to provide the information needed to address my research questions. This survey was sent to a diverse, but representative group of conduct officers in California, to capture a variety of conduct processes, trainings received, and sanctioning models.

1. The participants were recruited from three listservs: CSU Conduct Officer listserv: Conduct officers who work for one of the 23 California State University (CSU)

institutions. The CSU educates the “most ethnically, economically and academically diverse student body in the nation” (The California State University, 2021). This group has an ongoing email chain and meets monthly.

2. San Diego Student Conduct Officers (SDSCO) group: Is a group that includes public and private colleges in San Diego. This group includes community colleges and four-year universities, and has a listserv and quarterly meetings.
3. Association for Student Conduct Administrators (ASCA) listserv and social media groups: ASCA was developed in 1986 and the mission of ASCA is to “advance the student conduct profession” and meet and serve the needs of conduct officers (Association for Student Conduct Administrators, 2021).

Participants received no form of compensation for contributing to the research. Participants were sent thank you notes via email after the interview to acknowledge their contribution to the study.

25 participants completed the survey. After the survey, participants were asked if they would be willing to participate in a 60-minute individual interview. From those who expressed interest and consented to be contacted, seven university conduct officers participated in the interviews that were held via Zoom.

**Table 1***Interview Participant Information*

Pseudonym	Gender	Race	Institution Type	Years in Conduct
Steph	Female	White	Large, 4-year, public university	10+
Holly	Female	White	Medium, 4-year, private, religious university	10+
Jenny	Female	White	Medium, 4-year, private, Christian affiliated university	0-3
Rachael	Female	Black/ Latinx	Medium, 4-year, public university	0-3
Carly	Female	White	Medium, 4-year, public university	0-3
Ashley	Female	White	Large, 4-year, public research university	0-3
Dave	Male	White	Large, 4-year, public research university	10+

**Data Collection**

This study featured two forms of data collection: a survey and individual semi-structured interviews (Mertler, 2019).

***Survey***

The intention of the survey was to collect data from a broad population of conduct officers. A description of my research study was emailed on each group's listserv with a link to the survey (Appendix A). An informed consent form was embedded in the introduction of the survey. The participants were asked to review the letter of consent and check a box acknowledging that they have read the consent form and were willing to be participants (Appendix B).

The survey asked approximately 15 questions, including demographic questions about their own race and gender, Likert scale questions to determine what the conduct officers know

and think about their current processes and common terminology, and open-ended attitudinal questions to measure their beliefs and attitudes towards the conduct process and sanctioning. One example of an open-ended question was, “Do you think that a one-size-fits-all process to sanctioning is fair to all students? Why or why not? (Appendix C).

This survey took approximately 15 minutes to answer. The data collected from this survey helped the researcher gain initial insights into the participant’s knowledge and beliefs, and to begin establishing categories (Saldaña, 2016). These questions also created a baseline for institutional knowledge and the connection between their training and theory-in-practice (Maxwell, 2013). At the end of the Qualtrics survey, participants were asked if they would consider participating in a 60-minute interview. Those who selected "yes" were sent a follow up email to the email address they provided. The email thanked them for their participation in the survey and asked them to confirm their consent to participate in an interview. They were also asked to provide their upcoming availability so an interview date could be scheduled.

### ***Interviews***

The second form of data collection was 60-minute individual interviews with the 7 university conduct officers who consented to be interviewed. Due to COVID-19 precautions and because my participants represented universities throughout California, the interviews were offered virtually via Zoom Pro. Since most daily communication now takes place on Zoom, this modality was not as challenging as it was in years past (Stanko & Richter, 2015). The participants were sent more specific information about the interview structure, instructions on how to download and use Zoom, the link to join, the interview date and time, and the consent form for their review a week prior to the interview (Patton, 2015).

The interview followed a semi-structured format; meaning that my core questions were asked of all participants, but I had the freedom to ask a follow-up question or for individualized examples (Mertler, 2019). The participants were asked if they read the consent form and are still willing to be participants (Appendix D). There were 14 core questions. Questions began with an assessment of how the participants interpret the meaning of terminology. The interview then asked questions to seek understanding of how the participants make meaning and the conduct process and sanctioning.

Throughout the research process data was securely stored via University of California servers. All information that identified participants was stored separately from transcripts and survey data. Additionally, pseudonyms were assigned to transcripts and survey data and password protected logins were utilized on all laptops and computer folders.

### **Data Analysis**

This study employed surveys and interviews to collect and measure the participant's values, attitudes, and beliefs, and how they make meaning of their institution's conduct model and their decision making in the conduct process (Saldaña, 2016). The purpose of this study was to better understand higher education conduct officers' beliefs and experiences, and to explore potential barriers that may impact their assignment of individualized and culturally relevant sanctions. Studying how the participants articulate their own understanding of their campus' conduct process and how it connects to their own beliefs is key to this study because beliefs can be considered "rules for action" for the conduct officers in their use of sanctions (Stern & Porr, 2011, p. 28). I analyzed how the participants make meaning of the complexities of their current processes, and how one-size-fits-all sanctions impact their underserved students (Maxwell, 2013). To analyze this data, I used initial coding for my first cycle of coding methods to gather



initial insights. Then, in the second round of coding, I used focused coding that honed in on my research questions and assigned codes that corresponded to them. Finally, I narrowed down my categories by collapsing them from over 20 initial categories to my final four overarching themes (Saldaña, 2016). Throughout the process, I utilized analytical memos. My memos ranged from bullet point comments, reflections, to preliminary themes, and areas to follow up on for future interviews. My analytical memos reflected upon the interview process as well as a review of the coding processes, emerging patterns, and choice of categories (Saldaña, 2016). My memo writing, in itself, served as a very tentative code and category construction method that led to future themes being uncovered and introduced in my analysis (Glaser, 2005; Saldaña, 2016).

Once I transcribed each interview, I highlighted quotes that I found interesting and relevant, and made comments in the margins. I coded each interview and wrote an analytic memo on terminology used, body language and attitude, and questions that I had. These analytical memos facilitated the capturing of themes and other analytical thinking and facilitated going back and forth between my data and the emerging categories (Maxwell, 2013). My memos also provided me the space to speculate on how my findings connected to existing literature and reconceptualize my findings as more data emerged (Saldaña, 2016).

I paid attention to both the verbal data that the participants provided, but also was conscious of body-language and other non-verbal cues. Emerson (1995) talks about the importance of the senses and the setting, so I was conscious in the interview phase to remain open and perceptive to how the conduct officers' experiences were being presented in subtle or non-verbal ways, and what impact the questions and setting may have on the topics emerging. I was conscious of small facial reactions, attitude, and changes in tone as the conduct officers discussed their processes and beliefs (Emerson, 1995). This awareness was helpful in gauging

the participants values and attitudes versus their *theory-in-practice*, which I found were not always aligned (Maxwell, 2013).

### ***Initial Coding***

This study used Initial Coding as an instrument for first round analysis (Saldaña, 2016). Initial coding has also been referred to as “open coding” and is useful for studies with more than one data form, in this case a survey and interviews (Saldaña, 2016). I moved back and forth between my survey and interview data throughout my analysis, looking for parallels and confirmation that my codes and categories were consistent.

I first went back to my surveys and did a quick review for any significant quotes or opinions that may be meaningful in my analysis. I jotted these potential codes or themes down in an analytical memo and kept them in mind as I began reviewing the interviews. Before I did my first analysis of the transcripts, I also read through my analytical memos to remind myself of some commonalities that I wanted to be mindful of. Then, I reviewed my research questions and interview guide again, and I did line-by-line coding to begin assessing the conduct officer’s thoughts, attitudes, and beliefs surrounding the conduct process, including any barriers or conflicts they may experience. Some direct quotes were pulled from the transcript and given a preliminary code, including “in vivo” coding which are brief codes that include a participant’s direct words or phrases (Saldaña, 2016) Additionally, questions were posed in the margins, and data was summarized in brief phrases or full sentences. I read through each transcript a couple of times during the initial coding phase to identify common experiences, beliefs, and influences. Each read-through provided new codes and potential categories, and some older codes or highlighted quotes were deemed unnecessary and given a different highlighter color, in case I wanted to come back to them (Saldaña, 2016). This coding method helped me measure if

cultural relevance is evident in how the participants make meaning of their work and articulate what influences their decision-making (Emerson, 1995). I was sure that all my initial coding was tentative and was subject to change as future analysis was completed.

### ***Focused Coding***

Focused coding benefited my ability to define my categories and develop more analytical and refined themes that connected to my theoretical framework (Saldaña, 2016). I reviewed my open coding and searched for the most frequent or noteworthy codes and categorized them in a separate document. I put the category title at the top and then listed every quote that fit in that category that made the most sense analytically (Charmaz, 2014). As I was coding each participant's transcript, I focused on data that was specific to my research questions and aligned with the model of culturally relevant pedagogy.

Focused coding can present obstacles since the researcher can only speculate what the final categories may be; therefore, the triangulation of the survey and interview data, member checks, and analytical memos was key (Saldaña, 2006). I employed an iterative process of exploring themes, connections or disconnections between my analytic memos and participant voice, to ensure that my analysis was grounded in participant experience.

### **From Categories to Themes**

Some categories were easily merged together because they were very similar and would provide a richer analysis when discussed together (Saldaña, 2016). I began outlining my Chapter 4 and reordered and recoded my categories as I began developing my results through the lens of culturally relevant pedagogy. I regularly referred back to my survey data and interview transcripts to make sure that I was accurately categorizing the data and the participants words. My initial categories were collapsed to 4 final overarching themes. Through this categorizing

process, I was able to identify outliers from the survey and interview data that needed to be addressed in my analysis.

**Table 2**

*Data Analysis: Categories to Themes*

<b>Categories</b>	<b>Themes</b>	<b>Example Quotes</b>
Defining Terms	Discomfort, Reluctance, and Confusion	<p>“I do understand coming from my background that their punishment needs to fit the crime... Although I don't love that statement, I would say that there's aspects of it that I understand.”</p> <p>“I couldn't see them passing around a talking seashell, because that way is so mocked in movies and television.”</p> <p>“Am I resistant to it because I'm making assumptions of what my students will or won't want, or am I resistant to it because I'm in tune with what my students want or won't want?”</p>
One-size-fits-all Sanctioning Rubrics	Formal Rubrics Versus Agency on Individualized Decision-Making	<p>“[Punitive sanctions] create a fair and equal kind of sanction, but that equality doesn't necessarily mean a positive thing, especially in things like this. What we usually want is an equitable solution.”</p> <p>“There should always be a basic foundation of sanctions to follow but we should not be strictly tied to them.”</p>
Culturally Relevant Conduct Process  Culturally Relevant Training  Student and Conduct Officer Identity Acknowledgement	Conduct Officers' Understanding of Culturally Relevant Sanctions	<p>“I have to just be cognizant of my own privileges and biases and thoughts, and how I look at it [incidents] compared to folks that have a much different standpoint and background than what I've experienced.”</p> <p>“I started my work in this field with having what I would believe is real compassion for every student I interacted with and real ignorance for the real challenges some of those students were experiencing.”</p> <p>“Balance the needs of the institution with the needs of the student.”</p>
Barriers  Privilege in the Conduct Process  Training/Skills	Barriers to Individualized Sanctions	<p>“I wasn't in a position where I could do anything to make it fair for my students.”</p> <p>“Boys will be boys; girls will be girls' perspective for white students more than for underrepresented students.”</p> <p>“I'm not as confident about making my own decisions, trusting my assessments, and really feeling the independence”</p>

**Validity**

There were a few potential threats to validity that I needed to prepare for. The most prominent was that my participants were also colleagues. While I was careful to not select any conduct officers who I work directly with, I have collaborated with them for a number of years and needed to acknowledge that our relationship may be complex due to the nature of both

higher education and student conduct. Therefore, I was aware of the possible threat of reactivity and that I needed to be conscientious of my influence in the interviews (Maxwell, 2103). Since the interview questions asked participants to be vulnerable and possibly critical, I was hopeful that they would not succumb to an “outer-voice” and feel that they could not be critical since I am a colleague, and I entered the interview phase knowing that it was a possible threat (Seidman, 2006, p. 78). I was also careful to not focus on moving forward my own agenda or beliefs, but to truly sit with the participants in their own experience and be open to exploring their beliefs (Seidman, 2006). I could not completely eliminate my subjectivity, because it is a valuable asset, but I was aware of where the student conduct process and my passions and commitment to social justice are intertwined, and monitored myself appropriately throughout the interviews (Peshkin, 1988). I worked hard to not compare their experience to my understanding of facts or filter the data through my own knowledge (Emerson, 1995; Peshkin, 1988).

Member checks and revisiting the survey data was key to countering these threats to validity. Member checking generally refers to sharing data with the participants to confirm it is true and accurate (Charmaz, 2006; Maxwell, 2013). I sent all seven participants my data to confirm that my interpretation was valid and accurate. I wanted to be sure that the information provided in my analysis captured the participants’ experiences accurately. I individually emailed all participants to confirm the validity of my interpretations and asked them to review and reply if they had any concerns.

### **Positionality**

I have served as a conduct officer in the CSU system since 2014. At the time of this study, I was serving as the Interim Director of Residential Education, and I was the direct supervisor for the four conduct officers in CSUSM Housing. Since 2014, I have designed and

modified the conduct process for CSUSM Housing, established policies and procedures, and created the sanctioning matrix for my department. I collaborate with the Dean of Students Office of Student Conduct & Ethical Development on a daily basis to determine conduct responses for high level cases and assign sanctions, including greatly impactful punitive sanctions like probation, housing ineligibility or eviction, and even suspension decisions. Additionally, I am a member of all the groups that I solicited my participant list from: CSU Listserv, ASCA, and SDSCO. I was aware of the risk of affinity bias; however, I did not have personal relationships with most people in these groups, and I was careful to not recruit conduct officers who I have close contact with or who I knew have philosophies aligned with my own (Maxwell, 2013). I did not assume that we share the same ideology or practices. I was intentionally looking for diverse values, experiences, and beliefs (Saldaña, 2016). Outlier experiences were considered and reported upon in my results section.

My positionality also required me to examine my own values. I have a stake in this process professionally because having a culturally relevant conduct process is aligned with my personal values. I am very passionate about students feeling the conduct process is built on mutual respect, and they are being appropriately held accountable and receiving fair sanctions that are contributing to their overall college education. It was important to avoid confirmation bias and to not reject feedback or practices that oppose my beliefs and values. Additionally, since I work within the conduct system, I have in many ways been complicit in resorting to punitive sanctions and other one-size-fits-all approaches to conduct, even when I know it may be negatively impacting a student's access to their education (Bennett et al., 2014). It was important that I was open to exploring how I can challenge or criticize a system while still working within it.

## **Assumptions and Limitations**

This study was focused on examining conduct officers' perspectives of the conduct process and their beliefs around sanctioning; therefore, I did not interview any students. Without being able to confirm with students if the conduct officers are correct in their judgements, conduct officers may have made assumptions about the impact their work. Due to time constraints and issues of access, I did not study specific training materials about culturally relevant practices, which limited my ability to evaluate how their learning impacted their day-to-day decision-making. These limitations were based on time constraints but evaluating trainings and interviewing students may be considered in future research studies.

Due to my background and nearly a decade of experience as a conduct officer, I may have brought bias and assumptions to this study. These assumptions were based on my own journey of incorporating culturally relevant practices and navigating the effect of sanctions on students of different backgrounds and identities. I was somewhat familiar with the conduct and sanctioning structures at the institutions that my participants work for (the CSUs and local California colleges and universities), so I needed to suspend any assumptions or judgements I may have had about their decision-making process.

To counter these assumptions and bias I used a triangulation of survey and interview data as well as member checking to ensure that I was fully capturing the participant's experience and not my own interpretation (Maxwell, 2013). This reduced the risks that my findings only reflected one bias or perspective.

## **Conclusion**

This qualitative study explored how conduct officers make meaning of the conduct process and to identify the potential barriers that may impact their assignment of individualized



and culturally relevant sanctions. The survey and interviews produced data that illustrates the interplay and disconnect between values and process. The combination of a survey and interviews, and the use of analytic memos that impacted the development of theoretical codes and categories, facilitated a deeper understanding of conduct officers' relationship to culturally relevant restorative practices. It is not just the individual conduct officers who will benefit from this research; the conduct system and campus culture at large will be able to use this research to make meaning of their work and examine the impact of their practice.

## CHAPTER FOUR: RESULTS

This chapter presents the findings from this qualitative study of conduct officers' attitude and beliefs regarding the impacts of culturally relevant practices when determining appropriate university sanctions and facilitating conduct meetings. It includes data on the conduct officers' understanding of how these practices contribute to a successful conduct process that is focused on students' development. This study collected data on how conduct officers make meaning of their work, identify barriers to implementing individualized educational and restorative sanctions, and examine whether or not their sanctioning model has helped or harmed the personal and academic success of students from historically oppressed communities.

### **Participants**

Participants were solicited from three listservs intended to capture a diverse but representative group of conduct officers in California. Participants were first recruited to complete an online survey and then take part in an individual interview. The purpose of the survey was to study a variety of conduct processes, types of training received, and sanctioning models. The interview phase was focused on making meaning of the conduct officers' beliefs and experiences, and to unpack terminology and potential barriers that may impact their assignment of individualized and culturally relevant sanctions. 25 participants from at least 11 different institutions completed the survey; some participants declined to include their institutions in the survey. At the end of the survey, participants were asked if they would be willing to participate in a 60-minute individual interview. From the 16 people who expressed interest and consented to be contacted, seven university conduct officers from six different institutions met the selection criteria and participated in the interview phase that was held via Zoom Pro. All participant data can be found in "Appendix F," including pseudonyms for all

participants. The conduct officers who participated in the virtual individual interview phase are bolded.

### **General Demographics**

The survey participants were both 65% female and 65% White. Other races and ethnicities represented were five Latinx participants, one Middle Eastern participant, and two biracial participants; one who identified as Black and White, and another who identified as Black and Latinx. Of the 25 survey participants, 37% stated that they had 0-3 years of experience, 17% had 4-6 years, 21% had 7-9 years, and 25% had over 10 years of experience. The majority, approximately 60%, of the survey participants worked at medium to large sized 4-year, public institutions, but there were also conduct officers from large research institutions, private universities, and religiously affiliated institutions.

Of the 7 conduct officers who were interviewed, only one identifies as male; all other interview participants are female. This was representative of the survey participants and seemed to be consistent with the makeup of student affairs practitioners in higher education; with females occupying over 70% of student affairs positions (Bauer-Wolf, 2018). Similarly, only one interview participant identified as a person of color. This participant identified as Black and Latinx, and all other participants identified as White. This is also representative of the racial diversity in student affairs, with White staff members being approximately two-thirds of the population (U.S. Department of Education, 2017).

### **Survey Data on Training Received**

In an effort to understand if conduct officers felt prepared and confident in their work, the survey asked questions about the training the participants had received on sanctioning, restorative justice, and culturally relevant practices. Participants were able to state if they had

received the training listed and then they were asked to rate the effectiveness of the training on a scale of 0-10, with 0 being poor and 10 being extremely effective. Of those surveyed, 72% had received training on sanctioning, and ranked this training an average 7 out of 10 for effectiveness. Sanctioning could be argued to be the most important and impactful aspect of the conduct process, so the lack of training for nearly 30% of the surveyed sample and the overall moderate self-reported effectiveness of the training is concerning. 60% of the participants had received restorative justice training, and this population also ranked an average 7 out of 10 for effectiveness of this training. This question had the largest range, with participants rating the effectiveness of the training between 2 and 10. Lastly, 56% of participants stated that they received training in culturally relevant practices. All participants rated their cultural relevance training above 5, with the majority rating it a 7 or 9. It is troubling that of the 72% who received training on sanctioning, only slightly more than half had also received training on restorative sanctions and culturally relevant practices, because research literature has emphasized the importance of implementing all three in an effective conduct process. The participants spoke with conviction about the importance of restorative sanctions and having intentional conversations with historically underserved students but have not received the training to support their personal values. The range of effectiveness is also noteworthy as this data is explored further.

## **Results**

The interview questions all derived from the overall research questions for this study and the qualitative results are organized thematically by each specific research question as seen in Table 2. Each research question was analyzed, and Table 2 describes the research question and the themes that will be the focus of the results and discussion.

**Table 3**

*Research Questions and Corresponding Themes*

<b>Research Question</b>	<b>Themes</b>
How do conduct officers articulate their understanding of the conduct and sanctioning process?	Discomfort, Reluctance, and Confusion  Formal Rubrics Versus Agency on Individualized Decision-Making
What do conduct officers understand about culturally relevant practices in sanctioning?	Conduct Officers' Understandings of Culturally Relevant Sanctioning
How do conduct officers describe the barriers that impede them from making individualized sanctioning decisions?	Barriers to Individualized Sanctions

**Discomfort, Reluctance, and Confusion**

Both the survey and interview questions asked the participants to provide their definition for the following commonly used terms to identify types of sanctions in the conduct process: punitive sanctions, restorative sanctions, educational sanctions. These terms are defined in Chapter 1, and the definitions were also offered to the interview participants for clarification upon request. It is important to explore how conduct officers comprehend and apply these terms in their daily work. The data from both the survey and interviews showed that there is a mismatch between what the participants think these terms mean and how they are presented to students.

***Discomfort with Sanctions***

Many of the participants expressed discomfort with the term *sanctions*. Due to the current events at the time of this study in spring of 2022, over half of the interview participants commented that they recognized the broader connotation of the word sanctions and its use in the military and international relations, specifically the sanctions imposed on Russia. Many

highlighted the negative connotations of comparing sanctions to punishments, opting for terms like “consequences” or “outcomes,” but they commented that students are likely familiar with the term “punishment,” making it the easiest way to explain sanctions to students. When universities use the terms “sanctions” and “punishments” synonymously or avoid the terms and only default to using them for ease of explanation, it may cause confusion for students going through the conduct process. Not all sanctions are “punishments.” In her survey responses, Jessie lists several examples of educational sanctions, including: “program attendance, visit a campus resource, and referrals to basic needs... This is to address the root of the issue that may have led to the student violating a policy.”

A consistent feeling of conflict was present with all participants when discussing sanctions. They all agreed that punitive sanctions are often the easiest and most tangible method to deter future policy violations. However, they also expressed real concerns around the implementation of punitive sanctions, and the impacts that has on the students, especially historically underserved populations.

### ***Reluctant Reliance on Punitive Sanctions***

For most participants, punitive sanctions are seen as very “cut and dry” responses to violations of the student code of conduct. 100% of my participants believe that there is some value in assigning punitive sanctions. They all made comments about how sanctions are meant to be consequences and should be used to both serve as a disciplinary measure, and to prevent future policy violations. When discussing punitive sanctions like suspension, where a student has to leave the university for a period of time, Steph said that she would tell students that “what you need to be successful is to leave for a bit, get yourself sorted out and come back when you’re, I don't wanna say ‘head is on straight’, but that's the language I'm thinking of right now.” In this

example, she is putting the onus on the student to leave their academic environment to achieve personal growth and learning, versus using the university as the place where this development can take place with Steph or another educator as a support system. Holly said

I would understand punitive sanctions would include, you know, suspension or expulsion, fines, probation, removal from housing. I do believe that for some people, to get [their] attention, there has to be a consequence. I also believe that for sometimes, for the safety of the community, there needs to be some level of a punitive consequence. I'll usually describe it as the 'felt consequence...' a tool that they can use to kind of decide whether something is worth it.

When asked specifically about what she likes or dislikes about punitive sanctions in her interview, Steph laughed and said that punitive sanctions are meant to be deterrents and sometimes “students that just need to suffer to stop them from doing it [their behavior].” This philosophy was also applied to sanctions that some other participants considered to be educational, like community service. Steph will explain to her students that “you need to do community service simply because it's going to be painful for you and that will stop you.” Carly shared the sentiment about punitive sanctions being used as punishment but was softer in how she presented her feelings. She commented, “I do understand coming from my background that their punishment needs to fit the crime, and all that talk. Although I don't love that statement, I would say that there is, there's aspects of it that I understand.” Jenny used the metaphor of a runway with students when discussing punitive sanctions. She tells them that “the runway is a little bit longer with a probation; you've got a little more room to skid. With deferred suspension, you're at the edge.” Similarly, Dave believes that punitive sanctions should be used as a deterrent, and they are “helpful because they remind the student that further violations will bring more significant sanctions.” When asked to elaborate, he clarified that while it is a deterrent, it can't be the only response to a conduct violation, adding “well, you have this ‘Scarlet A.’ You're out here and everybody's thinking about that rather than [thinking] 'how can we bring that person

back in and have them understand and have the other folks in the community be able to hold them accountable if things happen in the future?”

This data indicates that there is comfort in a punitive and detached disciplinary style. Steph’s responses may have been intended to be humorous, but she sounded very deliberate in her statement that punitive sanctions are meant to be punishments and should be uncomfortable. Steph and Jenny have a more traditional view of discipline that does not give the impression of being influenced by recent literature on effective sanctioning. Overall, these responses suggest that tangible sanctions are more easily defined and clearly structured, which the participants believe benefits the students in knowing their boundaries. However, Dave recognizes that this emotionless approach can create disengagement and unintentional isolation for students.

### ***Confusion of Educational v. Restorative Sanctions***

The data highlighted that most conduct officers use the terms educational sanctions and restorative sanctions interchangeably; not recognizing restorative justice as a very specific tool and developed process. The responses to how they define educational sanctions were predominately about student learning, and their definitions of restorative sanctions mostly discussed repairing harm. Educational sanctions were described as an important tool in arming students with the information needed to reflect on their experience, identify goals and values, and prevent further violations of the campus policies. Mike argued that punitive sanctions are educational sanctions when “done well.” Holly shares this philosophy, saying that “it's the most powerful part of the work that we can do. And I actually will argue also that things that feel punitive are often also educational.”



Many participants connect the use of restorative sanctions with addressing a clear resolution for the community versus restorative sanctions being an effective sanctioning tool for the student's own development and experience. Ashley described restorative sanctions as "sanctions that are tailored to individual needs and address the specific harm in an incident," but added that she believes restorative sanctions are not necessary if there are no other stakeholders impacted by the incident. Carly referred to a hybrid educational and restorative model, but the sanctions that she used as examples were assigning online courses and reflection papers, which are not aligned with traditional restorative justice techniques such as conversation circles or mediations and community engagement. Only two participants actually referred to practices, such as conversation circles, that are specific to restorative justice and their indigenous origin; instead, most participants articulated a desire to use restorative justice in their educational sanctions but offered no examples of follow through. In her survey responses, Steph commented that "restorative sanctions are designed to allow the student to face the damage or harm caused by their violation and give them the opportunity to begin to rebuild, rebalance, or restore for both others and themselves so that they can move forward with a better understanding of how their actions and themselves fit within a larger community." In her interview, Steph clarified that she "likes the word rebalancing more than restoring because restoring often implies that it's somehow broken, which it is often broken, but sometimes it's not. Sometimes there's broken things you're looking to fix; sometimes things are just out of balance." She added that participating in conversation circles or other dialogue spaces can be "wonderful to process with people going through the same experiences with you. And I think there's, there's just a lot to gain from those things." While they often used the words interchangeably, participants

compartmentalized restorative justice as a response to community impacts, and educational sanctions as a means to address individual conduct experiences and learning.

While Steph and Holly are supportive of the learning outcomes that restorative justice provides, they are admittedly apprehensive of the facilitation. Steph was concerned that restorative justice can be seen by others as “crunchy,” and admitted that she is still working through her own voices of judgment when it comes to using and advocating for restorative justice. When talking about her work with international students, she shared that initially she “couldn't see them passing around a talking seashell, because that way is so mocked in movies and television. The idea of the talking stick has become a joking icon and my students, because they were international, really learned about American culture through television.” Holly shared these concerns, and commented that when discussing the use of restorative sanctions with diverse populations of students, especially those who may have a cultural connection to restorative justice, she explained that

Students who come from, whether it's cultures within the United States or international students where it's very community oriented and not individualistic like we tend to be here; the white privilege kind of capitalism tends to be more individualistic. So, when we come together for a circle, it's this great community thing that we're focusing on, and the people who come from much more community focused cultures are like, 'yeah, whatever, this is like, you know, you're not special doing this.' And I mean, I think we definitely are doing a lot more; we start every circle now with the land acknowledgement and attend to the fact that this, you know, tool that we're using is really indigenous and not, you know, new and, and not ours to just use and claim... trying to figure out if this thing that [we are] working towards is just another way of colonization of looking at things through a, a white lens.

Steph had to challenge herself to ask “am I resistant to it because I'm making assumptions of what my students will or won't want, or am I resistant to it because I'm in tune with what my students want or won't want?” In spite of these questions, she shared that as she began to lean

into this method, she learned to appreciate its value and found spaces to integrate restorative justice into her work.

With the terms educational and restorative sanctioning being used reciprocally, there can be a lot of confusion for students and staff alike. Participants believe the learning and restoring goes hand-in-hand, and in some cases using the term educational is more palatable because the indigenous and communal aspects of restorative justice can be considered odd to conduct officers and campus partners who have not received training on its impacts. Additionally, centering restorative justice on only community impacts makes the practice feel performative versus a celebrated part of the conduct process. These participants' responses, and the lack of data from other participants regarding prior training, demonstrated the deficit of knowledge conduct officers have on restorative practices. They do not know how to address the complications, so they just do not use the practices.

### **Formal Rubrics Versus Agency on Individualized Decision-Making**

Many institutions utilize a sanctioning rubric to assist the conduct officer in choosing their sanctions. These models often show a flowchart moving from common policy violations to the traditional sanction for that violation. In response to these frequent policy violations, many conduct offices have depended on a one-size-fits-all approach to misconduct and sanctioning, but some participants shared concerns that this process is not equitable due to the multifaceted identities and experiences of their students. Typical rubrics that may be found in a California public university's sanctioning rubric include probation in response to underage drinking or failure to comply with directives. For more serious offenses like vandalism or possession of controlled substances, suspension is listed as a possible sanction. Some universities make their sanctioning rubrics public and others do not, which limits the ability to review all sanctioning

rubrics for the institutions included in the sample. The University of California San Diego, where this research is being conducted, publishes their sanctioning rubric on their website, and is accessible to all students.

Participants shared that their sanctioning rubrics are typically developed by senior administrators who serve as the key decision makers at their university, but do not usually serve in student-facing positions. Some participants shared that their sanctioning rubrics have been left unexamined and are somewhat rigid, causing potential harm and oppression to students who are already experiencing marginalization on their campus. In her interview, Carly, who is in a high-level conduct management role, shared that prior to her arrival, her institution's sanctioning rubric had not been reviewed or updated in over a decade, and most of the changes and improvements that she made were to ensure "equitable practices across the board, for sanctions." She added that she is "shifting and changing the culture on our campus," and through building partnerships with campus partners, challenging norms with faculty, and consulting with conduct officers at other institutions, she is hopeful they "will begin to see some consistent practices when it comes to sanctioning."

The interview data displayed a significant gap between the "espoused theories versus theory-in-use" in the conduct process, meaning that the participants shared that they believe their department or university values student diversity and believes in customizing the conduct process to meet their unique experiences; however, they still feel required to assign punitive sanctions that either deny students educational access or create further distrust and disconnection from the university. Because of this, all participants believed in what this study is referring to as an informal sanctioning rubric; meaning that they believe in using a set sanctioning model, but want flexibility in their execution and the agency to individualize the sanctions to match the

learning they feel will be effective for their student. Rachael shared that “There should always be a basic foundation of sanctions to follow but we should not be strictly tied to them.” The challenge with this hybrid model is that the participants only used examples of individualizing their educational sanctions, meaning that the punitive sanctions on their rubric will remain one-size-fits-all.

### ***One-size-fits-all: Equity v. Equality***

Sanctioning rubrics was a complex topic for this study’s participants. Some value sticking to the rubric and others advocate for the flexibility to be selective with their sanctioning decisions. Dave is the director for his institution’s conduct department, and he shared that his department follows the systemwide policy for sanctioning.

So we train upon those, but as I tell everybody, like, I'm not expecting you to just stay in that box. If you see something else you'll go up or down. I give our conduct officers a wide berth of discretion because they're the ones that are meeting with the students. We have more of, 'here's where we normally start, but if you have mitigating or aggravating factors, you might go up, you might go down, or in meeting with the student, you might feel a reflection paper isn't necessarily going to be as effective as a letter of apology or a meeting with the custodial staff or, or whatever.'

This attitude and understanding of values was explored in both the survey and interview.

Participants were asked, “Do you think that a one-size-fits-all process to sanctioning is fair to all students? Why or why not?” Participants were able to write in their open-ended responses. For example, Angie wrote that she believes effective sanctioning must employ a holistic approach and consider what the students’ have experienced, what will position them to reflect, and where they are in their overall development. Ashley agreed that students should have a voice in what they need to be successful, and the conduct process will not be effective if they feel “backed in or forced to do something” that will not contribute to their growth and learning. Similarly, in the interview, participants were asked to describe any sanctioning rubrics or criteria that they must

follow and were also asked to share a time they felt empowered to make a customized sanctioning decision based on an individual case. The data showed that they struggle with a mismatch of their university and personal philosophy.

Of the 17 survey participants who answered this open-ended question, only two believed that one-size-fits all was a fair approach to sanctioning. Half of the participants did not believe that one-size-fits-all was fair or equitable. Six participants believed in the hybrid “informal sanctioning rubric” for sanctioning; that there should be set guidelines, but that there should be room to tailor the sanctions based on the experience of the student and what is best for their learning. One participant explained that her institution has set sanctions of what her institution “normally does,” but that she can move outside of that box if it makes sense to the case. Rachael acknowledges that she operates in a conduct model that has “rules” that must be followed, but that “you have to understand that sometimes the rules don't match a person's situation all the time.”

Many participants shared in the survey and interview that they do not believe in one-size-fits-all, but promote that sanctioning should be “both consistent and individual.” This is an interesting paradox. One could ask how something can be both uniform and variable? When defending sanctions that are equal but personalized, one participant gave the example of assigning everyone a paper as a sanction, but the prompts may be different. One of the reasons that some participants advocate for consistent sanctions is to avoid the perception of favoritism or bias. Concerns around the perceptions of others or fears around mismanaging a case and having to prove themselves to faculty, supervisors, and even parents, were recounted by all participants. This serves as a barrier to a culturally relevant conduct process. This and additional barriers will be discussed later.

Martie believed consistent sanctions ensure equity. Although she reported that she has received training in all areas asked in the survey, including restorative justice and culturally relevant practices, she believed that only educational sanctions should be customized and punitive sanctions should be one-size-fits-all, which is not compatible with the values of restorative justice and culturally relevant pedagogy research, which are presented in Chapter 2.

Martie responded to this survey question by writing

Yes and no. I believe that in terms of [punitive] sanctions (warnings, probations, etc.), it should be consistent across students based on the violation and the severity of the violation to ensure equity and decrease the presence of bias. However, I believe that for educational and reflective sanctions that there is not a one-size-fits-all approach that will be effective for all students. You have to look at the student, the violation, the severity, and the conversation you had with the student through the conduct process to determine what type of educational sanction will be most impactful in helping them improve their decision-making skills and ensure effective reflection of the incident.

While consistency in sanctioning may create a sense of equality, as Martie suggested, Rachael believed that punitive sanctions “create a fair and equal kind of sanction, but that equality doesn't necessarily mean a positive thing, especially in things like this. What we usually want is an equitable solution.” Rachael went on to provide an example of how one-size-fits-all sanctioning is not an equitable conduct solution. She proudly described meeting with students who were accused of academic dishonesty and told her, “I didn't learn that in my high school. My high school never taught us about citations. My high school never taught me about this. I feel like I had an unfair disadvantage here.” Rachael explained that “I get that, you know? And to stop that intervention right there, that just means the world. And then that's where I'm like, 'okay, here's what we're gonna do. I'll give you a warning, but you do need to at least attend one workshop. And just tell me one thing you've learned, or you found beneficial in that workshop or how are you gonna apply it in your classes coming or in the future?’” The freedom to withdraw from the

structured processes and just be present for the student is what Rachael believed that the conduct process should be about.

As interview participants recalled meetings and cases with students, some participants reflected on cases where the sanctioning rubric was not effective. Ashley thought back to a case with international students and shared that she needed to step outside of the box and find a sanction that was "more accessible and less convoluted." The one-size-fits-all sanction, which included an online learning module, was not accessible to the international student because they did not understand the questions which were asking for metaphor examples. Ashley shared that it was not until a pattern was noticed by a Graduate Assistant that they started considering which students were not completing the sanction, and learned it was predominantly international students. Noticing that there may be language or cultural confusion was not initially examined, and a student was the one who was able to see outside of the box and identify that the punitive sanction was not effective.

Stepping outside of these firm lines can be daunting but recognizing inequity and identifying effective sanctions is key to a culturally relevant conduct process. Rachael shared

I still get nervous sometimes. Is that the right thing to do? Because that's not normally what I would do. For any other student, I would not do that, but because of this situation, and how heavy it was for the student and their remorse, and the understanding of where they made the mistake, them telling me what they're gonna do differently, telling me 'I understand what I did wrong'... you have to understand that sometimes it's not, you know, the rules don't match a person's situation all the time.

When on-size-fits-all sanctions are being relied upon, conduct officers do not have the freedom to make fair judgments and determine sanctions that will contribute to a student's personal and moral development. Holly expressed frustration with adhering to a sanctioning rubric, commenting that she often hears, "'just follow the process, just follow the process.' But what if the process has flaws?" Many participants reported being restrained by one-size-fits-all sanctions



and felt that they did not have the agency to make equitable judgements for their students, but they sadly explained that calling attention to these flaws and advocating for change is often met with push-back.

### *Non-Judgmental Spaces*

The participants were asked how they believe sanctioning influences student development for students of historically underrepresented populations. Interestingly, the participants did not speak about students' development in their responses or focus on how diverse identities may influence a standard definition of learning and development. Instead, they focused their answers on belonging, non-judgmental spaces, building relationships, and asking questions that are not accusatory and that add value to the students' collegiate experiences.

Participants aligned their responses with the guidelines presented in Chapter 2 that stated conduct officers should make fair judgments, be aware of their own bias, and assign sanctions that will contribute to a student's educational efficacy. Holly explained that the conduct process may be more challenging for students who have experienced marginalization because their understanding of the legal system may be different. Dave shared that from the students' perspective, they may be defensive about being told their poor decision may imply that they are not ethical or moral, or do not meet the standards for a successful student. Many underserved students already struggle with feeling seen and having a sense of belonging on campus, causing them to feel vulnerable and defensive when their commitment to their educational experience and integrity are being questioned.

Ashley commented that there was a lot of value in being able to communicate with students without judgement, and that just because a bad decision was made, they are not a bad person, and they do in fact belong at the university. Holly commented that working in student

conduct requires a skill set where the conduct officer can ask questions in a way that is both direct, but not accusatory. She added that “we assume that all students are good people who might have made a problematic choice. That people come from different experiences and worldviews. That they're generally motivated, energetic, healthy, and creative. When students realize they have negatively impacted others, they generally wanna make it right. And that behavior can be separated from the individual.” Similarly, Jenny agreed that students need to receive sanctions that make them feel seen and understood, but not judged. She commented that the students need to “really feel like I'm treating them as a human being and that it's not just like, ‘well, I have to check off this box.’” Jenny wanted students to know that she truly believes “students are not their worst moments”.

The participants were all in agreement that the conversation during the conduct meeting was the most powerful tool for creating a conduct space that is both educational and promotes student development. Holly said that her conduct process allowed her to “bring into the conversation with students so that the learning that happens is pretty profound because we're not talking around things we're talking right at things.” Comparably, Rachael said that she appreciated when students have the space to “express themselves very candidly, and we're kind of breaking down those barriers and just actively listening to what they're saying. Sometimes that just takes time and you kind of see where they are in their ethical development and try to get them to a point of understanding of where they can be.” Carly shared a story about a student she met in the conduct process, and through their conversation, she observed that they were acting out because they needed support. This student was a “freshman who was struggling with the adjustment, was struggling with being in housing and away from home for the first time.” She identified several things that were contributing to the acts of defiance, including the impacts of

COVID-19 on his development. Carly dismissed the conduct and scheduled regular meetings with this student. She proudly shared that this student is now flourishing and has become a leader on campus. Carly considers this case to be a “good win”.

Dave commented that several students of color had disclosed feeling an enhanced anxiety with the conduct process because of their own understanding of what it means to be in trouble and the gravity of potential sanctions impacting their education. Ashley and Jenny explained that to have an effective process for underserved students, conduct officers must be able to weigh what adds value and what will be an additional barrier for students. Since not all students have the same experiences or understanding of the conduct process, there needs to be flexibility to “be responsive to a student's strengths, values, and growth areas.” Jenny shared that when she speaks with students who are “not white or are not like cis male fraternity members, I definitely try and do more listening than speaking and really make sure I'm providing that opportunity for them to feel heard and also to feel like they don't have to be perfect.” She added that she wants her students to realize that they can “make a mistake and they don't represent their whole community.... I'm treating them like a student, not like the black kid in their fraternity, which they might often be treated.” It is great that these conduct officers are able to articulate this need for identity exploration and balance in the conduct process, but the participants did not elaborate on how they implemented this philosophy and how it factor into their sanctioning decisions.

### ***Advocacy is “Going Off Book”***

Interview participants were asked to identify a time that they felt a conflict between their values and the results of the conduct process, and to describe a time that they may have felt pressure to impose punitive sanctions. The responses revealed that for most participants, advocating for students, specifically students of color, was considered going “off book.” All

participants talked about feeling pressure or influence in how they managed the conduct process and sanctioning. The pressure ranged from faculty or staff influence to a rigid supervisor, and even bias in how cases were being reported. The participants provided several examples of needing to fight to move forward with an unscripted process. As the participants reflected on these incidents, they seemed to still be experiencing varying forms of frustration. Dave was animated in his responses and seemed impassioned about his work, whereas Ashley was shaking her head in disbelief as she was sharing her stories, and it was clear that she still felt concerned about the outcome of the cases she described.

All the participants promoted the importance of having conversations with students in order to meet the unique needs of each individual student when determining appropriate sanctions. These conversations may result in the student not being held responsible for the policy violation or receiving only an educational or restorative sanction, and not receiving the one-size-fits-all punitive sanction. Dave shared a time that he felt a lot of pressure to expel students who he admitted “engaged in some pretty bad behavior, but [he] didn't think they needed to be dismissed.” Dave said, “I put my foot in the ground on that one and I really advocated for the students, and it was only because of my conversations with them.” He explained without the benefit of getting to know the student, he might have succumbed to the pressure he was receiving and expelled them. Due to the positive conversation and his advocacy for the student, Dave pushed back and told them that he did not feel it was the appropriate sanction for the wellbeing of the student, and in the end, his advocacy won over.

Three participants shared examples where they considered racism and cultural bias to be the reason for reporting. Holly described an incident where “the allegations that were being brought forward, essentially by another student, were very connected to the other student's

biases. And probably wouldn't have [reported] it if it hadn't been a student of color.” She also shared an instance when a student was videotaping another student’s interaction with their campus police. Holly believed that student witnesses were “videotaping because they were concerned that since they were a student of color, that they were going to be mistreated as they were being managed.” Holly shared that the community director was pretty adamant that they wanted the student to be in trouble for videotaping. Holly pushed back and advocated for the student and explained that at the end, she “felt good about the fact that we didn't go there.” Sometimes the pressure to punish students comes from the school or individual people wanting to protect themselves. In this case, it appeared that the conduct officer was insecure or angry about being taped, and that was why they were insistent that the student be in trouble. Holly expressed that with conduct, “it can't be about staff people trying to protect themselves because that's part of the nature of our jobs.”

Steph presented an example of a case where she was receiving pressure from the chief of her campus police to hold international students responsible for a case. The chief was doing a ride along with campus police and they believed that they saw alcohol through the window of an on-campus apartment. The people in the apartment refused to answer the door and her institution did not allow the police to key into spaces. Steph described the chief as being “so angry” and “so offended” because he felt disrespected. Through investigation, it turned out that the bottle they saw was soy sauce. All the residents of that apartment were international students from China. When Steph spoke to them, they were “mortified.” They explained that “their family comes from a culture where you do not open the door for the police. If you open the door for the police, you may never be seen again.” Steph stood up to the chief and was clear that she was not going to hold them responsible for alcohol, and she explained that the chief was very upset with her

decision. Steph shared that both the chief and her supervisor gave her a “list of charges” that she had to hold against the students. Steph refused because she did not think they had done anything wrong, and she was frustrated that she had to advocate for the students. Steph shared that she had to push back and explain that “it makes perfect sense with the circumstances why this group wouldn't answer the door... They don't speak a language. They don't know what a police uniform looks like unless they happen to have watched a TV show. And they're behaving according to their custom norms.” As Steph said, “If you're on a visa, getting suspended means something very different than if you live across the street.” The chief was so adamant that he pushed this case all the way up to the President’s Office. Steph posed an important question; “at what point [are you] reacting to your feelings... And at what point are we reacting to the circumstances of this conduct?” Steph was advocating for recognition of the culturally history these students brought with them to both the institution and the conduct meeting. Ladson Billings (2021) emphasizes the importance of engaging with students academically, culturally, and socially through culturally relevant pedagogy; this includes acknowledging the political and legal differences amongst different cultures and determining equitable and culturally relevant sanctions.

Similarly, Carly also shared a case that involved international students where she was feeling pressured to suspend the student. She felt that bias led to the reporting. Carly advocated for this student to not be suspended because it would mean having to return to their home country, and she did not feel that was necessary for this case. Her rationale for why she felt that she needed to advocate for this student was that she was “not an evil type of person.” This presents an opportunity to pause and consider how punitive sanctions can be so harmful to students that upholding them would be considered “evil.” She added, “I really felt like that was a

personal kind of challenge to make sure that that student felt supported even through the process.” She stated very strongly that the conduct process should not mean that they “make a bad decision and we kick them out and we don't care.” Unfortunately, the data supports that this alleged lack of caring students may feel is not unwarranted. If punitive sanctions are the standard and both the student and the conduct officer have to fight to be heard and seen, then a feeling of not mattering or enhanced marginalization is a logical reaction.

Rachael shared a time where she was working with a student who she knew was also a survivor of a sexual violence incident earlier in the semester, and she had to ask herself if moving forward with the sanctioning rubric was “really worth it” and “[is it] something else I want to add on top of probably all the traumatic events that happened to the student this semester?” She recalled going to her supervisor and that she was nervous because she did not want to “get in trouble... if she sees I gave this person a warning when probably it should be a disciplinary probation.” Rachael was relieved that her supervisor said, “You don't have to justify your advocacy. If you feel in your heart that it's not right to give a student disciplinary probation because of everything they've gone through, then take that initiative and make sure you're advocating for that student.” Unfortunately, this response seems to be the exception, as evidenced by Rachael's initial concerns around getting in trouble for not upholding the sanctioning rubric.

Dave had a similar instance of feeling anxious about advocating for a student, but found that the uncomfortable conversation was worth it, and was a professional development opportunity. Dave “went and advocated [to supervisor]. And I said, ‘I don't think we should suspend the student. I think the student needs to be here on campus. We need to be able to help him and provide support because if he goes home, I think I'm not sure he is going to come

back.” Dave shared that he was “really proud of that because it was much earlier on in my career... I just followed my instinct and ‘okay, well what, what would I want to do here?’ And I was really fortunate that it happened after a period where my compassion and my empathy had really increased my experiences.”

To combat this belief that advocacy is considered a rogue response to misconduct, Rachael shared that when she is “feeling pressure from higher ups: I just make things very clear, transparent. When it comes to my students, I can be too adversarial to them. I would advocate a lot on students’ behalf, and I make it very clear on why I may do that. So, I don’t think I get a lot of pushback for it. I never justify anything unless I have pragmatic reasons behind it.” This disagreement and friction surrounding “going off book” adds to the pressure and internal conflict for some conduct officers wanting to advocate for students. It is understandable why following a sanctioning rubric can be seen as the less divisive path, but what does this vicious cycle of campus politics and division mean for students?

### **Conduct Officers’ Understandings of Culturally Relevant Sanctioning**

The foundation of the conduct process still widely used today was developed for a dominant culture, and the process itself and sanctioning methods may have greater impacts on underprivileged communities who cannot afford to have gaps in their learning opportunities. One participant highlighted this, recognizing that “the conduct process was developed in a specific paradigm. Like most education, it was developed by specific groups and it developed over time and that does not mean that it works for everyone.” This poses a very powerful question, which is, “who needs to be included in a redevelopment of the sanctioning model? What communities were left out of the initial development?”



### *Impact on Decision Making*

Steph presented conflicting attitudes about the conduct process during her interview. She initially represented herself as a supporter for punitive sanctions stating that one-size-fits-all should be the starting point, but then later shared examples of times when she rejected that model and used culturally relevant decision making. She spoke with passion and conviction on this topic, even though her statements were not always consistent. The data suggests that Steph may pick and choose who she wants to advocate for, and it is often historically underserved students. When considering a case that she had with a student who experienced disabilities, she described the conduct process as a hindrance to the student feeling supported and connected to the university and shared that the student's behavior actually got worse. Steph said that the conduct process "almost broke the student; being in trouble with the university was so devastating and the behavior escalated so dramatically." She reflected on training and skills that she believed would make her a better conduct officer and educator and expressed an eagerness to work within a conduct system that "was designed to work with what his specific issues and needs were." She elaborated on the gaps in her training and asked, "where can I adapt my processes? Where do I need to advocate for students?"

Steph also shared a story about a Black female student who was intoxicated and had a verbal altercation with a Black staff member and a Latinx campus police officer. In the conduct meeting, the student shared that she reacted the way she did because she was scared of being confronted by the police officer. The student was being held responsible for "failure to comply," which is a common charge in most university conduct processes. The student believed that she should only be held responsible for failing to comply with the staff member, but Steph shared with the student that "the sanction doesn't change. Like one hundred percent, the result is exactly

the same.” Steph explained that this did not matter to the student, and that the student simply wanted to feel seen and heard. Steph recognized that her identity influenced that interaction with the police officer more than her behavioral choices. Steph went on to explain that her freedom to tailor the conduct process to be culturally relevant was crucial to this student's feeling of mattering by stating that “changing that one line [in the sanction] meant everything to that student... It made her feel heard and it built up her and my relationship so that she has still come to me over different things coming out of that. And it was really small and easy to do on my end.” By giving students a voice in the conduct process, the conduct officer is able to determine sanctions that will contribute to the students’ personal and moral development, and their overall sense of respect and belonging at the university.

While Steph shared specific examples of advocacy for historically underserved students, her responses demonstrated an indifference towards other students receiving punitive sanctions that may impact their educational access and overall well-being. She recalled a situation where an international student she was fond of was placed with roommates who “you do not want your child assigned to.” She explained that they would party and smoke marijuana and implied that they were corrupting him. She did clarify that “I won’t say he was completely innocent because he did those things too, but they did it at an 11 and he did it at a two, you know? He went to the party to have fun and drink and they got blackout drunk and spray painted the lounge sort of thing.” Steph said that during finals week, they had a party and all got removed from campus housing. Steph advocated for this student to be allowed to stay in campus housing, and that she wanted to pick his roommates and where he lived. “So, for four years he only lived where I told him to with the roommates that were vetted by me. If he wanted a roommate, he could, he had to email me.” She said that his former roommates “went off campus and all ended up expelled from

school for drunken shenanigans.” Steph talked about this case as using her power for good, which is true for this student, but her response seemed callous towards the other students who may have also benefited from a campus staff member advocating for them during the conduct process. Additionally, Steph’s recommendations and hands-on involvement may have not only dismissed the student’s cultural values and norms, but also diminished the student’s sense of agency.

### ***Acknowledging Personal Identity***

According to research presented in Chapter 2, to facilitate an effective conduct process, conduct officers must reflect on their own identities, biases, and behaviors. With the majority of the participants identifying as female, interesting data was presented on the intersectionality of race and gender. Jenny reflected on how she presents to students as a White cis-gender woman. She acknowledges that she has a lot of privilege and does not experience significant marginalization outside of being a woman. Jenny also works at an affluent predominantly White university. She acknowledged that she has a lot of power in her role. During the interview, she was introspective and compared her existence to her students of color with how she feels when she interacts with “rich White guys.” She added that many rich White men have not experienced the same consequences that she has and was amazed to realize that she finally understood her impact on marginalized communities. Jenny’s comparison of her own history as a White female to the experiences felt by marginalized communities is problematic, and it unfortunately indicates a lack of cultural competence and awareness of her students' lived experiences. Like Jenny, Rachael is also a young professional, but as someone who identifies as Black and Latinx, she clearly has a different and more connected experience interacting with underrepresented students, even if they do not share her same race or other identity. As a woman of color, she

commented that students are “more willing to open up to me because of who I am because of what I look like, and they have told me that before.” She added that she finds it to be so important that underrepresented students can find a connection.

Age was another aspect of intersectionality that impacted the conduct process. While Rachael expressed some positive impacts of her identity as a young woman of color, Ashley acknowledged that as a young White woman, her impact may be even more pronounced and explained mutual challenges when working with Students of Color. In the interview, Ashley shared an example of a meeting she had with an older male student of color and explained that it was challenging for her to not only suspend her own prejudice, but also not be distracted by what he may be thinking of her. Conversely, Dave is the Director of his department and has been working in higher education for over 15 years. While he is certainly not old, to his college-aged students, he may be perceived as an older White man. Dave shared that he often reflects on his identity as a “straight, white male, able bodied, and in a good station of my life.” He also has the added layer of being in a clear position of authority. He remarked, “I have to just be cognizant of my own privileges and biases and thoughts, and how I look at it [incidents] compared to folks that have a much different standpoint and background than what I've experienced.”

In addition to his identity as an established White male, Dave is also navigating the influence of his identity as a former lawyer. When asked to share any conflict he may experience between his own philosophy of culturally relevant pedagogy and its implementation in his institution's conduct process, Dave discussed incidents around free speech and questioned if offensive jokes or comments about student's identities should be considered hate speech and go through the conduct process. Due to his experience in the legal field, Dave has a unique perspective and commitment to the first amendment, but he also recognized his own privilege

and how that can be an unintentional but competing bias. He said, “if I hear something I don't like, I just ignore it. I don't listen to it, but I know for many other people that's not possible.” This highlights the importance of accounting for the disconnect between the conduct officer and students’ identities, and why restorative practices prioritize facilitators developing an awareness of different forms of oppression impacting students’ sense of belonging in order to create a space for a deeper connection to the university.

The conduct officers considered the conversation during the conduct meeting to be the most impactful part of the conduct process, and they identified several contributing factors that can make or break an effective meeting. Jenny acknowledged that her students have “no reason to trust me,” and that building trust and a relationship begins with her being mindful of how she is interacting with students in the conduct meeting. Ashley commented that asking questions about the students’ backgrounds and discussing their experience at the university is key to an effective meeting. Conduct officers are bringing their own identities and experiences into the meeting, and how they interact with the student can have major consequences, both good and bad on the students' conduct experience.

### ***Cultural Relevance and Punitive Sanctions***

Punitive sanctions have been the primary method for discipline for centuries. Even though they were designed before student development theories and culturally relevant pedagogy was studied and implemented, this qualitative data is exhibiting that there is still a major focus in the adjudication process. As previously discussed, the language used in the conduct process, especially when referring to punitive sanctions, has a significant impact on historically underserved students. Steph explained, “words like probation have a big meaning when you come from a community or a background [where] the word probation is a loaded word that

matters a lot in those communities.” She shared a story about a female student who was placed on probation. Steph said, “the fact that she was on probation, coming from a family where she was the only person not actually on probation was devastating.” Steph expressed that language matters, especially for students who are “fighting so hard to be here and against odds to be here, and feeling marginalized and ignored, or like they don't belong, or feeling barriers to them.” She continued, stating, “some of the language that's used or these legal terms and phrases in these terribly legal written emails can feel so intimidating and can reinforce that feeling of not belonging or make you feel that the university is disappointed in you.” She reflected on her own process and shared a case she had that made her examine “how my questioning and language in that paper may have felt really, really unhelpful for him, or maybe made him feel targeted or maybe made him feel ashamed of family members or things like that.”

One-size-fits-all sanctions may make conduct officers numb to words like “probation” since they can be so commonly and easily assigned to students. Ashley affirms that if a conduct officer is assigning a sanction like suspension or fines, they need to ask themselves if this decision is something that is going to detract from resources that historically underserved students need to persist at the university.

### ***Cultural Relevance and Restorative Sanctions***

Restorative sanctioning centers on repairing harm through restorative actions and reflection. Conduct officers should get to know the student and identify the root causes impacting students’ misbehavior and use that knowledge to repair harm. Jenny is a young professional, but she really articulated her commitment to having culturally relevant practices be a part of her sanctioning process. She explained that as a white woman, she would never consider herself an expert on racism or culturally relevant practices, but she is committed to learning and

growing. She acknowledged that “just because I've read a book about what our Latinx students from SoCal are bringing into an organization; I don't know what their family was like or what they want to get out of their college experience.” In reflecting on her experience, Jenny shared that “the biggest skill is like treating someone like a human being and hearing about what's relevant to them. When a student tells me that they're first gen and that their parents hadn't been to college, and they don't know what it's all about. Then I have a little bit to draw from just in terms of experience with students as well as my ongoing learning.” Behavior is often indicative of students' experiences, so by engaging with the students and inviting them to be a part of the conduct process through a restorative approach, students may trust the conduct officer to be an ally and someone they are willing to learn from.

The data indicates that participants find restorative or educational sanctions to be very valuable in meeting the unique and diverse experiences of their students. In her survey response, Jenny shared that she “hopes (and have seen some evidence in my interactions with students) that educational or restorative sanctions contribute to a student's sense of self-worth, membership in a community, and self-efficacy.” She explained that she thinks, “students going through the conduct process often expect it to be punitive and impersonal, so it is surprising and encouraging for many to see that a conduct officer wants to hear their perspective and sees them as a whole person, beyond an incident or poor choice that brought them into the conduct process.” Jenny elaborated on these views in her interview, acknowledging that student success and connection to the community may be impacted by the way they experience these meetings and the related sanctions. She states that she “would hope that an outcome restores some connection to the community and a sense of trust, not just for the university with the student, but also the student with the university, and with their peers.” Rachael had a similar perspective, lighting up when

sharing, “I just love hearing students feel a little bit of a deep breath realization when they realize this process actually isn't as scary as [they] thought it was. Or even just ‘you really listened to me and you understood where my issues were. And I actually felt like I had someone take a moment and understand my perspective and that's all I really ask.’”

Holly demonstrated deeper thinking when it comes to the challenges the historically underserved students experience in the conduct and sanctioning processes, for example she posed the question, “If a student has a substantial amount of scholarship money that would not be available to them, if they're suspended, what consideration do we take for that?” Holly was open about her learning and understanding of oppression and the impacts of the conduct process on vulnerable students. Holly shared, “I definitely started my work in this field with having what I would believe is real compassion for every student I interacted with and real ignorance for the real challenges some of those students were experiencing. I'm sure there historically have been times where my ignorance was not helpful in their learning.” She admitted that in her over 15 years of working in student conduct “there's been times throughout, because I've been doing this a long time where I'm like not fully comfortable or know we missed on this one.”

An important theme in the data was the vulnerability of historically underserved groups. Jenny expressed that this vulnerability should not be ignored because the fear and uncertainty can be paralyzing to students. She explained, “there can be like some real hesitancy to be honest and be reflective in front of a white lady who you don't know if she's going to say nice things and then suspend you because that could be predictable in much of the country.” She was honest in her recognition that “some students have no reason to trust me. We have to build that relationship. I have to be really mindful and I like being really mindful of them experiencing a conversation that might be about negative outcomes.”



An unexpected data point that came up in the interviews was how the students' cultures may contribute to them being harder on themselves than the conduct process. Jenny commented that she finds that "students in historically marginalized groups can be very harsh on themselves. So they might agree to something that's a lot stricter than what our more privileged folks on our campus could agree to." She elaborated on her own experience with different racial groups at her institution, stating that "I think I'm sure there's plenty of research to say that kids who aren't white, aren't doing the same sort of reckless behaviors that white kids can feel free to do in college." She provided an assumption around binge drinking, stating that it "is not as prominent among Black and Latinx populations versus our white student populations... Our Black and Latinx and API and Native students just don't come into college thinking those things need to be a part of their college experience. Because they're maybe a little more aware of how big consequences can be."

Carly was an outlier on this topic. Despite being a high-level conduct administrator, Carly self-reported that she has not received any training and that her background is in the juvenile judicial system. While she claims that she does not support one-size-fits-all, she was hesitant to acknowledge historically underserved students as being marginalized through the conduct process. She shared that she spends a fair amount of time with students explaining to them that "although they have consequences, [punitive sanctions] don't dictate your future. She believes that a suspension of a semester or suspension of a year or so, doesn't have a lifelong consequence." She continued by sharing that she believes sanctioning is "equally tough for all students. I don't think underrepresented students are more so challenged by a suspension." She referred to her experience working in juvenile halls and stated that "in my previous experience with real punitive type measures, with students being arrested and having to go through a

rehabilitative type of program, it affected them really across the board, whether they were underrepresented or not, it was a challenge.” This response was surprising since she had shared, she utilized restorative justice models in her work with these children and that she had previously stated, “I pride myself on really educating myself on cultural competence, making sure that it's a primary factor in how I respond to people and to individuals. I think that's the counselor background in me; identifying people as individuals first and not labeling or generalizing people.” Carly admitted that she is new to higher education and does feel like she is lacking the confidence to navigate some of the cases she has to adjudicate. Her responses highlight the gaps in her training and understanding of the concepts and ideologies she expresses a desire to practice. She knows that she is opposed to one-size-fits-all sanctions, but without training, support, and accountability, Carly believes that acknowledging students' differences is “generalization,” and is not a factor to consider her sanctioning choices. Despite her philosophies being inconsistent, she did articulate a commitment to improving her understanding of culturally relevant practices. She commented that she wants to “equip myself with as much information I can so I can share it more widely. I've been a little hesitant and recognize that this has been going on for a long time. And it's an opportunity for me to evaluate, learn, grow myself and then educate others.”

Many participants share a very real insecurity around doing right by historically underserved students and they fear not being seen as trustworthy. This insecurity is another reason why conduct officers may default to one-size-fits-all sanctions. While the data in this section is advocating for restorative sanctions and their commitment to students feeling empowered to effectively take their place as a member of the community, they speak to these sanctions in very general and almost aspirational terms. Aligning with previous data, examples

were heavily focused on the meeting itself, not assignment of sanctions. This leads one to wonder if these philosophies are actually being implemented, or if it is just further examples of setting the stage, but not actually executing these philosophies.

### ***Touchy Subject***

Two participants used the word “touchy” when describing conversations around students’ identities and a culturally relevant conduct process. Carly said that while “it’s a touchy subject to broach... not to say that I have any qualms about bringing it up... I think it’s really important that those types of factors are discussed. So, we can ensure that there’s equitable practices or an equitable understanding across the board.” Holly said that she both seeks and promotes ongoing training to help her “gain greater understanding, or how to pay attention to ways that [the conduct process] might marginalize students, or students experiencing marginalization might show... I think sometimes real damage.”

According to Steph, conduct cases should “balance the needs of the institution with the needs of the student” and learning needs to be ongoing and evolving. Carly shared that she has to keep students’ identities at the forefront, saying, “I absolutely do look at all of those types of identities that you’ve brought up and to see if there is a cultural difference, if there is training that needs to be again, had across the board in cultural competence.” The data presented several examples of times a lack of culturally relevant practices negatively impacted students. One participant shared that her university recruited hundreds of students from China to diversify their school but did not create programs or systems to support these students. Dave commented, “I think for somebody from a disadvantaged background, a marginalized background, I think coming in with ‘your ethics are not where they should be or your moral development isn’t there;’

I think that for a white person to say that I think it's 'okay, well here's the system telling me this once again, that I don't have what I need to be a part of society.'”

### **Barriers to Individualized Sanctions**

Conduct officers described several barriers that they experience in both being able to facilitate a culturally relevant conduct process, but also to assign restorative sanctions. A significant barrier is conduct officers feeling like they do not have the power to change the conduct process. Four of the seven participants shared examples of how hierarchy in either their departments or their institutions served as a barrier, and Steph shared that there was a particular case that still bothered her, and she explained, “I wasn't in a position where I could do anything to make it fair for my students.” She explained that she could only tell students, “Yeah, it's really unfair. I agree with you. Here's what I can do. And here's what I am doing.” She also discussed that in some cases she had to justify her position, present research, and receive buy-in from several different departments on campus before she could move forward with her sanctioning plan. She referred to herself as being the “squeaky wheel.” Dave echoed this issue of autonomy, explaining that even his supervisor is being ordered what to do, “even if they completely disagree with that.”

Many conduct officers were required to uphold sanctions that were not aligned with their values. If they chose to advocate for the student, they had to fight and justify themselves to not only their supervisors but campus partners who are not even impacted or connected to the case. When conduct officers like Steph had to “leverage her history” and present a track record of not “going easy on people,” this is a significant barrier to advocating for both students and restorative sanctions. As Holly and Ashley commented, it is exhausting. It would make sense why Steph asked, “is this the hill I am willing to die on?” This pressure to conform to a one-size-

fits-all model out of concerns for job security or reputation is a significant barrier to an equitable and effective conduct process.

As mentioned earlier in this chapter, faculty and staff can also be a significant barrier. Carly shared that an impacting force in their assignment of punitive sanctions is that they feel campus partners, specifically faculty, do not understand the complexities of the conduct process and demand punitive sanctions be imposed because restorative sanctions appear to them like “nothing is happening to them.” Carly explained that they need to “understand that it's a process, right? It doesn't happen overnight.” Carly added that campus partners want to see action items and that the conduct officers are “really putting the students through [the process].” Carly added that she spends a lot of time asking faculty officers to trust her and to trust her process.

Participants reported that an understanding of the conduct process and the impact of restorative sanctions on underserved populations is lacking in their institutions. Jenny discussed the barrier of divergent values regarding sanctioning within an institution. She commented that she “can definitely see institutions where there would be conflicts between your own anti-racist ideology and then what they want you to do in terms of sanctioning.... I could see places where that would conflict with your values.”

Campus partners and politics are a contributing factor to why there is pressure to impose punitive sanctions on students, especially with faculty who may not have the same understanding of student development and restorative practices that student affairs professionals have. Jenny shared that she often feels a “weird pressure to like maintain good relationships with faculty and not blow them off while also saying like, you've got your lane, I've got mine and there's things you don't get to know about the conduct process, because it's about the student and it's not about us proving a point upon them.” She shared that when she feels this pressure, she needs to remind

faculty that while they may report misconduct, they don't dictate outcomes. When there is already a common culture of friction and competition between academic and student affairs, conflict surrounding sanctioning only creates further divides in the conduct process, and ultimately the student is the one most impacted.

It is appropriate for colleagues to trust one another, and when an incident is reported to a conduct officer, they would be inclined to believe cross department staff are accurate in their reporting. However, participants shared examples of when the trust in their colleague's interpretation of the incident was at the detriment to the students and created a more laborious process for the student and conduct officer alike. Ashley described a time when she had to pursue conduct for students who were allegedly playing soccer on a field that was closed due to COVID-19 and were being charged with unauthorized access. The students were adamant that they did nothing wrong and that the field was not closed. Ashley chose to believe them and through deeper investigation, she learned that the students were in fact not violating policy. Ashley worked to advocate for them since she did not find it necessary to assign punitive sanctions when students were outside, being sociable, and making connections on campus. Unfortunately, she received pushback from the referral source that she should hold the students accountable and give them a standard sanction. Her disappointment was clear as she explained, "I felt guilt that they had to go through that process and that person [who reported them] was wrong. Like that the person is part of the university; that it's not a good look. But also, the mental stress that [the students] were under and then we had to go back and forth so many times before we had that information." This example displays the appeal some may have to follow a sanctioning rubric to avoid conflict with other faculty and staff.

Another barrier that was discussed earlier in this chapter is a hesitancy to implement traditional restorative sanctions. Despite an appreciation for restorative sanctions as both a philosophy and practice, participant responses showed an apprehension to move forward and facilitate restorative conversation circles or dialogues. A barrier discussed by Steph and Holly was trying to determine if their fear was derived from assumptions about how they will be received by their students, or their own voices of judgment. Due to the history of indigenous use of circle dialogues, Steph and Holly expressed concerns about cultural appropriation versus appreciation, which also contributed to their hesitancy.

This deficit of knowledge regarding restorative sanctions, for students, staff, and the conduct officers themselves can cause fatigue. This study highlighted that a barrier to utilizing restorative sanctions is capacity. Participants like Holly joked that the downside to using restorative sanctions is that they “require more effort on our side.” Ashley elaborated on the challenges of utilizing restorative sanctions, echoing that it is more work to “recommend [restorative justice] as a sanction and then make sure you're like able to make that circle happen and there's a staff member there to schedule it and lead it, and you have enough students to participate; like all the logistical side of things.” Holly also shared that an additional barrier is students not being receptive to restorative sanctions, and the conduct officers not having the capacity to “spend a lot of your energy kind of helping to reframe all of that then to put in the time and energy that is needed for that restorative environment. It's like exhausting.”

Many of the participants shared that a lack of training is a barrier to them feeling confidence and autonomy in sanctioning decisions. Ashley commented that when she first started hearing cases and making sanctioning decisions, she was “not as confident about making my own decisions, trusting my assessments, and really feeling the independence” to manage the

conduct process. Carly shared that she would like to get to a place where her university has a shared understanding of the conduct processes and how they manage sanctioning. She added that this is necessary for conduct officers who are being asked to make impactful “judgment calls about students” and that “there might be some additional training that needs to happen around cultural competence.” These conduct officers identified gaps in their training and the structure of their conduct process, and that it is contributing to feelings of insecurity.

Interview participants were asked if their trainings intentionally or informally discuss student’s identities. This was an important question because research for this study communicated the significance of conduct officers considering the identities of their students to engage effectively with them and tailor the meeting and sanctioning to meet their unique needs. Only two of the participants discussed student identities in their training model, which is a surprisingly low number considering that the vast majority of research findings report the importance of identity considerations in the conduct process.

Holly is one of the two participants who shared that her conduct team incorporates conversations regarding how student’s identities impact the conduct and sanctioning process. Holly admitted that it is “not a ton of time, but some time talking about the fact that people, you know, bring different world experiences, life’s experiences in, and identities can be a significant part of that.” She added that when they do receive training on student’s identities and diversity the focus is actually turned to the conduct officer’s identity and “paying attention to what you bring in, and maybe assumptions you make, and biases you come with and privileges you come with, and experiences of impact that you bring.” Dave, who facilitates training, said that he encourages conduct officers to “think about your space, think about your identities that come out in your space, and what you show, and how a student might react to those things and how you



can make them feel comfortable.” It is interesting that the two participants who said they received training on students’ identities, emphasized the importance of recognizing the impacts of their own identities but did not discuss learning about their students’ identities. Overall, there may be a deficit of training and ongoing discussion and support, specifically around students’ identities and culturally relevant practices. This is a barrier because some conduct officers do not feel they have the knowledge and skills needed to confidently advocate for fair and individualized sanctioning.

### ***Privilege in Conduct Process***

A significant barrier to restorative sanctions is students’ privilege, or lack thereof, and how that contributes to inequity in the conduct process. Holly shared that recently, she had been pressured to reduce a student’s sanctions, and she commented that she is confident the request was due to the student’s privilege and connection to the university, and that such a blatant example of privilege influencing the conduct process was not something she had previously experienced. Two participants noted that they have witnessed selective reporting, which they tied to holding different students to a different standard. Holly shared that there can be a culture with some of her campus’ administrators that “‘boys will be boys, girls will be girls’ perspective for White students more than for underrepresented students.”

One of the major barriers within the conduct process for underserved students is financial privilege. Wealth disparity makes many punitive sanctions devastating to students. Many schools still issue fines as a punitive sanction or require students to complete “educational” online sanctions that require a fee for the program. Ashley shared that she doesn't like when money is a factor, but she also understands that the money is being used for programs that support systems. This system seems paradoxical to intention of student support, and Ashley

agreed that “nobody wants to have to pay a fee when they're already going through the conduct process and already have extra things on their plate” She was embarrassed to admit that her institution does not publicize that fees can be appealed because they are afraid students will take advantage of that, and added that this sanctioning philosophy “conflicts with like my values of what is fair to students who come from all different backgrounds. Does it give an advantage to students who have money to burn and students who don't?” Steph shared that her institution does not impose fines because “a lot of students were working two jobs, had limited financial means, and those [fines] felt really unfair towards one group versus another.”

Steph, Jenny, and Holly shared how they see financial privilege specifically with suspensions and removal from on-campus housing. Steph commented that she has had conversations with residential students who are at risk for being removed from housing, and based on these conversations, she believes that financially secure students are significantly less impacted than students who will have to move home and likely drop out of school. She shared that she has had students say, “If I'm kicked out, I'm done. I have nowhere to go. I cannot afford [the area]. I am only here through the skin of my teeth. And I can't afford down deposits buying furniture, figuring out how to commute, et cetera.” Holly echoed this, stating that a suspension for someone who comes from a privileged background is going to likely experience less long-term impacts than a student of color who may also be first generation or be from a lower socioeconomic family. Holly also reflected on the “world they step into when they leave” and how a suspension on their record may have greater consequences for them than a student from a financially well-off and connected family. At Jenny’s affluent and predominately White institution, students who are suspended may lose the tuition money from the time they lost and will have to pay another \$70,000 for another semester or year of their college careers. She added

that for many of her affluent students, if they were suspended, they could stay in the area and live with fraternity members and keep partying.

Carly was again the outlier in this data and that may be a result of her own journey of cultural competence and recognizing her privilege. She believes that “it's not for us to judge or to get deep into family patterns or culture patterns... I think that's a generalization of sorts in my opinion to tie the two together; underrepresented and moral development.” Although Carly is correct that there are no one size fits all experience for moral development within underrepresented communities, her hesitancy to dig deep into family and cultural matters may be problematic. Although Carly has expressed interest in receiving training on cultural relevance, her rejection of digging deeper into family or cultural patterns may point out one of her blind spots or areas of discomfort. When asked if she has experienced any conflict between her philosophy on cultural competency and her university's conduct process, she said, “I don't think I'm there yet. I think I probably will get there; I know I will. It's a real priority of mine, but I have not implemented it.”

The participants expressed concerns that underserved students are disproportionately impacted by traditional punitive sanctions like fines, probation, and suspensions. Suspension or removal from on-campus housing can be detrimental for students who do not have a financial or familial safety net and can mean having their access to an education taken away. For privileged students, punitive sanctions may present difficulties, but for underserved students, this may change the trajectory of their lives, including if they can earn a degree.

### **Summary of Findings**

The participants in this study acknowledge that the conduct process is complex. When discussing their beliefs regarding sanctioning, they agree that fair and educational sanctioning is

not only highly impactful but may be the most critical part of the conduct process. They were passionate in sharing their own philosophies around intentional conversations and advocacy for students receiving restorative sanctions. Unfortunately, their accounts describe a disconnect between their beliefs and the conduct process that they must uphold. Some of the challenges stemmed from external pressure and systemic barriers, but there were also examples of student conduct officers experiencing fatigue, insecurity, and a lack of training.

The 25 participants in this study were 65% female and 65% White, and those demographics increased significantly in the interview phase where there was only one male-identified participant and only one participant who was not White. While this was not the most diverse group, it is representative of the demographics of student affairs professionals. These demographics highlight that culturally relevant practices are crucial since approximately two-thirds of the student affairs field is female and White.

Most of the participants expressed a feeling of discomfort with the term sanctions. Many said that it now raised connotations to the military and war. Most of the language used in the student conduct system originated from the judicial system, and terms like “punitive sanctions” still carry those same implications, even if the conduct officers do not personally see them as synonymous. Punitive sanctions often appear in a one-size-fits-all sanctioning rubric that conduct officers are expected to follow. Most participants felt that punitive sanctions were a necessary but unfavorable part of the conduct process. They described punitive sanctions as means to “get students’ attention,” be a “felt consequence,” and present tangible outcomes for violating campus policies. Despite their continued assignment of punitive sanctions, all interview participants expressed a personal preference for educational or restorative sanctions, believing that educational and restorative sanctions go hand-in-hand with moral development.

Participants expressed that sanctioning rubrics that are outdated or rigid highlight the inequity of one-size-fits-all sanctions and cause both harm and feelings of oppression for students who are already experiencing marginalization on their campus. All interview participants argued that they promote what this study is calling an “informal sanctioning rubric,” where they follow a set sanctioning model, but still have the flexibility to individualize sanctions to match what they feel is effective for their students’ overall learning. However, they still feel the need to ask permission before moving away from the set rubric. The data uncovered that moving away from a one-size-fits-all punitive sanction was often considered going “off book,” and there is pressure or influence in how conduct officers manage their conduct meetings and sanctioning. If one-size-fits-all sanctions are being solely relied upon, conduct officers do not have the agency to make equitable judgments and assign sanctions that will contribute to a student’s personal and moral development.

Many participants feel constrained by one-size-fits-all sanctions but calling attention to these flaws and advocating for change is often met with contention. The participants discussed extrinsic impacts in their assignment of sanctions and how student advocacy is often dismissed in the conduct process. Campus partners are often the greatest barrier to a culturally relevant conduct process. For some campus partners, the pressure to assign punitive sanctions is derived from ego, for others it is not understanding the conduct process and requiring tangible outcomes, which restorative sanctions often do not provide. For others, this pressure is based on forms of racism and bias. The pressure to impose one-size-fits-all sanctions raises the conflict of making decisions based on campus politics or self-interest versus the needs of the student.

This rigid conduct process is challenging for historically underserved students because one-size-fits-all punitive sanctions that were developed for a dominant culture will likely have

greater impacts on underprivileged communities who cannot afford to have gaps in their education. The conduct process, as explained by participants in this study and outlined in research, allows for conduct officers to be responsible for identifying what sanction will be the greatest opportunity for learning and connection for each individual student. Conduct officers being able to identify those areas of growth and having the knowledge and confidence to advocate for students and challenge the system is a skillset that requires practice and ongoing training.

Research from the literature review presents a non-judgmental conduct meeting as the best way for the conduct process to contribute to a student's learning, sense of belonging in a community, and overall development. Through conversation and reflection, the student feels seen as a person, beyond the mistakes that they made. Promoting educational or restorative sanctions also recognizes that for many underserved populations, traditional punitive sanctions may mean losing their access to an education, which opposes the values of all participants.

An unexpected barrier amongst the participants was a sense of fatigue in their work. While none of them used this specific term, it was a common barrier in all interviews. For some, fatigue was presented as frustration from the constant pushback they received from faculty. Others felt conflicted when they were being required to impose punitive sanctions on a student when they did not feel it was the appropriate decision and had to grapple with advocating for their student or following the directives from their supervisor. Holly, Ashley, and Steph all joked about restorative sanctions being more work and having to decide if it was worth the potential fight with supervisors or campus partners. If using culturally relevant practices are more demanding of their time and energy, participants may hesitate to use them to avoid the threat of personal burnout.

This study presented several additional barriers to being able to have a culturally relevant conduct process and assign restorative sanctions. Some barriers to an individualized conduct process included: a lack of agency, hierarchy and power dynamics within their institutions, fatigue, privilege, and a deficit of training. There is security in punitive and one-size-fits-all sanctions. However, often what is comfortable and safe is divergent to what is the educational and equitable choice. Only two participants discussed using traditional restorative justice tools and are working through their own voices of judgment and discomfort. The absence of data from the other conduct officers demonstrates little to no training and insufficient understanding of restorative practices, and therefore a lack of use in the conduct process.

The data indicated that sanctioning is a complex cycle that none of the participants have been able to perfect, whether it is due to a lack of general training, strict boundaries in the conduct officers' ability to be creative, the absence of support for developing cultural competence, or other barriers. The data from this study has uncovered that not only is training and supervisor support lacking, but even for high-level conduct administrators, campus partners and other extrinsic forces are relevant in their decision-making.

## CHAPTER FIVE: DISCUSSION

This chapter will discuss the participant data, affirming that the conduct process is complex and further research and action should be taken to address these barriers and commit to a culturally relevant conduct process. The participants articulated a similar job description and common expectations within their roles as university conduct officers. These portrayals aligned with the descriptions of a conduct officers' role in Chapter 2, stating conduct officers' job function is to meet with students who have allegedly violated the student code of conduct, and to determine responsibility and assign the appropriate sanctions to resolve the incident (Lancaster & Waryold, 2008). All participants presented the shared goal of effectively engaging with diverse student populations, providing an individualized conduct process, and offering students the opportunity to participate in reflective conversations that will contribute to their learning and development (Association for Student Conduct Administration, 2021; Kumashiro, 2000; Lindsey, et al., 2019). Unfortunately, several barriers were identified that signified that participants' espoused commitment to a culturally relevant and restorative conduct process is not being supported in practice. This chapter will first discuss how the disparity between the terminology used in the student conduct process, as well as how university conduct officers make meaning of these words and related processes, creates a mismatch between beliefs and practices. This chapter will explore the barriers to conduct officers meeting their intention of successfully implementing a culturally relevant and individualized conduct model. The data articulates why these goals often go unmet due to various systematic pressures to use a one-size-fits-all model in their roles. Finally, this chapter will consider implications for social justice and recommendations for higher education.



## **Discussion of Findings**

### **Addressing Inequities and Insecurities in Terminology**

The participants identified several barriers to facilitating a culturally relevant and restorative conduct process, and for most, these challenges were as basic as terminology. Participants in both the survey and interviews expressed discomfort with the terms used in the conduct process which mirrors legal and criminal justice language. They identified the societal and systemic impacts of the word “sanctions” and shared concerns that the connotation to war and punishments could impact how students experience the conduct process, and that for some underserved students, it may contribute to continued feelings of marginalization. This aligns with the work of Ladson-Billings (1995), who states that it is important to be considerate of what ripple effects the conduct process may have on each individual student, especially when the sanctions have legal or punitive components. This particular data point raises the question, if conduct officers do not fully comprehend what these terms mean, or the impact that they have on historically oppressed and underserved populations, how can we expect students to understand what is already a daunting term that could be a potential threat to their education and future success?

### **The Inequities in Defining Punitive Sanctions**

Despite evolving values and desired approaches by conduct officers, punitive sanctioning has continued to mirror the retributive justice system, and many participants agreed that conduct officers must recognize that the punitive sanctions that are still used today were created prior to developmental theories of emerging adulthood and culturally relevant pedagogy were studied and applied to higher education, and that student’s needs are often left unaddressed (Arnett, 2000; Jacobson, 2013; Koss et al., 2014). However, almost all the interview participants still

found value in assigning punitive sanctions; Carly stated she does not want them to be her default, but at times admitted they were necessary to maintain fairness. This is counter to the research and scholarly debates regarding the inequities in the discipline processes, specifically around punitive sanctions and the racial threat they pose (Blake et al, 2017). Knowing this, it was unexpected to hear Steph make statements about punitive sanctions needing to be “painful” to help students get their “heads on straight.” This mentality is not only concerning to hear from an educator but was especially confusing since Steph reported in her survey responses that she received training on restorative justice, and this training would be in opposition to such a harsh philosophy towards the conduct process.

Often punitive sanctions can impact not only students' feelings of support and belonging at the university but can also influence their ability to remain enrolled. Once again, Steph was outspoken and an outlier with this concern. She seemed to feel that leaving the university is not necessarily a negative sanction. She commented that there is value in leaving the university for a little while, implying suspension, and that students could come back when they have had time to reflect. In this example, she is putting the onus on the student to leave their academic environment to achieve personal growth and learning, versus using the university as the place where this development could take place. Research goes against her philosophy, stating that students who leave school often do not return, and many become involved in behaviors that lead to the legal justice system (Government Accountability Office, 2018). It counters research that demonstrates that student retention and future potential is greatly impacted by the conduct process and sanctions that hinder students' access to education (Fronius et al., 2016; Kompalla & McCarthy, 2001).

One-size-fits-all punitive sanctions allow conduct officers to avoid acknowledging a blind spot in their personal and professional development on culturally relevant practices. As Zamudio et al. (2011) explores in *Critical Race Theory Matters: Education and Ideology*, exposing social inequities and the systems that uphold one-size-fits-all approaches can reveal a deficit mindset that many conduct officers may hold when processing cases for underserved students. Some conduct officers, unintentionally or willingly, ignore race and culture as a significant factor in the conduct process, and stifle the opportunity for students to receive sanctions that will constructively contribute to learning and moral development (Ladson-Billings, 2006). In their study on the relationship between race and harm from sanctioning, Taylor and Bailey (2022) noted that on the surface, participants were more supportive of Black students receiving restorative sanctions, but as the violations became more severe, their support decreased. In this case, is race being ignored, or are ingrained perceptions of Black, Indigenous, People of Color (BIPOC) being a threat coming to the surface? In situations like this, one-size-fits-all sanctions may seem like the safe and reliable option; one can manage the threat without having to account for race, and risk accusations of bias or disparity. The problem with this logic is that BIPOC students are still being given harsher sanctions compared to their White peers in both universities and in the legal justice system (Davidson et al., 2021; Taylor and Bailey, 2022).

Punitive sanctions can have the greatest impact on students' educational access; however, participants in this study noted the complexity involved in prioritizing individuality in punitive sanctioning. Despite many conduct officers being aware of the impacts punitive sanctions may have on students from underserved races and cultures, there are personal and professional roadblocks that uphold punitive sanctions, even when mixed with restorative elements, as the default for student misconduct.

## **Insecurities of Restorative Sanctions**

When asked to discuss what they liked and disliked about restorative sanctions, and an example of a challenge they have experienced with using restorative pedagogy, most of the interview participants expressed hesitancy around discussing and implementing traditional restorative sanctions. In fact, many participants used examples of educational sanctions (papers, informative flyers, and educational classes) when describing what they believed were restorative sanctions. Combining the terms educational and restorative may be more accepted across campus because the perception of restorative justice can be considered odd to people who are not familiar with what it is. There is still limited research on the implementation and effectiveness of restorative sanctions at universities, likely because there is a lack of understanding and therefore training on how to introduce and facilitate this very specific and developed process (Taylor & Bailey, 2022). There appeared to be a shared belief amongst both survey and interview participants that anything that is not punitive is educational. With restorative justice being a popular shift amongst scholars due to the high population of suspended or expelled students entering the “school-to-prison pipeline”, there is pressure for conduct officers to use that term, but this study has shown that there is not sufficient knowledge amongst this group of conduct officers to support their participant in the movement (Losen, 2015; Fronius et al, 2019).

Most participants expressed an interest in utilizing restorative sanctioning, but were hyper aware of their lack of knowledge, making them nervous to move forward. Participants projected their insecurities or voices of judgment when sharing their personal and professional challenges with utilizing restorative sanctions. While most participants were not able to discuss restorative sanctioning at all, Holly and Steph did have working knowledge of traditional restorative practices and provided deep thinking and reflection on their experiences. Holly was very

vulnerable and shared understandable concerns with a White woman facilitating discussion circles, which are part of restorative sanctions inspired by indigenous practices such as talking circles. Holly's response illustrates the internal conflict many conduct officers may feel about how restorative practices are viewed by others and if these sanctions may unintentionally be perceived as a form of colonization. Steph was more humorous about her concerns of perception, saying that she fears others will see it as "crunchy" and discussed how restorative practices are often mocked in the media. Both Holly and Steph were open about the possibility that their own insecurities about judgment were influencing their practices.

When considering the pushback that many participants received from faculty and campus partners regarding the effectiveness of restorative sanctions, this study presents an interesting question; if conduct officers do not know what restorative justice is, how can they expect students and faculty to respect and trust restorative sanctioning? The restorative justice movement documents some of these concerns, but there needs to be more focus around how to manage skepticism from students and other staff and see restorative sanctions as a unique and developmental way of facilitating student conduct (Clark, 2014; Karp, 2019). Redefining the conduct process requires a commitment to learning the history of restorative justice and to accept the benefits of moving away from the security of one-size-fits-all sanctions. One may argue that this is why restorative justice is such a misunderstood practice; it is difficult to move away from established and accepted campus norms and processes, especially when being intentional about learning and educating others could be hard and time consuming. To these participants, without knowing how to address the questions or insecurities, it was easier to just not do the practices.

## **One-Size-Fits-All Students**

It is important to acknowledge that the interview questions did not focus on specific racial or cultural identities, but rather asked the participants to discuss their experiences working with historically underserved or underrepresented populations. However, very few participants provided examples where the students' race or other identity was shared, but rather repeated back the term historically underserved. This was an interesting observation because they either do not have a large BIPOC population, which is only accurate for Holly and Jenny who admitted their institutions are predominantly White, or could be an implicit bias that flattens the experience of BIPOC students to a one-size-fits-all grouping (Grady, 2020). When the history of marginalization or oppression is not explored, the conduct officers are only considering their own interpretation of the students' lived experiences, which is a very surface level approach to student conduct. One can infer from the participant data that underrepresented students are often grouped together and given a one-size-fits-all version of culturally relevant practices.

For most participants, their concerns and issues with the conduct process were focused on feeling personal pressure to implement punitive sanctions for historically underserved populations in general, and the students' race or other identities seemed secondary to their own experiences. When confronted with pressure from supervisors or campus partners, some participants admitted that they followed direction that they knew negatively impacted underrepresented students; Steph and Ashley commented that reflecting on some of these cases still bothers them. When there is a lack of understanding and training, whether personally or professionally, people may not think that cultural relevance matters. In the absence of training or experience working with BIPOC students, it is acceptable to just use the "accepted" words to describe historically underserved students, instead of having to do the work to understand the

history and intersectionality of diverse identities (Grady, 2020). It is not an effective process if we are not acknowledging the student experience because there is no such thing as a one-size-fits-all student. Grouping all underserved students together, without considering the complexities of their identities, is not a culturally relevant practice, it is a performative action at best. A student conduct process that is based in culturally relevant pedagogy demands critical thinking and cultural competence (Ladson-Billings, 1995; Lindsay, et al, 2019). Students need to be viewed holistically, not compartmentalized into stereotypes or one-size-fits-all models that will further contribute to marginalization on campus. Until this gap in cultural competence is acknowledged and appropriately addressed, the conduct process will continue to fracture the student experience for historically underserved students (Senge, 2006).

### **International Students**

Four of the seven interview participants used international students as their examples of underserved students. The three participants who did not reference international students in their examples were Jenny, Rachael, and Dave. Jenny works at a private predominantly White institution. Rachael was the only woman of color in this sample, and she had a deeper understanding of what historically underrepresented meant, and thus did not default to classifying international students in the category of underrepresentation. As the only White male participant, Dave was aware of his privilege, and talked a fair amount about being conscientious of how he shows up in the conduct space, especially to students of marginalized identities. He commented that he is always working towards finding a balance between his own privilege and the experiences of oppression his students have navigated. Dave is making steps in the right direction by acknowledging White privilege in the conduct process, however, for most participants this data point further demonstrates the importance of culturally relevant learning

and practices in the conduct process, specifically around sociopolitical critical consciousness for BIPOC and other marginalized students (Ladson-Billings, 2014).

It is possible that the reason over half the interview participants discussed international students is that they consider international students to be the most vulnerable and underrepresented populations at their schools. This is intriguing because in the extensive research conducted in this study's literature review on underrepresented student populations in the conduct process, international students were not highlighted by the scholars, and most of my participants referenced them at least once. To my knowledge, research does not exist on the impacts of American conduct processes on international students, but the disconnect between my participants' understanding of what is meant by underrepresented students in this research is noteworthy. International students are a unique population of students, and while their identities and experiences are valuable and deserving of cultural considerations, conduct officers should not overlook the BIPOC identities, cultural impacts, and history of educational oppression in the United States and in their own regions.

### **Moving from One-Size-Fits-All to Culturally Relevant Training and Supervision**

Not all participants could provide examples of critical consciousness in their work. Conduct officers being instructed to uphold consistency in the conduct process and sanctions may seem fair on paper, but it is not a culturally relevant approach because it does not balance the administrative process of holding a student accountable and recognizing their diverse and multifaceted identities and experiences (Association for Student Conduct Administration, 2021; Bennett et al., 2014). Recent research has affirmed that the people who serve as educators, in whatever form, are given short or nonexistent training and are not equipped to make decisions with culturally relevant knowledge (Maldonado, 2022). Most participants focused on their own



feelings of insecurity and the fragility of student advocacy in the conduct process. Carly and Ashely were both very open about not feeling confident or effectively trained to completely move away from a one-size-fits-all model to make culturally relevant decisions without a sanctioning rubric to help direct them. Instructing conduct officers to follow a documented process may create a sense of security; however, it does not consider that each student is different and has a unique set of experiences that brought them to the moment that they interact with a conduct officer. Without the ongoing support needed to acknowledge students' race and culture, the conduct officer may be ignoring the students' experience, and therefore will be unable to assign appropriate sanctions, defaulting to punitive actions. Equity cannot be achieved when we are focused on uniform sanctions and not wanting to treat students differently all while viewing historically underserved students as a one-size-fits-all population.

Culturally relevant decision making and sanctioning are the most crucial and impactful components of the student conduct process and all participants noted that their training in cultural competence was either lacking or absent altogether (Karp & Conrad, 2005). Conduct officers must be attentive to not group together all underrepresented students and defaulting to one-size-fits-all stereotypes. Being culturally competent means that it is critical to understand that historically oppressed people often receive negative stereotypes, and these social stereotypes have led to a greater propensity for punitive sanctions, especially for Black men and women (Graham & Lowery, 2004; Ladson-Billings, 2014). Conversely, conduct officers must acknowledge the myth of color-blindness. Conduct officers who subscribe to color-blindness as an acceptable framework are more likely to ignore their implicit bias and have stereotypes impact their decision-making (Zamudio, et al., 2011). This was evident in the example Steph provided about the Black woman who was found to be “non-compliant,” when in fact she was

scared of the police and her resistance was considered aggressive. Steph demonstrated cultural competence when she recognized that the student simply wanted her feelings to be understood. Steph recognized that the student's identity influenced her interaction with the police officer, and that stereotypes about the student as a Black woman may have impacted the reaction from the police. We know that this was not something that Steph was trained on, but had she received that training and support from her supervisor and the campus, would she have received so much pushback when making that conduct decision in this case?

Holly said that she wants ongoing training to further her understanding of ways the conduct process might cause "damage" to underserved student populations. Recognizing the complexities of the conduct process, conduct officers should not be expected to practice culturally relevant pedagogy and cultural competence without receiving proper training (Harris, 2011). In addition to a lack of training, interview participants also expressed inconsistency between their office and the university at large. The conduct process must go beyond a one-size-fits-all approach to policy violations and should include exploring the systems in place that lead to misconduct, which is university-wide (Altmaier, 2019). This model must provide conduct officers with the skills needed to be aware of how the dynamics of power, privilege, and oppression across campus may be contributing to the student's experience, and the conduct officer should be examining how a student's cultural backgrounds and feeling of oppression may be further impacted during the conduct process (Klobassa & Laker, 2018).

In the story Ashley shared about the online learning module being confusing for international students, she acknowledged that nobody in her office had considered there may be a language or cultural barrier that may impact student learning, a key domain in culturally relevant pedagogy (Ladson-Billings, 2021). It says something that it took a presumably untrained

graduate assistant to identify the inequities in their process. This is a good example for why training should be fresh and ongoing and allow for case studies or other opportunities to explore the diverse experiences and perspectives of students who will be receiving sanctions. If historically underserved students receive a one-size-fits-all label when it comes to conduct officer training, then how would conduct officers know to pay attention to potential forms of marginalization with sanctioning?

With how deeply ingrained traditional punitive sanctions and “punishments” are in not only the university setting, but in society as a whole, conduct officers may need to reframe their understanding of discipline and reimagine it as an opportunity for guidance and support, and to resolve any underlying issues (Dannells, 1997; Hyde, 2014; Koss et al., 2014). This transition of philosophy and practice will require significant and ongoing training and support for the efficacy of restorative sanctioning and conduct officers will need ongoing supervisory support as they rethink their own comprehension of justice and sanctioning (Karp & Conrad, 2005).

### **Navigating Pushback**

When asked if they experienced any conflicts or pressure around sanctioning, themes emerged around student advocacy receiving pushback and conduct officers not feeling like they had the power to challenge the systems in place. This barrier became one of the most important findings in this study and provided insight into a deficit in trust towards conduct officers. The interview participants initially spoke so highly of their university’s missions and commitment to students, but as we began unpacking their conduct processes, especially regarding sanctions, it became clear that there was conflict between their values and the results of the conduct process for underserved students. When conduct officers are given a sanctioning rubric and told to “just follow the process,” as Holly explained, they are being restrained by one-size-fits-all sanctions,

they do not have the agency to call out any flaws in the process or make equitable judgements for their students. And as this study pointed out, calling attention to these flaws, “going off book,” and advocating for change is often met with push-back, a serious barrier to a culturally relevant conduct process.

As the participants explained, sanctioning rubrics are typically designed and approved by administrators and “higher-ups” who are not in student-facing roles. One-size-fits-all sanctions may seem like an easily organized, cut and dry approach to student conduct that will limit potential campus objection and risk of legal repercussions. Most interview participants shared examples of times where they felt like they had to justify their reasoning, present research, and receive buy-in from several different departments on campus before they could move forward with their decision to not enforce punitive sanctioning. Carly and Dave in particular shared examples of incidents where they had to advocate for their students to not be suspended or expelled. In both these instances, they felt that the university could have provided support that the student needed, and that if the students had left, they would not ever return to college. The participants recognize that sometimes students need to leave the institution for their safety and the safety of the community, but that their examples were not one of those situations, and they really had to take a risk in their decision to fight for these students.

If the conduct officer is the one having the conversation and getting to know the student, shouldn't they have the autonomy to decide if they should be expelled or not? Or, at a minimum, not feel like they must fight against power in an effort to advocate for their students? If we do not trust conduct officers' voices, then what does that say about the conduct process? Providing a young professional with a sanctioning rubric and asking them to meet with students, is not sufficient preparation. It is not a culturally relevant conduct process if conduct officers feel like

they have to resist their conduct model when they get to know a student, identify racial or cultural barriers, or want to advocate for them.

Hearing participants explain that they feel the pressure to conform to the one-size-fits-all model out of concerns for job security or managing their reputation presented a significant barrier to an equitable and effective conduct process. All participants discussed feeling like they had to prove themselves to faculty, supervisors, and even parents. A couple of participants expressed insecurity about their advocacy and concerns that their recommendations for sanctioning would be rejected and that those specific actions would impact how they were perceived. When conduct officers are fearful that their supervisors will think they are mismanaging a case, it is understandable that they would favor consistent and risk-free sanctions. This creates a conflict between what is best for the student, and what is best for the conduct officer.

The majority of the participants expressed incongruence between the espoused values of their departments, and the process that they are asked to uphold. Even Dave, who is the director of his university's conduct office, had needed to advocate for students to not receive punitive sanctions that would restrict their educational access. This conflict made officers feel insecure about their autonomy, and they sought comfort in established and accepted sanctions. Conduct officers need to be culturally competent and have the knowledge, trust, and support needed to make ethical and informed decisions. Convincing a supervisor that a student should not be expelled should not be considered "winning;" however, when sanctioning is compared to war, maybe "winning" and "losing" is the appropriate phrasing.

## **Defining Student Development**

This study also aimed to understand how conduct officers articulate the impact of sanctioning on students' education and development. Research argued that learning occurred when students had the opportunity to reflect on their decision and to understand the impacts of their actions for themselves and their community. Conduct officers must consider students' cultures and experiences, and tailor the conduct process and their choice of sanctions to appropriately further the student's growth (Bennett et al., 2014). With lower retention and graduation rates of minority students continuing to be a major concern for higher education researchers and practitioners, research argues that educators who humanize the conduct experience and offer holistic support for their underserved students can have a positive impact on their college experience (Museus & Ravello, 2010).

The participants did align their responses with the research presented in Chapter 2 that stated conduct officers must make fair judgments and assign sanctions that will contribute to a student's development. The question is, how does sanctioning impact student development? The participants were not able to link the two together in their interview responses. They focused heavily on relationship building and creating non-judgmental spaces, but their examples indicate that they do not understand the implications of punitive sanctions on students' collegiate and personal development. They focused their responses on the conversations they have, and challenging the students to be reflective, but without being able to identify an example or assessment of how the process influences learning and development, what is there beyond the conversation? The data presented was just the conduct officers setting the table but putting the onus on students to do the work and figure it out. Conduct officers must utilize a multifaceted approach to student conduct because students' problems and behavior are rarely isolated to one

piece of their experience; and to support students in their development, conduct officers must consider it their responsibility to ensure that historically underserved students are receiving the care and resources they need, regardless of their conduct history (Museus & Ravello, 2010). More research needs to be conducted studying the relationship between sanctioning and moral development in higher education.

We can learn from these results that it is difficult to evaluate a student's development based on their unique backgrounds, and that there is no one-size-fits-all measurement for development. There is no one-size-fits-all student and therefore should be no one-size-fits-all standard for sanctioning. Participants agree that sanctioning recommendations and guidelines are beneficial, but nothing should ever be one-size-fits-all when it comes to student conduct.

### **Infusing Reflection into Pedagogy**

An important finding in understanding the resistance to moving away from punitive sanctions is that a standard one-size-fits-all model allows for a detached approach. Cultural competence is hard work and detouring away from an accepted and longstanding playbook can feel daunting. This was demonstrated in how Carly responded when asked if she experienced any conflict between her personal journey of cultural competency and the conduct process at her university. She was honest in saying that she has not received culturally relevant training at work, and explained, "I am not there yet." Carly expressed an intention to learn and said that it was a priority for her, but her values have clearly not been turned into action yet. She presented discomfort with looking deeper into cultural relevance work because it would mean having to make a change. This change seemed to be both personal and systemic for Carly. While she was open about working through her own biases and that she was participating in self-work, she just rewrote her university's sanctioning rubric for the first time in over a decade, and there was

likely to be fear around having to revisit her hard work. Challenging systemic barriers and institutionalized racism, as well as acknowledging how the participants themselves are contributing to oppression is a commitment that many are not prepared to do alone. (Lindsey et al., 2019). Implementing theory and scholarship into one's work is not something that is inherent; culturally relevant pedagogy requires commitment and collaboration, and we have learned from the participants that guidance and discourse on this topic on how it impacts the conduct process is lacking in many universities.

The responses from the survey and interviews indicated that the limited culturally relevant training the participants received was mainly focused on how they “show up” for the students. They were more reflective and sensitive to their own actions than the experience the students are going through. While self-awareness is very important, it is self-serving when not coupled with acknowledgement of the students' identities and experiences that brought them to the meeting. Students best respond to interactions with faculty and staff that feel genuine and where they see their conduct officer as a human being; someone who they can trust to see and hear them for who they are (Museus & Ravello, 2010). When conduct officers receive support and guidance from their supervisors to participate in self-reflection and invest in culturally relevant practices, there may be a greater commitment to utilizing restorative practices. This would be worth exploring in a future study. Conduct officers should consider an “inside-out approach” to their own development by reflecting on their values, biases, and how their own identities may be divergent with their students' experiences and impact the conduct process (Ladson-Billings, 2014; Lindsey et al, 2019).

Another barrier that was noteworthy from the interviews was the issue of hierarchy, and that most decisions and feelings of pressure surrounding conduct decisions are being made by



administrators who are not in student-facing positions. If practitioners stop learning and reflecting on the student experience once they enter an administrator role, they risk losing the individualization and empathy needed to be effective educators. Student conduct officers must remain intentional practitioners and be able to reflect while interacting with students. It is key that they can balance both the safety and conduct of the campus, but also the reflective skills required to be an intentional and effective educator (Association for Student Conduct Administration, 2021).

### **Implications for Social Justice and Educational Leadership**

Racial disparity in the conduct process is not only an issue of social justice and cultural proficiency, but also questions educational efficacy. Educators have a responsibility to teach all students and failing to challenge and work against forms of oppression is to be compliant with them (Kumashiro, 2000). Student conduct officers have generally recognized a one-size-fits-all approach to student conduct is not aligned with their personal beliefs of diversity and inclusive excellence, and a restorative and culturally proficient approach should ideally be adopted (Bennett et al., 2014; Lindsey et al., 2019). Citizenship and social responsibility are key values in a university's mission, and student conduct departments need to devote attention to refocusing the conduct process around tenets of student development, particularly “honesty, social responsibility, self-understanding, tolerance, empathy, and the like” (Astin, 1991, p. 109). An important component in creating and upholding an inclusive and culturally proficient conduct process is acknowledging there is no set one-size-fits-all standard for the conduct process. Sanctioning methods need to be reexamined and interpreted to create a culturally relevant conduct experience serving the diverse identities and experiences of the students.

In his 2014 “Dear Colleague” letter, President Obama called for educators to examine if their policies and approach to student conduct has a “disparate impact on students of a particular race,” and charged them with incorporating programs and practices intended to reduce misconduct and promote a safe learning environment (U.S. Department of Education, 2021). Research has found that racial disparities in punitive sanctions are widespread and cannot be treated as a one-size-fits-all process (Government Accountability Office, 2018; Zamudio, et al., 2011). Research indicates BIPOC and other underserved students who are suspended from school miss out on vital instruction, are less likely to graduate on time, and are more likely to repeat a grade or drop out of school, which can lead to future interactions with the criminal justice system (Government Accountability Office, 2018). Many students of color are already navigating levels of oppression and barriers to academic access, and student learning with the support of a culturally relevant conduct process is the key to many students breaking the chain of poverty and high crime rates and achieving better futures (Kumashio, 2000; Ladson-Billings, 2021). The intention of a culturally relevant conduct process should be to correct behavior through a lens of cultural competence, focusing on student learning and personal growth, and support students in restoring their sense of belonging at the university (Ladson-Billings, 2021).

Restorative and educational sanctions, including reflection papers, apology letters, campus engagement, or community service, are compassionate and socially just methods of addressing student misconduct. By developing a conduct model that evinces the vital importance of cultural proficiency in the conduct process, especially in sanctioning, conduct officers will contribute to students’ moral development and role-model what it means to walk with empathy and treat others with dignity as global citizens.

## **Limitations**

One limitation was that I did not interview any undergraduate students during this particular study. This study was specifically concentrated on the conduct officers' beliefs, experiences, and perspectives. Without interviewing students, I was not able to confirm if the conduct officer's judgements were accurate and this allowed for the participants to make assumptions about the impact their philosophies and sanctioning had on students. Future research studies should interview both students and conduct officers to gather information on how both sides experienced the conduct process. Another limitation from my methods was that I did not have access to the training that each conduct officer has received, and thus this study is not an evaluation of curriculum. This limited my understanding of the full effectiveness of previous training that participants may have had. This study provided important findings on conduct officers' attitudes and challenges regarding the implementation of their training and specific pedagogies.

An evident limitation of this study when analyzing the data is that the terms that were used in the research questions were not well defined. Some participants interpreted the terminology and questions differently which meant a lack of consistency in responses which required further explanation in the analysis. Similarly, participants were not asked explicitly to discuss students of specific races, ethnicity, or other specific marginalized identities. Therefore, the data was not focused on their conduct philosophy for a particular population of students. The questions were broad and left up to the participants discretion of what "underrepresented" or "underserved" means to them. For many participants, this range in interpretation led to examples about international students versus examples of oppression amongst local and domestic students. It is curious if this is also attributed to an insecurity about working with BIPOC students,

especially when they hold different identities than the conduct officer. This study design does not allow for a critical examination of who conduct officers may think of as “underserved” or “underrepresented, and more detailed research is needed that asks conduct officers to define terms and then reflect on the specific students this term brings to mind. In depth dives into these terms may indicate a subconscious bias that needs to be taken into consideration in conduct processes.

Lastly, each conduct officer only participated in one interview. The survey data was analyzed, compared, and utilized to further interpret the participants’ data, but the study could have been more in-depth if there had been a second interview to gather more specific data and ask more thorough follow-up questions. Similarly, I had a small interview size, and it was not a diverse population of conduct officers. While I feel confident that I was able to capture a comprehensive perspective by seeking participants from universities of different sizes and demographics, it was a limitation to not include a wider and more diverse point of view, especially since this study was seeking a qualitative perspective on cultural relevance in the conduct process.

### **Areas for Future Research**

Conduct officers have an inherent responsibility to cultivate a conduct experience that is culturally relevant and inclusive of all students’ experiences. There is no one-size-fits-all solution to student misconduct. Examining how to best lead conduct officers in doing the hard work of being aware of systemic oppressions impacting students’ sense of belonging and creating a space for restorative practices and a deeper connection to the university would be an important context for future research.

A future study should focus on the student perspective. One way would be to conduct a mixed methods study that surveys students. The study could include questions that are specific to the student's identity and would measure their rating of equity in their conduct process. To deepen this study, a follow-up survey could be facilitated six months later, and would ask students to reflect on the conduct process and discuss the impacts that their conduct officer and sanctions had on their educational attainment.

It is clear from this study that more research needs to be completed on what culturally relevant training conduct officers are receiving and how the knowledge and skills gained from training are being transferred back to daily practices, especially when working with students of color and other historically underserved student populations. A potential research question may be, "What aspects of cultural relevancy training do conduct officers find to be the most impactful in their interactions with historically underserved students?" This could be achieved by selecting and investigating conduct officers who self-report being confidently trained in cultural relevance, and shadow them to assess the impact of that training on the disproportionality for students of color and historically underserved students receiving harsher punitive sanctions.

This work would benefit greatly from a similar study that focused deeply on gender and specific racial identities. This study was broad in its definition of historically underserved students, and future research on this topic should be more detailed in the data collection to solicit stories and examples that are concentrated on specific identities. It would be interesting to explore the intersectionality between race and gender in the conduct process, and if racism and genderism is being discussed in conduct officer training.

### **Recommendations for Higher Education**

The current conduct process is complex and has many barriers in place that inhibit conduct officers from offering a culturally relevant conduct process. In response to the challenge with terminology, the first recommendation for practice is to better define terms in the student conduct process for both students and the university community. The data suggests that a beneficial tool in addressing aversion to the word “sanction” is to teach students what sanctions mean versus defaulting to a comparison to punishments or legal systems. Similarly, to combat the “crunchy” label restorative justice receives, developing a quick and comprehensive description of the history of the practices would be advisable. These words should not be controversial; they should be clear and unified throughout the university, and across the field of student conduct. Additionally, the conduct process needs to focus more thoroughly on exploring an understanding of cultural proficiency and terms that are better aligned to the process conduct officers aim to provide for students. It should be accepted that terms can evolve as our students and society evolves, especially as conduct officers and higher education practitioners become more aware and knowledgeable about diversity and culturally relevant practices. This discontent for terminology and institutional norms emphasizes the need for the conduct process to be more thoroughly focused on developing cultural proficiency skills and practices. The significance of clearly defined terminology is an area for growth and will be applied in future research.

The results confirm that conduct officers want sanctioning guidelines not strict rubrics. Participants shared that while they believe their university values student diversity, their sanctioning rubrics require them to assign sanctions that may withhold students’ educational access. They were mostly in agreement that having recommended sanctions is important to them; however, they want the freedom to be creative and individualized in their sanctioning choices. Allowing flexibility in their sanctioning will provide conduct officers with the agency to

individualize the sanctions to match the learning they feel will be effective for their student.

Rachael summed this recommendation up well when she said, “There should always be a basic foundation of sanctions to follow but we should not be strictly tied to them.”

This can be achieved by enhancing supervisor support for sharing ideas and promoting a culture of creativity. A couple participants shared that they are a part of listservs and associations that have the intention of being a meeting of the minds, but often the meetings or emails become another model of being one-size-fits-all. A desire for affirmation and consistency with peers continues to be paramount to the individualization of the cases. Additionally, these meetings often only include director level conduct administrators, which also enhances the trickle-down directives that were presented as an issue in the interviews. Therefore, a recommendation would be to hold monthly meetings for student-facing conduct officers to share ideas and review case studies of cases they have had with historically underserved students. When supervisory praise is given for creativity and student support, the culture within the department will begin to shift, and sanctioning will be reimaged.

The conduct officers who participated in this study were not able to articulate how they incorporate considerations of racial identity into their conduct processes. However, many interview participants discussed a need and desire for more training on racial and identity awareness as a part of their personal and professional development. For example, implicit bias training would be an opportunity for conduct officers to unpack the disparate impacts of the conduct process on Black and Brown young adults and to begin seeing one-size-fits-all sanctions as a risk versus a source of security. An important component of this recommendation is recognizing that each conduct officer is going to be in a different place in their journey to cultural competence, so training cannot be limited to group sessions, it must also be ongoing and

individualized by their supervisor. Much like sanctioning must be individualized to meet the needs of the students, training needs to be individualized to meet the learning and needs of the conduct officers.

The conduct process should be in constant motion; supervision and campus engagement must continue to evolve and empower conduct officers to facilitate a conduct process that is rooted in culturally relevant pedagogy. Systematic changes need to be made to allow conduct officers to move away from a one-size-fits-all conduct process. Creating and requiring campus-wide training for all faculty and staff will shift the misconception that student conduct is only on the shoulders of conduct officers. What we learned from the multifaceted barriers conduct officers experience is that this is not only a conduct officer issue. These barriers are pervasive and systematic, and to combat student advocacy being mistaken for inaction, culturally relevant education must be campus wide. For the conduct process to contribute to educational efficacy for all students, culturally relevant pedagogy must be at the forefront of all practices.

## **Conclusion**

The student conduct process should be evolving as the population of students attending college evolves. A punitive conduct process may have been applicable when the demographics of students attending college were more one-size-fits-all but is no longer appropriate as the number of diverse and multicultural students continues to grow. Terminology and sanctioning must change to meet the needs of the students, and training must evolve to better prepare conduct officers to facilitate a conduct process that is rooted in equity and culturally relevant pedagogy.



## REFERENCES

- Association of College and University Housing Officers-I. (2012). *ACUHO-I core competencies: The body of knowledge for campus housing professionals*. <https://www.acuho-i.org/resources/core-competencies>
- Altmaier, P. (2019). Are You My Ally: Implications for Training on Bias-Related Incidents. *The Journal of College and University Student Housing.*, 45(3).
- Arnett, J. J. (2000). Emerging adulthood: A theory of development from the late teens through the twenties. *American Psychologist*, 55(5), 469–480. <https://doi.org/10.1037/0003-066x.55.5.469>
- Association for Student Conduct Administration (2021). <https://www.theasca.org/>
- Astin, A. W. (1992). The unrealized potential of American higher education. *Innovative Higher Education*, 17(2), 95-114. <https://doi.org/10.1007/BF00917132>
- Baldizan, E. M. (1998). Development, Due Process, and Reduction: Student Conduct in the 1990s. *New Directions for Student Services*, 1998(82), 29–37. <https://doi.org/10.1002/ss.8203>
- Bauer-Wolf, J. (2018, November 2). Student Affairs Is a Diverse Profession. <https://www.insidehighered.com/news/2018/11/02/report-student-affairs-professionals-more-diverse-rest-college-professions#:~:text=The%20College%20and%20University%20Professional,broadly%20are%20occupied%20by%20women.>
- Bennett, L., Gregory, D. M., Loschiavo, C., & Waller, J. (2014). Student conduct administration & Title IX: Gold standard practices for resolution of allegations of sexual misconduct on college campuses. <https://www.theasca.org/files/Publications/ASCA%202014%20Gold%20Standard.pdf>
- Blake, J. J., Butler, B. R., Lewis, C. W., & Darensbourg, A. (2011). Unmasking the inequitable discipline experiences of urban black girls: Implications for urban educational stakeholders. *The Urban Review*, 43(1), 90–106. <https://doi.org/10.1007/s11256-009-0148-8>
- Blake, J. J., Keith, V. M., Luo, W., Le, H., & Salter, P. (2017). The role of Colorism in Explaining African american females' Suspension risk. *School Psychology Quarterly*, 32(1), 118–130. <https://doi.org/10.1037/spq0000173>
- Boots, C. C. (1987). Human development theory applied to judicial affairs work. *New directions for student services*, 1987(39), 63-72. <https://doi.org/10.1002/ss.37119873907>
- Brown-Jeffy, S., Cooper, J.E. (2011). Toward a Conceptual Framework of Culturally Relevant

- Pedagogy: An Overview of the Conceptual and Theoretical Literature. *Teacher Education Quarterly*, 38(1), 65-84. <https://www.jstor.org/stable/23479642>
- Bruckner, L. J. V. V. (2014). *Using student development theory to enhance the educational experience in student conduct: Perspectives of student conduct practitioners at four-year institutions*. University of South Dakota.
- Charmaz, K. (2006). *Constructing grounded theory a practical guide through qualitative analysis*. Sage Publications.
- Chassey, R. A. (2002). Morals, Ethics and the Campus Community: Implications for Student Development. <https://files.eric.ed.gov/fulltext/ED465133.pdf>.
- Clark, K. L. (2014). A Call for Restorative Justice in Higher Education Judicial Affairs. *College Student Journal*, 48(4), 707–715.
- Cooper, M., & Schwartz, R. (2007). Moral judgment and student discipline: What are institutions teaching? What are students learning?. *Journal of College Student Development*, 48(5), 595-607. [doi:10.1353/csd.2007.0049](https://doi.org/10.1353/csd.2007.0049)
- Cordner, P., & Brooks, T. F. (1987). Training techniques for judicial systems. *New Directions for Student Services*, 1987(39), 31-42. <https://doi.org/10.1002/ss.37119873905>
- Crenshaw, K. W. (1995). Mapping the margins: Intersectionality, identity politics, and violence against women of color. In K. Crenshaw, N. Gotanda, G. Peller, & K. Thomas (Eds.), *Critical race theory: The key writings that formed the movement* (pp. 357-383). New York, NY: New Press.
- Cross, Terry L. (1989). *Toward a culturally competent system of care*. Washington, DC: Georgetown University Child Development Program, Child and Adolescent Service System Program. <https://files.eric.ed.gov/fulltext/ED330171.pdf>
- Dannells, M. (1997). From Discipline to Development: Rethinking Student Conduct in Higher Education. *ASHE-ERIC Higher Education Report*, 25(2). <https://files.eric.ed.gov/fulltext/ED408920.pdf>
- Daiute, C. (2014). *Narrative inquiry: A dynamic approach*. SAGE Publications.
- Davison, M., Penner, A. M., Penner, E. K., Pharris-Ciurej, N., Porter, S. R., Rose, E. K., Shem-Tov, Y., & Yoo, P. (2021). School discipline and racial disparities in early adulthood. *Educational Researcher*, 51(3), 231–234. <https://doi.org/10.3102/0013189x211061732>
- Donenberg, G. R., & Hoffman, L. W. (1988). Gender differences in moral development. *Sex Roles*, 18-18(11-12), 701–717. <https://doi.org/10.1007/bf00288055>
- Duncan, B. L. (1976). Differential social perception and attribution of intergroup violence:

- Testing the lower limits of stereotyping of blacks. *Journal of personality and social psychology*, 34(4), 590. <https://doi.org/10.1037/0022-3514.34.4.590>
- Emerson, R. M., Fretz, R. I., & Shaw, L. L. (1995). *Writing ethnographic field notes*. The University of Chicago Press.
- Estrada, D. (2017). Utilizing the Lens of Cultural Proficiency to Judge the Impact of Autonomous School from the Student Perspective (Doctoral dissertation, The Claremont Graduate University).
- Ferguson, Ann A. (2000). *Bad Boys: Public Schools in the Making of Black Masculinity*. Ann Arbor: University of Michigan Press.
- Frederickson, J. (1992). Disciplinary sanctioning of impulsive university students. *NASPA Journal*, 29(2), 143-148. DOI: 10.1080/00220973.1992.11072256
- Freeman, M. S. (2001). Innovative alcohol education program for college and university judicial sanctions. *Journal of College Counseling*, 4(2), 179-185. <https://doi.org/10.1002/j.2161-1882.2001.tb00198.x>
- Freire, P. (2014). *Pedagogy of oppressed, 30th anniversary edition*. New York, NY: Bloomsbury Academic.
- Fronius, T., Darling-Hammond, S., Persson, H., Guckenburg, S., Hurley, N., & Petrosino, A. (2019). *Restorative Justice in US Schools: An Updated Research Review*. West Education Publishing.
- Fronius, T., Persson H., Guckenburg, S., Hurley, N., & Petros, A. (2016). *Restorative justice in U.S. schools: A research review*. Saint Paul, MN: West Education Publishing.
- Fraise, N. J., & Brooks, J. S. (2015). Toward a theory of culturally relevant leadership for school-community culture. *International Journal of Multicultural Education*, 17(1), 6-21. <http://dx.doi.org/10.18251/ijme.v17i1.983>
- Gillborn, D. (2015). Intersectionality, critical Race theory, and the primacy of racism: Race, Class, Gender, and Disability in Education. *Qualitative Inquiry*, 21(3), 277-287. <https://doi.org/10.1177/1077800414557827>
- Gilligan, C. (1982). *The Contribution of Women's Thought to Developmental Theory: The Elimination of Sex Bias in Moral Development Research and Education*.
- Gilligan, C., Attanucci, J. (1988). Two Moral Orientations: Gender Differences and Similarities. *Merrill-Palmer Quarterly*, 34(3), 223-237. <http://www.jstor.org/stable/23086381>
- Glaser, B. G. (2005) *The grounded theory perspective III: Theoretical coding*. Sociology Press.

- Goff, P. A., Jackson, M. C., Leone, B. A., Culotta, C. M., & Ditomasso, N. A. (2014). The essence of innocence: Consequences of dehumanizing Black children. *Journal of Personality and Social Psychology*, 106(4), 526-545. <https://doi-org.ezproxy.csusm.edu/10.1037/a0035663>
- Goff, P. A., Martin, M. (2014). Consequences When African-American Boys Are Seen As Older. <https://www.npr.org/2014/03/19/291405871/consequences-when-african-american-boys-are-seen-as-older>.
- Government Accountability Office (2018, April 04). *K-12 Education: Discipline Disparities for Black Students, Boys, and Students with Disabilities*. <https://www.gao.gov/products/GAO-18-258>
- Grady, C. (2020). *Why the term "BIPOC" is so complicated, explained by linguists*. <https://www.vox.com/2020/6/30/21300294/bipoc-what-does-it-mean-critical-race-linguistics-jonathan-rosa-deandra-miles-hercules>
- Graham, S., & Lowery, B. S. (2004). Priming unconscious racial stereotypes about adolescent offenders. *Law and Human Behavior*, 28(5), 483–504. <https://doi.org/10.1023/b:lahu.0000046430.65485.1f>
- Harris, A., & Leonardo, Z. (2018). Intersectionality, race-gender subordination, and education. *Review of Research in Education*, 42(1), 1–27. <https://doi.org/10.3102/0091732X18759071>
- Harris, D. L. (2011). *Teachers' Perceptions Related to Teacher Preparedness, Self-Efficacy, and Cultural Competence to Instruct Culturally Diverse Students*. [Doctoral Dissertation, University of Phoenix]. ProQuest, Umi Dissertation Publishing.
- Healy, M. A., & Liddell, D. L. (1998). The developmental conversation: Facilitating moral and intellectual growth in our students. *New directions for student services*, 1998(82), 39-48. <https://doi.org/10.1002/ss.8204>
- Howell, M. T. (2005). Students' perceived learning and anticipated future behaviors as a result of participation in the student judicial process. *Journal of College Student Development*, 46(4), 374-392. [doi:10.1353/csd.2005.0035](https://doi.org/10.1353/csd.2005.0035)
- Hyde, M. K. S. (2014). *The effect of student conduct practices on student development in Christian higher education* (Doctoral Dissertation). <http://digitalcommons.liberty.edu/cgi/viewcontent.cgi?article=1910&context=doctoral>
- Jack, A. (2019, June). *On Diversity: Access Ain't Inclusion*. [Video File]. [https://www.youtube.com/results?search\\_query=jack+tedtalk](https://www.youtube.com/results?search_query=jack+tedtalk)
- Jacobson, K. A. (2013). *Transforming hierarchical relationships in student conduct*

- administration*. [Doctoral Dissertation, University of Northern Colorado].  
<https://digscholarship.unco.edu/cgi/viewcontent.cgi?article=1171&context=dissertations>
- Kamenetz, A. (2018, December 17). Suspensions Are Down In U.S. Schools But Large Racial Gaps Remain. <https://www.npr.org/2018/12/17/677508707/suspensions-are-down-in-u-s-schools-but-large-racial-gaps-remain>
- Kaplin, W. A., & Lee, B. A. (1997). *A Legal guide for student affairs professionals*. San Francisco, CA: Jossey-Bass Publishers.
- Karp, D., & Conrad, S. (2005). Restorative justice and college student misconduct. *Public Organization Review*, 5, 315–333. <https://doi-org.ezproxy.csusm.edu/10.1007/s11115-005-5094-7>
- Karp, D. R., & Sacks, C. (2014). Student conduct, restorative justice, and student development: Findings from the STARR project: A student accountability and restorative research project. *Contemporary Justice Review*, 17(2), 154-172.  
<https://doi.org/10.1080/10282580.2014.915140>
- Karp, D. R. (2019). *The little book of restorative justice for colleges and universities: Repairing harm and rebuilding trust in response to student misconduct*. Good Books.
- King, R. H. (2012). Student conduct administration: How students perceive the educational value and procedural fairness of their disciplinary experiences. *Journal of College Student Development*, 53(4), 563-580. <https://doi.org/10.1353/csd.2012.0058>
- Klobassa, V., & Laker, J. (2018). Student Conduct and Policy Violations: Gender-Aware Restorative Justice Practice. *New Directions for Student Services*, 2018(164), 51–61.  
<https://doi.org/10.1002/ss.20283>
- Kohlberg, L. (1984). *The psychology of moral development: The nature and validity of moral stages*. San Francisco, CA: Harper & Row.
- Kompalla, S. L., & McCarthy, M. C. (2001). The effect of judicial sanctions on recidivism and retention. *College Student Journal*, 35(2).
- Koss, M. P., Wilgus, J. K., & Williamsen, K. M. (2014). Campus sexual misconduct. *Trauma, Violence, & Abuse*, 15(3), 242–257. <https://doi.org/10.1177/1524838014521500>
- Kumashiro, K. (2000). Toward a theory of anti-oppressive education. *Review of Educational Research*, 70(1), 25-53. <https://doi-org.ezproxy.csusm.edu/10.2307/1170593>
- Ladson-Billings, G. (1995). But that's just good teaching! the case for culturally relevant pedagogy. *Theory Into Practice*, 34(3), 159–165.  
<https://doi.org/10.1080/00405849509543675>

- Ladson-Billings, G. (2000). Culturally relevant pedagogy in African-centered schools: Possibilities for progressive educational reform. *African-centered schooling in theory and practice*, 187-198.
- Ladson-Billings, G. (2006). From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools. *Educational Researcher*, 35(7), 3–12. <https://doi.org/10.3102/0013189X035007003>
- Ladson-Billings, G. (2014). Culturally relevant pedagogy 2.0: aka the remix. *Harvard Educational Review*, 84(1), 74-84. <https://doi.org/10.17763/haer.84.1.p2rj131485484751>
- Ladson-Billings, G. (2021). *Culturally relevant pedagogy: Asking a different question*. Teachers College Press.
- Lancaster, J. M. (2012). Conduct systems designed to promote moral learning. *New Directions for student services*, 139(2012), 51-61. <https://doi-org.ezproxy.csusm.edu/10.1002/ss.20022>
- Lancaster, J. M., & Waryold, D. M. (2008). *Student conduct practice: The complete guide for student affairs professionals*. Sterling, Va: Stylus Pub.
- Lorde, A. (1997). The uses of anger. *Women's Studies Quarterly*, 25(1/2), 278-285.
- Lindsey, R. B., Kikanza Nuri Robins, Terrell, R. D., & Lindsey, D. B. (2019). *Cultural proficiency: a manual for school leaders*. Corwin, A Sage Company.
- Losen, D. J. (2015). *Closing the school discipline gap: Equitable remedies for excessive exclusion*. Teachers College Press.
- Maldonado, A. A. (2022). *Vicks in the classroom: A study on the effects of teacher cultural awareness on Hispanic/Latinx Student Discipline* (Doctoral dissertation, San Jose State University).
- Maxwell, J. A. (2013). *Qualitative research design: An interactive approach*. SAGE.
- Mertler, C. A. (2019). *Introduction to educational research* (2nd ed.). Sage Publications, Inc.
- Mueller, J., & Pope, R. L. (2003). The relationship of demographic and experience variables to white racial consciousness among student affairs practitioners. *NASPA Journal*, 40(4), 149-171. <https://doi.org/10.2202/1949-6605.1285>
- Museus, S. D., & Ravello, J. N. (2010). Characteristics of academic advising that contribute to racial and ethnic minority student success at predominantly white institutions. *NACADA Journal*, 30(1), 47–58. <https://doi.org/10.12930/0271-9517-30.1.47>
- National Center for Education Statistics (2019, February). Indicator 15: Retention, Suspension, and Expulsion. [https://nces.ed.gov/programs/raceindicators/indicator\\_RDA.asp](https://nces.ed.gov/programs/raceindicators/indicator_RDA.asp)

- Parks, S. D. (2011). *Big questions, worthy dreams: Mentoring emerging adults in their search for meaning, purpose, and faith*. San Francisco, CA: Jossey-Bass.
- Patton, M. Q. (2015). *Qualitative evaluation and research methods*. Thousand Oaks, CA: Sage.
- Patton, L. D., Renn, K. A., Guido-DiBrito, F., & Quaye, S. J. (2016). Student development in college theory, research, and Practice. Jossey-Bass, A Wiley Brand.
- Paul, G. D., & Dunlop, J. A. (2014). The other voice in the room: Restorative justice facilitators' constructions of justice. *Conflict Resolution Quarterly*, 31(3), 257- 283.  
<https://doi.org/10.1002/crq.21091>
- Payne, A.A., Welch, K. (2010). Modeling the effects of racial threat on punitive and restorative school discipline practices\*. *Criminology*, 48(4), 1019–1062.  
<https://doi.org/10.1111/j.1745-9125.2010.00211.x>
- Perez, R. (2017). Enhancing, inhibiting, and maintaining voice: An examination of student affairs graduate students' self-authorship journeys. *Journal of College Student Development*, 58(6), 833-852. <https://eric.ed.gov/?id=EJ1155238>
- Peshkin, A. (1988). In Search of Subjectivity—One's Own. *Educational Researcher*, 17(7), 17-21.
- Pope, R. L., & Mueller, J. A. (2005). Faculty and curriculum: Examining multicultural competence and inclusion. *Journal of College Student Development*, 46(6), 679-688.  
<http://doi.org/10.1353/csd.2005.0065>
- Quick, K. (2018, May 21). School Discipline without Racial Equity Is Discrimination. The Century Foundation. <https://tcf.org/content/commentary/school-discipline-without-racial-equity-discrimination/?agreed=1&agreed=1>
- Ragle, J. D., & Paine, G. E. (2009). The disturbing student and the judicial process. *New Directions for Student Services*, 2009(128), 23–36. <https://doi-org.ezproxy.csusm.edu/10.1002/ss.339>
- Rubin, H. J., & Rubin, I. S. (2012). *Qualitative interviewing: The Art of Hearing Data*. SAGE Publications.
- Saldaña Johnny. (2016). *The coding manual for qualitative researchers*. SAGE.
- Schneider, C. J. (2004). Integrating critical race theory and postmodernism implications of race, class, and gender. *Critical Criminology*, 12(1), 87–103.  
<https://doi.org/10.1023/b:crit.0000024440.94130.59>
- Seidman, I. (2006). *Interviewing as qualitative research: a guide for researchers in education and the social sciences* (3rd Ed.). Teachers College Press.

- Seigel, R. (Host) & Cornish, A. (Host). (2014, January 8). All Things Considered: Obama Administration Has Little Love For 'Zero Tolerance' [Audio Podcast]. NPR.  
<https://www.npr.org/2014/01/08/260808007/obama-administration-has-little-love-for-zero-tolerance>
- Senge, P. M. (2006). *The fifth discipline: The Art and Practice of the Learning Organization*. Doubleday.
- Senge, P. M., Scharmer, C. O., Jaworski, J., & Flowers, B. S. (2008). *Presence: Human purpose and the field of the future*. Crown Business.
- Shields, C. M. (2010). Transformative Leadership: Working for Equity in Diverse Contexts. *Educational Administration Quarterly*, 46(4), 558–589.  
<https://doi.org/10.1177/0013161X10375609>
- Simson, D. (2014). Exclusion, punishment, racism, and our schools: critical race theory perspective on school discipline. *UCLA Law Review*, 61(2), 506-563. [https://heinonline-org.ezproxy.csusm.edu/HOL/Page?collection=journals&handle=hein.journals/uclalr61&id=500&men\\_tab=srchresults](https://heinonline-org.ezproxy.csusm.edu/HOL/Page?collection=journals&handle=hein.journals/uclalr61&id=500&men_tab=srchresults)
- Singleton, G. E. & Linton, C. (2006). *Courageous conversations about race*. Thousand Oaks, CA: Corwin Press Inc.
- Stanko, T. & Richter, J. (2012). Learning to work in-world: conducting qualitative research in virtual worlds using in-depth interviews. In Salmons, J. *Cases in online interview research* (pp. 159-186). Thousand Oaks, CA: SAGE Publications, Inc.  
 doi:10.4135/9781506335155
- Stern, P. N., & Porr, C. (2011). *Essentials of accessible grounded theory*. Walnut Creek, Calif: Left Coast Press.
- Stimpson, M.T., & Janosik, S.M. (2015). The Conduct System and Its Influence on Student Learning. *Journal of College Student Development* 56(1), 61-66.  
 doi:10.1353/csd.2015.0009.
- Taylor, T. O., & Bailey, T.-K. M. (2022). Does race matter? an experimental vignette study on harm severity, college student discipline, and restorative justice. *Journal of Diversity in Higher Education*. <https://doi.org/10.1037/dhe0000427>
- The California State University (2021). <https://www.calstate.edu/>
- The Clery Center (2022). <https://www.clerycenter.org/the-clery-act>
- Torres, V., Jones, S.R., & Renn, K.A. (2009). Identity Development Theories in Student Affairs: Origins, Current Status, and New Approaches. *Journal of College Student Development*



50(6), 577-596. [doi:10.1353/csd.0.0102](https://doi.org/10.1353/csd.0.0102).

Townsend, B. L. (2000). The disproportionate discipline of African American learners: Reducing school suspensions and expulsions. *Exceptional children*, 66(3), 381-391.  
<https://doi.org/10.1177/001440290006600308>

US Department of Education [DOE]. (2020, December 12). *Family Educational Rights and Privacy Act (FERPA)*. <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

US Department of Education (ED). (2021, August 3). *Joint - Dear Colleague letter*.  
<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>

U.S. Department of Education, Office for Civil Rights. (2014). *Civil rights data collection: School discipline snapshot*. Washington, D.C.

U.S. Department of Education, Office of Postsecondary Education. (2011). *The Handbook for Campus Safety and Security Reporting*. Washington, D.C.

Waitoller, F. R., & Artiles, A. J. (2013). A Decade of Professional Development Research for Inclusive education. *Review of Educational Research*, 83(3), 319–356.  
<https://doi.org/10.3102/0034654313483905>

Weaver, G. W. R. (2019). *Student Conduct Officers' Perceptions of Restorative Practices Based on Educational and Professional Background* (Doctoral dissertation, Lindenwood University).

Zamudio, M. M., Russell, C., Rios, F. A., & Bridgeman, J. L. (2011). *Critical race theory matters. Education and ideology*. New York, NY: Routledge.

Zehr, H. (2002). *The little book of restorative justice*. Intercourse, PA: Good Books.

## Appendix A

### Recruitment Script

Hello Colleague,

My name is Allie Serrano and I am the Interim Director of Residential Education at CSU San Marcos. One of the greatest scopes of my current role is managing student conduct for our residential students, including our conduct hearing process and sanctioning.

I am pursuing my Ed.D from the UCSD/CSUSM Joint Doctorate Program, and my dissertation topic is “A Qualitative study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices.”

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. If you agree to take part in this study, you will be asked to complete an online survey/questionnaire. This survey/questionnaire will ask about your experience working in student conduct, and your opinions and attitudes regarding training and sanctioning, and it will take you approximately 15 minutes to complete. At the end of the survey you will be invited to participate in a 60-minute interview held via Zoom. You can participate in the survey, or the survey and interview.

To participate, select the link below. You will be taken to the survey and will be asked to consent to participate in the research prior to answering your first survey question.

Thank you for considering participating in this research.

Allie Serrano, M.A.

Ed.D Candidate

UC San Diego/CSU San Marcos Joint Doctorate Program

## Appendix B

### Online Survey Consent Form

You are being invited to participate in a research study titled “A Qualitative Study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices.” This study is being done by Alexandra Serrano from the University of California - San Diego (UCSD). You were selected to participate in this study because you work in student conduct in higher education within the state of California and I am interested in your experience with working with students who have violated policy and your understanding of your sanctioning model.

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. If you agree to take part in this study, you will be asked to complete an online survey/questionnaire. This survey/questionnaire will ask about your experience working in student conduct, and your opinions and attitudes regarding training and sanctioning, and it will take you approximately 15 minutes to complete.

There may or may not be any direct benefit to you from this research. There will be no compensation offered for completing this survey. The investigator(s), however, may learn more about the interplay and effect of the conduct process and potential challenges of balancing punitive and restorative sanctions.

There are minimal risks associated with this research study. Risks include feeling fatigue during the survey. To mitigate these risks, you may pause the survey at any time. There is a risk of loss of confidentiality. To reduce this risk, any identifying information will be securely stored in a separate location as the data. Secure passwords are required to access survey information and only members of the research team will have access. All data will be deleted from all computers after ten years. Research records will be kept confidential to the extent allowed by law and may be reviewed by the UCSD Institutional Review Board.

Your participation in this study is completely voluntary and you can withdraw at any time by simply exiting the survey. Choosing not to participate or withdrawing will result in no penalty or loss of benefits to which you are entitled. You are free to skip any question that you choose.

If you have questions about this project or if you have a research-related problem, you may contact the researcher at [serrano.allie@gamil.com](mailto:serrano.allie@gamil.com). If you have any questions concerning your rights as a research subject, you may contact the UCSD Human Research Protections Program Office at 858-246-HRPP (858-246-4777).

By clicking “You agree” below you are indicating that you are at least 18 years old, have read this consent form, and agree to participate in this research study. Please print a copy of this page for your records.

## Appendix C

### Survey

Click-button questions:

1. Gender
2. Race/ethnicity
3. Years as a conduct officers
4. A Likert Scale (1-10) of their current awareness of their institution's conduct process
5. A Likert Scale (1-10) of the agreement with current conduct process
6. Did you receive training on sanctioning? (Y/N)
  1. If yes, please rank the training in order of effectiveness. (1-10)
7. Did you receive training on restorative practices? (Y/N)
  1. If yes, please rank the training in order of effectiveness. (1-10)
8. Did you receive training related to culturally relevant processes? (Y/N)
  1. If yes, please rank the training in order of effectiveness. (1-10)
9. Did you receive any other training that has not been mentioned? Please describe. (Text box)
10. How much flexibility do you have to make customized sanctioning decisions on an individual student basis? (1[no flexibility] -10 [a lot of flexibility])

Open ended questions:

11. Do you think that a one-size-fits-all process to sanctioning is fair to all students? Why or why not?
12. What does restorative or educational sanctions mean to you?
13. Please describe the impacts that restorative or educational sanctioning has on students.

## Appendix D

### Online Interview Consent Form

You are being invited to participate in a research study titled “A Qualitative Study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices.” This study is being done by Alexandra Serrano from the University of California - San Diego (UCSD). You were selected to participate in this study because you work in student conduct in higher education within the state of California and I am interested in your experience with working with students who have violated policy and your understanding of your sanctioning model.

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. If you agree to take part in this study, you will be asked to complete a virtual interview using Zoom Pro. This interview will ask about your experience working in student conduct, and your opinions and attitudes regarding training and sanctioning, and it will take you approximately 60 minutes to complete.

There may or may not be any direct benefit to you from this research. There will be no compensation offered for completing this interview. The investigator(s), however, may learn more about the interplay and effect of the conduct process and potential challenges of balancing punitive and restorative sanctions.

There are minimal risks associated with this research study. Risks include feeling fatigue during the interview. To mitigate these risks, you may pause the interview at any time. A secondary risk may be that you feel heightened emotions as you speak about challenges in your work regarding culturally relevant practices. You may pause or ask to skip or come back to any questions during the interview. There is also a risk of loss of confidentiality. To reduce this risk, all identifying information will be securely stored in a separate location as the interview and survey results. Pseudonyms will be assigned to all interviews. Only the PI and research advisor will have access to the interviews and transcripts and the data will be protected by both computer and folder passwords. After the interviews are transcribed, the Zoom videos will be deleted. All data will be deleted from all computers after ten years. Research records will be kept confidential to the extent allowed by law and may be reviewed by the UCSD Institutional Review Board.

Your participation in this study is completely voluntary and you can withdraw at any time by simply ending the interview. Choosing not to participate or withdrawing will result in no penalty or loss of benefits to which you are entitled. You are free to skip any interview question that you choose.

If you have questions about this project or if you have a research-related problem, you may contact the researcher at [aserran@ucsd.edu](mailto:aserran@ucsd.edu). If you have any questions concerning your rights as a research subject, you may contact the UCSD Human Research Protections Program Office at 858-246-HRPP (858-246-4777).

By signing this consent form you are indicating that you are at least 18 years old, have read this consent form, and agree to participate in this research study. Please print a copy of this page for your records.

## **Appendix E**

### Interview Guide

#### **Introductions**

#### **Confirm Consent for Recording**

#### **Confirm Agreement to Consent Form**

#### **Opening:**

Please share your role in student conduct and how long you have been in the field.

Do you facilitate training for other conduct officers?

Do these trainings intentionally or informally discuss student's identities?

#### **Terminology:**

What are "sanctions" to you?

What does "restorative" mean to you?

#### **Opinions on Sanctioning:**

Please describe any sanctioning rubrics or criterias that you must follow?

What do you like or dislike about punitive sanctions?

What do you like or dislike about restorative or educational sanctions?

Tell me about a time you felt empowered to make a customized sanctioning decision based on an individual case.

What does moral development mean to you and how does sanctioning influence moral development for students of historically underrepresented populations?

#### **Opinions on Conduct Process:**

Please describe the impacts that punitive sanctioning may have on historically underserved students?

Tell me about a time that you felt a conflict between your values and the results of the conduct process for an underserved student.

If applicable, please describe a time when you felt pressured to make a punitive decision on a case?

(If survey shows that they have had restorative training): What challenges have you experienced with using restorative pedagogy in your conduct approach?

In your daily work, have you had any conflict between the philosophy of culturally relevant pedagogy and its implementation in the conduct process?

### **Questions**

### **Pseudonym**

**Let them know I may reach out for member checking**



## Appendix F

### Participant Information

Pseudonym	Gender	Race	Institution Type	Years in Conduct	Sanctioning, RJ, or Cultural Relevance Training	Other Training
Carol	Female	White	Small, 4-year, private, rural college	4-6	Sanctioning	
Martie	Female	Latinx	Medium, 4-year, public university	0-3	Sanctioning, Restorative Justice, and Culturally Relevant Practices	Eliminating Bias Training
Omar	Male	Middle Eastern	NA	6-9	Sanctioning, restorative justice, and culturally relevant practices	
<b>Steph</b>	<b>Female</b>	<b>White</b>	<b>Large, 4-year, public university</b>	<b>10+</b>	<b>Restorative Justice, culturally relevant practices</b>	<b>Disability support</b>
Mike	Male	White	Large, 4-year, private university	10+	Restorative Justice	Self-taught
<b>Holly</b>	<b>Female</b>	<b>White</b>	<b>Medium, 4-year, private, religious university</b>	<b>10+</b>	<b>Sanctioning, restorative justice, and culturally relevant practices</b>	<b>Trauma informed and developmental theories</b>
Angie	Female	White	Medium, 4-year, private, religious university	4-6	Sanctioning, restorative justice.	
Jessie	Female	White	Medium, 4-year, public university	10+	Sanctioning, restorative justice, and culturally relevant practices	Trauma informed
<b>Jenny</b>	<b>Female</b>	<b>White</b>	<b>Medium, 4-year, private, Christian affiliated university</b>	<b>0-3</b>	<b>Sanctioning, restorative justice, and culturally relevant practices</b>	<b>Trauma informed and Title IX*</b>
<b>Rachael</b>	<b>Female</b>	<b>Black/Latinx</b>	<b>Medium, 4-year, public university</b>	<b>0-3</b>	<b>Sanctioning, restorative justice, and culturally relevant practices</b>	
Jack	Male	White	Medium, 4-year, public university	0-3	Sanctioning, restorative justice,	

						and culturally relevant practices	
Brooke	Female	White	Medium, 4-year, public university	6-9		Sanctioning and culturally relevant practices	Trauma informed
Carly	Female	White	Medium, 4-year, public university	0-3		No Training	
Ashley	Female	White	Large, 4-year, public research university	0-3		Sanctioning, restorative justice, and culturally relevant practices	Clery** and self-taught
Greg	Male	Latinx	Large, 4-year, public university	0-3		No training	
Dave	Male	White	Large, 4-year, public research university	10+		Sanctioning, restorative justice, and culturally relevant practices	
Jane	NA	NA	NA	NA		Sanctioning, restorative justice, and culturally relevant practices	
Fran	Female	Latinx	NA	6-9		Sanctioning	Clery
Carl	Male	White	NA	6-9		Sanctioning and culturally relevant practices	
Sarah	Female	White	NA	10+		Sanctioning	
Kelly	Female	White	NA	4-6		No Training	
Jose	Male	Latinx	NA	6-9		Sanctioning	
Tom	Male	White	NA	4-6		Restorative justice and culturally relevant practices	
Juliet	Female	White and Black	NA	0-3		Sanctioning, restorative justice, and culturally relevant practices	
Jeff	Male	Latinx	NA	0-3		No training	

\*Title IX protects people from discrimination based on sex in institutions of education or programs and activities that receive federal financial assistance (U.S Department of Education, 2021).

\*\*The Clery Act requires colleges and universities to report all campus crime data, provide safety support services and training, and publish the policies and procedures in place to provide campus safety (The Clery Act, 2022).

## Appendix G

### Institutional Review Board Application

1. Project Title. Enter the project title. It should match the title entered on the Facesheets.

A Qualitative Study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices

2. PRINCIPAL INVESTIGATOR, FACULTY ADVISOR, SUPERVISOR

Include Principal Investigator's name, title and department. For projects that require a faculty advisor or supervisor, this item should clearly state the advisor's/supervisor's name, title and department. The complete list of investigators should be entered on the Facesheets.

Principal Investigator: Alexandra Elizabeth Serrano

Faculty Advisor: Dr. Amy Vatne Bintliff

3. FACILITIES. List all locations where the project will be done.

This is a virtual project with UCSD as the IRB of record.

4. ESTIMATED DURATION OF THE STUDY Include time from opening of study for participant accrual through the end of data analysis.

Two years. January 2022 - January 2024

5. SPECIFIC AIMS Provide a precise statement of the specific aims (goals) for this protocol. Emphasize those aspects that justify the use of human subjects.

To explore what needs to happen or be disrupted to have culturally relevant and restorative sanctions prioritized in the student conduct process.

To identify gaps in student conduct training to move towards a restorative approach in fostering moral development and a sense of mattering and community, especially for students of color.

To better understand the conduct process and what factors are contributing to conduct officers having good intentions with their approach to conduct and sanctioning, but not necessarily being able to deliver the restorative practice.

Human subjects are needed in order to meet these goals as participant values, practices and experiences are best captured through interactions, such as interviews, with human subjects.

#### 6. BACKGROUND AND SIGNIFICANCE (2-3 paragraphs maximum)

Provide a succinct discussion of relevant background information and the rationale for the current study.

Student discipline in higher education is often referred to as the student conduct process. Conduct officers meet with students who allegedly violate policy to discuss the incident and if the student is found responsible for the violation, the conduct officer will assign sanctions or actions that need to occur to resolve the incident. To confront common policy violations, many conduct officers have shared a one-size-fits-all approach to misconduct and sanctioning, but researchers have shown a standard process is not optimal due to the diverse and multifaceted identities and experiences of students (Bennett et al., 2014). Managing student discipline is a complex process and requires critical thinking and culturally relevant pedagogy so that conduct officers can effectively engage with students who have backgrounds different than their own (Brown-Jeffy & Cooper, 2011).

There are traditionally sanctions assigned to the student ranging from punitive to restorative sanctions. Punitive Sanctions may include a warning, probation, and in extreme or repeated cases, may result in disqualification from campus involvements and organizations (Karp & Conrad, 2006). Punitive sanctions are typically straightforward and focus solely on punishment without attempting to resolve any underlying issues; mirroring the retributive justice model used in the United States (Hyde, 2014; Jacobson, 2013; Koss et al., 2014). Many punitive sanctions withhold educational access and campus connection from students. These sanctions undermine their future successes, increasing the odds of engaging with the criminal justice system later in life (Payne & Welch, 2010). Restorative sanctions are meant to provide the student with an opportunity to reflect on what they learned from their conduct meeting, repair any harm caused, and to practice critical thinking for how their behavior may impact them as both students and in their future endeavors. By learning about the student's experience and any marginalization they have experienced, the conduct officer has an opportunity to address not only the consequences of the student's behavior, but also their relationship with the university. Restorative practices promote campus inclusion and an emphasis on rebuilding relationships and trust that may have been lost (Karp & Conrad, 2005). By utilizing the tools of culturally relevant pedagogy and implementing restorative practices, there is an opportunity to have the student conduct process be a thoughtful and culturally sensitive system of care, one that addresses each case as an individualized experience and helps to close an equity gap by encouraging underserved students to persevere and be a part of shaping the school's culture and future (Cross, 1989).

This study will be using qualitative research as its approach (Mertler, 2019). The rationale for using qualitative methods is to better understand the conduct process and to investigate what

training and other factors are contributing to conduct officers having good intentions with their approach to conduct and sanctioning, but not necessarily being able to deliver the restorative practice (Mertler, 2019). Qualitative research can illustrate both the values and challenges of implementing a culturally relevant student conduct process, and how to better understand the interplay and effect of the conduct process and to investigate the disconnect between values and process.

7. PROGRESS REPORT/PRELIMINARY STUDIES If this is a renewal application, a brief summary of past experience to date with this protocol must be provided including any untoward effects on the subjects. List any publications that have emanated from this protocol. Renewal applications must be revised from the original application to reflect any changes in the research design and other areas and must describe the progress made since the original application.

Not Applicable

8. RESEARCH DESIGN AND METHODS (1 page maximum)

Describe the research design and the procedures to be used to accomplish the specific aims of the project. Define in clear terms exactly what will be done to the human subjects and how long they will be involved in the study. Where appropriate, identify the sources of research material obtained from individually identifiable living human subjects in the form of records or data. Indicate whether new data will be obtained specifically for the purposes of this research, or if existing records or data will be used. In addition, this item of the Research Plan should include a precise, but brief, description of the methods for data collection, data analysis and data interpretation. If video and/or audio recording will be done as part of the study, a description of the study procedures associated with the taping should be provided including how the tapes will be used, who will have access to the tapes, and the final disposition of the recordings. If questionnaires/surveys will be completed as part of the research, please provide the name and reference for questionnaires/surveys that are standard. If the questionnaire/survey is not a standard assessment tool, please provide a copy of the questionnaire/survey.

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. The researcher will ask about their experience working in student conduct, and their opinions and attitudes regarding training and sanctioning.

Participants will first be asked to complete an online survey/questionnaire. The Qualtrics survey/questionnaire will take the participants approximately 15 minutes to complete. At the end of the survey, participants are invited to link to a different brief Qualtrics survey to sign up to complete a 60-minute interview. Ten participants will be randomly selected and will be contacted by Ms. Serrano who will talk them through the consent form, and the permission to audio record form, and will email the forms to them for their signature. The ten consented participants will be invited to complete a virtual interview using Zoom Pro, which will take approximately 60 minutes to complete. Zoom Pro will record the interview, as well as

transcribe the interview. Once transcriptions are cleaned if necessary, the original Zoom recordings will be deleted.

There may or may not be any direct benefit to the participants from this research. There will be no compensation offered for completing this survey. The investigator(s), however, may learn more about the interplay and effect of the conduct process and potential challenges of balancing punitive and restorative sanctions.

9. HUMAN SUBJECTS (2 paragraphs maximum) Describe the characteristics of the proposed subject population, including number of subjects to be enrolled and their age, gender, ethnic background and health status. Identify the criteria for inclusion/exclusion of subjects to be enrolled in the study.

Participants are adults, 18-years-of-age or older, who are working as conduct officers in higher education institutions in California. All participants will be English speaking due to the nature of their work positions. People of all gender, ethnic, and racial backgrounds are welcome to participate. Expected number of survey participants is 100. Ten participants will be randomly selected from the list of interviewee volunteers.

10. RECRUITMENT Describe how human subjects will be contacted in the first instance and by whom, what they will be told, and how they will be selected for participation including how the PI will ensure the recruitment/selection of subjects is equitable.

This study will first recruit participants from three listservs to complete the phase one survey: CSU Student Conduct Officers, San Diego Student Conduct Officers (SDSCO), and Association for Student Conduct Administrators (ASCA). This recruitment script will be sent to a diverse, but representative group of conduct officers in California, to capture a variety of conduct processes, training curriculums, and sanctioning models. After the survey, participants will be asked if they would be willing to participate in the phase 2 60-minute individual interview. From those who express interest and consent to be contacted, approximately 10 university conduct officers will participate in the interviews that will be held via zoom.

Survey Recruitment Script:

Hello Colleague,

My name is Allie Serrano and I am the Interim Director of Residential Education at CSU San Marcos. One of the greatest scopes of my current role is managing student conduct for our residential students, including our conduct hearing process and sanctioning.

I am pursuing my Ed.D from the UCSD/CSUSM Joint Doctorate Program, and my dissertation topic is “A Qualitative Study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices.”

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. If you agree to take part in this study, you will be asked to complete an online survey/questionnaire. This survey/questionnaire will ask about your experience working in student conduct, and your

opinions and attitudes regarding training and sanctioning, and it will take you approximately 15 minutes to complete. At the end of the survey you will be invited to participate in a 60-minute interview held via Zoom. You can participate in the survey, or the survey and interview.

To participate, select the link below. You will be taken to the survey and will be asked to consent to participate in the research prior to answering your first survey question.

Thank you for considering participating in this research.

Allie Serrano, M.A.  
Ed.D Candidate  
UC San Diego/CSU San Marcos Joint Doctorate Program

11. COMPENSATION FOR PARTICIPATION Describe all plans to pay subjects, either in cash, a gift or gift certificate.

There is no compensation for participation.

12. INFORMED CONSENT Describe the consent procedures to be followed, including the circumstances under which consent/assent will be obtained, who will seek it, and the methods of documenting consent/assent.

Participants will access an online survey consent form once they access the survey. The Online Survey Consent Form will begin the Qualtrics survey. Participants must select “Yes, I agree to participate” to move onto the survey itself. If participants select, “No, I do not agree to participate”, they receive a “Thank you for your interest and have a nice day” message, but will not be able to access the survey questions. At the end of the survey, participants are invited to sign up to participate in interviews by leaving their name and contact information through a separate Qualtrics link. Ms. Serrano will contact participants, walk them through the consent form, and will send them an Interview Consent form to them via email to sign and return electronically. We anticipate that all participants will have access to electronic signature capabilities.

Survey Consent Form:

Online Survey Consent Form

You are being invited to participate in a research study titled “A Qualitative Study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices.” This study is being done by Alexandra Serrano from the University of California - San Diego (UCSD). You were selected to participate in this study because you work in student conduct in higher education within the state of California and I am interested in your experience with working with students who have violated policy and your understanding of your sanctioning model.

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. If you agree to take part in this study, you will be asked to complete an online survey/questionnaire. This survey/questionnaire will ask about your experience working in student conduct, and your opinions and attitudes regarding training and sanctioning, and it will take you approximately 15 minutes to complete.

There may or may not be any direct benefit to you from this research. There will be no compensation offered for completing this survey. The investigator(s), however, may learn more about the interplay and effect of the conduct process and potential challenges of balancing punitive and restorative sanctions.

There are minimal risks associated with this research study. Risks include feeling fatigue during the survey. To mitigate these risks, you may pause the survey at any time. There is a risk of loss of confidentiality. To reduce this risk, any identifying information will be securely stored in a separate location as the data. Secure passwords are required to access survey information and only members of the research team will have access. All data will be deleted from all computers after ten years. Research records will be kept confidential to the extent allowed by law and may be reviewed by the UCSD Institutional Review Board.

Your participation in this study is completely voluntary and you can withdraw at any time by simply exiting the survey. Choosing not to participate or withdrawing will result in no penalty or loss of benefits to which you are entitled. You are free to skip any question that you choose.

If you have questions about this project or if you have a research-related problem, you may contact the researcher at [serrano.allie@gmail.com](mailto:serrano.allie@gmail.com). If you have any questions concerning your rights as a research subject, you may contact the UCSD Human Research Protections Program Office at 858-246-HRPP (858-246-4777).

By clicking “You agree” below you are indicating that you are at least 18 years old, have read this consent form, and agree to participate in this research study. Please print a copy of this page for your records.

#### Online Interview Consent Form

You are being invited to participate in a research study titled “A Qualitative Study of Culturally Relevant Training for Restorative Sanctioning in Higher Education: Officer Values and Practices.” This study is being done by Alexandra Serrano from the University of California - San Diego (UCSD). You were selected to participate in this study because you work in student conduct in higher education within the state of California and I am interested in your experience with working with students who have violated policy and your understanding of your sanctioning model.

The purpose of this research study is to examine values and challenges of implementing a culturally relevant student conduct process. If you agree to take part in this study, you will be asked to complete a virtual interview using Zoom Pro. This interview will ask about your



experience working in student conduct, and your opinions and attitudes regarding training and sanctioning, and it will take you approximately 60 minutes to complete.

There may or may not be any direct benefit to you from this research. There will be no compensation offered for completing this interview. The investigator(s), however, may learn more about the interplay and effect of the conduct process and potential challenges of balancing punitive and restorative sanctions.

There are minimal risks associated with this research study. Risks include feeling fatigue during the interview. To mitigate these risks, you may pause the interview at any time. A secondary risk may be that you feel heightened emotions as you speak about challenges in your work regarding culturally relevant practices. You may pause or ask to skip or come back to any questions during the interview. There is also a risk of loss of confidentiality. To reduce this risk, all identifying information will be securely stored in a separate location as the interview and survey results. Pseudonyms will be assigned to all interviews. Only the PI and research advisor will have access to the interviews and transcripts and the data will be protected by both computer and folder passwords. After the interviews are transcribed, the Zoom videos will be deleted. All data will be deleted from all computers after ten years. Research records will be kept confidential to the extent allowed by law and may be reviewed by the UCSD Institutional Review Board.

Your participation in this study is completely voluntary and you can withdraw at any time by simply ending the interview. Choosing not to participate or withdrawing will result in no penalty or loss of benefits to which you are entitled. You are free to skip any interview question that you choose.

If you have questions about this project or if you have a research-related problem, you may contact the researcher at [aserran@ucsd.edu](mailto:aserran@ucsd.edu). If you have any questions concerning your rights as a research subject, you may contact the UCSD Human Research Protections Program Office at 858-246-HRPP (858-246-4777).

By signing this consent form you are indicating that you are at least 18 years old, have read this consent form, and agree to participate in this research study. Please print a copy of this page for your records.

**13. ALTERNATIVES TO PARTICIPATION** Describe the alternatives that are reasonably available that may be of benefit to the potential subject. In most cases, the alternative to participation is not to participate. However, procedures for special cases, such as how classroom students may choose not to participate in a study organized by the professor should be included in this item of the Research Plan as well as the informed consent/assent documents.

Alternative to participation is not to participate.

**14. POTENTIAL RISKS** Describe and assess any potential or known risks - psychological, physical, social, legal or other, and assess their likelihood and seriousness.

We anticipate low risk overall. Potential risks include fatigue during the survey or interview. Speaking about culturally relevant practices could cause increased emotion (i.e. expressions of frustration about work issues related to the topic) during the interview; however, we do not anticipate that it would cause duress that warrants additional resources. Finally, there is a low risk of lack of confidentiality.

**15. RISK MANAGEMENT** Describe the procedures for protecting against or minimizing any potential risks, including risks to confidentiality, and assess their likely effectiveness.

To reduce the risk of fatigue, participants may pause the survey at any time and then recontinue later. To reduce the risk of heightened emotions, participants will be instructed that they may pause or ask to skip or come back to any questions during the interview. To reduce this risk of a lack of confidentiality, all identifying information will be securely stored in a separate password protected location as the interview and survey results. Identifying information includes name, gender, email address, and phone number. To further reduce risk, pseudonyms will be assigned to all interviews upon transcription. Only the PI and research advisor will have access to the interviews and transcripts and the data will be protected by both computer and folder passwords. After the interviews are transcribed, the Zoom videos will immediately be deleted. All data will be deleted from all computers after ten years.

**16. POTENTIAL BENEFITS** Discuss those benefits, if any, to be gained by the individual subject, as well as those benefits that may accrue to society in general. If there is no direct benefit to the subject, this must be stated in this item of the Research Plan as well as in the informed consent/assent documents. Note: Overly optimistic statements of benefit should be avoided. Reimbursement/compensation and class credit do not fall under the benefits section.

There are no direct benefits to the subjects. However, benefits may include improving conduct officer protocols and procedures.

**17. RISK/BENEFIT ASSESSMENT** Discuss why the risks to subjects are so outweighed by the sum of the benefit to the subject and/or the importance of the knowledge to be gained as to warrant a decision to allow the subject to accept these risks.

Assessment of risk is low as these are adult participants, 18-years of age or older, who are working professionals. Thus, we anticipate interest, rather than fatigue, and because they are used to talking about their work, there is a very low risk of emotional distress. Because the benefits could be to improve equity in higher education sanctioning, as well as conduct officer job satisfaction, we believe the benefits outweigh the risks. With proper mitigation, the risk of breach of confidentiality is low.

**18. QUALIFICATIONS, TRAINING, CULTURAL LITERACY AND ROLES OF THE PI AND RESEARCH TEAM** This section should provide a detailed explanation that specifically outlines each member of the research team's responsibilities as well as specifies each members qualifications, training, cultural literacy, etc. as they relate to this study.

Alexandra Serrano is the principal investigator. Alexandra has a M.A. degree from University of San Diego in Higher Education Leadership, and has been working in higher education, at public universities, since 2010. Her career has been focused on student conduct since 2014 and she currently is the Interim Director of Residential Education at CSU San Marcos. Alexandra has also been an instructor in the Office of Undergraduate Studies since 2016, and has taught five freshman cohorts of students.

Dr. Amy Bintliff is the faculty advisor overseeing the project. Dr. Bintliff has a twenty-year history working with restorative practices in educational settings. She has published a number of books and articles on the subject. Dr. Bintliff has a PhD. in Educational Psychology-Human Development from the University of Wisconsin-Madison. She has served as a PI on a number of studies at the University of California San Diego and oversees a combined undergraduate and graduate student lab on wellbeing, restorative practices, and adolescent development. Dr. Bintliff will supervise the project and ensure that protocols are being followed.

19. FUNDING FOR THIS PROJECT Indicate whether this project is supported by federal, state, or another source. Provide the UCSD grant number and inclusive dates of support, as appropriate. If you have indicated on the Facesheets that there is NO funding support for this project, you will need to explain how the project is to be supported.

There is no funding for this project. The project is a dissertation for Alexandra Elizabeth Serrano for a Doctor of Education in Educational Leadership  
<https://eds.ucsd.edu/explore/doctoral/jdp/index.html> No additional services are needed to support the project.

20. The Principal Investigator, co-investigators or any other individual who is responsible for the design, conduct or reporting of research or educational activities, will be required to disclose financial interests related to the research. This section should be filled out by all investigators involved with "non-government" research or research funded by monies in any form from private sources. In this section, put a narrative description of what this relationship is for all investigators and other key personnel on the project. Examples of financial relationships include consulting, participation in speakers bureaus, stock or stock SBS IRB Application Instructions Page 5 option ownership, or service on advisory boards or the board of directors of a company, or service as a company officer. In addition, where there is a commercial sponsor for a project, a Form 700U form "PRINCIPAL INVESTIGATOR'S STATEMENT OF ECONOMIC INTEREST" should be completed by the PI and all coinvestigators on the study and submitted to the UCSD Conflict of Interest Office. Disclosure forms (for private and federally sponsored studies) and instructions for completing them are available on the UCSD Conflict of Interest Office website <http://coi.ucsd.edu/>. The disclosure forms should be sent only to the COI office and not included in the IRB application, making it essential that financial relationships be described as a narrative in this section.

Not Applicable

21. BIBLIOGRAPHY (1 page maximum) List several relevant articles, if applicable, that the IRB Committee can use to provide necessary background for the protocol.

Bennett, L., Gregory, D. M., Loschiavo, C., & Waller, J. (2014). Student conduct administration & Title IX: Gold standard practices for resolution of allegations of sexual misconduct on college campuses.

[https://www.theasca.org/files/Publications/ASCA%202014%20Gold%20Standard .pdf](https://www.theasca.org/files/Publications/ASCA%202014%20Gold%20Standard.pdf)

Brown-Jeffy, S., Cooper, J.E. (2011). Toward a Conceptual Framework of Culturally Relevant Pedagogy: An Overview of the Conceptual and Theoretical Literature. *Teacher Education Quarterly*, 38(1), 65-84. <https://www.jstor.org/stable/23479642>

Cross, Terry L. (1989). Toward a culturally competent system of care. Washington, DC: Georgetown University Child Development Program, Child and Adolescent Service System Program. <https://files.eric.ed.gov/fulltext/ED330171.pdf>

Hyde, M. K. S. (2014). The effect of student conduct practices on student development in Christian higher education (Doctoral Dissertation).

<http://digitalcommons.liberty.edu/cgi/viewcontent.cgi?article=1910&context=doctoral>

Jacobson, K. A. (2013). *Transforming hierarchical relationships in student conduct administration*. [Doctoral Dissertation, University of Northern Colorado].

<https://digscholarship.unco.edu/cgi/viewcontent.cgi?article=1171&context=dissertations>

Karp, D., & Conrad, S. (2005). Restorative justice and college student misconduct. *Public Organization Review*, 5, 315–333. <https://doi-org.ezproxy.csusm.edu/10.1007/s11115-005-5094-7>

Karp, D. R., & Sacks, C. (2014). Student conduct, restorative justice, and student development: Findings from the STARR project: A student accountability and restorative research project. *Contemporary Justice Review*, 17(2), 154-172.

<https://doi.org/10.1080/10282580.2014.915140>

Koss, M. P., Wilgus, J. K., & Williamsen, K. M. (2014). Campus sexual misconduct. *Trauma, Violence, & Abuse*, 15(3), 242–257. <https://doi.org/10.1177/1524838014521500>

Payne, A.A., Welch, K. (2010). Modeling the effects of racial threat on punitive and restorative

school discipline practices\*. *Criminology*, 48(4), 1019–1062. <https://doi.org/10.1111/j.1745-9125.2010.00211.x>