Prevailing student disciplinary issues in the California State University System

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PREVAILING STUDENT DISCIPLINARY
ISSUES IN THE CALIFORNIA
STATE UNIVERSITY
SYSTEM

by

Joel S. Kostman

Bachelor of Science
University of Nevada, Las Vegas
1994

Master of Education
University of Nevada, Las Vegas
1995

A dissertation proposal submitted in partial fulfillment
of the requirements for the degree of

Doctor of Education

in

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Prevailing Student Disciplinary Issues in the California State University System.

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ABSTRACT

Prevailing Student Disciplinary Issues
In The California State University System

by

Joel S. Kostman

Dr. Anthony Saville, Examination Committee Chair
Professor of Educational Leadership
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The purpose of this study was to determine the prevailing student disciplinary issues regarding student conduct in the California State University System.
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DEDICATION

In loving memory of my mother, Sheila Enid Kostman and my father, Benjamin Rubin Kostman. I owe everything I am and everything I ever will be to the both of you. I think of you every day and miss you with all my heart. I only hope that you are as proud to have me as your son as I am to have you as my parents. I love you.
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Last but certainly not least, Bongo and Ziggy. My never-ending source of laughter, entertainment, and stress relief.

Thanks to everyone in my life. We have triumphed together.
CHAPTER 1

INTRODUCTION

Student discipline is a timely, complex, and controversial subject. It is timely because now, perhaps more than any other time in the history of American higher education, campuses are in search of civility based on shared values while they are concerned about violence and disregard for others' rights (Carnegie Foundation, 1990). According to Dannells (1996), it is complex because it has many different and seemingly competing dimensions, including philosophical, legal, educational, and organizational issues (p. 175). Kaplin (1985) asserted, “The law has arrived on campus. Sometimes it has been a beacon, other times a blanket of ground fog...It has come noisily and forcefully and meaningfully to the higher education community and will continue to do so” (p. ix).

A college or university is a disciplined community, a place where individuals accept their obligations to the group and where well-defined governance procedures guide behavior for the common good (Carnegie Foundation, 1990, p.37). A community of learning is guided by
principles of student conduct that define amenable behavior and synthesize the academic and nonacademic aspects of campus life (p. 37). Ideally, the discipline process effectively confronts students with their inappropriate behavior and presents them the opportunity to modify their behavior (Boots, 1987). However, in a system that is people-intensive, infinite opportunities for problems and conflicts arise (Barr, 1988).

Each college or university has the inherent authority to maintain order and discipline on its own (Callis, 1968). For many years, colleges and universities treated students as adolescents and governed them with a heavy hand (Pavela, 1992). At Harvard for instance, flogging was the "standard means of discipline" (Rudolph, 1990, p. 27).

Following World War II, the influx of students at most institutions consisted primarily of ex-soldiers. It was evident that the same approach to student conduct afforded the "traditional" aged student could not be expected of the "nontraditional" or older student (Smith & Kirk, 1971, p. 281). Pavela (1992) maintained that despite the trend toward treating students as adults, there remains a strong and growing minority view that colleges still retain a "special relationship" with students that requires them to exercise some responsibility for students' safety and behavior (p. B1).
A college engages in a continuous process of assessing a student to determine how well the student meets the ideals of the college, academically and/or behaviorally (Callis, 1968, p. 79). While campuses are generally safer than city streets, the recurrence of criminal acts, for many colleges, is another basis for concern (Carnegie Foundation, 1990). Kessler (1971) surmised that universities are experiencing problems today that are essentially outgrowths of their strained relationships to the larger society, which is itself strained (p. 27).

The development of student disciplinary systems in American colleges and universities in many ways reflects the development of these institutions in general. According to Smith (1994) from the origin of higher education in America, the social (or antisocial) behavior of students was considered as important as academic progress, and responses to this behavior reflected the atmosphere and philosophical disposition of the institutions (p. 78). Ostroth and Hill (1978) observed that, “It is time for student affairs professionals to re-evaluate the goals and methods of the individual disciplinary hearing...There is a special need to reemphasize the potential for personal development in the disciplinary process” (p. 33).

Statement of the Problem

The purpose of this study was to determine the prevailing student disciplinary issues within the California State University Systems’ twenty
The following research questions provided the basis for the collection and analysis of the data:

1. What similarities and commonalties exist within the California State University Systems' campus disciplinary issues?
2. What differences exist within the California State University Systems' campus disciplinary issues?
3. What other data, such as residence halls, drug and alcohol abuse, tobacco, academic dishonesty, and sexual assault affect disciplinary procedures on individual campuses?

Research Methodology Summary

This study was primarily descriptive in nature. A questionnaire was sent to the vice president of student services/affairs in each of the twenty campuses of the California State University System (Appendix I). The questionnaire consisted of thirty-eight items. Thirty of the items were initially part of a 1990 study by Dr. David A. Hoekema (1994). He studied seventy-six public and private colleges and universities in the United States. The remaining items consisted of questions which focus specifically on student discipline. Data was compiled and analyzed to find commonalties, differences, and similarities among the colleges and universities disciplinary procedures.

The questionnaire process consisted of three parts; an internal expert review, an external expert review, and an external expert
administrative review. The survey instrument was sent for review, requesting feedback for clarity, recommendations, and suggestions. The internal review consisted of the assistance of six expert professors in the Department of Educational Leadership and one expert professor in the Department of Curriculum and Instruction at the University of Nevada, Las Vegas. The external review was performed by five expert professors from Carnegie I Research Institutions. An expert review was performed also by the Associate Chancellor and Dean of Students at the University of Kansas, the Dean of Students at the University of Oklahoma, and by the original author of the survey instrument, Dr. David A. Hoekema, at Calvin College in Grand Rapids, Michigan.

The population for this study was the California State University System which consists of twenty-two campuses (two of the campuses cannot be used for this study, an explanation is offered in the delimitations section of Chapter 1). While there are several other higher education systems within California, the California State University System was selected. The projected return rate for this study was fourteen institutions (a response rating of seventy percent).

Significance of the Study

This study was the first to comprehensively survey the similarities commonalties, and differences related to student discipline within the California State University System. Although studies have been
performed which explored student discipline (Hoekema, 1994), a comprehensive study of a large and complex system, such as the California State University System has not been done. Data from this study should allow administrators within the California State University System to compare their campuses with peer institutions and to other similar systems in the United States.

Further, by studying the commonalties of the campuses, a clearer picture of the concerns of the student disciplinary issues within the California State University System could be shown. This study will also provide a means to compare the California State University System with other systems and other states.

Delimitations and Limitations

This study was intended to examine and compare the prevailing student disciplinary issues in the California State University System. Letters indicating the significance of the study are attached as Appendix II. The sample was delimited to the twenty campuses in the California State University System. Although there are twenty-two schools within the California State University System, two of the institutions were removed from this study; the Maritime Academy and California State University, Monterey Bay. The Maritime Academy was eliminated because of its limited student enrollment, lack of residence halls, and the contrariety to the other schools within the California State University
System. The Monterey Bay campus was eliminated from this study because of its relative newness as a campus. This study was also delimited to an examination of the prevailing disciplinary issues in higher education. These issues include: (1) a discussion of the in loco parentis doctrine, (2) residence halls/dormitories, (3) academic misconduct/dishonesty, (4) drug abuse, (5) alcohol abuse, (6) tobacco use, (7) sexual assault, (8) hate crimes.

The only limitation in this study was the honesty in reporting of data by the institutions within the California State University System. Twenty campuses in the state of California were studied. Information for the institutions that were studied were made available through the Office of the Chancellor of the California State University System.

**Definition of Terms**

*Discipline*, for the purpose of this study, is defined as disciplinary measures brought against students due to the undertaking of action or actions that are deemed as inappropriate campus behavior (Bolmeier, 1976).

*Suspension*, for the purpose of this study, is defined as the authority of the institution to dismiss, temporarily or otherwise, students who violate rules or regulations of the given institution. Suspension is usually done through the dean of students, or other campus official (Bolmeier, 1976).
**Expulsion**, for the purpose of this study, is defined as the capacity of the institution to dismiss, permanently, a student who has committed what are recognized as more “serious” offenses against the institution, its students or faculty. Expulsion is customarily a prerogative of a board, committee, or other appointed adjudication council (Bolmeier, 1976).

**In loco parentis**, for the purpose of this study, is defined as in the place of a parent; charged, factitiously, with a parent’s rights, duties, and responsibilities (Black, 1990).

**Residence halls/dormitories**, for the purpose of this study, are defined as a satisfactory place for students to live and a place to help students to learn and grow (Riker, 1965, p. v).

**Controlled substances**, for the purpose of this study are defined as any drug so designated by law whose availability is restricted; i.e., so designated by federal or state Controlled Substance Acts (q.v.). Included in such classification are narcotics, stimulants, depressants, and hallucinogens (Black, 1990, p. 329).

**Academic misconduct**, for the purpose of this study is defined as violations of rules of academic honesty or integrity, such as cheating on tests or plagiarism (Kibbler, 1993).

**Sexual assault**, for the purpose of this study, is defined as any touching of any part of the victim’s anal or genital area or other intimate
regions for the purposes of sexual stimulation or for the abuse of either party (Sherrill, 1989).

**Hate speech or writing**, for the purpose of this study, is defined as any form of expression deemed offensive to any racial, religious, ethnic, or national group, gender, age, sexual preference, marital status, physical capacity, and other categories (Walker, 1994, p. 8).

**Binge drinking**, for the purpose of this study, is defined as having five or more drinks in a row for men, and four or more drinks in a row for women (Wechsler, Dowdall, Davenport, and DeJong, 1993).

**Summary**

The student disciplinary process has become increasingly complex on college and university campuses (Dannells, 1996). Mash (1971) surmised that students' moral values have changed dramatically in the past decade (p. 148). He suggested that unless administrators assume the responsibility of running their institutions, it is possible that courts will be the next entity to assume some of the responsibility (p. 155).

The supposition of increasing student misconduct over time should be taken into account in the context of several other issues and concerns (Dannells, 1991, p. 166). According to Gibbs and Szablewicz (1988), some of these issues include; the return of the legal drinking age to twenty-one, student values become more narcissistic, sexual relations, hate crimes, and violence. Dannells (1991) believed that higher
education administrators are managing the differing forms of student misconduct in relatively the same manner as they did ten years ago, and that the number of disciplinary cases has not substantially increased as has been claimed (p. 169).
CHAPTER 2

CONCEPTUAL BASE

The earliest history of higher education in the United States includes reference of disciplinary administration (Lancaster, Cooper & Harman, 1993). Historically, the college campus has been seen as a secure place of ideas and a refuge from the real world. However, the realities are, and perhaps always have been, that a campus is as much a part of this world as any other community and thus is subject to its share of problems and tragedies (Steiner, 1989).

Smith (1994) held that since the colonial period of American history, academic social or moral behavior were not distinguished from one another (p. 78). The religious nature of the early colleges compelled educators to view their colleges as institutions whose primary purpose was to train morally upstanding individuals to become clergymen (p. 78). Birdseye (1907) found that the colonial colleges’ methods of discipline mirrored the severity of the times. The colonies were ruled by a strict, religion-based code of social behavior that was unrefined and direct.
In the first half of the nineteenth century, many college students were dissatisfied with rigorous discipline and spartan living conditions (Smith, 1994). Brubacher and Rudy (1976) envisioned the violence of early American campus life as a reflection of the social fabric of the exuberant young nation, in which there was an “inner conflict between an overrepressive, Calvinistic morality and a frontier pattern of heavy drinking and brutal fighting” (p. 55). In 1930, it was suggested that “the only real kind of discipline is self-discipline” (Hawkes, p.253), and that the definition is the only one higher education currently recognizes. Wrenn (1949) indicated that there is a direct relationship between regulations on the campus and the number of cases called disciplinary cases (p. 628).

In retrospect, it is evident that a basic flaw existed in the colonial college disciplinary systems and that this flaw as a result became an essential reason for student unrest and uproarious misconduct. As Brubacher and Rudy (1958) suggested, teachers at colonial colleges were required to be detectives, sheriffs, and prosecuting attorneys (p. 51).

During the 1950s and 1960s, disciplinary proceedings became less punishment and control-oriented, more democratic, and more focused on education and rehabilitation (Dannells, 1996).

Although discipline appears to have evolved, it remained paternalistic and authoritarian until the early 1960’s when it was
transformed by the turbulence and protests of that decade (Lancaster, 1993, et al.). The 1960s and 1970s were depicted by enhanced student contribution to disciplinary codes and processes, increased legal and educational conceptions of students' rights and responsibilities and the prelude of due process safeguards in the hearing of misconduct cases (Dannells, 1996). Gibbs (1992) and Smith (1994) agreed that these developments may be attributed to several factors: more older students, an increasingly permissive society, the realization of the power of student activism and disruption on many campuses, and court intervention in the disciplinary process.

Review of Literature

In Loco Parentis

In loco parentis was originally conceived as the relationship of educator to pupil and the authority implied when treating disciplinary matters (Department of Educational Administration and Counseling, 1997, p. 12). This study further suggested omnipotence and authority, so that the instructor could appropriately control and punish students when required, was perceived as essential in the education of students (p. 1). While it is still critical in the disciplinary process, the concept of in loco parentis has undergone considerable modifications (p. 1).

Bolmeier (1976) found that the earliest form of punitive action was corporal punishment; an infliction of physical pain intended to deter
future misconduct (p. 5). He indicated that while the rudimentary
denotation and aim of the *in loco parentis* doctrine have long since
passed, the term is still used as a defense in paternal versus institutional
authority (p. 5). Parker (1978) indicated that the demise of the in loco
parentis role came through the influence of the civil rights movement and
the Vietnam War. He suggested that student affairs workers changed
their image from that of disciplinarians to student advocates (p. 23).

Although the meaning of *in loco parentis* is not defined by law, the
courts have generally interpreted it as giving the educator the authority
to act as a wise and responsible parent would (Worth Doing Well -
Guidelines for Good Practice in Work with Children and Young People,
1998). This would give the responsible party the right to mandate what a
student should or should not do with the same authority as a parent (p.
7). Innumerable significant revisions have taken place in the enrollment,
administration and agendas of our institutions that the applicability of *in
loco parentis* is questionable today (Bolmeier, 1976).

Hoekema (1994) described the four principle elements of the in
loco parentis doctrine as follows:

College officials know that they are no longer parents, but they also
know that their responsibilities, both legal and moral, extend far beyond
the classroom (Carnegie Foundation, 1990, p. 1). The university takes a
less active role in moral matters and does not tell students what to do
outside the classroom (Hannon, 1995). However, institutions expect faculty to behave according to basic standards of civility and, in appropriate settings, to share their own moral judgments with their students (p. 58). Hoekema (1994) notes that in recent decades the very notion that the institution holds parental duties and privileges has come increasingly under attack (p. 28).

The debate surrounding the legal position of universities and colleges in the United States with regard to the doctrine of *in loco parentis* has endured for many years. With few students, and absolute *in loco parentis* authority, discipline in the early colleges was paternalistic and rigid (Smith, 1994). Hannon (1995) pointed out that in years past, universities acted on behalf of the students in matters that reached beyond the classroom, taking an active interest in the moral development of their students while they were enrolled on campus; that is, we stood *in loco parentis* - in the place of the parents (p. 58).

The principle of *in loco parentis* literally means "in the place of a parent; charged factitiously with the parent's rights, duties and responsibilities," in other words, maintaining the responsibilities of a parent for someone else's children (Shamsuri, 1997, p. 6). This theory holds that the institution’s power to discipline arises out of specific statutory grants or laws from the state legislature to the governing board of higher education in the state through its charter (Snoxell, 1965), or
directly through the institution (Ratliff, 1972). Since *in loco parentis* rests upon a traditional relationship between parent and child, its close relationship to the status theory of student-college relations had attracted occasional attention (Ratliff, 1972). He considered that while *in loco parentis* might be said to be improperly applied to campus relationships today in the *Harvard Law Review* (1968) he suggested an area of potential legitimacy for the concept when he observed:

> It can be argued that the ghetto school, especially, must assume a parental role to prevent the student from entrapment in a vicious circle created by the limited expectations of his actual parents. In any case, the theory has the virtue of emphasizing the need for the school to participate in the process of rearing the child (p. 1146).

Ratliff (1972) argued, however, that the ghetto school is far removed from the conventional American college scene, asserting that *in loco parentis* would be more meaningful if it was practiced more consistently. Gordon (1971) maintained that *in loco parentis* was a rationale for disciplining students without a hearing or other forms of due process. In the United States, the courts have upheld the paternalistic concept of discipline and have allowed schools and colleges to enforce rules and regulations with little or no requirement for due process of the courts (Shamsuri, 1997, p. 6).

The problem is that *in loco parentis* contains only peacekeeping, and no enforcement provisions Hannon (1995) resulting in “timidity and
inconsistency” (Kramer, 1996, p. 58). He cautioned that the issue is further exacerbated by the vast distances between assertions of academic community and the institutions’ willingness to make sacrifices that would give life to those assertions of enforcement. The courts have not been willing to concede the students’ rights to the colleges (p. 60).

Hoekema (1994) theorized that the answer does not reside in the *in loco parentis* doctrine, but through building a “constructive moral atmosphere...by rebuilding the campus community as a model of moral dialogue” (p. 165). In order to achieve this ideal, he suggested that student behavioral problems must be addressed more effectively than other methods of control. Also, to strengthen the shared sense among colleagues and co-workers of being engaged in a vital common task.

Myers (1971) held that the real solution of *in loco parentis* lies with the institution itself and that each college or university must develop a sound system for accommodating, dealing with, and reacting to the student’s interest in his rights within the school, particularly his rights with respect to discipline (p. 148). He extended the notion that the abandonment of *in loco parentis* requires the student to play a major role in his own disciplinary process (p. 148). Hoekema (1994) maintains that “for the college as parent, the university that stands *in loco parentis* has all but vanished from today’s academy – the institutional father is dead” (p. 13).
Residence Halls/Dormitories

Residence halls (or as they were frequently referred to in the past, dormitories or dorms) were created to house students while they pursue their academic endeavors and were commonly places of study, civilized social interaction, and social support (MacGloin, 1995). Unfortunately, over the course of the last three decades, they have become the center of problems ranging from excessive drinking and drug abuse to date rape and criminal behaviors (p. 30). Mueller (1961) accounted for three primary objectives for residence halls: (1) to provide a place for students to eat, sleep, and have convenient access to classrooms and libraries; (2) to advocate academics; and (3) to aid in the personal development of students. She further held that two minor objectives of residence halls are a favorable climate (particularly with parents and alumni), and the guidance and direction of student conduct and discipline (p. 178).

The mission of an academic institution is for education and study, and dormitory living was recognized as a necessary element in supporting the patronage of universities and colleges (MacGloin, 1995). The development of residence hall living itself is not problematic, but the prevalence of negative and even criminal behaviors that have progressed from residence hall living provides considerable essentiality for concern (p. 30). He extended the notion that although residence hall life is a
microcosm of the external or "real" world, it should be noted that the lack of strict consequences in many educational settings and the increasing level of freedom afforded students often work together to determine the breadth of violations, and criminal and aberrant behaviors that are displayed in these surroundings (p. 30).

It is also useful to note that within the residence hall setting, there are individuals with considerable social differences, and these differences can also enhance the perception of a lack of efficacy in the living environment. As a result, it is necessary to not only consider the elements relative to criminal activities, but also recognize the social issues that impact residence hall life. Each of these elements play a role in defining different perspectives on discipline and the role that students, faculty members, and administrators play in determining a locus for change.

Perhaps the most significant and frequently addressed problem on college and university campuses today regards drug and alcohol abuse in resident hall settings. Prior to the late 1980s, most college campuses had fairly lenient policies regarding alcohol consumption in the residence halls as well as on the campus as a whole. Subsequently, stricter laws governing liability for alcohol related accidents and deaths pushed many colleges and universities to determine their "dry" status in the late
1980s. In light of the changes within the campuses, residence halls remain a place where drug and alcohol use go relatively uncontrolled.

Schneider and Morris (1991) argued that it is the relaxed nature of interactions in the residence halls and reductions in rules that commonly push students towards participation in "risky behaviors" (p. 525). They further showed that risky behaviors can range from sexual contact to smoking, yet the two most prevalent risk taking behaviors in college residence halls involve alcohol or drug consumption (p. 526). The research concluded that there is a direct link between freedom from parental supervision and increased participation in risky behaviors, including drug and alcohol consumption (p. 526).

Colleges and universities have responded in a variety of ways to the issue of drug and alcohol use on campus. For example, Rutgers University, recognizing that an increasing number of college aged students also initiate participation drug rehabilitation programs, have implemented the use of residence hall settings only for students recuperating from addiction (Witham, 1995). These halls were created based on the concept that dormitory settings in general were not conducive to positive outcomes for students in recovery programs, and that there was a definitive need to provide a drug and alcohol free environment on campus (p. A 33).
The Rutgers University model is unique to higher education. Introduced in 1988, by 1995 the budget allocated for the staffing and administration of the Rutgers substance abuse program and residence halls exceeded $265,000 (Witham, 1995). He concluded that within the scope of the program, participant students are required to adhere to strict rules and careful management processes that are underscored by the theme of recovery in order to reduce the recidivism related to campus drug and alcohol addiction (p. A33).

What is more familiar on many campuses is the use of college residence assistants (RAs) to provide support for college staff in promoting alcohol and drug-free dormitory living (Rubington, 1991). This process, which depends on student participation and student-based reporting systems, often has the most successful outcomes during the first quarter of the freshman year, but lesser degrees of effectiveness in reporting as students grow complacent within the dormitory setting. Rubington (1991) made the distinction that student residence assistants did not demonstrate the capacity to adequately support the alcohol and drug free premise of most schools.

A significant and emerging problem that is associated with risk taking and alcohol and drug abuse if the increasing prevalence of acquaintance rape cases on college campuses. Although sexual promiscuity is considered to be one of the risk taking behaviors, it does
not explain the increase in acquaintance rape in residence hall settings. This dilemma creates not only a social problem, but also a criminal one.

There are two distinct elements that come into play when dealing with claims of acquaintance rape in residence hall settings: the punitive response that comes from criminal prosecution (outside of the education system, but a definitive response to this issue) and the disciplinary response. For many institutions, finding a manner of addressing the disciplinary issue preceding the decisions of the court can relate to determining guilt before guilt is established. As a result, a number of institutions have taken limited action in response to claims of acquaintance rape in residence hall settings, even when distinct disciplinary action appears necessary.

In October, 1996, a Brown University disciplinary council refused to hear a case of acquaintance rape involving the son of Jordan’s King Hussein. The considerable opposition to this judgment demonstrated the lack of effectiveness in supporting the victimization of women on campus (Gose, 1997). At the same time, it can also be maintained that although the disciplinary council should address the issue of conduct, that there is no formal means of addressing criminal activity that could fall under the realm of the prosecutorial process without determining inequity for the person accused of the crime. By taking disciplinary action against a person facing charges of date rape, it is possible that the college could
also have faced charges that they unfairly determined a person’s guilt before the legal process has allowed for that determination (Gose, 1997).

The conflict between criminal behaviors and residence hall life is a significant factor to consider when addressing discipline on campus. As there are considerable issues related to determining criminal process within the scope of the disciplinary action of the university, administrators must recognize their role and demonstrate the greatest support for the legal process within the progression of a disciplinary model. The impact of a variety of criminal behaviors with respect to the disciplinary process demonstrates the problems related to dorm life on college and university campuses.

Though it may surprise many educators and individuals who commonly perceive of the educational setting of the colleges and universities of the United States as hallowed halls, significant misbehaviors are common place (Witham, 1995). Educators and administrators generally have to address a wide range of criminal behaviors in addition to simple levels of misconduct (p. A 39). DeWitt (1991) proposed that the increase on campuses of students with serious discipline problems may be the result of more general societal changes (p. 186).

In a study of 49 public and private colleges and universities throughout the United States, statistics suggest that criminal activity
within the residence hall settings on most campuses was significantly under-reported to authorities outside of the institutional setting (Palmer, 1993). In the case of officially reported crimes, disciplinary sanctions by school authorities only occurred in approximately 35% of the cases (p. B1). He further underscores the leniency of school authorities even in light of rising numbers of physical assaults, vandalism and theft within the college housing units (p. B1). He also investigated the belief that unless this kind of campus violence and criminal activity is addressed, that crime on campus will continue to proliferate (p. B1).

The range of crimes committed is also considerably more diverse than people might imagine (Layden, 1995). The realization nearly a decade ago that individuals could run a prostitution ring from the residence halls of Brown University is just one example of the lengths to which students will go to commit crimes on campus (Brown University Study, 1991). At the University of Florida, Gainesville, a student participating in organized gambling activities as a bookie made $42,000 in four years taking bets from 130 undergraduate students (p. 68). He felt that the problems with these types of criminal operations is that they can go undetected for long periods of time with the lenient scope of residence hall life. Many students never perceive the level of at which iniquitous activity is deeply embedded in dormitory living (p. 68).
Witham (1995) found that other forms of crime that are prevalent in residence hall settings include things such as vandalism and physical violence. The National Collegiate Athletic Association (NCAA) banned the practice of athletic dormitories from Division I colleges in recent years. The decision was based on the belief of inequity between athletes and the general student population and in response to considerable reports of vandalism and violence that occurred in athletic dormitories (p. A39). He cautioned that the levels of misbehavior and the implications for the student athletes demonstrated a clear necessity in the design of these dormitory settings that had to be addressed (p. A39).

Though the criminal element has a significant representative population on many college campuses, there are a considerable number of social issues that must also be addressed when considering the occasional problematic nature of interactions in residence hall life when disciplinary action becomes necessary. Social differences and fundamental issues related to morality and the nature of interactions in the dormitory settings must be recognized as elements of this discourse.

Five Orthodox Jewish students who were admitted to Yale University requested a waiver of the undergraduate rule that requires students who attended Yale to live on campus for the first two years (Robinson, 1997). The students contended that the social climate within the residence halls were unsuitable and therefore violated their religious
values. The request was denied by the university, however, it brought about a sense of similar unsuitable living conditions at Yale and numerous institutions around the nation. Robinson (1997) held that residence halls provide an unacceptable and morally lax environment for students, and that this poses not only disciplinary issues, but social and religious issues as well (p. 862).

On the other end of the spectrum, the rights of gay students, who have argued that there is an underlying element of discrimination in the college setting based on their sexual orientation, have brought into question the violations of their rights in the dormitory settings (Cage, 1993). As a result, the University of Massachusetts has set aside a dormitory for gay, lesbian and bisexual students in support of gay rights and as a means of diminishing the threat of campus violence and disruptions related to the perceived problems of housing gay students in dormitories with straight students (Gose, 1997). He proposed the notion that conservatives have claimed that this type of favoritism on campus is unwarranted, and claims that the residence dormitories unethical behaviors. Moreover at the same time, it can also be argued that this type of dormitory setting is not unlike those provided for students in recovery programs, or for students desiring quiet atmospheres. The decision to support the rights of gay students in this example is similar
to the decision to support the rights of other students as they are
necessitated by student action.

A study conducted by Delucchi (1993) suggested that commuter
students demonstrate greater successes in terms of academic
participation than students living in residence hall settings. Grade point
averages were used as an indicator of academic productivity. The study
underscores one of the primary problems with dormitory living: students
perceive the residence hall as their first taste of freedom, and get caught
up in the problems related to risk taking behaviors, participation in
criminal activities and fundamental social issues that impact their
success as students (p. 96).

The current literature supports the fact that there are considerable
problems related to discipline in residence hall settings and that there is
a general lack of efficacy in dealing with this issue. There is a
demonstrative need for improvement in response to levels of students
crime and a need to address the implementation of systems that can
improve the quality of living for all residence hall members, while
demonstrating concern for major criminal issues such as date rape and
vandalism.

**Academic Dishonesty/Plagiarism**

Academic dishonesty is not a new issue for higher education or for
society at large. It has been discussed on campuses and in the
professional literature throughout this century (Kibler, 1994). U.S.
higher education has experienced a gradual erosion of academic integrity
in the last 50 years and continues to be a major disciplinary problem
(Ludeman, 1988, and Roberts, 1986). The percentage of cheaters has
risen dramatically during this time on college and university campuses
(Drake, 1941; Goldsen, 1960; Bowers, 1964; Hetherington & Feldman,
1964; Stannard & Bowers, 1970; and Baird, 1980). Many students feel
that cheating is permissible if they do not get caught and it helps them
get ahead; this attitude is consistent with a serious decline in ethical
behavior that is found at the highest levels of corporate management and
politics (Risacher & Slonaker, 1996). Tom and Borin (1988) and Collison
(1990) suggested that until societal values transform and students adopt
these new values, institutions will be unable to prevent student cheating.

Recent studies have indicated that academic fraud, notably in the
area of plagiarized works, is rampant among the college populous and
rising. In a world where government, business, sports and
entertainment role models more often than not stray from the path of
honesty, many students are skeptical of the virtues they are presented
with when arriving at the college or university they have chosen, and
listening to orientation speeches regarding the value of higher learning.
Unfortunately, many students today view an education not as a privilege,
but as the means to the end of a lucrative career (McCabe & Trevino, 1996).

According to Chidley (1997), research performed by Professor McCabe, puts the number of students from across the United States who admitted to some sort of cheating at 75 percent. There appears to be character and situational factors which influence this percentage: competition for grades being cited as the major factor (Keller, 1976, cited in Davis, Grover, Becker & McGregor, 1992), while immaturity and lack of academic commitment are also influences (Haines, 1986). Research indicates that these students have a tendency to “neutralize” their behavior: in other words, to engage in a rationalization to guard against not only the student's own inherent disapproval of the behavior, but also the disapproval of others (Roig & Ballew, 1994).

In view of the prevalence of cheating, it is suggested that professors and instructors frequently ignore evidence of academic fraud and may themselves rationalize this inaction as appropriate under certain conditions (Tabachnick, Keith-Speigel & Pope, 1991). Further, the Haines study (1986) indicates that of their student sample, only 1.3 percent reported being caught cheating. A survey entitled, “Attitudes Towards Cheating,” by Roig and Ballew (1994) administered to 404 students at two major northeastern universities as well as 120 professors indicated that the perceptions of students regarding the professors’
attitudes toward cheating were very similar to the actual attitudes held by the professors. However, the professors believed that the students had more of a tendency to cheat than the students themselves reported.

A recent case in San Diego, California offers another rationale for professors disregarding incidents of cheating: San Diego State University instructor Dianne Bartlow assigned her Public Affairs Reporting class to interview area newsmakers and submit the interviews to the student radio station. When she realized that eight of the forty-five interviews sounded scripted and fake, she launched an internal investigation, which ultimately exonerated two of the students who claimed that they had Bartlow's permission to fake the interviews. The alleged errant students were not identified, and, although six of them had received one years' probation and acquitted two others, Julia Rocha, president of the San Diego chapter of the Society of Professional Journalists claimed, "the students dodged the worst part of their punishment by not being identified," (Wolper, 1997, p. 17). The outcome of the case was a "wrist-slap" for students, and a blot on the academic career of Bartlow, an Emmy award winning journalist. Such a threat could inhibit other professors from coming forward with cases of academic fraud or dishonesty (p. 65).

Educators have become more concerned about the problem of academic dishonesty in recent years due to frequent reports of dishonest
practices (Ludeman, 1988). While dishonest practices seem to be increasing among undergraduate and graduate students, they are not limited to institutions of higher education (Sutton and Huba, 1995). In government, industry, and politics, such practices are viewed by some as everyday occurrences (Baird, 1980; Pake, 1985; Quinn, 1985). Unethical behavior by parents also influences youth, reinforcing students' attitudes that dishonest acts are acceptable as long as you are not caught (Stevens and Stevens, 1987).

The prevalence of “term-paper mills” has no doubt also affected the rise in the incidents of plagiarism. Although they have been used for many years, these clearing houses for essays and term papers have grown in popularity due to the accessibility of the Internet. In 1996, Boston University filed an unprecedented lawsuit in Federal Court against Internet-based essay mills in the United States, charging them with wire fraud, mail fraud, racketeering and violation of a Massachusetts state law that prohibits the sale of term papers (Chidley, 1997). The University, which considers plagiarism perhaps the “most serious academic offense that one can commit,” according to Robert Smith, associate general counsel at Boston University, filed a similar lawsuit in 1972, which resulted in the enactment of the law banning the sale of essays and term papers (Hanson and Berg, 1997).
Chidley (1997) pointed out that in addition to offering research-for-hire, some of the websites offer tips on cheating, among them the Hat Trick, where the student wears a hat pulled down so far over his eyes that the professor cannot see where he/she is looking, which of course, is at another student’s paper, or the Kleenex Method, which involves notes written on extra thick tissues and the pretense of a nasty cold.

In an attempt to stem the tide of dishonesty, many colleges and universities are rushing to implement honor codes (McCabe and Trevino, 1993). Once found almost exclusively at specialized liberal arts colleges and military academies, honor codes seem to be having an effect on the pervasiveness of cheating (Innerst, 1995). A study comparing academic dishonesty among students in programs with and without an honor system found that the students under the honor system were less likely to cheat (Campbell, 1935). One possible reason for the effectiveness of the honor system relates to the “neutralization” process, since implementation of an honor code transfers the responsibility of moral rectitude from the faculty to the students (Bowers, 1964). Moreover, since students under such a code are frequently given privileges such as self-government and unproctored exams, it is reasonable to expect the students to try and protect those privileges (McCabe and Trevino, 1993).

Peer behavior is also considered to be a powerful motivator in dishonest behavior, in that the behavior is supported by unethical
example (Rosenhan, Moore and Underwood, 1976), and by social
learning theory, which says that much of human behavior is learned
through the observance of the behavior of others and the ramifications of
that behavior (Bandura, 1986). Sorority and fraternity membership has
also been shown to increase cheating behavior (Harp and Taietz, 1966).
McCabe and Trevino (1993) spoke of the implementation of an honor
code, definite and severe penalties for disobedience, tacit understanding
of the code itself on the part of the students, and willingness on the part
of faculty to see that these factors are implemented are indicated as the
most viable means of lowering the incidence of academic dishonesty.

In light of the prevalence of student academic dishonesty, a logical
means to address the problem is through interactive formats that permit
exchange of information and ideas (Aaron, 1992). Perhaps more directly
than any other student behavior, academic misconduct strikes at the
heart of institutions of higher education (Risacher & Slonaker, 1996, p.
105). Boyer (1990) surmised that academic discipline promotes
development of honest future leaders and is a key element of a
"disciplined community." Rutherford and Olswang (1981) maintain that
ambiguity still exists over the proper was colleges and universities should
categorize, and administratively respond to, instances of student
cheating or plagiarism.
Drug and Alcohol Abuse

There is a great deal of information regarding the degree of alcohol and drug use and abuse on college and university campuses. (Rethinking rights of passage, 1994). However, substantially less is understood with reference to why students drink and, more significantly, why they drink excessively (p. 1). Burns and Klawunn (1990) considered that the image postulated by administrators was that students get drunk because they do not know how to handle alcohol, many college students drink with the intention of losing control, rebelling against authority, and creating a "counter culture" (p. 118).

The consumption of alcohol by a substantial portion of the national college student population has been the subject of an increasing number of research studies (Biber, Hashway, & Annick, 1980). Rates of substance abuse range widely among the college-age population, which for the purpose of this study is understood to be people from seventeen to twenty-two who were no longer enrolled in high school, but had not yet completed four years of college. Significant differences among those in that age group who were attending college, who had completed high school only, and those who had dropped out of high school were reported in the 1991-1993 National Household Surveys on Drug Abuse. These surveys gathered data on the ubiquity, patterns, and consequences of drug usage, and includes people ages twelve years and up (Brown
Respondents to the survey were grouped by their level of education and their living arrangements (p. 7). Alcohol abuse was also included, and was defined as consuming five or more drinks on occasion on more than five days during a one-month period (p. 7).

The Brown University study (1997) showed that Marijuana and cocaine use were highest among high school dropouts, while alcohol abuse was most likely among college students not living at home. Marijuana use was also more pronounced among college-age not living at home. Cocaine use, however, was at its lowest point among college students living in residence halls (p. 7).

The consumption of five or more drinks (four for females) has been defined as “binge drinking” (Wechsler, et al, 1993). A drink is defined as a 12-ounce can or bottle of beer, a four-ounce glass of wine, or a 12-ounce bottle or can of wine cooler (Wechsler, 1996). A national survey conducted by the Harvard School of Public Health (1993) randomly sampled 179 four-year colleges and universities, and a total sample of 28,709 students and found the following:

- Overall, 44 percent of U.S. college students engaged in binge drinking during the two weeks prior to the survey.

- The extent of binge drinking varied widely among U.S. colleges, from a low of one percent of students to a high of 70 percent. At almost one-third of the colleges, more than half the students were binge drinkers during the two weeks prior to the survey.
• Drinking patterns established in high school often persist during college. Compared to other students, college students who were binge drinkers in high school were almost three times more likely to be binge drinkers in college.

• Being white, involved in athletics, or a resident of a fraternity or sorority made it more likely that a student would be a binge drinker.

• Very few students – even those who binge drank more than three or more times during the two weeks prior to the survey, said they had a problem with alcohol at the time of the survey.

• Compared to non-binge drinkers, a higher percentage of binge drinkers had experienced alcohol-related problems since the beginning of the school year (Wechsler, et al, 1993).

In September of 1997, an M.I.T. freshman named Scott Krueger took part in a binge drinking event with his fraternity that ended in his death. According to McCormick and Kalb, (1998) approximately 50 deaths and hundreds of alcohol poisonings occur yearly on college and university campuses (p. 30). Although M.I.T. denies that its policies put anyone in jeopardy, the Krueger case could set an unprecedented standard of accountability for college administrators nationwide (p. 31).

The yearly Monitoring the Future survey, which includes high school seniors as well as college age students, indicates that drug use among these populations has continued to decline (Alcoholism & Drug Abuse Week, 1992). A 1991 survey of 15,843 high school seniors reported annual use of illegal drugs falling from thirty-three to twenty-nine percent between 1990 and 1991, down from a 1980 peak of fifty-six
percent. Alcohol abuse, long considered part of the college experience, can nevertheless to a certain segment of the college-age population lead to the development of dependence (Seay and Beck, 1984).

In a 1991 study, twenty-five percent of the respondents were considered to have a significant drinking problem, although only one percent perceived themselves to be problem drinkers (p. 90). A similar study found that approximately fifty percent of the male problem-drinking college students continued their drinking patterns after a six-year follow-up (Donovan, J.E. et al, 1983). A national survey of nearly 37,000 students at 66 four-year colleges and universities found that students with an A average consumed a little more than three drinks per week, B students had almost five drinks per week, C students average more than six drinks per week, and students receiving grades of D and F consumed more than nine drinks per week (Presley, Meilman, Cashin, and Lyerla, 1996).

While drinking and intoxication are serious problems, alcohol abuse has much more grievous and even deadly outcomes (CASA, 1996). In 1987, the Attorney General of California reported that 70% of all crime in his state was either drug or alcohol related (Smith, 1989). Smith indicated that this was probably true on college campuses as well (p. 118). Several national studies have reported excessive rates of drinking
on college campuses and a broad extent of negative effects of student alcohol use (Presley, et al., 1996). Surveys also indicated:

- 60% of college women diagnosed with a sexually transmitted disease were drunk at the time of infection (Advocacy Institute, 1992).

- 35 – 70% of college students reported engaging in some type of sexual activity primarily as a result of alcohol (Meilman, 1993).

- Nearly one out of every five students have abandoned safe-sex practices while under the influence of alcohol (Meilman, 1993).

- Binge drinkers are even more likely both to have sexual contact while drinking and to forego safe-sex. 25% of female binge drinkers admit having unplanned sexual activity, compared with 10% of non-binge drinkers (Wechsler, 1992).

In the last decade, college and university administrators have become increasingly concerned about the alcohol consumption of their students. In fact, college officials have identified alcohol abuse as the primary problem currently facing the students (Carnegie Foundation, 1990). Not only are many students drinking moderate amounts of alcohol for social purposes, but a significant number are becoming heavy drinkers (Gonzalez, 1981), and consequently, more students are experiencing problems as a result of their drinking behavior (Gonzalez and Wiles, 1981). According to Gehring & Geraci (1989) this has led to the development of educational programs and institutional policies designed to inform students about the effects of alcohol and to reduce the negative consequences occurring from students’ alcohol use and
abuse. Additional impetus has been provided by a variety of legislative mandates, most notably the Drug Free Schools and Communities Act of 1989 (Hunnicutt, Davis, Perry-Hunnicutt, Newman, 1992).

Demographic characteristics analysis has examined gender differences in drinking patterns. Male students report more alcohol-related problems than do females (Winokur, 1971). Alcohol abuse has also been associated with anxiety and neuroticism (Brooks, Walfish, Stenmark, and Canger, 1981). There may also be a greater tendency among hedonistic, sensation-seeking (Type-T personality) and/or impulsive students to abuse alcohol, but the studies in this area have generally been mixed (Schwarz, Burkhart and Segal (1978) and Segal, Huga, and Singer (1980). Boumil, Friedman, and Taylor (1993) cautioned that the vast majority of all violent crimes on campus is either drug or alcohol related (p. 118).

The Commission on Substance Abuse at Colleges and Universities of the Center on Addiction and Substance Abuse at Columbia University (CASA) completed a two year study on substance abuse on U.S. college and university campuses in June, 1994. The Commission reported indications of a dramatic increase in the number of college women who drink to get drunk, placing them at higher risk for AIDS and other sexually transmitted diseases, sexual assaults, and unplanned pregnancies (CASA Press Release, 1994, p.1). The Commission noted
that alcohol abuse by both men and women on campus today has far more serious consequences for women than in the past:

- Sixty percent of college women who have acquired sexually transmitted diseases including AIDS were under the influence of alcohol at the time they had intercourse.

- Ninety percent of all campus rapes occur when alcohol is being used by either the assailant, the victim, or both.

- If current trends continue, the incidence of AIDS among college women (now one in 700 compared to one in 200 for males) will eventually surpass the incidence of AIDS among men (p. 1).

A current substance abuse problem that is fairly new on college campuses is the use of Ritalin, the prescription drug used to control attention deficiency disorders in children. When these children grow up and leave for college, they take the drug with them without the parental control, resulting in an amphetamine-like drug abuse problem (Bierck, 1998). Ritalin abuse can start with the supposition that ingesting and snorting the drug will heighten alertness and help in all-night studying. There are short-term euphoric effects, however, abusing Ritalin in this manner can be destructive, since within hours the student may "crash" into an irritable condition (p. 12).

The National Collegiate Athletic Association (NCAA) and several of its affiliated universities have initiated policies of mandatory drug testing with the intention of creating a drug-free environment. For athletes in particular, there are negative sanctions for testing positive, including
relinquishing scholarships and athletic eligibility. A study on the feasibility of such testing was performed by Robert Coombs, Ph.D. and Frank J. Ryan, Ph.D. of the University of California at Los Angeles, and was published in the American Journal of Drug and Alcohol Abuse (1990). The study was based on the experiences and beliefs of over six hundred college athletes (Brown University Digest of Addiction Theory and Application, 1991). One of the predominant problems found in the Brown study was the predictability of such tests. Students interviewed claimed that it was entirely possible to schedule drug usage between the tests so as to avoid detection.

In an attempt to curtail the use of illegal drugs by college students, the House of Representatives passed a provision requiring the suspension of eligibility to federal education assistance to persons convicted of the use or sale of such substances. The proposal was drafted in the form of an amendment by Representative Gerald Solomon (Republican – New York) to an omnibus education measure approved by the House on July 20, 1990 (Alcoholism & Drug Abuse Week, 1990). The measure passed overwhelmingly by a vote of 315 to 59, surpasses the used accountability section of the 1988 Drug Abuse Act, to anyone convicted of drug crimes by making the denial of student loans mandatory rather than discretionary on a case-by-case basis (p. 6).
The amendment curtailed eligibility for loans, grants, or work assistance under the Higher Education Act for varying lengths of time for anyone convicted of possession or sale of a controlled substance. These sanctions could be nullified upon successful completion of a drug rehabilitation program complying to standards set by the Secretary of Education. For simple possession, a first conviction would carry a penalty of one year’s ineligibility, the second, two years, and the third offense would result in indefinite suspension. For the sale of drugs, the penalty would be a two-year suspension for the first offense and an indefinite suspension for the second.

Steroid abuse among college athletes is another common and dangerous problem. In their quest to produce more muscle mass, greater endurance, and increased aggression on the playing field, athletes have encountered the side effects of aberrant, anti-social, and overly aggressive behavior since the effects of the drug cannot be turned off when the game is over. There are new forms of anabolic steroids that are nearly impossible to detect using standard testing procedures, and the treatment is equally difficult since researchers cannot agree on whether continuing steroid use is an addiction or not (Hochhauser, 1996).

Although drug use on college campuses has declined in general over the last decade, alcohol use and its negative consequences remain
constant (Hunnicutt et al, 1992). Johnston, O'Malley, and Bachman (1989) indicated that 77% of college students nationwide drank alcohol and 43% indicated that they had been intoxicated within two weeks prior to the survey. Alcohol use and abuse are taking their toll on college campuses in the form of measurable costs, such as increased absenteeism from classes, property damage, automobile injuries and fatalities, and lowered productivity (Gonzalez & Broughton, 1986).

Mills, Pfaffenberger, and McCarty (1981) suggest that an awareness program targeted at heavy drinking will not likely win student interest and cooperation since many alcohol-abusing groups do not see themselves as deviant, but rather as estimable organizations that should not be persecuted for what they see as a few regrettable incidents. By simply telling college students that it is illegal to drink, vis-à-vis institutional policy, is unlikely to have a significant impact on drinking or alcohol-related problems (Engs and Hanson, 1988). Students now have majority rights, and studies have found that few problems result from selling or serving alcoholic beverages nor does the service contribute to discipline problems (Packwood, 1977).

Finally, a university's prominence and reputation can be adversely affected by bad press, which can directly affect an institutions' yearly number of applicants and its academic standing (CASA, 1996). Notwithstanding, despite the lack of publicity, studies indicate that many
problems on campus are related to alcohol abuse – from health issues, to crime, to poor academic performance (p. 1). CASA (1996) reported that problems with alcohol abuse on campus can be interpreted as failure on the part of the institutions to control illegal, underage drinking or to uphold their commitments to the Department of Education's substance abuse policies (p. 1). Related issues associated with alcohol abuse include medical problems, sexual assault, and poor academic performance.

- In the last five years, the number of emergency room admissions for alcohol poisoning in campus communities has jumped 15% (Celis, 1991).

- 240,000 to 360,000 of the nation’s 12 million current undergraduates will ultimately die from alcohol related causes – more than the number that will receive MAs and PhDs combined (Eigen, 1991).

- 95% of violent campus crime is alcohol-related (U.S. Congress, 1990).

- 90% of all campus rapes occur when alcohol is being used by either the assailant or the victim. 73% of the assailants and 55% of the victims of rape had used alcohol or other drugs prior to the assault (Benson, Charlton, and Goodhart, 1992).

- Alcohol is implicated in as many as 41% of academic problems and 28% of all dropouts (Anderson, 1992).

Tobacco Use on Campus

In light of the problems associated with drug use on college and university campuses, many institutions are taking action against the use
of controlled substances – one of those drugs is tobacco (Charney, 1994). Although most campuses have rules governing the locations that tobacco products may or may not be used, the use of tobacco products has not been outlawed altogether. According to Hines (1996) many colleges and universities have responded strongly to the attitudes and health concerns of nonsmokers, who have protested against exposure to environmental tobacco smoke (p. 860). Administrators, however, are beginning to become actively involved in the use of tobacco products by students (Charney, 1994).

In May 1988, the American College Health Association (ACHA) issued a statement on tobacco use on college and university campuses, which urged the nation’s colleges and universities to establish campus-wide tobacco/smoke free environments (Johnston, O’Malley and Bachman, 1992). The ACHA proposed prohibiting smoking in public places where nonsmokers could not avoid smoke, disallowing the advertising, sale, or free sampling of tobacco products on campus, and providing education programs demonstrating the dangers of tobacco use (p. 1). In the absence of a complete ban on smoking, the ACHA recommended that institutions of higher learning confine smoking to designated, well-ventilated areas away from areas frequented by nonsmokers and discourage the sale of any tobacco products on campus (p. 2).
St. Bonaventure University in New York has a policy that prohibits media advertising that promotes tobacco sales. The university's advertising policy states, "(The university is) not to accept advertising from any enterprise whose primary business involves the production and distribution of alcohol, tobacco or firearms" (Tascione, 1997, p. 1). Enforcement of the rule, however, is difficult. Flyers and hand bills adorn the campus, kiosks, bulletin boards and vehicles belonging to students staff and administrators that advertise tobacco products.

Due to this and similar problems, further measures were taken to prevent this type of advertising, including denying an intramural softball team sponsor the right to advertise (Tascione, 1997). In addition, it was resolved that any guide appearing in the local newspaper featuring such advertisements would be banned from the residence halls altogether. "The (newspaper's) guide will not be distributed again if advertisements which violate the policy are included" (p. 1). Tascione noted that although the decision made the administration is seen as in the best interest of the students, it also could be seen as an impingement on First Amendment rights (p. 1).

The tobacco industry has long been advertising non-cigarette tobacco items in college newspapers, including Copenhagen and Rooster, two smokeless tobaccos, as a means of promoting their products without advertising cigarettes (Wolper, 1998). For nearly one year, the tobacco
industry has placed a self-imposed ban on the advertising of cigarettes and tobacco products in college publications, however, reversing their decision as tobacco product advertisements are at an all time low. Though these companies believed that this change of policy would go unnoticed, these advertisements were actually met with great controversy from anti-smoking groups as well as pro-smoking groups (Wolper, 1998). The two primary problems associated with banning the advertisement of tobacco products on college and university campuses are that it impinges the First Amendment rights of the tobacco companies and that the college-aged population is not mature enough to make their own choices regarding tobacco use.

Some institutions such as Harvard have held investments in tobacco companies have for the most part, divested their interests. Yale University has $16.8 million invested in tobacco stocks. Brenner (1998), suggests that in divesting from any corporation, Yale loses whatever "voice" it might have as a shareholder; tobacco divestment therefore weakens the University's ability to exert a potentially positive influence on the cigarette giants. Brenner (1998) poses a compelling question, "If Yale drops its tobacco stocks, should it not also dump holding in other companies which engage in legal but ethically questionable practices?" (p. 1). Moreover, Yale divested $23 million from 17 companies affiliated with Apartheid. Mercer (1996) suggested that although many
institutions of higher education invest in the lucrative tobacco industry, and have been less than forthcoming in outlining their investment portfolios and addressing the issues related to divestment based on the message that it sends to students regarding the support for the tobacco industry (p. A49).

Charney (1994) contends that because alcohol, tobacco, and other drug use and abuse continues to permeate campuses, college health programs can be used more effectively (p. 31). Of all the problems affecting campuses today, “tobacco is the easiest” (p. 31). Charney further suggests that the increased awareness to tobacco use and addiction presents an excellent opportunity for health center education programs to offer smoking-cessation classes, not only to students but to faculty and staff as well (p. 31). Hoekema (1994) directly contradicts Charney as he maintains:

“A consistent policy against levels of substance abuse leading to impairment of abilities would require a categorical ban on the use of tobacco, whose addictive power is at least as strong as that of illegal drugs and whose catastrophic consequences for health are better documented and more certain than those of the leading ‘recreational’ drugs. The reasons that motivate institutions to enforce policies against drug use while tolerating smoking have to do with long-standing social custom, and with the immediacy of the impairment that results from alcohol and drug abuse, rather than any accurate assessment of relative risks” (p. 131n).
There are 3,535 U.S. colleges and universities with over 14 million students (Johnston, 1992, et al.). Many of these institutions have policies regulating the use, sale or advertising of tobacco products on their campuses (p. 1). These policies include a complete ban on smoking, limiting the promotion of events and advertising by tobacco companies, and reflecting a recognition of the responsibility of colleges and universities to act in the best interest of their students (p. 5).

The California Assembly recently voted to overturn an unpopular statewide smoking ban in bars (FORCES, 1998). Although the measure was overturned by State Senator Diane Watson, AB 297 sent a message to California Legislators that banning smoking altogether in the state will not be tolerated by their smoking constituency. With bans currently affecting restaurants and other public places, legislation is currently being introduced to ban smoking on public college campuses and public parks Wilson, 1998).

Differences do exist between industry and academia in setting smoke-free policies (CASA, 1993). While in industry, negotiations usually include only two parties, the university administration often must deal with students, faculty, staff, alumni and the surrounding community (p. 1). Some campuses have confronted resistance from faculty, alumni, and, in tobacco growing states, from local communities.
CASA suggests the following recommendations for a policy for a smoke-free campus:

- Prohibit smoking in all university buildings (including all dorm rooms and faculty offices) and all campus functions.
- Apply the policy equally to all students, faculty and administration.
- Prohibit the advertising and sale of tobacco products on campus, as well as the sale of smoking paraphernalia.
- An institution should assess the types of smoking cessation and treatment resources available and offer a range of these programs for both the students and the staff. The institution should recognize that smokers often relapse and need to have repeated access to such programs (CASA, 1993).

Sexual Assault on Campus

Sexual assaults that take place while students are enrolled in a university have become a concern to students, administrators, and parents, as well as society in general (Finley and Corty, 1993). Congress requires that universities take immediate action on sexual assaults on campus (Hanchette, 1996). Not only must the victim have a day in court, but the universities must take responsibility for ensuring that those found guilty are punished (3). So far, campuses are apprehensive about acting as courts, and as a result, institutions are losing students (Ritter, 1997).

Sexual assault and the prevalence of date rape on college campuses is an increasing problem that has required significant attention from college administrators (Bohmer, and Parrot, 1993).
According to a study by *WIN News* (1997), date rape is on the rise and additional survey's suggest that in the years between adolescence and college graduation, one in four women will be the victim of rape, attempted rape or date rape. The study further suggests that one in 10 college men admits to having participated in sexual acts that meet the legal definition of rape based on the necessity for consent.

Finkelson and Oswalt (1995) indicated from their randomly sampled survey of 200 college women (with a 70% response rate) that 5% had been raped, while none of the women reported the crime. Many of these women cited feelings of self-blame and embarrassment as the primary reasons for denying the rape and refusing to report it to campus authorities, while numerous victims also claimed that they knew their attackers (Finkelson and Oswalt, 1995). Bohmer and Parrot (1993) maintain that sexual assaults by strangers are more likely to be reported to university officials and law enforcement personnel than assaults by acquaintances.

Rickgarn (1989) described acquaintance or date rape as one of the most violent actions that take place on a campus. Since there are only two parties involved, it is also probably the most underreported major form of violence. Victims are not given the opportunity to recover from the criminal onslaught – they are repetitively dealt social and emotional blows (Reiff, 1979).
One student left Virginia State in 1997 due to the circumstances surrounding a sexual assault case involving prominent student athletes. "I feel so betrayed by that school – no one helped me, no one advised me of anything" (Ritter, 1997, p. 03A). In conjunction the institution did not do anything to remove the criminals from its campus. The student athletes in question were found guilty by the student court, however, administrators and professors did not agree with the ruling of expulsion. These students are still members of the university and continue to take part in their respective intercollegiate athletic activities.

Most campuses provide some form of education with regard to sexual assault, date rape, and the use of "trendy" drugs that are used to take advantage of unsuspecting victims. Perhaps the most significant recent development working toward resolving the students' reluctance to heed the orientation warnings is the focus surrounding the drug Rohypnol, known as "roofies," a tranquilizer that is 10 times stronger than Valium (Meyers, 1998). It is an issue that must be addressed by administrators though as students might not otherwise receive the proper information regarding the dangers of the drug (p. 9).

**Hate Crimes**

Nearly every country prohibits speech directed at racial, religious, or ethnic groups (Coliver, 1992), conversely, the United States has developed a strong tradition of free speech that protects even the most
offensive forms of expression (p. 363). That protection is found in the First Amendment of the United States Constitution and was recently reaffirmed and even strengthened by the U.S. Supreme Court in *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992).

The situation is, however, entirely different with three of the free speech issues that dominate public discussion today – hate speech, pornography, and campaign finance (Fiss, 1996). He maintained that they strain, indeed shatter, the liberal consensus because the countervalue offered by the state have an unusually compelling quality (p. 9). Freedom of speech is among our most cherished rights, yet it has always been a contested domain (p. 1).

Much of the current focus on how speech may be legally restricted utilizes the “fighting words” doctrine referenced in *Chaplinsky v. New Hampshire*, 315 U.S. 568, (1942). At issue in that particular case was whether calling someone a “goddamned racketeer” and a “damned fascist” was protected or actionable speech. Marcus (1996) pointed out that by today’s standards, those are rather mild insults, but for the times they were quite provocative (p. 118). The Court held that there is no constitutional safeguard for words that “by their utterance inflict injury or tend to incite an immediate breach of the peace. Nevertheless, in all the years since the *Chaplinsky* ruling, the Court has not used the
"fighting words" principle to uphold a conviction in which speech was at issue (p. 119).

According to Smith (1997) hate speech is a pervasive problem suffered particularly by ethnic and sexual minorities. It can undermine self esteem, cause isolation, and result in violence (p. 1). This form of speech, however, is protected by the First Amendment of the constitution which protects freedom of expression, thereby guaranteeing protection of hate speech unless it can be shown to present a clear and present danger, obscene, or imminent threat (Marcus, 1996).

Most campus speech codes ban offensive or demeaning words that are directed at someone's gender, race, sexual orientation, religion, or handicapping condition (Marcus, 1996, p. 128). University and college speech codes are divided into three speech zones: public areas, where only physical acts would be restricted; residence halls, where room leases would govern speech and conduct, and educational facilities (including libraries), where the university sought to regulate speech that either stigmatizes or victimizes an individual (p. 139). Campus speech codes and codes of conduct have become a highly controversial issue with respect to First Amendment rights for students and campus hate speech. For example, the power of political correctness has forced institutions of higher learning to reevaluate their current standards and take a larger role in the free speech process of the student (Scott, 1991).
The University of Pennsylvania, however, has different ideas about speech codes that limit the First Amendment rights of its students. In June of 1994, the university dropped its controversial racial harassment policy and replaced it with a code that does not punish students who use derogatory or insulting speech (Gose, 1994). The university did point out that "illegal" speech will be prosecuted, while others on the campus contend that the new speech code is utterly useless (p. A30).

Several institutions that have enacted disciplinary rules against abusive speech report that they are seldom, if ever, actually applied Hoekema (1994). He notes that Kalamazoo College and the University of Arizona have never used their anti-harassment policies since their respective inceptions (p. 110). Universities and colleges fear the distinct possibility that their actions will result in legal actions against their institutions (p. 110).

An incident in 1991 that created a great deal of controversy involved the Sigma Chi fraternity at George Mason University. The fraternity held a fund-raising event in which members of the fraternity dressed as women. One student in particular dressed in women's attire and appeared in a blouse, wig, and a pillow strapped to his body under the back of the skirt, and appeared in blackface (Chronicle of Higher Education, 1991).
Circumstances were more severe at Brown University as a student was expelled for violating the institutions' anti-harassment policy by shouting racial epithets directed at black students, homosexuals as well as anti-Semitic remarks (Nicklin, 1991). In the first enforcement of the university's anti-harassment policy, a twenty-one year old junior was expelled. This decision was based on the fact that this was the students' second offense of this nature and also involved violations of policies against alcohol abuse and disruptive behavior (p. A2).

Summary

The literature supported the focus of this study in several ways. First, student discipline is clearly a significant issue in higher education. Second, several factors appear to be recurrent throughout the literature including; in loco parentis; residence hall/dormitory issues, academic dishonesty/misconduct; drug and alcohol abuse; tobacco use; sexual assault; and hate crimes. Finally, there does not appear to be any existing research that describes prevalent student disciplinary issues within the California State University System.
CHAPTER 3

RESEARCH DESIGN AND METHODOLOGY

Introduction

The purpose of this study was to determine the prevailing student disciplinary issues within the California State University Systems’ twenty campuses. The following questions guided this research:

1. What similarities and commonalities exist within the California State University Systems’ campus student disciplinary issues?

2. What differences exist within the California State University Systems’ campus student disciplinary issues?

3. What other data, such as residence halls, drug and alcohol abuse, tobacco, academic dishonesty, and sexual assault affect student disciplinary procedures on individual campuses?

Selection of Subjects

The subjects selected for this study were the twenty higher education institutions within the California State University System which award, at a minimum, a four year baccalaureate degree.
Population

The unit of analyses was the twenty higher education institutions within the California State University System which offer at least a four year baccalaureate degree. This study was delimited to those institutions that were made available through the Office of the Chancellor of the California State University System.

Using these delimitations, the population survey consisted of twenty college and university campuses. These institutions ranged in size from approximately 3,800 students to nearly twenty-five thousand students. Collectively, the California State University System accounts for approximately 276,000 students (37.8%) of the total student enrollment of 730,000 at baccalaureate degree granting higher education institutions in the state of California (U.S. Department of Education, 1998).

Data Collection

The data for this study were collected using a questionnaire created by Dr. David A. Hoekema of Calvin College in Grand Rapids, Michigan. The questionnaire was then amended with the permission of Dr. Hoekema in order to fit the needs of this study. The instrument was designed to gather data that would indicate the extent to which student
disciplinary issues were predominant within the higher education institutions of the California State University System.

**Process**

The questionnaire was developed through a three-step process. Prior to beginning the process, permission was obtained for use of the questionnaire by Dr. David A. Hoekema, from his book, *Campus rules and moral community: In place of in loco parentis*, (1994) and Jonathan Sisk, Editor and Chief of Roman & Littlefield Publishers, Inc. (Appendix III). A letter requesting assistance in the validation process of the questionnaires were distributed to professors in the Departments of Educational Leadership and Instruction and Curricular Studies in the College of Education at the University of Nevada, Las Vegas (Appendix IV).

Following the approvals to replicate the study, the questionnaire was reviewed internally by six professors in the Department of Educational Leadership. The recommendations were reviewed and applied to the questionnaire. Second, the questionnaire was reviewed by a professor in the Department of Instruction and Curricular Studies. Third, the questionnaire was mailed to five professors in Carnegie I institutions (Appendix V) throughout the United States. A letter requesting the assistance of professors in the various institutions accompanied the questionnaire. (Appendix VI). The recommendations

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were reviewed and applied to the questionnaire. Finally, the questionnaire was mailed to three expert reviewers in the field of student affairs/services (Appendix VII). The recommendations were reviewed and applied to the questionnaire. The questionnaire was amended and all applicable changes, including additions, deletions were applied (Appendix VIII).

In order to comply with operational guidelines of the National Research Act of 1974, all questionnaire materials and definitions of questionnaire subjects used in this research were submitted to the Office of Sponsored Programs at the University of Nevada, Las Vegas, for approval. It was determined through analysis that this research project is exempt from these guidelines (Appendix IX).

Validity

Validity was established for the questionnaire by using a panel of 15 experts from nine universities comprised of an associate vice chancellor for student affairs and dean of students, an associate vice president and dean of student affairs, an academic dean and professor of philosophy, an interim dean for the college of education, 11 professors of educational leadership, and one professor of curriculum and instructional studies. Each panel expert was given a packet containing all of the necessary materials and instructions (Appendix X). Included
with all packets sent out of state was a self-addressed, postage-paid return envelope for the convenience of the respondents.

The questions were divided into seven sections – those identified for the purpose of this study as the prevailing student disciplinary problems. The expert reviewers were asked to review each question and determine whether the questions were clear, concise, easy to understand, and germane to the topic. They were also asked to make editorial comments as to the flow and grammatical structure of the questions. Finally, they were asked to return the questionnaire with any suggestions for additions, deletions, and corrections to solidify the questionnaire.

In the first sequence of suggestions, the numbering order of the questions was recommended for change. This recommendation was to assist with clarity and flow of the questionnaire. One panel member suggested several grammatical changes, while another suggested clarification of the legal questions. Several panels members indicated that the deletion of several questions which were seen as outdated, or inapplicable to the study.

With the return of the all materials from the expert panel, revisions were implemented to the questionnaire. This process eliminated seven questions. The final questionnaire consisted of 38 items.
Data Analysis

The primary focus of this study was to determine the prevailing student disciplinary issues within the California State University System. Each of the items on the questionnaire were treated as an individual data gathering tool; therefore, comparative analysis was not an objective. Following each statement was a multiple choice answer (a, b, c, d, etc.). Depending on the given question, there were "more or less" choices for the respondent. The SPSS framework for data analysis was used to analyze data for the study.

Summary

The research methodology and design supported this study in several ways. First, the population for this study, the California State University System, was ideal for its size and accessibility. Second, the collection of data was performed by utilizing the questionnaire originally created by Dr. David A. Hoekema and restructured for the purpose of this study. Validity was established for the questionnaire through the expert review of fifteen experts from nine universities. The data collected through a multiple choice questionnaire and were analyzed by utilizing the SPSS framework.
CHAPTER 4

FINDINGS

Introduction

The purpose of this study was to determine the prevailing student disciplinary issues within the California State University Systems’ twenty campuses. This study was delimited to the institutions within the California State University System, which enroll at least 3,800 students and a maximum enrollment of approximately twenty-five thousand undergraduate students. The purpose of the research was to offer insight into the current prevailing student disciplinary issues within the California State University System.

The study involved the distribution of a questionnaire which was replicated and modified exclusively for this research to twenty institutions within the California State University System that met the subject criteria. The questionnaire contained 38 total questions. The first two questions identified the region and population of the campuses. The remaining 36 questions involved student disciplinary issues within the institution. In this chapter, findings from the research are thoroughly outlined.
Survey Responses

Response Rates

The questionnaire along with a cover letter delineating the study was mailed to the entire population of 20 campuses within the California State University System that were selected for this study. Those institutions not responding within 21 days of the initial mailing were contacted by electronic mail (e-mail) encouraging their participation in the study. Following 14 days of the e-mail, a second mailing was sent out to those who had failed to respond. The results of the mailings are presented in the survey response rate on Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>California State University System</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
</tr>
<tr>
<td>Surveys Mailed</td>
<td>20</td>
</tr>
<tr>
<td>Response - First Mailing</td>
<td>15</td>
</tr>
<tr>
<td>Response - Second Mailing</td>
<td>5</td>
</tr>
<tr>
<td>Declined to Participate</td>
<td>0</td>
</tr>
<tr>
<td>Total Response Rate</td>
<td>20</td>
</tr>
</tbody>
</table>
In a comparable study by Hoekema (1994) an overall response rate of 64% from his initial mailing was received. Of the 20 institutions within the California State University System used for the this survey, 20 (100%) responded. The response rate for the initial mailing was 75%, and the second mailing yielded a response rate of 25%.

**Respondent Demographics**

One section of the questionnaire requested institutional demographic data. Respondents were asked to (a) define the location of the institution, and (b) provide the number of full-time undergraduate students at the institution.

The respondents varied in student population size from 3,800 full-time undergraduate students to nearly twenty-five thousand full-time undergraduate students. A summary of the size of the institutions is presented in Table 2 on the following page.

In terms of enrollment, 70% of the responding institutions reported between 10,000 and greater than 20,000 full-time undergraduate students. The other 30% of the institutions reported between 3,800 and 9,500 full-time undergraduate students.

Of the 20 completed surveys, 20 (100%) were useable for this study. The rationale for response rates with less than a 100% rate was that the participants representing the institutions were unable to complete the entire questionnaire due primarily to the fact that one of
the institutions does not have residence hall facilities, while the other institution was built very recently. Other questions that remained unanswered were not explained.

Table 2

<table>
<thead>
<tr>
<th>Enrollment</th>
<th>California State University System</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>0 - 5,000</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>5,001 - 10,000</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>6</td>
<td>30</td>
</tr>
<tr>
<td>20,001 or more</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>100</td>
</tr>
</tbody>
</table>

In addition to the high response rate for this study, those surveyed included comments regarding student and faculty involvement in their respective institutions. Of the responding institutions, 70% had additional comments. Some observations were extremely brief, while others were more descriptive and lengthy.

The questionnaire used in this study was sent to all of the vice presidents’ (or chief student affairs administrative officer) for each
institution within the California State University System. These administrators were identified with the assistance of the Chancellor's Office of the California State University System. A detailed description of the administrators surveyed is shown in Table 3 below.

Table 3

<table>
<thead>
<tr>
<th>Category</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean of Students</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Vice President of/for Student Affairs</td>
<td>13</td>
<td>65</td>
</tr>
<tr>
<td>VP for University Advancement and Student Affairs</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Vice President and Dean of Student Affairs</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>VP for Student Affairs and Dean of Students</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>Vice President for Student Services</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Vice Provost for Student Affairs / Dean of Students</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>100</td>
</tr>
</tbody>
</table>

The following questions guided the research for this study:

1. What similarities and commonalties exist within the California State University Systems' campus disciplinary issues?
Similarities and Commonalties Within the California State University

System's Campus Disciplinary Issues

Four questions addressed the configuration of student disciplinary committees. Data outlined the composition of committees and determined the responsibility for formulating and revising policies governing student behavior; prosecuting rule violations; adjudication of violations; and, student appeals of judgments regarding institutional policies. The instructions for this part of the questionnaire were for the administrators to select the answer that most aptly characterized the committee structure of their institution. The selections they had to choose from were listed as follows:

A. An administrator or a committee of administrators
B. The faculty or a committee of the faculty
C. Student government or a committee of students
D. University legal counsel
E. A committee on which administrators are a majority
F. A committee on which faculty members are a majority
G. A committee on which students are a majority
H. A committee in which none of these groups is a majority
I. A combination of two or more of these choices (please indicate all that apply – e.g., circle a, d, and f)
J. None of the above

Fourteen of the respondents (70%) for selection A, chose “An administrator or a committee of administrators” for question three, inasmuch as their institutions’ administration took an active role in student adjudication and the selection of its committees.
Questions three – six, concerning the responsibility for formulating and revising policies governing student behavior; prosecuting alleged rule violations; adjudication of violations; and appeals of judgments, indicated the most notable selection among respondents, (selection A), "An administrator or a committee of administrators." Seventy percent (70%) of the respondents selected this response with reference to committee composition.

In addition to the high response rate for selection A, selection I, "A combination of two or more of these choices," revealed a response rate of 45%. Selection D, "University legal counsel" yielded results of 50%. Selection B, "The faculty or a committee of the faculty" yielded results of 35%. Selection H, "A committee on which none of these groups is a majority" showed a 15% response rate and J, "None of the above," showed the same results of 15%. Selection F, "A committee on which faculty members are a majority," received 10%, option C, "Student government or a committee of students," and selection G, "A committee on which students are a majority" both produced a sparse 5% response rate. Selection E had a response rate of zero.

These results supported the notion that administrative involvement has remained an integral component of committees formulating and revising policies governing student behaviors, prosecuting rule violations, adjudicating policy violations, and the appeals process. Contrary data
were reported regarding student involvement on the same committees. Although student involvement was present on the committees, there was a notable difference between administrative and student involvement. Data also revealed that student involvement in the formulation and revision of policies, and prosecuting rule violations were minimal with only one institution indicating student participation for each selection. The adjudication process and appeals process indicated no student involvement whatsoever.

Questions seven and eight dealt with residence halls and the institutions' stated policy regarding social use of alcohol by students. Residence hall characterization yielded a response rate of 65% for selection C, "Coed residence halls." The selections the respondents had to choose from for question eight were listed as follows:

A. Prohibited under all circumstances during term (semester)
B. Prohibited on campus
C. Permitted on campus with extensive restrictions (e.g., only at functions with faculty, staff, or other chaperones present; only at designated sites)
D. Responsible use by students of legal age is permitted
E. No stated policy
F. None of the above

The selection that best characterized the institution's stated policy in question eight regarding social use of alcoholic beverages by students was C, "Permitted on campus with extensive restrictions" (e.g., only at functions with faculty, staff, or other chaperones present; only at
designated sites). This selection yielded a considerable response rate of 65%. The selection D, "Responsible use by students of legal age is permitted" yielded a response rate of 25%. Selection B, "Prohibited on campus" was reported by 10%, while selections A, E, and F had a zero response rate.

Two items in the questionnaire pertaining to tobacco products addressed policies, violations of policies, and tobacco use on campus. Question eleven sought to determine the most accurate characterization of the institution's stated policies regarding student use of tobacco products. The selections they had to choose from for question eleven were listed as follows:

A. Prohibited under all circumstances
B. Permitted only in designated areas
C. Responsible use by students of legal age is permitted
D. No stated policy
E. None of the above

Selection B, "Permitted only in designated areas" had the majority of responses with a rate of 75%. Selections C, "Responsible use by students of legal age is permitted," and D, "No stated policy" had the same response rate of 10%. Selection E, "None of the above" had a meager response rate of only 5%. Selection A, "Prohibited under all circumstances" had a zero response rate.

Question twelve investigated the academic years 1993 - 1996, for the number of alleged tobacco policy violations. The selections regarding
enforcement of tobacco use reflected a notable response rate of 90\% for response A, "None of the above." Selection B, accounted for the remaining 10\%. Selections C, D, E, and F had a response rate of zero. The selections the respondents had to choose from for question twelve were listed as follows:

A. None
B. 1 - 5
C. 6 - 9
D. 10 - 19
E. 20 - 39
F. 40 or more

Tobacco related disciplinary proceedings in the California State University System were practically non-existent. Only one of the reporting institutions indicated between "1 - 25" occurrences. In conjunction with California statutes pertaining to smoking laws such as California’s AB 297, as discussed in Chapter 2, notable numbers support the same sort of message that is being heard throughout the state of California, smoking is permitted only in designated areas.

Question thirteen sought to determine the most accurate characterization of the institution’s stated policies regarding student use of tobacco products. The selections they had to choose from for question thirteen were listed as follows:

A. Prohibited under all circumstances
B. Responsible use of some such substances is permitted
C. No stated policy
D. None of the above
Question thirteen examined the institutions policy regarding student use of controlled substances. Selection A, “Prohibited under all circumstances” showed an extremely high response rate of 90%. The only other selection in question thirteen receiving any response was selection B, “Responsible use of some such substances is permitted” with a response rate of 10%.

Questions fifteen, sixteen, and eighteen examined restrictions and policies of visiting hours for the opposite and same sex. Selection C, “No” for questions fifteen and sixteen received response rates of 70% and 65% respectively. Question eighteen had a response rate of 65% for selection B, “Yes, with restrictions.”

Question twenty-one investigated the academic years 1993 – 1996, for the number of formal disciplinary proceedings for alleged violations of the institutions’ hate speech or writing policy. The selection regarding formal disciplinary proceedings of hate speech or writing policies reflected a high response rate of 65% for response A, “None”. The respondents selecting B, “1 – 5” accounted for the remaining 35%. Selections C, D, E, and F has a response rate of zero.

Question twenty-four investigated the administrators’ opinion with respect to the institution’s enforcement of substance abuse policies. Only two of the selections for this question had responses. Selection A, “They are enforced strictly and consistently” received the majority of the
response with 75%. Selection B, "Minor violations are frequently overlooked; flagrant violations are dealt with strictly" received the remainder of the responses with 25%. Selections C, D, E, and F received a response rate of zero. The selections the respondents had to choose from for this question were listed as follows:

A. They are enforced strictly and consistently
B. Minor violations are frequently overlooked; flagrant violations are dealt with strictly
C. Enforcement is irregular and arbitrary
D. They are not enforced
E. Not applicable; there is no stated policy
F. None of the above

Question twenty-seven compared the institutions' policies of ten years ago (1983 - 1986), regarding enforcement of substance abuse policies. Selection C, "Essentially the same" yielded a response rate of 65%. Selection E, "Do not know" had a response rate of 15%. Selection A, "More restrictive now" yielded a response rate of 10%, while selection B, had a meager 5% response rate. Response D had a zero response rate. The selections the respondents had to choose from for this question were listed as follows:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

Issues pertaining to disciplinary proceedings for use of controlled substances indicated that students within the California State University
System had a relatively low rate of disciplinary occurrence for the use of controlled substances. Policies indicated a meaningful number of campuses prohibiting the use of controlled substances under all circumstances. Enforcement appears to be more stringent than alcohol compliance. The policies regarding drug use over the past ten years have primarily remained the same throughout the California State University System.

Legal actions resulting from allegations of negligence in overseeing student behavior is the focus of question thirty-one. Selection A, "None" received 75% of the response rate. The remaining 25% of the response rate was for selection B, "1 – 5."

Question thirty-two examined the number of total number of student disciplinary cases brought against student athletes between 1993 and 1996. The selections the respondents had to choose from for this question were listed as follows:

A. None
B. 1 - 20
C. 21 - 40
D. More than 40

Selection B, "1 – 20" had an extremely high response rate with over 85%. The only other selection receiving a response was A, "None" yielding only 5%. Selections C and D both had response rates of zero. The remaining respondents declined to answer this question.
Question thirty-three addressed formal charges alleging sexual assault on campuses within the California State University System. The response yielded a notable rate of 95%, for selection B, "1 – 20."

Question thirty-four, with respect to required signing by students of honor codes for institutions within the California State University System yielded a 100% response rate for selection B, "No." Selections A, C, and D received a zero response rate. The selections the respondents had to choose from for this question were listed as follows:

A. Yes
B. No

Question thirty-seven examined the responses regarding faculty participation. Of the total number of responses, 80% indicated A, "Yes." The remainder of the respondents chose selection B, "No" for a response rate of 15%. One of the respondents declined to answer this question. The selections the respondents had to choose from for this question were listed as follows:

A. Yes
B. No

Question thirty-eight investigated the responses regarding student participation. The results were identical to question 37, faculty involvement. Of the total number of responses, 80% indicated A, "Yes." The remainder of the respondents chose selection B, "No" for a response rate of 15%. The remaining 5% of the respondents chose not to answer
this question. Questions thirty seven and thirty-eight provided identical results with regard to administrative satisfaction of participation for both students and faculty members with respect to formulation of policies are presented below on Table 4.

Table 4

Administrator Satisfaction with Faculty/Student Involvement

<table>
<thead>
<tr>
<th></th>
<th>Satisfied</th>
<th>&quot;Yes&quot;</th>
<th>Dissatisfied</th>
<th>&quot;No&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
<td>%</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>Faculty</td>
<td>16</td>
<td>80</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>Student</td>
<td>16</td>
<td>80</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>Totals</td>
<td>16</td>
<td>80</td>
<td>3</td>
<td>15</td>
</tr>
</tbody>
</table>

Differences that Exist Within the California State University System's Campus Disciplinary Issues

2. What differences exist within the California State University Systems' campus disciplinary issues?

The first question in the survey addressed the location of the given institutions of the California State University System. Selection A, “In a major city” received 35% of the responses. Selections B, “In a city of moderate size” and D, “In a small city” both received 25%. Selection C,
"In a suburban area" yielded a 10% response rate, while selection E, "In a small town" received the remaining 5% of the responses.

Question nine examined the use of alcoholic beverages in residence halls on campuses of the California State University System. Responses differed considerably as selection B, "Only in private rooms" received 55% of the overall response rate. Selection D, "No" yielded 40% of the response rate, while selection A, "Yes, in private rooms" received the remaining 5%.

Formal disciplinary proceedings for the alleged violations of alcohol policies yielded widely distributed data for question ten. The most prevalent response was selection B, "1 - 25" at a response rate of 45%. Selections A, "None", E, "76 - 100", and F, "More than 100" all received response rates of 15%, while the remaining 10% chose selection C, "26 - 50." The results of the alleged alcohol policy violations are presented on Table 5 on the following page.

Question fourteen investigated the academic years 1993 - 1996, for the number of formal disciplinary proceedings for violating the institutions' substance abuse policy. The selections regarding formal disciplinary proceedings of substance abuse policies reflected a response rate of 45%, for selection B, "1 - 25." Selection A, "None" had a response rate of 35%. Responses C, "51 - 75" and D, "26 - 50" had identical response rates of 10%, while selections E and F yielded zero response
rates. The results of the alleged violations of controlled substances are presented on Table 6 on the following page.

Table 5

Disciplinary Proceedings for Violations of Alcohol Policies

<table>
<thead>
<tr>
<th></th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>1 - 25</td>
<td>9</td>
<td>45</td>
</tr>
<tr>
<td>26 - 50</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>76 - 100</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>More than 100</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>20</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Question seventeen, regarding overnight guests in residence halls for the opposite sex yielded contrasting response rates of 45% for both selections B, “Yes, with restrictions”, and C, “No”. Selection A, “Yes” received the remaining 5% of the responses. The selections they had to choose from for question seventeen were listed as follows:

A. Yes
B. Yes, with restrictions (e.g., explicit permission of other students sharing a room or suite)
C. No
D. None of the above
Table 6

**Disciplinary Proceedings for Violations of Controlled Substances**

<table>
<thead>
<tr>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>35</td>
</tr>
<tr>
<td>1 - 25</td>
<td>45</td>
</tr>
<tr>
<td>26 - 50</td>
<td>10</td>
</tr>
<tr>
<td>51 - 75</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
</tr>
</tbody>
</table>

Question nineteen concerning violations of residence hall policies indicated fairly uniform response rates for the all of the questions. The selections they had to choose from for question 19 were listed as follows:

A. None  
B. 1 - 25  
C. 26 - 50  
D. 51 - 75  
E. 76 - 100  
F. More than 100

The number of violations of residence hall policies receiving the highest response rate was B, "1 - 25" at 40%. Response F, "More than 100" received 20%. Both A, "None" and C, "26 - 50" received 15% response rates. Selection D yielded only 5% while response E, "76 - 100" had a zero response rate. A detailed response rate is illustrated on Table 7 on the following page.
Table 7

Violations of Residence Hall Policies

<table>
<thead>
<tr>
<th></th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>1 – 25</td>
<td>8</td>
<td>40</td>
</tr>
<tr>
<td>26 – 50</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>51 – 75</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>More than 100</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>19</td>
<td>95</td>
</tr>
</tbody>
</table>

Data regarding residence halls on the campuses of the institutions of the California State University System indicated two responses; facilities on the campuses were characterized as coed, and a combination of single sex and coed residence halls. As indicated in Chapter 2, this data supports the national averages for colleges and universities. Single sex residence halls seem to be primarily found in private or religious based institutions.

Question twenty regarded whether the institution had a policy prohibiting hate speech on campus. The selections they had to choose from for question twenty were listed as follows:

A. Yes, it was first adopted in the last two years
B. Yes, it was adopted more than two years ago
C. No, but such a policy is under active consideration
D. No, and no such policy is under active consideration

Selections B, "Yes, it was adopted more than two years ago" and D, "No, and no such policy is under active consideration" received identical response rates of 50%. Selections A and C received a zero response rate.

During the academic years 1993 - 1996, the number of disciplinary proceedings for alleged violations of plagiarism and academic dishonesty policy violations were best described in question twenty-two of Part VIII. The selections the respondents had to choose from for this question were listed as follows:

A. None
B. 1 - 25
C. 26 - 50
D. 51 - 75
E. 76 - 100
F. More than 100

Question twenty-two investigated the academic years 1993 - 1996, for the number of formal disciplinary proceedings for alleged violations of the institutions’ plagiarism and academic dishonesty policy. The selection regarding formal disciplinary proceedings of plagiarism and academic dishonesty policies reflected a response rate of 40% for response B, “1 – 25”. Selection C, “26 – 50” had an overall response rate of 20%. Selections E, “76 – 100” and F, More than 100” both had response rates of 20%. Selection D, “51 – 75” and had response rate of
10%. “None,” selection A had a response rate of zero. The results of the alleged alcohol policy violations are presented below on Table 8.

Table 8

Disciplinary Proceedings for Violations of Academic Dishonesty

<table>
<thead>
<tr>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 25</td>
<td>8</td>
</tr>
<tr>
<td>26 - 50</td>
<td>4</td>
</tr>
<tr>
<td>51 - 75</td>
<td>2</td>
</tr>
<tr>
<td>76 - 100</td>
<td>3</td>
</tr>
<tr>
<td>More than 100</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
</tr>
</tbody>
</table>

Question twenty-three concerned the administrators' opinion regarding the institution's enforcement of alcohol policies. Only two of the selections for this question received responses. Selection B, "Minor violations are frequently overlooked; flagrant violations are dealt with strictly" received the majority of the response with 60%. Selection A, "They are enforced strictly and consistently" yielded a response rate of 40%. The selections the respondents had to choose from for this question were listed as follows:

A. They are enforced strictly and consistently
B. Minor violations are frequently overlooked; flagrant violations are dealt with strictly
Question twenty-five concerned the administrators' opinion regarding the institution's enforcement of hate speech and writing policies. Selections A, "They are enforced strictly and consistently" and E, "Not applicable; there is no stated policy" received response rates of 40% and 35% respectively. Selections B, "Minor violations are frequently overlooked; flagrant violations are dealt with strictly" and F, "None of the above" yielded identical response rates of 10%. A response rate of zero was reported for selections C and D. The selections the respondents had to choose from for this question were listed as follows:

A. They are enforced strictly and consistently
B. Minor violations are frequently overlooked; flagrant violations are dealt with strictly
C. Enforcement is irregular and arbitrary
D. They are not enforced
E. Not applicable; there is no stated policy
F. None of the above

Question thirty-five, examined whether standard parameters were established by institutions within the California State University System to determine standard punishments for specific offenses indicated a 60% response rate for selection B, "No." Selection A, "Yes" also had an strong response rate of 40%. The selections the respondents had to choose from for this question were listed as follows:
A. Yes
B. No

Question thirty-six, regarding the provision of legal counsel for students when they are brought before a disciplinary committee yielded a 60% response rate for selection B, "Yes – the university provides an ombudsperson," and a 40% response rate for selection C, "No – however, the student may provide their own attorney." Selections A and D received a zero response rate. The selections the respondents had to choose from for this question were listed as follows:

A. Yes – legal counsel is provided by the university
B. Yes – the university provides an ombudsperson
C. No – however, the student may provide their own attorney
D. No

Legal actions involving institutions within the California State University System indicated a minimal number of lawsuits. The predominance of institutions do not provide students with legal counsel, however, in some of the institutions students may provide their own attorney. Considering the overall number of lawsuits brought throughout the country in higher education, the California State University System is fortunate to have such a minimal number of occurrences.
Data Affecting and Disciplinary Procedures on Individual Campuses

3. What other data, such as residence halls, drug and alcohol abuse, tobacco, academic dishonesty, and sexual assault affect disciplinary procedures on individual campuses?

Question twenty-six compared the institutions campus policies of ten years ago (1983 – 1986), regarding enforcement of alcohol use reflected a response rate of 40% for selection C, “Essentially the same.” Selection A, “More restrictive now” yielded a response rate of 25%, while selection E, “Do not know” had a response rate of 20%. “More definitive,” selection B, showed a response rate of 10%. Selection D, “Less restrictive now” had a zero response rate. The selections the respondents had to choose from for this question were listed as follows:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

As indicated in Chapter two, the Carnegie Foundation For The Advancement Of Teaching (1990) suggested that the greatest concern among two thirds of today’s college and university presidents was substance abuse, primarily alcohol (p. 38). Data from the California State University System supported these findings, indicating that incidents of alcohol policy violations were relatively high, especially in the
“76 – 100” and “More than 100” selections between 1993 and 1996.

Although the enforcement of alcohol policies at the institutions are reported to be strictly enforced and flagrant violations are dealt with stringently (minor violations are frequently overlooked), incidents of alcohol policy violations appear to be substantial.

Question twenty-eight compared the institutions policies of ten years ago (1983 – 1986), regarding enforcement of sexual assault policies and reflected a response rate of 35% for both selections C, “Essentially the same,” and B, “More definitive.” Selection A, “More restrictive now” yielded a response rate of 15%, while selection E, “Do not know” had a response rate of 10%. Selection D, “Less restrictive now” had a zero response rate, while one respondent declined to answer this question.

The selections the respondents had to choose from for this question were listed as follows:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
Do not know

Sexual assault disciplinary cases indicated a relatively low response rate for the California State University System. The preponderance of respondents reported between 1 – 20 incidents of disciplinary cases. Over the past ten years, sexual assault disciplinary policies have shown more definitive and restrictive measures on many of
the campuses, however, a large number of respondents indicated that many of their campuses policies are relatively the same.

Question twenty-nine compared the institutions policies of ten years ago (1983 – 1986), regarding enforcement of academic dishonesty reflected a response rate of 50% for selection C, “Essentially the same.” “More definitive,” selection B, showed a response rate of 35%. Selection E, “Do not know” yielded a response rate of 10%. The remaining selections, A and D had a response rate of zero. In addition, two respondents declined to answer this question. The selections the respondents had to choose from for this question were listed as follows:

A. More restrictive now  
B. More definitive  
C. Essentially the same  
D. Less restrictive now  
E. Do not know

Plagiarism or academic dishonesty was the only topic in the entire study that did not produce a response rate of zero for the total number of student disciplinary cases. Taking this into account, it is interesting to point out that the majority of responding institutions within the California State University System have essentially the same policy over the past decade. While there are several institutions indicating that their policies are more definitive that ten years ago, the predominance of institutions has not changed accordingly with the problems of plagiarism or academic dishonesty.
Question thirty compared the institutions policies of ten years ago (1983 – 1986), regarding enforcement of hate speech and writing policies reflected a response rate of 35% for selection B, “More definitive.” Selection C, “Essentially the same” yielded a response rate of 30%, while Selections A, “More restrictive now” and E, “Do not know” each had a response rate of 10%. Selection D, “Less restrictive now” had a low response rate of 5%. Two of the respondents declined to answer this question, accounting for the remaining 10%. The selections the respondents had to choose from for this question were listed as follows:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

Hate speech and writing data indicated fascinating results with a near fifty-fifty response for selections denoting that half of the institutions have a hate speech and writing policy adopted, while the remaining half suggested that they do not have such a policy and no policy is under active consideration. The supposition for this data within a university system would be that there would be more uniformed guidelines. These are not the results produced from the California State University System.

Disciplinary proceedings for violations of hate speech and writing policies have been minimal. Most of the reporting campuses yield data
that suggests no incidents of disciplinary cases. The only other selection for the total number of disciplinary cases was the lowest number of reported cases. Data for the enforcement of hate speech and writing and the policies over the past ten years indicated diverse results. There was no consistency throughout the California State University System.

Summary

The data revealed many commonalities, similarities, differences, and other supporting data regarding the prevailing student disciplinary issues with the California State University System. The prevailing student disciplinary issues were; academic dishonesty/plagiarism, residence hall violations, and violations of alcohol policies. The prevailing commonality among the campuses was the administrative control on all campus committees with respect to student discipline. Some notable differences included the use of alcohol on some of the campuses, including residence halls. Minor violations of alcohol policies were frequently overlooked on many of the campuses. The supporting data for campuses throughout the system was the inattention to revising policies for a ten year period.
CHAPTER 5

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

FOR FURTHER STUDY

Summary

The purpose of this study was to determine the prevailing student disciplinary issues within the California State University Systems’ twenty campuses. The following questions guided this research:

1. What similarities and commonalities exist within the California State University Systems’ campus disciplinary issues?
2. What differences exist within the California State University Systems’ campus disciplinary issues?
3. What other data, such as residence halls, drug and alcohol abuse, tobacco, academic dishonesty, and sexual assault affect disciplinary procedures on individual campuses?

Survey

The descriptive research method was utilized to accomplish the purpose of the study and to answer the research questions. Descriptive analysis was used to determine the frequency of occurrences on the
individual campuses as well as the make-up of college and university committees, and the prevailing disciplinary issues. Several other factors considered in the research included campus population (enrollment) and size of the city, town, or outlying areas encompassing the campus.

The survey instrument developed for this study was subjected to content validation on three separate levels; internal expert review, external expert review, and external expert administrative review. It was then mailed to the entire population of 20 universities with undergraduate student enrollments ranging from 3,800 to nearly 25,000. The response rate for the study was 100%. Nearly one-third of the reporting institutions indicated six (30%) with enrollments between 15,001 and 20,000 students. Institutions with enrollments of between 10,001 and 15,000 students and 20,001 or more students each accounted for four (20%) of the total student enrollment. The remaining student enrollments accounted for three (15%) in under 3,800 students and between 5,001 and 10,000 undergraduate students.

The primary questions in this research were used to determine the prevailing student disciplinary issues in the California State University System. To answer these questions, raw data were gathered as frequency distributions, summed, and statistically tested through the use of means, and standard deviations to form conclusions among the variables of student disciplinary issues.
A review of the frequency distributions indicated that seven (35\%) of the 20 institutions within the California State University System are located in a major city, with a population of greater than one million. Cities of moderate size, with a population of 250,000 or more and small cities, with a population of 100,000 or less both indicated 25\% of the total responses. Suburban areas accounted for 10\% of those surveyed, while the remaining 5\% consisted of a small town with less than 20,000 residents.

Further review of the frequency distributions indicated that the majority of committee composition denote notable administrative participatory roles in the student disciplinary process. Moreover, 70\% of the respondents indicated that an administrator or a committee of administrators have the responsibility for formulating and revising policies governing student behavior. Conversely, student and student government involvement accounted for only 5\% of the committee composition. The same fundamental results were detected throughout the compositions of committees with respect to prosecuting rule violations, adjudication, and the appeals process for student disciplinary issues.

The same procedure was used to compare prevailing student disciplinary issues within the California State University System. The most notable prevailing student disciplinary issues addressed between
1993 – 1996 were: (a) academic dishonest/plagiarism related disciplinary issues, (b) alcohol related disciplinary issues, and (c) residence hall related disciplinary issues.

**Research Questions**

1. What similarities and commonalities exist within the California State University Systems' campus disciplinary issues?

Perhaps the most definitive similarity revealed by the data were the domination of administrators for all four identified student disciplinary committees; formulating and revising policies, prosecuting rule violations, adjudication, and student appeals. This data yielded results ranging from 70% - 100%. It is evident that administrative control exists throughout the California State University System with regard to student disciplinary issues.

Similarities among the institutions were also identified regarding sexual assault. An extremely high rate of 95% was yielded for alleged cases of between 1-20 incidents. According to data from the *Chronicle of Higher Education* (Lively, 1998), this does not correspond to current national averages.

Other similarities with fairly high response rates pertained to policies regarding the social use of alcohol by students. The tendency of campuses within the California State University System was to permit
alcohol use on campus with extensive restrictions. Residence halls permitted the responsible use by students of legal age.

Commonalties existed system-wide with respect to tobacco use on campus. The majority of campuses (75%) permitted smoking only in designated areas. Moreover, 95% of the institutions reported that there were no incidents involving tobacco violations on their respective campuses.

Institutions within the California State University System exhibited commonalties with reference to visiting hours for guests of the same and opposite sex with fairly high response rates of 70% and 65% respectively. Same sex overnight guests were permitted by 65% of responding institutions with some restrictions. An additional 25% of the remaining institutions permitted overnight guests of the same sex unconditionally.

Similarities regarding hate speech and writing reflected extremely low incidents involving alleged violations throughout the California State University System. Data yielded response rates indicating that 65% of the institutions had no incidents of hate speech and writing. The remaining 35% represented between 1-5 incidents.

Enforcement of substance abuse policies reflected commonality throughout the California State University System. Strict and consistent enforcement was identified as the response by 75% of the institutions. Minor violations were frequently overlooked while flagrant violations were
dealt with strictly. However, enforcement policies of ten years ago indicated that 65% of the institutions policies have remained essentially the same.

Legal actions brought against institutions within the California State University System were relatively minimal. Civil actions had not been brought against 75% of the campuses. The remaining 25% indicated between 1-5 litigious actions.

Student disciplinary cases brought against student athletes reflected a high response rate of 85% for the total number of cases between 1-25. One of the institutions in the study did not respond to the question because their institution did not have any intercollegiate athletic teams. Another institution indicated that student athletes were not identified for the purposes of student disciplinary cases and were dealt with as any other student in these matters.

The final similarity among the institutions in the California State University System involved administrative satisfaction with faculty and student participation with the student disciplinary process. Identical response rates of 80% were selected for both questions. Moreover, 15% indicated for both selections that they were not satisfied with faculty and student participation, while the remaining 5% for both chose not to answer the question.
2. What differences exist within the California State University Systems' campus disciplinary issues?

The first difference in the California State University System was expected in the first question which addressed the location of the individual institutions. In a state as large as California, and a system as diverse as the California State University System, differences were inevitable. Response rates varied throughout all of the responses ranging from 5% to 35% for the five selections given defining the location of the institution.

The use of alcoholic beverages in residence halls differed greatly in the California State University System. The response rate showed that 55% of the institutions permitted alcohol use in private rooms, while 40% of the respondents prohibited alcohol use under any circumstances. Further, disciplinary proceedings for alleged violations of alcohol policies differed as campuses reported incompatible response rates throughout the selections. Administrative opinions concerning alcohol differed as 60% indicated that they frequently overlooked minor violations, however, flagrant violations were dealt with strictly. The remaining 40% identified strict and consistent enforcement procedures for alcohol related policies.

Formal disciplinary proceedings for violating substance abuse policies indicated a fairly wide contrast of responses. While 45% of the
respondents identified between 1-25 cases, 35% reported zero cases. Still, the remaining 20% were divided equally between 26-50 and 71-75.

Overnight guests of the opposite sex in the residence halls yielded diametrically opposing views. While 45% of the respondents indicated that they would allow overnight guests with some restrictions, another 45% of the respondents indicated that they did not permit overnight guests of the opposite sex. In a like manner, violations of residence halls policies resulted in a fairly equal distribution of data.

The question regarding a policy prohibiting hate speech and writing on campus produced contradictory response rates from institutions within the California State University System. Half of the institutions indicated that they did have a policy in place prohibiting hate speech and writing on campus. Conversely, the other half of the respondents indicated that they had no such policy and that such a policy was not under consideration. Administrators' opinions regarding the institutions' enforcement of hate speech and writing policies show a considerable contrast. Strict enforcement and overlooking minor violations had a combined response rate of 50%, while the other 50% indicated that the institutions had no stated policy or selected none of the above as their response.

Formal disciplinary proceedings with respect to academic dishonesty and plagiarism yielded a fairly wide distribution of data.
There were no institutions that reported zero cases of academic dishonesty and plagiarism throughout the California State University System. This was the only question regarding policy violations that did not indicate a response rate of zero.

Established standard parameters for specific offenses within the California State University System reflected contrasting results. While 60% of the institutions indicated that they had no specific parameters in place, the remaining 40% did have the established guidelines. The provision of legal counsel for students brought before a disciplinary committee produced the same form of response. In 60% of the responses, the institution did provide an ombudsperson. Conversely, the remaining 40% of the institutions did not provide an attorney, however, students were permitted to provide their own legal counsel.

3. What other data, such as residence halls, drug and alcohol abuse, tobacco, academic dishonesty, and sexual assault affect disciplinary procedures on individual campuses?

Alcohol policies regarding enforcement on campuses throughout the California State University System have primarily remained the same when compared to ten years ago. Institutions indicating that they are more responsive and restrictive now had a combined response rate of 35%, while institutions which indicated that they remained essentially the same had a response rate of 40%. In 1990, the Carnegie Foundation For The Advancement Of Teaching indicated that alcohol abuse was
among their top concerns. Curiously, the majority of reporting
institutions indicated that their policies remained the same over the
course of the past ten years.

The same question should be addressed by the institutions within
the California State University System who identified their policies
regarding sexual assault, hate speech and writing, and plagiarism /
academic dishonesty as having remained essentially the same over the
past ten years.

Significance of the Study

This study was the first to comprehensively survey the similarities
commonalities, and differences related to student disciplinary issues
within the California State University System. Data from this study will
permit administrators within the California State University System to
compare their campuses with peer institutions and to other systems in
the United States. It is conceivable that this study, in addition to its
primary purpose of reporting the prevailing disciplinary issues could also
serve as guide for preventative measures with respect to student
discipline on campuses nationwide.

Further, by studying the commonalities of the campuses, a clearer
picture of the concerns of the student disciplinary issues within the
California State University System were shown. This study also provided
a means to compare the California State University System with other systems and other states.

Moreover, the data yielded by this study provides an opportunity to work with student affairs professionals by collaborating with them to recognize potential behavioral issues prior to their materialization. By addressing these issues through lectures, workshops, and mandatory freshman classes, student affairs professionals could be avoiding numerous student disciplinary problems. It should be noted that the consistency of policies as well as their regular review and collaboration with student leaders is also an essential part of this process.

Conclusions

The reported incidents identified in this research project with regard to academic dishonesty/plagiarism were extremely high when compared to the other student disciplinary issues within the California State University System. The data further showed that in spite of the fact that academic dishonesty/plagiarism received the highest response rate of all the student disciplinary issues, a notable number of universities within the California State University System (50%) reported that their policies regarding academic dishonesty/plagiarism remained essentially the same as they were ten years ago. Student disciplinary issues within the California State University System for the most part, paralleled that of the public and private institutions surveyed by
Hoekema (1994). In a like manner, the data from this study as well as the data from Hoekema's study identified the predominant student disciplinary issue as academic dishonesty/plagiarism.

Students disciplinary issues related to alcohol was the second most prevailing issue resulting from this study. Although college officials have identified alcohol abuse as the primary problem currently facing students (Carnegie Foundation, 1990) the data revealed that alcohol related issues were not the prevailing student disciplinary problem on campuses throughout the California State University System. The results juxtapose those with regard to academic dishonesty/plagiarism in so much as the policy has remained essentially the same over the past ten years (40%). Despite this, all (100%) of the institutions indicated that alcohol policies are enforced strictly and consistently, and although minor violations are overlooked, flagrant violations are also dealt with strictly.

Residence Hall issues were also fairly substantial with regard to violations of policies within the California State University System. Although a few institutions (15%) indicated that there were no incidents of residence hall policies, the majority (60%) of the institutions reported that there were between 26 - 50 incidents and more than 100 incidents on their respective campuses.
Correspondingly, occurrences encompassing controlled substances yielded similar data to residence hall incidents. Several institutions (35%) within the California State University System indicated no incidents of controlled substance student disciplinary cases reported however, nine campuses (45%) indicated between 1 – 25 disciplinary incidents. This is notably lower than the data derived from the Hoekema study (1994). It directly refutes the findings, however, of a crime report compiled by the Chronicle of Higher Education (1994). In this report, one of the institutions within the California State University System was reported to have the second highest rate of drug related arrests in the United States.

No statistically noteworthy data resulted from issues pertaining to student discipline and tobacco policies or those associated with hate speech and writing policies. Most institutions (90%) reported that there was no serious student disciplinary actions brought as a result of tobacco product use, while the majority of institutions within the California State University System (65%) indicated that there were no reported cases of hate speech or writing. The remaining campuses (35%) reported only between 1 – 5 cases.

The data further indicated that student disciplinary issues involving sexual assault on the 20 reporting campuses within the California State University System were considerably lower than national
averages indicated (Profile of Undergraduates, 1995 – 96). One of the campuses reported no incidents of sexual assaults on campus, while the remaining institutions (95%) noted between 1 – 20 cases of student disciplinary proceedings. It should be noted, however, that sexual assault is probably the most underreported major act of violence committed (Rickgarn, 1989).

Taking into consideration the events that have transpired in the state of California in the past few years pertaining to hate speech and writing, it is extraordinary that the vast majority of institutions (65%) within the California State University System reported no cases of student disciplinary proceedings. Further, the remaining campuses (35%) reported the minimum amount of incidents, 1 – 5 between 1993 – 1996. Half of the reporting institutions show hate speech and writing policies in place for the past few years, while the other half of the reporting institutions have no policy in place.

Recommendations for Further Study

The study of student disciplinary issues by institutions of higher learning is important for several reasons. The most important, with the escalation in litigation in our society, colleges and universities face the same potential for law suits as corporations or private citizens. To illustrate this point, a recently filed wrongful death suit against M.I.T. is the direct result of a binge drinking event that took place with one of the
student organizations at M.I.T. During the course of this study, the parents of Scott Krueger, the young man who died as a result of the binge drinking event, have filed what could prove to be a landmark case against the institution and the fraternity allegedly responsible for the event, Phi Gamma Delta. The fraternity faces a $3,000 fine for hazing and a $1,000 fine for manslaughter (Fitzgerald, 1998).

The survey created for this study has produced replicable data and findings that call for further testing. The instrument may warrant further evaluation, however, with regard to specific issues that have produced no notable data for this study or the study by Hoekema (1994). The purpose of this study, to determine the prevailing student disciplinary issues within the California State University System, can be expanded through the following recommendations for further research:

1) This study should be replicated. Doing so would provide additional data that could support or refute these findings. In either case, the reported data would provide the given institutions or systems the necessary information to properly address student disciplinary issues at their institution.

2) The entire population of universities and colleges within the United States should be surveyed whether employing similar analyses by individual systems, states, or region of the country.
3) The survey instrument should be reevaluated each time it is put to use by omitting student disciplinary issues that reflect little or no concern for student disciplinary officials in higher education. For example, incidents of tobacco related student disciplinary issues were negligible in this study.

4) This study should be further expanded by examining other student disciplinary issues on campus including theft, assault, armed robbery, etc. According to Lively (1998) some of the increasing crimes on campus include murder, forcible sex offenses, and non-forcible sex offenses.

5) The study should be expanded by examining student disciplinary issues with regard to gender. Literature in chapter two indicated that issues pertaining to alcohol consumption by females on campus has risen dramatically (more than 300%) over the past few years, including higher incidents of binge drinking. Therefore, incidents involving student disciplinary issues with respect to female students could be one of concern for colleges and universities.

6) The study should be expanded by examining student disciplinary issues with respect to ethnicity. Throughout the literature review of student discipline, researchers made
reference to ethnicity, however, a study implementing ethnicity
as a criterion could yield notable data.

7) This study should be further expanded by examining student
disciplinary issues with regard to computers. These issues
should include grade tampering, computer theft, methods of
academic dishonesty/plagiarism through computers, first
amendment issues, and sabotage (i.e., downloading viruses).

8) This study should be further expanded by examining
occurrences of off-campus incidents involving student
discipline. Circumstances including incidents in bars,
nightclubs, dance clubs, sporting events, etc. Many of these
problems arise through alcohol abuse.

9) This study should be further expanded by examining incidents
with respect to binge drinking on campus. In light of the
upcoming litigation with M.I.T. and the Phi Gamma Delta
fraternity, a legal precedence could be established. This could
dramatically affect not only Greek life on campuses nationwide,
but issues of insurance for alcohol related events, as well as the
administrative approach to student affairs.
Recommendations for Establishing a Student Discipline Policies and Procedures Handbook

Students assume certain obligations of performance and behavior while enrolled in a college or university. As a result, reasonable policies, procedures, and regulations must be developed in order to guarantee each student's freedom to learn and to protect the fundamental rights of others. In addition to student rules and regulations, students are subject to the same federal, state, and local laws as non-students and are correspondingly protected under the same safeguards of individual rights as non-students.

Students at colleges and universities assume a responsibility to demonstrate conduct in a manner synchronous with the institutions function as a place of higher learning. Conduct which is not in accord is outlined below and is subject to disciplinary action:

1) Dishonesty such as, but not limited to, plagiarism, academic dishonesty, cheating, or deliberately furnishing false information to the institution.

2) Illegal use of alcoholic beverages, including consumption in areas not designated, sale or distribution to a minor, or other laws as defined by local, state, and federal statutes.
3) Illegal use or distribution or sale of narcotics, drugs, or other controlled substances as defined by local, state, and federal laws.

4) Theft, destruction, damage, or abuse to the property of the institution or of anyone on campus including residence halls, offices, equipment, or personal belongings.

5) Sexual assault, or the touching of any part of the victim’s anal or genital area, intrusion or penetration, or other intimate acts for the purposes of sexual stimulation or for the abuse of either party.

6) Conduct which threatens or endangers the health, safety, or welfare of any person on college or university owned property, or at events sanctioned or sponsored by the institution.

7) Discriminatory acts that demean, threaten, or intimidate someone based on their race, creed, gender, or sexual orientation.

8) Use of tobacco products in areas other than designated regions or zones on campus.

Violations of other local, state, or federal laws not referred to above, which unlawfully interferes with the operation of the institution or endangers the well being of anyone at the institution shall render the individual to immediate disciplinary proceedings. Students may be held
accountable to local authorities as well as institutional sanctions that constitute violations of laws, rules, regulations, or procedures that govern the institution. Disciplinary actions should not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced, or not filed.

The fundamental mission of any college or university is to provide an opportunity for education to all of its students. In order to achieve this mission, it is important to define a standard of conduct or a code for behavior that will enable the students to coexist with other students, administration, faculty, staff and other members of the institution. It is notable to note that attendance at institutions of higher learning is not compulsory, therefore, students entering the institution assumes the responsibilities and obligations of performance.

An important concept with reference to the institutions' expectations of student conduct is the basic standards of conduct. Basic standards must be outlined and clearly delimit in general terms, defining and explaining the expectations and parameters of the given institutions' code of conduct. Examples of unacceptable behavior should be defined and approved by the institutions Board of Trustees, Board of Regents, or other governing body.
APPENDIX I

POPULATION FOR THE STUDY
California State University System

California Polytechnic State University, Pomona
California Polytechnic State University, San Luis Obispo
California State University, Bakersfield
California State University, Chico
California State University, Dominguez Hills
California State University, Fresno
California State University, Fullerton
California State University, Hayward
California State University, Long Beach
California State University, Los Angeles
California State University, Northridge
California State University, Sacramento
California State University, San Bernardino
California State University, San Marcos
California State University, Stanislaus
Humboldt State University
San Diego State University
San Jose State University
San Francisco State University
Sonoma State University
APPENDIX II

LETTER SUPPORTING NEED FOR THE STUDY
March 10, 1998

Joel S. Kostman  
Department of Educational Leadership  
University of Nevada, Las Vegas  
4505 South Maryland Parkway  
Las Vegas, NV  89154-3002

Dear Joel:

I am writing this letter to you in support of the need for your study, "Prevailing Student Disciplinary Issues in the California State University System." I believe that there is a distinct need for this study, and it will greatly benefit the California State University System in the evaluation of its student disciplinary procedures.

I wish you luck in your endeavors and remain confident that your data and conclusions will yield a significant study for the field of student affairs, particularly within the California State University System. If I may be of further assistance, please feel free to call me at your convenience.

Warmest personal regards.

Sincerely,

Robert C. Maxson  
President

THE CALIFORNIA STATE UNIVERSITY — BAKERSFIELD • CHANNEL ISLANDS • CHICO • DOMINGUEZ HILLS • FRESNO • FULLERTON • HAYWARD • HUMBOLDT • LONG BEACH • LOS ANGELES • MARITIME ACADEMY • MONTEREY BAY • NORTH RIDGE • POMONA • SACRAMENTO • SAN BERNARDINO • SAN DIEGO • SAN FRANCISCO • SAN JOSE • SAN LUIS OBISPO • SAN MARCOS • SONOMA • STANISLAUS

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APPENDIX III

LETTERS GRANTING PERMISSION TO
REPLICATE STUDY
May 27, 1998

Joel S. Kostman  
Department of Educational Leadership  
University of Nevada Las Vegas  
4505 Maryland Parkway  
Box 453002  
Las Vegas, NV 89154-3002

Dear Mr. Kostman:

Thank you for your letter of May 4 and for the copy of the survey you have adapted from my book, *Campus Rules and Moral Community: Beyond In Loco Parentis* (Rowman and Littlefield, 1994).

I am happy to grant my permission to you for the use of the survey I designed, and this letter will serve as a formal confirmation of the approval I have already given to you via e-mail. I will also forward a copy of your letter and this reply to Jonathan Sisk, Editor in Chief at Rowman and Littlefield, with a request that he confirm that this use of my survey has the publisher's consent as well (since copyright is held by the publisher). You may already have obtained their permission, but I would rather make one request too many than one too few. Please include this permission (assuming it also meets the approval of the publisher):

This survey was designed by David A. Hoekema and first published in *Campus Rules and Moral Community: Beyond In Loco Parentis* (Rowman and Littlefield, 1994; copyright © 1994 by Rowman and Littlefield Publishers, Inc.), and it has been used, with revisions, by permission of the author and publisher.

I have just a few suggestions for further improvement and clarification of the survey instrument:

- Make the responses in question 5 parallel those in questions 4 and 6, or at a minimum add alternative H from question 4.

- Your question 7 (a revised and simplified form of my question 1) needs an additional option for campuses that have some all-male and some all-female residence halls (a pattern once ubiquitous, now very rare).

- Question 13 repeats the phrase "controlled substances" once too often—you could omit it either in the middle or the end of the sentence.

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Narrow and perhaps rephrase question 36. I take it you intend to ask whether students are provided with legal counsel when brought before a disciplinary committee, but you don’t say that. You might also want to distinguish (a) legal counsel provided by the university from (b) legal counsel permitted if the student requests and pays for it and also from (c) university ombudsperson who is not a lawyer assigned to defend the student.

You might want to allow for narrative answers to questions 37 and 38. And one general caution: if you are sending this survey instrument to anyone except those for whom I wrote the original—student life administrators—you may want to rephrase some of the questions that request “your personal judgment.” For example, if you are going to include any faculty members you might ask about “your judgment and that of your colleagues”; if you are including students you might query “your judgment and that of fellow students.” (But perhaps you are including only administrators—that is suggested by your inclusion of all the factual questions about numbers of cases.)

I am glad to know you found my survey useful for your project and wish you much success as you proceed.

Sincerely yours,

David A. Hoekema
Academic Dean and Professor of Philosophy

cc: Jonathan Sisk
August 19, 1998

Joel S. Kostman
Department of Educational Leadership
4504 Maryland Parkway
Box 453002
Las Vegas, Nevada 89154-3002

Dear Mr. Kostman:

On behalf of Rowman & Littlefield Publishers, Inc., I am happy to grant you
permission to use the survey that David Hoekema designed and used in Campus Rules
and Moral Community.

Sincerely,

Jon Sisk
Associate Publisher
APPENDIX IV

CONTENT VALIDATION TOOL:
INTERNAL EXPERT REVIEW
March 7, 1998

<<Title>>  <<FirstName>>  <<LastName>>
<<JobTitle>>
<<University/College>>
<<Address>>
<<City>>  <<State>>  <<ZipCode>>

Dear Dr. <<LastName>>:

I am writing this letter to request your assistance in the review of my questionnaire for the study I am undertaking in the area of student discipline. I was referred to you by a member of my committee, Dr. Edward W. Chance.

Your expert review and input would mean a great deal to the credibility of the study and assist me tremendously. I look forward to any additions, deletions, or suggestions you may have for the questionnaire.

Please return the completed questionnaire in the self-addressed, stamped envelope as well as any of your recommendations to me at the University of Nevada, Las Vegas at your earliest possible convenience.

Thank you for your assistance.

Sincerely,

 Joel S. Kostman
APPENDIX V

EXTERNAL PANEL:

CARNEGIE I INSTITUTIONS
Carnegie I Institutions

Illinois State University
Dr. Larry MacNeal, Associate Professor of Educational Administration and Foundations

University of Central Florida
Dr. George Pawlas, Associate Professor of Educational Leadership

University of Montana
Dr. Lenoar Foster, Associate Professor of Educational Leadership and Counseling

University of Nebraska, Lincoln
Dr. Marilyn Grady, Professor of Educational Administration

Washington State University
Dr. Walter Gmelch, Acting Dean, College of Education
APPENDIX VI

CONTENT VALIDATION TOOL: EXTERNAL EXPERT REVIEW
March 7, 1998

<<Title>> <<FirstName>> <<LastName>>
<<JobTitle>>
<<University/College>>
<<Address>>
<<City>> <<State>> <<ZipCode>>

Dear Dr. <<LastName>>:

I am writing this letter to request your assistance in the review of my questionnaire for the study I am undertaking in the area of student discipline. I was referred to you by a member of my committee, Dr. Edward W. Chance.

Your expert review and input would mean a great deal to the credibility of the study and assist me tremendously. I look forward to any additions, deletions, or suggestions you may have for the questionnaire.

Please return the completed questionnaire in the self-addressed, stamped envelope as well as any of your recommendations to me at the University of Nevada, Las Vegas at your earliest possible convenience.

Thank you for your assistance.

Sincerely,

Joel S. Kostman
APPENDIX VII

QUESTIONNAIRE
1. Your campus is located:
   A. In a major city (population greater than 1 million)
   B. In a city of moderate size (population 250,000 or more)
   C. In a suburban area of a major city
   D. In a small city (population of 100,000 or less)
   E. In a small town (population of less than 20,000)
   F. Other

2. The number of full-time undergraduate students at your institution is:
   A. Fewer than 5,000
   B. 5,001 - 10,000
   C. 10,001 - 15,000
   D. 15,001 - 20,000
   E. 20,001 or more

3. At your institution, who has the responsibility for formulating and revising policies
governing student behavior?
   A. An administrator or a committee of administrators
   B. The faculty or a committee of the faculty
   C. Student government or a committee of students
   D. University legal counsel
   E. A committee on which administrators are a majority
   F. A committee on which faculty members are a majority
   G. A committee on which students are a majority
   H. A committee in which none of these groups is a majority
   I. A combination of two or more of these choices (please indicate all that apply –
      e.g., circle a, d, and f)
   J. None of the above
4. At your institution, who has the responsibility of prosecuting alleged rule violations (i.e., prosecuting charges leveled against students)?

A. An administrator or a committee of administrators
B. The faculty or a committee of the faculty
C. Student government or a committee of students
D. University legal counsel
E. A committee on which administrators are a majority
F. A committee on which faculty members are a majority
G. A committee on which students are a majority
H. A committee in which none of these groups is a majority
I. A combination of two or more of these choices (please indicate all that apply – e.g., circle a, d, and f)
J. None of the above

5. Who adjudicates violations of such policies?

A. An administrator or a committee of administrators
B. The faculty or a committee of the faculty
C. Student government or a committee of students
D. University legal counsel
E. A committee on which administrators are a majority
F. A committee on which faculty members are a majority
G. A committee on which students are a majority
H. A committee in which none of these groups is a majority
I. A combination of two or more of these choices (please indicate all that apply – e.g., circle a, d, and f)
J. None of the above

6. To whom may a student appeal a judgment that he or she has violated institutional policies?

A. An administrator or a committee of administrators
B. The faculty or a committee of the faculty
C. Student government or a committee of students
D. University legal counsel
E. A committee on which administrators are a majority
F. A committee on which faculty members are a majority
G. A committee on which students are a majority
H. A committee in which none of these groups is a majority
I. A combination of two or more of these choices (please indicate all that apply – e.g., circle a, d, and f)
J. None of the above
7. Please indicate which of the following best characterizes the residence halls on your campus:

A. All male residence halls
B. All female residence halls
C. Coed residence halls
D. Not applicable: no residence halls
E. A combination of single sex and coed residence halls

8. Which of the following best characterizes your institution’s stated policy regarding social use of alcoholic beverages by students?

A. Prohibited under all circumstances during term (semester)
B. Prohibited on campus
C. Permitted on campus with extensive restrictions (e.g., only at functions with faculty, staff, or other chaperones present; only at designated sites)
D. Responsible use by students of legal age is permitted
E. No stated policy
F. None of the above

9. Is the use of alcoholic beverages permitted in residence halls?

A. Yes, in private rooms and in common areas
B. Only in private rooms of legal aged students
C. Only in designated common areas
D. No

10. In the academic years 1993 – 1996, how many students at your institution were subject to formal disciplinary proceedings for alleged violations of alcohol policies?

A. None
B. 1 - 25
C. 26 - 50
D. 51 - 75
E. 76 - 100
F. More than 100
11. Which of the following most accurately characterizes your institution’s stated policy regarding student use of tobacco products?

A. Prohibited under all circumstances
B. Permitted only in designated areas
C. Responsible use by students of legal age is permitted
D. No stated policy
E. None of the above

12. In the academic years 1993 – 1996, how many students at your institution were subject to disciplinary proceedings for alleged violation of tobacco use policies?

A. None
B. 1 - 25
C. 26 - 50
D. 51 - 75
E. 76 - 100
F. More than 100

13. Which of the following most accurately characterizes your institution’s policy regarding student use of controlled substances (not including marijuana)? (i.e., cocaine, amphetamines, barbiturates, narcotics, stimulants, depressants, and hallucinogens)

A. Prohibited under all circumstances
B. Responsible use of some such substances is permitted
C. No stated policy
D. None of the above

14. In the academic years 1993 – 1996, how many students at your institution were subject to formal disciplinary proceedings for alleged use of controlled substances?

A. None
B. 1 - 25
C. 26 - 50
D. 51 - 75
E. 76 - 100
F. More than 100
15. Are there any restrictions on visiting hours in residence halls for guests of the opposite sex?
   A. Yes, in all residence halls
   B. Only in some residence halls
   C. No

16. Are there any restrictions on visiting hours in residence halls for guests of the same sex?
   A. Yes, in all residence halls
   B. Only in some residence halls
   C. No

17. Does your institution’s residence-hall policy permit a student to invite a person of the opposite sex as an overnight guest?
   A. Yes
   B. Yes, with restrictions (e.g., explicit permission of other students sharing a room or suite)
   C. No
   D. None of the above

18. Does your institution’s residence-hall policy permit a student to invite a person of the same sex as an overnight guest?
   A. Yes
   B. Yes, with restrictions (e.g., explicit permission of other students sharing a room or suite)
   C. No
   D. None of the above

19. In the academic years 1993 – 1996, how many students at your institution were subject to formal disciplinary proceedings for alleged violations of residence-hall policies?
   A. None
   B. 1 - 25
   C. 26 - 50
   D. 51 - 75
   E. 76 - 100
   F. More than 100
20. Does your institution have a policy prohibiting hate speech and writing?

   A. Yes, it was first adopted in the last two years
   B. Yes, it was adopted more than two years ago
   C. No, but such a policy is under active consideration
   D. No, and no such policy is under active consideration

21. In the academic years 1993 – 1996, how many students at your institution were subject to formal disciplinary proceedings for alleged hate speech or writing?

   A. None
   B. 1 - 5
   C. 6 - 9
   D. 10 - 19
   E. 20 - 39
   F. 40 or more

22. In the academic years 1993 – 1996, how many students at your institution were subject to formal disciplinary proceedings for alleged violations of policies regarding plagiarism or academic dishonesty? (Include only incidents brought before an administrator or committee for adjudication; exclude those dealt with solely by the instructor)

   A. None
   B. 1 - 25
   C. 26 - 50
   D. 51 - 75
   E. 76 - 100
   F. More than 100

23. In your personal judgment, which of the following best characterizes your institution’s enforcement of alcohol policies?

   A. They are enforced strictly and consistently
   B. Minor violations are frequently overlooked; flagrant violations are dealt with strictly
   C. Enforcement is irregular and arbitrary
   D. They are not enforced
   E. Not applicable; there is no stated policy
   F. None of the above
24. In your personal judgment, which of the following best characterizes your institution's enforcement of its policy regarding drug use?

A. They are enforced strictly and consistently
B. Minor violations are frequently overlooked; flagrant violations are dealt with strictly
C. Enforcement is irregular and arbitrary
D. They are not enforced
E. Not applicable; there is no stated policy
F. None of the above

25. In your personal judgment, which of the following best characterizes your institution's enforcement of its policy regarding hate speech or writing?

A. They are enforced strictly and consistently
B. Minor violations are frequently overlooked; flagrant violations are dealt with strictly
C. Enforcement is irregular and arbitrary
D. They are not enforced
E. Not applicable; there is no stated policy
F. None of the above

26. Compared with ten years ago (1983 – 1986), are your campus policies regarding enforcement of alcohol use:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

27. Compared with ten years ago (1983 – 1986), are your campus policies regarding enforcement of drug use:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know
28. Compared with ten years ago (1983 – 1986), are your campus policies regarding enforcement of sexual relations:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

29. Compared with ten years ago (1983 – 1986), are your campus policies regarding enforcement of academic dishonesty:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

30. Compared with ten years ago (1983 – 1986), are your campus policies regarding enforcement of hate speech and writing:

A. More restrictive now
B. More definitive
C. Essentially the same
D. Less restrictive now
E. Do not know

31. How many legal actions has your institution been subject to in the past five years alleging negligence in overseeing student behavior?

A. None
B. 1 - 5
C. 6 - 10
D. More than 10

32. How many student disciplinary cases (academic dishonesty, drug/substance abuse, sexual assault, tobacco violations, etc.) involved student athletes between 1993 and 1996?

A. None
B. 1 - 20
C. 21 - 40
D. More than 40
33. In the academic years 1993 – 1996, how many students at your institution were subject to formal disciplinary proceedings for alleged sexual assault charges?

   A. None
   B. 1 - 20
   C. 21 - 40
   D. More than 40

34. Does your institution require entering students to sign a document that commits them explicitly to abide by the institution’s behavioral policies?

   A. Yes
   B. No

35. Does your institution have standard punishments (parameters) for specific offenses? (e.g., if a student is found guilty of academic dishonesty, he/she will be suspended for one semester)

   A. Yes
   B. No

36. Are students provided with legal counsel when brought before a disciplinary committee?

   A. Yes – legal counsel is provided by the university
   B. Yes – the university provides an ombudsperson
   C. No – however, the student may provide their own attorney
   D. No

37. Are you satisfied with the ways in which the faculty at your institution participate in the formulation and enforcement of student policies?

   A. Yes
   B. No

   • Please explain briefly:
38. Are you satisfied with the ways in which students have influenced the formulation and enforcement of behavioral policies?

A. Yes
B. No

*Please explain briefly:*
APPENDIX VIII

RECOMMENDED CHANGES

TO QUESTIONNAIRE
March 17, 1998

Mr. Joel Kostman
Department of Educational Leadership
University of Nevada, Las Vegas
4505 Maryland Parkway
Las Vegas, NV 89154

Dear Mr. Kostman:

As requested, I have carefully inspected and reviewed the instrument you provided to me which you explained you intend to use for collection of data for your study relative to "Student Discipline in the California State University System." I believe the instrument you have developed is appropriate and credible for the study. The only recommendation I have is that you consider adding the following sentence to the initial instructions, perhaps in line two immediately after the title, Survey Instrument following the words "Thank you": "If you desire to make any comments relative to any of the items, a sheet is provided at the end of the questionnaire." I would then provide a sheet labelled "COMMENTS" as the final page of the instrument. This will allow any clarifications or elaborations that the respondent may feel compelled to make.

Other than that, I endorse use of the instrument and believe it to be valid for the purpose for which it is intended.

Sincerely,

Dale G. Andersen
President
March 26, 1998

Joel S. Kostman  
University of Nevada, Las Vegas  
Department of Educational Leadership  
4505 Maryland Pkwy, Box 3002  
Las Vegas, Nevada  89154-3002

Dear Joel,

Thank you for letting me review your survey. I hope the recommendations that I made will be helpful to you.

If there is anything that I can do for you, please do not hesitate to ask.

Best of luck on your project.

Sincerely,

Sheila T. Gregory, Ph.D.
TO: Joel Kostman
FROM: Paul E. Meacham
RE: Survey Instrument Response
DATE: March 26, 1998

As per your request, I have reviewed both the survey developed by you and the one used by Dr. Hoekema at Wofford College and Worcester Polytechnic Institute. My comments reference the survey devised by you.

As I understand it, this instrument is intended for distribution to Vice Presidents of Student Affairs in the California State University System for their responses which will be used as the basis for your dissertation. In general I found the questions to be good ones; well-stated with good, clear options provided for responses. However the order in which they appeared struck me as sometimes being random. In the absence of any known reason for the current order, my only suggestion is that you might want to consider re-ordering the questions so that they fall into a more natural grouping. The following is a suggested order:

1...2...19...20...3 thru 18...21 thru 30...32...37...38...31...35...36...33...34.

This is only a suggested order. You might be able to devise one that is more appropriate to the focus of your dissertation. My only point here is that the recipients might be better served (and more likely to respond) if the survey questions were ordered in some logical sequence.

GOOD LUCK IN THIS EFFORT!

Department of Educational Leadership
4505 Maryland Parkway • Box 453002 • Las Vegas, Nevada 89154-3002
(702) 895-3491

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APPENDIX IX

EXEMPTION FROM FULL REVIEW

BY THE UNLV SUBJECTS

INSTITUTION REVIEW BOARD
DATE: July 22, 1998

TO: Joel S. Kostman (EDL)
M/S 3002

FROM: Dr. William E. Schulze, Director
Office of Sponsored Programs (X1357)

RE: Status of Human Subject Protocol Entitled:
"Prevailing Student Disciplinary Issues in the
California State University System"

OSP #303s0798-063e

The protocol for the project referenced above has been reviewed by the Office of Sponsored Programs and it has been determined that it meets the criteria for exemption from full review by the UNLV human subjects Institutional Review Board. This protocol is approved for a period of one year from the date of this notification and work on the project may proceed.

Should the use of human subjects described in this protocol continue beyond a year from the date of this notification, it will be necessary to request an extension.

If you have any questions regarding this information, please contact Marsha Green in the Office of Sponsored Programs at 895-1357.

cc: A. Saville (EDL-3002)
OSP File
APPENDIX X

MATERIALS AND INSTRUCTIONS
FOR COMPLETION OF THE
QUESTIONNAIRE
July 10, 1998

Dear Dr. <NAME>:

I am writing to request your assistance in a study being conducted by me at the University of Nevada Las Vegas. Student discipline has been a widely discussed topic for many years. Recently, specific disciplinary issues have been the center of controversy at conferences, seminars, and in the media. It is evident that these issues will remain a constant in higher education for quite some time. It is the purpose of this doctoral study to determine the prevailing student disciplinary issues in the California State University System.

I have worked in student affairs in higher education for several years. I realize that your time is very valuable, but I am hopeful that you will assist me because you believe in the importance of useful research in our profession.

Please complete the enclosed questionnaire and return it in the self-addressed stamped envelope. The questionnaire should take approximately 30 to 45 minutes to complete. Please do not disregard any of the questions. Circle the appropriate response, or the response that more closely reflects your opinion. Your responses will remain confidential. Data will only be reported in the aggregate. The surveys are numbered for the purpose of selective follow-up mailings and coding entries.

If you need to contact me regarding the questionnaire, please feel free to do so at your convenience at (702) 895-3410. Thank you for taking part in this study and ensuring its successful completion.

Sincerely,

Joel S. Kostman


*Brown University Digest of Addiction and Theory and Application.* (August, 1997). Substance use rates found to vary among college aged population, p. 7.


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Chidley, J. (November, 1997). Tales out of school: Cheating has long been a great temptation and now the Internet makes it easier than ever. *Maclean's, 110*, (47), pp. 76-79.


http://www.wire.ap.org/.../cnter_story.html?frontid=national&storyid=apis60q0jrg

FORCES. Fight Ordinances & Restrictions to Control & Eliminate Smoking. http://forces.org/bills/vote297.htm


Gose, B. (February, 1997). Gay students have their own floor in a U. of Massachusetts dormitory; residents say they feel more comfortable,


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Ritter, J. (February, 1997). When schools act as courts. *USA Today*, p. 03A.


Wolper, A. (February, 1995). Campus paper kept in dark about suicide attempts; father of victim says college officials never told him about son's two previous tries; contends those incidents should have been reported to the school paper. *Editor & Publisher, 128*, (7), p. 18.


http://www.eauk.org/eayac/report03.htm

Joel S. Kostman

901 NW Sunburst Court #E-302
Moses Lake, WA 98837
(509) 762-6232

Education

December – 1998 University of Nevada, Las Vegas
Educational Leadership
• Doctor of Education (Ed.D.)

August – 1995 University of Nevada, Las Vegas
Educational Administration and Higher Education
• Master of Education (M.Ed.)

May – 1994 University of Nevada, Las Vegas
Recreation
• Bachelor of Science (B.S.)

Professional Experience

1998 – Present Big Bend Community College
Director of Student Programs and Special Advising

• Serve as the advisor to the Associated Student Body Officers and students serving on the Programming Board. Work closely with student officers to help plan, promote, and oversee student activities, and contracts including preparing the student activities budget. Provide support and direction for student clubs and organizations. Serve as a liaison with the local school districts to provide direction for the Running Start Program.
  • Administrator of Student Discipline
  • Coordinator for New Student Orientation
  • Facility director for students with disabilities, rental of campus facilities, vehicles, game room, and child care voucher program
1996 – 1998 University of Nevada, Las Vegas
Graduate Assistant – Educational Leadership

- Perform research and data gathering for faculty, professors, and the department chairman. Assist in the recruitment, selection, interview, and retention of the Master’s Cohort Principal Preparation Program.
  - Assistant site director for the National Rural Education Association and the American Association for School Administrators
  - Coordinator for graduate leadership program speakers
  - Academic advisor for undergraduate and graduate students

1997 – 1998 Community College of Southern NV
Adjunct Faculty Member – Department of Fine Arts

- Instructor for public speaking and debate courses. Teach students proper speech techniques, listening, critical thinking, and analyzing their opponent and audience.
  - Helping students overcome public speaking fears
  - Assisting students in recognizing the critical parts of speech and debate
  - Counseling students on a one-on-one basis

1997 – 1998 University of Nevada, Las Vegas
Program Director – College of Education

- Coordinator of the Cohort Program. The program prepared minority students for teaching careers in the local school district which served more than one million people.
  - Working with a diverse population of non-traditional students
  - Academic advising and retention
  - Conflict and dispute resolution
1992 – 1994  University of Nevada, Las Vegas
Consolidated Students (CSUN) – President

- Campus leader for the university population of 16,000 undergraduate students. Chief administrator for an association of over 100 volunteer staff members and 10 full and part-time staff members, with an annual operating budget exceeding $1,000,000. Liaison between students and Board of Regents, university administrators, faculty, and the local community.
  - Attained two year moratorium on tuition
  - Initiated and developed student annex
  - Registered lobbyist for student issues

1991 – 1992  University of Nevada, Las Vegas
Director – Office of Student Information

- Coordinated all student information for campus and the local community. Responsibilities included working with local print and electronic media, issuing press releases, advertising student events, and implementing a variety of events for traditional and non-traditional students.
  - Assisted in creating campus Sexual Harassment Handbook
  - Design weekly page for student newspaper
  - Administering student leadership retreats

Presentations and Workshops

- Facilitating leadership seminars, workshops, and retreats for students leaders, IFC and Panhellenic, honors programs, student government, Residence Hall Associations, and a diverse group of student organizations. Programs include goal setting, parliamentary procedures, time management, conflict resolution, effective communication, and fund raising.