Perception of the Residence Hall Conduct Process at a Small Private Institution

Brigette Anokwa
Eastern Illinois University
Thesis Maintenance and Reproduction Certificate

FOR: Graduate Candidates Completing Theses in Partial Fulfillment of the Degree
Graduate Faculty Advisors Directing the Theses

RE: Preservation, Reproduction, and Distribution of Thesis Research

Preserving, reproducing, and distributing thesis research is an important part of Booth Library’s responsibility to provide access to scholarship. In order to further this goal, Booth Library makes all graduate theses completed as part of a degree program at Eastern Illinois University available for personal study, research, and other not-for-profit educational purposes. Under 17 U.S.C. § 108, the library may reproduce and distribute a copy without infringing on copyright; however, professional courtesy dictates that permission be requested from the author before doing so.

Your signatures affirm the following:

• The graduate candidate is the author of this thesis.

• The graduate candidate retains the copyright and intellectual property rights associated with the original research, creative activity, and intellectual or artistic content of the thesis.

• The graduate candidate certifies her/his compliance with federal copyright law (Title 17 of the U. S. Code) and her/his right to authorize reproduction and distribution of all copyrighted materials included in this thesis.

• The graduate candidate in consultation with the faculty advisor grants Booth Library the nonexclusive, perpetual right to make copies of the thesis freely and publicly available without restriction, by means of any current or successive technology, including but not limited to photocopying, microfilm, digitization, or internet.

• The graduate candidate acknowledges that by depositing her/his thesis with Booth Library, her/his work is available for viewing by the public and may be borrowed through the library’s circulation and interlibrary loan departments, or accessed electronically. The graduate candidate acknowledges this policy by indicating in the following manner:

  ___ Yes, I wish to make accessible this thesis for viewing by the public
  ___ No, I wish to quarantine the thesis temporarily and have included the Thesis Withholding Request Form

• The graduate candidate waives the confidentiality provisions of the Family Educational Rights and Privacy Act (FERPA) (20 U. S. C. § 1232g; 34 CFR Part 99) with respect to the contents of the thesis and with respect to information concerning authorship of the thesis, including name and status as a student at Eastern Illinois University. I have conferred with my graduate faculty advisor. My signature below indicates that I have read and agree with the above statements, and hereby give my permission to allow Booth Library to reproduce and distribute my thesis. My adviser’s signature indicates concurrence to reproduce and distribute the thesis.

  Graduate Candidate Signature

  ___

  Faculty Adviser Signature

  Printed Name

  Graduate Degree Program

Please submit in duplicate.
Perception of the Residence Hall Conduct Process at a Small Private Institution

(TITLE)

BY

Brigette Anokwa

THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF

Masters of Science in College Student Affairs

IN THE GRADUATE SCHOOL, EASTERN ILLINOIS UNIVERSITY
CHARLESTON, ILLINOIS

2019

YEAR

I HEREBY RECOMMEND THAT THIS THESIS BE ACCEPTED AS FULFILLING THIS PART OF THE GRADUATE DEGREE CITED ABOVE

1-15-19

THESIS COMMITTEE CHAIR

DATE

DEPARTMENT/SCHOOL CHAIR OR CHAIR'S DESIGNEE

DATE

1-18-19

THESIS COMMITTEE MEMBER

DATE

THESIS COMMITTEE MEMBER

DATE

1-12-19

THESIS COMMITTEE MEMBER

DATE

THESIS COMMITTEE MEMBER

DATE
ABSTRACT

The code of conduct process at small institutions can be difficult to manage. The purpose of the study, using a qualitative approach, was to research residents' and Conduct Officers' perception of the resident housing code of conduct process at a small private institution. Research participants included three residents who participated in the conduct process and three Conduct Officers who were involved in the hearings. Results revealed that residents who were sanctioned found the process to be inconsistent and too long. As a result, the impact of the sanctions varied. Conduct Officers involved in the hearings perceived the conduct process to be educational and a method of deterrence. Some barriers to the process included the dual roles of the Conduct Officers and inconsistent management of the process. Participants suggested identifying one person to be the conduct officer and designating a space for the hearings would help. The study provided an opportunity for college institutions to reevaluate their conduct process in light of the findings.

Keywords: code of conduct, conduct officers, sanctions
DEDICATION

I dedicate this thesis to my younger siblings (Michael Jr., Michelle, Sade, Javin, and Allison). This project demonstrates that you can do anything you set your mind to. All you need is determination, hard work, resilience, and never giving up. This is the bar I have set, now it is up to you all to go above and beyond this bar. Remember, excuses are not an option. Also, when you start your college career, I hope not to hear about you going through the Conduct Process.
ACKNOWLEDGEMENT

I first most want to give thanks to God for all he has done for me. Making the decision to return to school and getting into graduate school was one of the hardest things I had to overcome. Through it all God pulled me through and got me to a point where I can say, “I completed my Masters”.

Secondly, I want to thank my parents and my husband for the encouragement though this journey, especially completing this thesis. It got to a point where I just wanted to give up, but they would not allow me too. They listened to my frustrations and gave me the push I needed to complete the thesis.

Thirdly, I was to say a huge thank you to Dr. Roberts. Thank you for your patience and not giving up on me. Thank you for pushing me through this process. All I can say is thank you from the bottom on my heart. You were a great thesis advisor.

Fourthly, a huge thank you to my thesis committee, Jodi Stone and Dr. Heather Webb. Thank you for your time commitment, your expertise, and your knowledge that assisted in completing this thesis. Thank you Jodi for the encouragement along the way. Thank you Dr. Webb for your expertise in the area of conduct hearings. It is deeply and forever appreciated.

Lastly, thank you to Bridgett Thomas for the opportunity. I would not have gotten to this point if you did not provide me with the opportunity to work for you. The experience and knowledge I have gained from you is something I will always cherish. You showed me what it means to work hard. Thank you for all you have done for me.
Table of Contents

ABSTRACT.......................................................................................................................... i
DEDICATION....................................................................................................................... ii
ACKNOWLEDGEMENT....................................................................................................... iii
CHAPTER 1 ......................................................................................................................... 1
Introduction....................................................................................................................... 1
Purpose of Study ............................................................................................................... 3
Research Questions .......................................................................................................... 3
Limitations of the Study................................................................................................... 4
Definitions of Terms ....................................................................................................... 5
Summary........................................................................................................................... 6

Review of Literature ...................................................................................................... 7
Resident Conduct in Higher Education ........................................................................... 7
Clery Act .......................................................................................................................... 9
Deterrence ...................................................................................................................... 11
Effective Code of Conduct Process ............................................................................. 13
Theoretical Framework ................................................................................................. 16
Kohlberg’s Moral Development .................................................................................... 16
Gilligan Moral Development ....................................................................................... 18
Sanford Challenge and Support .................................................................................. 19
Summary........................................................................................................................... 21

CHAPTER III .................................................................................................................. 22
Methods ......................................................................................................................... 22
Results .............................................................................................................................. 27

RQ1: How do residents who have been sanctioned perceive the Residence Hall conduct process? ......................................................................................................................... 27

  Inconsistency ........................................................................................................... 27

  Length of Time ........................................................................................................ 27

  Impact of Sanction .................................................................................................. 279

RQ2: How do Conduct Officers, involved in sanctioning, perceive the Residence Hall conduct process? ........................................................................................................... 30

  Educational ........................................................................................................... 30

  Deterrence .............................................................................................................. 31

RQ3: What are the barriers to an effective conduct process? ....................................... 32

  Different Roles ...................................................................................................... 33

  Administrative Aspect ............................................................................................ 34

RQ4: What are the elements of an effective Residence Hall conduct process? .......... 36

  Personnel ............................................................................................................. 37

  Physical Space ....................................................................................................... 38
Summary ....................................................................................................................... 38

CHAPTER V ................................................................................................................... 39

Discussion ....................................................................................................................... 39

RQ1: How do residents who have been sanctioned perceive the Residence Hall conduct
process? ......................................................................................................................... 39

Inconsistency ............................................................................................................. 39

Length of Time .......................................................................................................... 40

Impact of Sanction ..................................................................................................... 41

RQ2: How do Conduct Officers, involved in sanctioning, perceive the Residence Hall
conduct process? ........................................................................................................... 42

Education .................................................................................................................. 42

Deterrence .................................................................................................................. 44

RQ3: What are the barriers to an effective conduct process? .................................... 44

Different Roles ......................................................................................................... 45

Administrative .......................................................................................................... 46

RQ4: What are the elements of an effective Residence Hall conduct process? .......... 46

Personnel .................................................................................................................. 46

Physical Space ........................................................................................................... 47

Recommendations for Housing Conduct Officers ...................................................... 48

Recommendation for Future Research .................................................................... 49

Conclusion .................................................................................................................. 49

References .................................................................................................................. 51

APPENDIX A .............................................................................................................. 57
CHAPTER 1

Introduction

College Administrators face many challenges in leading the modern university. Campus safety is one of those concerns and is reaching critical status. The National Center for Education Statistics found that in 2013 there were 27,600 criminal incidents on campus against persons and property both at public and private 2-year and 4-year postsecondary institutions reported to police and security agencies (Zhang, Musu-Gillette & Oudekerk, 2016). The U.S. Department of Education (2016) also reported that in 2016 there were 238,085 on-campus disciplinary actions reported. Because these findings are no longer acceptable, college administrators are seeking ways to ensure a safe environment. This task can be difficult considering the various uncertainties from the outside environment and the inability to control the behavior of anyone that may come to a campus (Rasmussen & Johnson, 2008). Due to the challenges of creating and maintaining a safe campus, behavioral expectations, also called a code of conduct, have been set in place to deter behaviors that may threaten the safety of their residents.

Transitioning from home to the college environment can be an exciting and anxious time for students, especially those who reside on campus; it can mark a time of exploration and independence (Scott, Havice, Livingston, & Cawthon, 2012). Potentially, for those students residing on campus, the residence life staff can have an enormous impact in helping those resident students explore and become independent in a safe and beneficial manner. This type of impact can be particularly meaningful for smaller colleges. Although the mission statement of Residence Life departments can vary depending on size and organizational structure, a typical mission statement for a small 2-
A year private college states as follows: “Residence Life supports the institution's vision by providing a safe living environment that inspires academic achievement, encourages resident involvement, celebrates diversity, and promotes personal development” (Resident Assistant Manual, 2015 page 1). Institutions who have adopted this type of mission statement seek to promote safety for students living on campus as an important focus. Policies and rules are set in motion to ensure fulfillment of the mission. Programming is also tailored to help carry out the mission statement. Residence Life staff are critical players in both ensuring that the policies and rules are followed as well as leading the programs that help residents develop healthy and productive lives in keeping with the spirit of the mission statement.

Universities also establish sanctions to ensure that all students, including residents, take the policies and rules seriously. For housing residents, these sanctions are not put in place simply for the sole purpose of disciplining them, but rather also serve as a method of holding them accountable and helping them learn from their mistakes. The purpose of a housing conduct process is based on three goals: 1) to protect and defend the campus values and learning community, 2) to inspire and train residents in ethical behavior and honorable development outside of the classroom learning, and 3) to promote an environment that allow residents to freely interact and learn (Delony, 2010 & King, 2012). Residents who are found in violation of the institutional rules are sanctioned with these goals in mind.

The effectiveness of the housing conduct process will be based upon 1) the consistency of the sanction given; 2) the magnitude of the sanction being equal to the violation; and 3) if the offense was repeated by the same resident (Kompalla &
McCarthy, 2001; Krapfl, 2009). The ability to shift a resident's preconceived notion of punishment to a beneficiary learning process can further deter poor behavior and provide residents with the necessary skills to benefit from the sanctions (Kompalla & McCarthy, 2001; Krapfl, 2009). The creation of effective and appropriate housing conduct sanctions can have significant potential for influencing college resident behavior (Kompalla & McCarthy, 2001; Krapfl, 2009). Of course, not all sanctions work at every institution; thus, when implementing sanctions, there must be careful consideration of the institution's residence demographics. For this reason, research is needed at a variety of campuses to explore the housing conduct process from both residents' and conduct officers' perspective.

**Purpose of Study**

The purpose of the study was to research residents' and Conduct Officers' perception of the resident housing code of conduct process at a small private institution. The study provided an opportunity for college intuitions to reevaluate their conduct process in light of the findings. Also, the study sought to add to the limited research pertaining to the resident housing code of conduct process.

**Research Questions**

This study sought to understand the residence conduct process from the perspective of the residents and conduct officers. The following questions were used for guidelines for seeking the best methods of sanctioning:

**RQ1:** How do residents who have been sanctioned perceive the Residence Hall conduct process?
RQ2: How do Conduct Officers, involved in sanctioning, perceive the Residence Hall conduct process?

RQ3: What are the barriers to an effective conduct process?

RQ4: What are the elements of an effective Residence Hall conduct process?

Significance of the Study

The primary purpose of a housing code of conduct is to: 1) direct resident behavior and 2) to create a process that protects the rights of the resident accused of behaviors that violate campus policies (Bach, 2003). When it comes to the resident conduct there may be differences in how private and public institutions conduct the hearing. Public institutions are bound by the U.S. constitution and their state constitution. On the other hand, private institutions are bound by the U.S. constitution but may have some flexibility when it comes to their states constitution (Bach, 2003). But whether private or public, residents are required due process and general policies of fairness (Bach, 2003).

This study provided an opportunity for professional staff to analyze how their institution’s code of conduct works. Holding a resident conduct hearing is part of a system of holding residents accountable and deterring future violation, thus it is important to understand the code of conduct’s process and the impact it may have on the resident. The information acquired from this study contributed to the evaluation of the code of conduct’s practice.

Limitations of the Study

As with any qualitative study, generalization is not the intended goal. Rather, the study was intended to investigate the lived experience of the residents and conduct
officers involved with the conduct process. Likewise, the research setting, a small two-year private institution, is also a limitation. The research site carries the population size of about 510 residents. Because of this, it was difficult finding an array of alleged violators, such as repeat alleged violators who have gone through the residence conduct process more than once. Similarly, finding individuals with a variety of sanctions will also be challenging.

Definitions of Terms

For this study the following terms have been defined to provide understanding regarding the concept and perception of the conduct process.

Conduct Officer: Individuals who oversee hearing cases of resident misconduct; they typically may issue residents either a developmental based and/or educational sanction (Karp & Sacks, 2014).

Policy: Rule and guidelines set in place by institutions or university staff.

Residential Life Staff: People who live and work in the area that pertains to the residence halls. This can include but is not limited to Resident Hall Directors, Resident Assistants, Coordinator of Residence Life, and/or Dean of Students depending on the size and culture of the University.

Residence Halls: Place where residents reside on a college campus while pursuing their education.

Residence Hall Directors (RHD): Residence Life staff who oversee Resident Assistants and residents. They are responsible for dealing with first time offenders in policy violation.
**Resident Assistant:** Resident employees, often students, who are responsible for a particular floor or building. They are responsible for the programming on their floors and buildings, ensuring policies and rules are adhered to, and creating safe environments (Morris, 2009).

**Sanction:** Consequence for violating campus policy. The Sanction can be something that a resident is given a time frame to complete, such completing a program or workshop, or paying a fine. It could be a status applied to the resident for a period, such as a loss of privileges, being placed on disciplinary probation, or being banned from an environment (Emory University).

**Summary**

Universities are concerned with safety, especially for those students who reside on campus. Policies and guidelines have been established to provide a safe place for residents to learn and develop. The purpose of the study was to examine the perception of the residents and conduct officers involved in the housing code of conduct process. It is important for institutions to examine the conduct process. The information acquired from this study seeks to better understand the lived experience of those being examined by the code and those whose tasks it is to manage the process.
CHAPTER II
Review of Literature

This section explores existing research about residence halls’ code of conduct process. The literature reviews: 1) the purpose of sanctioning methods established at some institutions; 2) the code of conduct in higher education; 3) the Clery Act; 4) deterrence; 5) and what institutions view to be an effective conduct process. In order to gain background knowledge for the existing study, Gilligan’s Moral Development and Sanford’s Challenge and Support theories will be explored concerning resident’s developmental reasoning.

Resident Conduct in Higher Education

To give a brief historical background, a resident conduct system in Higher Education has been utilized prior to 1960 under the jurisdiction of in loco parentis. The doctrine of in loco parentis allowed public universities to act in place of residents’ parents. A court ruling in Dixon v. Alabama State Board of Education ended in loco parentis and was marked as the beginning of a revolution for residents' rights (Lee, 2014). In Dixon v. Alabama State Board of Education, African American residents were expelled from school after partaking in a protest. The courts ruled in favor of the students. The ruling caused public universities to formulate some type of due process to protect individual students’ rights (Hendrickson & Gibbs, 1986), and this mandated code of conduct process has continued to evolve over time. The code of conduct process in higher education can be viewed as a fair method of judging alleged violation of rules and policies, increasing students’ responsibility, and implementing a system in place prior to sanctioning (Delaware State University (2014)).
Some universities employ more than one code of conduct process. One conduct process applies to alleged incidents that may take place in the residence hall, and the other for other incidents outside the residence hall, yet still on the college campus. For those incidents that occur in the residence halls, there are three main parties typically involved. For example, there might be a resident assistant (RA), Residence Hall Director (RHD), and the residents who may be involved in the incident. The RA may be the first witness to the violation and the RHD may be the second participant in the conduct process. In some institutions, the RHDs are the primary conduct officers responsible for overseeing the handling of the conduct process. Conduct procedures at small private institutions in the Midwest follow a similar protocol where hall directors or the dean of residents handle the conduct hearing (Benedictine Resident Handbook, 2015; USF University Code of Conduct, 2014).

For Higher Education to be conducive to positive resident on-campus experience, there have to be polices set in place. Universities utilize code of conduct processes to reduce policy violations while holding residents and students accountable for their actions. In a study conducted by Delony (2010) administrators perceived the code of conduct process as a method used to hold residents accountable for their actions, to protect the community from vandalism, and to facilitate residents learning. For this reason, it is very important for the administrators to have a common understanding of the code of conduct process.

Howell (2005) sought to discover if residents had learned anything related to their violation as a result of the process and how it impacted their future behavior. Through interview and observation, the study revealed that for residents to learn the code of
conduct process and reduce recidivism, Conduct Officers should not only provide sanctions that deal with the specific violations but also target the root concern beyond the violation. Howell concluded it is important that administrative staff and those who partake in the code of conduct process understand the correlations between residents who are sanctioned and recidivism. In other words, residents who are sanctioned are less likely to repeat the alleged violation.

**Clery Act**

Before the Clery Act was enacted, there was not a system or requirement set in place that would allow for institutions to report crimes taken place on their campus to be reported (Fisher & Sloan, 2013). Without any system in place, universities were marketing their campuses to be safer than in reality. In 1986, Jeanne Clery was in the decision-making process for colleges. Clery’s choice to attend Lehigh University in Pennsylvania was due to an accident that took place at another university that she had been considering. However, Clery selected Lehigh University because the university’s safe atmosphere resonated with her. In April 1986, Clery, now a resident at Lehigh University, was found beaten, raped, and then murdered in her room in a residence hall on the university campus (Gregory & Janosik, 2003; Janosik & Gehring, 2003). Jeanne Clery’s parents fought this case to make institutions more forthcoming about campus crimes (Janosik & Gehring, 2003). The Resident Right-to-Know and Campus Security Act (1990) (which is also known as the Clery Act), mandates institutions to collect and report crime statistics and make them available to the public. After the Clery Act was enacted, institutions started focusing attention toward their campus safety. The Clery Act require colleges to report different cases such as: 1) criminal homicide (which includes
murder and non-negligent manslaughter, and negligent manslaughter); 2) sex offenses, forcible or non-forcible; 3) robbery; 4) aggravated assault; 5) burglary; 6) motor vehicle theft; 7) arson; 8) hate crimes; and 9) arrest of someone referred for disciplinary action for liquor-related violation, drug-related violation, and weapon possession (Kaplin & Lee, 2014). The main purpose of the Clery Act is the following: 1) impose a standard method by which colleges and universities report campus crimes, 2) mandate the sharing of this information so that parents, residents, employees, and applicant groups can make better decisions, and 3) reduce crimes activity on college and university campuses (Janosik & Gregory, 2003).

The Clery Act has become a resource to help better provide parents and residents with information about types of crimes that have happened previously on campus. In regards to recent movements, there has been an increase in effort to educate residents on sexual harassment and sexual assault. For example, one in five women and one in 16 men are sexually assaulted while in college. More than 90% of sexual assault victims on college campuses do not report the assault, and 63.3% of men at one university who self-reported acts qualifying as rape or attempted rape admitted to committing repeat rapes (Lisak, Gardinier, Nicksa & Cote, 2010).

The data collected by the Clery Act also informs college administrators about the importance of code of conduct policy and procedures. Universities can no longer utilize denial or ignorance as excuses to avoid setting in place sanctions to curb crimes and other behavior detrimental to the students’ educational experience.
Deterrence

Based on personal observations as a RA and current residence hall director, college campuses deal with numerous activities that may threaten the safety of the campus environment. These activities can be assault, fighting, sexual harassment, and vandalism. Langford (2004) suggested some methods on how to prevent violence on college campuses and promote a safer environment. Prevention research shows that programs synchronized with other services and continuous activities are more effective than one-time programs (Langford, 2004). Before an institution can implement prevention programs, there must be data that pinpoint issues that surrounds the campus (Langford, 2004). After data has been gathered about a campus’ issues, policies can be set in place. A significant factor is to remain focused on problems that pertain to the institution rather than to adopt initiatives that seem generally promising but do not address the campus’s identified issues (Langford, 2004). It is also important to evaluate programs, policies, and services already set in place and use results for improvements and changes (Langford, 2004). Although not one method of prevention will work for all aspects of violence on campus, implementing different methods will assist in creating guidelines for an effective prevention program to make the campus safer.

Students who live in the residence halls may become witnesses to different types of code violations including violent acts. A case study conducted by Asagba (1996) sought to identify the amount and different type of violence that occurred in the residence hall during the 1992-1993 and 1993-1994 academic school years. Asagba noted that residents coming into college environments are aware that such incidents that may occur, and yet they do not take the proper precautions to minimize their risk of being victimized.
Residents tend to leave their doors opened or unlocked when leaving rooms, and even allow strangers to walk around the building. The study observed incident cases, such as alcohol and drugs, vandalism, injuries, and non-compliance from two freshman residence halls (Asagbe, 1996). Data from the study indicated that the most frequent violations during the first academic school year pertained to alcohol, vandalism, non-compliance, and injuries (Asagbe, 1996). The following academic year consisted of some violations that increased while violence decreased. Again, during this particular school year, alcohol violence ranked the highest, then injuries, non-compliance, and then vandalism (Asagbe, 1996). During the first academic year, 26% of the violence was reported to the resident conduct administrator, which may have led to the decrease in violence in the following year (Asagbe, 1996). Asagbe gives background knowledge on the types of crimes that may take place in the residence halls, such as alcohol and vandalism-related incidents. He also described how some violations increased and decreased, although there was no accounting for what sanctions or consequences led to deter the deviant behavior. On the other hand, Asagbe mentioned that reporting the incident was a factor that contributed to the decrease in crimes that occurred in the residence halls.

The purpose of negative sanctions is to deter future deviance. The research on the effectiveness of negative sanctions to deter future violations is not conclusive (Rowe & Tittle, 1973). Rowe and Tittle (1973) compared how moral appeal and the threat of sanctions deterred cheating in the classroom. Groups were given a moral lecture about cheating during the beginning of the research and the threat of sanctioning was given before the last two quizzes. Results revealed the cheating decreased for both groups after participants were notified about the threat of sanctioning if caught cheating. One group
displayed the most decrease in cheating, which may have been due to it being a smaller group. On other hand, another group showed the least improvement in cheating, possibly due to the small chance of getting caught cheating. The instructor administrating the quizzes may have also skewed the result due to the relationship they may have had with their students.

Rowe and Tittle (1973) sought to know whether moral appeal or the threat of sanctioning had a greater effect on the likelihood of someone committing a violation or deterring a certain behavior. Salem and Bowers (1970) studied whether the severity of sanctions handed to violators was a deterrent to deviant behaviors. Justifications for serving sanctions to those who violated the rule could be viewed as punishments to deter future deviant behavior from the perpetrator or anyone attempting to violate rules or policies. Results revealed that there was little evidence toward direct deterrence of deviant behavior from severe sanctions. Overall, there has been research to explain that sanctions can deter deviant behavior under certain conditions, but there needs to be more research on the specifics of the circumstances (Rowe & Tittle, 1973). The Rowe and Tittle research provides perspective into moral appeal as opposed to the threat of sanction. Further studies needs to be conducted that compare sanctions being applied with the probability of these sanctions deterring future deviant behavior.

**Effective Code of Conduct Process**

The purpose of the code of conduct is not solely to punish residents, but also to provide a learning opportunity for those who are in violation of policy. Some institutions have adopted newer methods of sanctions such as restorative justice, while other institutions have stuck with the traditional methods of sanctions such as parental
notification as a method to diminish recidivism (Lowery, Palmer, & Gehring, 2005).

Restorative justice has different definitions. Zehr (2002) defined restorative justice as a practice that is based upon three elements: 1) repairing harm; 2) holding the alleged perpetrator accountable; 3) and restoring the community. More recently, restorative justice has been defined as a combination of mediation and restitution; it is a method to resolve a conflict by identifying the harms caused by using suggestions from both victims and offenders (Lipka, 2009). Restorative justice allows those involved in an incident—mainly the victim, offender, and other affected parties—to meet and address the harm caused by the alleged perpetrator and how to repair the damage (Lee, 2011). By using restorative justice, institutions have implemented more enhancements to make sanctions more effective.

Some universities believe that restorative justice is the most effective method to use with residents who violate campus policies. A study conducted by Karp and Sack (2014) compared the learning outcome of both model code and restorative justice. The model code conduct is viewed as the traditional method of conduct. Once an incident occurs, it is documented and an administrator will deal with sanctions. The results indicated that restorative justice has a strong correlation with residents’ levels of self-authorship, active accountability, interpersonal competence, social ties to institution, fairness, and closure. Although critics may believe that restorative justice is a soft approach to discipline, it has been shown to reduce the rate of recidivism (Calhoun, 2013; Waltman-Spreha, 2012). A study done by Hyde (2014) noted that there was a difference in a resident’s development when deciding either to implement restorative justice or
traditional code of conduct process. It is important to select the methods that are best for the resident body.

Dauenhauer (2014) conducted a study to examine the effectiveness of the disciplinary actions to prevent recidivism among college residents. Participants of the study came from a four-year public institution in the state of New York during the academic school year of 2011 to 2013. Results revealed that intervention did in fact reduce the chances of residents repeating the offense and residents reported experiencing a change of attitude toward alcohol and drugs after the intervention. The researcher noted that in interventions that were interactive, harm decreased and restorative practices did have more of an influence among mandated residents. Based on Dauenhauer’s study, one can conclude that implementing interactive sanctions can have an impact on the violator. Implementing such interactive sanctions may cause administrators partaking in the disciplinary process to devote time to setting up the intervention.

Apart from determining if the conduct process was effective, Rohrbacher (2016) conducted another study to introduce resident Conduct Officers. Conduct Officers are individuals whose role is to encourage growth in the residents during a conduct hearing. Rohrbacher explained that resident conduct is a challenge that many universities and colleges are facing, and the main goal of conduct is to assist individuals with the opportunity to develop. Additionally, Rohrbacher’s research analyzed the role of the resident conduct advisor in the framework of alternative dispute resolution (ADR). ADR is a method of resolving disputes without a hearing process (Fiadjoe, 2013). Findings revealed 95% of the institutions involved in ADR had their residents participate in the conduct proceedings as a resident conduct advisor, while 70% involved attorney advisors
to partake and accompany the resident in the proceeding. This study failed in demonstrating the effectiveness of including residents in the conduct proceeding and determining how effective resident conduct proceedings can be.

Understanding how other institutions are implementing their sanctions to produce an effective change among their residents allows for different institutions to look critically at their disciplinary sanctions and make changes as necessary.

Theoretical Framework

An understanding of moral development theory is critical for professionals to implement a planned and impactful conduct structure (Krapfl, 2011). Moral development theories provide the framework behind disciplinary process. By providing the Residential Life staff at institutions with an understanding of Kohlberg’s Moral Development, Gilligan’s Moral Development and Sanford’s Challenge and Support theory may provide them with the appropriate tools to assist their residents in their moral development when going through the conduct process.

Kohlberg’s Moral Development. Using the foundation of Piaget’s (1932) Theory of Moral Development research, Piaget looked to understand the reasons behind children’s moral reasoning. Kohlberg (1958) used Piaget’s storytelling method to develop a story called the Heinz Dilemma to assess participants’ reasoning based upon questions that were asked of them. The Heinz Dilemma was a story about a desperate husband who tried to retrieve medicine for his sickly wife. The man decided to break into a house and steal the cure from the man who created it. Kohlberg asked the participants, 74 boys between the ages of 10-16 years, a series of questions such as: “1) Should Heinz have stolen the drug; 2) Would it change anything if Heinz did not love his wife; 3) What if the
person dying was a stranger, would it make any difference; 4.) Should the police arrest the chemist for murder if the woman died? (Kohlberg, 1994, pp. 217-226).

Based on the questions that were asked, Kohlberg (1958) developed categories that explains ways moral reasoning change as people got older. Kohlberg identified three levels of moral reasoning: 1) pre-conventional, 2) conventional and 3) post-conventional, each with two sub stages. The pre-conventional stage explains that children do not have their own code. Rather, kids tend to follow adults’ moral code.

Under the pre-conventional level are two sub-stages. Stage 1 (obedience and punishments) explains that children deter are deterred by punishment and obey rules to avoid being punished. Stage 2, (instrumental) under the preconvention level, explains that an individual’s interests determine which behavior is right. This stage is focused on the “I’ve got your back if you have mine” mentality.

Level two (Conventional) conceptualizes how authorities should not be questioned, and at this level, reasoning is adopted based on the values instilled in an individual. Under the conventional level are two more stages, which are good interpersonal relationships (stage 3) and maintaining the social order (stage 4). Stage 3 represents individuals who, under good interpersonal relationships, may behave well for the reason of seeking approval from authority or others. Stage 4 (maintaining the social order) represents individuals being able to conceptualize the broader rules of society; they follow rules to avoid guilt. During this stage, individuals understand the importance of upholding rules and regulations. The last level is post-conventional, which states that judgments are based on an individual’s owns value and principles. The post-conventional level contains an additional two more stages, which are stage 5 (social contract) and
Stage 6 (universal principles). In Stage 5 an individual understands why the rule exists, it is not always easily defined when it comes to judgment of someone who may have broken the rules. Stage 6 (universal principles), states that an individual has created their own value system which may not agree with the law (Kohlberg, 1958). About 10-15% can reason at the post-conventional morality level, because most people develop their moral views based on their environments or others instead of conceptualizing their own moral views (McLeod, 2013).

Kohlberg received criticism about his method of conducting the study and about his overall theory. McLeod (2013) stated that dilemmas were not real and that an individual may react differently in real life. Apart from the dilemma being hypothetical, there was also criticism that the sample size was biased and that the moral development of males is different from females (Gilligan, 1982). Critics of the theory claimed Kohlberg failed to distinguish between an individual stating a choice and actually carrying it out (McLeod, 2013)

**Gilligan Moral Development.** Gilligan focused on the morality of understanding rights and rules (Evans et al., 2010). Gilligan (1982), like Kohlberg, divided moral development into three stages (pre-conventional, conventional, and post-conventional). The pre-conventional stage explains that residents are focused on survival, living for the moment, and struggle with the difference between wants and needs. Most residents going through the disciplinary process are just thinking for the moment, not thinking about the consequences of their actions, and are more focused on their own needs. As residents transition into the second stage, they are starting to differentiate between necessity and desire. The conventional stage involves residents shifting from the idea of selfishness to
thinking about others. A resident transitioning from the second stage to the Stage 3 begins when residents start questioning the reason for putting others first (Evans et al., 2010). The post-conventional stage describes how residents are able to find a balance between their needs and the thoughts of how their action affect others (Gilligan, 1982). After going through the disciplinary process, it is the institution’s goal to get residents to the third stage. At this stage, not only are residents thinking about themselves—they are also thinking about how their behaviors affect others.

Participants for Gilligan’s (1982) research consisted entirely of females, and for this reason, some critics believe that her research contain some levels of bias. Moreover, it could also be argued that males and females need a different moral development theory because females process morality differently. Females form their moral development from the basis of care, while males format theirs from a standpoint of justice (Gilligan, 1982). Ford and Lowery (1986) used 202 males and females to determine which moral theory the participants used. Their study aligned with Gilligan statement hypothesis that females tending to use a caring orientation and males will use a justice orientation (Ford & Lowery, 1986).

**Sanford Challenge and Support.** Sanford’s (1962) theory of challenge and support explains that in order for growth and development to take place within a resident, there needs to be a balance of both challenge and support. An imbalance of challenge and support causes inadequate growth. There are four possible scenarios within this theory: 1) residents are faced with both a low challenge and a low support system, and as a result withdraw themselves from the situation causing growth to be impeded; 2) residents are faced with a high level of challenge but a low level of support and also withdraw from
the challenging situation; 3) residents have a low level of challenge and a high support system and experience developmental stagnation; 4) residents receive a high level of challenge with a high level of support and maximize their growth (Sanford, 1962). Sanford's challenge and support theory gives an explanation to developmental growth. Later, Sanford added another component to the theory: Not only does a resident need balance of challenge and support for developmental growth, but residents also need to be ready for change. In other words, residents need to be physically and psychologically ready to grow (Sanford, 1966). Sanford's theory is still applicable today. Strayhorn (2008) conducted a study to investigate the connection between supportive relationships and success in college for African-American males. The results revealed that participants who had supportive relationships experienced higher levels of satisfaction in college. McCreary (2016), however, believed that this theory is used too frequently and often misused. McCreary believes the Challenge and Support theory should be applied in conjunction with other theories.

This theoretical framework provides the background content to the moral development of residents who violate campus policies. This study will use Kohlberg's Moral Development theory to understand the participants' moral reasoning when violating a campus policy. Gilligan's Moral Development theory will be used to understand participants' understanding of rules. Sandford's Challenge and Support theory will provide insight into the kind of growth that will take place after participants have undergone the conduct process. The combination of these theories provides a broad conceptualization of development throughout the conduct process.
Summary

It is important that college administrators know that the collection of crime data is now mandated and that effective methods of conducting a code of conduct process are important. Various models and theories were explored that shed light on educational value of utilizing an effective code of conduct process.
CHAPTER III

Methods

A qualitative study was used to gain a more in-depth understanding of residents’ and conduct officers’ perception of resident code of conduct at a small private institution. The results are used to better understand how residents and Conduct Officers perceive the conduct process and what changes can be implemented to improve it. A qualitative method was used to understand certain individual’s experiences and not to be generalized for a larger population. To analyze the conduct process and provide continual conditions, a qualitative method will provide insight from those residents and administrative staff who have gone through the conduct process. The following questions were used to guide the study:

RQ1: How do residents who have been sanctioned perceive the Residence Hall conduct process?

RQ2: How do Conduct Officers, involved in sanctioning, perceive the Residence Hall conduct process?

RQ3: What are the barriers to an effective conduct process?

RQ4: What are the elements of an effective Residence Hall conduct process?

Design of Study

Creswell (1994) explained that conducting a qualitative study will allow the researcher to build a complex, holistic picture, analyze words, and tell a story from its natural element. Also, a qualitative study puts the researcher in the role of an active learner, who can tell the story from a participant perspective instead of an expert (Creswell 1994). For these reasons, a qualitative study was used to explore residents’ and
Conduct Officers’ perception of the resident code of conduct process. Emails were sent to administrative staff and residents who have been involved with resident conduct asking to participate in the study. One-on-one interviews were conducted. Interviews with an administrator at that institution was conducted to receive their perception on training for resident conduct and their perception of an effective conduct meeting. In order to increase the trustworthiness of the data, two strategies will be used (Maxwell, 2005). First, the researcher used respondent’s validation of the interviews. Second, triangulation of the data will be accomplished by observing the conduct process (Maxwell, 2005).

**Participants**

Participant for this study will include a mix of residents and staff of the institution using purposeful sampling. Purposeful sampling is generally used for the collection of data related to the topic of study, while conducting a qualitative study (Palinkas, Horwitz, Green, Wisdom, Duan, & Hoagwood, 2015). There will be three Conduct Officers (COs), such as RHDs, who facilitate the conduct hearing. Conduct Officer participants consisted of two males and one female; had been at the institution at least for one year; and held conduct hearing for a variety of different violations. In addition to the three staff, there will be three residents that have undergone the resident conduct process. For this group, three male residents were interviewed. Participants were asked to join the study via email. For the purpose of this study, COs and RPs were interviewed based on the same conduct case. The participants of the study are the following:

**Resident Participant (RP) 1:** RP1 is a freshman and a black male. He is a first-time violator. He was documented for the smell of marijuana in the residence halls.
Conduct Officer (CO) 1: CO1 serves as a Residence Hall Director, Assistant Baseball Coach and manager of the Student Fitness Center. CO1 is a white male. CO2 conducted the hearing for RP1.

Resident Participant (RP) 2: RP2 is a sophomore and had gone through the conduct process for the first time as a sophomore. RP2 is an athlete and white male. RP2 was documented for being in a room where alcohol was present.

Conduct Officer (CO) 3: CO3 serves as a Residence Hall Director for two years. CO3 is a white female and an advisor to a student organizations. CO3 conducted the hearing case for RP2.

Resident Participant 3: RP3 is a Junior and had gone through the process for the first time as a Junior. RP2 is a black male. RP2 was documented for a physical altercation.

Conduct Officer (CO) 2: CO2 serves as the Director of Residence Halls and is an advisor to multiple of student organizations. CO2 is a black male and conducted the hearing for RP2.

Research Site

The research site is a small hybrid college, offering both two-year and four-year degrees, a private institution, located in a rural Midwestern part of the United States. The overall resident population is about 600 residents. The demographics of residents is 60% black and 28% white, and 2% other, this includes residents on campus and commuters. Ninety percent of its population lives on campus and 64% of the resident population are considered student athlete.
Procedure

Data collection will include the resident’s demographics such as grade level (semester classification), assigned residence hall and race through the use of semi-structured interviews. An interview protocol is included in Appendix “A” that provides a framework to guide the researcher. The residents were asked opened ended question about the residents’ overall perception of the conduct process.

The second part of retrieving data will come from emailing the RHDs. The email will give them a brief description of the study and request scheduling the interviews. As with the residents, an interview protocol was used (see Appendix “A”). All interview responses were transcribed by the primary investigator. Interview responses were color coded to retrieve common words or phrases and to identify themes. By identifying themes, the primary investigator sought to convey answers that told a story about the perception of the resident conduct process.

Treatment of Data

Data collected was kept in multiple places such as a personal computer under a lock protection, only the researcher knows, and personal USB that was kept in a secured location. Interviewees will be given a false name to protect their identity. Careful measures will be taken to secure and keep data to only the researcher.

Summary

A qualitative study was conducted to understand the perception of resident code of conduct. This chapter explained the type of research that would be conducted and information about the type of participants that would be needed for the study. One-on-one interviews would be conducted to tell the participants story. After the interviews,
participants' responses were transcribed and then coded to analysis. Chapter 4 will provide more information about the results.
CHAPTER IV

Results

This qualitative study was conducted to investigate residents’ and Conduct Officers’ perception of the conduct process at a small private institution. Three residents who had undergone the conduct process were interviewed, and three Conduct Officers (COs), who conducted hearings were interviewed. Based on the interviews, the results are further discussed in this chapter.

RQ1: How do residents who have been sanctioned perceive the Residence Hall conduct process?

Several different themes surfaced when the Resident Participants (RP) were asked about their perception of the conduct process. Three themes emerged: 1) aspect of inconsistency; 2) length of time; 3) and the impact of the sanction.

**Inconsistency.** The RPs felt that there was discrepancy within the code of conduct process. The inconsistencies in the process between the COs resulted in a variety of decisions, sometimes for the same infraction. So depending on which CO conducted the hearing, the eventual outcome would vary. One of the RPs described a situation where he and two other friends all received different decisions for the same infraction. RP2 stated:

I talked to Ellen and I got assigned the two quizzes and while another one of my buddies got assigned one quiz. There was another resident who didn’t get anything except a warning.

Another RP1 stated “I do know that some people got two or three modules when I only got one”. The RPs expressed frustration because inconsistencies in process led to
inconsistencies in sanctions. There was a strong sense of unfairness that led to either a passive complacency in some or willful non-compliance with others.

**Length of Time.** RPs discussed how the code of conduct process was drawn out too long. RPs noted that the length of time between the documentation of the violation and the first notification took too long. One of the RPs discussed that due to the length of time between documentation and the first notification, the violation no longer mattered. RP2 stated that, “The incident happened the second week in school (August) and it is October and I am still dealing with this situation”.

All the RPs spoke about how the overall process took too long. Due to the length of time, there was not a corrective aspect to the process. RP1 stated,

I mean the first few days I was fine and the next two or three days I was freaking out. I just knew by the time they called me I stopped caring about it. I was like OK and whatever they told me to do I did.

Some of the RPs stated that they had to retake a module related to their violation because once they completed it the first time, the COs had no record of it. For the RPs, the average time for a completed conduct process took about 2-3 months. According to the RPs this is too long to be effective. Due to the COs not having records of completed sanction, this caused the process to add extra time to the conduct process.

The extension of the time caused a delay in punishment. RPs expressed a higher level of worry when they were initially documented. But after they noticed there was an excessive amount of time that had gone by, they no longer cared about the outcome of the situation. The conduct process became an activity that they just wanted to get through.
It was interesting to find out that both RP2 and RP3 took the initiative of going in to see a CO right away. On the other hand, RP1 waited for a CO to call him. Although all the RPs had taken different methods of setting up a hearing, there were no direct impact on the length of the process. RP2 and RP3 took the initiative, because they just wanted to get the process over. During the beginning stages, RP2 and RP3 did not experience going through the phase of fear to indifferent compared to RP1. Although the process of setting up their hearing cases was different, all RPs felt that the process took too long.

**Impact of Sanction.** RPs for this study admitted to being in violation of the policy. When it came to the sanction, the participants did not view it as something positive or negative. One of the participants even stated that he preferred the sanction that was given compared to previous years. On the other hand, participants felt there were little relevance to the sanction and their violation. One of the RP 1 stated,

if someone didn’t know the stuff already that was on the module, it would definitely be helpful for them but it is only related to my violation a little bit... I would say about 10% of it related to my situation.

RPs stated that the modules (given through Judicial Educator) needed to be updated to target specific area that specific to their violations. Another RP 2 stated, “I kind of like click through most of it. If I saw something that looked important, I read it. Well, I knew that stuff but I understand that some people might not know that stuff”. When another RP was asked what was the reason for not wanting to violate the policy, RP 2 stated, “being on the sports team definitely. If I was not on the sports team, I really wouldn’t care I don’t have anything holding me back”.

When asked if RPs would violate the policy again, all the participants stated that they would not violate the policy again due to the process being lengthy opposed to what they learned from the sanctions that was given to them. From the information that was given by the participants, it appeared that they felt that the sanction given was fair, but did not learn much from it. The sanction itself was not a deterrence from wanting to repeat a violation.

Overall, for RPs who had been sanctioned, they perceived conduct process take too long to complete; there was no consistency between the sanction given and the COs, and there was no impact from the sanctions deterring them from future violations. RPs did express however, that due to the lengthy code of conduct process, the extended delay was enough to prevent them from participating in a future policy violation.

RQ2: How do Conduct Officers, involved in sanctioning, perceive the Residence Hall conduct process?

During the research, there were three Conduct Officers (COs) that were interviewed. Through one-on-one interviews with the CO participants the researcher wanted to gain more in-depth understanding of the Conduct Officers’ perception of the process. There were themes that resulted in the questions being asked. The themes were: 1) the process is meant to be educational; 2) deterring students from future violation is a primary goal; and 3) bad behavior does not equal bad person.

Educational. COs explained that at the end of their conduct hearing they wanted their students to understand that their meeting was not meant to punish them, but to be educational and help them to grow holistically. CO participant 1 explained the process when a resident comes in for a conduct meeting,
When a resident comes in for a conduct meeting, I first want to know how they are doing, then I asked if they know why they are here. Usually, they say why they know why they are there. I then ask if they understand the policy. Sometimes the students understand and sometimes they don’t. In cases, they don’t I will explain the reason for the policy.

The CO participants explained, depending on how the conversation is going, they may feel that the conversation was enough and may choose not to give a sanction, but provide some sort of resources available.

CO participants explained that when giving out a sanction they explained to the students why they are giving that sanction. They explained that it is not punishment but a way to educate them about the impact of their behavior. CO participants explained that although they would like for the students to understand that this is an opportunity to educate the students, the students do not perceive it that way. CO participant 2 stated,

I think conduct is a very educational process. There is definitely a lot of people at any higher learning institution who may not fully understand what conduct is like... let’s talk about resident development, this is what we are for.

On the other hand, a RP stated, “The conduct officers just be doing stuff to be doing stuff. They just doing it to do”. Based on the perception of the RPs, it appeared to be a gap in communication and the purpose of the conduct process is nor clearly communicated to RPs.

**Deterrence.** The main idea behind any conduct system is to deter individuals from repeating the violation again. One CO participant explained,
The purpose of conduct is to inform the students of behavior that is not tolerated on campus. Hopefully stop them from repeating the same policy violations in the future, to make campus a better and safer campus to live for students.

Although it is the hope that students would not repeat the violation, CO participants believe that some resident will truly learn from the experience and some will just find another way of not getting caught. All the CO participants expressed that their hopes were that the residents would not repeat the offense again. CO participants expressed wanting to find a variety of sanctions that would make more of an impact in deterring the residents from violating the policies.

All the CO participants explained that during their meetings they would start off by asking how the individual was doing. The COs explained that by asking about the individual’s life, it was hoped that his/her story might provide insight into the particular policy violation.

Also, when it came to preventing students from participating in certain behaviors, it was important for the COs to be able to separate the individual from the behavior. COs made sure to express during their hearing that it was the behavior that needed to be modified and not necessary the holistic individual person.

**RQ3: What are the barriers to an effective conduct process?**

The main point of a conduct process is for it be effective. In this study, an effective conduct process meant that the residents learned from their violation and the violation was not repeated. Another aspect would be to close the conduct case within a reasonable amount of time depending on the offense. CO1 explained,
an effective conduct process is: 1) when resident has been documented, they would set up an appointment with the Conduct Officer within three days; 2) the resident meets with the CO and learn how their behavior violated a policy and the importance of the policy; 3) if there is a sanction, the resident completes the sanction by an assigned due date; 4) and lastly, the resident does not repeat the violation.

Some of the barriers that the COs expressed were themes that hindered the processes from becoming an effective conduct process. The ideas that arose through the interviews were the impact of the different titles and the administrative aspects.

**Different Roles.** Staff members often have multiple titles when working at a small institution. During the interview, the COs expressed that by having different titles, residents viewed them differently based on the title they were most familiar with, which impacted their conduct hearing. All COs held three or more titles on their campus.

One CO participant expressed that through another role on campus, he built mentorships with some of the students on campus. Through the mentorship, it caused some residents to have more respect for him. Based on that respect and mentorship, when a conduct meeting was being held, he noticed that the students that he had bonded with were more attentive during the meeting. Another CO explained that their other titles triggered residents to place a higher authority onto the CO role. Because of their other role on campus, there was an increase in residents’ awareness of the CO title.

On the other hand, the COs spoke about the negative impact that the different title affected the importance of their role.
I feel like students coming in could see us with our role and different hats we wear on campus and they will think it not as a serious thing it's just the baseball coach talking to me.

With the various titles of the COs, it gives a different perception of power to the resident. This allows the resident to select which title the conduct officer holds. RP1 stated, "If I knew my CO to be just a baseball coach first, then I would have been more relax going in".

CO's expressed that once they found the resident in violation, it was then the students viewed them as a conduct officer. It appeared that the COs' identity changed in the eyes of the resident depending on how the conduct hearing was going. One resident participant discussed which CO he would have selected if he had the option to pick. The RP2 stated,

Some people spoke to CO1 and I'm closer to CO1 then I am with CO2. I have a better friendship with CO1 and we know each other and he probably wouldn't have given me the full punishment of what CO2 did.

Administrative Aspect. The administrative aspect relates to the management of the process. As previously stated, the process starts from when a resident is documented. The resident is required to set up a meeting with the conduct officer. COs explained that one of the biggest barrier is getting resident to set up appointments and attend the meeting. If students did not come into the office to set up a meeting, COs would have to call them, which also became another barrier. COs talked about having a hard time contacting the residents due to numbers not working or resident failing to return calls. CO3 stated,
the scheduling piece, the way we go about it, getting students scheduled in could use a lot of improvement because we find ourselves chasing around students who just avoid our office after they get in trouble and in their mind if they don’t show up it will just go away type of thing.

The COs stated having a better system in place that could help with the scheduling piece, and does not require the COs to be physically looking for other residents. Not only was scheduling something that was a barrier, it also became a point of frustrations. CO1 stated,

The most frustrating part is when you go to call a resident to have them come in and they do not have a working cell phone, they do not check their emails, basically unreachable through contact which forces us to take time out of our day as residence hall directors to personally go to their classroom, or go to their residence hall room, or go to the cafeteria and when they’re in there you have to walk them over personally and sit them down and schedule.

The COs felt when it comes to conduct, they are spending more time chasing after students then what they would like to do.

The COs discussed about the type of sanctions that students received as a barrier. CO stated:

a lot of these residents, they get sanctioned, and they get wrote up, and in their mind, it’s like “oh they wrote me up for something and it’s not a big deal they are just doing too much” as the residents would say a lot. But a lot of them I feel like don’t understand that it’s more of a safety standpoint than us going after them. I feel like more severe sanctioning would help curve the behavior a little more. I
feel like if they had to do something a little more that would hit home like going to do some community service at some rehab unit. For example, they get caught smoking something in the room and then they would have to go work with cancer patients that have lung cancer from years and of smoking to see what long-term effects could happen to you if you continue this behavior. I feel like that’s a little extreme but I feel like that would really hit home with them and be like oh crap this could happen to me.

COs talked about having a variety of sanctions to provide to students. Usually they are given a module to complete. Some COs expressed a desire for residents to complete sanctions that were personal and have the option to see the effects in actual life.

Overall, when it came to the barriers, COs thought their multiple different titles and the administrative aspect was something that caused a barrier in the conduct process. COs thought the reasons to these barriers were due to being a small institution. On the other hand, RPs thought that the conduct process was too long. When a RP was asked about what changes they would make to the process one RP3 stated, “Call sooner and just make sure everybody understands and not for it to take a long time”. RP1 stated, “the time between the volition and the time we got our sanction and we got out consequences is too long”. The lengthy time between violation and sanction is a process management issue, and one that the Cos agreed was a barrier to an effective resident conduct process.

**RQ4: What are the elements of an effective Residence Hall conduct process?**

An effective conduct process means that the resident has successfully undergone the conduct process and have completed their sanction as well. There were themes that
COs thought would produce an effective conduct process. The COs discussed having a full-time conduct personnel, a place for conduct, and remain objective.

**Personnel.** The COs discussed the need for a conduct officer to make the conduct process more effective. Having a University or College Conduct Officer would help simplify the complexities of dealing with other titles and the CO role as well.

CO3 stated,

I think adding a conduct resident development officer, that is going to be dedicated to the conduct process and definitely establishing process, how do we manage the conduct that goes to conduct management system.

RP1 echoed similar point of view, “it would be great to have someone with the primary role of conduct and policy violation. I think it would help with some of the things with conduct”.

COs discussed the importance of remaining objective as a method to an effective conduct process as well. COs talked about how their roles had an impact in their conduct hearing. CO3 stated,

Having the different role sometimes makes it a little more difficult remaining objective in situations because we are at a small school so we are closer to our students then at a bigger institution.

CO2 participant echoed,

as a professional I had to learn that and as a growing professional for those who work with me in my area they have to also know that they need to remain objective when it comes down to situations like this.
So establishing a Conduct Officer whose sole task is to manage an effective conduct process will be seen as an objective judge.

**Physical Space.** Working at a small institution means wearing different hats and meeting in inadequate and limited spaces. COs discussed that the same spaces used for meetings and other college functions is also used for the conduct meeting. CO1 explained,

> like I said before in the earlier meeting because our office is generally seen as a social or not really a social place but it is a professional office where students stop by just to check in and things. Then when you have to have a serious conduct meeting in the same setting it can send off different vibes to students about the meetings.

This multi-function use of space causes conflict for the students who may use the rooms for both positive and negative meetings.

**Summary**

The results revealed that there were commonalities between RPs and CO participants. For RQ1, RPs perceived that the conduct process was too long, there were inconsistencies with the COs, and the sanctions were not relevant to the violation. For RQ2, CO participants perceived the conduct process to be educational and a deterrent to residents from repeating the violation. For RQ3, some of the barriers were how the different roles they held impacted their role as a CO and the administrative aspect to the conduct process. For RQ4, COs thought having some actual space and personnel for the conduct process would help in executing an effective conduct process.
CHAPTER V

Discussion

This chapter will discuss the results from a qualitative study at a small private institution focused on the perception of the residence hall code of conduct. Results are compared to previous literature on the topic followed by recommendations for administrators and future research.

RQ1: How do residents who have been sanctioned perceive the Residence Hall conduct process?

This section analyzes the conduct process from the perspective of the Resident Participants (RPs) of the study. Themes that emerged from the interviews was that the RPs thought there was variation in the conduct process depending on their assigned Conduct Officer (COs), variation in the length of the process and variation in the perceived impact of the sanction.

Inconsistency. RPs indicated there was inconsistency in the conduct process and that this resulted in COs giving out inconsistent sanctions that did not match the violation. Based on the literature, the conduct process is a method used to reduce policy violation while holding residents accountable (Delony, 2010). According to Olshak (1999), when sanctioning, it is important for COs to understand that the decision made will determine how residents view the conduct process. Namely, the interactions between the conduct officers and the residents will influence behavioral change in the residents.

However, based on resident participant interviews, the conduct process was not perceived to be positive. Residents perceived the conduct process as inconsistent. RP1 stated, “I do know that some people got two or three modules when I only got one.”
The inconsistency could stem from the fact that the institution where the research occurred has no formalized [conduct] manual to use when determining case outcomes. A formal manual would allow the COs to be consistent when deciding on the sanction for the violation. Additionally, RPs are not aware that some residents have multiple violations which will impact the severity and type of sanction. For example, first offense violations can be treated differently than second offense violations. Similarly, residents get the opportunity during the process to provide additional information that could change the outcome and severity of the violation. Therefore, due to residents' lack of understanding that the conduct process can be complex based on various circumstances, misunderstanding can and does occur. This misunderstanding could be mitigated by having the COs explain to the RPs that variations will occur and are determined on a case-by-case basis.

**Length of Time.** The overall purpose of the conduct process is to help residents develop (Rohrbacher, 2014). One way to encourage student development is to handle the code of conduct hearing efficiently. RPs noted their frustration with the process regarding the length of time. RP2 stated, “The incident happened the second week in school [August] and it is October and I am still dealing with this situation”. RP1 stated, “I just knew by the time they called me I stopped caring about it.” While RPs discussed that the process was too long, the COs explained the reason that the process is sometimes delayed is that it is difficult to get the residents to schedule the initial meeting. CO3 stated, “We find ourselves chasing around students who just avoid our office after they get in trouble.”
When sanctioning, it is essential that COs realize the importance of moving the process along quickly. Based on the interviews, the delay in the process resulted in a delay in punishment. This delay in punishment in return caused the outcome of the hearing to have minimal impact on the residents' behavior. The delay in punishment also caused resident participants to lose interest in the ultimate outcome and they were simply ready to accept whatever sanction was determined as a result of the process. And yet COs are also frustrated since they have a hard time getting residents to come to their office to discuss their violations. As a result, there is a conflicting dynamic where the RPs think the COs are taking too long to enact the process while the CO's believe the RPs are ignoring the request to meet. The underlining question becomes: “How do COs make the process developmental when residents won’t come in for a meeting and when, by the time COs finally meet residents, residents no longer care about the outcome?”

**Impact of Sanction.** Salem and Bowers (1970) revealed that there was little evidence to support that severe sanctions lead to deterrence. Salem and Bowers explained that the severity of sanctions does not discourage future violations. On the other hand, Dauenhauer (2014) discovered that interactive sanctions could have an impact on violators. By being interactive, Daueheuer argues that intentional relationships between the Conduct Officer and the violator are more meaningful than simply completing a computer module.

The residents stated that they were more likely to change their behavior if the time length was shortened between the initial documentation of the violation and their conduct hearing. However, because the process was delayed, the RPs were less likely to see the educational component to the process and less likely to reflect how they may change their
behavior in the future. As RP1 expressed, "By the time they contacted me, I mean, I was over it and didn’t care. I just wanted to get the punishment over with".

From the RPs perspective, clear and consistent sanctions should match the violation in a timely manner. From both perspectives, it can be concluded that the impact of the sanction can be based on the individual resident going through the process and the COs understanding where the residents are in their moral development.

COs should have a full understanding of student development theory. COs can sanction effectively once they can identify the developmental stage that the resident is at. COs should be strategic in their sanctions, tailoring them to the resident and the violation. Not only would this make the sanction more effective, but it would also guide COs in explaining the conduct process to residents.

**RQ2: How do Conduct Officers, involved in sanctioning, perceive the Residence Hall conduct process?**

There was a collective understanding from the COs interviewed that the conduct process was: 1) an avenue to educate resident about their behavior and; 2) deter residents from future violations.

**Education.** According to Howell (2009), residents can learn from the conduct process and it can affect their future behavior. For that to happen, COs should not just focus on the behavior, but should also focus on other developmental issues (Howell, 2009).

Delony (2010) found that administrators perceived that the conduct process facilitated learning. The COs agreed that their intent was for the conduct process to be educational. They saw the process as a method to educate residents and help in their
development. COs are tasked with helping residents who go through the conduct process understand that it is not meant to be punitive, although it can be difficult to articulate this idea to residents with feelings of resentment. CO participant 1 stated, “Sometimes the students understand and sometimes they don’t. In cases where they don’t, I will explain the reason for the policy.” CO participant 2 echoed a similar statement, “I think conduct is a very educational process. Let’s talk about resident development—this is what we are for.” CO participants were intentional in starting the conduct hearing by getting to know the residents. Having meaningful conversations allows the COs to have a better understanding of the violation and which sanctions would be educational and developmental. Through the conversation, CO’s can take into account the resident’s developmental stage and develop a sanction that best helps the student. Although CO participants thought the process was partially educational, RPs revealed the process was something different. In other words, rather than having a meaningful conversation that clarifies the educational and developmental component of the sanction, the RPs are left to make that connection on their own. Unfortunately, that connection sometimes does not occur. For example, some RPs were simply given a computer module to work through as part of the sanction. This assignment was less than ideal. As RP 1 revealed, “It would definitely be helpful for them, but it is only related to my violation a little bit.” RP2 stated, “I kind of, like, click through most of it. If I saw something that looked important, I read it.” It appeared the RPs were not impacted by the sanctions given. It could be that residents do not feel their sanctions are severe enough, or they cannot relate the sanction given to their violation. Ultimately, the RPs found the conduct process to more
punishment-oriented than educational. The main challenge for COs is how to change this perception.

**Deterrence.** Deterrence was another aspect that CO participants believed to be the purpose of the conduct hearing. Rowe and Tittle (1973) conducted a study testing out moral appeal versus the threat of sanctioning as a method of deterrence. The study found that there were minor changes that took place when severe sanctions were imposed. Howell (2009) also found out that residents who were sanctioned were likely to repeat the violation.

In apparent agreement with Rowe and Tittle’s study, COs agreed that the severity of the sanction was not as important as being direct with the violator. CO participant 2 explained, “I got straightforward with him saying, ‘I’m not going to go back and forth with this.’ [We] need to take a very strong stance with this.”

Based on the literature and the data collected, it appears that the formula to deter residents from violating policies is influenced by the approach taken by the COs and the severity and clear connection between sanction and violation. According to Rowe and Tittle’s study, the main challenge is adequately supporting a resident through the conduct process. Only by considering the student from a developmental perspective and participating in an intentional and meaning conversation with them is it possible to develop a sanction that best helps the student.

**RQ3: What are the barriers to an effective conduct process?**

When asked about the barriers to an effective conduct process, two main ideas were discussed by the participants of the study. Participants of the study discussed the
impact of the different roles that the COs held and the administrative aspects of the conduct process.

**Different Roles.** Kitchener (1988) stated that professionals who maintain different roles and responsibilities at an institution may be less impartial than professionals with only one, well-defined role. Working at a small institution can result in professionals holding dual roles. COs discussed holding one or more roles in addition to their CO role. CO participant 1 stated, “I am an Assistant Baseball Coach, a Residence Hall Director, and Manager of the Fitness Center.” These dual roles can cause confusion from the RPs who are about to enter into a conduct hearing. RP1 stated. “If I knew my CO to be just a baseball coach first, then I would have been more relaxed going in.”

Throughout the study, participants talked about the positive and negative aspects of the different roles. Holding different roles can lead to biases, good or bad, toward residents. Bias in conduct hearings can lead to ambiguity, unfairness, and raises questions about ethical practices. A negative concern about dual roles is diminished authority due to a different role. Different roles result in different levels of authority; RP1 explained that his demeanor would have changed if he realized whom he was meeting with.

However, sometimes the dual role can have a beneficial effect. The COs indicated that holding a position other than Conduct Officer can result in the residents having more respect for the process. Holding a favorable role, such as baseball coach, can mean that the participants take the process more seriously, and may result in a more relaxed atmosphere. In either case the hope is that behavior will change. It is difficult to say which arrangement is preferred based on the results of this study. At the very least, the COs should strive to set clear boundaries for the residents when attending the conduct
hearing. This would mitigate some of the negative issues related to dual relationships as outlined by Kitchener (1988).

**Administrative.** The administrative aspect was another barrier to the conduct process. During data collection, COs expressed concerns regarding the management of the caseload. COs did not mention that any formalized process was in place. COs expressed frustration in organizing times for students’ hearings. CO participant 3 stated, “The scheduling piece, the way we go about it, getting students scheduled could use a lot of improvement because we find ourselves chasing around students.”

There appeared to be miscommunication concerning the process of setting up a hearing meeting. RPs believed that they would receive a phone call from the COs to set up an appointment. On the other hand, COs stated that they expected the residents to come into the office to set up an appointment. A formalized process would eliminate much of this confusion.

**RQ4: What are the elements of an effective Residence Hall conduct process?**

Both RPs and CO participants were asked about the elements of an effective conduct process. Participants thought that it would help to have designated personnel, whose main duty was handling conduct, and a designated physical space for conduct meetings.

**Personnel.** Having an effective conduct process increases the safety of an environment, especially when the intent behind the environment is learning and wellness. After the elimination of *in loco parentis*, new methods were put in place to hold residents accountable and responsible (Hendrick & Gibbs, 1986). One method some institutions have adopted is Restorative Justice, a method to hold residents accountable and to help
them understand how their behavior can affect their community. Restorative Justice, through mediation, focuses on repairing the harm that has been done to a person or a community (Zehr, 2002). The literature discusses some components that are needed in an effective conduct process. Holding students accountable and repairing the harm in the community are aspects of that process.

While research has stated that accountability, mediation, and restoration were important elements of an effective conduct process, participants felt that there were other important components as well. CO participants and RPs were asked for their input on improving the conduct process. Participants indicated the need for CO personnel solely designated to handle the case management and officiate the conduct process. RP1 stated, “It would be great to have someone with the primary role of conduct and policy violation. I think it would help with some of the things with conduct.” CO participant 3 stated, “I think adding a conduct resident development officer that is going to be dedicated to the conduct process and definitely establishing a process is needed.”

It appeared that participants in the study identified personnel and space as key ingredients to an effective process. Participants also discussed the need for a designated conduct professional who managed the process from beginning to end. Having a designated CO would mean that the process would be more formalized and structured. The CO could train other Residence Hall Directors who have CO roles as well.

**Physical Space.** There is limited literature that explores the impact of the physical space on the conduct process. Although the impact of physical space on the conduct process has not been explored, participants argued the need. Participants discussed the need for a small student conduct department dedicated to handling cases. CO participant
I stated, “Because our office is generally seen as a social space, when you have to have a serious conduct meeting in the same setting it can send off different vibes to students.”

Providing a specific space for conduct means that when a resident enters that space for a conduct meeting, there is an unspoken rule that residents are there to discuss something serious. Participants discussed that the current meeting space for hearings was also used for other housing related events. A designated space would help the university to better control the overall conduct process.

**Recommendations for Housing Conduct Officers**

1. Train all COs on student development theory and require continuing education. It is important to realize that students come into the hearing from a particular developmental stage. Having a conversation with the student may allow the CO to better target a meaningful sanction based on the student’s developmental stage.

2. There needs to be continual training of conduct officers. During the interviews CO participants did not indicate any ongoing training. The main focus could be code of conduct guidelines and how to efficiently process a hearing and sanction. This would mitigate some of the inconsistencies noted by the RPs. The training could specifically focus on:
   a. Helping residents understand the reason behind the conduct process (discipline versus educational).
   b. Explaining what make a code of conduct educational.
   c. Exposing COs to developmental theory and how it applies to the conduct process.
   d. Explaining why each policy exists.
e. Demonstrating how to conduct an efficient and meaningful conduct hearing.

f. Going over the administrative aspects of the conduct process.

3. Administrators should implement specific deadlines for conduct cases. Based on the interviews, the longer the processes drawn out, the more likely the residents would discount the process and sanction. COs should have a procedure in place to get residents to the hearing in a timely manner.

Recommendation for Future Research

1. **Focus on the residents’ perspective.** This study focused on both the COs and the RPs to gather a more holistic picture about the conduct process. It may be helpful to include more residents with varied violations and a broader representation of the student population.

2. **More participants.** Because the residents were paired with the CO who conducted the hearing, the number of participants was limited. There was a total of three pairs. For future research, more pairs could be included. The pairs should be diverse in gender, race, and violations.

3. **Different institutions with larger student bodies.** The research site was a small private institution in the rural Midwest. The student population at the research site was 500 students. Expanding the research to an institution with higher enrollment would result in a more diverse participant pool and a larger variety of violations.

Conclusion

This study examined the perspective of the conduct process from both residents who had undergone the conduct process and Conduct Officers who had administered the
process. Different themes emerged from the study. For RQ1, resident participants felt that the conduct process took too long, that their sanction was not relevant to the violation, and that there was unfairness within the process. RQ2 focused more on the CO participants’ viewpoint about the conduct process. CO participants understood the conduct process as educational, with the end goal being to deter students from future violations. RQ3 sought out the barriers to the conduct process. Both CO participants and RPs discussed the dual roles that COs played and how this created a conflict that either helped or harmed the COs during the conduct hearing. Another theme that came out of RQ3 was the need for a better system to manage the administrative aspect of the conduct process. For RQ4, participants of the study suggested the need for a designated CO whose sole responsibility would be to manage the code of conduct process. The participants also indicated a need for a designated space to conduct the hearings.

Many of the issues raised by both RPs and COs are a result of being at a small institution where multiple roles are common and space can be an issue. Fortunately, for many smaller institutions, especially private ones, change in the code of conduct process can be easily achieved.
References


Karp, D. K., & 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,


Lee, C. D. (2011). They all laughed at Christopher Columbus when he said the world was round: The not-so-radical and reasonable need for a restorative justice model statute. Louis U. Pub. L. Rev., 30, 523.


http://doctorgentry.blogspot.com/2016/03/can-we-please-stop-misusing-challenge.html


APPENDIX A

Consent to Participate In Research

Perception of the Residence Hall Conduct Process at a Small Private Institution

You are invited to participate in a research study conducted by Brigette Anokwa and Dr. Richard Roberts (faculty sponsor) from the Counseling and Student Development department at Eastern Illinois University.

Your participation in this study is entirely voluntary. Please ask questions about anything you do not understand, before deciding whether or not to participate.

You have been asked to participate in this study because you identify as a student that resides in the residence halls and have undergone the conduct process or is a conduct hearing officer.

• PURPOSE OF THE STUDY

The purpose of the study is to investigate students’ and conduct officers’ perception of the Residence Hall conduct process at a small private institution. The study, will provide the platform for college intuitions to reevaluate their conduct process.

• PROCEDURES

If you volunteer to participate in this study, you will be asked to:

Participate in a one-on-one interview with the researcher that will last approximately one hour. During the interview, you will be asked questions about your experiences and your perceptions of Residence Life conduct process. Your interview will be audio/video recorded and stored on the researcher’s computer.

• POTENTIAL RISKS AND DISCOMFORTS

The participant may have physiologically side effects from the emotional nature of the questions. I will suggest, at the beginning of the study, that if any emotionally taxing consequence occur, that the participant can utilize counseling services at research site. I will describe the risk associated with the study and discuss option for treatment post-interview.

• POTENTIAL BENEFITS TO SUBJECTS AND/OR TO SOCIETY

Participants may benefit from being able to reflect on their experiences as they went through the conduct process and as a student.
This study may also benefit universities and Residence Life departments; data collected from the study may give these institutions more insight on the experiences and thoughts of their conduct procedures that are in place.

- **INCENTIVES FOR PARTICIPATION**
  
  There will be no incentives or research cost.

- **CONFIDENTIALITY**
  
  Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission or as required by law. Confidentiality will be maintained by removing names and any other identifying information from the interview transcripts. Participant names will not be present on any transcript materials, nor will they be in the final research report. Only the researcher and faculty advisor will have access to transcripts and recorded interviews. The audio and video recording files of the interviews will be kept for 3 years and then destroyed, as required by the IRB.

- **PARTICIPATION AND WITHDRAWAL**
  
  Participation in this research study is voluntary and not a requirement or a condition for being the recipient of benefits or services from Eastern Illinois University or any other organization sponsoring the research project. If you volunteer to be in this study, you may withdraw at any time without consequences of any kind or loss of benefits or services to which you are otherwise entitled. There is no penalty if you withdraw from the study and you will not lose any benefits to which you are otherwise entitled.

  You may also refuse to answer any questions you do not want to answer.

- **IDENTIFICATION OF INVESTIGATORS**
  
  If you have any questions or concerns about this research, please contact:

  Brigette Anokwa

  Dr. Richard Roberts, Faculty Advisor
  217-581-2400
  rlroberts@eiu.edu

- **RIGHTS OF RESEARCH SUBJECTS**
  
  If you have any questions or concerns about the treatment of human participants in this study, you may call or write:
You will be given the opportunity to discuss any questions about your rights as a research subject with a member of the IRB. The IRB is an independent committee composed of members of the University community, as well as lay members of the community not connected with EIU. The IRB has reviewed and approved this study.

I voluntarily agree to participate in this study. I understand that I am free to withdraw my consent and discontinue my participation at any time. I have been given a copy of this form.

________________________
Printed Name of Participant

________________________  __________
Signature of Participant     Date

I, the undersigned, have defined and fully explained the investigation to the above subject.

________________________  __________
Signature of Investigator    Date
APPENDIX B

Demographic Protocol

What is your age?
What is your gender?
Which of the following best describes your race?
- Asian/ Pacific Islander
- Black/ African-American
- Caucasian/ White
- Hispanic/ Latino/ Latina
- Native American/ American Indian
- Other (please specify):
What is your current year in school?
- Freshman (24-29 hrs)
- Sophomore (30-59 hrs)
- Junior (60-89 hrs)
- Senior: (90+ hrs)
- 5th Year+ senior
- Non degree-seeking
What is your major? What is your minor? (If applicable):
Major: _______________
Minor: _______________
What is your current student status?
- Part-time student?
- Full-time student?
How many times have you gone through the conduct process?
- Once
- Twice
- Three times
- More than 3 times
APPENDIX C

Interview Protocol

- How do residents who have been sanctioned perceive the Residence Hall conduct process?
  - What violations where you document it for
  - Where are you sanctioned? What was your sanction?
  - How would you describe the process?
  - Based on your experience with the process, how would your behavior differ if presented in a similar situation?

- How do Conduct Officers, involved in sanctioning, perceive the Residence Hall conduct process?
  - What is your understanding of the conduct process?
  - How do you perceive your conduct training?
  - How do you perceive the contact process?

- What are the barriers to an effective conduct process?
  - What areas need more improvement to better the conduct process?
  - What are ideas to overcome these barriers?
  - How would you describe an unsuccessful conduct hearing?

- What are the elements of an effective Residence Hall conduct process?
  - How would you describe the contact process?
  - What does a successful student conduct hearing look like?
  - What characteristics contributions to an effective conduct process?

- Through the conduct process were there any surprises?
- What is something you disliked about the process?
- What would you change about the process?
- Is there anything that you would like to share about the conduct process?