

Rethinking Student Conduct: An Appreciative Advising Approach

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Abstract

Student conduct administrators often meet with students who have violated their university's policies or code of conduct. Many times, these students may feel like bystanders throughout the conduct process and could develop feelings of resentment or discontent with their institution or hearing officer. A new approach to student conduct administration utilizing the Appreciative Advising model presents an opportunity to engage students through conduct hearings to promote learning, community engagement, and overall satisfaction with the student conduct process.

Student Conduct

The creation of due process for students in public higher education institutions is largely attributed to the US court decision of *Dixon v Alabama State Board of Education* in 1961 (Bickel, 2008). The six plaintiffs in the case were expelled from Alabama State College without cause or clear reference to an infraction of a school policy or rule. The students contended their expulsion was punishment for their participation in civil rights movement demonstrations. The students filed a case against the Board of Education and several public and college officials for interfering with their right to attend Alabama State College (Bickel, 2008). The students argued that by failing to provide the minimum due process guaranteed by the United States Constitution, the institution and state had violated their rights as US citizens (*Dixon v. Alabama, 1961*). At their initial hearing in the US District Court of Alabama, the College's decision of expulsion without cause was upheld based on past-precedence which deferred to an institution's judgement on such matters (*Dixon v. Alabama, 1961*); however, the Fifth Circuit Court of Appeals reversed the decision, and stated that students could not be disciplined or expelled without at least minimal due process. This case effectively removed the *in loco parentis* roles of colleges and universities concerning student discipline, and created the legal foundation for student conduct, judicial affairs, and student rights.

Student conduct hearings are the due process provided to students accused of violating policies or regulations at a public college or university. Many colleges and universities in the United States still refer to student conduct as judicial affairs or student rights hearings. In this article, "student conduct" will be used to refer to judicial affairs, student rights hearings, and other similar processes. Hearing officers lead the process, listen to cases, and assign sanctions for those students who are found responsible.

There are two broad types of student conduct systems employed by colleges and universities—punitive and educational. These two systems take different approaches to sanctioning practices during the student conduct hearing. Sanctions can offer students an opportunity to learn, prevent future violations, or repair damages caused within the campus community. Punitive systems are typically focused on deterring students from violating university policies by focusing on monetary penalties or community service. On the other hand, an educational system focuses on helping students learn from their mistakes by issuing sanctions such as writing an educational paper or participating in a course to help them learn from their policy violations. The purpose of this article is to propose a new approach to student conduct hearings which utilizes the Appreciative Advising framework.

The Appreciative Advising Framework

Appreciative Advising is “the intentional, collaborative practice of asking positive, open-ended questions that help students optimize educational experiences and achieve their dreams, goals, and potentials” (Bloom, Hutson, & He, 2008, para. 2). Appreciative Advising incorporates concepts from appreciative inquiry, social constructivism, and positive psychology to provide a theory-to-practice approach for a variety of practice settings (Bloom, Hutson, & He, 2008). Although the Appreciative Advising framework and definition were originally developed for use in academic advising (Bloom, Hutson, & He, 2008), its use has expanded to include employee goal setting, admissions, strengths-based mentoring, and first year seminars (Bloom, Flynn, & Edington, 2015; George, 2011; He, 2009; Hutson, 2010). Student conduct administration is poised to be the next area of higher education to incorporate the Appreciative Advising framework. Using the Appreciative Advising theory-to-practice model, students and practitioners can create a positive learning environment for a process that is commonly perceived as negative or deficit driven.

Appreciative Advising and Student Conduct

The six phases of the Appreciative Advising framework—Disarm, Discover, Dream, Design, Deliver, and Don’t Settle—are applicable to the student conduct process. Infusing the framework into conduct hearings and processes offers students and practitioners the opportunity to utilize their strengths and learn from the experience. The following sections provide examples of how student conduct processes can align with the phases of Appreciative Advising.

Disarm

The Disarm phase of Appreciative Advising can be implemented into student conduct hearings in two ways. While hearing officers’ involvement in student conduct proceedings is often routine, it is important to remember that most students do not have experience with the process and are likely to arrive defensive and reluctant to admit wrongdoing. Hearing officers can intentionally diffuse the student’s defensiveness by creating welcoming spaces for their students by removing barriers, when possible; greeting students warmly upon their arrival; and thanking them for coming to their meeting. Hearing officers can also disarm students by first discussing the student’s collegiate experience rather than starting the conversation with discussion of the policy violation(s). This can be accomplished by asking open-ended questions about their experience, involvement, and socialization on campus. Doing this may help the student reflect on their time at the institution and ease their defensiveness as they engage in dialogue with the hearing officer.

Discover

Once a welcoming atmosphere has been established, the hearing officer will seek to discover each student’s interests and motivations by inquiring more specifically about their experience as a college student at the institution. For example, the officer can ask, “What do you enjoy most about being a student here?”. Asking this can provide hearing officers with a direct understanding of why continued education is important to their students and provides another avenue for discussing how a conduct violation might impact their collegiate experience.

Once the officer has learned about the student, hearing officers can continue the Discover phase by seeking to understand the student’s perspective on the case that has been brought against them. This can be accomplished by asking the student, “There are always two or more sides to any situation, so I would like to hear your side of what happened.”

Dream

To utilize the Dream phase to its fullest, hearing officers can first ask students about their own educational and career aspirations. Questions such as, “What is your major?” and “What are you planning to do with

that degree once you graduate?” will give hearing officers an idea of the students’ plans for the future. This information can prove helpful in the Design phase when trying to create sanctions that will be useful to students in terms of their future aspirations.

Another question that can be asked is, “Pretend it’s 10 years from now and you have launched your career. As you look back at the incident that happened and the aftermath of that incident – what do you think are the biggest lessons you will have learned from this experience?” This can be a powerful method employed to help students reframe conduct hearings from a “win-lose” situation to a “win-learn” situation. In this way, hearing officers and the student can cooperatively select appropriate sanctions which enhance learning, while also giving students an opportunity to voice how they would benefit from specific sanctions.

Design

During the Design phase, the hearing officer will create sanctions intended to help students learn from their mistakes while also working to align the sanctions with the students’ strengths and aspirations. Ideally, the hearing officer and the student will co-create sanctions together so that students feel they have a voice in which sanctions are levied, thus increasing the chance that they will make the most out of their sanction.

For example, if during a hearing a student insists on having a pet in a residence hall because they think it is unfair that some students have service animals, the hearing officer and student may work together to determine a suitable sanction. From their discussions, the officer may find that the student enjoys writing and creating learning materials. An educational sanction could be to research and write a paper on the role of service animals and different medical conditions, the harm that may be caused by having non-service animals in the residence halls or working with the Disability Services Office to learn more about service animals on campus and create educational materials about service animals.

Deliver

Before the conduct meeting concludes and the student leaves, it is important for the hearing officer to recap the sanctions that have been levied and the reason why each sanction was assigned. Providing students with the rationale for each sanction is crucial. The hearing officer should also establish clear deadlines for accomplishing each sanction and the process for notifying the hearing officer of its completion.

Hearing officers can ask Deliver questions such as, “Is there anything I can clarify about the sanctions? Do you understand the process and timeline for completing them?” Additionally, hearing officers should make students aware of the resources available to them to achieve success. In this manner, hearing officers could ask, “Would you like me to recommend some offices that could help you complete the project?” These two questions can help students leave a hearing with the tools to complete their sanction projects and learn from their actions.

Don’t settle

Once sanctions are completed, the hearing officer should schedule a follow-up meeting to ensure that the outcomes were achieved. This follow-up can also give students the opportunity to reflect upon what was learned through the sanctions and conduct process. Questions that fit with the Don’t Settle phase for the follow-up appointment may include: “What is the most important thing you learned about yourself through this process?” and “How has this process made you a better person?” For the student who violated the on-campus animal policies, the hearing officer could ask, “How did your research paper on our pet policy help to change your perspective of service animals and having non-service animals in campus housing” or, “What did you learn from our Disability Services Office about service animals and why they are needed?”

Conclusion

Utilizing the Appreciative Advising model's theory-to-practice framework within an educational student conduct process affords hearing officers the opportunity to create an open and welcoming setting which promotes student engagement in a process focused on learning and development rather than discipline and punishment. Utilizing the Appreciative Advising framework in student conduct hearings can benefit both students and hearing officers. Students can benefit from this model because, when implemented appropriately, students will be active participants in a process aimed at learning and development. Additionally, students experiencing the Appreciative Advising model will have the opportunity to reflect on their decisions which caused them to experience the student conduct process and understand why their actions were not appropriate. Hearing officers who implement this process will be able to use the six-phase model to help educate their students on why policies exist, and how their actions affect the larger community. This approach differs from traditional student conduct processes which focus on punitive damages rather than student learning. Additionally, hearing officers will also learn during their follow-up sessions what students have learned by going through the sanctioning process. Through implementation of the Appreciative Advising model, colleges and universities can establish learning-oriented student conduct processes while training hearing officers to effectively engage students in their own disciplinary process. A case study is provided as an appendix to provide another example of how Appreciative Advising principles may be used by campus directors.

References

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Appendix

Student Conduct Sample Case: The Fire Alarm

Madeline, a senior at State University studying marketing and who goes by “Maddy”, was nearing the completion of her studies and only had one semester left before graduation. After returning from winter break and being initially overwhelmed with the first few weeks of her final courses, Maddy decided she needed to relax one weekend. Shortly after deciding this, Maddy, a resident of on-campus housing, decided to light a candle she had received as a gift to try and relax. Within minutes of lighting the candle, the fire alarm sounded throughout the building. Although she had not realized it at the time, Maddy’s candle was the cause of the fire alarm.

The following Monday, Maddy received an email from her building’s residence director, Joseph, requesting a meeting with her the following day to discuss the fire alarm. Upon seeing this email, Maddy immediately felt stress and anxiety, knowing that she had been the cause of the fire alarm. The following day, Maddy sat down in the waiting area for the first time since arriving on-campus and she noticed how warm and bright the office seemed to be. Joseph came out to the waiting area to greet Maddy and thanked her for coming in on such short notice.

Upon sitting down in the back office, Joseph began by asking “How is the start to your semester going, Madeline?”. Upon hearing her full name, Maddy winced and quickly corrected Joseph and asked him to call her by her preferred name. After hearing this, Joseph quickly apologized and assured Maddy that her preferred name would be used instead. Maddy sat back, surprised at how welcoming Joseph had been to her since she stepped into the office. Knowing her preferred name, Joseph continued to ask about Maddy’s semester so far, her friends that she regularly socialized with, her family, and even her career aspirations to design marketing materials for non-profit organizations.

After talking about her life with Joseph for about ten minutes, Maddy started to feel more at ease with the meeting and finally asked “So, am I here because of the candle in my room?”. Joseph smiled warmly, and calmly answered “Yes. We received an alert from our fire system that your bedroom had triggered a fire alarm for the building, and I just wanted to talk to you more about that. I have the information from the police report and the Resident Assistants (RA), but I want to hear from you what happened too.” Maddy, shocked that Joseph was willing to listen to her side of the story, explained how she had been overly stressed with her courses since the semester started and was simply trying to relax in her room.

Once Maddy had finished her explanation, Joseph thanked her for her honesty and asked if she knew why candles were a problem in the residence halls. Maddy responded, stating that “Well, the fire alarm went off so I’m guessing that’s the problem?” Joseph, in response, chuckled and agreed with what Maddy had said. Joseph explained that typically, students are assigned community service for a candle offense, but asked if Maddy would be interested in something different. Joseph explained that there had been several problems with students breaking smoke detectors in their rooms, and that there was going to be an event focused on fire safety in the coming weeks. Joseph asked if Maddy would like to create the materials used for the event and help educate her peers alongside her RA rather than do community service.

Maddy, surprised to hear that she had an option suited to her talents, accepted the alternative outcome Joseph suggested. Joseph also explained that he wanted to have a follow-up meeting with Maddy after the fire safety event to gain her perspective on how the event went, what she learned, and how she would continue making positive choices for both herself and her community. Maddy, eager to use her marketing skills to better her community, accepted Joseph’s idea and began to formulate how to best convey fire safety education to her peers.