

DISSERTATION

WORDS MATTER: HOW INSTITUTIONAL DISRUPTION POLICIES REINFORCE WHITE  
POWER IN HIGHER EDUCATION

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## ABSTRACT

### WORDS MATTER: HOW INSTITUTIONAL DISRUPTION POLICIES REINFORCE WHITE POWER IN HIGHER EDUCATION

Student conduct exists as the intersection of student development theory, legal compliance, and institutional policies. While literature in the K-12 and criminal legal system shows the way that policy has a disproportionately negative impact on Black, Indigenous, and other People of Color, there are few studies that do similar work in higher education. Furthermore, research in student conduct largely focuses on student learning and conduct administrator practices and does not consider the policies at the root of our practice. This study explores the campus discourse about disruption at eight institutions of higher education and uses a theoretical framework that uniquely considers the various nuances of this work. By centering the policies and using a critical policy discourse analysis methodology, I enter the discussion about how to create liberatory policy that subsequently supports the practice of many student conduct administrators. The subsequent model offers a set of guiding principles for liberatory policy revision and development for the future.

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## CHAPTER 1: WHY POLICY?

Two “model code” documents, one from Stoner and Lowery (2004) and one from the NCHERM group (2014) define how the field of student conduct recommended institutions of higher education define disruption:

“2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other [College] [University] activities, including its public service functions on or off campus, or other authorized non-[College] [University] activities when the conduct occurs on [College] [University] premises.” (Stoner & Lowrey, 2004, p. 27)  
[and]

“13. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the [College] [University] and/or infringes on the rights of other members of the [College] [University] community; leading or inciting others to disrupt the scheduled and/or normal activities within any campus building or area” (Stoner & Lowrey, 2004, p. 30)  
[and]

“15. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on [College] [University] premises or at functions sponsored by, or participated in by, the [College] [University] or members of the academic community...” (Stoner & Lowrey, 2004, p.31)  
[and]

“18. Students are required to engage in responsible social conduct that reflects credit upon the [College] [University] community and to model good citizenship in any community” (Stoner & Lowery, 2004, pp. 33-34)  
[and] Disruptive Behavior. Substantial disruption of University/College operations including obstruction of teaching, research, administration, other University/College activities, and/or other authorized non-University/College activities which occur on campus (NCHERM, 2014, p. 16)

Stoner and Lowrey (2004) offered their model code as an option for institutional leaders to craft legally compliant, seemingly non-litigious models for resolving behavioral issues on campus.

The above examples of policies capture the many ways they recommend institutions frame prohibited behaviors that are disruptive the campus community. Following this model code, the institutional action to reports of alleged violations would be to “respond appropriately to aberrant behavior that damages the living/learning environment on campus, even if the unwanted

behavior is promoted by the ‘spirit of insubordination’” (Stoner & Lowrey, 2004, p. 3). Years later, NCHERM (National Center for Higher Education Risk Management) added their voice with a new version of a model code. Like the Stoner and Lowery code, NCHERM published a code that sought to minimize risk consistent with their consulting group mindset. Student conduct administrators and scholars acknowledge the importance of integrating concepts of equity into student conduct work (Brown-McClure & Cocks, 2020; Giacomini, 2011; Giacomini & Schrage, 2011; Harris & Linder, 2017; Holmes & Anaya, 2020; Homes, Edwards, & DeBowes, 2020; Kalagher & Curran, 2020; Karp, 2015; Karp & Sacks, 2014; King, 2012; Lake, 2011; Lancaster, 2012; Schrage & Thompson, 2011; Stimpson & Janosik, 2015; Stoner & Lowrey, 2004; Taylor & Varner, 2011; Warters, 2011). Similarly, researchers in other disciplinary and judicial fields expose the ways that practitioner application of these systems leads to disproportionate reporting, sanctioning, and harming of Black, Indigenous, and People of Color (BIPOC) individuals. Practitioners use various models to mitigate the impacts of systems and focus on practitioners and practice. However, we rarely interrogate the ways that the policies are manifestations of white<sup>1</sup> power. Freire (2000) posits a schema regarding the importance of aligning action and reflection. This schema, “word=work=praxis,” establishes a linkage between these frames (Freire, 2000, p. 87). I adopt this schema to consider student conduct. Words in this scenario are the written policies and procedures. Work is the daily practice of student conduct professionals. Praxis is then the application of student conduct theories to work with students. This yields a new model for student conduct administration:

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<sup>1</sup> I intentionally use a lower case “w” in terms like “white” and “whiteness” throughout to reflect an intentional desire to dismantle historical practices of prioritizing whiteness and white supremacy. When quoting authors, I use their practices in addition to when the term begins a sentence. I similarly make an intentional choice to capitalize “Black,” “Latinx,” and other non-white identities to reverse the historical practices of linguistically minoritizing these groups.

policy=practice=praxis. Why does a careful analysis of the codes become relevant? If we accept that, as the literature and my analysis suggest, policies are the manifestations of white power in written form that help operators perpetuate white supremacy, then the policies themselves contain oppressive components. Thus, oppressive policy = oppressive practice = oppressive praxis.

Often researchers look at students and try to understand their experiences and/or frame their failures from a deficit lens. Some turn their gaze to practitioners to understand how they approach their daily work. Institutions must also be reflective, looking at our policies and procedures and how their application impacts others. Yet, through discourse analysis one can look at policies directly to better understand how these systems operate. Further, using this methodology can unearth the meaning and context to show how these policies maintain white power. Our reframe must also consider that the issue is also the institution, not the students. My study focuses on that very question – how to expose and reconfigure oppressive policies to align equitable policy with the existing practices that researchers and practitioners promote.

### **Positionality**

My positionality provides context for how I approach my work. Through my years of experience as a student conduct practitioner, I bought into the narrative that the unquestioning application of student conduct codes and policies was essential to ensure the fair treatment of students and their compliance with campus norms. As a white, able-bodied, gay, cis-male, I hold numerous privileged identities that frame my engagement in the world. My graduate coursework and cohort-mates raised my awareness about the institutional harm traditional adjudication processes create. My perspective is aligned with Homes et al.'s (2020) discussion regarding how social group identification impacts student experiences with a process. I echo Gusa's (2010) call

to reflect on how processes represent institutional policies that reinforce systems of whiteness, power, and privilege. Kalagher and Curran (2020) highlight the close relationship between student affairs and institutional values and history. I believe that the historical harms created by institutions of higher education, including roots in slavery and oppression of minoritized individuals, require a critique and reevaluation of our work. Critical whiteness scholars inform how I situate myself within the discussion amongst literature. With this in mind, I orient my scholarship from a place of assuming power dynamics exist and must be addressed.

Given my dominant identities, it is my responsibility to thoughtfully approach scholarship. I consider collaboration as my intended orientation to other scholars, particularly scholars with minoritized identities. Collaboration means being intentional about the literature and concepts I review and include in my work. I intentionally incorporate and build with concepts that originate from a wide variety of thought leaders and elect to foreground the work of BIPOC scholars and other minoritized authors. As a white cis-man, this becomes complicated. I strive to constantly reflect on this practice and work to avoid appropriation or colonization of this labor. While not perfect, this reflexivity allows me to be complicit with these authors' efforts to formulate a new, liberated way of engaging in the world. I invite critique and correction with humility and a desire to address harm. I also work to continuously reflect on my work, and challenge assumptions when I use literature to ensure I am doing so with the author, rather than appropriating it. Finally, I work closely with colleagues and fellow scholars to review my work and ensure that I am honoring the scholars I am in conversation with.

### **Problem Statement**

Gusa (2010) and Gillborn (2005) reference the ways that systems manifest white power on college campuses. White power, a currency that white people can use to maintain their

position of authority and control, remains a key component of a higher education. The value given to having a college degree manifests as prestige, financial benefit, and access to spheres of influence and control. When institutional policies were created, white administrators designed them with an eye to ensuring that white students can have a positive experience with minimal risk to themselves, particularly those related to interactions on campuses (Wilder, 2013). After the departure from *in loco parentis*, higher education administrators had to write down the expectations they had for students in order to maintain control and ensure a “college experience” (Stoner & Lowrey, 2004). The subsequent student conduct codes defined appropriate behavior, often with an eye towards codifying norms that the majority (read: white) expect in their environment. These codes, themselves manifestations of whiteness and white power, narrowed acceptable behavior that excluded different ways that minoritized students might act on campus. Gusa (2010) points out that:

when Whites neglect to identify the ways [that] White ideology homogeniz[es] practices [and] sustain[s] the structure of domination and oppression, they allow institutional policies and practices to be seen as unproblematic or inevitable and they thereby perpetuate hostile racial climates. (p. 465)

Turning attention to policies and the ways that institutional actors develop these policies can offer insight into another strategy to create change. This alternative strategy must avoid the process of “imperialistic reclamation” that Nishi (2020) explains as the process by which revised policies seem to be intended to address inequities but instead reinforce white power.

Policymakers often engage (intentionally or not) in policy revision that only retrenches white power. For example, Muñoz (2021) highlights instances where change occurs because of interest convergence but includes mechanisms to revoke support “if the recipients are not adequately grateful, appropriately behaved, or otherwise not abiding by white norms or showing deference to white dominance” (p. 32). My own history and acculturation as a conduct administrator makes

attentiveness to this concept essential, and I will weigh and confront my own culpability for reinforcing these power structures as I consider implications for my work.

A key component in student conduct work is the concept of safety. Leonardo and Porter (2010) frame the concept of safety within the context of whiteness. Safety for white people becomes a safety from confrontation, violence (both physical and emotional), and the ability to experience an environment as welcoming for their skin tone (Leonardo & Porter, 2010). So, when we refer to the concept of safety, we are really talking about safety for white folx.

“Sullivan (2006) argues, ‘white people tend to act and think as if all spaces - whether geographical, physical, linguistic, economic, or otherwise - are or should be available to them to move in and out of as they wish’” (Cabrera et al., 2016, p. 121). The anger about not having access to these spaces or programs is white rage at not feeling security in these spaces. The presence of a white body in those spaces is a further reinforcement of privilege, since the opposite would not be true (Black and Brown bodies in white spaces). Institutional decision makers then create policies designed to control, defining the failure to comply with these policies disruption of the environment. Disruption policies are tied to compliance with white norms in the classroom and respecting faculty as the knowers of knowledge and controllers of their classroom environments. The policy may be “neutral,” but if an individual engages with material or in discussion in a way that is inconsistent with these white norms, then they are considered disruptive. Disruption then becomes a way of defining non-white ways of engaging, and a disruption policy that is not equitable then criminalizes BIPOC ways of engaging.

### **Purpose Statement**

I am working towards being able to identify how student conduct systems operationalize whiteness and white supremacy. In so doing, a study would offer clarity about how to renegotiate



the discussion and drafting of policies. This goal is aligned with authors such as la paperson (2017) and Brown (2017), who promote the dismantling and reconstruction of systems with equity and liberation as the goal. The purpose of this study is to reveal how institutional student conduct policies serve to codify and reinforce systems of whiteness and white power. I will leverage my theoretical framework and the lessons learned from my study to give practitioners tools to examine and reform their own policies.

## **Rationale**

I choose to approach this study using discourse analysis to foreground methods that analyze the policies language and surrounding discourse. This leads from an assumption that the impacts, shown through the literature in Chapter 2, are disproportionate in their negative impact for BIPOC students. I use a critical lens that recognizes the ways that power and privilege manifest in society and operate from assumptions that individuals with power have a responsibility to dismantle systems that reinforce that power. I bring to this work my experiences in student conduct policy and practice development. I know that the common refrain when students and staff seek change is for administrators to respond with “because the policy says so” or “because we have a legally obligation for legal compliance.” In my own experience, this leads to paralysis and reinforcement of the status quo. When punctuated evolution occurs in student conduct policy, it happens when there is external compliance pressure (i.e. Title IX guidance from the Department of Education or changes to state hazing laws). Additionally, there is limited academic work done in student conduct. The few scholarly contributions, largely in dissertation work, lament this fact and encourage further study and analysis (Alston, 2021; Bogle, 2018; Glassman, 2021; Horrigan, 2016; Ledbetter, 2021; Seiss, 2020; Tabacchi, 2017; Van Vlack Bruckner, 2014; Waller, 2013). The emphasis on practice and legal compliance has led to a

stagnation in academic scholarship, and our national association relies on blog posts, white papers, and position papers (Association for Student Conduct Administration, n.d.-a). This study addresses this resistance to change and academic vigor in our work, offering a path forward to reform policies to get rid of aspects that reinforce white power.

## **Significance**

Turning an eye on student conduct policies is an intentional refocusing on the underlying networks of policies. As I mention above, current practice tends to incorporate equity and inclusion practices into the day-to-day work of student conduct. However, we rarely interrogate the policies themselves. As a result, the policies remain an oppressive set of barriers to incorporating true equity into our work. Exposing the ways that policies are reinforcing white power can bring student conduct practice and praxis into alignment with policies. This alignment can then give student conduct administrators the ability to engage in truly equitable change. Because these policies are the underlying frameworks for institutional practice (i.e. when administrators say “well our policy says...”), revising them can yield equitable practice on our campuses. The result can also offer insight into revising other institutional policies, all with an eye towards creating change for our BIPOC students and increasing their retention.

## **Research Questions**

I approach student conduct policies from the assumption that power structures maintain white power on the campus level. Institutional student conduct policy responds to multiple influences, ranging from federal and state obligations, such as prohibitions against underage alcohol consumption or sexual assault, standards regarding academic performance, and community norms about appropriate behavior. More specifically, disruption policies establish expectations regarding student behavior in the institutional environment in and outside of the

classroom. Application of these policies starts from a position of power, particularly in the classroom setting. In my experience, faculty can use these policies to maintain their control over the classroom, often to the detriment of non-white ways of knowing and learning. This dissertation study begins from the primary question:

How do institutional policies regarding campus disruption manifest systems of white power?

To address this study, I raise the following sub-questions:

1. What language do institutions use to describe disruption on their campuses?
2. How do institutions explain disruption policies? What do they publish in terms of direction or clarification for campus community-members?
3. How do institutions apply and enforce their disruption policies?
  - a. Is there disproportional enforcement based on student identities?

I will approach these questions using a critical policy discourse analysis methodology, detailed in more depth in Chapter 3. By examining the text of institutional disruption policies in conversation with materials and artifacts about their application and the broader campus discourse, I will explore how the policies themselves act as the white supremacist skeleton within institutional practice. I intentionally choose to solicit information from a variety of institutional types to see whether there are differences in how institutions define disruption and promulgate the policies they craft. My subsequent analysis and discussion operate from my ontological and epistemological perspective, recognizing the role of racism and whiteness in the higher education environment, and the question is not whether these policies are manifestations of white power, but to what extent and how do we reimagine them to confront this reality. Our discourse about institutional policies are fictions that fail to address the racist underpinnings of

our institutions and stop short of true reformation by refusing to reckon with the policies themselves, instead remaining fixated on practice.

## **Key Terms and Definitions**

As I approach this study, I want to clarify several terms I use throughout this project. First, I use the term “minoritized” to refer to individuals holding subordinated identities. “Minoritized” emphasizes the way that social structures and individuals subordinate these groups because of their identities, rather than placing an emphasis on numerical representation in a setting or assuming a deficit mindset. This term encompasses various minoritized identities, including race, ethnicity, ability, gender, sexuality, and others. Additionally, I use “BIPOC” (Black, Indigenous, and People of Color) as a collective term specifically for individuals with racially minoritized identities. This nuance allows me to specifically call out instances where systems of oppression operate against individuals due to broad identities or specifically racialized identities. I also intentionally use a lower case “whiteness” throughout to reflect an intentional desire to dismantle historical practices of prioritizing whiteness and white supremacy. When quoting authors, I use their practices in addition to when the term begins a sentence. I also intentionally use the term “white power” throughout to intentionally call out how these systems and structures are perpetuating white individuals’ authority and primacy. The subsequent white power, which includes cultural capital and authority, is the precipitate of these systems that intentionally discriminate against BIPOC students (Leonardo, 2013). I use this term throughout to also foreground the concept of power being part of these systems.

Several specialized terms require definition given their use in student conduct work. Most relevant to my study is the use of the term “disruptive” as I consider how individuals and institutions work to oppress BIPOC students. The definitions at the beginning of this chapter

suggest a starting point – disruptive or disruption includes those behaviors that institutional members might feel prevent them from fully accessing the educational experience or doing their jobs. However, in my experience the concept of disruption is intentionally vague – each institutional leader or individual reporting concerns makes choices about how they define it. A core function of my subsequent study is to help show how this variable definition leaves space for defining disruption based on individual biases. I will use my theoretical framework (described below) to highlight how the language used to define disruption and the mechanisms for enforcement instead serve to reinforce systems of whiteness and white power. I use the terms “administrator,” “student conduct administrator,” and “student conduct practitioner” interchangeably to describe individuals who operate or control student conduct codes and processes, including meeting with students in these contexts. Student conduct is the specialization within higher education and student affairs where practitioners define standards of behavior and manage the institutional response to alleged violations of these standards. Standards of behavior, referred to as prohibited conduct or community standards, are the definitions of what students are not permitted to do. These often include behaviors prohibited by external agents like the federal government, such as underage alcohol consumption or sexual assault. Within the higher education context, standards of behaviors also include definitions of academic misconduct like plagiarism or cheating on exams, while many also include specific prohibited behaviors for settings like student housing. Student conduct codes are the written documents that capture the standards of behavior and the written procedures for responding to allegations. I also distinguish between student conduct policies, processes, and practices. Policies encompass the written code and other procedures for adjudication. Process is the actual mechanism for responding to violations, such as giving notice, hearing procedures, and

appealing decisions. Finally, practice is the actual behavior of people who represent the institution and meet with students, also called student conduct administrators.

Other common terms include adjudication, which includes the process of evaluating allegations and making decisions about responsibility. Sanctions is a broad term for the institutional responses to misconduct, and often include active components such as community service or restitution, administrative components such as warnings or disciplinary probation, and in some cases educational sanctions such as reflection papers or workshops intended to promote learning. Some institutions incorporate restorative practices, such as mediation or restoration circles, though this strategy often occurs in parallel with or are subordinated to formal processes. The process itself also includes obligations related to due process, defined in the groundbreaking *Dixon v. Alabama* case, discussed later in Chapter 2. While there are other important terms, I use these most frequently throughout.

## **Conclusion**

Student conduct policies (i.e. Codes of Student Conduct or “community standards”) represent the textual skeleton beneath the practice of higher education administrators. My study involves a deep interrogation of these texts and the documents and conversations that contextualize them within individual institutional contexts. These additional texts may or may not be publicly available, and I use my research tools to request access to these materials, if possible, to help explicate the application of these policies. Chapter 2 offers a summary of my theoretical frameworks that inform my analysis, as well as a review of the literature that brackets this study. The literature review reveals the gap in existing higher education scholarship that I intend to enter with my research. Chapter 3 includes a discussion of critical policy discourse analysis and how I intend to apply this methodology to the artifacts I collect. My study yielded

data from eight institutions. I engaged in individual analyses in Chapter 4 to unveil the ways that the disruption policies and campus contexts serve to reinforce systems of white power as detailed in my theoretical framework. Chapter 5 offers insight into a broader meta-analysis of common trends, proposes opportunities for revisiting campus policies with an equitable lens, and offers recommendations for future research.

## CHAPTER 2: LITERATURE REVIEW

Student conduct sits at an intersection of legal compliance, student development, and institutional policies. As a result, reviewing literature in student conduct alone fails to give a complete picture of how systems of white power play into our institutional disciplinary policies. I decided to bring in literature from outside of higher education because I was interested in seeing how other fields have approached the ways that law and policy disproportionately focused on responding to behaviors impact BIPOC individuals. I have identified three realms of literature that can inform my analysis of disruption policies in higher education. Higher education student conduct, the K-12 disciplinary system, and disproportionality in the criminal legal system all have parallels. My reviews indicate that higher education student conduct literature lacks analysis about disproportionality of application, while the K-12 disciplinary system and criminal level system all contain robust literature for consideration. The focus of my scholarship and professional experience has been in higher education. I am conscious that exploring literature outside of my field of study requires sensitivity about my lack of deep knowledge in these other realms. While I use a critical lens in my literature review, I have tried to approach this review with humility and rely on studies to understand how these realms of literature help contextualize the role of policy in higher education. My analysis identifies where there are lessons for higher education administrators to consider. Broadly speaking, my analysis reveals a gap in higher education research related to institutional policy impacts and consideration of identity.

In this literature review, I consider areas relevant to my study and analysis. The first section includes information that informs my theoretical framework, as well as the frameworks I use in my subsequent review of the fields of literature. I then explore existing literature in higher



education student conduct, capturing themes in the literature that reveal the lack of research on policies in this realm. Ranging outside of higher education, I first consider the research in areas that feed into higher education – the K-12 educational systems – and how disciplinary systems impact BIPOC individuals. Because the K-12 educational system feeds into and is informed by policies and practices in the criminal legal system, I delve into literature about the impacts of the criminal legal system on BIPOC individuals. My review of this area offers essential nuances to my analysis and informs the reasons my subsequent study focuses on a variety of data sources to inform the discourse around disruption policies on college campuses.

### **Inclusion/Exclusion Criteria**

As I approached this literature review, I used some common strategies for each area outside of my theoretical frameworks. Using library search engines, I focused on literature since 2000, with some limited exceptions to capture literature considered essential to each realm (such as Crenshaw (1991)) or with important historical implications (such as court cases like *Dixon v. Alabama*). I worked in all circumstances to seek out literature that captures the nuances of each area, using reference sections for each study to check to see if I have reached saturation in my review of the literature.

For my theoretical framework section, I selected studies and scholars in the fields that explain the various theories clearly. Additionally, I worked to review and include the original scholars for various components of each theory. I tried to intentionally incorporate BIPOC scholars, giving clear and robust academic credit for their work. I also worked to solicit recommendations from members of my cohort, fellow scholars, and my advisors to ensure that I was being thorough.

I pursued two primary strategies for developing the body of work for my section on student conduct. First, I used library search engines to search terms including student conduct, student judicial, higher education discipline, whiteness, white supremacy, critical whiteness studies, systems of oppression, and higher education student conduct. I make exceptions to my timeframe for some legal cases such as *Dixon v. Alabama* that significantly impact student conduct practice and some formative publications from the Association for Student Conduct Administration (ASCA). Student conduct literature takes a significant turn towards a more legal compliance focus in 2001 with the first of several “Dear Colleague” letters from the Department of Education regarding the applicability of Title IX of the Civil Rights Act. With this turn, the field began a rapid change away from a loosely held constellation of professionals across campuses doing conduct work as part of their other responsibilities to an increasingly specialized sub-set of student affairs professionals with expertise in legal compliance, conflict resolution, and investigation of sexual misconduct matters. I used publications from ASCA to understand the literature prevalent in the field and consulted those references sections to augment my article searches with other key literature in the field. ASCA also marks 2001 as a turning point in their membership, signifying the moment where the profession began to coalesce into a more specialized field (Association for Student Conduct Administration, n.d.-b).

In my review of disciplinary systems in the K-12 school system, I tried to find literature that captured the wide range of studies into the “school to prison pipeline.” I used library search engines to search terms including school to prison pipeline, disproporti\*, K-12, disciplin\*, race, and ethnicity. As with other sections, I reviewed the reference sections of these studies to understand the level of saturation attained.

In my review of the criminal legal system disproportionality, I tried to cast a net that includes court systems and structures, and analyses that review the concept of the panopticon. I include this last piece because of the role that observation, particularly with increases in technological observation tools, plays in the referral and conviction of individuals. I used library search systems including disproporti\* in judicial systems, judici\*, race, panopticon, panopticon in criminal justice, court\*, polic\*, and polic\*. In both this and the sections on disciplinary systems in K-12 systems, I acknowledge that my level of knowledge is limited since this is not my primary area of study.

### **Literature for Theoretical Frameworks**

Student conduct lies at an intersection between student development, institutional compliance, and a web of court rulings that define aspects of processes and meetings with students. As such, a single theoretical framework cannot fully explain and inform an analysis of student conduct policies. Critical legal scholars specifically bring in frameworks for analyzing court and legal requirements. Critical race theorists inform the analysis by focusing on systems that facilitate the oppression of BIPOC. Critical whiteness scholars specifically offer a critique of systems that also perpetuate whiteness and white supremacy. Finally, while these frameworks can be used for critique, Brown's (2017) scholarship about emergent strategies integrates hopeful mechanisms for dismantling systems that are novel, organic, and informed by love and honesty. I weave these frameworks together in my eventual conceptual framework for exposing systems of white power in student conduct policies.

### ***Critical Legal Studies***

Despite being organizationally positioned at most institutions in student affairs divisions, student conduct is deeply rooted in legal compliance and due process. Critical legal scholars

offer a framework for considering laws and court decisions within practice and policy. Though critiqued into oblivion by neoliberal jurists and subsumed over time by Critical Race Theory, intersectionality, and other evolutions of critical analysis, the ghost of critical legal studies scholars still contributes to my broader conceptual framework by bolstering the role of legal analysis in any review of student conduct policy (Bauman, 2002; Gearey, 2013; Gilchrist Stewart, 2020a; Gilchrist Stewart, 2020b). Gotanda (1995) and Bauman (2002) both root critical legal studies in a critique of legal liberalism, framing it with three primary components. The first concept, that the law is separated from ethical considerations, makes it possible for legislators to draft unjust laws that court justices uphold as legal. Gotanda and Bauman use this distinction to also frame laws as tools of society. Legislators draft laws and reflect societal biases. Scholars who use legal liberalism presuppose that a legal subject is neutral and without identity. Gotanda critiques this perspective, bringing into focus how legal liberals promote oppressive systems through their refusal to understand context and power dynamics. Critical legal scholars frame law as the codification of power structures, and I use this in my conceptual framework. Similarly, critical legal scholar's discussion of neoliberalism echoes into future critical scholarship.

Neoliberalism anchors many of the critical legal studies critiques. Spade (2015) highlights how neoliberalism influences the legal system. Lawmakers and administrators criminalize behaviors to get people to “reform,” rather than respond holistically to systemic issues for BIPOC individuals (Cole & Heinecke, 2018; Gillborn, 2005). Their focus on criminalization means that jurists and enforcers respond to issues without a focus on the root causes of a behavior or the systemic factors that might be at play (Gotanda, 2004; Irons, 2000; Lake, 2011). At the same time, their emphasis on neutrality and fundamental fairness makes the

legal threshold for holding individuals accountable for discriminatory behavior nearly impossible. Justices operating the legal system require “perfect clients,” or plaintiffs where the fact patterns are so clear, the harm so severe, before they will consider responding (Gotanda, 1995; Irons, 2000). They leave entire groups of individuals subject to harm, forcing them to live with that injury without recourse because their cases are not “perfect.” Similarly, neoliberal scholars set up dichotomies within legal systems that bleed into quasi-judicial systems like student conduct. By approaching relationships from an adversarial perspective, student conduct administrators create a barrier to engagement and prevent the authentic connection between administrators and students by emphasizing the power imbalance between the parties (Harris & Linder, 2017; Taylor & Varner, 2020). Neoliberalists, then, reinforce the systems of power and structures inherent in western legal systems (Ahmed, 2019; Gotanda, 1995/2004). Critical legal scholars’ critique of this neoliberal framing carries forward into other critical analyses, and thus grounds my conceptual framework.

### ***Critical Race Theory***

Central to critical scholarship, critical race theorists define key components of approaching critique from a position that centralizes BIPOC individuals and the role of oppressive systems. Bell (1973) and Crenshaw (1991) expand critical legal scholarship by bringing attention to the role of race in systems of oppression. Bell’s groundbreaking discussion integrates race into legal analysis. Their discussion makes race and racism a key component in understanding legal decisions and power frameworks that reinforce whiteness and oppression of BIPOC individuals. Crenshaw’s development of intersectionality shows how gender and Black identities come together and inform individuals’ experiences with the legal system. Delgado and Stefancic (2017) frame critical race theory into five key tenets that apply beyond just legal

frameworks. They first acknowledge that racism is real which, though a seemingly obvious statement, is still necessary to establish. Second, white people of various socio-economic levels still benefit from racism. Scholars point out that to create real change the interests of white people must align with those of BIPOC individuals through interest convergence (Bell, 1979; Delgado & Stefancic, 2017; Leonardo, 2013). Third, critical race scholars frame race as a social construction. While this can sometimes be seen as a reason to ignore racism (also called color evasiveness<sup>2</sup>), it speaks to the power of social conceptualizations of race and how different racial identities are framed as more or less white by society. Fourth, critical race theorists acknowledge how individuals have a variety of identities, and that their experiences are different as those identities overlap and engage with each other (Solórzano & Yosso, 2002). Considering multiple dimensions of identities helps frame the power of this dynamic, and how systems of power and oppression relate to individual experiences. Finally, “voice-of-color” critiques the notion that BIPOC people have the knowledge and ability to speak on behalf of all BIPOC individuals. By essentializing the BIPOC individual experience, people who assume that BIPOC individuals can speak for all BIPOC further dehumanize them. Instead, Solórzano and Yosso (2002) offer the concept of counter-narratives to center the stories of individuals whose stories have not previously been told, whether these stories serve to confront dominant narratives or seek to introduce other stories about BIPOC experiences. I incorporate critical race theory as a natural outgrowth of critical legal studies and nuance the focus on the role of whiteness and white supremacy through a critical whiteness studies lens in my conceptual framework.

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<sup>2</sup> While the more common phrase is “color blindness”, I intentionally use color evasiveness to capture both the intentional nature of the behavior and to avoid the problematic, ableist nature of using the term “blindness”.

### ***Critical whiteness Studies***

Critical whiteness scholars offer a framework for examining phenomena with a focus on power and the role of whiteness in maintaining white power (Cabrera et al., 2016, Gillborn, 2005; Leonardo, 2009). Whiteness is in the broader institutional environment and influences the experiences of students broadly (Cabrera, 2014). Leonardo (2009) highlights that “whiteness is a social construction” (p. 96). This social construct reiterates power structures and dynamics that benefit white individuals in all aspects of society, while also harming minoritized individuals through continued systematic disenfranchisement. Leonardo further frames a critical whiteness lens as inclusive of both critical evaluation of white privilege and white racial supremacy, particularly because they are intertwined and create a feedback loop to mutually reinforce the minoritization of BIPOC individuals. Cabrera (2018) offers a modification to critical race theory which incorporates whiteness into the discussion along with existing components of critical race theory. This addition provides an extra facet to consider how the behaviors and attitudes of students might be working to reinforce whiteness, even if they identify as having a minoritized identity.

Recognizing the role of whiteness in maintaining oppressive systems foregrounds opportunities for change while avoiding a focus on white people themselves. While there is space for a critique of white people, critical whiteness studies avoids the recentering of white people in analysis, instead looking at the ways that power structures maintain white power while oppressing BIPOC individuals (Cabrera, 2019). Cabrera et al. (2016) frame their critical whiteness lens using three threads from the broader critical whiteness studies gestalt. The epistemology of ignorance speaks to the ways that white people deny racism as a problem. A post-racial environment means that white people do not need to engage in the work of addressing

systemic racism, thus becoming complicit in maintaining white supremacy. Ontological expansiveness, the second line of the model, reveals the ways that white people expect ownership and comfort in space (Gusa, 2010; Leonardo & Porter, 2010). This expectation of ownership is understandable (though problematic), given the saturation of whiteness and norming of white power in educational systems (Leonardo, 2004). Cabrera et al. also rely on a reinterpretation of safety described by Leonardo and Porter (2010). This reinterpretation argues that white feelings of safety require the repression of any form of violence, even non-physical violence, against white individuals (Leonardo & Porter, 2010). This repression relies on definitions of safety that white individuals feel comfortable, rather than considering context. Without this violence, change cannot occur. Acts of violence in various forms (epistemological, interpersonal, physical, verbal, etc.) are necessary to humanize BIPOC individuals and dismantle oppressive structures. These three threads, the epistemology of ignorance, ontological expansiveness, and a reinterpretation of safety, each run throughout my conceptual framework to guide my future analysis of documents and discourse.

### ***Emergent Strategies***

Critical analysis offers strategies for dismantling oppressive systems and gives some guidance about mechanisms for change. However, since many authors (myself included) are acculturated into white ways of approaching academic analysis, we often unintentionally reinforce problematic paradigms. Brown (2017) pushes readers to imagine a new, emergent strategy for creating change. This creative approach to change, emphasizing novel and imaginative solutions, roots itself in the natural world. Brown argues for us to “actually do everything differently, aligned with a different set of core principles for existence” (p. 114). Integration of this model, pushing student conduct professionals to reimagine the role of the



work and the necessity of reifying legal frameworks, is both aligned with critical frameworks and necessitates creativity. Looking to natural models, mediation, imaginative interventions, equitable approaches, and liberatory education all give helpful guidance for this work. It also gives the model a hopeful, constructive approach that is based in love and honesty. Brown's approach also focuses on the concept of evolution, constant dismantling and reformation of systems and structures at the micro and macro levels. At a systems level, whiteness is in a constant state of evolution, with white individuals seeking new and novel ways to reinforce and retrench their power. Critical work needs to be similarly nimble, constantly on the lookout for insidious branches of whiteness. It needs to also be forward-looking, seeking and crafting new methodologies for humanization, reconciliation, and engagement as the world changes. At the individual level, a similar struggle occurs. Internalized systems of whiteness and white supremacy are insidious and require constant reflexivity, reflection, and challenge. The decision to focus on interconnectedness and interdependence is itself a balm for the soul, helping guide individuals away from individualism and whiteness and towards solutions that consider our collective humanity.

In Chapter 3, I detail the ways that these theories combine to inform my conceptual framework. I apply a Critical whiteness Studies lens as I review the remainder of the literature below. I begin with a review of student conduct in higher education literature, and then move outward to consider the interplays amongst this system, the K-12 discipline system, and the criminal legal system. Together my analysis reveals the importance of examining the role of disproportionality in higher education, given the ways that this occurs in other, similar and parallel systems.

## Student Conduct in Higher Education

Broadly speaking, researchers in student conduct contemplate the learning opportunities available to students through processes. However, at its core, student conduct is made up of institutional policies designed to layout institutional norms and the mechanisms for enforcing them. These systems of enforcement are connected to institutional efforts to control students, rooted in the concept of *in loco parentis* even after *Dixon v. Alabama* reframed the relationship between students and institutions. Yet, by not examining the roots of student conduct in legal frameworks, scholars ignore important questions about how unquestioning focus on legal compliance serves to reinforce the systems of whiteness, including white power, listed above (Hong, 2017; Linder & Harris, 2017). I organize this component of my literature review based on these four groupings, student conduct as learning, policy, control, and compliance, and put scholars in discussion with each other and my own critique using a critical whiteness lens. I made two intentional choices when reviewing literature in student conduct. First, as I mention as a function of my rationale, there is limited non-dissertation scholarly work in the realm of student conduct. In reviewing the existing dissertation literature, there was a common lament amongst graduate students that lead to their own scholarly contributions through the dissertation (Alston, 2021; Bogle, 2018; Glassman, 2021; Horrigan, 2016; Ledbetter, 2021; Seiss, 2020; Tabacchi, 2017; Van Vlack Bruckner, 2014; Waller, 2013). While I excluded their work from my literature review, this scarcity of published studies made it clearer to me why so much of this work is rooted in legal compliance. Without completing scholarly work, administrators must rely on model codes promulgated by associations and legal advice. I intend my own research to be part of this new push in the field for growing the academic and theoretical skeleton to our practice. Second, I did not include studies about academic misconduct, which includes cheating,

plagiarism, and/or contract cheating (use of online services to complete assignments). While institutions all have sets of student conduct policies regarding behaviors like alcohol, sexual misconduct, or disruption, the approach to academic misconduct varies based on institution. Some refer to faculty administration of these codes, while others use central offices. Because of this variability, I chose to not include this literature in my study, instead focusing on literature rooted in the policies and practices of student conduct administrators positioned within student affairs areas.

### ***Student Conduct as Learning***

Many practitioners incorrectly see alignment between educational student conduct practice and process. Taylor and Varner (2011) discuss this alignment, pointing out that in many examples of behaviors students “reveal the personal work required to better understand the alignment between who they are and who they aspire to be” (p. 27-28). In this world and most conduct systems, the process includes the codes and procedures that formally guide practice. Alongside process, practice is the interpersonal interaction between individuals, including educational interventions that conduct professionals assign to students. However, this statement is also rooted in many assumptions. Taylor and Varner include terms like “abuse,” “argue,” and “inappropriate assert[ion],” all of which are terms rooted in the framework of white supremacy discussed above. A student may be exactly who they aspire to be, and instead experience oppression in the higher education environment. Lancaster (2012) offers similar guidance, exploring how student conduct administrators serve as moral guides for their students. The same questions remain, and if anything become more pronounced – moral for whom? In an environment where many conduct administrators may be white, and disciplining BIPOC students, what does it mean for us to engage in moral judgment and guidance to students?

Lancaster foregrounds Rest's four component model for guidance, suggesting that "both the professional and the student participants will gain sight into the moral underpinnings of the process and the commitment of the professional to moral development" (Lancaster, 2012, p. 57). Giacomini and Schrage (2011) question this assumption, acknowledging how student conduct systems are rooted in systems of oppression "send[ing] a message that the discipline policy is in place to reign in or turn out a student who fails to respect an ultimately subordinate role at the institution" (pp. 16-17). Language about student learning and alignment with expectations is laden with assumptions that Giacomini (2011) correctly describes as "familiar ethnocentric trappings not uncommon in any of our country's formal adjudication systems" (p. 188). Student conduct practice then becomes a mechanism to further perpetuate systems of oppression under the guise of education, not dissimilar from other historical efforts to impose hegemonic structures and systems via education (Wilder, 2013). However, some scholars and practitioners attempt to use social justice principles to provide alternative resolution options.

Neumeister (2017) attempts to offer an integrated model of transformational change for moral action to frame student conduct practice in developmental and learning terms. They correctly name that student conduct as a field has moved away from learning and education in favor of compliance. Their model includes a valuable combination of holistic support for students, focusing on collective good and needs rather than individualism inherent in maintaining white supremacy and power. For all of Neumeister's intention, they fail to identify what values should underwrite this developmental process. Neumeister does not take the leap into defining these values or reevaluating the policies or practices that get students into the student conduct process itself.

The scholars who assess the learning experiences of students largely build on each other without critically evaluating the role of policies in their work. Kompalla and McCarthy (2001) explore recidivism and retention rates, finding that educational sanctions were not effective at reducing recidivism. They do not consider the experiences of students, focusing instead on the effectiveness of these policies in ensuring compliance with institutional norms. King (2012) offers a useful examination of the role of education and whether students perceive the disciplinary experience as educational. At the core, King does not approach the underlying policies and structures and makes assumptions without a critique of the ways that they reinforce systems of whiteness. They explore the students' experiences and perceptions of fairness using a quantitative method, finding that most students found little educational value and fairness in the process. There is limited discussion of identity data, and how student experiences connect to their perception of fairness. Without a critical examination of students' experiences, including the use of either critical quantitative methods or augmenting the data with qualitative aspects, King does not get at the underlying experiences of students involved. King's conclusion, that conduct officers should teach students more effectively about the process, misses the role of conduct officers in engaging with students as a method for improving student experiences.

Nelson (2017) offers a different approach, comparing students who have not been through a student conduct process with those who have. Their novel strategy is still rooted in a quantitative and reductive assessment of participant's knowledge of institutional policies. The learning, while statistically significant, is more aligned with whether or not individuals connect their experiences with compliance, rather than personal growth. Schuck (2017) understands the connection between student conduct and retention/graduation rates. They simultaneously call out the parallels with judicial systems and reveal the connection between engaging with a student

conduct professional and retention. Use of national data notwithstanding, they focus on deterrence and recidivism, rather than engagement and learning. Stimpson and Janosik (2015) reveal that student conduct system efficacy relates to student perception of fairness. While they do not consider the narrative experiences of students, they collect student conduct focused data that considers identities. There is an opportunity to consider systemic change as a natural progression from their call for student conduct professionals to support students' experiences. To do this, administrators must also consider the role that student conduct as policy plays as a backbone to institutional practice.

### ***Student Conduct as Policy***

Institutional policies, like those governing student conduct in higher education, exist within larger constructs of power and racism (Hardiman & Jackson, 2007; Holmes & Anaya, 2020; McCarthy & Hoge, 1987; Mills, 2003; Skiba et al., 2011). Leonardo (2009) draws together the ways that racism exists within the context of policies, showing ways that racialized power manifests through policy systems of power. The insidious nature of overt and covert racism, particularly amongst white people, makes even well-meaning white people complicit in reinforcing systems of oppression. Where Mills (2003) argues that the systems of oppression are no longer de jure, Leonardo (2009) points out that even if racism is no longer explicit through laws that specifically target minoritized individuals, the work of whiteness by legislators and policymakers inherently will seek to reinforce their power, to the detriment of non-whites. This assertion of superiority crystallizes through policies that, even when deemed “content-neutral,” still serve to support the status quo, itself a system privileging white folx (Gusa, 2010).

Turning to student conduct policies, Brown-McClure and Cocks (2020) emphasize that conduct practitioners need to be aware of dynamics in their processes that create advantages or

disadvantages for students. For example, they acknowledge that legally framed systems create higher stakes for students, particularly if their only context is previous engagement with the criminal justice or policing system. Success for students, often being found not responsible by a conduct officer, requires skills that the student may not feel equipped for. Another piece to consider is the role of neutrality as a mechanism for perpetuating systems of oppression. If legal systems are invested in perpetuating whiteness, then “neutrally” applying these systems as Brown-McClure and Cocks suggest means to apply the systems in a way that perpetuates whiteness. Professionals who apply these policies without examination further harm minoritized students while simultaneously cloaking themselves in an air of fairness. This perception follows through in the discussions about educational interventions through these processes. Incorporating legal language into policies further perpetuates legal systems of oppression. Martin and Janosik (2004) discuss the role of legal language in student conduct codes. Their study examined the specific language in conduct codes, and found that many codes purported to be educational but instead used legal framings. Proposed alternative language shifts from terms like “convicted” to “found responsible” and “testify” to “summarize events.” While an important step forward, this language appears to perpetuate hierarchy and legal systems, albeit in a less formal way. Barnes (2020) similarly found in their dissertation research that time did not yield changes to these policies. Their analysis of various institutional documents revealed a focus on punishment, legal frameworks, and a disconnect with institutional values.

Within the context of policymaking and whiteness, Gillborn (2005) highlights that policymaking by white people creates structured domination for and by white people. When policies are made “with the best intentions for all,” policy makers build these policies on top of historical foundations of white supremacy, creating a precipitate of whiteness with each drop

representing the iterative process of reinforcement (Gillborn, 2005, p. 486). The concept of policy as the precipitation of whiteness in the solution of society feels particularly salient here. Gillborn's supposition that policy is made with the best intentions, without considering that white supremacy cares only for whites, shows how intentionality may not matter in policymakers if they are not specifically seeking to construct policies that dismantle whiteness and white supremacy. The difference, in many ways, parallels the differences between non-racist and anti-racist work: one is a state and the other is active (Kendi, 2019). Educational policy, then, is infused with whiteness and white supremacy that requires significant effort to dismantle.

Thinking specifically about policy in higher education, Giacomini (2011) suggests that "our institutional language expresses our intent and values when addressing student misconduct and conflict" (p.186). If what Gillborn argues is true, then Giacomini's statement means that student conduct policies are rooted in systems of whiteness and white supremacy. Using what is described as the "model code" across institutions of higher education as a way of writing "good" policy becomes a way of catalyzing the precipitation of white supremacy described above into conduct policy. Giacomini talks about "honoring rights, nondiscrimination, fairness, evenhandedness, and dignity, together with protecting and respecting the rights" of students and institutions (Giacomini, 2011, p. 187). Indeed, student conduct policies are rooted in legal frameworks that Giacomini describes as seeking to create fair and equitable processes. Noonan-Day and Jennings (2007) similarly explore the connection with disruption by students with disabilities. The risk management process rooted in legal frameworks emphasizes the question of compliance and risk management. Their subsequent analysis focuses on remaining within legal compliance and fails to consider the individual experiences and perspectives of students. However, applying a critical whiteness studies lens raises important questions about the



assumptions inherent in their statements, and how those assumptions are rooted in reinforcing systems of oppression through policy.

Thinking specifically about educational opportunities, Starcke and Porter (2019) explore the assignment of educational sanctions for drug offenses, finding that student conduct administrators did not issue more severe sanctions based on the visible identities of students. The authors effectively frame their analysis to focus on agents of the institution, rather than approaching the work from a deficit mindset that blames students. However, as is often the case, the authors do not consider the role of institutional policy and reporting as mechanisms for disciplining students. Karp and Sacks (2014) use the STARR project to determine the most effective strategies for learning and control. To their credit, they recognize the limited work that has been done in assessing student conduct as a field, and the ways that the various model codes have influenced national processes in the United States. They found that restorative processes and hybrid models are most effective for promoting learning amongst students. While interesting, they only make passing reference to race/ethnicity and do not dig deeply into the role of reporters in the process. Similarly, Miller and Salinas's (2019) examination of community college student conduct reveals an even more regressive set of institutional policies that emphasize compliance with minimal learning and community involvement. These authors use quantitative information to understand how students perceive their experiences. However, we cannot use this information to push beyond the experiences into the actual policies that govern and guide student conduct work. Without this reflexivity, we cannot dig into the foundation of white supremacy within each institution. Creating learning opportunities within these structures as the above authors suggest can be effective at helping students have positive and growth-mined experiences. However, institutional retention of policies and processes that reinforce whiteness is

counterproductive to these efforts, always forcing student conduct professionals to stay shackled to process and policy.

### ***Student Conduct as Control***

Student conduct codes outline acceptable student behavior at a given institution. Typically framed as prohibited behaviors or community standards, these codes contain mechanisms for enforcement that emulate legal systems, themselves rooted in whiteness and white supremacy, in the interest of maintaining an environment supportive of white safety (Leonardo & Porter, 2010). Brayboy (2003) challenges institutions to consider examination of and change to structures that perpetuate harm as a response to historical wrongs pervading colleges and universities. Some scholars try to incorporate social justice principles into systems largely designed with legal compliance as their overt motivations (Holmes & Anaya, 2020; Holmes et al., 2020; Karp, 2015). Closer examination of student conduct codes reveals ways that conduct administrators applying these codes harm students. Similarly, even as they work to change systems, whiteness and white supremacy still frame non-white systems of resolution, such as restorative practices, as less valuable than their white counterparts. Application of a critical whiteness studies lens to student conduct policies reveals ways that policies manifest as and reinforce whiteness and white supremacy in the higher education environment.

Wong et al. (2016) interrogate the role of academic integrity on campus. Their framing of academic integrity policies suggests the mechanisms of control that the institution uses to dictate student behavior. Their use of Association of American Colleges and Universities (AACU) dimensions of personal and social responsibility creates a framework for their analysis but fails to address the underlying assumptions about the dimensions. While they foreground the perspectives of the participants, they still frame the conversation within the context of

institutional policies rather than a co-constructed framing of learning on campus. In their implications for practice, Wong et al. consider the importance of helping students understand their values, but still frame institutional response as needing to adjust students' approaches, rather than recognize them as learners and engage in partnership in the learning environment. Baldizan (1998) recommends a recalibration of student conduct work to consider the lived experiences of the students. Their justification, that student conduct has moved from *in loco parentis* to a more legally framed profession, makes sense within the legal context. While Baldizan's evaluation does align with critical strategies intended to foreground student experiences, the framing itself is flawed. Their framework remains rooted in research related to whiteness and white power, with recommended strategies for defining ethical development as compliance with systems of whiteness. Shafaei et al.'s (2016) exploration of international student acculturation reveals the ways that institutions exercise control over their students through policy. They recommend more robust educational programs for students coming to their Malaysian institutions. However, they fail to consider the role of institutional racism and bias against non-Malaysian students coming to their institutions. The goal, assimilation into institutional expectations, requires a "successful" student to give up their home norms and goals in favor of institutional values. This dynamic manifests with students who participate in student conduct processes as decision-makers. Bittinger et al. (2018) explore the way that conduct board members, most often students, experience and work through student conduct adjudication. Their study reveals that these students, serving to operate the student conduct code, do not do so with an equitable eye. In my own experiences, students often render more severe judgments when they serve on student conduct boards. However, their reification of problematic structures is itself a challenge to creating more equitable systems. Students can engage in critical work, but

this study demonstrates that part of the student conduct professionals work advising them must include some form of liberatory education, encouraging the student board members to unlearn problematic strategies that reinforce systems of white supremacy.

### ***Student Conduct as Compliance***

Compliance takes many forms, and in the case of student conduct includes legal/regulatory compliance and compliance by community members with institutional policies and procedures. Some researchers explore the professionalization of student conduct, particularly as professionalism relates to conduct professional preparation and skills. Glick and Degges-White (2019) explore this topic, first comparing existing literature to Horton's 1944 framework of professional identity status and then engaging in a study to address two of the ten criteria that researchers had not explored yet. While Glick and Degges-White address the multi-faceted role of student conduct, they fail to consider the impacts of student conduct work on students, particularly BIPOC students. Their highlighting of the nuanced and individualized nature of student conduct interactions is the closest they get to this, though still do not consider what factors to evaluate or how conduct professionals gain skills to address systemic issues.

For example, from a legal compliance perspective, participation in higher education is seen as a property right that necessitates procedural due process before impacting or denying a student their ability to participate (Warters, 2011). Cabrera (2018) reminds us that whiteness has a fundamental investment in legal systems generally and property rights in particular. The role of whiteness in creating institutional policies translates into a reinforcing relationship amongst property rights, whiteness, and policies that impact those rights in a higher education context. These components mutually reinforce each other, and within the context of student conduct policies ensure the continued perpetuation of oppressive systems.

The *Dixon v. Alabama* court case is a key case that changed the relationship between student and institution. The Court found that students were entitled to due process protections in disciplinary proceedings, including the right to a notice of what they are accused of, to review and respond to evidence, and to share their perspective with an administrator or hearing body. This case redefined the relationship between student and institution, moving from a paternalistic, *in loco parentis* relationship to a contractual relationship with legal protections. Students became individuals with property rights to their educational experiences, rather than wards of the institution. The Court sidestepped a key issue in this case – that the individuals involved (all Black men) were being held accountable for protesting (Lee, 2014). Due process rights offer some barrier to arbitrary and capricious decision-making, but they fail to adequately respond to policies and procedures that work to protect white supremacy in higher education. At the time, the Harvard Law Review (1962) recognized that the Court avoided the questions at the core of the case, instead focusing on procedural aspects. They failed to consider the role of institutional bias and power against BIPOC students, instead making a procedural direction and referring the matter back to the institution for adjudication. The Court took an easy way out by refusing to address the substantive structural issues and instead responding to a procedural component. White innocence, in the form of this willful abdication of responsibility for making difficult decisions, uses compliance as a method for ensuring whiteness remains powerful (Lee et al., 2022). Leaders in higher education make this manifest through the similar refusal to examine critical questions, instead spending their energies on questions of protocol and policy compliance and remaining ignorant and innocent to the truth.

Student conduct codes specifically represent the policies and protocols used by institutions to define appropriate behavior and respond to violations of these norms. While some

researchers discuss the impacts of these systems on minoritized students, they largely miss the ways that these systems perpetuate whiteness and white supremacy. Stoner and Lowery's (2004) model code, a broadly adopted student conduct code framework at many institutions, mirrors legal frameworks of adjudication while simultaneously attempting and failing to espouse educational objectives. While the incorporation of social justice principles and restorative justice practices into student conduct work is in vogue within the field, administrators using this code end up reinforcing a hierarchy that puts formal adjudicative processes that benefit white students in a superior position. A Critical whiteness Studies lens reveals how these systems are perpetuating harm in the guise of neutrality, fairness, and justice.

Student conduct codes set out both the standards of behavior for students on campus and typically the mechanisms for addressing violations of those standards. Like analogous laws and legal systems, these student conduct codes reflect what Giacomini (2011) describes as the "familiar ethnocentric trappings not uncommon in any of our country's formal adjudication systems" (p. 188). From the previous discussion, these familiar trappings are best described as instruments of white supremacy. Thinking specifically about student conduct, Kallager and Curran (2020) acknowledge the linkages between student conduct codes and policies and the values and history of the institutions of higher education, while these institutions are themselves instruments of whiteness and built on the labor of minoritized students. Student conduct codes, as instruments of whiteness and white supremacy, offer individual mechanisms that researchers in other contexts demonstrate is harmful to minoritized students.

As I discuss in greater length later in this chapter, educational researchers in the K-12 system reveal the ways that these systems disproportionately involve reports of minoritized students, and the punishments are more severe than their white counterparts (Giacomini and

Schrage, 2011; Skiba et al., 2011; Wallace et al., 2008). These systems are designed to redirect students, particularly minoritized students, from education using punitive systems. Logan et al. (2017) highlight in the higher education context that campus climates generate hostility towards minoritized students, climates that are rooted in whiteness and white supremacy. Some researchers argue that actions against minoritized students on campus, such as hurtful speech, should be responded to with more speech (Bird et al., 2020). This speech, enshrined by legal frameworks as free speech on campus, has a demonstrably negative impact on minoritized students (Logan et al., 2017). Khey et al. (2010) look at relationships between students' experiences, arrests, and sanctions and the larger impacts on recidivism. As with many studies, they fail to critically assess the nature of the intersection of student conduct work and judicial action and problematize the students themselves – proposing that students in student conduct proceedings must have underlying pathologies. Their analysis also looks at recidivism rates as a function of students' behaviors and juvenile arrest records, rather than considering the possible impacts of social systems disproportionately targeting BIPOC students. Institutional leadership focuses on preventing repeated behaviors, much like legal systems. To make matters worse, many institutions of higher education use a model code drafted by Stoner and Lowery (2004) that was designed to meet institutional legal obligations, creating a system that mirrors legal frameworks that harm minoritized students. I will briefly interrogate the model code given its pervasive use across institutions of higher education as a seed from which many codes have sprouted.

### **Interlude: The Model Codes.**

Stoner and Lowery (2004) present their model code as a non-legal framework for student conduct codes. In my experience and observation, this is an essential piece of scholarship and

has been applied at multiple institutions. I include it here because it has a deep connection with the role of student conduct as compliance, but benefits from more robust exploration.

Application of a Critical whiteness Studies lens reveals that conduct officers using the model code reinforce white ways of engaging that harm minoritized students. The model code became a paint-by-numbers approach to redesign processes in a way that complies with legal structures. It simultaneously gave conduct officers space to say that their application of this code allows them to educate students about how to behave “appropriately as members of an academic community” (Stoner & Lowery, 2004, p. 11). This very statement suggests the application of standards that, given the role of whiteness and white supremacy on college campuses, serves to reinforce structures of oppression against minoritized students. Stoner and Lowery make intentional choices to use language and titles that do not mirror courtroom structures, removing words like “judicial” to disassociate student conduct processes from legal frameworks. However, they acknowledge that their process includes extensive opportunities for students through process that “promotes an image of fairness” (p. 60), perhaps unintentionally revealing that their model code is just that – an image of fairness that may be revealed as oppressive, doubly harmful because it cloaks itself in fairness and due process and instead perpetuates unfair systems of white supremacy.

In 2014 the NCHERM group similarly revealed a model code as part of their “Model Code Project” that included options for public and private institutions. While most of the institutional websites and links regarding this code are now broken since NCHERM became part of the TNG consulting group, the 2014 document remains available. The authors “recognized that model codes fostered conformity rather than reflecting the nuanced differences between campuses. Some campuses took short cuts and did not adapt the models to fit their campus



cultures and climate, despite the warnings of previous model code authors” (NCHERM, 2014, p.

2). Despite this insight, the recommended disruption policy was:

Disruptive Behavior. Substantial disruption of University/College operations including obstruction of teaching, research, administration, other University/College activities, and/or other authorized non-University/College activities which occur on campus. (p. 16)

Regardless of their intention, this policy language for disruption is virtually identical to Stoner and Lowery’s version.

Giacomini (2011) suggests that the Stoner and Lowrey code promotes buzzwords inherent in student conduct work:

Under the revised Model Code...consider that the language is consistently respectful of students as individuals while honoring rights, nondiscrimination, fairness, evenhandedness, and dignity, together with protecting and respecting the rights of the community and the rights of the college to promote high educational standards. (p.187)

My reading of this work from a critical lens reveals that this statement is rife with contradictions and coded intentions. “Rights, nondiscrimination, fairness, evenhandedness, and dignity” for whom? “Rights of the community” for which communities? When I read the model code article, these are important questions, and this author makes assumptions that come from assumptions rooted in whiteness and white supremacy. The pervasive nature of this perspective and the use of the model code make the application of a critical whiteness lens essential to revealing the ways that existing student conduct codes and systems perpetuate whiteness and white supremacy on college campuses, causing harm to minoritized students. As student conduct professionals frame restorative and non-hegemonic resolution strategies in their processes, we need to be mindful of how and where those processes interface with formal adjudication. We must remember to be transformative rather than reinforce existing power structures and dressing up our oppressive systems to pass them off as emphasizing social justice and liberatory for our BIPOC students who are caught up in the process.

Having reviewed literature in student conduct, I move next to the system that feeds into higher education. I selected this realm for two reasons. First, students entering higher education mostly come from the K-12 system. These students, some of whom also participate in student conduct systems, enter higher education with a level of trauma and experience with discipline that informs their subsequent time in our institutions. Secondly, there are parallels with the processes in the K-12 systems and higher education, and a greater amount of research done as it relates to disproportionality. This research can inform opportunities for research in higher education.

### **Disproportionality in the K-12 Discipline System**

The K-12 discipline system offers valuable insights for two reasons. First, most students in higher education must come through this system before entering our institutions. Some of these students must enter our institutions having had prior disciplinary experiences or assumed knowledge about these processes. Second, there are parallels between the processes, with the transition to higher education moving away from the *in loco parentis* relationship between students and K-12 institutions as these students shift to a more contractual experience with institutions of higher education. For context, the K-12 system includes formal educational systems that youth participate in from kindergarten until the end of their high school careers. My review of the literature suggests three important themes. First and most relevant is the demonstrated disproportionality in both teacher reporting and the subsequent punishments issued to BIPOC youth. When BIPOC youth are pushed out of the education system, they are then subject to legal processes related to the school to prison pipeline. As I discuss below, researchers also observe the ways that teachers' attitudes play into routing students into these systems, where their biases and the stresses of acting as surveillance agent and educator lead to greater harm.

Before moving into the literature, I found it helpful to understand the terminology used in the literature and the broader sociohistorical context. Muñiz (2021) used a literature review to offer common definitions and a primer for the School-to-Prison Pipeline (STPP). They point to the specter of the “super-predator” that terrified the political discourse of the 1990’s, pushing for greater and more frequent discipline of BIPOC youth without consideration for context. This included zero-tolerance policies that respond to specific behaviors without understanding the frameworks or reasons an individual might engage in a behavior. Emphasis moved from actual violence to the fear of violence (Muñiz, 2021, p. 741). They also raise the shift from use of the term pipeline to the concept of the school-prison nexus, recognizing the more complex systems that redirect individuals into prisons. Given the parallels with higher education, I elect to keep focus on the STPP as a similar pattern to the funneling of students from academic and co-curricular settings into student conduct processes. Muñiz’s greatest critique is the narrow application of STPP, which is a valid concern. Their critique acknowledges that there are those additional connections in place, and that there are contextual aspects that are ignored by reducing the analysis to focus just on the K-12 system. They also point to the relationship between the legal system and the K-12 system through the increased relationship between schools and police, a linkage that offers more insightful context, rather than attempting to artificially partition the concepts. I use this nuance to consider the literature, as well as how this informs the broader discussion about disruption policies in higher education.

### ***Disproportionality in Referral to and Issuing of Discipline***

The most significant aspect of the K-12 discipline system connects to disproportionality in reporting and punishment of BIPOC youth. Mizel et al. (2016) frames an added distinction to consider the referral as part of the disciplinary process, rather than just considering the

adjudication process. “Discipline” then means both the act of sending someone “to the office” and the decision making in the discipline process. Their study clearly demonstrates the disproportionality in the reporting of BIPOC students, and the greater impact of suspensions and dismissals on BIPOC and male identified youth. They also answer some of the questions of why these impacts lead to problematic outcomes – decreased time in class, homework time, and time with teachers lead to greater instances of disciplinary issues. These nuances play out in the literature below.

In contrast to the higher education research, a body of literature exists exploring the K-12 disciplinary system and the impacts on minoritized students. McCarthy and Hoge (1987) pointed to the disparities between white and Black students’ experiences in disciplinary systems, specifically that Black students were significantly more likely to be both accused of and punished for misconduct. Their research further showed little evidence of disparities between white and Black students engaging in problematic behavior. In the analysis, the authors highlight that the disparities between the frequency of misbehavior and sanctioning disproportionately impacted Black students in the K-12 system. They explained that this occurred from a combination of knowledge regarding the students’ prior punishments, “demeanor” in school, and biases held by the disciplinarian, though the impact of bias appeared less influential than in the juvenile justice system. One factor that may apply to research in higher education would be the impact of prior infractions on the experience of minoritized students in the conduct process.

Similarly, Wallace Jr. et al. (2008) highlighted how minoritized student populations (excluding those of Asian descent) were more likely to be sent to be disciplined and significantly more likely to be removed from the classroom and school for their behavior. Though extensive and operating with a large dataset, the study does not provide space for student voices to explain

their experiences to the reader. The long-term nature of the data did highlight that, while discipline from zero-tolerance policies appeared to dip for majority populations after the 1990s, the same trend did not manifest for BIPOC populations. This trend suggests a troubling pattern, especially considering that students with disciplinary histories in the K-12 system may not then attempt to enter the higher education context. In an attempt to investigate any impacts of race in both the referral for students and the outcomes in the K-9 system, Skiba et al. (2011) examined the dataset from the school-wide information system for K-9 school years. Using quantitative analysis, they affirmed previous studies highlighting that Black and Latino/a students were over represented in referrals for disciplinary action, and the outcomes for these students were more severe even in graduated disciplinary processes. Of note, the authors specifically addressed the suggestion that the explanation is related to socio-economic status, highlighting previous research to the contrary and suggesting that a significant portion of matters involving these students are more “interactive and subjectively interpreted” (Skiba et al., 2011, p. 101). While they highlight the value in performing additional research, their focus is primarily on observations of teachers and administrators in their interactions, rather than intentional investigations into the experiences of students.

Other researchers considered specific identities, trying to understand particular experiences. With regard specifically to Latino/a students in the K-12 system, this group of students represents a quickly growing segment of the school system (Peguero & Shekarkhar, 2011). I use the term “Latino/a” to reflect the researcher’s terminology. Solorzano et al. (2005) offer a graphical demonstration of the impacts of the information above from the K-12 pipeline, highlighting the negative impacts of both lack of preparation and the conditions of the K-12 learning environments for Latino/a students. Researchers’ work regarding the responses of

school officials finds varied outcomes, showing that Latino/a students are often more likely to receive discipline and punishment than their white counterparts, but at variable rates when compared to other minoritized groups (Gordon et al., 2000). Kupchik and Ellis (2008) explored the perceptions of Black and Latino/a students of enforcement efforts in schools, showing through their work that there appeared to be little variance between white and Latino/a students' perception of fairness in the process, though Black students reported lower feelings of fairness. To their credit, the authors did explore the narrative answers to a supplemental questionnaire, which offered an opportunity to inject the experiences of the subjects into the analysis. Peguero and Shekarkhar (2011) reviewed data from an "Educational Longitudinal Study of 2002," a quantitative analysis which compared behavior, punishment, and other demographic factors. Their analysis demonstrated that the level of misbehavior between Latino/a and white students has no statistical difference, the rate of punishment is higher and often did not match with the level of any behaviors involved. Much like the research within higher education, this study focused on available quantitative data without delving into the experiences of students themselves.

While using similar techniques, Welch and Payne (2018) found comparable outcomes in their exploration of Latino/a students, specifically that schools were more likely to engage in more punitive responses than with their white counterparts. Interestingly, their study looked more broadly at the impact of punitive responses at institutions with higher Latino/a enrollment. Their analysis showed that there is a relationship between higher punitive responses if the institution itself is made up of more Latino/a students, highlighting what they refer to as a "minority threat framework" (p. 105) within school disciplinary processes. This framework, which posits that majority society ("whites") will meet increasing numbers of minoritized

students with increased “social control mechanisms” (p. 93) in the form of crime and punishment in the criminal justice system. As a systems-analysis, the study offers a unique insight into the work of institutions themselves, rather than using a deficit model focused on the minoritized students themselves. Additionally, this work is consistent with Irby’s 2014 work, demonstrating the need for using a different lens to view the impact of disciplinary systems on minoritized students. Thinking outside of race and ethnicity, some researchers explore the ways that other identities experience discipline. Annamma et al. (2014) raised connections between the STPP and special education efforts. Unsurprisingly, the added complexity of individuals with disabilities increases a student’s chances of being referred and disciplined more harshly. Additionally, their use of a critical lens yields a way to see how various parts of the process impact disproportionality. Laws play a critical part in disciplinary disproportionality and attempts to convert these into race neutral approaches remain rooted in systems of whiteness. Their analysis also shows how the policies themselves do not require “authentic parental involvement,” meaning the students are not adequately protected nor the families engaged when the students misbehave (p. 76).

The above studies highlight an historical process by which institutions of learning systematically discriminate against minoritized students through disciplinary processes. In our attempts to create legally defensible frameworks, conduct administrators design disciplinary processes using majority rules and perspectives, including those which critical race theory highlights as inherently racist in nature. Through the disciplinary process, this discrimination becomes evidenced through increased representation of minoritized students in disciplinary processes despite being no more likely to engage in so-called problematic behaviors than their white counterparts, and disproportionately sanctioned with more severe punishments. This

pattern largely applies to the experiences of specifically Latino/a students, thereby impacting their ability to later matriculate into higher education. Like higher education, the above research largely does not incorporate the experiential knowledge of students, which may be an opportunity to allow their voices to “testify (to) the consequences and effects of racism on (their) lives” (Hernández, 2016, p. 170). These researchers still offer valuable starting points for future studies that inform the true impacts of the STPP. Amemiya et al. (2019) explore the escalating nature of discipline on students, leading youth involved in disciplinary processes to experience greater negative impacts even after low level disciplinary processes. They used quantitative methods to evaluate the ways that minor infractions and the subsequent participation in institutional discipline leads to additional downstream impacts. The results indicated that, even correcting for severity, the minor infractions show disproportionality while other kinds of infractions do not show statistically significant differences between white and BIPOC youth. When thinking globally, this information offers critical insight into the ways that individuals experience processes and are potentially applicable outside of the K-12 discipline systems.

Rosenbaum (2020) expands the analysis to explore the consequences of disproportionality, showing the negative impacts of suspension on youth after several years. Those who were suspended had lower rates of bachelor’s degrees, good paying jobs, and other mechanisms for success. They used quantitative methods to analyze data from multiple high and middle schools, including public and private settings. Their analysis reveals that in fact those individuals suspended or dismissed from school have lower levels of achievement years later, demonstrating the long-term impacts of this disproportionality. These consequences raise important questions about similar behaviors in higher education, like what happens to students who are suspended or dismissed, or even removed from a given resource. Barklay et al. (2022)



offer similar insights, though they explored use of more positive interventions for BIPOC students. Interestingly, even though the students demonstrated better personal outcomes from this program, the teachers and administrators involved still reported BIPOC students at higher rates than their white counterparts. Their methodology still lacked individual student voices, instead relying on quantitative data. However, the insight is still striking – that a school staff can be fully aware of and use a more equitable approach to student interventions and still disproportionately report BIPOC students into this system. The parallels in higher education are also interesting, mirroring how student conduct practices may be more equitable but the reports may still demonstrate disproportionality from faculty, staff, and students.

Disproportionality in reporting and disciplining in K-12 has deep historical roots in education. The above information demonstrates the way that this disproportionality plays out, particularly in the reporting of BIPOC and other minoritized students to disciplinary systems, and in the subsequent discipline issued by administrators. Researchers review and analysis of existing data reveals the ways that these dynamics play out. While their conclusions are disappointing and thought provoking, they are also not surprising. This context is an important place to start before digging into additional literature to understand what leads to disproportionality.

### ***Legal Processes***

As administrators in the K-12 system push minoritized students out, they use systems rooted in and feeding into legal systems. These legal systems offer a broader context where, like in higher education, administrators can point to external forces requiring compliance in exchange for government funds or to avoid penalty. Merritt (2005) traced the role of the *Brown* decision in schools, raising the ways that judicial intervention had on progressing progressive ideals. The

consequences, however, mean that the courts have decreased the role and impact of legislators and other branches of government, instead focusing on the elite. Merritt points out the importance of working more to turn away from relying on the courts, and instead spending political energies on creating grassroots efforts and other social movements. Sun and Valenzuela (2021) explained the ways that policy changes are impacted by societal forces and offer a strategy for applying policy discourse in educational policy. They turn their critical whiteness lens on truancy policy in Texas and reveal the toxic ways that this discourse contributes to the STPP. They examined a legislative hearing exploring the passing of the bill. They raised critically valuable frameworks to think about the broader context that have parallels with student conduct in higher education. The aspects include truancy court (decision makers), truancy tickets that become criminal records (student conduct decisions), and private truancy companies (like use of external investigators for Title IX/sexual misconduct matters). They reveal through the analysis that those who are proponents of these laws use language that has roots in racism and whiteness, such as the use of criminal terms to describe youth who engage in truancy.

A similar pattern occurs in higher education, where we use legal terms such as “respondent” to give our process a more legal sound. Similarly, Uselman (2020) uses critical discourse analysis to evaluate a model code of student discipline in Minnesota public schools. This approach is very similar to the approach I plan to use to evaluate student conduct policies. Their approach used one of the tools of critical discourse inquiry, the figured world, to consider the way that language plays out. Gee (2011) discusses the figured worlds tool as a mechanism that takes what is “typical” and “normal” within a given setting to construct an understanding about what a viewer or listener can assume about a given discourse. Uselman’s study hypothesis included the consideration that discipline policy reinscribes teacher bias (p. 3). They found that

the language used in the policies reinforced systems of oppression, conceptualizing students into different categories that perpetuate assumptions rooted in racism. Dumas (2016) brings a different analysis, using antiblackness as part of the policy discourse. This introduction is helpful, as it shows ways that we can approach analysis as co-conspirators with different ideological or theoretical lenses. They highlight the historical roots of antiblackness in education as being pervasive, including strategies like resistance to desegregation and enforcement of the STPP. Their analysis reveals similar recommendations for policy revision, introducing antiblackness as a lens for critiquing existing policies and imagining new ones. Similarly, they reveal the ways that legal frameworks perpetuate the STPP through compliance frameworks.

The concept of push out (Heitzeg, 2016, p. 7) parallels the demand of community members to remove individuals they experience as problematic. Increases in regulation (like zero-tolerance policies), severity of punishment, and involvement of police-like enforcement, including campus resources officers, further criminalize the behavior of youth in the K-12 system. They also point to the whiteness of curriculum, where BIPOC students do not see themselves in the literature and learning. Like other literature, they also bring in the ways that terminology is used to define students, using terms like “deviants” for BIPOC youth in a way similar to the use of the term “respondents” for students in higher education. These “criminal labels are often relatively permanent in nature, carrying with them informal stigma and, increasingly, additional legal barriers or ‘collateral consequences’” (p. 37). The subsequent framing, including in society and public discourse, further criminalizes these BIPOC youth and the environments they live in. Heitzeg highlights the radical difference for white students, where “white” is left out of the discourse. This problematization includes the persistence of the prison industrial complex, where there are political and financial benefits to continued incarceration.

This literature review addresses this disproportionality next. Heitzeg points to a multipronged approach to resolution, including action at various governmental levels, changes to the educational climate, and introduction of equitable approaches to student treatment. These frameworks also play out in the ways that teachers approach their students, and how their environment and education influence their approaches.

### ***Teachers Attitudes towards Students***

Where policy influences legal demands on institutions, similarly, the ways that teachers approach students have significant roles in perpetuating disproportionality. Raible and Irizarry (2010) first consider the role of teacher education in preparing educators for their role in education's panopticon. They note an interesting and critical consideration – the role of visible diversity, and how the ability for an individual to identify a person as BIPOC (dark skin, visibly male or male identifying) itself plays a critical role in how whiteness similarly manifests. This observation aligns with other researchers and is a unique approach when thinking about the education process. They also directly address the inherent contradiction in the educational process, where the role of teachers is to both educate and observe, but we then ask them to think about equitable application of policies. Student conduct professionals have a similar tension when balancing our student development training (for those who start in student development programs) and the role of disciplinarian. They recommend pushing the consciousness-raising process into teacher education so that new educators are able more critically think about their role in the STPP.

Berlowitz et al. (2017) revealed some of the tension experienced by educators, unable to see the opportunities for change since they believe that student behaviors are rooted in issues outside of their control. Their analysis revealed a similar pattern, with BIPOC students being

more likely to be removed from the classroom setting. Inclusion of zero tolerance policies yields more problematic outcomes, including suspensions that further harm students and create more stress on BIPOC families attempting to care for their children. This aligns with observations I have seen in higher education, where administrators' responses to need for change are informed by powerlessness. Kunesh and Noltemeyer (2019) also recognize that part of the analysis should include a consideration of the attitudes of the teachers involved. Their study reveals the ways that these teachers change their behaviors towards Black boys, treating them differently than their white counterparts. They point to the ways that teachers see misbehaviors by Black boys as something that discipline will resolve, making them more likely to refer them to a disciplinarian and involve them in STPP. Deakin and Kupchik (2016) look specifically at the strategies available to respond to discipline, using a more equitable lens. Their qualitative study considered the experiences of educators, seeking alternative methodologies for responding to disciplinary issues. Their applied strategies include restorative practice and give ways to enforce policies while also using equitable practices. The study looked more specifically at these strategies and compared contexts from different international contexts. The results, considering the context of the individual students involved, do an excellent job of framing alternative strategies to ensure positive outcomes for students. They also point to the disconnect between policy and practice between mainstream institutions and alternative schools. There are parallels between public and private institutions of higher education, or public institutions with or without rigid legal obligations. Muñiz (2021) brings in a valuable analysis of the K-12 system and surveillance, a component that increased over time along with increased policy restrictions. The tying of these requirements to funding places already cash strapped schools in untenable positions, forced to oppress their students even when they may not have wanted to. Furthermore, the author makes

an excellent point regarding the expansion of this surveillance state – they had choices about how they came into compliance with legal obligations. The use of surveillance tools further intersects with how the STPP has tendrils that connect outside of the schools. The attitudes in the majority of K-12 institutions, with a focus on discipline over understanding, further reflect a component of the STPP that pushes more and more BIPOC students out of education and into legal systems.

The K-12 discipline system offers a significant parallel with higher education and is also where students begin before being fed into the higher education system. Disproportionality in reporting and severity of discipline plays out for BIPOC youth, and existing research shows how the processes harm youth. Like higher education, legal systems reflect social constructs of racism, and create pressures on institutions. Similarly, the attitudes of teachers and their approaches further impact minoritized students. These threads tie together to reveal the ways that disproportionality manifests and offer important parallels for higher education researchers to consider.

### **Disproportionality in the Criminal Legal System**

Another parallel system to higher education student conduct is the criminal legal system. At the outset, I would like to clarify that my use of the term “criminal legal system” rather than “criminal justice system” is intentional. I give full credit to Erica Bryant at the Vera project who clarifies that, given the harm to BIPOC individuals in the legal system, suggesting that this is “justice” is problematic at best (Bryant, 2021). Bryant clearly states, “accuracy in language matters,” and given my focus on the language of policies, I agree. My review of criminal legal system literature reveals the ways that bias plays out in these systems, and how they disproportionately impact BIPOC individuals across various stages of the process (Zane & Pupo,

2021). I start with involvement and policy because there are two realms that put pressure on courts, constraining decisions. The first realm is important – defining the arguments around disproportionality for BIPOC in systems, and how there are different arguments for how or why this disproportionality exists. Like in higher education and in the K-12 discipline systems, policies and the role of the surveillance state add more explanation for where bias manifests. The role of police in this process offers a critical parallel to student conduct systems, particularly as it relates to staff tasked with confronting and referring students into discipline systems. Court systems, which act as only part of the larger process, involve individuals who express and operationalize their bias. These researchers offer important insights that are applicable in the student conduct setting and inform the reason similar research is necessary in the higher education space.

### ***Disproportionality of BIPOC Involvement***

It is helpful to start with a discussion about who is involved in the criminal legal system. There is added nuance and disagreement in the literature regarding this question, since the arguments range from belief that BIPOC individuals engage in criminal acts at greater rates than their white counterparts to the question of how bias of individuals in the system plays out. Piquero (2008) points to importance of reframing discussion away from “if” and instead about “how differences in processing and in offending contribute to minority overrepresentation” in legal systems (p. 61). I similarly use this framing in this study. They also highlight the paucity of available data that (at the time) made good analysis difficult. The reasons for this lack of data include an inherent tension in the public discourse: people want data but there are structural issues in place that prevent analysis from being possible. Piquero points to the Office of Juvenile Justice and Delinquency Prevention use of the relative rate index calculation to determine

disproportionality. Piquero effectively summarizes the three typical hypotheses for disproportionality – systems, behavior of individuals, and a hybrid model. However, they expect neutrality, itself a conceit of neoliberalism and the assumptions of neutrality. In line with the hypothesis about the behavior of individuals, Davis and Sorensen (2013) use nationally available data over several years to analyze the juvenile disproportionality in the judicial system, making intentional choices to adjust their analysis to correct for disproportionate arrest rates. They reveal that over time, disproportionality is lower than typically reported when corrected for by arrest rates. They still indicate that Black youths are incarcerated more frequently than their white counterparts but push back against the idea of bias as the leading cause of this disproportionality.

In contrast, Sanchez et al. (2020) look to the role of diversion programs in cannabis cases, specifically working to understand the ways that completion rates may be different based on identities. They begin with raising the question of how “net widening” leads to greater involvement and possible impacts on BIPOC individuals. They use quantitative analysis to demonstrate how male and Black individuals are significantly overrepresented in diversion programs. The explanation for involvement, tied to efforts from the War on Drugs, points to the systems model where individuals target BIPOC individuals in urban settings. Hardeman et al. (2021) corroborate the analysis, raising the ways that systems and structures serve to oppress minoritized individuals. They frame racism in this situation as a function of white supremacy and use the COVID-19 pandemic as an example of disproportionate impacts as well. Their recommendations are useful, particularly given the ways that they name institutions can holistically respond to historical issues. However, they do little to respond to the systemic issues, focusing instead on individual behavior. Shifting to youth incarceration rates, Chapman et al. (2006) used a quantitative analysis to examine juvenile detention center admissions. They



compare assessed risk using a behavioral inventory to compare possible risk of violence with the frequency of detention and other demographic factors:

In our examination of 757 youth who were arrested and detained for a prehearing assessment, we found that African Americans were rated at a significantly lower risk of violence than were Whites and were more likely to have several protective factors. However, the results also suggest factors that may help to explain disproportionate minority contact (DMC), such as early initiation of violence and community disorganization. (p. 178-179)

They found that Black youth, once assessed and in custody, in fact have more protective measures and are less at risk for violence than their white counterparts. Their involvement is then the result of police referral, rather than necessarily a greater risk of violence. Additionally, their work revealed that earlier intervention with BIPOC youth would be more effective than incarceration to decrease DMC. Vogel and Porter (2016) give clear voice to the various other studies which point to the studies showing disproportionate impacts and outcomes for BIPOC individuals in the judicial system. They examine specifically the differences for non-Hispanic black and Hispanic individuals and non-Hispanic white individuals. They offer two schools of thought: “(1) higher incarceration rates among blacks and Hispanics reflect true differences in offending (differential involvement) or (2) higher incarceration rates reflect discriminatory treatment by the criminal justice system (differential treatment)” (p. 516). They introduce “differential age structure” as an additional consideration, positing that because these minoritized groups are relatively younger than white folx, they may be more “crime prone”. The authors worked to remove the statistical impacts of more, younger minoritized individuals through a decomposition analysis. Their results did show that some portion of the differential between non-white and white incarceration rates is related to demographic differences. They do not, however, take into consideration or evaluate the ways that other contextual circumstances play into this dynamic. Interestingly, higher education may correct demographic variability to some extent –

the majority of students are of similar ages, thereby allowing for a more explicit comparison across similar age groups. While ultimately not the focus of my study, their perspective is an interesting insight into how similar students may play out in higher education.

Wilson et al. (2017) expand the analysis beyond BIPOC youth disproportionality to consider sexual minorities, revealing that they too are disproportionately represented. They evaluated federal data regarding youth in custody and used a survey tool to attempt to better understand how these youth experienced the judicial system. Their analysis reveals that LGB youth, particularly female-identified youth, were more likely to be in custody and more likely to be treated more severely. Their analysis also suggests the relationship with race/ethnicity reveals intersectionality among these populations. Further, their analysis reveals that the experiences in custody include greater sexual victimization than other groups and is impacted by how individuals present their sexual minority (butch, fem, etc.) (p. 1556). My review of the literature suggests that disproportionality is a function of systems, including social systems that disenfranchise BIPOC communities. By reviewing the process, we can next consider the ways that the behavior of individuals and the policies they operate throughout the criminal legal system.

### ***Role of Public Policy***

Like higher education student conduct, criminal legal systems are subject to laws and policies and, in some cases, politics where judges are elected. Smiley and Fakunle (2016) engaged in an analysis of media coverage of the death of Black men to reveal how definitions of Black men, redefined from “brute” to “thug” in the 20<sup>th</sup> century led to more significant levels of criminalization and incarceration. Use of the term “brute” portrayed Black individuals, particularly men, as violent and dangerous, without thought or consideration for others, leading

to the social construction of race as a way to reinforce and control them. Over time, Black men were redefined as “thugs”, codifying this criminalization and creating more symbols and signs that justify their dehumanization and eventual killing by law enforcers and society. The subsequent laws and policies add pressure to the criminal legal system, both in the form of greater referrals and social pressure to punish. Racist rhetoric then informs public policy pressures on courts.

Smith (2021) suggests a way that equity is able to be a response to the law’s complexity. They acknowledge the concept of a “reflexive skepticism” that legal scholars have of integrating context and equity into legal discourse (p. 1058). However, the reliance of *stare decisis* (let the decision stand) acts as a form of maintaining supremacy (Irons, 2000, p. 478). Historical mechanisms that merge equity and judicial courts have remained challenging, instead resulting in further standardization of mechanisms for the application of justice, paradoxically removing equity from the equation. Instead, courts adopt complex balancing tests, such as strict scrutiny or rational basis tests to attempt to consider context while not actually considering context. Opportunism becomes a way that judges and administrators take advantage of the law, using loopholes and behaviors that should be impermissible but still not explicitly against a given regulation. Smith offers insight into a possible solution:

These definitions of opportunism get at something, and further refinement can avoid the criticisms of both those alarmed at the expansiveness of the notion and those inclined to see it as nothing special. What is needed is a multistep procedure: we need to define the domain of concern—opportunism—and then set up proxies and presumptions that will allow equitable intervention to do more good than harm once in that domain. (p. 1080)

Public policy, however, makes these efforts challenging as politics and regulation constrain so-called “activist courts.” Even when policy changes come about, the individuals’ behaviors can and do still create opportunities for bias. For example, Leiber et al. (2011) considered the state of judicial decision-making before and after DMC mandates, particularly in juvenile courts as they

relate to BIPOC students. They considered the relative race index (RRI), comparing processing rates for BIPOC and white youth. Analysts can use RRI across various stages of the criminal legal system, normalizing rates between groups. Leiber et al. considered data over the course of 21 years and used quantitative methods to evaluate intake and judicial official processing data, finding that BIPOC were issued more severe intake outcomes and judicial decision making. They found that the DMC mandates did not have an impact on disproportionality at the intake stage in their study. At the decision-making stage, their analysis became more complex, revealing that gender (male) and family status (single parent families) were factors in disproportionality. A critical contribution to the literature is the “correction effect”, whereby judicial decision makers are correcting for disproportionate referrals following DMC mandates. This can be an important contribution to the discussion regarding student conduct, giving a name to an effect that could play out in the process where disproportionality occurs. Erickson (2014) expands this discussion, highlighting several factors to explain DMC, including laws with racially discriminatory effects, mandatory minimum penalties, and discretion under sentencing guidelines. Their analysis speaks to the role of legislators making addressing DMC a part of their priorities, and how those states without statements about DMC have greater disproportionality because they are refusing to consider the impacts on youth. Erickson recommends factors to incorporate into these statements, using their analysis as a call to action for legislators. This call includes changes to laws, and a challenge to states to critically explore DMC.

Leiber and Fix (2019) approach disproportionality from a quantitative perspective, working to analyze the data to understand the ways that BIPOC youth experience criminal legal systems. Like others, they discuss the ways that disproportionality manifests at various stages of the process, and how legislators attempted to address DMC through efforts such as the Juvenile

Justice and Delinquency Prevention (JJDP) Act of 1974, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Juvenile Detention Alternatives Initiative (JDAI). Leiber and Fix determined that these efforts led to limited success in decreasing BIPOC individual participation and disproportionality in criminal legal systems. Donnelly (2019) similarly showed benefits from public policy interventions in their meta-analysis of studies, particularly at the processing stage of an individual's involvement in a process. Warde (2012) offers an international comparison, putting Canadian, English, and United States systems into conversation regarding Black male disproportionality in legal systems. They use Critical Race Theory to challenge theories of disproportionality rooted in assuming that the behaviors of Black men are the primary cause of their overrepresentation in legal systems. Instead, they turn an eye towards challenging systems and structures. Warde recommends four policy changes: a review of "war on drugs" policies, a review of law enforcement actions, educational systems that disenfranchise Black children, and working to undo racism within the respective systems. Their analysis revealed that these three nations have very similar issues and require these common policy changes.

Public policy also influences sentencing structures. Schlesinger (2011) specifically looks at how mandatory sentencing guidelines led to greater disproportionality in incarceration and punishment of Black individuals. They raise a similar perspective regarding the implications of using sentencing guidelines to mitigate possible individual racism. Their research questions look specifically at these guidelines, trying to better see how racism plays into decision making. Highlighting the way that adjustments to sentencing guidelines also results in differential outcomes. Schlesinger identified four major findings:

First, both mandatory terms and sentencing enhancements increase admission rates for Black and White men. Second, mandatory terms and sentencing enhancements

disproportionately increase Black men's admission rates. Third, the effects of these policies are strongest and most consistent during the examination of admissions for violent offenses. Finally, the effects of the adoption of sentencing enhancements on prison admissions are more consistent than the effects of the adoption of mandatory terms—even though the effects of the latter are often quite substantial. (pp. 72-73)

Sentencing guidelines then become mechanisms for public discourses to influence the criminal legal systems' efforts. Regardless of the efforts of court officials, they become constrained by the will of social discourses, many of which hold racist overtones. The mechanisms of surveillance, including the concept of the panopticon, also play out in public policy.

### ***Policy and the Panopticon***

Foucault (1977) frames the panopticon as a mechanism by which small numbers of individuals in power can maintain surveillance and control over larger groups. Mabile (2019) explores how Foucault engages with and describes systems of modern power networks and how the mechanisms of power work to ensure that individuals remain under control of the few, creating large numbers of sheep and few shepherds. Their analysis is specific to the South African context but raises important questions for analysis outside of this context into the United State higher education environment. They discuss the concept of “bio-power” which, on the face, appears to be a way of offering a biological panopticon – rather than a physical structure it is made up of the various components, human and otherwise, that serve to observe and surveil (p. 2). Similar parallels in government could be systems such as the Patriot Act, or in higher education the role of behavior intervention teams in monitoring and responding to concerns of members of the community. Education, then, becomes a key component of these observations – it is a space where individuals are under constant observation by members of the learning community, each other, faculty, staff, and various forms of technology that track both their personal behavior and their academic performance. Resistance in these settings is challenging because of disciplinary systems from without and the internalized colonization of the individual

that self-monitors from within, adding an insidious level to this environment. The soul becomes part of this mechanism, holding individuals under control from within and without.

McNeill (2019) considered the role of the malopticon – how mass supervision automatically considers the individual being observed is “bad”. They introduce an analysis of how individuals who are part of the criminal legal system participate in their own “recovery” but in so doing also take efforts to resist this behavior. Their analysis also considers that harm occurs even in the probationary system, through the continued monitoring of individuals even after they have been released from incarceration. Though correction should be a private matter, society still has interest in holding the accused publicly accountable and turning the gaze (read: white gaze) onto them. Their approach considers using the “polysemic character” of pictures to center the knowing of individuals rather than only their own lenses, which from a critical perspective is a useful and appropriate way of centering the participants in the study (McNeill, 2019, p. 214). One of the participants, Teejay, raises an interesting observation regarding the ways that individuals previously subject to supervision may struggle with perceptions that they require continued supervision, even after the terms of their supervision are complete. This raises an interesting point as it relates to the ways that individuals in discipline systems play into the environment, and whether or not individuals previously subject to discipline systems continue to feel observed in the higher education environment. Their perception of being observed leads to the believe that they are being seen badly by others and being considered “bad” (p. 225). The continued cost of participation includes the fear that individuals entering a process feel that they will have been marked. McNeill introduces a unique complication into the larger conversation – the idea that the system of surveillance itself yields additional harms for individuals.

Ceccato (2019) ties the surveillance state to smart phone and social media usage. The use of behavioral intervention teams to respond to disruptive behaviors is tied to the larger discussion about disruption policies. Their use of the term “sousveillance” to define crowd-sourced data to observe individuals at the community level, rather than engaging in direct surveillance of individuals (not cooking them in bags in water). Their results indicate that the online version of observation still suffers from the impacts of racial discrimination and bias that earlier reporting mechanisms demonstrate. Their European context offers additional implication, with Stockholm offering a unique space for this analysis. Taken together, the above researchers demonstrate the ways that BIPOC are disproportionately observed by criminal legal systems. Understanding how individuals get referred by agents of criminal systems, such as police, begins the process for evaluating how disproportionality plays out at various levels.

### ***Pre-Trial Disproportionality***

Before exploring the individual actors in the criminal legal system, it is helpful to understand that disproportionality plays out at various levels of the system rather than only in the courts or other judicial mechanisms. Where typically the criminal legal system is considered monolithic, researchers reveal that there are nuances across the system itself, with differing levels of investment and success in creating change. Enforcement of policy, either by faculty or by institutional administrators, mirrors that of policing and observation. Ways that police and others operate these systems and target/monitor BIPOC is a parallel for what occurs on campus. Fassin (2019) points out that “the police are the punishment” (p. 544). This gives voice to a parallel statement I often hear from students who feel like their confrontation with student staff is the start of the discipline process, rather than a precipitating event. Fassin’s approach considers the evaluation of punishment from the perspective of what happens not what the ideal of that



punishment might be. In a criminal legal process, the ideal is for punishment to occur after the process is over, given a presumption of innocence. Fassin's evaluation, in line with critical reviews of processes, acknowledges that the experience of punishment begins with police interaction. Their study considers the officers in question, evaluating their background and whether they have knowledge or space to perceive nuances of culture. Officers of lower/working class origins and origins outside of urban settings approach accountability in an urban setting differently. This plays out in how police treat minoritized individuals and groups to create harm and fear, itself a form of punishment (p. 555). Fassin properly notes that "the trivialization and normalization of extra judiciary punishment by the police are a major unrecognized fact in contemporary societies" (p. 555). The inclusion of interactions before participation in process includes important insights and connects to the way that participation in higher education becomes part of the experience.

Claus et al. (2018) used statistical analysis to understand the ways that police response to BIPOC individuals is more extreme than when responding to their white counterparts in DMC. The introduction of this concept is a valuable way to think about the phenomenon where more BIPOC are confronted by police, and the outcomes are more severe than their white counterparts. Their discussion also captures the nuanced ways that systems operate, breaking down the broad concept of DMC into the components from each stage of the criminal legal system. The subsequent limitations, however, are directly related to the ways that systems choose to not include data of ethnicity, race, and other demographic factors. Hadjimatheou (2017) raises an interesting analysis, considering the role of presumptions of innocence. They do not think critically about the ways that this assumption is rooted in race, and who gets to have or benefit from this presumption. Their argument that surveillance technology plays a part in ensuring

individuals are found innocent does have value – it allows for technological counteraction of individual/human bias. While not perfect, it does offer a technological solution to a human problem. Their analysis suggests that this is a worthwhile trade off to situations where surveillance leads to more concerning disproportionality in suspicions of BIPOC individuals.

The ways that students are treated in higher education during and after their confrontation by students or faculty can be a punishment – exclusion from class, public confrontation by staff, whispers by authorities all represent punishments for students who have not been granted a presumption of innocence, process, or impartial evaluation. In my own experiences, faculty default to exclusion from class of disruptive students, denying these students an opportunity to participate in class. This punishment occurs during the initial confrontation through public shaming, and then continues before students are given any form of process.

### ***Role of Individuals in Court Systems***

Once individuals are pushed into the criminal legal system, those individuals who operate the levers of the system play an integral part in the treatment of BIPOC individuals. Clair and Winter (2016) consider “judges’ subjective understandings of the causes of racial disparities in the criminal justice system, as well as the strategies judges report using to account for racial disparities in their decision-making at multiple points of the criminal court process” (p. 333). They lead with a brief summary of the research, revealing disproportionality of treatment at various levels of the criminal legal process (confrontation by law enforcement, pre-trial, trial, probation, etc.). Their subsequent study focused on these judges’ experiences and perspectives, given their significant involvement throughout the process. The implications are that judges, like student conduct administrators, are suspended between policies, laws, regulations, social factors, and their own experiences and biases (p. 336). The authors were surprised to find that the judges

acknowledged that their own biases may be at play. Given the sample, I was surprised at their surprise – one would expect judges in a more liberal, “northeastern state” to reflect a more progressive perspective and be more aware of their own possible biases. I would have been more interested to see whether this awareness translated over to other, more conservative state environments. They introduce two concepts of judging – interventionist and noninterventionist, that are potentially implicated in student conduct and who is allowed to hold those roles. Entry level professionals might be more apt to apply the policies without question, where more seasoned professionals may be more likely to question processes and dig for more context and mitigating factors.

Lens (2019) outlines ways that juvenile courts fail to serve BIPOC students, instead keeping those children in subordinate roles. They share the steps that courts and social workers take to attempt to manage bias, including checklists, “benchcards,” and training workshops. However, Lens makes clear the ways that these efforts are an attempt to mitigate the oppressive nature of systems and structures by instead focusing on the individual behaviors of state actors. This parallels student conduct administrators, who attempt to mitigate the role of systems through individual actions. Their use of critical ethnography revealed several ways courts continue to harm those individuals. They reveal the ritual of shaming that aligns with other authors narratives, showing how the actual ritual of punishment creates an opportunity for whiteness to reassert itself as power over BIPOC:

Caseworkers, of marginally higher status in the courtroom, were treated in similar ways; while respondents were constructed as incompetent mothers, caseworkers were constructed as incompetent workers. Both were subject to shaming within the courtroom as they were chastised for their perceived faults and depicted as hopelessly flawed. Such shaming rituals, when continually performed against a subordinated group, can reinforce race-based stereotypes. (p. 83)

The solution Lens offers includes procedural fairness, not unlike the ways that student conduct administrators respond to accusations of bias by focusing on the concept of fairness. This fairness encompasses various ways that the process can be inclusive of individual narratives, voices, and participation. However, the process also requires court officials to behave with awareness and care. Once the process resolves, the decision about sentencing plays a critical role in disproportionality.

### ***Sentencing***

Bushway and Piehl (2001) use a quantitative approach to evaluate disproportionality in outcomes, using the sentencing guidelines as a leveling factor that then allows consideration of other possible factors including race, ethnicity, gender, age, etc. They do at the start offer a useful set of definitions – warranted and unwarranted disparity. Warranted disparity is related to relevant factors such as the nature of the behavior or history with criminal legal systems. Unwarranted disparity is differences related to inappropriate factors such as race or gender (p. 734). Their subsequent formula attempts to offer a predictive model for understanding how much unwarranted disparity plays into judicial sentencing. Interestingly, they identified that a significantly higher disparity exists for Black men in sentencing. Bushway and Piehl found that this disproportionality was greater in their study than in past analyses and literature. They determined that the variation may also be related to state-based regulations, with narrower guidelines yielding lower levels of disproportionality (p. 759). This work pre-dates some of the other research that considered through interviews the underlying factors of judicial discretion, including factors related to judge bias. Ulmer et al. (2016) consider disproportionality at the sentencing level, once individuals are pushed through the initial processes and are put before a legal decision-maker. Their framing considers three possible explanations – greater violations by

BIPOC individuals, disproportionality by those engaging in arrests, charging, and conviction, and that the policies themselves are designed to be harmful for BIPOC individuals. Their analysis is more nuanced, thinking critically about the various levels of systems and structures. Their results mirror other studies, showing disproportionality at the sentencing stage of the process. Taking the analysis deeper, they review the policies at play and discover that the process itself prior to imprisonment leads to significant disproportionality later in the process. Where other researchers considered the entry and processing stages, Bradley and Engen (2016) consider the other end of the process – the levels of disproportionality in releasing individuals from incarceration. They theorize that there will be longer time served, controlling for length of sentencing, for African American and Hispanic males. Their study reveals similar trends from earlier phases in the process – that BIPOC people receive longer sentences and are less likely to be released. Padgaonkar et al. (2020) make a similar observation, demonstrating that Black and Latino youth are more likely to be involved than their white counterparts in the criminal legal system after their first involvement, regardless of whether they are arrested, processed, or incarcerated. Taking into consideration the policies at the sentencing stage can also lead to more equitable processes and require greater analysis.

## **Conclusion**

I offered an overview of literature above related to my theoretical frameworks, higher education student conduct, the K-12 discipline system, and the criminal legal system. I use the theoretical frameworks to design my conceptual framework, detailed in chapter 3. My review of the research in higher education student conduct informed an important focus on learning and integration of social justice, but lacks deeper analysis into the ways that disproportionality manifests for college students. The K-12 discipline system includes significant signs of

disproportionality, and the reasons this occurs are informative to an analysis of higher education. Similarly, disproportionality in the criminal legal system offers important insight, including the nuances that exist across systems and how individuals at various levels impact DMC. Taken together, my analysis suggests that the disproportionality in K-12 and the criminal legal system is also present in higher education student conduct. My study, focused on the policies themselves, addresses one part of the broader picture that the K-12 and criminal legal system suggest is critical to harming BIPOC individuals. Addressing the policies takes us beyond prior work in higher education, and allows for one step in a greater, more holistic revision of higher education.

## CHAPTER 3: METHODOLOGY

In this chapter, I will offer my roadmap for executing the data collection and analysis for my study. My analysis of the literature reveals three key points. First, models exist outside of higher education for analyzing and reforming policies that reinforce white power through legal systems. Second, while higher education researchers have not considered disproportionality in student discipline, robust literature exists in the K-12 and carceral system that clearly demonstrates how discipline systems disproportionately impact BIPOC individuals. Finally, student conduct literature largely avoids the question of how policies perpetuate systems of white power, and when they do approach that question, they shy away from a focus on the policies themselves. An opportunity exists to insert myself in the discursive flow at this point and raise the question of how we can approach policy revision from a critical position that aims for real equity. This chapter will revisit my research questions related to student conduct policies. By outlining my conceptual framework, I share an array of concepts pulled from overlapping theoretical approaches that I use to reveal systems of white power in student conduct policies. I will then offer a discussion of my methodology, critical policy discourse analysis, and the mechanisms that discourse analysis offers for exploring text and context. I close with a discussion of my data collection and analysis processes.

Student conduct administrators are guided by their commitment to upholding policies. I argue that the subsequent practices, while often informed by counseling techniques, fail to address the underlying power structures that policy codifies. My study turns an eye towards student conduct systems as operationalizing structures of whiteness and white power. I begin from the assumption that institutions are operators of whiteness and white power, and as a result

focus on the ways that institutions engage in reinforcing these systems, rather than attempting to clarify if they do so. I raise the following primary question for my dissertation study:

How do institutional policies regarding campus disruption manifest systems of white power?

To address this study, I consider the following sub-questions that can inform the data collection and analysis:

1. What language do institutions use to describe disruption on their campuses?
2. How do institutions explain disruption policies? What do they publish in terms of direction or clarification for campus community-members?
3. How do institutions apply and enforce their disruption policies?
  - a. Is there disproportional enforcement based on student identities?

Through the use of critical policy discourse analysis, described below, I will clarify the broader context and discourses on college campuses. These questions will inform the ways that each participating institution frames their policies and enforcement. I will reveal both how policies operate and how to change them.

## **Ontology**

As I approach my work, I understand that the nature of reality is based on individual experiences of the world. Social reality, then, is dependent on identities and power structures that infuse both the environment and individuals who internalize norms. These experiences coalesce in our collective reality, and dominant groups use systems and structures to ensure the continuation of their dominant reality while silencing others.

## **Epistemology**

I engage with the pursuit and creation of knowledge through the following statements:

1. Most knowledge is subjective, rooted in power, positionality, identities, and politics



2. Knowledge is power, and dominant groups use education to keep knowledge and the creation of knowledge away from others to maintain their power
3. Dominant systems self-reinforce knowledge as power through policy and procedure
4. Whiteness is a current racial identity and also an ideology that defines, gathers, contains, and imposes white knowledge onto others
5. Anyone can be a knower (a subject and human) and seek and create knowledge
6. Seeking and creating knowledge means breaking with dominant frameworks and seeing knowledge of others as legitimate and valuable
7. Being a knower means taking responsibility for working to dismantle these systems that reinforce white knowledge
8. Being a knower means collaborating with historically subordinated groups to create and uplift non-white ways of knowing

With all of this, I accept Friere's (2000) argument that there are still some truths that mediate this level of relativism. Natural truths, such as temperature, the age of the world, and others are essential to grounding these experiences. My critical epistemological perspective considers the social world that underpins and governs the human experience. As I move forward to present my conceptual framework, my epistemology and ontology inform how I am drawing these concepts together.

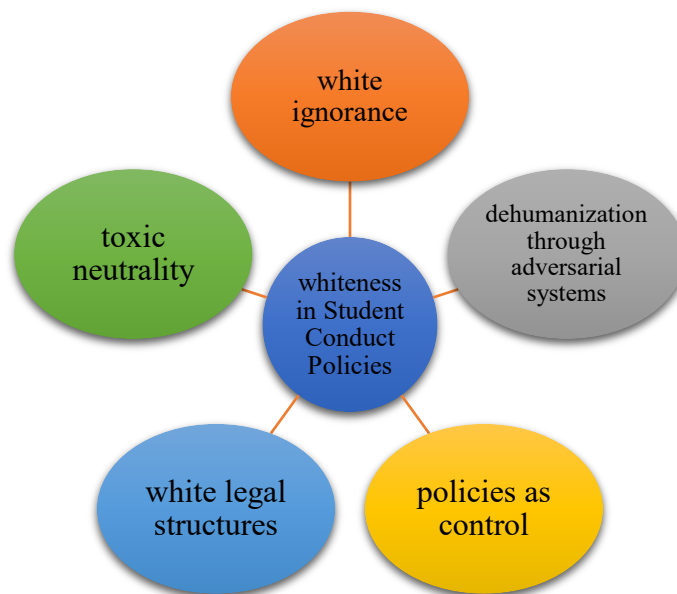
### **Conceptual Model**

In developing my conceptual framework, I build on two existing frameworks that speak to the work of institutions and policies to maintain systems of whiteness and white supremacy. Gillborn (2005) draws direct connections with whiteness and the role that policy has in maintaining whiteness within the institution. Gusa's (2010) white institutional presence shows

the ways that white ascendancy, monoculturalism, white estrangement, and white blindness blend into institutional environments and, through behavioral policies, force BIPOC individuals to align their behavior with whiteness. Together the following aspects offer an array to evaluate structures for mechanisms of whiteness and white power in student conduct policy.

### ***Conceptual Framework***

My conceptual framework operates as an array of lenses for reviewing policies. I form each lens with threads from across critical legal studies, critical race theory, critical whiteness studies, and emergent strategies I discussed in Chapter 2 to bolster and modify Gillborn's (2005) and Gusa's (2010) work. The array includes five lenses: white ignorance, toxic neutrality, dehumanization through adversarial systems, policies as control, and white legal structures. Figure 1 shows the array which, much like a space telescope, gives a user opportunity to peer through each lens to reveal different ways a policy reinforces mechanisms of whiteness and white power in student conduct policy.



**Figure 1**

*Conceptual Framework to Reveal whiteness in Student Conduct Policies*

Each lens of the array focuses on a particular way that whiteness and white power manifest in student conduct policies. Where Gillborn and Gusa offer broad and valuable insights into how whiteness manifests in policy, their work is insufficient to evaluate student conduct policies that intersect with legal compliance, convergent codes that mirror the model codes, and fledgling attempts to incorporate learning into these processes. Student conduct professionals attempt to balance the learning mission of the institution against the desires to avoid litigation, minimize institutional risk, and sometimes deal with the public relations or financial fallout from their decisions. Unlike student activities policies that might have separate expectations for facilities management but can retain the learning outcomes for advising, student conduct policies are a blend of the goals of the institution, legal compliance, counseling, and social work. When dealing with high profile students, decisionmakers manage the added complexity of internal and external stakeholders believing they have a stake in the outcome. The high-profile student athlete or organization often has allies and foes who make their position known, intentionally or unintentionally pressuring conduct professionals to make a decision they prefer. Similarly, fraternities and sororities have powerful alumni and national organizations can exert influence on institutions to avoid accountability for many problematic behaviors, including hazing. These situations may also have financial implications if the parties in question bring in revenue through donations or ticket sales. Individuals working with students must balance these competing needs simultaneously in real-time while meeting with students or dealing with campus crises. Because of this dynamic, student conduct professionals rely heavily on policy and administration to frame and guide their work. This reliance leads to practice and praxis that closely mirrors the policies themselves, and in my experience when practice and praxis conflict with policy, policy reigns supreme. Because oppressive policy = oppressive practice = oppressive praxis, I believe it is

critical for us to extend critique and revision to policies to reimagine student conduct work. The following array is a tool for us to examine where student conduct policies include mechanisms of white supremacy, and for us to consider what anti-racist policies might look like.

### ***white Ignorance***

One consistent thread throughout whiteness literature is the refusal of individuals to acknowledge racism. When reviewing institutional policies, professionals' failure to engage with racism and power dynamics only work to reinforce whiteness and white power. Critical scholars foreground the existence of racism, bringing into focus how it is central to the way that social systems operate. The epistemology of ignorance from critical whiteness studies informs this practice. Individuals perpetuate the illusion of ignorance to justify failing to change behaviors. In so doing, they retain their subsequent innocence and thus, can remain "pure" and "detach themselves from systems of dominance and power" (Lee et al., 2022, p. 95). I focus on the concept of ignorance, rather than innocence, because my epistemological positioning acknowledges culpability where the concept of innocence suggests unintentional lack of knowledge or purity. When focused on legal systems, courts maintain conservative jurisprudence by emphasizing *stare decisis* ("let the decision stand") and focusing on precedent. Justices act as a conservative brake on social systems, making one branch of government effectively the guardian of the legal status quo (Farber & Sherry, 2002). Rarely, such as in *Brown v. Board of Education*, justices will acknowledge their white innocence and make changes to precedent by arguing an "aha moment," that circumstances have changed (Gotanda, 2004, p. 670). Even so-called activist courts find mechanisms to maintain legal purity through rhetorical acrobatics, seeking to ensure the court's place as an allegedly non-political, neutral component of the government (Irons, 2000). Individuals and societies gaslight themselves into pretending that race

does not matter and does not play out in laws and frameworks. White ignorance, then, manifests in policies and plays a critical role in ensuring white power is maintained. Failure manifests through the form of white blindness Gusa (2010) describes: a refusal to consider race in policies and outcomes. Foste and Irwin (2020) describe the lack of considering race as a form of institutional silence. This ignorance, whether intentional or unintentional, is a mechanism that policymakers use to avoid addressing white power codified through policy and law.

When scrutinizing student conduct policies in particular, institutional administrators' and lawyers' insistence on frameworks that ignore racism is a key sign of problematic policies. Similarly, beyond just the policies, the work that goes into creating the policies offers insights into whether the crafters of those policies are avoiding acknowledgment of whiteness. When administrators fail to interrogate the role of whiteness in their code revision work, that is a sign of avoidance. Similarly, when discussing student conduct policies the refusal to consider race as a complicating factor, both in reports and outcomes, perpetuates this environment of white ignorance.

### ***Toxic Neutrality***

Going beyond white ignorance, institutional policymakers and operators tout the concept of neutrality as a mechanism of fairness. However, it is in fact a defense for avoiding responsibility for harm. Neutrality, within the contexts of legal frameworks, is an uncentering of individual experiences in favor of only scrutinizing the behaviors in question. By taking away these components of individual experiences, law and policymakers can argue that the legal frameworks they write will not result in discrimination against or give added benefits to individuals based on identities. Furthermore, administrators who enforce neutrality are intentionally ignoring broader contexts, including the oppression that underpins broader Western

society. Enforcing neutrality, then, ensures that administrators keep existing power structures uninterrogated that support whiteness and white people. Critical legal scholars point towards the abandonment of neutrality in favor of policies and laws that include mechanisms to consider context and the role of racism in policies. Focusing on neutrality creates the illusion of fairness while obscuring the impacts of white power in institutions, and in so doing supports whiteness and white supremacy.

When analyzing student conduct policies, administrators can intentionally focus on monitoring the use of or emphasis on neutrality. Neutrality, like equality, removes the impetus for considering other contexts like historical discrimination, systemic oppression, and the need to repair harms for BIPOC individuals. Administrators often use neutrality in student conduct policies as a way of introducing fundamental fairness into a process, where this fairness means that everyone is treated equally and without bias (Lake, 2011). However, using this definition of fairness presupposes a system designed to be fair to everyone, something my analysis demonstrates is a flawed assumption. The lawyers' use of neutrality serves to protect operators of student conduct processes from litigation. However, administrators also avoid taking responsibility for considering the context. Emphasizing neutrality also removes responsibility for dismantling systems of oppression and acknowledging power, since operators can defend decisions that feel inconsistent with equitable practice by arguing that "I followed the process." If we (student conduct professionals) approach student conduct work by reconsidering neutrality as a cornerstone of our work, we could codify a crucial aspect of critical studies into our policies.

### ***Dehumanization through Adversarial Systems***

Crafters of student conduct systems intentionally mirror them on formal adjudicative systems to be legally compliant with regulations and to protect from litigation. However, legal

systems and disciplinary systems in the K-12 system enable operators to oppress and disproportionately sanction BIPOC individuals (McCarthy and Hoge, 1987; Wallace Jr. et al., 2008; Skiba et al., 2011). Dehumanization is an inherent aspect of these systems. By removing the individual experiences of students from the calculation, drafters of student conduct codes reduce students to “respondents” and “outcomes.” Gusa (2010) discusses the link with white estrangement, which presupposes that white people pull away from BIPOC individuals and lose their ability to understand the inherent humanity of the “other.” Systems that are built using legal frameworks then have a mechanism for individuals to reinforce this estrangement, further distancing students from student conduct professionals. In an environment of liberatory pedagogy, higher education policymakers should codify strategies and mechanisms for conduct professionals to humanize students and appreciate their individual contexts.

When drafters intentionally write student conduct codes to match legal frameworks, they are creating opportunities to dehumanize students and place barriers for genuine partnership with students through hierarchical models. Even the language used can become dehumanizing, with conduct officers referring to students as “respondents” or “accused” and in so doing taking away their identities in favor of reductive legal terms. Focusing only on the specific behaviors in an incident without considering broader social and environmental contexts as well as student experiences strips away humanity and reduces students to behaviors. While practitioners may try to “love the sinner, hate the sin,” strict interpretation of the systems they operate means that ultimately, they cannot make this distinction. The veneer of humanization practitioners place over these oppressive systems is easily stripped away by the threat of litigation, a particularly challenging student, an uncaring practitioner, or pressure from external partners if the behavior in question is inconvenient from a public relations perspective. It becomes easy for student

conduct professionals to fall back on these systems, enabling practitioners to oppress students. If we can change these dehumanizing systems, we can create long-term change. I argue with this lens that these dehumanizing mechanisms are signs that a policy needs reconsideration.

Practitioners can use this to interrogate policies and reconsider ways to reincorporate the student into student conduct.

### ***Policies as Control***

Members of the academic environment rely on policies to reinforce their control in the institutional environment. Gusa (2010) discusses white ascendancy within higher education as a frame for how leaders and stakeholders, mostly white, create policies and expectations for the learning environment that privilege their norms. The exercise of power, as framed by Brookfield and Hess (2021), becomes part of how control in policies shows up on campus. An administrator's intention, reinforced through uninterrogated revisions and expansions of student conduct codes, is to ensure the perpetuation of an academic environment to support white learning. And white students expect that their rights, such as unfettered free speech, access to any space (even those intended for support of minoritized students), and expectations of "fairness," will be protected by the institution (Aggarwal, 2016; Gusa, 2010; Harris, 1993). Institutional administrators historically used the concept of *in loco parentis* to exert parental levels of control over students, a mechanism that allowed administrators to shape students into academics (read: white) (Kaplin & Lee, 2007). Education for BIPOC students means eradication, sometimes violently, of their racialized identities in favor of a white way of knowing (Wilder, 2013). Even with the shift away from *in loco parentis*, institutional leaders kept policies for appropriate behavior, shifting some to reflect legal obligations such as legal age for alcohol consumption or prohibited sexual misconduct, while keeping others such as rules for academic integrity static.



The policies remain mechanisms for detailing appropriate behaviors, controlling students, and forcing their behaviors into accepted norms with historical roots in whiteness.

Student conduct code drafters include details about these expectations, listing the “thou shalt nots” for students. In the classroom, expectations about norms of behavior for the classroom and the primacy of faculty control in classroom settings presuppose a banking rather than a collaborative model of learning. In academic work, these include white standards of academic integrity that emphasize individualism, academic citation of approved authors works, and competition amongst students for the best grades. In the larger campus context, expectations include legally obligated policies around substance use or sexual misconduct as well as formulating regulations regarding free speech or bullying behavior. As an example, sexual misconduct policies are defined through regulation and guidance from the Department of Education. During the Trump Administration, Secretary DeVos rescinded prior Department guidance that had expanded definitions of sexual misconduct and narrowed the ability for institutions to respond to particular kinds of behavior (Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 2020, Harrell & White, 2020). In response to this change, many institutions chose to bifurcate their sexual misconduct policies, with “federal Title IX” capturing these narrower terms and institutional sexual misconduct policies offering broader protections without the ability for students to seek remedy through the Department of Education (Anderson, 2020). In this example, institutions were forced to abandon policies designed to be more responsive to sexual misconduct behaviors and promote a more inclusive environment in exchange for a more litigious, more confrontational process. Those institutions that chose to have their own, broader policies introduced greater complexity and confusion by having two different processes. This example

shows the impacts of legal compliance on campus policies that subsequently impact campus communities. Reviewers can evaluate the nature of the policies in enforcing control over students and whether the policies are written to allow for flexibility and student's individual or group identities. Members of institutional communities can use rigid policies that define acceptable behavior to oppress BIPOC students. Student conduct administrators enforcing prohibited behaviors that set norms rooted in whiteness, such as noise levels or ways of engaging in dialogue without emotion, force BIPOC students and faculty to conform with white norms. As discussed previously, formal adjudicative systems codify white power. Community members' expectations of professionalism or resiliency suggest a right way of engaging that itself is the white way of engaging. We can use this knowledge to reevaluate student conduct policies and shift from control to collaboration with our students.

### ***Legal Structures as whiteness***

Few components of institutional policy are more rooted in the need for legal compliance than student conduct. When students seek legal remedies, they often challenge institutional action taken under student conduct codes. Similarly, federal and state governments regulate obligations related to free speech, campus environments, and sexual misconduct. Given the way that whiteness manifests in these systems, administrators replicate and reinforce systems of whiteness and white supremacy through compliance structures of higher education institutions. As I discussed previously, legislators codify protections for white individuals over BIPOC individuals through legal frameworks. The key dilemma, foregrounded in critical race theory, is the question of how to reimagine these systems. I suggest using emergent strategy to reimagine our approach holistically. Where institutional administrators remain stagnant and refuse to imagine, whiteness persists, making it that much more important for us to reimagine our work.

Gusa (2010) discusses white institutional presence to highlight the role of monoculturalism as a mechanism for preventing non-white ways of engaging from being incorporated into systems. The intentional use of the model code, itself designed with legal compliance and adjudicative processes in mind, creates a convergence of student conduct codes into a singular model (Stoner & Lowery, 2004). While current scholars and practitioners may incorporate restorative and non-adjudicative processes as off-ramps or alternatives to formal processes, these efforts fail to address the primacy of formal adjudication when all else fails. As the codification of white power, these adjudicative processes also lead to disproportionate outcomes for BIPOC individuals. The choice by administrators to use these “best practices” means that we wipe out opportunities for non-white models of resolution and the ability to innovate new mechanisms for resolution that are equitable for students. Professionals who use policies and processes that rely on uninterrogated best practices and model codes create a barrier that reinforces whiteness and white supremacy in our institutions. Understanding this reality allows us to reconsider how we reinforce white legal structures through our policies and reimagine how we draft our policies outside of these structures. I pull together these components into my conceptual framework. I can then apply the framework using my chosen methodology to examine student conduct policies for signs of oppression.

### **Methodology: Critical Policy Discourse Analysis**

I will use the above conceptual framework to apply a critical policy discourse analysis to my study. Discourse analysis is a method for analyzing context and language to perceive the underlying meaning and implications for society (Gee, 2011). The context can include physical settings, historical information and relationships, shared environmental and cultural knowledge, and other information about the given discourse (Gee, 2014). By bringing together multiple

artifacts that contextualize a given discourse, researchers can understand that broader context. Gee (2011) offers seven areas that we use to formulate our experience of reality: significance, practices (activities), identities, relationships, politics, connections, and sign systems and knowledge. Discourse analysis uses these areas as different lenses for analyzing information and artifacts to reveal the reality individuals create. Critical discourse analysis scholars, then:

go further and treat social practices, not just in terms of social relationships, but, also, in terms of their implications for things like status, solidarity, and distribution of social goods, and power...In fact, critical discourse analysis argues that language-in-use is always part and parcel of, and partially constitutive of, specific social practices and that social practices always have implications for inherently political things like status, solidarity, the distribution of social goods, and power. (Gee, 2011, p. 68)

The resulting figured worlds offer collective stories and ideologies that members of society agree to as typical or normative, create social realities that are most often reinforcements of whiteness and white power. Critical discourse analysis requires interpretation of each artifact, and this interpretive approach is essential to understand the broader context of their relationships. Furthermore, at the core, critical discourse analysis has a political position that explicitly critiques systems and structures of power (Blackledge, 2012). I embraced this position in my study.

A study using discourse analysis tries to reveal the underlying components of these worlds, unmasking the hidden meanings and mechanisms behind given discourses. Montesano Montessori et al. (2019) focus discourse analysis even further to consider policies. Critical policy discourse analysis integrates critical policy studies (CPS) and critical discourse analysis (CDA), focusing on two main aspects:

First, CDA has developed a framework for conducting systematic, yet contextually sensitive, analysis of texts based on a critically grounded theory of discourse...Second, it shares with CPS a number of important assumptions about the object of research, as well as epistemological, ontological, and normative principles, which in turn have implications for how research can and should be conducted. (Montesano Montessori et al., 2019, p. 5)

In these analyses, the text is the central component of the analysis. With the text at the center of the analysis, other artifacts can reveal the larger discourse about the policy. Mapping this web of context gives us the bigger picture, and as we think about the application of policy, we can further see the images of white power as they manifest on campuses. I developed my conceptual framework to serve as a lens to focus a critical policy discourse analysis into student conduct policies in higher education contexts.

For example, Sun and Valenzuela (2021) offer a strategy for applying policy discourse into educational policy. They turn their critical whiteness lens on truancy policy in Texas and reveal the toxic ways that this discourse contributes to the school-to-prison pipeline. They examined specifically a legislative hearing exploring the passing of the bill. They raise critically valuable frameworks to think about the broader context that have parallels with student conduct in higher education. The aspects include truancy court (decision makers), truancy tickets that become criminal records (student conduct decisions), and private truancy companies (like use of external investigators for TIX matters). They reveal through the analysis that those who are proponents of these laws use language that has roots in racism and whiteness, such as the use of criminal terms to describe youths who engage in truancy. A similar pattern occurs in higher education, where we use legal terms to define students with others, more legal processes. byrd (2019) similarly uses discourse analysis to consider equity and diversity discourses within higher education literature, raising a critique of the variability of their usage in the overall context. The analysis does use hegemonic standards of evaluation and value, giving value to those articles that are widely cited. To their credit, they do name the concern about imperial scholarship, and how it plays out in their analysis. Considering diversity, they see the relative frequency of articles regarding affirmative action and admissions, as well as calls for meaningful action. They call

out, however, the ways that the broader discourse focuses on race/ethnicity as part of many identities, rather than as a part of the discourse itself. Their analysis reveals that equity, on the other hand, is in a constant state of flux and underdeveloped largely because researchers do not move towards making concrete recommendations about policy revisions. Their subsequent definitions of terms, with equity as a normed standard. Diversity, then, can be disentangled from affirmative action, and still offer opportunities to build a diverse student population without framing that as a good valuable only for white students. I similarly applied my conceptual framework using a critical policy discourse analysis to student conduct policies related to disruption.

### **Application of Conceptual Framework to Critical Policy Discourse Analysis**

Montesano Montessori (2019) and Farrelly (2019) discuss the translation of critical policy discourse analysis into text specific analysis. Text Oriented Discourse Analysis (TODA) “analyzes texts – whether spoken or written – as discursive moments in their social context. TODA integrates the analysis of both the linguistic text and the form in which it is shaped,” centralizing the text in the analysis and using other artifacts to contextualize it (Montesano Montessori, 2019, p. 23). Consistent with critical policy discourse analysis, TODA considers the relationship of power and politics in social constructs. Integration of my conceptual framework gives focus to the subsequent analysis, indicating the kinds of language and power dynamics that reveal systems of power. TODA gives space for an analysis that is guided by critical epistemology and ontology and is intentionally designed to guide an analysis towards wider theoretical discourses (Montesano Montessori, 2019). Further, aligned with my conceptual framework, TODA is applicable at multiple organizational and structural levels, making systemic changes possible throughout a given discourse. The subsequent analysis, guided by the

TODA model of critical policy discourse analysis, used the tools of discourse analysis to reveal the context of a given policy and the ways that white power manifest therein (Farrelly, 2019). As I mention above, Gee (2011 & 2014) gives several “building tasks” that one can map artifacts to reveal the underlying discourse. The seven tasks, detailed and contextualized within student conduct below, anchored for my analysis.

### ***Significance***

The first of the building tasks, significance indicates what actors make important through language. This can sometimes be the subject of a given discourse but may also include other descriptive aspects of the discussion. For example, the phrase “good student conduct needs to be legally compliant.” The subject, student conduct, is modified and emphasized by the term “good.” With other context and language, “legally compliant” can become the critical part of this statement, giving it greater significance in a given context. We use significance to indicate levels of value, and my analysis will require me to assess how institutions place significance on different terminology or behaviors in their given context.

### ***Practices (activities)***

Practices and activities capture a series of behaviors and actions surrounding a given discourse. Language, particularly policy, captures the series of activities and practices involved in operationalizing that given activity. These practices are also socially constructed and accepted, creating meaning for individuals. In student conduct, the practices and activities involved could include an entire student conduct process. Actions, such as sending letters or inviting a student in for a hearing, come together in a constellation of actions that become the larger practice of student conduct proceedings. Further, social perceptions about discipline, higher education, and the relationship between individuals with positions of power all inform the ways that these

practices and activities occur in a given context. These practices inform the overall discourse and give context to a particular situation.

### ***Identities***

Critical to understanding the way that discourse occurs, individual identities and their inherent power relationships impact the ways that individuals and groups interact. Gee (2011) points out the ways that power in relationships influence the ways that individuals interact, and socially accepted constructs of power and privilege govern these relationships. Within the context of student conduct, there are inherent power relationships between administrators and students. This dynamic, where the administrator holds authority, automatically puts students in a subordinate position. Documentation and explanation of policy all emphasize these relationships, and those between faculty and students. The efforts that individuals and groups put into blunting these power relationships also speaks to how a given discourse and context interplay with each other.

### ***Relationships***

Gee (2011) frames relationships as part of a given discourse, since they offer insight into how individuals and groups interact. Like identities, relationships govern the way that language and context play out in the interactions between people. For example, in student conduct, the language a conduct administrator uses when speaking to a student they have met before may be different than someone they meet for the first time. The level of formality and comfort, and the amount of disclosure possible from both parties, may be different. Additionally, the nature of the prior relationship can make a difference. If the student had a prior adjudicative process, the tone and tenor of the meeting may be more or less formal. Alternatively, if the student has a prior relationship as an advisee from a student group, or a personal relationship outside of the



institution, then the undercurrent of those prior interactions will shade the conduct meeting. Taken together, understanding the relationships between individuals in a given discourse can offer essential context in understanding the ways that language is used.

### ***Politics***

Politics plays out in a unique way within discourse analysis. Gee (2011) highlights that in this instance, politics are related to the “distribution of social goods” which, in the context of student conduct, relates to the quality of and presence in higher education. How language frames the availability of these social goods, who is allowed to access them, and the quality of those goods, is how politics manifests in discourse analysis. This also includes the ways that individuals have access to a given resource, and how that access relates to an individual or group’s ability to have those resources. Within the context of student conduct, politics plays a significant role in how policies define the quality and access to higher education. Policies regarding appropriate behavior spell out the norms of a given environment, and deviation from these norms results in referral to disciplinary action. Furthermore, policies define the protections for individuals in the process, giving value to access of higher education through concepts like due process. How institutions define political decisions, promulgate language about applying politics, and operationalize these policies all play into the given discourse.

### ***Connections***

Discourse analysis involves drawing the essential connections between concepts and subjects. The ways that language clarifies context, it can also obscure. How a given discourse makes visible or invisible various connections. Within student conduct policies, connections between behavior and norms may be more or less visible. A sexual assault policy, with the use of language like consent or penetration, makes direct links with other social concepts and

discourses. However, the absence of particular language, such as historical practices of leaving out relationship violence from sexual misconduct policies, set a particular tone for these policies. The connections indicate relative importance to the institution.

### ***Sign Systems and Knowledge***

Gee (2011) presents a final tool, sign systems and knowledge, that plays into the broader ways that language defines systems and structures. The language itself and the turns of phrase that show up in written language matches with a given discourse. Student conduct policy language, then, matches with similar legalese that shows up as a result of particular systems. The definitions detailed in Chapter 1 are examples of terms that have specific meaning for student conduct administrators (a term of art itself). The commitment to using these types of dialects is part of the sign systems and knowledge that various fields hold. Members of a given community, like student conduct administrators, are deeply committed to maintaining the status quo. Ability to use this language becomes itself a mechanism for maintaining control, and in student conduct, places students in a marginalized position in these settings. The subsequent creation of and interaction with knowledge and sign systems gives is itself part of the context and discourse.

### **Study Design**

To conduct a critical policy discourse analysis, I gathered the disruption policies from institutions of higher education. In addition to the policies, I solicited documents, data, and other materials relevant to these policies and how institutions communicate them to their communities. To understand the broader campus context, I engaged in web browser searches using Google to explore campus discourses in a general sense (to understand the political and social environment within which a campus exists) and specifically related to disruption (to seek out explicatory documents or discussions unique to disruption). The subsequent analysis in Chapter 4 and 5

involves analyzing the data to define institutional discourses. In Chapter 5 I conduct a larger, meta-analysis of these policies and their application in the broader higher education environment. This study was approved by the Colorado State University – Fort Collins (CSU) Institutional Review Board on May 23, 2022 under IRB protocol #3395.

### ***Data Collection***

I solicited the above information from higher education institutions using a request through the Association for Student Conduct Administration (ASCA) membership listserve (Appendices A and E). In this request, I solicited information about the institution, institution type (4-year public, 4-year private, etc.), the language for their institutional disruption policy from their student conduct code, links to websites that explain this policy, documents that are used to explain the application, and documents outlining the enforcement of these policies (student conduct processes). This data fall into three broad categories. First, documents and texts may be publicly available via online locations such as websites and public databases. These include student codes of conduct, published websites, and annual reports. Second, data may not be publicly available but, because an institution is a public college or university, may be available via public records requests. This may include notes from meetings, internal documentation, or emails. Finally, there may be information that is private but that institutional administrators may be willing to share. This includes private communications, internal guidance documents, or information that might be related to the drafting process. I asked for these types of information, and institutions responded with varying degrees of thoroughness. Each institution I discuss in Chapter 4 provided their disruption codes and their codes of student conduct. I was also able to obtain additional news stories and online materials through web searches as detailed below.

In response to the request for participants through ASCA, I received fifteen responses to the online survey. Once I reached out to these individuals for interviews only eight provided information and participated in the study. One indicated that they would not be able to participate after I requested their availability for an interview and shared the request for their conduct data, indicating that they did not have easy access to the requested data. The remaining institutions did not respond to my requests for scheduling an interview. Table 1 summarizes information about the participating institutions.

**Table 1**

*Information about Participating Institutions*

Institution	Region	Campus Type	Enrollment
Discovery University (DU)	Northeast	4-year private	2,500
Cerritos University (CU)	Mid-Atlantic	4-year public	20,640
Defiant College (DC)	Midwest	4-year public	14,000
Shenzhou Community College (SCC)	Midwest	2-year public community college	19,000
Protostar University (PU)	Midwest	4-year public	47,500
Enterprise University (EU)	Pacific Northwest	4-year public	13,000
Voyager University (VU)	Midwest	4-year public	15,000
La Sirena University (LSU)	Northeast	4-year private	5,200

The institutions that fully participated were largely located on the East Coast and in Midwest, with one from the Pacific Northwest. The participants ranged from two-year community colleges to four-year research institutions. Participants included public and private institutions of various sizes, though the majority were mid-sized, four-year public institutions.

In addition to the policies and other documents each institution provided, I searched their respective websites using Google.com and using terms such as “disrupt\*,” “conduct,” and “incivil\*,” in addition to their institution name to better understand the external and internal pressures on the institution. I used this last strategy to seek out newspaper stories and blogs, as well as other website material and information to inform my analysis about each campus’ discourse about disruption. I consistently reviewed the first twenty pages of results, totaling approximately 200 articles per institution. I arbitrarily selected this number because it included twenty pages of results, with ten per page. While I could have continued to review articles, in the interest of concluding my analysis I chose to stop reviewing after the first 200 articles that Google.com determined were most relevant to my searches. In this review, I skimmed the summaries and titles and selected articles that appeared relevant to each institutional context as part of my framing for each institution. In determining what was not relevant, I decided to exclude information about athletic event outcomes (wins/losses) or articles that became duplicative (instances when the content was re-published by various online sources).

I engaged in an initial round of deductive coding using Dedoose coding software of each institution’s documents and materials using an initial code book that included each of the facets of discourse analysis and my theoretical framework. I used this review to identify additional themes and identify connections between institutions. Additionally, I increasingly used notes and memos to capture my reflections and thoughts as I engaged in my coding review. I subsequently

engaged in a second review of my material to identify additional connections through inductive coding and confirm my initial coding.

I also provided a spreadsheet to ask for disaggregated data about student conduct cases from the prior five academic years, including information about the race/ethnicity and gender identity of a student (with common terminology informed by the Integrated Post Secondary Education Data System (IPEDS, 2022) to ensure I could compare between institutional data and perform analyses of the larger data set), the location (classroom, campus community, housing, etc.), the source of the report (faculty, staff, student, student staff, etc.), a finding from a student conduct proceeding (responsible/not responsible/other), and the race/ethnicity and gender identity of the conduct officer or decision maker. A copy of the survey and spreadsheet are included as Appendix B and C, respectively. Unfortunately, only Discovery University, Shenzhou Community College, and Voyager University were able or willing to provide specific conduct case data.

Finally, I interviewed a representative of each institution to understand their experiences and perspectives about the disruption policy (interview script incorporated as Appendix D). As an incentive for participation, I offered and provided executive summaries of my findings and policy recommendations tailored to each institution. Table 2 summarizes information about each interview participant.

**Table 2***Information about Interview Participants*

Institution	Pseudonym	Title	Years in Higher Education	Student Conduct as Primary Role
Discovery University (DU)	Azerath	Associate Dean of Students	15	No
Cerritos University (CU)	Ander	Assistant Dean of Students and Director of Student Conduct	14	No
Defiant College (DC)	Blucher	Dean of Students and Director, Residential Life	21	No
Shenzhou Community College (SCC)	Daniel	Coordinator, Code of Conduct	19	Yes
Protostar University (PU)	Sebastian	Director of Student Conduct	19	Yes
Enterprise University (EU)	Brody	Executive Director of Student Conduct	18	Yes
Voyager University (VU)	Toby	Associate Director, Dean of Students Office	20	No
La Sirena University (LSU)	Lorkoril	Dean of Students	23	No

I scheduled these interviews based on the individuals' availability. I conducted the interviews using the Zoom videoconferencing platform. I recorded the audio of the interviews for the purposes of generating a transcript using the Otter.ai software for analysis. The recordings were deleted once I reviewed the transcript and audio to ensure that Otter.ai produced an accurate transcript. The interviews were scheduled for approximately 60 minutes, and varied from as few as 25 minutes (due to technical difficulties) to as long as 75 minutes. Questions focused on individual experiences with policy development, relationships, and how the individual interviewees experienced discussions around race and whiteness. I did not collect identity information for the interviewees, though all identified as the chief student conduct administrator for their campuses. I did attempt to member check my interview transcript and subsequent analysis. In nearly all cases, the participants stopped responding once the interview was complete.

### ***Data Security***

Participants completed the online intake survey via CSU Qualtrics. Once institutions volunteered, I reached out to the individuals they listed to set up individualized OneDrive folder for their disaggregated student conduct process data, as well as other documents they needed to submit. These folders were only accessible by myself, the principal investigator, and the representative from a given institution. After the interview, I shared the transcript for the participant to review. Once I received comments, I removed their access to ensure the data remained secure over the course of the study. I removed identifying information (institution or participant name, state, or other identifying information) and document metadata (creator, institution, etc.) on an ongoing basis, in addition to saving documents with pseudonyms or my own identifying information. For example, I used the institutional pseudonym (i.e. "Institution



A”) followed by the type of document (policy language, website text, etc.) and then a version notation (i.e. v.1, v.2, etc.). I retained older versions in a separate “working document” OneDrive file accessible only by myself and the principal investigator. For interview transcripts, I replaced “type of document” with the identified pseudonym (i.e. “Participant 1”). I retained an excel spreadsheet with a key for this data in my CSU OneDrive that only I and the principal investigator had access to. I later replaced the institutional and interview participant pseudonyms with another made up name to facilitate ease of reading in my Chapter 4 and 5 write ups, as well as further anonymize the results for each institution.

For my transcription, I used Otter.ai to record transcripts and my CSU zoom account to perform the interviews. Both were protected via password. During my analysis phase, I used an analysis software, Dedoose, to code the interview data. My Dedoose account was password protected to minimize possibility of the data being compromised. My executive summaries were provided via email for the participant. I redacted and sanitized the data when I performed my write up for the purposes of this dissertation. I will retain these OneDrive folders for one calendar year following the successful completion of my dissertation to ensure that I can provide follow up for participating institutions. After this time, I will delete this information from my CSU OneDrive.

### ***Data Analysis***

As I conducted my analysis of the code language, explicatory documents, interview transcripts, and online materials, I used the tools Gee (2011 and 2014) offers for conducting a critical discourse analysis. I centered the code language in the discourse and analyzed the surrounding materials to perform the analysis. I sought to triangulate the language being used, how disruption policies were communicated, and how they were enforced. In this analysis, I was

conscious that there was not often alignment across various institutional communications and policies. This is a data point that I discussed and assessed using my theoretical framework as a lens to understand how this dynamic does or does not reinforce systems of white power. Despite my hopes, there was not sufficient quantitative data submission to perform quantitative analysis to find trends. I instead used the individual campus spreadsheets to give insight into what reporting faculty, staff, and students consider as disruptive on their campuses. Once I performed the individual institutional analyses in Chapter 4, I begin Chapter 5 with a broader meta-analysis to identify trends across institutional policies and actions.

I transcribed my interviews using Otter.ai software to generate a transcript. I then used the data analysis program Dedoose to electronically code the interviews. Appendix F includes an initial guide for my coding, connecting possible behaviors and concepts to my conceptual framework. I used a deductive coding approach using a codebook (Appendix G) based on my theoretical framework for my first review of the data. These are possible behaviors, and I remained open to adding additional themes that arose in my second review of the data using an inductive coding approach, regardless of their possible relationship to my conceptual frameworks. I used an iterative process to review the interviews, including working to identify common themes that arose across interviews and revisited earlier interviews to understand them in context with my entire data set. The interview transcripts and themes were then one of the various artifacts I used in my analysis of the broader discourse on each campus about disruption and disruption policies.

Because each artifact I requested had impacts on each tool for my critical policy discourse analysis, I detail in Table 3 how each artifact initially related to the tool:

**Table 3***Relationships between Artifacts and CPDA Tools*

Artifact	CPDA Tool						Sign Systems and Knowled ge
	Significa nce	Practice (activitie s)	Identities	Relations hips	Connecti ons	Politics	
Policy							
Language	X	X	X		X	X	X
Explicatory							
Documents	X	X	X	X	X	X	X
Policies for							
Enforcemen							
t	X	X	X	X	X	X	X
Narrative							
Information			X		X	X	
Spreadsheet							
Data		X	X	X			
Interview		X		X		X	X

I found ultimately that there was opportunity for connection with each of my conceptual framework components in each artifact.

### ***Ethical Considerations***

The most concerning ethical consideration was data provided about student cases. Campuses could have rightfully raised concerns about this information if it included identifiable information. While none did, it is possible that the number of institutions who declined to participate or share disaggregated data indicates that this remained a concern. I addressed these

concerns by requesting only disaggregated data and masking the presentation of the data in my analysis with pseudonyms for each institution. Because the data are disaggregated, it should have been protective of campuses where there may be a small number of responses. Furthermore, in any subsequent quantitative analysis, there would be an opportunity to use the larger numbers of responses to understand the broader context in higher education. I have included an initial checklist of indicators for each aspect of my conceptual framework as Appendix F. Finally, my inclusion of information from Google searches about the campus discourse could introduce challenges. There exists the possibility that one could take quotes and use web searches to positively identify the involved institution. I consulted with CSU IRB about this concern. They indicated in email communication dated November 14, 2022 that this information was public and therefore acceptable for inclusion.

## **Conclusion**

My study seeks to understand how institutional disruption policies in higher education reinforce systems of whiteness and white power. Through the use of my conceptual framework, I turned a critical eye to these policies. Because student conduct lies at an intersection of various disciplines, I intentionally tied together threads to inform the nuances of disruption policies. CPDA offers a formal way of applying discourse analysis to a policy, teasing out the ways that language and the broader conversations surrounding these policies operate. Chapter 4 includes a discussion of my participating institutions, as well as sections analyzing the institutional discourses at each campus. Chapter 5 then includes a meta-analysis of trends and describes the ways that disruption policies inform practice and, along the way, how institutions can take steps to review and revise their policies to yield equitable practice and praxis.

## CHAPTER 4: FINDINGS

I was fortunate that each individual institution yielded a robust data set to understand individual campus discourses. To aid my analysis, I break down my findings by each institution, taking a close look at the data and institutional trends. Within each section, I summarize information about each institutional context to frame the discourse. I also foreground the specific disruption policies. I then organize the discussion based on my theoretical framework, putting the discourse into context. The subsequent summaries attempt to offer an understanding of how each community approaches disruption, and the impact of policy language on this discourse. I will integrate a discussion of trends and broader parallels across institutions at the beginning of Chapter 5.

### Discovery University

Discovery University (DU) is a small, four-year private institution of higher education located in the Northeast. My review of DU’s website reveals that their enrollment is approximately 2,500 students, including undergraduate and graduate students. Table 4 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 4**

*Discovery University Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident <sup>3</sup>	1.97%
Hispanic/Latino	12.91%
Black or African American, non-Hispanic	3.53%
White, non-Hispanic	69.81%

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<sup>3</sup> IPEDS uses the term “non-resident alien” to capture any individuals who are not US citizens. I have chosen to omit “alien” throughout given the harmful characterization of undocumented or non-US citizens.

American Indian or Alaska Native, non-Hispanic	0.31%
Asian, non-Hispanic	2.59%
Native Hawaiian or other Pacific Islander, non-Hispanic	0.16%
Two or more races, non-Hispanic	1.76%
Race and/or ethnicity unknown	6.95%

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I also worked to find information about the faculty and staff demographics at DU but was unable to find that information on the campus website. My subsequent review of approximately 200 news articles from Google regarding DU revealed that the majority of them are about institutional athletics. The others detailed either programmatic activities or campus conflicts that resulted in litigation or institutional action. None spoke specifically to a violation of campus disruption policies. One story from 2021 describes a conflict on campus where an employee alleges that they were retaliated against for reporting a colleague after they used a racial slur about an African-American student (DU – University employee sues, p. 1)<sup>4</sup>. This issue became significant enough that alumni began pressuring the institution, leading to the hiring of Diversity, Equity, and Inclusion consultants (DU – Allegations of Racism, p. 2). In contrast, another news story details that DU has established programs to “prepare” Black and Latino male students for college (DU – Black, Latino males success program, p. 3). Finally, there was one narrative regarding a Title IX incident and the subsequent legal action (DU – TIX lawsuit, p. 1). These

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<sup>4</sup> As part of developing my data set, I gathered information from and about each institution. Once I retrieved that data, I added it to the data set and created a pseudo-title and reference that had meaning to the data set but did not indicate the originating institution. When I reference items in this data set throughout Chapters 4 and 5, I continue to use typical APA citation norms but do not include these articles in my references section to protect the anonymity of the institutions. I include them for two reasons – to “show my work” by demonstrating where data originate and to provide guidance should anyone wish to replicate this study in the future.

articles appear to indicate underlying issues that may play into the deeper campus context as detailed below.

In considering the discourse related to disruption policies on this campus, I considered their student conduct policy regarding disruption, the larger student conduct policy, the organizational policy, the guidance DU shares with their faculty and staff about responding to disruptive students, the interview I conducted with a representative of the institution, Azerath, who has responsibility for administering their student conduct code, and finally the data available from student conduct cases for the past five years involving their disruption policy. Table 5 shows the demographic breakdown of case data by identities that Azerath was able to provide:

**Table 5**

*Discovery University Student Conduct Data*

Accused Race/Ethnicity	Not Responsible	Responsible	Grand Total	Percent of Reports
African American	0	3	3	5.7%
Asian	0	1	1	1.9%
Caucasian/White	8	32	40	75.5%
Hispanic/Latino	0	4	4	7.5%
Non resident	0	4	4	7.5%
Not Indicated	1	0	1	1.9%

The demographic labels do not perfectly match up with the IPEDS data. However, this breakdown still gives insight into who members of the campus community report for disruption issues. Black or African American students appear nearly twice as frequently in reports than they are represented in the campus community. In contrast, Asian and Hispanic/Latino students are underrepresented in the reporting in comparison to their campus representation. I found that there were several themes that speak to the campus discourse about disruption that align with my

theoretical framework and applied critical policy discourse analysis tools to explain how those reveal systems of whiteness and white supremacy in the stated policies.

### ***Defining Disruption***

DU's disruption policy specifically names:

verbal, written or physical actions that cause disruption to the orderly operation of the University, other institutions or communities, or the lives of any person or group. This includes, but is not limited to, obstruction of teaching, research, University administration, University events and activities, campus and non-campus residential living, and interfere with student staff, law enforcement, or emergency personnel. (DU Disruption Policy, p. 1)

Application of Gee's (2011) social languages tool to understand the specific kind of language being used points to the way that this language is situated as a legal frame. The formatting and structure speaks to formality and legal structures that reinforce systems of whiteness.

Foregrounding orderly operation of the institution before individual people speaks to what is significant. Similarly, putting teaching, research, and University administration first tells the reader what is most important. Nowhere in this policy are students named, suggesting that politically the other groups (staff, law enforcement, faculty) have the power. This policy may be written for them, rather than the students themselves.

Reviewing the data provided offered additional unique information. One limitation of this data is the lack of information about the reporting parties. DU does not collect this information with any consistency. This limits the analysis, preventing any consideration of whether there is bias in reporting of students based on identities of the reporters. Most of the outcomes in the student conduct case data that DU provided appear to have been resolved with warnings. This dynamic, to resolve these matters with the "lowest" possible administrative or restorative outcome, aligns with the information provided by the interview participant, Azerath, who shared that:



it's nice, I think, to have a spectrum of resolution options to choose from right so if you're on the fence or you're like this was disruptive, but we don't think this goes to a threshold of discipline. Then we can go lower level and just have a conversation or do something more restorative or developmental. (DU Interview – Final, at 31:11)

They indicated that their approach includes incorporating restorative opportunities, while administratively issuing a warning about continued behavior. This application of discretion speaks to the ability for the practitioner to apply the policy to foreground non-adjudicative resolutions. Application of the politics tool does highlight what appears important to the practitioner, where the policy as written appears to foreground everyone but students. The level of detail DU provided about their student conduct cases was useful in understanding the nature of the behaviors that qualify as “disruptive” on this campus. While some are what can best be described as “shenanigans” (i.e. releasing a squirrel into a residence hall), the majority are regarding the interactions between students and authorities, specifically when the student is yelling at other individuals. Other examples include:

Student got into an argument with a faculty member over a parking spot (they were both in their vehicles). Student was also disrespectful to officer, yelling at him, as he tried to discuss the situation with the student. Student wrote apology letters.

[and]

Student followed another student who owed a friend money and yelled at and threatened them. Reported my [sic] multiple students, identities unclear. Sanctioned to written assignment.

[and]

Student was yelling and shouting in the Registrar's office about the way she was being treated.

[and]

Student set a trap to catch a squirrel and released it in the residence hall (Conduct Data Submission Spreadsheet – DU)

The campus community appears to consider disruption to include raised voices and “excessive” noise, calling individuals in positions of authority (police, staff) names, and failing to comply with directions by staff or police when the student has engaged in behavior inconsistent with policies (public urination, lying). What is unclear from the data where students were

“disrespectful” is what this behavior means – the subjective nature of this alleged behavior puts the power in the hands of the reporting party to determine what is disrespectful. This aligns with the concept of politics in discourse analysis, where the policy enforcement demonstrates where the power lies in a given relationship. Moreover, this aligns with systems of whiteness, norming particular behaviors that are aligned with whiteness such as being quiet, always following the instructions of authority, and respecting authority without question.

### ***Dehumanization through Adversarial Systems***

The listing of disruptive behavior as a form of behavioral change within the context of the instructions for faculty frames any disruption as a behavioral issue. A “For Faculty and Staff” website includes information about working with students. The section about “When and How to Refer Guide” indicates that if the answer to “is the student in immediate danger?” is “yes,” there are formulaic steps faculty should take. When a “student’s conduct is clearly reckless, disorderly, dangerous, and/or threatening and aggressive and suggestive of immediate danger to self or others in the community” then they should involve staff to respond (DU For Faculty and Staff, pp. 2-3). The response should then be to “Call Campus Police” which engages the criminal legal system into the discourse before other assessment. If the answer is “maybe,” the guide directs faculty and staff to consider if the “signs of distress are visible but severity is unclear. The interaction has left you feeling uneasy or concerned about the student and you are not sure how to proceed” (DU For Faculty and Staff, p. 3). The subsequent discussion makes reporting disruption an act of reporting something that makes a reporter “uneasy. This serves to conflate having control over another person with being a white savior, since according to Azerath, at DU the majority of reporters are white. Reporting disruption simultaneously becomes an act of control and charity. The policy also frames it as making someone “uneasy” rather than offering

definitions about what that really means, putting more power in the hands of the reporting party. Gee (2011) suggests the identities tool, indicating that the individuals in power have control, and the way the policy is explained reinforces this power dynamic. Faculty are given greater power through this reporting mechanism, reinforcing the existing social structures whereby faculty are automatically in positions of power, rather than in partnership with students.

The code similarly frames the adjudication system as formal, with legal structures of whiteness at the very start. Language in the policy states:

The privilege of being a student at [DU] carries with it the responsibility of following standards of conduct in line with the institutional mission and shared values. Students at [DU] are afforded the freedom to develop their interests and life choices with the understanding that we are first and foremost an academic community – a community of teachers and learners – and that higher Community Standards take precedence over individual behavior that might disrupt or impair the community.

The Community Standards revolve around the value and importance of respect and include:

Respect for Academic Honesty

Respect for Self

Respect for Others

Respect for Safety

Respect for Property

Respect for [DU]

Respect for the Law

The Community Standards articulate behaviors that are prohibited or unacceptable because they do not align with the value of respect central to our community. (DU Code, p. 2)

Beginning this statement with the concept of “privileges” suggests the use of Gee’s (2011) concept of sign symptoms and knowledge tool. Harris (1993) and Aggarwal (2016) both address the role of whiteness as property, and the orientation of this property as a privilege available only to white students. Similarly, the statement that “higher Community Standards take precedence over individual behavior that might disrupt or impair the community” reveals the ways that these policies are in fact elements of control. Framing this with the concept of “respect” itself suggests assumed knowledge of rooted in systems of whiteness. Respect is considered a socially

constructed concept that the policy enshrines without interrogation. Since respect is often conceptualized as a white way of engaging, including automatic deference to authority and police, the understanding of how students engage is baked into the system, privileging white over BIPOC students.

### ***Policy as Control***

The disruption policy language offers specificity regarding the spaces where this policy may be relevant including “teaching, research, University administration, University events and activities, campus and non-campus residential living” but does not include information about what behaviors are relevant other than to define them as “verbal, written, or physical actions” (DU Disruption Policy, p. 1). Indeed, as with other documents, this policy relies on members of the community naming that something constitutes disruption. Gee’s (2011) tool for understanding politics and significance play out in DU’s context, revealing the ways that the terminology they use emphasizes how policy acts as control. The sign symptoms and knowledge tool can be helpful in understanding the use of the term “orderly.” The idea of “orderly” is rooted in whiteness, used without context by those in positions of authority to apply their own values to appropriate behavior. Because those in authority at most institutions are themselves white, there is little motivation or reason to give up this power. Faculty and staff, many of whom outlast students on campus who are only present for four years, can then have a level of investment in having power within their employment context. Harris (1993) analysis indicates the role of whiteness and power as inclusive of the power to control and exclude others. DU’s policy then gives institutional power through the policy to the reporting parties, most of whom would be faculty or staff in an academic setting. Given the historical context of institutions of higher education as serving white power, it is reasonable to understand that application of orderly in this

context means that faculty can impose their beliefs about appropriate behavior onto their students. They can further act so that anything that individuals consider disruptive is somehow not orderly.

The policy speaks to the ways that it names where it can create control, the order of spaces DU protects also suggesting a hierarchy of importance that places teaching at the top of that group. Ultimately, rather than offering specifics this policy relies on others arguing themselves to have been inconvenienced. Reporting individuals have the power to define what is disruptive to them, and the policy allows this to happen without consideration of the reporting individuals. Taking away this agency removes individual context from the equation, leading to seeing these students as a problem, rather than a person. Similarly parallels exist within the criminal legal system, where BIPOC men are demonized and subsequently criminalized (Smiley & Fakunle, 2016). When individuals are characterized by the ways that others conceptualize them, we lose the ability to consider the totality of their personhood. It becomes easier to ignore the possible consequences of reporting. The subsequent dehumanization through this policy removes the reported individual's agency, instead putting control into those in power. The ownership of education that whiteness indicates also puts members of the learning community in positions of power over the students they report. The inclusion of “student staff, law enforcement, or emergency personnel” creates protection for agents of the university who hold power, thereby reinforcing their control over a space and context.

The language used in the interview indicates several ways that whiteness manifests through the policy. The role of whiteness as control shows up throughout, suggesting the ways that this policy also serves to ensure that individuals can be caught up in the conduct system using it as a “catch all.” Azerath acknowledged that:

the disruptive behavior policy has always felt like a catch all, right. And you know, I'm sure that's, it's what you're kind of getting at and I've always felt like when you see what gets caught there, what can't find another place you have to decide, should we be writing another policy that this would fit better in and we're being more articulate about or is it okay and I always seize on the, you know, disruption of the orderly operation of the institution phrasing, which I think is somewhere in most disruptive behavior policies. And so I try to think of it that way again, because of my restorative and community, you know, approach when I'm, if I'm going to meet with a student and I'm going to have this conversation, can I help them understand why this was disruptive? To the orderly operation, right, like this is what people expect in this environment. And they were not able to have that expected environment because of the behavior that occurred can I make that connection? (DU Interview, at 5:24)

Use of the disruption policy as a “catch all” can be a mechanism for ensuring that the students that staff and faculty report and subsequently involved in the student conduct system. Applying the practices tool helps reveal how this intentional involvement through widening the net of reportable behaviors mirrors practices in the K-12 and criminal legal system that can negatively impact minoritized students. Making it easier to involve an individual in a disciplinary system also makes it easier to control them individually and as a group on campus through processes, sanctions, and fear. According to Azerath, the way that reporters appear to talk about the individuals they report involves the manifestation of “us v. them” dynamic between faculty and students:

**anton:** So I guess I'm curious when you think about your experience, meeting with faculty, staff and students who report concerns of disruption, what have those been like?  
**Azerath:** It's interesting. When people report things they tend to they tend to find the buzzwords, right? And so “I'm being disrupted” would be a phrase that somebody would seize on and be like, “this is disruptive to my classroom. This is disruptive to my program.” You hear this a lot with like, “I feel threatened” Right? Or “I'm being bullied” right? We know the things that are going to get attention. And so I think it's interesting that when people report they're not reporting based on policy, right? They didn't read the policy, they didn't come in and look, they're just using phrases that have you know, they've gotten traction before and I think that this is being disruptive. This is getting in the way of me being able to do what I need to do. That's where that language comes up. (DU Interview – final, at 7:11)

The repeated framing of faculty talking about their impact rather than broader consideration of the community (for example, repeated use of “I’m”) means that the reported students are

required to contemplate the ways that the reporting parties feel, regardless of how they manifest. This is itself a way of exercising power through manipulation, asking in most cases the oppressed to empathize with the oppressor.

Throughout, Azerath offered insight into how as a practitioner they are able to mitigate bias by reporters. At one point they shared:

when I think of disruptive behavior right now, I think a lot so what comes to mind is politics, which is so layered with race and identity right now. And so that's where we get the disruptive behavior reports that I think race is playing a role in the reporting of whether it's conscious or not... And I am trained and need to kind of be down the middle in how I see this. And the fact that I get those reports from both sides [politically] actually really helps me. Helps train me to do that. Right. Like because I can look at this one today and this one tomorrow and be like, am I going to treat these the same, content neutrally? I am, right, and hopefully compassionately for all the students that are involved. (DU Interview – final, at 24:29)

Their litmus test for mitigating bias in this circumstance appears to be ensuring that they are treating everyone compassionately, and that they are using a content neutral approach (discussed further below). Application of the practices tool is helpful to contextualize how Azerath is working to push against dehumanizing efforts. They appear to make an intentional choice that is rooted in neutrality, but still appears to bring context to the equation. However, when addressing reports of disruption involving a bias response and intervention team they share:

But a lot of these things, you know, I don't know that. They come in as a bias report, right? But they don't say, "so I want you to charge this person with a disruptive behavior policy" or they just sort of submit the report and then we engage with them to figure out what is the best approach. And a lot of times it's more restorative than it is going through a disciplinary process. But you're also looking at will this rise to the threshold to be able to go through a disciplinary process or not, and often it doesn't. And so you're looking more to restorative approach. (DU Interview – final, at 26:23)

An intentional attempt to redirect or avoid use of adjudication, and instead call-in restorative practices, appears to be a practice that can avoid pushing students into a disciplinary proceeding. Expressing that they work to ensure that students understand other peoples' perspectives is simultaneously a practice aligned with considering context and in tension with asking

minoritized student participants to empathize with the individuals with power who have referred them for disciplinary action. Their earlier calling out of the language individuals use, specifically regarding “bullying” or “threatened,” speaks to the power that reporters in this system hold. The use of these magical words create harm, but if invoked differently may be instead used to heal. Furthermore, that they can be the ones to set forth their “expectations for my environment” gives faculty and staff in a position of further power. Identities play a critical role, with white faculty serving in positions of authority and power and BIPOC students being reported and subordinated. Application of the politics tool reveals how this perspective is at odds with the policy itself – where Azerath foregrounds students, the policy does not.

### ***Toxic Neutrality***

Azerath also talked about the way that neutrality played out, further suggesting the above tension where the espoused values of restorative practices come into conflict with the way that policy requires neutrality. They shared that:

I tend to be less focused on are you telling me the same thing that you're telling me but more, what are the needs here and how can we address the needs that are resulting from your perception of or your perception of, I mean, if somebody's just lying, or, you know, trying to deny that something that I know is true? That's one thing, but often, I think it's this person's experience and perception of it versus this person's experience or perception. And maybe a full agreement on what happened and a disagreement on whether that should be disruptive, right? And again, they're you know, you're not asking about this so um, but the strategies are, you know about empathy, right? Like, can you put yourself in somebody else's shoes, you may never agree that if you were you, this would be considered disruptive, but if you were them, can you see how it would be disruptive. So that dissonance is always going to be the case when there's interpersonal, when there's more than one person involved, right? And the job is to try and reconcile it for both parties. (DU Interview – final, at 12:17)

Their strategy, to “reconcile the parties,” is aligned with these restorative practices. However, it still requires Azerath to lean into this concept of toxic neutrality and act as mediator (as they indicate in the previous section). Their practice of engaging with and considering their own biases also gave important insight into practice, itself problematic because it appeared



inconsistent with the policies themselves. Furthermore, during the interview Azerath articulated their role of making sure that they “need[ing] to kind of be down the middle in how [they] see [reports],” a practice that is itself a manifestation of how neutrality influences their conduct work (DU Interview – final, at 24:29). The focus on content neutrality, itself a tenant of most student conduct systems, was a significant focus for his approach, demonstrating the ways that this policy influences practice. They articulated their response, to consider context, as a practice to respond to this dynamic.

Azerath also named white savior as part of experience, with white faculty stepping into cases involving BIPOC students regardless of the student's interest in engaging with them. Because we both hold identities as student conduct administrators, I noted how Azerath's social language connected with my own. In my reflection, I attempted to utilize Gee's (2011) making strange tool, which calls on the researcher to consider how an outsider would hear or understand things. By reframing this concept, I tried to see how Azerath's actions and language would look from someone unfamiliar to the field. The discussion revealed for me the importance of digging deeply into understanding what participants mean when they use coded terms like this one. The specific behaviors they named above indicate how the identities of the individuals involved influence practice. The power dynamics inherent in the faculty-staff-student triad relationship frame the broader discourse of placing faculty and students on one side of the discourse around disruption and staff along with the reporting party (who is sometimes faculty) on the other. While the staff member is beholden to the concept of neutrality, the discourse around the policy seems to not support this practice.

### *Legal Structures of whiteness*

Legal structures are manifest throughout the information I reviewed from DU. Azerath named a particular dynamic involving legal waivers and advisors who have a desire to step and defend a student, stating:

Those who don't have that insider knowledge [such as advisors], are just going to come in and say and try to defend a student and actually get in the way of the process being able to do the work that that it needs to do. And so I both appreciate the nuance that folks want to raise and also want them to know that I know, right? And this is the outcome right now. And I can't fully explain it all to you [and advisor or advocate]. Unless a student wants to sign a release and you can come in. (DU Interview – final, at 18:37)

This reliance on a waiver implicates the politics tool, where the policy and practice limit access for colleagues or community members who might want to offer support for students. Introducing a limitation to the ability for students to receive assistance in a highly legal system works to further strip them of power by denying them assistance that in other legal structures would be appropriate (i.e., in criminal legal proceedings) but does mirror practices in the K-12 disciplinary system. Furthermore, the broader conduct policy restricts participation of advisors, limiting their role within the process by stating:

The right to be accompanied to any meeting related to the conduct process by an individual chosen by the responding party who may provide support but not participate directly in the process. The individual must be a current [DU] student, faculty or staff. Individuals other than those listed above will not be admitted. It should be noted that this individual may be asked to leave at any point if being disruptive to the process. (DU Code of Student Conduct)

From the reliance on legal waivers to allow support individuals to be aware of what is going on in a case to the idea of a support person not being allowed to speak in the meetings, these restrictions act to emphasize the legal nature of these proceedings. The social languages tool again becomes useful, revealing how the language Azerath uses and that is in the policy reveals what is important to the institution. Azerath offered an interesting insight connected with being a

white savior, where white faculty and staff come to BIPOC students defense even when they are not interested in that support. They shared:

I think it [race] comes up also in the folks who come to the defense of one party or the other and I see that both with peers right like who ends up siding with who and again, the perceptions that they each have. It also comes up when the faculty and staff get involved. And frankly, what I see a lot is sort of a white savior, you're kind of people coming in, faculty and staff wanting to involve themselves with you know, limited knowledge of the full understanding of what's happened. (DU Interview – final, at 14:02m)

This racialized dynamic also indicates a dynamic on campus that aligns with similar efforts in the K-12 and criminal legal system. The identities tool is useful in seeing how the individual identities of these players impacts the broader discourse. While the desire for faculty and staff to insert themselves into student conduct matters may be laudable, Azerath notes the disruptive and sometimes unwanted nature of this involvement.

Azerath also clarifies how, at the extremes of these cases, there are differences in who elects to involve themselves in cases, sharing that:

I see it on the extreme ends, right, the really privileged and entitled students have people coming to their defense, often athletic coaches, lawyers, right. And then the students from marginalized backgrounds often have folks come into their defense and that's often you know, faculty and staff who have aligned themselves with a particular area of work. (DU Interview – final, at 18:37)

While faculty and staff appear to engage with BIPOC students, white students receive support from individuals with positional authority. Azerath clarified in their review of the transcript exactly how they see this playing out, sharing “I think I would clarify that there are more white folks than non-white folks defending the privileged students and more non-white folks than white folks defending the marginalized students but I don't want this to be overstated” (DU Interview – final, at 21:49). In contrast, BIPOC students appear to more frequently cite how their minoritized identity plays into their defense. The use of language such as defense itself is a legal

structure that individuals appear to use regularly, indicating how deeply legal structures are infused into the discourse.

One point that Azerath made raised other interesting insights. During the interview they articulated that “you're also looking at will this rise to the threshold to be able to go through a disciplinary process or not, and often it doesn't. And so you're looking more to restorative approach” (DU interview – final, at 26:23). Their code, however, requires the assessment of a report to determine if this non-adjudicative response is possible, stating:

Anyone with information about a potential violation of the Community Standards has the right to bring that information forward. Information may be provided to Student Development, the [DU] Police Department, or the Title IX Coordinator (when applicable). Depending on the circumstances, the University may move forward with an allegation that a student or RSO has violated the Code (or other relevant University policy) based on the information provided. The University may also explore informal resolution options, when appropriate. (DU Code of Student Conduct)

The language reinforces the concept of the process being supreme, that one needs to satisfy the needs of the process before finding informal resolution. While individuals do not appear to focus on the policy itself, they understand the impacts and the ways that policies impact the environment. Their acknowledgement that individuals do not talk about policy speaks to the way that the larger discourse is silent about the policy itself. Whiteness supremacy is an underlying facet of the environment, and the inability for individuals to understand the connection with policy itself speaks to its insidious nature.

Similarly, the policy itself appears rooted in hegemonic systems, and Azerath articulated how it was largely created by using material generated by national groups such as NCHERM.

Azerath shared that:

So when I arrived, I, we had sort of disparate policies in lots of different places. I brought them all together into a code of conduct and at that time, I probably made some changes. And they heavily relied on what was at the time the NCHERM developmental model, and the other models that came before it, but that's probably where I got most of the language. I can also look back and see I mean, I can see every year what we edited to see what

changes might have gotten made. Conversations, you know, I think we are always talking about we are a private institution. So we can, we do not have to uphold students first amendment rights and yet we want to, we espouse that we put it in our in our statements and so very much trying to make sure that it's narrowly defined. So those are the kinds of conversations that we have, of course, we always have, “including, but not limited to” language that everybody uses. (DU Interview – final, at 28:08)

The language, including things like “including but not limited to” reinforces the role of legal systems and structures. Interestingly the mentioning of the institution as a private school with different expectations was also telling about how they consider things. The question of first amendment rights is less salient but thinking about what private institutions can regulate was important. That the policies remain similar to other institutions still reveals how they remained in alignment with public institutions.

### ***white Ignorance***

Further ignoring of context and positionality appears to manifest in the discussion about who is part of the consultation. Within their office, Azerath names that:

I'm at a rather small institution for a while I was the chief Conduct Officer, and I have other folks that I assigned cases to but they have other roles, mostly Residence Life housing, right. We now have a second Conduct Officer and again, every year my caseload has gone down. That person has taken a lot more we still have all the people they assigned to. There has, so as long as we've had that second person, that person has identified as Black, I identify as white, the other conduct officers that we have change because their entry level kind of roles they rotate. (DU Interview – final, at 22:10)

The use of the identities tool is helpful in understanding the ways that this dynamic plays out. In the broader discourse, Azerath appears to acknowledge identities in the administration of the process. It is unclear whether this dynamic is an intentional choice or a chance of hiring, but Azerath seems to understand that different identities can offer different perspectives in adjudication. While in the office there is an opportunity for consultation between a white colleague and a Black colleague, the Behavioral Intervention Team (BIT) remains focused on position. Azerath indicated an awareness of this dynamic, suggesting that their response is to:

continue to diversify our staff so that we're always bringing in diverse perspectives. It's on us to recognize our own identities and ask questions about who's not in the room, right? And then do outreach as necessary but I think more importantly, the identities that matter most in interpersonal situations are the persons that are “entering”. (DU Interview – final, at 32:50)

They set the discourse by institutional position, rather than bringing in multiple identities intentionally to consider multiple perspectives. The policy, which dictates the use of positions to set a team for consultation, ignores the reality that individuals in positions of power are often white. This space then becomes a setting where white people are making decisions about how to respond to BIPOC individuals' “disruption”, given power by their positions to do so. While the practice of “asking curious questions” responds to this reality, it still is beholden to who is in those roles being effective at contemplating their own identities.

### ***Applying the “Frame Tool”***

Gee (2014) identifies that “when we think we’re done with an analysis, see if we can look at the context again and widen what we take to be relevant” (p. 44). The frame tool asks the researcher to engage in this reflexivity in order to ensure that there is not contradictory evidence in the campus context. Throughout my review of DU’s discourse about disruption, I bring together information from multiple data sources for the institution. My review of the broader campus discourse included news articles and considers other experiences and perspectives detailed by Azerath and in documents. The campus climate around the experiences of BIPOC students appears aligned with my analysis of the disruption discourse. Thus, I conclude that my analysis remains sound within the context of the available data.

### ***Discovery University Summary***

DU’s discourse appears to include a number of facets. First, the broader discourse appears to rely on the written code. Further, the legal structures in place privilege institutional operations and faculty power, and subsequently subordinates students' voices in the process.

Students appear to understand this dynamic, and white students seem to understand the importance of engaging legal experts to navigate the system. Explicatory documents appear to foreground white norms of engagement. There is thus a tension between the articulated practices and conduct administrators attempting to push back against policies. What remains unclear is whether the conduct administrators' and faculty efforts are a function of a genuine desire to create change or a manifestation of white savior behaviors.

### **Cerritos University**

Cerritos University (CU) is a mid-sized, four-year public institution of higher education located in the Mid-Atlantic. My review of CU's website reveals that their enrollment is approximately 20,640 students, including undergraduate and graduate students. Table 6 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 6**

*Cerritos University Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	0.46%
Hispanic/Latino	7.55%
Black or African American, non-Hispanic	3.91%
White, non-Hispanic	81.71%
American Indian or Alaska Native, non-Hispanic	0.00%
Asian, non-Hispanic	1.53%
Native Hawaiian or other Pacific Islander, non-Hispanic	0.01%
Two or more races, non-Hispanic	4.05%
Race and/or ethnicity unknown	0.78%

My subsequent review of approximately 200 news articles from Google included a number of stories about institutional athletics and subsequent incidents involving vandalism and damage caused by students following athletic events. Other key points in the campus community include climate justice and campus growth and development. In one story, the article discusses the role of a climate justice institute and other climate justice efforts on campus, indicating campus interest in this topic and efforts to shift institutional postures towards environmentally conscious purchasing choices (CU – Climate Justice, p. 2). The campus also appears to be in a state of expansion and enhancement, including purchasing new facilities and expanding programs (CU – Campus Expansion, p. 4). As a result, a number of the articles included announcements about new appointments to campus leadership positions in business operations, finance, and diversity. The expanding community pressures appear to be informed by the campus commitment to climate justice, while also being a campus in which athletics is an important component.

As part of a larger state system of higher education institutions, CU provided student conduct policies that administrators designed for application across institutions. I found that CU had a significant number of policies and explicatory documents directed largely at faculty to outline responses to disruptive behavior. In addition to these resources, I conducted an interview with a representative of the institution, Ander, who has responsibility for administering their student conduct code. Finally, I reviewed five years of student conduct case data. I found that there were several themes that speak to the campus discourse about disruption that align with my theoretical framework and applied critical policy discourse analysis tools to explain how those reveal systems of whiteness and white supremacy in the stated policies.



## *Defining Disruption*

CU has a 45 page document detailing their Code of Student Conduct and has a section detailing “disorderly conduct.” Disorderly conduct includes a number of behaviors, including:

a. *Disruption of University Functions of University-Sponsored Activities* - Materially and substantially disrupting the functioning of the University. See [redacted].

*Minimum Sanction: Disciplinary Probation*

b. *Disruption of Student Environment* – Intentionally disrupting, obstructing, or interfering with a student’s living or learning environment.

*Minimum Sanction: Disciplinary Probation*

[and]

e. *Public Disturbance* – Creating a public disturbance, including, but not limited to, fighting or other violence behavior/conduct; creating the threat of imminent fighting or other violence; committing a nuisance or generally engaging in disruptive behavior, using language that is likely to provoke a reasonable individual to violent retaliation; and disrupting, disturbing, or interfering with the academic atmosphere of a living or learning environment.

*Minimum Sanction: Disciplinary Probation*

f. *Excessive/Disruptive Noise* – Engaging in excessive or disruptive noise, including, but not limited to, the public use of unapproved amplified sound and the amplification of sound in a manner that disrupts or disturbs the normal functioning of the University.

*Minimum Sanction: Disciplinary Warning* (CU 2021-22 Code of Student Conduct, p. 18)

For each prohibited behavior, the Code of Student Conduct includes “minimum sanctions” for these behaviors, including Disciplinary Probation. Unfortunately, Ander appears to have left their role at CU before completing the spreadsheet with specific student conduct data. However, I moved forward with my analysis with what information I had available because of the quantity of other available data. There is a broader tension with CU’s material. In reviewing the documentation and applying discourse analysis tools, there is a common dissonance between educational and learning outcomes and the language the institution uses. The apparent hypocrisy is not unique to CU, but it appears most apparent in CU’s materials. Ander shared how faculty perception of disruption is largely related to the impact:

So for me, what really comes to mind is in the classroom, and certainly that is clouded by the fact that I have researched that but part of the reason I researched it is because it's a huge part of Student Conduct work and what we do, what we respond to and where that comes up...But it's primarily in classroom faculty saying, Hey, I have these students or

one student, and you know, they're disrupting students. Other students ability to learn or my ability to teach in class and this is where this is coming up for us. (CU Interview – final, at 21:59)

They also explored a unique aspect for defining disruption on CU's campus based on their proximity to Virginia Tech. Following the mass shooting event in 2007, Ander articulated how faculty sensitivity to disruptive behaviors was greater. The conflation of disruptive behavior with the possibility for campus violence colors the campus discourse, where faculty:

really hone in on that and think about it a lot because of them, somebody who's disruptive in the classroom could be the next campus shooter...The reason it's disheartening is because of the stereotypes [regarding those who engage in violence on campus] that, as a student conduct administrator, I have deeply researched and been to many trainings about threat assessment, and things to watch for in student behavior. And there has been virtually no crossover with the students they're concerned about and the behavior that we should be worried about in a student, you know, who is showing signs of threatening behavior. But faculty don't get that same training that student conduct administrators do. So they're concerned that somebody who is loud in the classroom could be the next campus shooter. And that is concerning.” (CU Interview – final, at 27:25)

Ander articulated that while they believe this perception is inaccurate given their training in threat assessment, it persists in informing faculty discussion around disruption. They reveal the broader campus discourse – that “the vast majority of students that are referred for disruptive behavior are not disrupting their classroom” (CU Interview – final, at 37:20).

### ***Dehumanization through Adversarial Systems***

CU's process orients the University in a position of control. Within the process for addressing prohibited conduct, the student conduct administrator is the individual who has the power to decide what method to use for resolution. The policy states:

If the Director determines that the most appropriate means for addressing the Complaint is through an investigation, the Director will appoint an investigator. The Director will deliver written notice of investigation to the Respondent as soon as is practicable and to the extent permitted by law. (CU 2021-2022-Code-of-Student-Conduct, pp. 30-31)

The language included in the policy further dehumanizes, referring to the student with terms like “respondent” rather than acknowledging their primary relationship with the institution. In this way, using the sign symptoms and knowledge tool, the CU divorces the student relationship and the participation in the process. The use of terms like “respondent” rather than “student” means that the individual is being required to respond to institutional action, rather than be in a position of learning. The goals of the Code of Student Conduct include:

- a. to facilitate an understanding of the University’s community standards;
- b. to help the Respondent determine level of responsibility for their behavior;
- c. to determine with the Respondent reasons for their misconduct;
- d. to help bring the Respondent’s behavior into compliance with the community standards;
- e. to aid the Respondent in clarifying their values and how the values relate to the behavior in question;
- f. to assist the Respondent in making future choices that will enable them to be successful;
- g. to help the Respondent consider in advance the consequences of their behavior; and
- h. to protect the safety and welfare of the University community. (CU 2021-2022-Code-of-Student-Conduct, p. 7)

Interestingly, the goals are notable in that they do not include the word “learning” or “educational.” As with the process for informal resolution, the Code of Student Conduct process goals focus on “the Respondent” coming into compliance with CU’s values and community standards. The politics tool clarifies how this choice shows what the institution finds important, and subsequently dehumanizes their students. Rather than centering student learning, the policy presupposes that the student needs to change or learn how to be different. For example, items a (facilitate an understanding) and b (help the Respondent determine level of responsibility), assumes that the student involved does is already responsible and requires opportunity to realize this fact. Item “f” uses the term “successful” without framing what success means, which in context with the other sections indicates that success actually means compliance with stated policies, rather than defining success with the student involved.

The disruption policy language is in tension, both broad and specific. The inclusion of various types of behavior that constitute “disorderly conduct” (listed above) offers better clarity for a student trying to understand what might be prohibited. However, the level of detail still does not seem to offer real clarity, instead banning a number of behaviors. The inclusion of minimum sanctions further dehumanizes students, divorcing their narratives and experiences from the possible outcomes. Ander articulated their practice of responding to this dehumanizing system, sharing:

But let's be honest, the vast majority of students getting referred are brown. They do feel that that is a big part of why they're getting referred. It's very, very rare that I will charge those students or do much more than document that we had a conversation if I document anything at all. And I'm much more likely to document white male students. than any other student for their behavior, because their behavior might be more along the lines of the threatening behavior that I've learned about that does need to be documented. Listen, I'm going to document any student, regardless of what they look like if they're displaying the types of behavior that needs to be documented, or if they need to be documented so that someday they might need to be removed from their classroom if they're displaying concerning behaviors. But the fact is, most the vast majority of students that are referred for disruptive behavior are not disrupting their classroom. (CU Interview – final, at 36:58)

Ander appears to be responding to “the vast majority of students getting referred are brown” by instead documenting informal conversations. This is a tacit recognition of the larger discourse of the process being impactful on BIPOC students. Their practice, being “more likely to document white students” is rooted in their understanding that their behaviors are more likely to align with possibly threatening or harmful action, rather than rooted in discourses of discrimination. While this effort is possibly laudable, it does suggest an interesting possibility – that Ander is using the tools of oppression to obtain justice, rather than seeking alternative, liberatory strategies for approaching the work. Rather than justice, Ander shifts oppression to a different identity. By engaging in this shift, Ander is working at cross-purposes to their stated goals. Without more

critical consideration, this practice also reinforces oppression on campus, making them complicit in the oppression they appear to be trying to address.

### ***Legal Structures of whiteness***

CU couples the disruption policy with their policy on free speech and free expression, further linking the policy language with legal structures. The emphasis on rights of the community members, rather than or in exclusion of impacts on the community itself, indicates what the institution thinks is important, and using Gee's (2011) signs symptoms and knowledge allows us to perceive what is important to the institution. The authors of this policy specifically detail their perspective about managing impact, stating:

The General Assembly [of CU's home state] has affirmed that the primary function of the University of [redacted] and each of its constituent institutions is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate. To fulfill this function, each constituent must strive to ensure the fullest degree of intellectual freedom and free expression. It is not the proper role of any constituent institution [including CU] to shield individuals from speech protected by the First Amendment, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. (CU - Policy on Free Speech and Free Expression, p. 1)

Using Gee's politics tool, this language reveals how CU foregrounds freedom of speech over the impact of speech. The specific use of the word "shield" precludes the campus from taking on a role in managing situations where harmful speech impacts BIPOC individuals. Partnering this policy with others, administrators position the institution as a bystander, rather than active participant, in managing behaviors that may harm students.

The Code of Student Conduct itself is a largely legal document. The 45 pages are largely given over the definitions of process, with little explanation of educational opportunities. The policy includes information that states:

Respondents who are found to have violated the Code will receive sanctions appropriate to the current violation(s) and in consideration of any prior conduct history and/or Compelling Factors identified in [redacted]. The number of sanctions issued may vary

depending on the situation in question. Sanctions are intended to educate Respondents on the effects of their behavior and invoke change in future decision-making. Sanctions may be issued individually, or a combination of sanctions may be assigned. A Conduct Resolution Administrator or Board may implement any of the sanctions listed in this Article, pursuant to the guidelines set forth in this Code. (CU 2021-2022 Code of Student Conduct, p. 22)

The level of transparency about outcomes is useful from the perspective of ensuring that individuals who are not accustomed to legal processes have a sense of what can happen.

However, the setting of sanction guidelines may go further to divorce context from case outcomes. Ander revealed in our interview that their practice remains rooted in legal systems that emphasize the use of the written word, sharing:

And so, at each of these places, the policy has been strong, that I can look at the policy and say this behavior does not fall under that policy, you know, and I'm also a professional that will check myself if you will. So I have no problem asking a supervisor or a colleague and saying, Can you read this written report? And this code language and tell me, where are you get based on this language? We always have used written reports. (CU Interview at 39:19)

The reliance on written reports and the code language indicates the practice is rooted in the policy language. Using the practices tool is useful in understanding how norming the worship of the written word plays out across campus. Whiteness manifests in legal systems and structures, and similarly does so in these policies and the practice of focusing on written language rather than other contexts. Their subsequent practice of then learning more context suggests another strategy they use to respond to this legal language.

The identities tool reveals the primacy of legal experts when navigating conflicts in interpretation. Ander articulated that they sometimes involves CU's Office of General Counsel or a faculty members' Associate Dean when faculty disagree with the participants decision or interpretation, sharing:

sometimes we get negative feedback from our faculty colleagues when we don't do what they would like for us to do...And we're also talking to faculty about what they can and cannot do, and sometimes connecting them with the Office of General Counsel as well,

which is important for them. To be fair to faculty, they do not receive the education that we do in our roles about what can and cannot happen and sometimes it takes a certain incident or event for them to receive what I might call appropriate education, about their own classroom and how it works. (CU Interview – final, at 43:57)

The referral to a legal expert or positional authority, and the faculty's positive response to this referral, further suggests the institutional value of legal structures. Relationships also become important, with Ander articulating the benefits of developing close relationships with the Faculty Senate and CU's Provost. These relationships then make it possible for these authoritative bodies to delegate authority to Ander's office, both formally and informally, to ensure Ander can resolve cases.

### ***Policies as Control***

Where the CU does exert control, the free speech policies do so within the context of legal obligations, stating that:

Access to campus for purposes of free speech and expression shall be consistent with First Amendment jurisprudence regarding traditional public forums, designated public forums, and nonpublic forums. Consistent with First Amendment jurisprudence, any reasonable time, place, and manner restrictions adopted by a constituent institution, campuses of the constituent institutions are open to any speaker whom students, student groups, or members of the faculty have invited. (Policy on Free Speech and Free Expression, p. 2)

Their intentional use of "time, place and manner" language from legal cases offers protections for the institution, while also using language that is commonly understood for creating parameters around events. Where the CU restricts free speech opportunities the language is rooted in legal frameworks or behaviors that impact the institution itself rather than the students present. Control is then about the impact on the institution, rather than on students. The subsequent disciplinary action for students, faculty, and staff is based on the possible impact to campus operations. Where disruptive behavior may be intended to garner attention through obstruction, the disciplinary action is then commensurate with that disruption. The policy enables

practices to unlink dissent and speech, itself a practice that conflicts with the idea of fighting speech with “more speech” (Chemerinsky & Gillman, 2017, p. 152). Interestingly enough, the subsequent punishment is swift – removal from the community. The procedural guidelines in place for individuals appears to be again rooted in legal structures. Ander articulated that this flexibility is intentional, giving practitioners the discretion to step outside of the process, sharing:

**Ander:** But I think I have been fortunate that the policy has been good at both places I've worked for the primary part of my career. I will say at [redacted] and [redacted], I did not deal with disruptive students. So I'm primarily talking about [redacted] and [redacted]. And so, at each of these places, the policy has been strong, that I can look at the policy and say this behavior does not fall under that policy, you know, and I'm also a professional that will check myself if you will...

**anton:** So it sounds like your code is written in such a way that like your disruption, policies, and the mechanisms for exercising them are flexible in a way that lets you that lets you, like, correct for balance for some of the bias and reporting that might be.

**Ander:** yeah. Yeah, I think that's important. (CU Interview – final, at 39:19)

Ander is specifically naming flexibility as a benefit to the written word. While I appreciate this perspective and have used it myself in my professional work in the past, I have at least one concern. Discretion can be valuable but application to “do good” and combat systems of whiteness is reliant on individuals in positions of authority holding those values. I wrestle with the implications of this dynamic, and the possibility that using policy as a bulwark against oppressive practices is in conflict with worshipping the written word. I continue to sit in this tension and will go into more detail about how I navigate this in my discussion and recommendations for practice in Chapter 5. However, CU’s broader discourse lacks this nuance, where the policies and interpretative documents are in conflict, and similarly the policy is in conflict with itself, simultaneously strict policies and discretion to ignore them.

Where the tension between practice and policy becomes most evident is in the documents CU offers for faculty to manage disruption. A 31 page guide for University personnel offers multiple scenarios and strategies rooted in conversation, collaboration, and concrete practices. In



most of this document, the language focuses on prevention of disruption, as well as centering the student experiences in responses. While the guidance refers students to the code of student conduct if all else fails, there are significant opportunities for de-escalation and centering students. The practices tool gives insight into how this document pushes faculty away from formal processes when possible. When managing conflicts, practices “When you are talking” include:

- Maintain eye contact.
- Reinforce messages nonverbally. This may be as simple as nodding your head to indicate agreement.
- Avoid information overload (if you are nervous, you may tend to talk more and more quickly). Talk slowly.
- Be comfortable with silence.
- Use “I” messages. For example, you might say, “I feel uncomfortable when you...”
- Repeat for clarification. For example, “If I am hearing you correctly, you did not understand...”
- Check for understanding
- Use simple, clear vocabulary. (CU – Responding to Disruptive or inappropriate Student Behavior, p. 8)

The first “additional suggestion” is “clarify the problem jointly” and “determine your and the student’s willingness to consider reasonable alternatives and jointly select the best options or combination of options” indicates a collaborative approach. Aligned with my discussion about CU’s division of disruptive behavior into multiple possible examples, this document offers specific practices for responding to a variety of disruptive issues. With the exception of acts of violence, the practices appear to lean heavily on resolving issues without referrals to the code of student conduct. While this keeps control in the faculty’s hands, the recommended practices appear to be less focused on control and more on collaboration. Some of the practices, however, are rooted in white and western hegemonic ways of engaging, as detailed in the literature. BIPOC and international students may engage in different ways, which in this context are considered less than. For example, maintaining eye contact may be inconsistent with some

cultural contexts. Similarly, interrupting or raising one's voice may be indicative of engagement, not argument. In this way, these practices align with control of students, forcing engagement to align with dominant practices.

Ander shared during our interview the use of meetings with students outside of the formal adjudicative process as a way of addressing reports without creating a conduct record for a student. They indicated that this meeting typically involves an opportunity to speak with students informally and understand their perspective about what happened. Ander indicated that they are also clear with faculty that these meetings are not formal adjudicative proceedings, and instead are intended to be educational in nature. Ultimately, Ander indicated that the students approach the conversation either excited to share their experiences or perturbed about why they are being asked to come into the office. Their approach appears to center student conversations, giving students space to share their experiences. However, asking a student to come in to talk about and educate them about their behaviors remains an opportunity to reiterate faculty expectations as a mechanism for control. Ander explores how this student perspective demonstrates just how much the students themselves are buying into this power structure of control, since "students are...very enthusiastic about coming to them [the meeting with them]. And so they want to have another administrator or party, hear their side of whatever is going on." The relationships tool gives us a sense of how this dynamic frames who students and the campus community see as having power – in this case, individuals with positional authority. Students seeking individuals in authority also suggests a campus discourse that students buy into, a form of learned subordination. Faculty further reinforce this dynamic, providing positive feedback to Ander when faculty get the outcome they want and negative feedback when they do not get their preferred outcome.

## *Toxic Neutrality*

CU's policies are largely rooted in legal language. Throughout the policies on free speech, the language repeatedly focuses on content neutrality. CU's role in:

supporting and encouraging freedom of inquiry requires assuring opportunities for the expression of differing views regarding many issues in multiple areas of study, research, and debate, including current political and social issues. [CU] serve[s] an essential role in encouraging and broadly protecting freedom of thought and expression. In support of the essential role universities hold, the constituent institutions may not take action, as an institution, on the public policy controversies of the day in such a way as to require students, faculty, or administrators to publicly express a given view on social policy. (CU Policy on Free Speech and Free Expression, p. 2)

Similarly applying the politics tool, the broader institutional perspective on freedom of speech and administrators' roles places the most value on creating a space for discourse, rather than being involved themselves. This perspective itself is one of neutrality, but the preclusion of the institution to be involved in the broader discourse would allow the campus discourse to fester. The subsequent hands-off approach to disruption also fails to demonstrate how discourse should occur appropriately on campus.

Ander recounted an example where they had to offer a "balanced" approach due to the broader expectations of neutrality for their position. They described a situation where they worked closely with faculty in managing a situation that they determined was not threatening in the way the faculty believed, sharing that:

I worked behind the scenes extensively with the threat assessment team, um, with the police. And this was a student that I had actually also worked with extensively in the student conduct process. Um, and, you know, there was a group of people who felt like nothing was happening. And I had to write them a very, let's say balanced email. To let them know because they refuse to meet with anyone because they refuse to put anything in writing. We have done everything we could. We spent an extensive amount of time and I also can't promise then there's no threat. I would never want to invalidate their feelings...And we were not going to remove someone from their learning environment. But I also had to remind them that they were ignoring the learning environment of one of their students and allowing the student to be harassed by other students. And I didn't want them to miss that, that as faculty and staff, they needed to stop a rumor mill that they were helping to perpetuate about another student. A student that was allowed to be in

class and continue their learning environment. And a student who had literally been physically assaulted by their other students. And the student who was assaulted, refused to report it because they wanted to attend in their classes peacefully. (CU Interview – final, at 53:59)

Rather than being able to offer a full-throated disagreement to their approach, they were required to be neutral and balance validating their feelings while also attempting to point out the negative impact the faculty were having on the student involved. The relationships tool reveals how the subordinate position Ander has in place is further exacerbated by the faculty approach. Ander, as an administrator, has to remain neutral while the faculty are permitted to forcefully articulate harmful and biased perspectives that harm students. The inability for Ander to step out of neutrality itself causes further issues for students who do not have staff with authority able to support them.

### ***white Ignorance***

CU's code of student conduct incorporates a significant amount of content. One area, suggestive of white ignorance, is the way that the CU frames what happens when a student disputes the allegation of an incident, stating:

Lack of familiarity with University policy, intoxication or impairment from alcohol, drugs, or other substances, or an individual's disability is not an excuse or defense to a violation of the Code. Defending actions is admitting to a policy violation. "Yes, we fought, but they started it." This still means there was a fight, and that violates University standards of behavior. Unless specifically noted in the policy definition, intent is not a required element to establish a policy violation. While a defense will not excuse violations of the Code, the legitimacy of a defense will be taken into consideration in assigning sanctions. (CU 2021-2022 Code of Student Conduct, p. 15)

Using the sign symptoms and knowledge tool, the policy language does not value context to inform whether a student can or should be part of a process. The suggestion that "defending actions is admitting to a policy violation" explicitly precludes students who may be the victims of bias or other harassment will still be found responsible for their reactions. The policy then explicitly names that saying "'Yes, we fought, but they started it.'" This still means there was a

fight and that violates University standards of behavior.” Without space for context at the stage that students are inserted into the conduct process, administrators openly indicate they do not value what may be a reasonable response. For example, a BIPOC student responding to physical harassment with some form of disruption would still be found responsible for violating institutional policy. The codification of this practice suggests what the institution finds important, holding students accountable, is of greater value than centering students.

During the interview, Ander offered insight into their approach to conversations. While sharing an anecdote about bringing economic concerns into the discussion about outreach to BIPOC students, they raised how they approach work to integrate discussions about who is not present at the table into group engagement, sharing that:

Well, I think that can be helpful because there's not always someone at the table with that lens. And so I can think of a specific example a few years ago when we were dealing with we had a something very spreadable here... And we had these students and they weren't coming to get...like a shot and we couldn't figure out why people maybe weren't coming to get it. And I said, y'all, you're not mentioning that it's free. And you need to put it in the email or your correspondence and you need to make sure everybody knows we're not going to charge for this. We are providing it as a free option so that they don't get this highly spreadable and contagious, you know, thing that's happening. And you need to put that right out there and serve it on a platter and make sure everyone knows not everyone has the same level of insurance. People are worried that their parents are going to have it show up and they're going to have to explain how they might have received this [infection]. (CU Interview – final, at 18:02)

They shared that in this conversation, they worked to raise awareness among colleagues about the importance of disclosing financial obligations (or lack thereof) in promoting vaccine opportunities. This might be coded initially as a form of white savior behavior, and application of the politics tool demonstrates how they worked to integrate awareness of the needs of less affluent students into their work approach. The language and approach suggest a legitimate desire to be communicative with students about something critical to them – cost – to get a greater response to their vaccination efforts. They also articulated their response to faculty

reporters raising concerns about loud students in the classroom, using their own experiences to counter faculty discourse around loudness meaning intentionally disruptive. The example was coded in such a way that I thought specifically about the “making strange” tool. I understood as a fellow practitioner the example they were trying to offer – that whiteness equates to quiet engagement while brownness equates to loudness (applying similarly the sign symptoms and knowledge tool). I understood this connection because of my relationship with this work, and understood Ander’s narrative to be their way of countering a problematic campus discourse. Thus, when considering the larger context and discourse around other topics such as disruption, Ander reveals their approach mitigates the possibility of white savior behavior.

The identities tool is a useful exercise to understand how the broader campus discourse is rooted in both racial and positional identities. Throughout the interview, Ander articulated how the power inherent in faculty roles maps to white ignorance. The privileging of power positions is itself a practice of whiteness, putting students automatically in a subordinate position. The identities tool also helps us show how particular identities are privileged. Ander shared that:

many times it’s a white female faculty member reporting in my experience, now this is anecdotal experience but that’s traditionally who’s reporting it to me. And, you know, they’re coming to me saying, I’ve never reported this before, but this is my experience at this time. It could be any experience from a young man wearing a trench coat to, it is traditionally a Brown student. It’s not always a Brown student. But it is traditionally a Brown student. (CU Interview – final, at 30:19)

This racialized dynamic is similar to the reporting trends I discussed in my literature review about reporting in the K-12 education system, and this data point also reveals a possible source of information for future study. Applying the identities tool is a useful method for understanding how this plays out on campus. This dynamic speaks to the campus discourse around disruption, with BIPOC students’ identities being part of the reasons white faculty target them for reporting.

Using the practices tool, Ander's disclosure about their own personal work around whiteness suggests their strategies for responding to BIPOC students, specifically that:

as a white person, I hold that identity and sometimes the student being referred as non white and sometimes the referrer is also non white. And so there's certainly the ability for me to miss out on what could be happening in a situation like, it could just go over my head. It could be something that I'm just not catching. I'm not going to catch everything, especially if it's simply not pointed out to me. (CU Interview – final, at 52:11)

Ander articulated intentional practices of listening and asking questions of BIPOC students. This practice, intended to help mitigate their own whiteness and places where they lack cultural knowledge, suggests an important strategy for being responsive to white ignorance in the process. They express knowledge of their own ignorance and the role of whiteness in their interactions, and thus take the time to address it. Ander's most telling statement about their approach as an overt acknowledgement that "race and power play a role. And it's really important for conduct administrators to acknowledge their role in that" (CU Interview – final, at 57:48). This acknowledgement is a discrete practice that is part of how Ander's participation in the broader campus discourse includes a willingness to confront and address bias in their system.

### *Applying the "Frame Tool"*

CU's discourse around disruption appears to reflect changes while the policy remains stationary. The frame tool requires reflexivity about the analysis of the discourse to ensure that the analysis aligns with the campus context. Throughout my review of CU's discourse about disruption, I bring together information from multiple data sources for the institution. My review of the broader campus discourse included news articles and considers other experiences and perspectives detailed by Ander and in documents. The news articles in particular reveal how the institution is transitioning and building itself to reflect new partnerships. This offers insight into where the institution is focused, with transitions in leadership roles also offering opportunities

for campus administrators to push for change. Thus, I conclude that my analysis remains sound within the context of the available data.

### ***Cerritos University Summary***

CU appears to be an institution in transition, with policies and written documents that foreground maintenance of power structures and administrators who appear to be attempting to create. The policies set the sanctions into the broader discourse, offering both transparency of process and creating a dynamic where students are aware of what their sanction will be regardless of their experiences or narrative. CU is also influenced by their proximity to another institution, Virginia Tech, which subsequently impacts what informs faculty perspectives of disruption. Through ongoing training opportunities, campus administrators appear to be working to push the discourse in a different direction from practitioners up to policy.

### **Defiant College**

Defiant College (DC) is a mid-sized, four-year public institution of higher education located in the Midwest. My review of DC's website reveals that their enrollment is approximately 14,000 students, including undergraduate and graduate students. Table 7 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 7**

#### *Defiant College Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	8%
Hispanic/Latino	5%
Black or African American, non-Hispanic	6%
White, non-Hispanic	73%
American Indian or Alaska Native, non-Hispanic	<1%



Asian, non-Hispanic	4%
Native Hawaiian or other Pacific Islander, non-Hispanic	<1%
Two or more races, non-Hispanic	3%
Race and/or ethnicity unknown	2%

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Like other institutions participating in this study, I reviewed approximately 200 news articles from Google. Most involved discussion about institutional athletics successes as well as team losses. The campus also appears to have a robust performing arts program, with several news stories detailing artistic presentations and theater partnerships with the local community. There are also articles from 2022 regarding budgetary pressures, with campus leadership indicating that DC is doing well financially. Members of the campus community appear to be calling for increased funding for “diversity and inclusion, resource management post-COVID, and student work-study wages” (DC – Budget talks, p. 1). DC also appears to be in the process of hiring new institutional leaders, with several articles detailing new deans and other academic personnel joining the campus community. Taken together, DC appears to be a thriving campus community located in an urban setting.

DC is part of a larger state institution network, and their institutional administrators have authority to draft their codes of student conduct. They expand the definitions of what constitutes disruptive behavior with explicatory documents for both their academic and co-curricular settings. In addition to these resources, I conducted an interview with a representative of the institution, Blucher, who has responsibility for administering their student conduct code, in addition to other elements of their student life work. Blucher did not submit the spreadsheet information despite reminders. I elected to move forward with this analysis given the quantity of data available. I found that there were several themes that speak to the campus discourse about

disruption that align with my theoretical framework and applied critical policy discourse analysis tools to explain how those reveal systems of whiteness and white supremacy in the stated policies.

### ***Defining Disruption***

DC approaches defining disruption differently than other institutions that participated in this study. Their “Student Responsibilities” list several statements where “individuals will...” to frame expectations, including:

1. Individuals will fulfill their academic responsibilities in an honest and forthright manner.
2. Individuals will respect and foster the academic endeavors of others.
3. Individuals will respect the integrity of the University’s academic and administrative records.
4. Individuals will adhere to all policies and regulations of [DC] and [DC’s state system] along with federal, state, and local laws that govern individual actions and relationships among community members.
5. Individuals will protect and support the personal safety of self and others.
6. Individuals will demonstrate civility for others in all their interactions.
7. Individuals will show respect for personal and University property.
8. Individuals will contribute to a safe environment within the University Community.
9. Individuals will comply with the University in enforcing its administrative responsibilities.

(DC Student Policy Handbook 2021 2022, pp. 4-5)

Using the significance tool, this framing demonstrates the institutional emphasis on individual behavior and responsibility, rather than more broadly on community impact. Within the context of “respect and foster the academic endeavors of others,” DC offers examples including “harassment of a faculty member; disrupting teaching or learning...[and] other activities that seriously disrupt the educational process” (DC Student Policy Handbook 2021 2022, p. 4). Under “adhere to all policies and regulations...along with federal, state, and local laws,” DC prohibits “engaging in riotous behavior or encouraging others to do so.” They also introduce the concept of civility and respect, defining it as:

As a member of the [DC] community, all students owe to their fellow students, as well as to the faculty, staff, and other members of the community, a basic level of respect; and students have the right to be treated with respect as well. [DC] respects and protects the right of students, faculty, staff and visitors to engage in free speech argument, to advance their opinions and beliefs without fear of reprisal or punishment, and to disagree with one another provided that the exercise of those rights take place within a legally permissible context. (DC Student Policy Handbook 2021 2022, p. 5)

Additionally, DC incorporates disruption of University administrative functions as part of their disruptive behaviors, disbursing prohibition of disrupting University activities, disciplinary activities, and “demanding inordinate amounts of attention from faculty and staff” (DC Student Policy Handbook 2021 2022, p. 5). In reviewing other explicatory documents, DC expands definitions of disruption to incorporate noise and the ways that noise manifests in other settings such as the classroom, library, and living environments, stating:

*[DC] exists to promote learning, and as such, students must behave in such a way so as to allow the process of learning to take place by group or individual.*

Examples of violations include, but are not limited to: harassment of a faculty member; disrupting teaching or learning; **excessive noise that disrupts classes, studying, or University activities**; other activities that seriously disrupt the educational process; intentionally altering, inhibiting, or stealing another person’s research. (DC – Noise Policy, p. 1)

The campus demonstration policy, rooted in legal frameworks, also sets forth prohibitions for disruption to the campus community, including “disruption of university operations,” use of banners or signs which interfere “with others’ views on University property,” “interference with the regularly scheduled or reserved functions of spaces,” “noise levels [that] interfere with classes, meetings, campus events or operations and activities in progress,” and speech not protected under the First Amendment (DC – Campus Demonstrations, pp. 2-4). Blucher explained that there had been minimal issues with disruption during the COVID-19 pandemic, and that the issues they saw include “provocative speakers on the campus mall” who attempt to pull students into conflict, as well as faculty expressing concern about how students speak to them. They shared:

**anton:** Thinking specifically about disruption on campus? I'm curious for you like what comes to mind for you and for your campus?

**Blucher:** Sure. Well, the first thing that comes to mind in the context of this conversation is COVID. And, you know, we haven't had people on campus to have a disruption for a couple of years. Prior to that, when I think of disruption on this campus, I think of provocative speakers on the campus mall. Generally, religious speakers who kind of make the circuit and say provocative things, try to draw students into, you know, into physical conflict, so they have then something to make the case against the University. Prior to that, I can think of a time a number of years ago when there was a sit-in outside of the president's office and, you know, I don't know if it was related to women's rights or LGBT rights, but it was one of those two areas. (DC Interview FINAL, at 10:17)

Subsequently, Blucher did not provide data to review what kinds of behaviors they charged for allegations of violating the disruption policies. I identified several themes across this data consistent with my theoretical framework.

### ***Legal Structures of whiteness***

DC frames community standards to show what institutional leaders value. Using the significance tool in conjunction with the sign symptoms and knowledge tool reveals the assumed values the institution foregrounds. Per my literature review, the concepts of integrity and respect are at the very beginning of DC's Statement of Student Responsibilities, stating:

[DC] is an innovative, student-centered learning community that values:

- Integrity and respect in the way we conduct ourselves;
- Diversity in who we are and what we do;
- Access to our programs and services that create opportunities for all to pursue their dreams;
- Responsibility to those we serve by providing an education that inspires solutions to society's challenges; and
- Excellence in our academic and non-academic pursuits. (DC 2022-2022 ssr, p. 2)

These terms are rooted in concepts of whiteness, and the assumption of their meaning plays out in the broader concepts for campus behavior. The position of these values as the modifiers for how students are expected to conduct themselves suggests a framework rooted in whiteness.

Similarly, the foregrounding in these values of access to programs and services lines up with white legal frameworks around whiteness as property, and similarly education as a white

entitlement. Throughout, and particularly when referencing concepts of civility, the policy language defines what this means, stating that:

As a member of the [DC] community, all students owe to their fellow students, as well as to the faculty, staff, and other members of the community, a basic level of respect; and students have a right to be treated with respect as well. [DC] respects and protects the rights of students, faculty, staff and visitors to engage in free speech argument, to advance their opinion and beliefs without fear of reprisal or punishment, and to disagree with one another provided that the exercise of those rights takes place within a legally permissible context. (DC 2021-2022 ssr, p. 5)

The signs symptoms and knowledge tool helps reveal the ways that this intentional use of legal language at the very end, calling to mind “legally permissible context,” has special meaning. In the literature I reviewed, legally permissible can serve as a talisman for protection, an argument that I see often in my professional life used as a way to sidestep arguments about particular decisions. Relying on legal or compliance arguments suggests that this practice is alive within DC’s context and informs reasons for their decisions. Members of the DC community then see these commonly understood terms and can understand that the appropriate behaviors are then tied to legal memes in society such as free speech. DC clarifies what this means, stating:

Examples of violations include but are not limited to: disruptive noise; terroristic threats; harassment; verbal, written or electronic intimidation; severe or persistent harassment through verbal, written, electronic or graphic expression; hazing (defined as mandating undesirable activities, a pattern of banter/ridicule/criticism and/or the use of humiliation, as a form of initiation); actions that substantially interfere with another person’s right to learn and participate. (DC 2021-2022 ssr, p. 5)

Modifying this with the prohibition of students from “substantially interfer[ing] with another person’s right to learn and participate” in the educational experience further emphasizes what is most valuable. Students' ability to learn and be part of the community becomes paramount. Relying on “another person’s right” puts whether or not an individual is disrupted in the eye of the beholder. Framing this as a right signifies a legal turn of phrase, and my literature review

demonstrated the ways that this practice further reinforces the importance of education as a property right, prohibiting students from disrupting this right.

DC's process for adjudication of reports includes many of the procedural guidelines and structures that leverage legal structures. Interestingly, their appeal guidelines go further in perpetuating concepts of whiteness that fail to consider context or identities. The language specifically calls out that:

grounds for appeal do not include refusal to read conduct letters; the stress, expense and inconvenience of relocation, contract termination or suspension; the cost of educational sanctions...disruption to studies [etc.]. Sanctions are intended to have significant impact in order to effectively deter students from engaging in future misconduct. (DC 2021-2022 ssr, p. 13-14)

The application of the politics tool gives a sense of what is important here to the institution, and what is not, by naming the things they do not consider relevant to the process. The refusal to incorporate context and the experiences of students into their appeal consideration is a sign that the institution does not think that it is important. Furthermore, the use of the term “deter” is a term that shows up in larger legal discourses, suggesting the importance of deterrence of behavior rather than partnership to encourage different choices.

Blucher offered insight into some of the motivations for faculty behavior. They articulated that for many faculty, the experiences of receiving advanced degrees and teaching positions can be formative to their approach with students. Being criticized and critiqued without care then informs their choices about how they treat students, often harshly, in their classroom settings. This dynamic comes into conflict with student wants and desires, entering the campus community expecting more care and engagement from their teachers. Applying the practices tool gives insight into this tension in the broader campus discourse. Blucher shared this perspective to show the disconnect between members of the campus community, giving insight into how they find themselves navigating this tension with colleagues on campus.

## ***Policies as Control***

Unlike other institutions in this study, DC spreads various definitions of disruption throughout the Statement of Student Responsibilities. They position the various definitions conceptually with different emphasis values and using the significance tool helps frame what the broader discourse on campus is around each value. For example, regarding respect within the academic community, the policy states:

### **2. Individuals will respect and foster the academic endeavors of others.**

***[DC] exists to promote learning, and as such, students must behave in such a way so as to allow the process of learning to take place by group or individual.***

Examples of violations include but are not limited to: harassment of a faculty member; disrupting teaching or learning; excessive noise that disrupts classes, studying or University activities; other activities that seriously disrupt the educational process; intentionally altering, inhibiting or stealing another person's research. (DC 2021-2022 ssr, p. 3)

DC couples "respect and foster the academic endeavors of others" specifically with a prohibition of "harassment of a faculty member; disrupting teaching or learning...[and] other activities that seriously disrupt the educational process." Putting these with behaviors such as altering another person's research correlates these behaviors with what most individuals see as a primary purpose of an institution of higher education – academic work. Another institutional value, civility, informs how the campus values play out within the campus discourse. The policy states:

### **6. Individuals will demonstrate civility for others in all their interactions.**

***As a member of the [DC] community, all students owe to their fellow students, as well as to the faculty, staff, and other members of the community, a basic level of respect; and students have the right to be treated with respect as well.***

[and]

Examples of violations include but are not limited to: disruptive noise; terroristic threats; harassment; verbal, written or electronic intimidation; severe or persistent harassment through verbal, written, electronic, or graphic expression; hazing...; actions that substantially interfere with another person's right to learn and participate. (DC 2021-2022 ssr, p. 5)

Again applying the sign symptoms and knowledge tool, one can see the inclusion of civility as a concept translating into a way to control the campus community. Using a term that is largely

rooted in systems of whiteness and white supremacy, the institutional administrators maintain control over students. The explicatory material under this statement further leans into coded terms like “respect.” Similarly, the politics tool is useful for seeing the privileges of institutional administrative responsibilities. DC intentionally names this as one of the primary responsibilities of a student. Naming disruption of administrative responsibilities, including disciplinary processes, indicates what members of the community should value above other aspects of the campus community. Throughout this particular statement, there are multiple protections for individuals in the completion of their work, but few which serve to protect the rights of students. The final, “demanding inordinate amounts of attention from faculty or staff,” is especially telling as a policy as control, particularly given existing research regarding the negative experiences of BIPOC students and positive experiences of white students in advising settings or when seeking support from faculty (Museus & Neville, 2012). When faculty make time for BIPOC students, there is a positive impact. Museus et al. (2018) reiterate the way that holistic attention for BIPOC students can have dramatic positive influence, particularly as those same BIPOC students experience the college environment as more hostile to them. DC’s policy seems to create a tool for faculty and staff to do the opposite and put barriers up between themselves and students. The sign symptoms and knowledge tool reveals the underlying valuing of time, itself a construct of whiteness, as something members of the community need to privilege. This language also modifies this to position faculty or staff time as the time being privileged, without explicitly valuing the time of students or the larger community.

DC positions disruption within the context of academic disruptions and classroom behavior (see “Individuals will respect and foster the academic endeavors of others” above). By including disruption with academic dishonesty, DC puts responsibility for addressing behavior in



the hands of faculty. Using the identities tool allows readers to understand how DC situates this power, further reinforcing how specific roles hold greater power over students. This adds authority to the faculty position and subsequently subordinating the student. Conflating the students academic grades with disruption in the classroom then also indicates a privileging of faculty power, and their ability to exercise this power and consequences without an opportunity for process or protection. The practice tool reveals how this conflation in the broader campus discourse gives even more power to faculty, extending beyond just the evaluation of academic assignments to include the ability to both define and adjudicate disruption in the classroom, including academic penalties they can assign to students even if they report the behavior to another authority.

### ***white Ignorance***

DC offers a statement of values at the start of their “Statement of Student Responsibilities,” stating that:

Students are dual members of the [DC] community and society. Good citizenship is expected of all students regardless of location. Students who engage in alleged violations of the “Statement of Student Responsibilities” policy may also face civil or criminal penalties. This Statement is not intended to replace federal, state or local legal processes. (DC 2021-2022 ssr, p. 2)

Applying the significance tool, this statement offers interesting insights into what is and is not valuable. The placement of the institutional community membership reinforces the concept that the participation of a student in the institution is most important, followed by that of the larger city community. What is interestingly missing are other community memberships, aligned with a conceptualization of white ignorance that presumes limited context and identities. Under the section involving jurisdiction and scope, DC expects “all students, regardless of the location of their actions, must demonstrate good character as members of the University community.” Using the significance tool, the concept of modifying “character” with “good” suggests that there is

also “bad” character. The suggestion that violating the policies constitutes not “good character” (“bad character”) adds negative weight to what it means to be reported or accused. Interestingly, this valuing appears to be in contrast with other aspects of the policies that pursue neutrality, suggesting that in this moment there is actually not neutrality. This practice aligns with how Blucher framed who reports disruption on campus, sharing:

faculty reporting issues of disruption. There can be a cluster around disrespect. Students are not respecting me. And that in my experience, my brief three years has tended to come from men, either older white men or international men of varying ages, who have come from a culture that either respects education or respects age and the way young people in the United States are socialized to get very traditionally population on our campus doesn't align with respecting elders in you know, in a value perspective of some of these folks who I've talked to have said you know, the country I came from when the professor walks in the room everyone stands up. I mean really visible demonstrations of respect. And that so a, you don't have that here and then students on the you know, texting or doing something on their phone in class. (DC Interview FINAL, at 12:44)

They indicated that classroom reports typically came from “older white men or international men of varying ages.” In the office settings, Blucher named white women as the primary reporting parties for disruption outside of the classroom. Applying the identities tool reveals how this dynamic demonstrates a broader campus reinforcement of white norms of hierarchy within the classroom setting. Whether the policy mirrors faculty practice of vice versa is unclear, but they appear to mutually reinforce each other within the campus discourse. Blucher bluntly states:

Well, two years of pandemic so some people really concerned with masking issues. And some faculty and staff really working kind of on a binary “I’m powerful you're not” getting into a conflict, most other people trying to manage it more flexibly. Also when someone raises their voice, okay, we're in southern [redacted]. So I'm not originally from here. So I grew up in [redacted], so the [redacted], but there's a culture here that's incredibly reserved. And so when someone raises their voice, a student going into an office to ask about something a student in a lab, people are concerned and right away their faculty or staff are going to, you know, this could be the next mass shooter or so they feel threatened. And so that's been interesting to work with to help them manage their own feelings. Which are not synonymous with the situation. Doesn't mean that a student as a threat. The student mad about something they're expressing. (DC Interview FINAL, at 14:23)

Stating “some faculty and staff really working kind of a binary “I’m powerful you’re not” getting into conflict” with students shares clearly the conflict on campus. This thus reveals a broader tension within the campus discourse amongst the policy, some faculty and staff, and students. The overt statement that faculty and staff want to exert their power over students in an effort to control the learning environment speaks to this context and reveals one way that the disruption policy is made manifest. Intentionally using this power to subordinate students and ignore context speaks also to ways that white ignorance manifests, where reinforcing hierarchy is itself a mechanism of control.

One aspect of the campus discourse Blucher talked about was a specific insight into DC. Blucher explained that the campus workforce is split between highly educated faculty, many of whom relocated to the institution for teaching and research, and administrative staff who are from the local community, sharing:

I think the, you know, many of the frontline staff, admin and cleaning staff, these are people who have a lot of contact with students, and they're from [redacted]...One of my admin staff said that she never met a Black person in person until she was twenty. And so from a small town in [redacted], so, you know, I think this, this notion of having an idea that racism is bad, I'm not racist, therefore, I must not, You know this really simple idea. And then only having exposure to black people or people of color in general through the media really just creates that people just don't have life experiences to have been able to test that. People who have, you know, people with the master's degrees and PhDs that have bounced around for a few different institutions have more experiences, and have a chance to be more aware. But I feel like, you know, for people like this admin should even have a chance to have the awareness that there was something other than her own experience. (DC Interview FINAL, at 29:39)

Where the faculty may have multiple experiences and contact with BIPOC individuals, Blucher shared that the staff largely lack experience or encounters with BIPOC individuals. The identities tool puts this dynamic into context, revealing some of the reasons staff respond to students with non-white identities. Furthermore, the differences in experiences between faculty and staff, given their experiences, reveals the tensions inherent with such a different epistemological perspective.

Blucher indicated that staff largely do not see themselves as racist and are unable to engage with the topic of whiteness. The campus discourse, then, perpetuates white ignorance by creating tension between faculty and staff, and causing deeper entrenchment of perspectives of whiteness. This tension acts as a way to reinforce power structures and further dehumanize students.

Blucher expressed a specific example of norms of behavior within the campus discourse that is aligned with white ignorance of different ways of engaging. They specifically raised the example of a student raising their voices to a staff member. Applying the sign symptoms and knowledge tool reveals how the responses by faculty or staff, that “this could be the next mass shooter or so they feel threatened,” reveals assumptions about disruption on campus (DC Interview FINAL, at 14:48). DC’s broader discourse then conflates disruptive behavior like raised voices with a campus shooter. Furthermore, Blucher indicated that the reasons for disruptive behaviors are not rooted in how students are treated due to their identities. Instead, campus community members consider this behavior to be rooted in mental health or other differences, such as neurodivergence, sharing:

The Director of Student Union in a conflict with a student, who had some specific issues who was a young white woman. And then the other areas that comes up this is kind of your next question. Students who present as though they may be on the autism spectrum. People are recognizing that there's something atypical about this behavior that they're seeing and people are concerned that this is some kind of a threat. (DC Interview FINAL, at 17:29)

This situation suggests an overt manifestation of power over students. The Director in this scenario refuses to consider context, another example of white ignorance. In a different example, Blucher shared an example of how a faculty member treated a Black woman who was using her phone in class to access class materials. Aligned with the above discussion about the campus discourse, disruption included showing what the faculty member felt was respectful behavior.

Blucher described their attempt to mediate and navigate the interactions, clarifying the faculty members' and students' perspectives, and trying to get them to a mutual position of resolution:

So when you ask that question, the first person I thought of was one black woman who she was concerned when I reached out to her that she was in trouble. I was not surprised by that concern. And because I figured she would react that way, I had found somebody in our DEI unit who had a connection to her and, I used [redacted] as a gateway to talk with this student. So I think she was done that I could see it from her perspective and concerned about what was going to happen in the class going forward. If this guy was going to keep coming after her. He was angry that she was using her phone. She was using her phone because her something about her internet and her internet to her laptop, you know, there was a problem there so she couldn't use the laptop and it was that day...And then she was asking him a question and he did not like being asked the question. He felt it was disrespectful. She felt like in order to learn this, if I don't ask the question, now, when I have the question, I'm not going to I'm not going to be able to be on the bus. The train is going to leave the station and I won't know the next thing, so I need to ask the question. So we worked through that in a way to give her support so that she ultimately, professor let me know at the end of the semester with a student or even A in the course. (DC Interview FINAL, at 21:32)

Applying the practices tool gives insight into how Blucher intentionally worked to treat the two parties to the conflict with respect and thoughtfulness, involving diversity, equity, and inclusion (DEI) partners to support the student in a tense situation. In contrast, the relationships tool reveals how the faculty felt about their read on the situation, that the student was being intentionally disrespectful, was the most accurate. This privileging of faculty over students reveals the broader discourse, while also suggesting how staff use their practice to respond to this tension.

### *Applying the “Frame Tool”*

My review of the campus discourse indicates that the campus appears to be doing well and is situated in a growing urban community. This appears to be somewhat at odds with the campus discourse about disruption. Applying the frame tool, this difference does not necessarily mean that my analysis is out of alignment. The changes to the campus community, and relationships with the surrounding community, appear to originate in the campus discourse.

Members of the community asking for more funding for DEI resources suggests an acknowledgement of the dynamic that my analysis reveals. Coupled with the less legally focused explicatory documents, this tension appears to remain in place despite a positive level of growth for the institution. Thus, I conclude that my analysis remains sound within the context of the available data.

### ***Defiant College Summary***

For DC, there is an apparent tension between the established policy which is more highly legally foregrounded, and an explicatory documents that offer far less legal language and framing. With a diverse campus population and predominantly white staff and faculty members of the community, there is a conflict as well amongst the members of the community. While the policy includes explicit terms and concepts about white norms, the process also serves to strip student context from the decision-making process. Despite this tension, the campus discourse appears to be relatively settled in this existing tension, with little being done to push against existing white power norms.

### **Shenzhou Community College**

Shenzhou Community College (SCC) is a mid-sized, two-year public community college located in the Midwest. My review of SCC’s website reveals that their enrollment is approximately 19,000 students, 70% of whom are part-time students. Table 8 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 8**

#### *Shenzhou Community College Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	0.8%
Hispanic/Latino	24.3%

Black or African American, non-Hispanic	9.3%
White, non-Hispanic	49.5%
American Indian or Alaska Native, non-Hispanic	0.3%
Asian, non-Hispanic	3.3%
Native Hawaiian or other Pacific Islander, non-Hispanic	0.1%
Two or more races, non-Hispanic	2.6%
Race and/or ethnicity unknown	9.8%

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Like other institutions participating in this study, I reviewed approximately 200 news articles from Google. SCC appears to have a number of connections to the local community, including through employment, veterans’ affairs, and non-credit continuing education programs. The campus also appears engaged in programming regarding cannabis education, largely due to increasing job opportunities in the cannabis community (SCC – Cannabis Education, p. 1). Other opportunities include culinary education programs, technology education with Amazon.com, commercial driver’s license skills, and cyber security coding. SCC appears to play a significant role in local politics, both in the form of serving as a voter registration and election center, and with members of the local community serving on their Board of Trustees (SCC – Board of Trustees, p. 5). One particular news article from 2016 highlights a conflict related to class dynamics, where the institution reverses course on a plan to offer “College 101” courses with class sections designated as “limited to African-American students” (SCC – Limiting Classes, p. 2). One representative from SCC stated “Students feel comfortable and are more likely to open up because they’re with other students who are like them,” articulating the “idea behind limiting enrollment to black students only was to help students by putting them with like-minded peers” (p. 2). The community backlash caused SCC to reverse their decisions, indicating the power that

community has in institutional decision-making. A similar article explored the termination of an adjunct faculty who spoke out against demands SCC placed on them to educate the majority of courses. The Court was not compelled by the faculty’s argument that SCC fired the faculty member due to their speaking out. However, that this matter became an issue in a legal setting still speaks to the stressors of the faculty experience in this institutional context (SCC – Adjunct, p. 2). Taken together, these narratives further indicate the close relationship between the institution and the community, speaking also to community pressures that can come into play within the institution.

In addition to their institutional disruption policy and student conduct code, I reviewed other documents provided by the institution. These included a presentation the interview participant shared with their faculty colleagues where the participant offered insight and direction to faculty about defining disruption and how to handle it. I also reviewed material available online, including a news article regarding a legal case filed against the institution related to an allegation of disruption. Similarly, I reviewed the legal decision to understand the legally determined facts of the case. In addition to these resources, I conducted an interview with a representative of the institution, Daniel, who has responsibility for administering their student conduct code. Table 9 shows the demographic breakdown of case data by identities that Daniel was able to provide:

**Table 9**

*Shenzhou Community College Student Conduct Data*

Accused Race/Ethnicity	Not Responsible	Responsible	Grand Total	Percent of Reports
American Indian/Alaskan Native	5	37	42	1.1%
Asian	16	37	53	1.4%



Black/African-American	46	104	150	3.8%
Hispanic/Latino/Chicano	25	90	115	2.9%
Other/Not specified	473	1285	1758	45.0%
Pacific Islander	6	11	17	0.4%
white	220	540	760	19.5%
Multiple	311	700	1011	25.9%

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The demographic labels do not perfectly match up with the IPEDS data. However, this breakdown still gives insight into who members of the campus community report for disruption issues. Most of the BIPOC identities appear to be underrepresented in the reports of students for disruption. However, since 45% of the reports have “Other/Not Specified” identities makes it challenging to know whether the conduct matter data are accurate representations of the identities for students. I found that there were several themes that speak to the campus discourse about disruption that align with my theoretical framework and applied critical policy discourse analysis tools to explain how those reveal systems of whiteness and white supremacy in the stated policies.

### ***Defining Disruption***

SCC defines disruption using language similar to the NCHERM (2014) and Stoner & Lowery (2014) code. Their language states:

Disruption or obstruction of any operation of the college, including, but not limited to, teaching, student conduct proceedings, college activities, public service functions on or off campus, or other authorized noncollege activities, when the act occurs on college premises. (SCC Code of Student Conduct 2018, p. 8)

Daniel articulated that faculty and staff also report students based on their identities, particularly BIPOC and particularly Middle Eastern North African (MENA) students. Faculty and staff also report students experiencing mental illness and who are neurodiverse, incorrectly seeing their behaviors as possibly threatening and violent. Daniel shared that they spent time in the prior

academic years working to increase awareness and redefine how faculty view and experience disruption. This presentation offers two types of disruption: “rebellious (intentional, defiant, annoying, and disrespectful) and emotional (unintended, precipitated by emotional distress)” (SCC - [redacted].Inservice.BehaviorRetention.Final, p. 7). When defining the specific disruptive behaviors, Daniel clarified both problematic and threatening behaviors. Problematic behaviors include “inappropriate language, late to class, skipping class, loud eating/drinking, cell phone use, side conversations, [and] sleeping in class” (SCC - [redacted].Inservice.BehaviorRetention.Final, p. 8).

Daniel also shared how SCC’s conduct administrators handle disruption and application of the disruption policy. They indicated that:

we're non residential. So a lot of the disruption charges come from classrooms... a close second would be from our library or [redacted]. And, you know, and then and then from there, it can be, you know, kind of random so maybe at our FitRec, maybe in some of the common areas or different offices on campus. I think disruption on our end, from our from our office, can be sort of a miscellaneous charge sometimes. So you know, we'll have the actual charges and then it's sort of like Oh, and this also caused a disruption. So sometimes it's in you know, in cases where it's sort of a secondary or even tertiary, you know, violation.

[and]

Disruption does not mean that the student raises their voice slightly. It does not mean that the student is upset about a grade. It does not mean coming in late. So one of the phrases that we use is what is a distraction versus a disruption? A student using their cell phone in class. Right. And that I think, has been helpful that with a little bit of pushback, because people sometimes have control issues. But you know, it is distracting when a student uses their cell phone in class, it is not a disruption. Right. So I think that is, you know, that has helped but so that's sort of how I see it on our campus. And I think, you know, real disruption in general, you know, is, you know, is something that literally disrupts right like it stops some kind of activity, whether it's a learning activity or you know, whatever it is something that escalates beyond you know, just a slight or mild or brief interruption, it is an ongoing, you know, interruption to disruption. (SCC – Interview Final, at 5:46)

In their experience, faculty appear to define behaviors such as raised voices, small amounts of pushback in discussion, and other mild disruptions (such as those listed above) in the classroom or administrative offices as violations of the policy. The student conduct data reveal that the

majority of issues reported to the student conduct office occurred in the classroom and other public learning environments, indicating that the campus environment perceives disruption as a function of those environments. Additionally, SCC's 2020-21 Annual Report indicates that there have been very few reports involving disruption during that academic year. I identified several themes across this data consistent with my theoretical framework.

### ***Dehumanization through Adversarial Systems***

In their notes about the institutional disruption environment, Daniel named that there have been decreases in reports. They also indicated that, in response to the experiences of dehumanizing students, they worked to engage in campus education to respond to the campus norm of reporting minoritized students disproportionately than their white counterparts. While members of the community see these students as members of the larger group rather than as individuals. The practices tool shows how particular activities do or do not reinforce the campus discourse. Spending time attempting to change the faculty discourse specifically about MENA students suggests a practice intended to respond to the dehumanization of systems.

Reviewing SCC's 2020-21 Annual Report gives some insight into the ways that the institution thinks about its relationship with students. They define one sanction, "advocacy sanctioning," as:

Advocacy Sanction is a resolution option that the Code of Conduct Office employs to address the root of the behavior, not just the violation and is defined by the inclusion of these three elements: focusing on the developmental needs of the student (academic, financial, emotional well-being, and identity). The hearing officer becomes an advocate for the student, and the student forms lasting connections with resources on campus. Advocacy Sanctioning is designed specifically for students needing high levels of assistance and has a direct impact on retention and completion rates, as well as lowering recidivism. (SCC – Annual Report 2020-2021, p. 32)

Using the sign symptoms and knowledge tool suggests useful insight into how the institution approaches the dehumanization of students through adversarial systems. Framing students as

needing advocacy, and that administrators are put in position of advocating on their behalf, leans into a dynamic of white saviorism. Despite this framing, SCC appears to approach this advising from a position of care, wanting to offer greater assistance to students. The use of the term advocate, however, suggests the positioning of the conduct administrator as speaking on behalf of or looking out for the interests of another.

SCC's student conduct process is similar to other institutions in this study, using adjudicative proceedings and formal processes. The proceedings include some restorative aspects but largely defines formal processes for managing alleged violations of the code, including in part:

1. The Dean will determine the hearing officer and/or appeal officer who will be authorized to hear each case.
2. The Dean will develop procedures for the administration of the student conduct program and rules for the hearings that are consistent with provisions of the Code. On rare occasions, hearing officers may deviate from procedure as long as it does not unduly impact the alleged student(s) (for example, extending deadlines).
3. Decisions made by the hearing officer will be final, pending the normal appeal process.
4. A hearing officer may be designated as arbiter/mediator of disputes within the student community in cases that do not involve a violation of the Code. All parties must agree to arbitration/mediation and to be bound by the decision with no right to appeal.
  - a. Note: A mediation discussion is not a sanction. A violation of the mediation agreement may result in a follow up from the Code of Conduct office, but may not necessarily constitute a violation of the Code. (SCC – Code of student Conduct 2018, p. 13)

Using the practices tool gives the most useful insight into how administrators then administer the process. The formal nature of the proceedings further dehumanize as demonstrated in my literature review. Within the broader campus discourse, the existence of a formal adjudicative process for resolving allegations of disruption sets the stage for what faculty and students can expect when a disruptive situation occurs and they choose to report it. The Code of Student Conduct includes a section on “preparing for your Student Conduct Hearing” at the end that offers what appears to be simplified guidance and language about the process. The relationships

tool is useful to understand the dynamic between student and student conduct administrator. SCC puts students in the place of responding to allegations and concerns by prompting them to focus on the formal nature of the process. Guidance also includes defining the ways that students are expected to behave, including “be prompt, “remain calm,” and “be honest,” serve to define white ways of behaving and control students. Defining these behaviors further dehumanizes students, forcing them into specific behavior defined by SCC.

### ***Legal Structures as whiteness***

SCC is unique among the participating institutions in that they were subject to a lawsuit that subsequently involved news stories and legal briefs. The case itself involves a student who engaged in behavior the faculty considered disruptive, summarized in the Court decision, states that the:

Plaintiff took issue with a warning issued by the defendant college (SCC) in response to a comment made by plaintiff during a theater class, claiming that the sanctions imposed on him violated his due process rights and an implied contract between plaintiff and [SCC]. (SCC - [Redacted] v. [SCC], p. 1)

SCC’s response, and the student’s arguments about why he engaged in the specific behavior, fed into the broader campus context. One of the news reports detailed the facts of the case, indicating that the:

Theater professor’s instructions to an acting student were allegedly clear – pretend to be a pimp trying to collect money from a sex worker.

But the [redacted] exercise has resulted in a lawsuit after the student claimed he’s no longer allowed to register for new classes because he used an “unacceptable word” while play-acting as a pimp, caused a “disruption” during a meeting with the college’s staff and then refused to write an essay handed down as punishment.

[and]

[Student] alleges that during the discussion, an assistant dean also accused him of “mistreating her as a woman” under Title IX.

(SCC – Improv student sues suburban college, alleges “pimp” skit led to punishment, p. 2)

The practices tool helps frame the ways that SCC responded in the moment, including the faculty clearly stating their concerns with his behavior, and the faculty and administrators responding with dialogue. The student's subsequent refusal to participate in the process led to SCC holding him accountable through their Code of Student Conduct process. The use of the administrative process, and subsequently the legal system, feeds into the broader context of how the institutional discourse about remedies connects with legal expectations. The presumption about using process, and the student's subsequent understanding (or misunderstanding) of how these concepts play out all speak to the broader discourse. While this case and student may represent an outlier in terms of student perspective, the subsequent news story gives valuable insight into the campus discourse. The sign symptoms and knowledge tool helps inform the campus discourse. The intentional use of quotations around the term "disruption" around the meeting suggests skepticism by the broader community about whether this is actually a form of disruption. Furthermore, the intentional decisions the writers made to leave out information about other students' responses, and stick specifically to the facts of the situation, also gives insight into the lack of interest in the broader discourse.

Daniel articulated their intention around legal structures in considering changes to the disruption policy. Their acknowledgement that "the written word becomes...legal" speaks to their understanding about the discourse surrounding the policies themselves (SCC – Interview Final, at 33:35). At SCC, Daniel articulated that:

there have been times where General Counsel has overturned decisions that...again victimizes or retraumatizes our marginalized...students, but they're doing it in the name of legal fairness, quote, unquote...everybody gets the same and it's like...it should be more of a partnership than a dictatorship. (SCC – Interview Final, at 52:36)

The significance tool is helpful to understand the way that Daniel is making meaning of these decisions and the campus discourse. Their intention, revealed through the interview, is to reframe

the campus discourse. Changes to the overly vague language would help faculty to understand that:

disruption is not in and of itself, you know, an argument with the teacher in and of itself, and I thought, nice, you know what I mean, like to say to faculty, it's like, you know, our faculties unionized, but to be able to say to them, you know, a student arguing with you is not a disruption. They're an adult, right to their opinions and their expressions, you know, excuse me, so, so that's what I'm looking more to do with her policy. And revising it is just taking out that vague language or the, you know, overtly anti-black language. (SCC – Interview Final, at 33:35)

Applying the practices tool reveals how they are choosing to create those changes. They appear to be actively working against the existing paradigm, shifting the institutional discourse.

### ***Policies as Control***

Reviewing the disruption policy, the language is very similar to the NCHERM (2014) and Stoner and Lowery (2004) policy. Using the significance tool, the language indicates what is important to the institution. The modification of “any operation of the college” indicates what the policy is meant to protect, prioritizing the institution over students. The choices the institution makes about what operations are important all foreground the operations of faculty and staff. The third item, “college activities,” is the only modifier that may be directly connected with students. Further, the order of putting “teaching” and “student conduct proceedings” first and second indicates that faculty power and institutional accountability are the most important operations to protect within this campus context. Interestingly, Daniel shared that SCC largely does not include information about disruption in policies outside of their student conduct codes, sharing that they have been doing “very conscious work in the last couple of years especially, in helping our faculty and staff understand what disruption actually means” (SCC – Interview Final, at 5:46). This appears to offer insight into the campus discourse, and how a lack of policies indicates a campus discourse that seems to be rooted largely in practices and politics rather than

policy. One exception is the inclusion of a “disruptive demonstration” policy that gives insight into what the campus thinks is important within the context of group activities, stating:

**15. Disruptive Demonstration** Participation in a campus demonstration which disrupts the normal operations of the College and/or infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area. (SCC Code of Student Conduct 2018, p. 9)

The politics tool gives important insight into what the institutions attempting to protect, specifically “normal operations of the College” and “rights of other members of the college community.” Importantly, the policy names “leading or inciting others” as problematic, indicating SCC’s willingness to regulate campus disruption or protest. SCC’s policies offer insight into how these policies create specific definitions for controlling students.

During our interview, Daniel articulated the issues that faculty report to SCC’s administration, giving insight into what the community defines as problematic. Daniel shared that:

Disruption does not mean that the student raises their voice slightly. It does not mean that the student is upset about a grade. It does not mean coming in late. So one of the phrases that we use is what is a distraction versus a disruption? A student using their cell phone in class. Right. And that I think, has been helpful that with a little bit of pushback, because people sometimes have control issues. But you know, it is distracting when a student uses their cell phone in class, it is not a disruption. Right. So I think that is, you know, that has helped but so that's sort of how I see it on our campus. And I think, you know, real disruption in general, you know, is, you know, is something that literally disrupts right like it stops some kind of activity, whether it's a learning activity or you know, whatever it is something that escalates beyond you know, just a slight or mild or brief interruption, it is an ongoing, you know, interruption to disruption. (SCC Interview Final, at 5:46)

The behaviors also indicate the things that faculty and staff appear to want to control, and how those behaviors may be rooted in systems of whiteness. For example, faculty concerns about when a “student raises their voice slightly” or “student[s] using their cell phone in class” suggest a desire for a level of control greater than what the policy itself may indicate. The practices tool clarifies Daniel’s choices to use disruption in some cases as an “add on” to other issues as well,



such as “verbal harassment or verbal abuse.” Identities also come into play. Daniel indicated that often faculty are reporting BIPOC and MENA students, and that a result they often are concerned about this being part of the motivation for reporting. Similarly, faculty report neurodiverse students and students with disabilities for behaviors connected to these identities, such as speaking out or having difficulty with impulse control. Their response, to attempt to explain why a particular behavior is not disruption, is a practice intended to respond to the broader campus discourse that makes this reporting practice permissible. Daniel also understands the way that whiteness plays into this discourse, sharing that:

I think whiteness protects...property. And so I think our faculty and staff see their space as their property right. And so, they want to keep it up to their standards...they feel that they have a right to say who...enters that. I think whiteness also values obedience, authority...that worship of the written word. (SCC Interview Final, at 13:16)

Applying the politics tool gives insight into what Daniel understands to be part of the campus discourse. Their insight into the role of whiteness also reveals why they make other decisions in addressing the campus discourse around disruption. Their efforts reveal a sensitivity to this discourse, and why they engage in the various efforts to address the campus discourse I note in my analysis here.

Daniel articulated in their notes an important point about who members of the campus community report. Looking at who has been reported, they name that:

the students awareness, right and why they're getting referred like, they know, right. With our, with our black students, there's that acknowledgement as well. Especially with the black students, and then it has to do with like, well, and this is true with MENA students too, but it has to do with them. They get referred because of volume or interruption or interrupting and there's that call and response communication style in the Black community. (SCC Interview Final, at 16:15)

Using the identities tool gives insight into the campus discourse about who members of the campus community think should be reported. Given the relatively large MENA student population on campus, this may not be surprising. However, Daniel named that faculty and staff

still report them more frequently than others. In their efforts to educate faculty, Daniel shared a presentation they offer to faculty about disruption. Using the politics, practices, and sign symptoms and knowledge tools to examine the presentation reveals how this informs the broader campus discourse. The language the presenter uses to define “possible behavior issues” include:

- Noise/Distractions
- Disrespect
- Disruptions/Inappropriate behavior
- Repeat violators
- Bias concerns
- COVID safety compliance (SCC [redacted].Inservice.BehaviorRetention.FINAL, p. 5)

These terms, particularly “disrespect” and “inappropriate” in defining possible behavioral issues, come laden with cultural values. Disrespect itself is coded and rooted in cultural norms. In my literature review, there are other examples of how disrespect in particular is part of the ways that BIPOC students are oppressed in the K-12 discipline system. The connections tool helps inform how these concepts are related to student experiences. As appears in other settings, this language places the power for determining what is “noisy” or “disrespectful” in the hands of the reporter. Without more context, this language ensures that the campus discourse can permit possibly oppressive norms.

Daniel’s presentation to faculty reveals further information about how faculty are encouraged to exercise their control over students. Including guidance such as “be calm, but authoritative” and “inform them of their rights and resources” attempt to balance giving faculty control over the conversation and encouraging them to have a conversation at all (SCC [redacted].Inservice.BehaviorRetention.FINAL, p. 15). Using the practices tool gives light to this continued tension and suggests that the presentation offers insight into how Daniel is attempting to move the broader campus discourse towards a more collaborative approach. The existing

discourse recognizes the way that faculty have complete control over the educational setting. Daniel's intended future discourse, one that focuses on engaging with students, is apparent in their encouraging faculty to decrease their demonstrations of power and instead engage. SCC appears to be in a state of transition, driven by Daniel's desire to respond to changing student needs and efforts to engage in collaborative learning rather than leaning into white ways of learning, such as considering students to be receptacles for knowledge.

### ***white Ignorance***

Reviewing the presentation the participant offers to faculty, I can apply the sign symptoms and structures tool to evaluate the ways that the terms they perpetuate white ignorance. They define "types of disruptive behavior" in two categories:

Rebellious:

- Intentional, Defiant, Annoying, and Disrespectful

Emotional Behavior:

- Unintended
- Precipitated by Emotional Distress (SCC [redacted].Inservice.BehaviorRetention.FINAL, p. 7)

Each of those terms are laden with white values, particularly "defiant" and "disrespectful." Both terms are rooted in white ways of knowing, giving faculty and other reporters the ability to determine what is disrespectful or defiant. The subsequent description of problem behavior includes:

- Inappropriate language
- Late to class, skipping class
- Loud eating/drinking
- Cell phone use
- Side conversations
- Sleeping in class (SCC [redacted].Inservice.BehaviorRetention.FINAL, p. 8)

All of these terms appear and are coded as problems without consideration for broader student context. Furthermore, the literature in K-12 demonstrates the way that defiance and disrespect

are culturally formed by whiteness and used as a mechanism for controlling BIPOC individuals. Daniel's descriptions of the types of individuals who report disruption, particularly white women and men, and international male faculty, connect with how this campus disruption discourse plays out. Expectations about how they should be treated are set within white contexts of higher education.

Daniel included a graphic in their presentation to faculty that addresses the "history of whiteness in higher education." The graphic appears to hit on a number of key points designed to confront systems of oppression and whiteness within the educational context. By centralizing "History of whiteness in Higher Education" Daniel is able to show the importance of knowing this history. The subsequent components, including naming "conduct system (mirrors judicial system)," "use of Black, Brown, and Red Bodies," and "Legacy admissions, curriculum centered on whiteness" foregrounds this historical oppression as context for Daniel's subsequent discussion of whiteness. This inclusion in the presentation, intended to expose the ways that systems within SCC, is one strategy that Daniel uses to address white ignorance. Applying the sign symptoms and knowledge tool gives further insight. Intentional addressing concepts of "violence as a means to control those [Black, Brown, and Red] bodies" and "curriculum centered on whiteness" raises awareness and gives opportunity to confront the campus discourse.

Inclusion of "strategies for decreasing disruptive student behavior" includes:

- Outline Rules and Consequences on the first day *and* in syllabus
- Be consistent
- Be a role model
- Seek out resources early on
- Maintain confidentiality with students AND with colleagues (SCC [redacted].Inservice.BehaviorRetention.FINAL, p. 14)

These approaches appear to balance controlling behaviors ("outline rules and consequences on the first day and in syllabus") and engagement with students ("engage and develop rapport with

students”). The practices tool gives insight into how this plays out in the broader discourse. The tension between these two practices explains the way that the written words faculty read are in conflict, muddying the discourse on campus about what disruption actually is. The Code of Student Conduct appears to similarly be in tension, stating at the outset SCC’s mission:

The Code of Conduct Office supports a safe and productive learning environment for the community, establishes college policies that define behavioral standards for all students, and operates a fair hearing process. In doing so, our mission is to guide student learning on appropriate behavior, civility, and ethical decision making. Our students are viewed as adults who are responsible for making decisions that support their learning and the learning environments of others. (SCC Code of Student Conduct 2018, p. 3)

The sign symptoms and knowledge tool offers insight, particularly with the use of terms like “civility” and “ethical.” These terms are rooted in social context and suggest a particular way of being within the larger community. Civility in particular is a socially loaded term in systems of whiteness and can similarly be used by faculty and other members of the community to define appropriate ways of being present in the community. The vision similarly brings in particular ways of knowing, stating that:

We envision a disciplined community of learners where students govern themselves in a manner that ensures the safety and integrity of the college environment. We also envision a knowledgeable community of learners where students are aware of their rights and responsibilities as defined in the Code of Student Conduct. (SCC Code of Student Conduct 2018, p. 3)

The significance tool offers insight into how SCC frames the discourse about how students should behave. The modification of “community of learners” with the term “disciplined” in particular is interesting. Expecting students to “govern themselves” also modifies expected behavior, suggesting both expectations that students manage their own behavior and the possible obligation that students should manage each other. Both examples use language rooted in systems of control, giving insight into a campus discourse that integrates coded terms into the very core of their Code of Student Conduct.

Daniel offers insight into how members of the campus student population understand available resources to respond to reports. They articulated that:

BIPOC, folx...especially with our MENA students...were constantly being referred from our library. And among the...Arab community there started to be a kind of understanding [that Participant] will fix it...you can go to [them], you can trust [them]...[they'll] hear you...[they] knows that...this group of students in hijabs are being referred but this group of white students over here are not...being bothered. (SCC Interview Final, at 16:15)

Applying the identities tool reveals the ways that the campus discourse plays out in the minds of students, particularly with these same dynamics playing out with staff. The students', particularly MENA students, willingness to seek out those individuals they see as allies speaks to the way that power plays out within the context of the institution. While BIPOC students appear to feel willing to connect with Daniel, faculty and staff appear to approach this situation differently. Daniel shared that "our staff especially our onboarding staff, financial aid, admissions, advising, they're more likely to report MENA students for like, feeling entitled, and it's like, no. It's the white students, you know" (SCC Interview Final, at 16:15). Daniel also demonstrates through this information the ways that she is working to confront the broader campus discourse around who is being reported and why, and how that is different for white students. This dynamic also reveals the ways that students see individuals in powers allies, and the important work that Daniel is doing to address this conflict. Daniel made a point to share how they work to manage these dynamics and confront white ignorance by putting an emphasis on context and student experience. As I note elsewhere, there is an active tension between the existing discourse that promotes power structures and Daniel's attempts to respond to this dynamic and push towards a more equitable, less white set of structures.

Daniel further discussed the ways that faculty have responded to their attempts to change the discourse. They shared that over time the presentation has caused faculty behavior to shift, but not without signs of white ignorance. They stated that:

we did get more faculty and staff who would report but say...let's just do this where you just talk with them, I just want to kind of stop the behavior before it gets out of hand...I wonder if it [the faculty in-service presentation] has also slowed reporting because people don't want to be seen as racist...There are some faculty and staff and the people who had these opinions before and are...interested in changing them? Who do think we don't do enough who...might not be reporting because they're like "well they're gonna just let them back in my classroom." (SCC Interview Final, at 23:48)

Applying the politics tool gives insight into how the campus discourse may be shifting based on these presentations. The idea that faculty behavior is changing for two possible reasons – because they are genuinely engaging in reflection to address white ignorance or because they see that the systems to enforce policies are instead shifting what the institution is willing to adjudicate. Daniel's shifting willingness about how to engage (and thus the institutional conduct administration) is forcing the institutional discourse in a new direction that addresses white ignorance within the broader discourse. Daniel's, and thus conduct administrator's, lack of willingness to deny BIPOC students access to classes based on faculty reports itself feeds into this shift.

### ***Applying the "Frame Tool"***

I again bring in the frame tool to assess whether or not there is additional information in the broader campus context that would indicate other explanations for the findings I learned in reviewing the campus discourse around disruption. My review of SCC's discourse indicates a campus in transition. While student conduct administrators are working to push against the discourse, the campus discourse appears to be experiencing the growing pains of dealing with its growth and change. The broader data appears in alignment with my analysis of the discourse. Thus, I conclude that my analysis remains sound within the context of the available data.

### ***Shenzhou Community College Summary***

SCC is in a state of transition. The current discourse indicates that faculty and staff continue to rely on systems and structures to control students. However, Daniel has taken a

number of steps to reeducate faculty and staff to respond differently to issues of disruption.

While institutional policies remain rooted in structures of whiteness, campus administrators are working to shift the relationships amongst faculty and policy, and staff and students.

### **Protostar University**

Protostar University (PU) is a large, four-year public flagship university in the Midwest. My review of PU's website reveals that their enrollment is approximately 47,500 students, including graduate and undergraduate students. Table 10 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 10**

*Protostar University Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	8%
Hispanic/Latino	7%
Black or African American, non-Hispanic	4%
White, non-Hispanic	53%
American Indian or Alaska Native, non-Hispanic	<1%
Asian, non-Hispanic	17%
Native Hawaiian or other Pacific Islander, non-Hispanic	<1%
Two or more races, non-Hispanic	5%
Race and/or ethnicity unknown	5%

Like other institutions participating in this study, I reviewed approximately 200 news articles from Google. PU appears to have a robust number of issues across campus that speak to the campus climate, including a recent (late-September 2022) incident involving antisemitic fliers posted in the neighborhoods around campus (PU – Antisemitic Fliers, p. 2). Within the campus



discourse regarding athletics, one news article discusses how PU fired a coach because of his treatment of female individuals and those who spoke out about his behavior (PU – Fired Coach, p. 2), while another details the financial settlement for Title IX violations (PU.- TIX Settlement, p. 2). In contrast, the campus appears to have a number of instances of celebrating minoritized communities, including LGBT+ and BIPOC, and support for those experiencing food insecurity. Additionally, PU is involved in a significant number of innovation programs, including self-driving vehicles, examining impacts of bias on BIPOC individuals, and a “psychedelic shroom fest,” indicating the campus relationship with research. Given PU’s status as a flagship institution, the public relations and community pressures on campus leadership appear to be significant.

Beyond the institutional disruption policy, I reviewed the institutional housing policy related to disruption, the policy regarding free speech, and the policies developed by the institutional governance boards and state legislature regarding disruption on campus. In addition to these resources, I conducted an interview with a representative of the institution, Sebastian, who has responsibility for administering their student conduct code. Unfortunately, the participant did not complete the spreadsheet including student conduct data. I moved forward with my analysis because of the large quantity of information about the campus discourse around disruption. I applied my theoretical framework to these documents to better understand the institutional discourse around disruption on campus.

### ***Defining Disruption***

PU has a similar disruption policy as other institutions, with some shifts in language and what it names as important. Their policy defines disruption as:

N. Obstructing or disrupting classes, research projects, or other activities or programs of the University; or obstructing access to university facilities, property, or programs

(except for behavior that is protected by the University's policy on Freedom of Speech and Artistic Expression). (PU – Disruption policy, p. 1)

Sebastian pointed out that the policies originate with a faculty governance group that regularly takes in community recommendations and formulates them into a set of policy recommendations to PU's Vice President and President, who make the final decisions. The integration of the free speech policy makes a connection to a more exhaustive document. This document originates with the institutional Board of Regents and details their expectations about how PU and the members of the community should respond to issues of free speech. PU also makes the connection with their institutional housing policy regarding "Safety in Residence Halls" which states:

#### 2.1 Disruptive Behavior

Behavior that is disruptive to orderly community living is prohibited. In the residence hall communities, this includes, but is not limited to throwing items in the hallways, bouncing balls, engaging in horseplay or creating a health or safety hazard. Riding a bike, skateboarding and rollerblading are prohibited inside of all residence halls. Possessing or using any motor-driven vehicle inside a residence hall is also prohibited, except for assistive devices utilized by a person with a disability. Additional prohibited behavior includes, but is not limited to, streaking, nudity and sexual activity in common areas. (PU – Disruption policy, p. 1)

Given the size of the institutional housing program, Sebastian included this information as part of the data they provided.

The broader institutional discourse includes public presentations and YouTube videos from faculty discussing "incivility in the classroom." These faculty use the term incivility to discuss several examples of disruption in the classroom, stating that:

With regard to incivility the research indicates that there are several different kinds of incivility that go on or they can go on in the classroom. One that generates the most conversation is students incivility to other students. A second kind of incivility is student incivility to faculty members such as white students or students of color challenging faculty members of color or female faculty, regarding their expertise and credentials in their subject matter or their authority to manage a classroom. A third form of incivility is faculty incivility to students and students report that sometimes faculty members ask students of color to be experts or spokespersons for their own race and ethnicity and

about the trait much as students sometimes do that to one another. (PU – Addressing Incivility in the Classroom)

While they offer clarification about incivility, they also indicate how the classroom in higher education may be different than that in the K-12 education system. They specifically name:

That our classrooms in higher education aren't necessarily in the same way with elementary school teacher thinks this is my room or high school teacher thinking that this is my room. The classroom in higher education is neutral space. Faculties come out of their offices or their labs to go to the classrooms and students come to the classrooms. (PU – Addressing Incivility in the Classroom)

Setting an expected standard for how the classroom space should exist. Explicatory websites further define disruption, dovetailing with the concept of incivility and giving specific guidance to faculty about how to respond to disruptions in the classroom. They specify that:

The classroom is meant to be a place where the free flow of ideas is encouraged and nurtured. It is not a forum for students to make hurtful and demeaning remarks, or otherwise disrupt the teaching of the class. From time to time, however, instructors may encounter students who act in ways that seriously disrupt the instructional process in the classroom. (PU Students in Distress and Disruptive Students, p. 1)

Without greater explanation, the website material goes into thorough detail about resources for responding to these incidents. The final aspect that Sebastian named was that the student conduct process is:

complaint driven and so for anything to come to us [student conduct administrators], people, faculty, staff or a student needs to make an allegations that another member, another student member of our community is engaging in behavior, which effectively obstructs or disrupts the class, research project, so on and so forth. (PU Interview Final, at 23:23)

This dynamic means that the campus definition of disruption requires a high level of certainty by the reporting party, and a significant amount of information is required before the student conduct administrators will take action under the existing student conduct process. This results in “a pretty high bar,” requiring the reporting party to effectively prosecute their case.

## *Dehumanization through Adversarial Systems*

While PU has a series of stated policies regarding disruption, they also use a number of explicatory documents that go into detail about how to operationalize the policy. One document, a worksheet for responding to disruptions or disrespect, includes a series of strategies they recommend for faculty. The first two on the list serve to further dehumanize students by creating an adversarial relationship between students and faculty. They include:

Directly name behavior as problematic or unwelcome (e.g., say why it's inappropriate, and explain your expectations moving forward).

Acknowledge disrespect or disruption with a smile or laugh and continue with the lesson plan.

Deflect confrontation with sympathetic response (e.g., acknowledge the student's frustration, or respond to a critique as a request for information).

Emphasize the teacher-learner relationship if a student is assuming a consumer relationship (or focusing on your role as simply a grader, not an educator). (PU Responding to Disrespect strategies worksheet, p. 1)

Applying the practices and sign symptoms and knowledge tools is helpful in seeing how this language feeds into dehumanization. The first component uses terms like “problematic,” “unwelcome,” and “inappropriate” that show up in other discourses where faculty, staff, or students can assign value to another person's behavior. Using this language sets up a dynamic of naming a student's actions in the discourse and privileging their valuation over the potential truth of a situation. The second component, suggesting that the faculty member “acknowledge disrespect or disruption with a smile or laugh” is a particular behavior that on the face of it indicates a desire to counsel faculty to roll with the behavior rather than engaging in conflict. However, the practices tool itself is recommending a behavior that may be socially constructed as disrespectful and patronizing. Choosing to recommend that faculty laugh at a student furthers the minimizing of a student's behavior and identities, further dehumanizing them. Interestingly, the following two strategies appear to serve to humanize the interaction. Applying the practices tool helps explicate these examples, and how they may actually work towards undoing some

dehumanizing practices. The first, “acknowledging the student’s frustration” speaks to a practice of centering student experience and understanding context. The second, emphasizing the relationship between faculty and student, speaks to a practice of leaning into relational rather than transactional interactions. These two practices are better aligned with acknowledging students as individuals rather than a faceless group. Similarly, another explicatory document for faculty details further strategies for “preventing student-student disrespect in your classroom” including:

1. Establish guidelines and goals for classroom interactions.
2. Build rapport and community in your class.
3. Model inclusive language that acknowledges student differences.
4. Help students develop awareness of multiple visible and invisible identities in the classroom.
5. Address tensions or problematic patterns of interaction. (PU – Prevention Strategies, pp. 1-2)

This document lays out examples of ways that faculty might proactively prevent disruption in their classroom. The second recommendation, “building rapport and community,” details activities that center the students’ experiences and the importance of sharing resources to support their well-being. Using the practices tool is useful in understanding how these play into the larger campus context. Some of these practices, such as building rapport and helping students understand multiple identities, appear to recommend strategies that promote engagement and to introduce context into the discourse. Having clarity about these practices can serve as a strategy for blunting the impacts of oppressive policy and languages.

### ***Legal Structures as whiteness***

PU’s policy around disruption of university activities originates from their Board of Trustees and was amended as recently as 1982. The policy states:

Freedom of expression and communication are central to the basic purposes of the University. The University strives to seek that balance between maximum freedom and necessary order which best promotes an environment conducive to the many faceted

activities of teaching, learning, and research. (PU Disruption of University Activities\_Board of Trustees\_[redacted], p. 1)

The significance tool gives insight into what is important to the institutional discourse, seeking to communicate a goal of finding “maximum freedom and necessary order.” The use of the term “freedom” indicates a valuation of this socially constructed term. Within the United States context, “freedom” is itself a loaded term rooted in patriotism and whiteness. Modifying “freedom” with the term “maximum” indicates an intent to effectively supercharge this concept. The use of the term “order” is similarly a loaded term, used throughout United States history as a term for oppressing dissent. “Necessary order” then indicates a need and desire to frame possible responses to disruption as “necessary” or needed in the campus context. The policy further states:

University regulations and ordinances are developed to prevent unnecessary and improper interference with those activities and functions carried out in furtherance of the University’s mission. Individuals or groups will be held accountable to the University for violations of duly promulgated regulations and ordinances. Individuals or groups who engage in behavior which disrupts University activities may also be held accountable, under the law, to established legal and judicial authorities. (PU Disruption of University Activities\_Board of Trustees\_[redacted], p. 1)

Applying the sign symptoms and knowledge tool to the first sentence suggests a preemptive framing for subsequent policies at PU. Use of the term “prevent unnecessary and improper interference” suggests that PU’s policies would only be necessary and avoid improper interference. The pivot to accountability and the references to “legal and judicial authorities” indicates the valuing of legal frameworks, itself a system of whiteness and white power.

Promising accountability also leans into the connections tool, making intentional connections with outside structures. These connections make sense given the origination of this policy with PU’s Board of Trustees, where the faculty want to keep policies broad at a high organizational level and then leave the development of more specific policies to individual offices.

The integration of “freedom of speech and artistic expression” policy into the disruption policy under the student conduct code suggests an intentional choice to lean into legal structures in policy. The policy, originating with PU’s Office of the President, gives a robust level of information relating to how PU applies the concept of free speech in the campus discourse. Originating in 1988 and updated in 1993, the institutional discourse around disruption and freedom of speech is impacted by “recent events at [PU] and elsewhere [that] emphasize the pressing need for members of the University community...to reaffirm formally their deep commitment to freedom of speech...and clarify the implications of that commitment.” PU goes on to further define:

Freedom of speech in this context will be taken to encompass all forms of communication and artistic expression as well as the freedom to listen, watch protest, or otherwise participate in such communication. It is hoped that this reaffirmation will win the support, in spirit and in letter, of people representing the entire spectrum of opinion of the University community in order to create a truly open forum, one which diverse opinions can be expressed and heard.

Expression of diverse points of view is of the highest importance, not only for those who espouse a cause or position and then defend it, but also for those who hear and pass judgment on that defense. The belief that an opinion is pernicious, false, or in any other way detestable cannot be grounds for its suppression. (PU Freedom of Speech and Artistic Expression\_Standard Practice Guide, p. 1)

Application of the sign symptoms and knowledge tool gives insight into how the use of language such as “entire spectrum of opinion” and “truly open forum” names legal frameworks. Similarly, the significance tool shows how these modifiers give value to these terms. For example, modifying “spectrum of opinion” with “entire” indicates an intentional suggestion that there are parts of this spectrum that are otherwise obscured. Within a higher education context, this also confronts an unsaid criticism that PU may not have been supportive of otherwise diverse perspectives. The concept of higher education being a liberal bastion that closes down conservative discourse, for example, makes this clarification perhaps an intentional choice to make sure others understand that this policy includes their perspectives as well. Similarly,

“truly” modifying “open forum” indicates a desire to clarify that the forum is actually open. The unsaid criticism, that the open forum is not actually open, suggests the need for this clarification. The clarification that “the belief that an opinion is pernicious, false, or in any other way detestable cannot be grounds for its suppression” further indicates an intentional choice to push back against the critique that their campus community is not open to freedom of speech. PU’s response in 1998 was to lean into the legal structures of freedom of speech, thus serving to support systems of whiteness to protect the institution.

PU’s free speech policy goes on to define concepts of free speech through legal frameworks. Throughout the document, language references legal restrictions, lawful authorities, and concepts such as “free expression.” Application of discourse analysis tools, particularly the politics, sign symptoms and knowledge, and significance tools reveals the ways that this policy leans into legal systems of whiteness. For example, PU clarifies that:

The guidelines that follow concern how most fully to protect rights of free expression for speakers, performers, and protesters alike. They apply to settings in which an audience has been assembled for a talk or performance, or in which a talk or performance takes place in a public setting at the University, but do not apply to the classroom. They are not general guidelines concerning freedom of expression among individuals or in other University settings where protest might occur. Moreover, they do not cover acts of physical violence, or verbal harassment or threat directed at individuals in which there is no intent to communicate publicly or with a wider audience. Nor do these guidelines in any way restrict the application of civil or criminal law. Finally these are not guidelines concerning appropriate or civil conduct at speeches or artistic performances. Rude or offensive behavior, though inconsistent with the standards of civility that we hope would prevail on a university campus, sometimes falls within the legitimate exercise of freedom of speech and, when it does, may not be suppressed. (PU – Freedom of Speech and Artistic Expression\_Standard Practice Guide , pp. 1-2)

The sign symptoms and knowledge tool gives insight into this language, particularly the use of a term like “civil or criminal law” as a legal guard against litigation. This passage carves out the things that this policy is not. Where it defines legal structures, the language also may influence broader discourse, showing the primacy of external legal structures over institutional policy, an



understandable position for an institution of higher education in a social environment of litigation against higher education. Using the significance tool with some of the modifying language PU uses gives a further sense of how they use legal terms to modify their actions. Terms like “within its lawful authority to do so” gives critical insight into the legal discourse informing this policy. This term calls to mind the legal frameworks around an institution of higher education. The politics tool, applied to the “guidelines” reveals what is most important to the institution – ensuring the protection of speech while also giving PU administrative space to exert control.

The policy also creates an affirmative obligation for PU, putting responsibility on the institution to create opportunities for speech. The policy states:

The University should provide appropriate platforms for free speech and artistic expression. Whenever areas surrounding a public event are cordoned off for security purposes, this must not be done in such a way as to remove the possible location of any protest so far from the center of the action that the protest is thereby rendered totally ineffectual. Organizers of the event or University representatives should make clear in advance which areas have been cordoned off, and for what purpose. (PU Freedom of Speech and Artistic Expression\_Standard Practice Guidelines, p. 4)

The politics tool indicates the institution’s value for these spaces, and also puts into the discourse the belief that PU should create these for students. Interestingly, the policy modifies this obligation by stating that the location of any protest “must not be done in such a way as to remove the possible location of any protest to far from the center of action that the protest is thereby rendered totally ineffectual.” Applying the significance tool, this modification emphasizes the importance of visibility and also prohibits PU from restricting protests to spaces where no one would see. Further, PU clarifies what happens when something happens that requires an institutional response, using legal terminology to both restrict and protect themselves:

Officers of the University’s Department of Public Safety will act in accordance with the procedures outlined in this document. When non-University security forces are summoned, it is understood that they are not under the direct control of the University,

but they would be made aware of University policies set forth in these guidelines. (PU Freedom of Speech and Artistic Expression\_Standard Practice Guidelines, p. 4)

Application of the practices tool reveals the way that this language operationalizes the policy.

The discourse around how the policy operates, given the context at the time of when the policy was created, clarifies how this works. Calling out PU's public safety enforcement body specifically indicates a need to explicitly name this in the discourse. Tying enforcement efforts that happen beyond the Department of Public Safety or non-University security forces to the Regents appears to be a further response to the discourse. Escalation of decision-making to the highest authority within the institution speaks to the importance to the campus community, again indicated by the practices tool.

Sebastian offered insight into the way that the community approaches policy development, incorporating principles of shared governance in the process. They shared that:

The policy is created by the community itself, and it has been since its inception in the mid 90s. So we have a community group called the, it's actually an arm of the faculty governance, it's called the Student Relations Advisory Committee. The Student Relations Advisory Committee also has appointed student representatives on that committee. It's facilitated by staff, most specifically myself and my team, so we have opportunity to speak to policy creation but don't have responsibility for making policy decisions. Rather it is this group who makes policy recommendations to ultimately to the Vice President and then ultimately on forward to the President who is the final decision maker on policy change. (PU Interview Final, at 15:32)

The politics tool reveals how this dynamic indicates who has power in this process, putting the advisory committee in a position of advising policies to PU's administrative leadership.

Sebastian reveals how they apply their informal power as a member of this group to guide the committee in their recommendations, but acknowledges that they do not often get what they want or need in the policy revisions. They acknowledge the truth of this dynamic, stating:

I think some of their strength is in the balance between specificity and broad application. But where I really think that our strength is in not necessarily the written policy itself, but how we operationalize that policy. We have some discretion. Right, you know, we, we don't build in all of, like every nuance detail of procedure, into the statement and I

wouldn't ever recommend to do that. We have procedural documentation for internal training purposes, and we also provide through the communications that we send to students through the process, depending on which pathway in our process a student is in, whether it be a formal conflict resolution pathway or adaptive conflict resolution pathway or informal conflict resolution for alcohol and other drugs. We provide a lot of contextualization to students. But we don't have it specifically codified in the policy itself because we don't lean into a procedure that is inherently rigid. (PU Interview Final, at 19:04)

Applying the politics tool helps reveal that this dynamic as a way that policy may have written power but the inherent discretion in the process gives practitioners the “inherently adaptable” ability to make decisions better aligned with Sebastian’s values. They explain more that:

under the statement of student rights and responsibilities...stage one initiating the resolution process. In the second paragraph, it says ‘if the resolution coordinator determines upon reviewing the information made available to them, that the alleged behavior may be a violation of the statement, the resolution coordinator will notify the respondent and schedule a meeting as described below.’ So, in other words, the way that this is interpreted, the policy language, in terms of procedure is there's that initial review conducted by the resolution coordinator to determine if there's sufficient evidentiary information to proceed to a formal resolution process. (PU Interview Final, at 49:02)

Applying the practices tool, this appears to reveal the further use of discretion to respond to concerns. The exercise of this power appears to override the policy language itself. Furthermore, the use of language such as “sufficient evidentiary information to proceed to a formal resolution process” is a strong indicator of the use of legal terminology. The sign symptoms and knowledge tool reveals the depth to which legal frameworks infuse Sebastian’s actions. This turn of phrase suggests the deep incorporation of legal frameworks, and thus white frameworks, within the context of their practice.

### ***Policies as Control***

PU’s policy explains the behaviors that students are prohibited from engaging in, detailed above. Applying the politics tool gives a sense of what the institution finds important, with the order suggesting the relative level of importance. PU names classes and research projects as the first spaces where obstruction or disruption is prohibited. Privileging these spaces suggests their

relative importance to institutional decision makers, putting them ahead of other aspects of the student experience. The residence hall policy names “protect[ing] the interests of all students” and “orderly community living” as what is important in those policies. The subsequent list of behaviors within the residence hall context names various behaviors that PU believes may disrupt the community. Similarly applying the politics tool gives insight into how the institution chooses to control students, and what behavior they want to prevent from occurring. The motivation for these specific behaviors is unclear based on the available information. On the face of them, the prohibited behaviors appear to include actions that PU names as “horseplay.” Taken together, PU exercises its control over students through these policies, offering both generic prohibitions at the campus level and specific prohibitions within the context of the specific residence hall program.

PU’s freedom of speech and artistic expression policy gives specific language guidance for prohibited behavior that may be disruptive to free speech activities. For example, guideline “D” states that:

It is inconsistent with full respect for freedom of speech and expression – though itself a form of protected speech – for members of the University community to exert pressure to revoke an invitation for a speaker to appear at the University because of the potential for a violent reaction to the speech, or the threat of disruption of the speech, and such pressure should be resisted. Likewise, refusal to invite an individual to speak solely because his or her presence may invite violence and disruption contrary to the intellectual ideals of the University. (PU Freedom of Speech and Artistic Expression\_Standard Practice Guide, p. 2)

This restriction indicates a particular community value where PU sets guidelines around how members of the community can protest speakers they disagree with. The politics tool suggests relative value for what speech is most important in these situations, seemingly privileging the planners over those who disagree with them. Subsequent guidelines further reinforce this dynamic, creating barriers in policy against any actions. PU gives specific examples of

behaviors, such as “heckling and the display of signs,” and modifies them to be permissible provided they “are consistent with the continuation of a speech or performance and the communication of its content to the audience” (PU Freedom of Speech and Artistic Expression\_Standard Practice Guide, p. 3). The significance tool guides this analysis, defining “appropriateness” by whether protesting behaviors prevent the activity from continuing. To their credit and aligned with offering clarity, the policy includes further direction about how individuals facilitating an event should respond to protests. This guidance suggests a further element of control and requires engagement with those individuals who disrupt an event regardless of the content. PU states that:

The overriding goal of the organizers or University representative during a disruption should be to reestablish with deliberate speed an atmosphere conducive to communication between the speaker or artist and the audience, and to full respect for the rights of all parties. (PU Freedom of Speech and Artistic Expression\_Standard Practice Guide, p. 4)

The politics tool helps reveal what is important to the in this policy – the rapid resumption of a program or activity. Within the broader discourse, this statement indicates two possible outcomes. First, as I indicate, the policy appears intended to encourage the rapid and minimally disruptive resumption of activities. Second, this policy suggests a desire to minimize events that escalate beyond the ability to control or create an incident that causes a possible event that can be used to accuse PU of preventing free speech from occurring on campus.

I find myself reflecting on this analysis as I write and thinking about my own experience of policy development. I find my analysis to be in conflict with my personal feelings about a policy of this nature – that in order to protect speech I disagree with, we need to prohibit those who protest it from disrupting the speech itself. For example, I feel as though a Black Lives Matter protestor speaking out against a white supremacist speaker SHOULD have opportunity to

disrupt the event. The opposite event – a white supremacist disrupting a Black Lives Matter speaker, would be personally frustrating. I hold this tension for myself as I continue my analysis.

PU has a resource for responding to “students in distress.” The language extends the broader campus discourse around acceptable behavior in the classroom, stating:

The classroom is meant to be a place where the free flow of ideas is encouraged and nurtured. It is not a forum for students to make hurtful and demeaning remarks, or otherwise disrupt the teaching of the class. From time to time, however, instructors may encounter students who act in ways that seriously disrupt the instructional process of the classroom. (PU Students in Distress and Disruptive Students, p. 1)

Their subsequent use of the term “incivility in the classroom” further defines ways that disruption manifests in the broader discourse. Application of the significance tool on terms such as “hurtful” and “demeaning” to remarks, and the larger phrase applying to disruption in the classroom, gives further insight. The terminology is itself socially and individually constructed and turns control over defining those terms to the person reporting the incident. This plays into the larger campus discourse by putting responsibility for defining what feels “hurtful and demeaning” in the hands of faculty or students who report. “Incivility” is another socially constructed term that plays into the broader campus discourse. The sign symptoms and knowledge tool is useful in understanding incivility as a socially constructed term of white power. The policy further states that “while protecting the instructional process, every effort is made to ensure that students are treated fairly and with compassion” (PU Students in Distress and Disruptive Students, p. 1). This language positions the faculty in moments of disruption as protectors of the classroom. It also informs the practice of how faculty are expected to do this work, including treating people “fairly and with compassion.” While these terms are similarly loaded, the language offers further insight into practice, putting some parameters around faculty behavior.

PU posts online resources for faculty to describe possible teaching strategies for responding to “disrespect and disruption” in the classroom. The introductory language to the website states that “the resources on this page describe ways to reduce and respond to disruptive or disrespectful behavior in the college classroom. Such behavior can not only negatively affect the overall learning environment for students but also contribute to stress and discontent” (PU Teaching Strategies\_Disrespect and Disruption in the College Classroom, p. 1).

This introduction and the subsequent explanation of various web pages and articles lean into terms like “incivility.” Applying the connections tool indicates the subsequent links PU makes to the various documents and resources. For example, the document “Reducing Incivility in the University/College Classroom” defines “incivility in the classroom as offensive, intimidating, or hostile behavior that interferes with students’ ability to learn and instructors’ ability to teach” (PU Teaching Strategies\_Disrespect and Disruption in the College Classroom, p. 1). As presented elsewhere in the documents, this language privileges learning and teaching, and places the power for defining how these are defined in the hands of faculty. Subsequent descriptions of “strategies for prevention and response” offer some guidance for faculty that is rooted in emphasizing control over the classroom setting including “explicitly set[ting] expectations and norms in [the] classroom.” The practices tool points to this strategy as a method for continuing to put faculty in a position of setting expectations and holding control over students.

One of the resources includes a set of faculty guidelines for dealing with difficulty conversations that may result in students becoming disruptive. These guidelines include recommendations for how faculty can exert control over the conversation and define behavior in the classroom, stating:

It is wise to be prepared to respond to the possibility that a student will raise a controversial issue in class unexpectedly. Immediate response is called for, if only to decide what to do next:

- Acknowledge the student who raised the issue while noting that students may vary in their responses.
- Decide whether you are ready and willing to engage with the topic right away.
- Quickly assess whether the class would like to spend time sharing views about the topic.

If students want to have a dialogue, and you want to wait on it, schedule a discussion for a later class and suggest ways that students could prepare. (PU Hot Moments\_CLRT, p. 1)

While the language mirrors the practice in other documents of keeping faculty in the position of authority, the guidelines lead with “acknowledg[ing] the student who raised the issue while noting that students may vary in their responses” to a difficult discussion. The practices tool gives insight, making it apparent that there are some aspects of the institutional discourse that put students in conversation with faculty, even when they are engaging in possible disruption of the classroom. The remainder of the document either refers back to other campus resources with similar language (such as the resource for “understanding disrespect and disruption”) or to sources outside of PU. In contrast, a similar document with “guidelines for classroom interactions” incorporates guidelines derived from social justice principles. These incorporate guidelines for classroom engagement that include:

- Share responsibility for including all voices in the conversation
- Listen respectfully.
- Be open to changing your perspectives based on what you learn from others.
- Understand that we are bound to make mistakes in this space.
- Understand that your words have effects on others.
- Understand that others will come to these discussions with different experiences from yours.
- Make an effort to get to know other students. Introduce yourself to students sitting near you.
- Understand that there are different approaches to solving problems. (PU Guidelines for Classroom Interactions\_CRLT, pp. 3-4)



Applying the practices tool is helpful to understand these guidelines acting to set learning community norms rooted in mutual engagement, seeing other individuals' perspectives, and community accountability. Together they appear to offer a counterpoint to the role of policies as control mechanisms. Other guidelines in this document intentionally reference authors to encourage students to consider learning from a position of “humility.” One of the concepts, encouraging students to “recognize your own social positionality (e.g. race, class, gender, sexuality, ability) informs your perspectives and reactions to your instructor and those whose work you study in the course,” is particularly noteworthy (PU Guidelines for Classroom Interactions\_CRLT, p. 4). Applying the identities tool indicates the way that naming social positionality as a consideration itself is an attempt to incorporate context into the classroom interactions. Further, incorporating identities into the classroom discussion raises the importance of this context in student experiences, rather than focusing on individualistic control in the ways that other guidelines detailed in other artifacts appear to. Another, “making the most of hot moments in the classroom” appears to split the difference, offering intentional facilitation guidelines for dealing with disruption outside of adjudication. Their facilitation strategies include:

- “**Know yourself.** Know your biases, know what will push your buttons and what will cause your mind to stop”...
- If tensions arise, **let yourself take a moment** to decide whether to address the issue immediately, take it up separately with individual students, or raise it in the next class meeting...
- Find a way to **connect the hot moment to course topics or learning goals**...
- **Try to depersonalize** positions of disagreement that have emerged among students (e.g., instead of referring to “what X said vs. what Y said,” referring to “this disagreement about such-and-such” or “the use of phrase/word X in this context”). This can help minimize unproductive defensiveness and invite more students into the conversation...
- Help students in conflict **find common ground**...

- After discussing intense issues, guide students to reflect individually and/or collectively on the issues raised and the perspectives they heard on these issues. (PU Making the Most of Hot Moments in the Classroom, pp. 1-2)

Using the practices tool, these appear to center the student experiences rather than exerting control over their classroom experiences. While they also suggest “try[ing] to depersonalize positions of disagreements,” the remaining guidelines still focus on attempting to engage in dialogue rather than control. These strategies appear to be intentional ways to introduce individual context while also promoting a positive learning environment. Together they can further serve to push back against policies that reinforce power and control by putting more authority in the hands of the community.

During a YouTube video discussing disruption and incivility in the classroom, the faculty name strategies for maintaining control. One of the important points is regarding the role of the syllabus, itself a further statement of faculty policy. They share that:

The syllabus can be a formal statement of how the faculty members are going to create a safe space for conversation and learning. But beyond that, the syllabus and the faculty members’ own behavior can demonstrate that they’re committed to using conflict if for purposes as a learning tool. So I encourage faculty members to surface these issues quite literally in the classroom, to talk about not simply incivility as a problem for the learning experience but how incivility in conflict will be addressed in the classroom. (PU Addressing Incivility in the Classroom)

This guidance points to how faculty use written language, such as the syllabus, to exercise control over the educational space. Applying the practices tool helps offer insight into the work that faculty are doing to emphasize their control. The intentional use of syllabus language leans into the method of worshipping the written word as it relates to systems of whiteness. Referencing faculty’s own behavior also indicates the intention that these behaviors constitute another way that they exercise their control over a space. This recommendation plays out in other documents, including the “strategies for preventing disruption and disrespect,” which recommends a strategy

for modeling “desired behavior.” As a method for retaining control over students, this practice includes:

- Practice modes of interaction that you want students to use, e.g., clarify others’ remarks before disagreeing or questioning, take responsibility for mistakes, give the benefit of the doubt.
  - Thank students for their punctuality or thorough preparation, or commend their focused attention during pair activities.
- [and]
- Demonstrate professional behaviors such as punctuality, thorough preparation, and fairly-applied, clear course policies (such behaviors are strongly correlated to student perceptions of faculty competence).
- [and]
- Establish a simple point system for baseline classroom expectations (e.g., 2 points per session; 1 for punctuality, 1 for engagement).
  - Establish and use a disruptive behavior policy that includes consequences for not complying. (PU Strategies for Preventing Disruption and Disrespect, pp 1-2)

Applying the practices tool gives a sense of how these recommendations reinforce faculty control in the classroom setting. The first pair indicates guidance for faculty to control students through positive reinforcement, continuing the themes found elsewhere about infantilizing students. The third guidance included information about how faculty should act to role model behavior, naming behaviors rooted in whiteness such as “punctuality,” “fairly applied,” and “competence” that require white ways of knowing. The final set further locks in practices of compliance, including a point-based system for tracking accountability and introducing the concept of consequences, rather than engagement, for failure to comply. Taken together, these guidelines continue practices of control detailed elsewhere.

Sebastian articulated the way that they see themselves approaching the campus discourse about disruption. They share that:

The reason I still do it is because it's value congruent for me. Our three part mission here is build trust, promote justice, and teach peace. And those are ordered very, very specifically, because you can't promote justice if you haven't built trust. You can't teach peace in community if you haven't promoted justice, so that's what we do and the framework in which we endeavor to do our work, again from a restorative justice

framework. And I think that that's generally borne out and both our policy and really our practice. (PU Interview Final, at 3:37)

Applying the practices tool reveals how Sebastian's practice may not align with the policies per this analysis. While the policy incorporates legal frameworks and prohibited behaviors, Sebastian does not name in these principles language about accountability or control. This disconnect appears to be indicative of the practices Sebastian appears to be exercising to create a different dynamic and discourse on campus. Sebastian does acknowledge the ways that most individuals view this work, stating:

the more transactional frame of Student Conduct work working in housing around this life, you know, it's it's the, you receive a report, you invite the student come in, usually not voluntarily. You try to build some rapport, most students you have no rapport pre-built with and so, you know, it's a new experience for them and new experience for you with them. You try to get to know them just, you know, as much as you best you possibly can. Learn a little bit about the experience, you know, share with them what you know about what occurred. Sit there and make a decision of responsibility for them. And then after that, you make a determination of what they will be then therefore required to do as a form of accountability. (PU Interview Final, at 9:19)

Applying the practices tool, there appears to be two things happening through this statement. Sebastian reflects a language switch between what individuals perceive happens in a student conduct proceeding and their practice of building rapport and getting to know the student. Regardless, there is still a practice of "mak[ing] a determination" to exercise power through the process. This dynamic keeps staff in control of the conversations with students and the subsequent outcomes.

### ***Toxic Neutrality***

Sebastian articulated the ways that their process and their intentions diverge. While throughout the interview and document review they indicate a willingness to consider context, they acknowledge in at least two cases they are aware of:

identity played a big part, not necessarily in the process or the outcome, but it played the part in how the scene showed up...it played a part in how they perceived their

engagement in the process, played a part in the story and the narrative that they shared with us as facilitators of process, which is the way that we describe our role. We're facilitators or process. We're not decision makers. (PU Interview Final, at 35:24)

This acknowledgement, perceived with the sign symptoms and knowledge tool, reveals an intentional positioning of Sebastian as a facilitator rather than decision maker, and abrogates their responsibility for then exercising institutional power against the students. The similar use of phrase “not under this fact pattern” is itself a legal term. The sign symptoms and knowledge tool gives insight that this term, suggesting a reliance back on legal frameworks when Sebastian is not able to respond to a report or concern. Sebastian's response for both faculty and students who may be upset about the outcome involves “providing in all circumstances, lengthy, thought out, written rationale, as to why” (PU Interview Final, at 45:30). This practice further leans into the concept of the administrator as neutral party.

### ***white Ignorance***

PU's incorporation of their free speech policy into the disruption policy extends application of disruption policy in a highly legal space. The policy language suggests aspects of white ignorance inherent in a policy rooted deeply in legal frameworks and structures. Throughout the policy, PU focuses largely on the value of free speech and the rights of speakers and organizers. However, there is no language related to the context of the speech, nor the content, beyond framing related to legal prohibitions about hate or bias speech rooted in law. PU introduces some context in their online materials, specifically regarding strategies for understanding disrespect and disruption. One of the resources:

highlights the important roles social identity factors such as race and gender play in shaping students' responses to their instructors. They discuss the greater likelihood that faculty of color as well as white women faculty will experience disrespectful behavior from their students, particularly challenges to their classroom authority and competence. (PU Teaching Strategies\_Disrespect and Disruption in the College Classroom, p. 1)

The politics tool helps describe the ways that this framing helps respond to the white ignorance that occurs on campus. Integration of context and identities is one strategy for helping respond to inequitable practices. Just naming these dynamics can help with raising awareness and confronting inequities. While this resource does not appear to consider the identities of students, the acknowledgement of identities itself is a step in a more equitable direction.

One of the resources PU refers to includes a YouTube video about “addressing incivility in the classroom.” Reviewing this transcript reveals insight into the campus discourse and the ways that white ignorance manifests. The presenters, two older male faculty, one white and one Black identified, speak at length about their perspective about “incivility” on-campus. They name a similar dynamic as the online materials, calling out the same dynamic with students “challenging faculty members of color or female faculty, regarding their expertise and credentials in their subject matter or their authority to manage a classroom.” Their recommendations for responding start with the belief that:

These situations need to be addressed; need to be addressed actively, issues need to be surfaced without blame, with inquiry, and with the discussion of impact. How is this impacting us, who is shutting out in a faculty member that when can be in inquiry posture and also I think paying attention to how our own social identity impacts what we can do. (PU Addressing Incivility in the Classroom)

The identities tool is helpful in understanding the final statement and speaks to their recommended strategies for responding by considering “our own social identit[ies].” Furthermore, recommending a position of inquiry rather than control or dismissal suggests a shift in the practices within the institution. While not formal policy, this guidance originates with faculty, giving it greater weight in the minds of other faculty. Their guidance goes on to encourage faculty to acknowledge “diversity and students of color and white students and men and women,” naming various identities that they want faculty to acknowledge and consider in their responses.

PU details intentional prevention strategies to prevent “student-student disrespect in your classroom.” These guidelines appear to intentionally incorporate identities into the discourse.

Some examples include:

- Highlight the importance of respecting others’ perspectives, avoiding generalizations, and being careful not to ask other students to ‘represent’ a group you perceive them to belong to.

[and]

- While speaking in class, mark as particular to only *some* students experiences that many may assume are shared by *all* (e.g., living in a house, being cared for by two parents, regularly taking vacations). You can use phrases such as, “For those of you who have been on an airplane,” or “If you grew up with siblings to whom you were biologically related...” This can help normalize and destigmatize experiences that are possible points of marginalization for your students.

[and]

**Help students develop awareness of multiple visible and invisible identities in the classroom.** This can take pressure off underrepresented students to play the role of those who “have” race, sexual orientation, a concern with ability, etc.

[and]

- Respectfully challenge student comments when they marginalize or devalue another group’s or student’s perspective or experience. You might say, “Let’s consider whose perspective that comment leaves out.” Or “You might not realize how those words sound, but here’s what I hear when you say them...” (PU Preventing Student-Student Disrespect in your Classroom, pp. 1-2)

These components all call in the identities and considering the role of context. Applying the identities tool indicates how these phrases all pull in context and consideration that dominant narratives are not universal. While this continues to put faculty in control of the conversation, it still positions them in conversation with the student rather than just talking at the student. This strategy helps to work against concepts of white ignorance, by bringing in multiple perspectives to the broader discussion.

The broader campus discourse includes incidents that appear to have occurred in 2021 during online settings. One specific event included a “zoom-bombing” incident directed towards an event for Asian American and Pacific Islander (AAPI) students. During this event, individuals “caused a significant disruption to the event with racist and explicit remarks” that caused the

facilitators to end the event quickly (PU [redacted] hosts rescheduled anti-Asian hate, mental health event, p. 2). The news story that described this event and the subsequent response discussed the impacts, and revealed the way that the campus experienced the event. Two of the interviewees stated:

“We were forced to end the event abruptly and, I know I can speak for myself, I was quite shaken by this intrusion, and we wanted to acknowledge how this event was traumatic for us, as well as for many of our participants”

[and]

“I think one of the things that this (incident) brought up for me is this whole idea of racial trauma or historical trauma,” [redacted] said. “It brought up overt experiences with racism, brought up feelings of uncertainty, or lack of control in the world. But, like I mentioned on the actual day that all this happened, I really do believe that we are resilient people. The lesson is that you can’t shut us out – we will continue fighting (and) advocating for justice.” (PU [redacted] hosts rescheduled anti-Asian hate, mental health event, p. 2)

The practices tool helps reveal how the campus community responded, including rescheduling the event and directing counseling resources for impacted individuals and other members of the AAPI community. Within the news story, the language indicates an understanding of the impacts on the AAPI community, and the willingness to name the harm and historical context. A willingness to engage with this context indicates a campus culture willing to name these power structures and the injury to minoritized communities, including the nuance present in the AAPI community.

Sebastian named their experience of “disequilibrium” attempting to balance their holistic approach to interactions with students with the formal nature of the process. They describe their approach to this work as “work within a ‘with’ framework. And as opposed to a ‘to’ framework doing things to students or, or ‘for’ framework doing things for students” (PU Interview Final, at 9:19). Using the practices tool gives insight into the way that this choice appears to intend to shift the discourse from one that leans on formal structures to one that is more collaborative and creates a partnership with students. They further describe their approach, stating that:



So for example, it looked like seeking to understand their experience, it looked like taking their lead in exploring the, their perspective of harm that may have been created, both experienced by them, and helping them think through harm experienced by the community...And then, of course, you know, building in elements of shared decision making, you know, asking them, asking the students you know, what do you think would be reasonable here in order to make things right, what would you be willing to do in order to make things right? (PU Interview Final, at 9:19)

This approach, per the practices tool, leans towards centering students in the discussion and understanding context. These aspects counter white ignorance, which avoids consideration of context and identities as well as engagement with students. Within the broader discourse, students appear to express to Sebastian their concerns about identities not being considered. Sebastian also expressed the way that these students identified identities beyond those some of the explicatory documents considered, including “mental health and emotional concerns” and their identity “politically.” The students experiences, while different, included feelings of being discriminated against. Sebastian explained:

Their fact patterns were entirely different. But both of them expressed feeling, well, I mean, they use the word discriminated against, I recall hearing, you know, both of them, one of them was related to COVID. So one of them expressed discrimination based on their identity, racially, but also their identity politically. So that came out. The other one was based on that was the one that was mental and emotional health concerns, threats of safety. Part of that was they that particular student expressed that essentially that everybody was against them. And part of the reason that people were against them is because of their racial identity. That nobody was helping them. Nobody was supporting them. Which, objectively, objectively wasn't true. Of course, but I from the place that they were in that moment, it made all the sense in the world to me that they would only be able to see what they could see because of the vantage point that they had. You know, and so probably did feel like they were experiencing some oppression there because, you know, they were experiencing some barriers. (PU Interview Final, at 41:22)

The observation of students feelings, “that nobody was helping them. Nobody was supporting them,” suggests that even if the participant is making steps to integrate context, students do not experience it. The significance tool, using the word “nobody” indicates a level of hyperbole that is still the reality for students.

### ***Applying the “Frame Tool”***

In applying the frame tool, I compare the information I learned in reviewing news articles about the campus and other sources alongside the information about campus discourse about disruption. I engage in this reflexivity in order to ensure that there are not aspects of discourse that may suggest other interpretations of the data. PU’s campus discourse appears to include a tension between innovative opportunities and legal resolutions for campus conflicts. Meanwhile, the campus discourse around disruption includes policies and practices rooted in historical baggage. These tensions appear to be in alignment, suggesting that there are not additional data points which would impact my analysis. I conclude that in light of this my analysis is accurately reflecting the available data.

### ***Protostar University Summary***

PU appears to be navigating their historical institutional baggage around disruption. The policy structure has general policies from high level administrative levels, leading to more specific policies farther down the institutional reporting structure. The general prohibitions at the campus level and more specific within programs is unsurprising, given the size of the institution. The campus discourse suggests that having a broad policy and funneling down to individual program policies is intended to give greater control in the context of a decentralized program. PU also leans into using explicatory documents to describe and expand on the limited disruption policy but does not incorporate the explanation into the policy itself. Of the participating institutions, PU has the most robust network of policies for administrators interested in pushing back against the broader discourse to work against. However, Sebastian acknowledged that they are not interested in redefining the policy at this point because it is sufficiently flexible for them to operationalize it in the way they want.

## Enterprise University

Enterprise University (EU) is a mid-sized, four-year public flagship university in the Pacific Northwest. My review of EU's website reveals that their enrollment is approximately 13,000 students, including graduate and undergraduate students. Table 11 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 11**

*Enterprise University Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	3.0%
Hispanic/Latino	17.4%
Black or African American, non-Hispanic	3.9%
White, non-Hispanic	50.7%
American Indian or Alaska Native, non-Hispanic	0.5%
Asian, non-Hispanic	4.2%
Native Hawaiian or other Pacific Islander, non-Hispanic	1.0%
Two or more races, non-Hispanic	8.3%
Race and/or ethnicity unknown	11.0%

Like other institutions participating in this study, I reviewed approximately 200 news articles from Google. While the majority of the reports involved athletics, other topics involve institutional responses to financial issues. One story details concerns regarding budget projections past 2023, suggesting that the institution is under pressure in advance of possible staffing and budget cuts (EU – Budget Concerns, p. 2). In response, at least one staff member allegedly went to the student newspaper office and took away a stack of newspapers to throw away because he was upset (EU – FIRE Report, p. 2). These two articles suggest the tension

between students and institutional leadership, indicating one point of conflict in the campus community. In an interesting intersection of the two themes, another story discusses multi-million dollar improvements to athletics facilities, a point in stark contrast to the less than positive financial outlook for the institution (EU – Athletics Facility, p. 3). Beyond this conflict, there are specific instances of minoritized communities being targeted, including an instance of burned LGBTQ Pride Flags where a student stole and then burned a Pride Flag belonging to a student group, leading to members of the campus community circulating a petition to punish the accused student (EU – Burned Flag, p. 2). The broader context for EU appears to indicate that the campus itself is under pressure from within by students and faculty, and from without due to community and financial pressures. The institution size and prestige add to the pressures that administrators face.

I reviewed the institutional disruption and housing policies. I also obtained copies of materials regarding how to report behaviors. While I conducted a thorough search of the institutional website and general web search using a Google search engine to search for terms including “disrupt\*,” “incivil\*,” and “conduct,” I did not find additional documents or websites explaining or detailing the operationalization of institutional disruption policies. As a result, my subsequent analysis of EU’s discourse is limited relative to other participating institutions. In addition to these resources, I conducted an interview with a representative of the institution, Brody, who has responsibility for administering their student conduct code. I applied my theoretical framework to these documents to better understand the institutional discourse around disruption on campus.

## ***Defining Disruption***

EU's disruption policy is unique in that it is incorporated into the state law of where the campus is located. Their policy defines "disruptive or obstructive conduct" as:

conduct, not protected by law, that interferes with, impedes, or otherwise unreasonably hinders the normal teaching, learning, research, administrative, or other functions, procedures, services, programs, or activities of the university. The term includes disorderly conduct, breach of the peace, violation of local or university noise policies, lewd or obscene conduct, obstruction of pedestrian or vehicular traffic, tampering with student election processes, or interfering with the orderly conduct of university investigations or disciplinary proceedings, including interfering with or retaliating against any witness, party, or other participant. (EU Code Language)

In addition to the stated institutional policy, the interview participant noted that there is a disruption policy related to quiet hours/noise ordinance that they code as disruption as well. The policy states that:

the City of [redacted] has a noise ordinance, which is enforced by University Police. Residence hall community quiet hours are 10 p.m. to 7 a.m. daily and are consistent with the city noise ordinance. Students in violation of the noise ordinance may be cited by police and/or face university disciplinary action. Residents are responsible for maintaining a noise level satisfactory to other community members. (EU Code Language)

Beyond the stated policies, Brody shared details about how members of the campus community define the policy. In our discussion, Brody agreed with a conceptualization of two different buckets of reports – a larger bucket of noise violations and a smaller one of campus or classroom disruption. Non-noise disruption includes individuals feeling threatened or disrespected, and students failing to comply or acting aggressively. There were no other written policies defining disruption at EU for me to review.

## ***Dehumanization through Adversarial Systems***

One aspect of EU's discourse around disruption is the way that noise is considered part of what constitutes disruption. The noise policy in the residence halls incorporates legal definitions based on city noise ordinance. However, the language and steps detailed in the policy suggests

the ways that using the policy dehumanizes students. The connections tool reveals that the first components of the policy draw intentional links between the noise policy and city ordinances, as well as from the policy to EU's code of student conduct. The most telling component of the policy is the statement about what happens if noise is audible beyond the room: "If noise is heard beyond the room walls and door, residents are responsible." In three words, the policy strips away context and the individual, and instead makes a direct statement that a student is responsible. Applying the identities tool, it is notable that the policy language also takes the violating student and places them in a subordinate position from the reporting party. EU does give opportunity for mediation, but the dynamic the policy details in advance still creates a scenario whereby the reported student is starting from a disadvantaged and dehumanized position, their perspectives automatically subordinated to that of the reporting student and staff.

### ***Legal Structure as whiteness***

EU was unique amongst the participating institutions because their student conduct code is part of state law, rather than simply institutional policy. Their code language names specific spaces where disruption can occur. Applying the politics tool to the order indicates what is most important to the institution, and what spaces need to be protected. The first three are spaces of faculty power, "teaching, learning, research," which makes sense given institutional focus on education. The framing of these spaces within the context of the law emphasizes the ways that legal structures protect systems of whiteness. Similarly, the significance tool reveals the leveraging of white norms, modifying the "teaching, learning, research..." functions with the term "normal." Calling out the idea of norms calls to mind the normative nature of whiteness within the higher education context. The intentional use of this term suggests that non-normative functions might be acceptable to disrupt, while the status quo (read "whiteness") should not. The

policy incorporates other behaviors and uses specifically legal terms to describe them.

“Disorderly conduct, breach of the peace, violation of local or university noise policies, lewd or obscene conduct...[and] interfering with the orderly conduct of university investigations or disciplinary proceedings, including interfering with or retaliating against any witness, party, or other participant” all name legal concepts that are subsequently folded into the broader disruption policy. The specific use of a concept such as “breach of the peace” is something that the significance tool is useful for understanding. “Breach of the peace” has meaning from a legal perspective, and the naming of “peace” is similar to the above use of the term “normal” in that they both speak to the status quo (“whiteness”). The subsequent incorporation of legal policies such as “local or university noise policies” also pulls in legal frameworks. Finally, the incorporation of prohibiting interference with disciplinary processes is similar to other institutions. Codifying a prohibition from interfering with the process, itself a legal framework for upholding whiteness, appears to be a choice designed to protect the very system that may be used to harm BIPOC individuals.

Positioning the student conduct policies within the context of state law is another way that the policy is further rooted in legal systems. The requirement to go through the lawmaking process requires engagement with legal counsel any time they would like to change the policy, in addition to working through the state legislature to create the changes. Brody names that going through the state legislative process:

has been the most restricting part...To get language tweaked or changed...I always try and have our AAG involved as early as possible...and so sometimes that’s inviting him to sit in on those meetings (policy change advisory committees) and be like ‘here’s what we’re proposing’ and let him respond back to the advisory group on why we can or cannot do [a change]. And sometimes that goes well and sometimes it’s left as a vague ‘well, we might be able to’ in that group and then comes to me [and says] ‘no, we can’t do that’.  
(EU Interview, p. 11)

The politics tool is helpful in revealing where power for decision making lies in this situation. Because of the discourse surrounding the policy, individuals with legal authority such as an assistant attorney general (AAG) have the final say in what EU can do. The broader meaning for the campus community then shows what the institution thinks is most important – legal compliance.

One of EU's websites details how to report "behaviors of concern" including "academic dispute resolution" stating:

Support and conflict resolution services, such as communication coaching, mediation, and/or facilitated conversations for disputes or difficulties between faculty and students. Disputes or communication difficulties between faculty and students needing mediation, conflict resolution advising, and support. This does not include academic concerns appropriate for [redacted] or instances of academic dishonesty. (EU Report Behaviors of Concern\_[redacted], p. 1)

The language specifically pivots away from academic integrity issues, and instead offers resolution services for "communication coaching, mediation, and/or facilitated conversations" for conflicts. The relationships tool indicates a practice for flattening of the power relationship between faculty and students, offering a space for mediation rather than preferencing one individual over another. Given the other ways policies reinforce power structures, this practice is a strategy for responding to the other ways dehumanization occurs through processes. In a flowchart at the end of this website, EU shows the way that concerning behaviors are routed through institutional structures, as visible in a flowchart posted online. They define "concerning behavior" to include "harassing or bullying comments or behavior" and "potentially harmful behavior" as "disruptive behavior that stops university operations or teaching and/or makes others feel threatened." Applying the sign symptoms and knowledge tool to both of these phrases gives wide latitude to the reporting individuals. This lack of specificity, without defining terms like "harassing" or "threatened," gives faculty and other reporters the ability to define and refer



students based on their personal feelings. Similarly, the politics tool can be applied to the concern about “behavior that stops university operations.” Privileging university operations is certainly important to ensure that the institution continues to function. However, this restriction further puts power in the hands of faculty and the institution over students. Directing faculty and staff to report students into systems, including calling law enforcement, feeds students into controlling systems in a way very similar to the K-12 discipline system and the criminal legal system.

### ***Policies as Control***

One artifact I located was a presentation from 2012 by a former conduct administrator. The presentation remains live on the University website and explores strategies for managing disruptive behavior. EU gives examples of disruptive behavior, including:

- The student who talks incessantly while you are delivering a lecture;
- The student who loudly and frequently interrupts the flow of class with questions or interjections; or
- The student who becomes belligerent when you confront his or her inappropriate behavior in class.
- The student uses unauthorized electronic equipment while in class (cell phone, I pod, etc.

It is important to differentiate disruptive classroom behavior (that which directly interferes with the ability of the instructor to teach or the ability of other students to benefit from the classroom experience) from behavior that is merely rude or uncivil. While the latter may become disruptive when it is repetitive or persistent, it usually is best addressed by meeting privately with the student to explicitly identify inappropriate behaviors and request that they cease. Students who persist in continuing these behaviors, after having them brought to their attention, risk being disciplined for disruptive behavior (EU StudentRightsResp\_[redacted], p. 21)

The practices tool helps inform how these specific behaviors clarify the behaviors that faculty should look out for while teaching. They also outline the way that faculty should control their classrooms. To their credit, they clarify that “it is important to differentiate disruptive classroom

behavior...from behavior that is merely rude or uncivil.” Brody confirmed that these were the kinds of behaviors that they see being reported, sharing:

We do also on occasion, but much much more rarely get situations of disruption being individuals being reported by and more often it’s by employees. So faculty or staff who they feel are being disruptive or obstructive to the classroom setting or the office setting. And that could be people that they’re describing as being loud and belligerent, could be people who are coming in who are being aggressive or using expletives in a situation. A lot of it tends to be very subjective by the individual reporting coming in their feeling of this is disrupting my office, my classroom, my flow of things. (EU Interview, p. 5)

In the presentation, they recommend “meeting privately with the student to explicitly identify inappropriate behaviors” rather than refer students into the conduct process. This practice works to redirect students from the administrative process and instead focuses on engagement with students. However, on the next slide they invite faculty to:

Consider what your limits of acceptable conduct are regarding lateness, sleeping in class, use of cell phones, alarm watches, eating in class, unrelated talking in class, etc. You have a right to set forth what is acceptable or unacceptable in your classroom. Enforce your guidelines in a consistent and equitable way. (EU StudentRightsResp\_[redacted], p. 21)

Given the other policy language, this guidance places power again in the hands of faculty. This further gives them significant flexibility in defining appropriateness without consideration for context or whether these controls align with systems of whiteness. The subsequent expectation about consistent and equitable enforcement is then similarly in conflict. By failing to consider the possible impacts of context, the faculty member is left to instead apply these expectations equally. Equal application is aligned with consistent application but does not offer equitable outcomes. Instead, faculty are given the ability to minimally consider underlying student experiences or identities that lead to particular behavior. While this is an easier practice, it is also an oppressive one.

Brody confirms that these reports “tend to be very subjective by the individual reporting those coming in their feeling of this is disrupting my office, my classroom, my flow of things”

(EU Interview, p. 5). In fact, students appear to often share that they question whether or not an incident is brought to a student conduct administrator because of their identities. Brody named that:

anecdotally more often than not the people reporting are not the same identity as (the reported students). And so feel that it could be targeted based on their identity. Like “they’re reporting me saying I was disruptive of I was being aggressive. And I wasn’t. I was just talking.” And so there’s that piece there where they feel like that’s the case and feel like they weren’t being heard or listened to. (EU Interview, p. 6)

The identities tool helps reveal how this power relationship seems to put white faculty in a position of referring BIPOC students for violations, further leveraging their identities into these spaces. This dynamic plays out in the individuals who operate the student conduct system. They name that:

It depends on our staffing to right now in our office and, most of the time our office is predominantly white individuals who are in this office, even our Residence Life staff are...predominantly white. I will say the interesting part, I don’t know if it has to do with the level of things that our office will see especially coming from housing. We will have students who come forward more frequently and share their concerns as a BIPOC individual and the experiences. (EU Interview, p. 7)

BIPOC students are only willing to disclose their concerns about bias in some interactions with a staff member, depending on the staff members’ institution positionality. BIPOC students appear to be more willing to disclose concerns about being targeted due to identities to individuals in the main student conduct office, where the same disclosure does not happen in discussions with other professional staff. Because the main student conduct office is positionally more powerful than the individuals who may be in housing, the dynamic appears to acknowledge the ways that power gathers within the institution. In this instance, students appear to acknowledge the dynamic in their campus discourse that the main conduct office has more positional power. Additionally, Brody names that while Residential Life staff are often entry-level staff with limited experience, those who work in their main student conduct office have more experience

and intentional education about the role of bias in systems. These factors, explained through the practices tool, reveal how the underlying discourse clarifies student perspectives. As a result, students appear willing to name their experiences of bias and clarify that they are also not isolated experiences on campus. Despite this dynamic, Brody interprets BIPOC student's expression of their experiences with conduct administrators to be "possible allies," stating:

For our BIPOC like, this is not the first time this has happened, whether it be here or elsewhere. And so really unpacking some of those pieces and trying to again recognize the impact it has on them and explore this but also making sure that we are helping make them aware of their resources that are out there, that're outside of our office. So they know they can go there that is separate from our process or what our roles are, they're here to support you but also my role is to be this neutral party, determine based on the evidence. (EU Interview, pp. 7-8)

Applying the sign symptoms and knowledge tool is helpful to understand this framing, where members of EU understand members of the student conduct office to be situated as neutrally positioned within the institution. This positioning gives the office power within the campus discourse. The choices about application of policy and process remain aligned with ensuring the maintenance of existing power structures.

Control also appears to manifest in the relationships between departments and who has the ability to create change. Brody named elsewhere the unique dynamic of EU's code of student conduct being situated within state law, placing control for revisions outside of the institution. Similarly, they named that the housing policies, which involve a significant number of referrals because they include on campus noise disruptions, lie outside of their control as well. They share that:

sometimes it can be very challenging because...the housing policies, we can give feedback but we don't own them. And so depending on how the wording is, can be either very specific and confining of like, there's no grey area, it's like very much this or very much this. And that can be challenging but also can be helpful because there's not any subjectivity to it. (EU Interview, p. 9)

Applying the politics tool is indicative of where control for the actual policy making lies.

Interestingly for EU, this appears to remain outside of the student conduct administrator's office and instead in other entities on and off campus. While this may not be an obvious part of the broader campus discourse, Brody did name that this dynamic becomes challenging when their staff has to be responsive in student conduct proceedings to students while lacking control over the policies themselves.

Brody indicated that within the broader campus context there are conflicting expectations about how the campus discourse plays out. Students express to members of EU a desire for less restrictive policies and better facilities (in the case of noise) to mitigate disruption. From an application of the politics tool perspective, this reveals a desire to decrease restrictions on students and increase their agency within the institution. Faculty and staff appear to have a different perspective, with Brody sharing that:

From the community...they want it to be more broad...They want to report that they feel is disruptions, that they want our office to be able to do something about...The conversation is...‘that’s not a violation of the policy.’ We walk through it much differently, but they’re like, well, then, what would this be? And you’re like, ‘well, that wouldn’t be anything like, they can say those things, or they can do those things, and it’s allowable for these reasons’...from key faculty or staff in areas [say] ‘we want this to encompass this thing. Like we want this to be more regimented and encompassing of anything that we feel is disruptive.’ (EU Interview, p. 10)

Applying the politics tool helps to understand what the individuals in positions of power on campus think is important – being able to exert their controls over the classroom. Their desire for broader, more expansive ability to report incidents indicates their goal to maintain their control over the classroom and research setting. Their response to a check on their power from the conduct administrator appears to be to agitate for more control rather than change their approach to be more inclusive. Brody named that when these faculty do not get what they want, sometimes they participate in the normal rule-making process detailed elsewhere. In other cases, they go

“radio silent.” The ability to choose to engage or not is itself an exertion of control, and a practice that reveals a significant difference between reporting faculty and staff and the students they report – the ability to choose their involvement in the process.

### ***white Ignorance***

EU has a limited number of explicatory documents that reveal the ways that the institution operationalizes their disruption policy, particularly in the classroom. One website, written by a faculty member and posted to a part of an academic college website, appears to be largely defunct. However, they do include statements about the value of their explanations, one of which offers insight into the broader campus discourse. They indicate that:

Many professors are surprised to learn that...

- > There are well-defined instructional techniques that make teaching more effective
  - > These techniques can be introduced slowly and methodically, without compromising coverage of the syllabus. They do not require large expenditures of money, time, and effort.
  - > Most importantly, the techniques have been validated by careful, documented, repeatable research. Their effectiveness is not simply a matter of opinion. They work!
- (EU Reference to Teaching and Learning STEM, p. 1)

The significance tool, applied to this statement and language, indicates some of the institutional discourse values. First, the modification of the entire statement with “most importantly” gives an alert to the reader that what is to come takes priority over the other statements. While other things are important, this is the “most.” Second, while the writer does not explain the “by who,” there is an intentional use of the term “validated,” suggesting to the readers that there is expertise behind the techniques. This suggests that, for the reader in this campus community, demonstrating that recommendations are rooted in robust research or evaluation is important. Saying then that “their effectiveness is not simply a matter of opinion” itself seeks to invalidate non-academically researched perspectives and further strengthen the importance of “careful, documented, repeatable research.” The final statement that “they work!” indicates an imperative

for the reader and shifts from the value of research to the applicability of that research. Taken together, this statement appears to indicate that within the broader campus discourse, community members privilege particular ways of approaching knowledge rooted in academia and empirical research, rather than practice or individual context.

Brody offered insight into one reason members of the community rely on reporting to respond to disruptions. They stated that for noise cases students tell staff:

“I’m annoyed...I just wanted someone to ask them to be quiet and I, I didn’t like it.” they’re very conflict averse...“I didn’t want them to get cited by the police or get in trouble. I just want someone to...tell them to turn it down. And I didn’t feel comfortable being the one to do [it]...I don’t feel comfortable or have the skill set to come and address the situation.” (EU Interview, p. 5)

Application of the practices tool gives insight into the ways that this behavior is indicative of one reason students choose not to engage in dialogue with each other. This reliance on control structures for managing conflict is aligned with common practices of whiteness, where policing instruments serve to exert power on BIPOC students. Similarly, the refusal to engage in conflict to solve a concern is itself a particularly white way of moving through an experience, focusing instead on the individual’s rights rather than what it means to be part of a community. Within the context of classroom disruption, Brody named ways that faculty and staff report disruptive behaviors. While they named that some behaviors may involve threats, Brody was specific that these would not in their opinion constitute disruption. Other behaviors, including:

frustration and an anger because they felt disrespected. The person wasn’t following...directions. They weren’t quieting down. They weren’t leaving the space...[and] a feeling of disrespect for the person who feels like they are in a position of authority and responsibility for the space. (EU Interview, p. 5)

The concept of disrespecting a person in authority is itself rooted in systems and structures of whiteness and relies on an expectation that there are these power dynamics in the classroom setting. Rather than creating collaborative environment, this understanding of the power dynamic

leans into greater control for faculty. The sign symptoms and knowledge tool, applied to terms like “disrespect,” indicate a common language for situations where the power of whiteness plays out in the classroom space. Brody explicitly named this - “they were using their position of power.”

Within the context of student meetings, Brody indicated that there is a difference in what white students feel compelled to share in their meetings versus BIPOC students. They stated that:

the white students do not necessarily feel the need to explain their experience...[however] our BIPOC students explaining this is the norm of this is what I was raised with or these are the things I saw growing up. And so then having feeling like they have to explain why their experience or what they were trained or their values or whatever may be, how they feel like that is different than what they’re being told. And you don’t see that with the white presenting students. (EU Interview, p. 8)

This dynamic is an excellent example of white ignorance. The politics tool is helpful to understand that within the higher education context, white students experience is considered universal and without needing to explain it. BIPOC students appear aware that their experiences are not considered “typical” within EU’s context and suggests that the campus discourse includes this understanding. Brody names that their strategy for managing white ignorance, in addition to apparent disproportionality in reporting is to incorporate training and discussion about equity issues and disproportionality in student conduct. The practices tool reveals this as a strategy for administering the process and managing the team within their broader campus discourse.

### ***Applying the “Frame Tool”***

In my review using the frame tool, I consider whether there are data in the broader context for EU that would suggest that my analysis of the campus discourse about disruption that would change my analysis. Within the broader context, EU is navigating pressures from within my community members and from without by the surrounding community as well as financial pressures. Legal experts control and maintain faculty power through the campus discourse about



disruption. My application of the frame tool does not reveal that the evidence I have reviewed contains information that would contradict my analysis. Thus, I conclude that my analysis remains sound within the context of the available data.

### ***Enterprise University Summary***

EU exists in a hyper-legal framework of policies that orients power in the hands of legal experts and faculty. The campus discourse appears to privilege faculty control in the classroom, giving them wide latitude to make decisions about what is disruptive. Students appear to see staff as having the power to respond to issues of bias, though the power structures do not give these staff the tools to actually change the policy itself. There is also a paucity of explicatory documents, indicating that there are limited resources for members of the community to rely on to understand disruption. The subsequent reliance on the code itself indicates a campus discourse where student conduct administrators deal with issues of bias on the edges but lack the power and authority to enact actual policy change.

### **Voyager University**

Voyager University (VU) is a large, four-year public university located in a large urban area in the Midwest. VU's website reveals that their enrollment is approximately 15,000 students, including graduate and undergraduate students. Table 12 shows the race and ethnicity breakdown for the undergraduate campus population.

**Table 12**

#### *Voyager University Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	2%
Hispanic/Latino	3%
Black or African American, non-Hispanic	13%
White, non-Hispanic	70%

American Indian or Alaska Native, non-Hispanic	<1%
Asian, non-Hispanic	5%
Native Hawaiian or other Pacific Islander, non-Hispanic	<1%
Two or more races, non-Hispanic	2%
Race and/or ethnicity unknown	5%

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Like other institutions participating in this study, I reviewed approximately 200 news articles from Google to better understand the context within which the VU is situated. Many of the news articles discussed growth of programs and elevation of the institution’s national profile (VU – Economic Impact, p. 1). In the local community, VU is involved in programs such as expansion of the regional airport, connection with local K-12 schools, and visual and performing arts programs. In one example, the principal of an elementary school shares the close connections between the institution and their experience as a leader in education (VU – K-12 Involvement, p. 2). Furthermore, there appear to be a number of events on and with campus supporting BIPOC, LGBTQ+, and other minoritized students, indicating a level of engagement within the community. However, there are also incidents of vandalism based on group political perspectives, specifically an incident where a pro-life group’s memorial was vandalized (VU – Prolife Group, p. 2). VU appears to also have a robust media presence from the institution in the form of a blog. The articles they post detail events and programs on campus, including staff wellness events, a DEI accelerator project, and partnerships with large companies such as Amazon.com. Taken together, it appears that the campus community is closely integrated with the local community. Members of the campus, including faculty and students, appear to regularly engage in the broader local discourse, suggesting an investment in the wellbeing of the community.

Beyond the institutional disruption policy, I reviewed two institutional housing policies related to disruption, the student conduct policy and proceedings, and the staff policy regarding community disruption. My review of internet resources did not yield additional documents or resources, and my review of the campus websites did not yield additional explicatory documentation. In addition to these resources, I conducted an interview with a representative of the institution, Toby, who has responsibility for administering their student conduct code. During my interview the participant and I were not able to complete all of the interview questions. I provided them with a copy of my interview questions and invited them to submit any additional context and information for the questions I did not have an opportunity to ask. Finally, I reviewed the student conduct case data for disruption cases to better understand the reporting patterns. Table 13 shows the demographic breakdown of case data by identities that Toby was able to provide:

**Table 13**

*Voyager University Student Conduct Data*

Accused Race/Ethnicity	Informal Resolution	Responsible	Not Responsible	Grand Total	Percent of Reports
Asian	0	0	2	2	0.7%
Black/African American	23	22	13	58	21.4%
Hispanic/Latino	3	4	4	11	4.1%
Multiple Race/Ethnicity	5	6	1	12	4.4%
White	33	27	19	79	29.2%
International	1	4	0	5	1.8%
Not Specified	48	49	7	104	38.4%

The demographic labels do not perfectly match up with the IPEDS data. However, this breakdown still gives insight into who members of the campus community report for disruption issues. Black or African American students appear nearly twice as frequently in reports than they are represented in the campus community. Interestingly, white students appear significantly unrepresented in reports, while “Not Specified” is significantly overrepresented compared to their campus population. I applied my theoretical framework to these documents to better understand the institutional discourse around disruption on campus.

### ***Defining Disruption***

VU defines disruption in two separate statements within their student conduct code. The two statements about disruption defines possible disruptive behaviors as:

Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus.

[and]

Disruptive conduct. Conduct that creates a substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities that occur on campus. (VU Student Code of Conduct)

Together, these statements offer duplicative definitions of disruptive or obstructive behavior. The definitions themselves are similar to those used by other institutions, themselves aligned with the Stoner and Lowery (2004) and NCHERM (2014) model policies. Within the broader campus discourse, there is a staff disruption policy that links free expression and unauthorized occupation of campus spaces with disruption. With regard to free expression, the policy states:

Right of Free Expression -- [VU] will at all times defend the right of free expression of opinion, including the right of peaceful assembly. The University will, indeed, guard this right in behalf of all persons associated with the institution and will not tolerate actions by any individual or group that would seek to restrict the appropriate freedoms of any other individual or group. (VU Staff Disruption Policy)

Similarly, unauthorized occupation interfering with “normal and regular activities” appears prohibited. The separate policy offers further clarity stating:

The University will not allow any unauthorized occupation of University facilities, nor will it permit interference with its normal and regular activities. Discussion of issues within the University will in no circumstances be conducted under any form of duress. Attempts at unacceptable building occupation or interference with University business will be dealt with in a manner necessary immediately to relieve the situation. Any faculty, students or employees engaged in such activities, will face immediate suspension, and may suffer ultimate dismissal. (VU Staff Disruption Policy)

VU's response appears to be to leverage their power and threaten separation from the institution.

Together these policies appear to show the policy backbone of VU's disruption discourse.

Considering the politics tool, this policy is using language to prohibit activity that the campus considers disruptive within specific facilities. Such strong prohibition, modified by the threat of separation, indicates how VU's discourse is built on a framework of fear, making disruption in specific settings punishable with dismissal.

Toby offered additional insight into the definition of campus disruption. They stated that historically there was inconsistent application the disruption policy. Reports of disruption include domestic disputes in dining halls, students having emotional outbursts when arriving late to a final, protests about campus speakers, and disagreements about vaccine requirements. In my review of the student conduct data, the vast majority of reports originate within the residence halls, followed by public spaces and classroom, respectively. Taken together, this information helps define how VU frames disruptive behavior.

### ***Dehumanization through Adversarial Systems***

VU's code of student conduct foregrounds sanctions early in the policy, even before a discussion of how administrators review cases or the definitions of misconduct. The policy itself begins with a preamble followed by the definitions for individuals and groups within the process.

The preamble states:

The following rules of procedure in student or student organization conduct matters are hereby adopted in order to ensure insofar as possible and practical (a) that the requirements of procedural due process in student conduct proceedings will be fulfilled

by the University, (b) that the immediate effectiveness of [redacted], which is Article V of the Bylaws of the [redacted] relating to student conduct and sanctions may be secured for all students in [VU], and (c) that procedures shall be definite and determinable within [VU]. (VU [redacted] Rules of Procedures in Student or Student Organization Conduct Matters, p. 1)

The sign symptoms and knowledge tool is particularly helpful in understanding the importance of legal frameworks. From the start, VU places legal compliance with concepts of due process, policies, and the subsequent punishment in the foreground of the discourse. The third section then details the sanctions available for administrators to impose on students. The significance tool indicates the relative importance of components of the process. The positioning of sanctions before detailing hearing proceedings indicates an interest in putting punishment before other aspects of the process. Showing what can happen to a student on the first page of the policy tells members of the community that sanctioning is relatively more important than other aspects, including the rights of a student. Foregrounding sanctions also indicates that punishment and deterrence is more important than considering the experiences of students. Putting sanctions upfront makes punishment important, further dehumanizing students in the process.

In my discussion with Toby, they detailed several ways that they work to respond to the dehumanization of students. For example, they shared how their practice incorporates context.

They indicate that:

I really like Student Conduct...I don't really consider it like doing conduct work. I really consider it more like life coaching because I approach it from a how's your experience as a human? How's your experience on campus? What are the things that are challenging for you and can I help you through those pieces and then let's talk about how the behavior that happened. What was happening for you at the time? (VU Transcript Final, p. 5)

The practices tool helps explain the ways that the participant appears to be pushing against dehumanization of students. Their emphasis on engagement with students and context indicates a greater focus on students, as a mechanism for responding to dehumanization of students.

Because they are the only conduct administrator in the process, this practice significantly impacts the campus discourse. Their ultimate interest becomes “trying to get the whole picture of not just the incident but the student and then really spending time with the student...walking through their...whole broad experience” (VU Transcript Final, p. 6). This practice also includes similar work with campus partners, where Toby works to help others understand the student’s context. In conversation with faculty and staff, Toby indicated that they often ask:

can we talk about why that is happening for the student and if that’s setting them up for success or not, and so like, as part of my work, I really do feel like I spent a lot of time trying to understand the student experience. (VU Transcript Final, p. 6)

The campus discourse includes continued engagement with members of the community to push back against the dehumanization through process of students. As the only conduct administrator at VU, Toby summarized how they can center students as people within the process:

In regards to making decisions and how to manage my process, it’s been really nice to have a lot of autonomy and discretion in terms of that and I think that’s really that has given me I think a lot of freedom and opportunity to meet students where they are individually and develop outcomes that are more specific to that person and the situation. (VU Transcript Final, p. 12)

The practices tool helps reveal the ways that Toby’s discretion plays into the broader campus discourse. Because they have “the utmost discretion” in their decision making, Toby is able to effectively ignore the policy and operate their student conduct process in a way that allows them to recenter students. Having the flexibility to navigate non-adjudicative outcomes with reporting faculty and staff gives Toby the power within the campus discourse to effectively blunt the dehumanizing aspects of a formal process to support students.

Toby also shared their observations about faculty and staff involvement. They shared that “I think faculty and staff are concerned with the health and well-being of the student that’s being disruptive” (VU Transcript Final, p. 8). Applying the relationships tool suggests that there is a broader interest in responding to incidents from a position of care, with faculty and staff seeing

themselves as caretakers. While there are also examples of disagreements between faculty and staff, and students, the broader campus discourse still frames the relationship as one of care. In contrast, other students seem less concerned about the behavior and more concerned about the impact on themselves and their student experience. Toby stated:

I don't think students report that nearly as much as faculty and staff because we are maybe more concerned about repeat behaviors and you know, the impact, whereas I think peers are probably like, okay, yeah, that happened. That happened. Do I get 10 more minutes on the exam or...how does it impact me personally? (VU Transcript Final, p. 8)

Relationships are then different between the various members of the community, and the student perspective appears to be more individually focused. Toby also named specific dynamics regarding the identities of students being reported for disruptive behavior, stating that:

I would say that the majority of students that I've seen for a behavior that I would say is disruptive have been white identifying students. And we have a very, very diverse campus. So I would say that it's actually been white students, I would say that the neurodiverse or atypical has been part of that. And I think developmentally just some it is we have students that are on the autism spectrum, so maybe they're not realizing how disruptive they're being...[and] in terms of disruptions like in financial aid...it's usually older white students. (VU Transcript Final, p. 8)

The identities tool gives useful insight into how acknowledging these identities helps to rehumanize students in the process. Specifically naming the identities of students who engage in disruptive behavior gives further evidence of the discourse considering student context and further humanizing them. That white students are being reported more frequently than their BIPOC colleagues, despite a large BIPOC campus community, suggests that the campus discourse may focus on behavior without considering identities. Interestingly, Toby names a dynamic that members of the community believe that white students could be neurodiverse but BIPOC students cannot. There are many reasons these things may be uncoupled, from the way that medical professionals minimize the health needs of BIPOC patients to the way that BIPOC students are tracked into disciplinary systems in the K-12 system. Social assumptions about



BIPOC individuals preclude considering that their experiences are part of neurodiversity, while whiteness permits that behavior can be explained by neurodiversity. This dynamic interestingly does align with my own experiences, where faculty and staff are more willing to grant grace to white students and posit mental health or neurodiversity as the explanation for disruption to their environment. In contrast, BIPOC students are more often characterized as problematic and disruptive and are not granted this same grace.

### ***Policies as Control***

VU's policy defines in two separate places within their prohibited conduct. The first states "Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus" (VU Student Code of Conduct). Applying the politics tool helps clarify what environments VU puts in a position of importance. "Teaching, research, administration, [and] conduct proceedings" all name operational functions of VU and are the specific realms of faculty and staff. Protecting these functions suggests that VU places the greatest value on non-student arenas. The second refers to "disruptive conduct" as "conduct that creates a substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities that occur on campus" (VU Student Code of Conduct). Like the first section, VU privileges faculty and staff operations without specific mention to students. The significance tool reveals how this added definition offers more information about the campus discourse. Adding "significant" to "disruption" escalates the needed impact of whatever behaviors get reported to VU for adjudication. While "significant" is relative to the reporting party, it does require that in order for a behavior to be severe enough to

warrant a response, it needs to have impact beyond a low-level disruption. It is unclear why VU includes two separate but very similar policies, beyond the minor modifications between the two.

Another policy component is the inclusion of the staff disruption policy in the broader campus policy discourse. VU defines this policy with two components – the right of free expression and unauthorized occupation. The right of free expression component begins with “[VU] will at all times defend the right of free expression of opinion.” The significance tool informs the importance of how this sentence modifies the broader importance of free expression. The idea that VU “will at all times defend” positions the VU in an adversarial relationship with those who might not be interested in free expression. In this tension, VU intentionally puts itself on the side of freedom of expression in this established conflict, suggesting the value they have for free expression. VU then argues that it “will, indeed, guard this right in [sic] behalf of all persons associated with the institution and will not tolerate actions by any individual or group that would seek to restrict the appropriate freedoms of any other individual or group.” The significance tool further informs this analysis, positioning VU as “guarding this right on behalf of all persons” and defining the relationship as a conflict. Defining the discourse as a conflict that requires institutional intervention to protect rights gives specific value to this positionality. Modification of “freedoms” with “appropriate” is also noteworthy, as this and other policies do not specify what these freedoms are. While the policy language sets up the discourse conflict, the broad language gives significant latitude for VU to make decisions about controlling students.

VU has two residential facilities, and Toby provided the community guides for each. The policies have limited content regarding disruption, but like other institutions that participated in this study do include information about quiet hours. In both instances, the policies include guidance about appropriate behavior. In both communities, quiet hours are defined as “any

activity such as playing stereos and televisions loudly, yelling, tap dancing, slamming doors, horseplay, running, or any other activity that creates a disturbance” (VU [Redacted] Community Guide, p. 19). While the context for including “tap dancing” is unclear (though amusing), the detailing of behavioral examples gives opportunity for controlling the community. The subsequent inclusion of “you are asked to exercise good sense and consideration of other at all times” incorporates further control mechanisms into the process. Applying the significance tool helps further explain the norms that students are expected to engage with. Modifying “sense and consideration” with “good” puts specific value on the terms. Within the higher education context, good is often equated with white. Thus, in this setting good sense means white sense, with white norms having priority in the institution.

### ***Applying the “Frame Tool”***

My application of the frame tool reveals a campus community dedicated to close relationships with the surrounding community. The campus events supporting minoritized individuals is aligned with the apparent efforts from practitioners to consider the experiences and contexts of students. While there remain significant legal frameworks, these exist within the larger campus tension where the campus community is pushing forward. My assessment does not reveal that there is available information that would contradict my analysis, per the use of the frame tool.

### ***Voyager University Summary***

VU has a limited policy framework for defining disruption, with a largely non-specific definition of disruption and very few explicatory documents. The policy and student conduct process exist in a highly legal framework that foregrounds sanctioning. In contrast, Toby shared that their practice lets them focus on the students involved. The broader campus discourse

incorporates this dynamic, and faculty and staff appear open to receiving feedback about how to better center student context in incidents. Rather than relying on the code, the community instead appears to push back on the process by centering students. With a diverse and non-traditional student population, this practice means that the discourse can center on the unique dynamics of their community.

### **La Sirena University**

La Sirena University (LSU) is a small, four-year private and religiously affiliated university located in a large urban area in the Northeast. LSU's website reveals that their enrollment is approximately 5,200 students, including graduate and undergraduate students.

Table 14 shows the race/ethnicity breakdown for the undergraduate campus population.

**Table 14**

*La Sirena University Undergraduate Demographics*

IPEDS Classification	Percentage of Undergraduates
Nonresident	2.78%
Hispanic/Latino	6.54%
Black or African American, non-Hispanic	1.54%
White, non-Hispanic	77.78%
American Indian or Alaska Native, non-Hispanic	0.04%
Asian, non-Hispanic	2.67%
Native Hawaiian or other Pacific Islander, non-Hispanic	0.04%
Two or more races, non-Hispanic	1.67%
Race and/or ethnicity unknown	6.93%

Like other institutions participating in this study, I reviewed approximately 200 news articles from Google to better understand the context within which LSU is situated. LSU appears to be in

a state of expansion, with multiple articles discussing the development of new facilities and the development of a branch campus (LSU – Expansion Plans, p. 2). However, this expansion is a point of conflict, with community members filing lawsuits to prevent the expansions (LSU – Expansion Conflict, p. 4). While LSU articulates that they are working towards improvement of the community, the community at times appears uninterested in these efforts. However, there also appears to be steps in resolving campus-community conflicts, particularly given the close relationship in the broader community (LSU – Beach Living, p. 3). Within the institution, there are pressures regarding race, including a conflict regarding a Black Lives Matter flag (LSU – Black Lives Matter Flag Removed by Administration, p. 2). I describe this conflict in more detail later in this section, as it is related to the campus discourse around disruption. The institution appears to be in a state of growth and, with this growth, experiencing pressures from the local community to moderate these expansions. As a religiously affiliated university, LSU also manages the influences of the local diocese, and how religious doctrine can influence policy.

Beyond the institutional disruption policy, I reviewed the student handbook that includes a wide variety of institutional policies as well as the process for adjudicating reports of misconduct. I reviewed online resources and found one article regarding the campus community detailing a specific incident that occurred on campus. I also conducted an interview with the senior student conduct administrator on campus, Lorkoril. Despite my outreach, Lorkoril did not provide me with student conduct data about disruptive incidents. I moved forward with applying my theoretical framework to these documents and policies to better understand the institutional discourse around disruption.

### ***Defining Disruption***

LSU defines disruption within their code of student conduct of “disorderly and disruptive conduct.” Disruption is defined as:

Disorderly conduct by an individual includes any behavior that is unreasonable, reckless, causes inconvenience, annoyance, or alarm including, but not limited to, vomiting or urinating in public, reckless driving, refusing to comply with request to disburse, and trespassing.

[and]

Disruptive conduct includes any behavior that unreasonably obstructs or interferes with the normal operation of the University, creates an unsafe or hazard to oneself or others, or hinders or prevents others and/or one’s self from carrying out their educational responsibilities. (LSU Disruption Policy)

Unlike other institutions who participated in this study, this policy appears to be the only policy statement about disruption. There are other policies including academic freedom and freedom of speech, but these policies do not speak to the implications for how their exercise happens on campus. Instead the free expression policy focuses on defining civil discourse within the context of the religious values of the institution. Lorkoril named the circumstances that community members report disruption, including “noise at ungodly hours” and “non-compliance with directly [what] we tell [students] to do.” Outliers in these reported cases include instances where students engage in behavior “beyond an individual’s own control...[and] mental health related matters” that faculty and students report to the campus conduct office.

### ***Policies as Control***

LSU sets out their policy with both general and specific examples of how to measure disruption (shown above). The politics tool is helpful for identifying what the institution is valuing. The first behaviors remain general, including “unreasonable, reckless, causes inconvenience, annoyance, or alarm[ing]” behavior. Keeping the definitions general gives members of LSU’s community the power to define any behaviors in this way. The use of “including, but not limited to” is then a common legal term, and the sign symptoms and

knowledge tool highlights how this turn of phrase incorporates legality into the process. Shifting to specific behaviors like “vomiting or urinating in public, reckless driving, refusing to comply with request to disburse, and trespassing” indicates what the campus community perceives as common behaviors that need to be spelled out as prohibited. Including “refusing to comply with request to disburse” is particularly notable as a mechanism for controlling the campus community. Making failure to comply a component of disruption without any qualifications, such as whether the request to disburse is reasonable, sidesteps the question of content and legality of the request. The second section of the policy names additional specific behaviors that constitute disruptive conduct. Starting with “unreasonably obstructs or interferes with the normal operation of the University” suggests that a primary concern of LSU is keeping the institution operating. The significance tool offers additional insight, with the use of “unreasonably” suggesting a subjective opportunity for defining what is reasonable. This further gives power to members of the campus community who are exercising their authority to report concerns. Reasonability is also a legal consideration, with the “reasonable person standard” becoming a white way of defining acceptable behavior.

The second behavior prohibits creating “an unsafe or hazard to oneself or others.” Positioning the wellbeing of members of the community within this policy is instructive, and the politics tool is useful in understanding how the institution indicates caring for their students. LSU appears to order institutional operations before student wellbeing in the policy. The final behavior prohibits “hinder[ing] or prevent[ing] others and/or one’s self from carrying out their educational responsibilities.” The politics tool similarly helps clarify the ways that this framing privileges the operational completion of tasks as a critical part for defining campus disruption. While this statement defines responsibility, it remains broad enough to be dependent on the

subjective feelings of members of the campus community. Taken together, the language of the disruption policy is a combination of some specific aspects but largely remains general. Where the policy defines some aspects of prohibited behavior, it indicates what is most important to the institution, framing operation of the institution, student wellbeing, and educational responsibilities as their primary concerns.

One of the artifacts I reviewed was a recent news article regarding the way that administrators at LSU responded to an administrative office putting a Black Lives Matter flag in their office window. In response to the office posting this flag, campus leadership ordered the staff in that office to remove the flag. The required removal led to campus disruption when students expressed their disagreement with this decision. Campus administrators reasoning was that:

“[LSU] encourages intellectual debate and discourse, and expression off free speech among faculty and students...as standard practice, any signage in a public area (inside or outside a building) must be approved by a division Vice President, the department of facilities management and the department of marketing and communication to ensure compliance with zoning regulations, maintain brand consistency and minimize facility wear and tear. Any sign approved will be hung by facilities management or employees who have the appropriate tools.” [and that a] “concern came forward within 24-hours of the flag being hung asking if standard practices were followed.” (LSU Black Lifes Matter Flag Removed by Administration, p. 2)

The politics tool offers insight into the values of the institution in this scenario. While they lead with “encourag[ing] intellectual debate,” the campus leaders pivot to explaining their response as an administrative response because the office in question did not follow the rules. To fall back on protocol over values appears to be a mechanism for controlling the campus community through administrative policy. Members of the campus community responded to this move with confusion and frustration, sharing:

“Confusion and frustration because a university tied to Jesuit values took the back seat in a time when the call to action was universal.” [redacted] said. “The actions taken have demonstrated that the university has surrendered its intentions of solidarity.” After his



frustration of the University handlings in 2020, [redacted] said “hearing about these [recent] actions bummed me out...Flags can serve to unite us under a common theme and in my opinion, the theme of BLM flag represents solidarity and understanding for a historically marginalized group.” (LSU Black Lives Matter Flag Removed by Administration, p. 3)

This perspective suggests that the campus discourse is in conflict, with students and (some) administrative officers prioritizing expression of political perspectives over administrative rules, and campus leaders side-stepping the philosophical discussion in favor of administrative compliance. One of the student leaders stated that this event:

“continues to show [that LSU] only cares about minority student groups inasmuch as those groups can give them money and the administration can abuse these students for ridiculous marketing campaigns aimed at manipulating students to believe [that LSU] is something it is not.” (LSU Black Lives Matter Flag Removed by Administration, p. 3)

The relationships tool from this article indicates how these groups are interacting. Tension amongst the campus communities appears manifest in this article’s description of the incident.

There also appear to be prior incidents of bias disruption on campus, with incidents dating several years influencing the perspective that one BIPOC student articulated, sharing that:

“even though [LSU] is becoming more diverse, the students aren’t being integrated well...So it’s disappointing because I’ve had all these friends, who I thought were okay with me, happily attend this party [involving white students in blackface] to make fun of black people.” (LSU Black Lives Matter Flag Removed by Administration, p. 4)

Given this dynamic, it appears that there is further tension amongst the campus community regarding their willingness to address issues of racism. Lorkoril articulated that the campus community as a whole:

[does] not have what I consider to be a very activist oriented student body. You know, it’s one thing that I’d always hoped we would have because...it will hold administrators including myself, our feet to the fire a little bit. But our students are a bit more passive in that sense, and we’ve already sort of orchestrated ...an environment that they’re pretty happy and content, right? All the things that they want to do as college students, so they really don’t have anything you know, to complain about. (LSU Interview Final, p. 2)

Lorkoril's framing suggests that from their perspective, members of the campus community are uninterested in engaging in campus disruption because they are content. The article indicates that in fact students do not feel that the campus community is engaged in operationalizing their values, instead relying on administrative defenses for choices that reinforce the status quo (whiteness) on campus. Campus administrators' actions serve as a mechanism for reinforcing whiteness on campus, thus controlling students by creating a sense of helplessness and that the community will not change even if they act in a disruptive manner. In a rare example of a protest on campus, Lorkoril shared that:

We had some strong black students on our campus who were very...activist oriented...they held a die-in during exam week...in the vestibule leading into the library...So you got issues right here like, you know, social media is going crazy about "these students blocking me from getting into the library when I'm trying to study" you know, kind of like "the nerve of them." But then there's also this place for conversation about okay, these are students who are taking action to bring light to a very serious social media matter that probably in their mind, they didn't believe the university was bringing to the forefront. They use it to get the attention of people in the community and so on. (LSU Interview Final, p. 6)

The politics tool is helpful in parsing how this observation plays into the broader campus discourse. In this single example of a campus disruption, the student response (per Lorkoril) appears to be simultaneously ambivalence and frustration when their access to campus resources are impacted. Students appear to care more about the possible impacts to their studies than the social message these protesters convey. Policies for responding to this type of disruption then serve to further reinforce control over students to avoid disruption to their access to educational resources, regardless of if the message is consistent with LSU's values.

Lorkoril also offers how the reporting from campus faculty and staff itself includes an aspect of white supremacy that I learned from the literature review. While they identify this information as anecdotal, Lorkoril shared that the reporting parties are most often:

white females...now they are the majority population on our campus, probably. So there's some reasonable expectation that they would be the ones [who report] but in those circumstances I'm thinking about [from] this past year that I had my hands intimately in they were all white women. (LSU Interview Final, p. 4)

Applying the identities tool is useful in perceiving the ways that this dynamic mirrors reporting in the K-12 system. White women reporting student disruption, particularly the disruption of BIPOC students, is another way that the broader campus discourse may mirror systems of whiteness and white supremacy. Lorkoril's acknowledgement of this dynamic, and the way that these reporters are working to foreground whiteness, is a further way that they are working against supporting power use against BIPOC students.

### ***Toxic Neutrality***

Lorkoril named the ways that LSU's campus leadership reinforce concepts of neutrality.

They specifically share that their President:

has embraced that concept of neutrality...but that doesn't work well for non-secular, faith based institution that has a strong value system [that] has been around for over 500 years. It says we can't be neutral on certain topics, certain elements when we're talking about certain groups of people. (LSU Interview Final, p. 8)

This philosophy of neutrality, starting from the top of the administrative hierarchy, sets the tone for the larger campus community. The sign symptoms and knowledge tool is helpful for understanding how this plays out for the campus community. As referenced elsewhere for LSU, this tension with institutional values creates challenges for students. Invoking religious values as conflicting with neutrality indicates an added complexity to the institutional discourse. As institutional leadership asks the question "how are we protecting the brand," Lorkoril acknowledges that "the work we do is messy. So we got to allow for some space in there" (LSU Interview Final, pp. 8-9). This tension with neutrality also calls to mind the relationships tool, with institutional leaders intentionally or unintentionally using their positional power subordinate BIPOC and student perspectives in favor of neutrality. Similarly, faculty and staff appear to

approach application of the disruption policy from a neutral perspective that reinforces their power. Lorkoril shared that:

The feedback isn't even so much about the policy because the policy is pretty black and white. I think where we get the most feedback is perhaps more so on practice. So going back to that point that I made earlier about, someone makes a complaint. And their expectation is that we're going to remove that complaint from them, and minimize any disruption that happens against them. They conversely think that, like, I'm going to stay in my current assigned housing. I'm going to stay in that classroom or stay a part of that club or organization. You're gonna make those other aspects, other person, individual, you're going to remove that from the situation...it's really more about our practice in sort of protocol. (LSU Interview Final, p. 5)

Using the politics tool further explains the way that this dynamic reinforces neutrality. The expectation that conduct administrators apply the policy neutrally indicates an aspect of the campus discourse that reinforces systems and structures of power. Expecting a neutral response from the campus administrators without consideration for context and values further reinforces systems of white power. Lorkoril acknowledges that this is their practice - "nonetheless, in our roles...violation's a violation, the violation is reported. We have to deal with it, and we address it." A reliance on legal neutrality furthers this dynamic:

[with] a team of lawyers within [LSU] who are reporting all this stuff so that we don't totally avoid getting sued. Right. And so there's sort of this black and white nature to the policy that you want to make sure is, like, crystal clear, right? So you're not so that the policy language is not poor. But at the same time, in terms of practice, you always want to be sure, at least I always want to be sure that administrators have discretion in terms of how these actions are addressed. (LSU Interview Final, p. 7)

LSU's reliance on legal guidance is not unusual relative to other institutions. This passage reveals the tension between legal compliance and a desire for discretion. Together, the broader campus discourse appears to remain in conflict, with neutrality balanced with institutional values. In this tension, neutrality appears to win out.

## *white Ignorance*

One of LSU's policies details the expectations regarding free expression. Unlike other institutions in this study, LSU's policy does not include disciplinary guidelines for failing to comply with the policy. The statement instead details expectations for community discourse. They define civil discourse to be:

respectful and considerate of the opinions of all individuals involved. [LSU] strongly encourages speech that adheres to this mode of discourse; and further identifies speech acts that fall short of these standards of civility to be antithetical to our Jesuit and intellectual commitments. (LSU Free Expression, p. 1)

Application of the sign symptoms and knowledge tool, particularly the invocation of Jesuit values, indicates that LSU roots their policy in institutional values. Further, the use of "opinions of all individuals involved" suggests an intention to protect speech, regardless of the content and context. LSU further defines Jesuit values as:

respect the basic human dignity of all people, as we carry out our intellectual mission. Thus, we identify speech acts that denigrate the basic human dignity of members of our local and global community as both unwelcome and unprotected by free speech privileges on our campus. (LSU Free Expression, p. 1)

LSU invokes these values as part of the guiding principles for free speech, but do not include information about practically how this plays out. The significance tool indicates LSU's desire to carve out types of speech that are "unwelcome" and "unprotected" on campus. Introducing the concept of "basic human dignity" is a turn of phrase that has particular meaning in the campus community. While there is not any indication about what basic human dignity is, the inclusion in the discourse provides community members with a particular value to guide them that considers individual context and diversity, rather than erasing it.

Lorkoril offered insight into the ways that they understand the nuances of individual identities and experiences amongst students. They identified that they consider the context behind reports of disruption, acknowledging that:

some of these [behaviors] are beyond an individual's own control, I think about some mental health related matters that have come up on our campus and sort of how that has interfered with...the engagement of not only that student who's suffering.

[and]

Whether it's high levels of anxiety, or...path issues with...depression and those types of things which, some of that we say is universal, recognizing that lots of people experienced that...I made a note of some of the reporting students who came forward.

(LSU Interview Final, p. 2)

Applying the practices tool helps understand how acknowledging this distinction and the individual student's context, including mental health concerns, is a mechanism for incorporating context and countering white ignorance in process and practice. The practice of incorporating information about identities helps to put the reported behaviors into context and see students as individuals. As a conduct administrator, Lorkoril articulated their understanding of identities as well, recognizing that:

Our BIPOC students don't get in trouble. BIPOC students don't get documented. Or BIPOC students are in my opinion grossly underrepresented here at LSU as well too. So if you're going off of proportion, there's not a strong likelihood that we would even see them in our process. (LSU Interview Final, p. 3)

This statement is interesting, given that BIPOC students make up approximately 10% of the population (not including nonresident students and students where their identities were unknown). They may be pointing out that Black students only make up 1.54% of their students, while Hispanic/Latino students are 6.54%, which do seem lower relative to other groups. The additional context that they offer is that when they do interact with BIPOC students in the student conduct process, they experience those interactions as including a lot of context and discussion. They share that when BIPOC students are reported, "there's certainly a lot of emotion to it...there's an underlying story beneath it" (LSU Interview Final, p. 3). Applying the identities tool, Lorkoril is articulating how they choose to apply their power to raise attention to context. They appear to understand the role that individual identities play into the discourse, particularly given the relatively low number of BIPOC students involved. Their choice to

intentionally consider those identities and context at this very white institution appears to be a strategy for responding to their minoritized status in the institution.

### ***Applying the “Frame Tool”***

Applying the frame tool requires evaluating broader context along with the specific discourse about disruption. As I reflect on LSU’s discourse, there appears to be significant alignment between the campus discourse around disruption and the broader data about LSU’s campus. I found that there was information in the broader discourse that aligns with and informs the discourse regarding campus discourse. Taken together, there does not appear to be evidence that conflicts with my analysis. Thus, my analysis remains sound.

### ***La Sirena University Summary***

LSU appears to be a campus in tension. As a religious institution, LSU adds seemingly strong institutional values to the discourse about disruption on campus. The policy itself balances general statements about prohibited behaviors and specific examples that appear to have originated from institutional history. Additionally, the institution does not have any further explicatory documents, making the policy and statements from institutional leaders the loudest voices in the discourse. The news article and Lorkoril revealed the tension on campus with administrative leaders making decisions consistent with concepts of neutrality while the campus community aligns with broader institutional values. With a predominantly white campus population, this discourse furthers the act of minoritizing BIPOC and other non-majority students.

### **Conclusion**

Throughout this chapter I offered insight based on my theoretical framework into each institutional discourse. The data I gathered from each institution fit into their respective campus

discourses about disruption. Power manifests throughout each institution in similar ways even as their discourses are informed by their respective contexts. These common themes emerged across various discourses in alignment with my theoretical framework. I will begin Chapter 5 with a discussion about these common themes and proceed into a broader discussion about how this provides insight into the role of white power on our campuses.



## CHAPTER 5: DISCUSSION AND IMPLICATIONS

I begin Chapter 5 with a discussion about how the data I gathered fit into my conceptual framework, including common threads that I found across institutions. After then discussing my initial research questions and how these data fit into them, I turn to the possible implications for practice and how my conceptual framework reveals a possible framework for policy development that considers how to respond to systems of whiteness. I conclude with a brief discussion about limitations and opportunities for future research, as well as my call to action for student conduct administrators to intentionally revisit our institutional policies in light of our values.

### **Meta-Analysis of Institutional Reviews and Discussion**

As part of my discussion, I first revisit the initial research questions I posed. Here I address each question before turning to a broader analysis based on my conceptual framework.

1. What language do institutions use to describe disruption on their campuses?

In an example of institutional isomorphism, most of the student conduct codes I reviewed use similar language to explain how to adjudicate cases. There appears to be a chicken or egg issue – whether the Stoner & Lowrey (2004) and NCHERM (2014) codes reflect policies from other institutions or whether these institutional codes originate from these model codes. Looking specifically at the disruption policies themselves, these codes have striking similarities as detailed and bolded in Appendix H (bold not in original). The similarities include the use of the word “disruption” in the definition of disruption, as well as parallel language regarding teaching, research administration, and the concept of “normal operations.” Similarly, terms such as respect and civility appear repeatedly which feeds into the larger narrative about coded language that

perpetuates normative white expectations. Throughout these policies, there are common threads related to respect, disruption (unsurprisingly), and the primacy of relying on faculty and other reporting parties to define disruption. While there are varied differences in how institutions chose to (or not to) explicate these policies, each institution appears to foreground power over discourse. Those institutions that do not replicate the model codes still use language rooted in systems of whiteness and white supremacy, including terms like civility and respect. These terms are laden with white cultural values that subsequently become campus norms that are enforced and reinforced by disruption policies, and as I discuss in Chapter 4 serve to perpetuate the oppression of BIPOC students by foregrounding faculty control. How these policies are explained and distributed, then, becomes a key component in perpetuating inequities. The vague nature of the language means that conduct administrators at each institution find themselves needing to offer greater clarity and explanation about how to operationalize the disruption policy.

2. How do institutions explain disruption policies? What do they publish in terms of direction or clarification for campus community-members?

Given the vague nature of the disruption policies, conduct administrators and faculty produce materials to explain their policies. Indeed, with few exceptions the participating institutions appear to use additional policies and website material to explain their disruption policies. Some of the policies specifically discuss free speech and expression, while others incorporate details about “appropriate” protests. In all cases, the policies foreground compliance and risk management while rejecting responsibility for engagement with students. Language is broad and protects the institutional operations over students’ wellbeing. Outside of formal policies, most of the participating institutions included explicatory documents that include information about what constitutes disruptive behavior. In nearly every case, the descriptions

include behaviors and norms rooted in whiteness. The one exception was from Shenzhou Community College, where Daniel intentionally includes information about whiteness in higher education in their presentations. Elsewhere, intentional use of vague language also serves to perpetuate these systems of oppression, leaving the power in the hands of institutional action rather than sharing that power with members of the community.

3. How do institutions apply and enforce their disruption policies?

a. Is there disproportional enforcement based on student identities?

By and large, institutions use a number of strategies to respond to reports of disruption. The primary approach at all of the institutions is to use the student conduct process to adjudicate cases. Each institution leverages its formal adjudicative proceedings to resolve reports from faculty, staff, and other students. Many of the institutions also use explicatory documents and presentations for faculty and staff that reinforce faculty and staff ability to control the academic setting. These documents give permission to faculty in particular to make decisions and enforce them. With regard to the question about disproportionate enforcement, only three institutions provided information about their student conduct cases. For DU, SCC, and VU, BIPOC students are reported at significantly higher rates than they appear at their individual institutions. Thus, for those institutions that did share information it appears to be true that there is disproportionate reporting based on student identities, with those BIPOC students being reported at significantly greater rates than their white peers.

Considering the breakdown of institutions, a series of trends appear. Institutions fall into one of three categories. Some, including DU, DC, and PU, have developed a complicated web of policies and guidelines that explain what constitutes disruption. These institutions have a hierarchy of policies, with the core policy containing limited details but enough to perpetuate

systems of power. Institutional decision makers then design increasingly detailed policies to explain disruption, most often with an eye towards faculty control and not student control. Other institutions, including EU and VU, have fewer explicatory documents, instead leaving decisions about what constitutes disruption in the hands of faculty and conduct administrators without examination. A third way, demonstrated by CU and SCC, is in transition with conduct administrators and others actively pushing back against the perpetuation of white supremacy in disruption policy and language enforcement, among other matters. These institutional approaches use the tools of the institution to create changes in alignment with la paperson's (2017) recommendation to create a new approach from the ashes of the existing institution. In all of these situations, legal authorities still appear to reign supreme in their efforts to maintain faculty power. In my following analysis I will use my theoretical framework to guide an analysis of common trends in the data.

### **Meta-Analysis of Trends**

I used my theoretical framework as a lens to understand the data. I noticed similar trends within each realm of my framework across multiple institutions. In the following sections I will detail those trends. The data also offer strategies for creating change, which I detail at the end of each section. I close the analysis with a discussion of the "frame tool" and a reflection on my analysis.

### ***Dehumanization through Adversarial Systems***

Dehumanization of students through adversarial systems reduces students from the wholeness of their experience and identities to easily generalizable, and thus easily oppressed, non-people. This dynamic appears throughout the participant institutions in several ways. First, institutions use specific language that dehumanizes students by distancing them from their

primary relationship with the institution as learners and removing other context that makes them individuals. Second, the inclusion of language that foregrounds faculty and staff power subsequently removes agency and power from students. Finally, while the policy language distances students from their context, the interpretation and behavior of faculty, staff, and other students towards individuals they believe are disruptive all speak to how the campus discourses further dehumanize students. A few of the participating institutions engage in practices that foreground student context to undo the dehumanization that occurs through the policy and process. In so doing, they offer guidance for how a policy might be written to promote equity on campus.

### **Dehumanizing Policy Language.**

One common thread throughout these dehumanizing systems is that all institutions have student conduct policies that work to dehumanize students through the use of legal terms and use formal adjudicative proceedings to exercise control over the community. For example, CU's policy uses terms like "Respondent" that frame the student as needing to respond to, or be on the defense against, the process. Their primary role at the University, that of learner, is replaced with a legal orientation that does not care about the broader experiences that the student has. Another example is PU's policy which has instructions for faculty that incorporate strategies for responding to students in crisis. Their approach, however, incorporates problematic and dehumanizing behaviors such as "smile or laugh" in response to a disruptive student or working to create an adversarial relationship with students in the class. These are in juxtaposition with other explicatory documents that encourage faculty-staff relationships using rapport and community. DU also incorporates the concept of privileges and respect, all of which reinforces social constructs of whiteness. While DU discusses the importance of foregrounding community

values over individual behavior, the statement that “we are first and foremost an academic community – a community of teachers and learners” indicates by the order these are listed what comes first – teachers (DU Code, p. 2). However, SCC shows an example of a policy that remains highly adjudicative and formal, and the subsequent use of terms like “prompt,” “calm,” and “honest” all play into the efforts to dehumanize or decontextualize a student experience. These terms are each coded in systems of whiteness and set the ground rules for any discussion before the student can engage. VU’s policy dehumanizes students by first foregrounding minimum sanctioning as part of the discourse. Automatically determining the sanctions or educational interventions without hearing what a student has to say strips them of their experience and identities. The dynamic of punishment as deterrence is itself a problematic framing. While VU is unique amongst the participating institutions in publishing these sanctions, the tension on campus is apparent given Toby’s description about the level of autonomy and discretion they have in responding to students. Their response, to consider meetings “more like life coaching” is a relevant and key attempt to rehumanize students (VU Transcript Final, p. 5). Each of these examples represent different ways that the language of the policies and explicatory documents set up students to have the wholeness of their individuality replaced with their perceived sin.

### **Faculty and Staff Power.**

Beyond the dehumanizing language and systems, policy also creates power relationships that subordinate students to faculty and staff. The subsequent exercise of repressive power that “constrain[s] options, limit[s] freedom, or maintain[s] the status quo” keeps students under the control of others (Brookfield & Hess, 2021, p. 135). DU’s explicatory documents foreground power for faculty and staff, and support mechanisms that reinforce this power over students.

Engaging campus police in their response further implicates how faculty and staff are able to use their discretion to route students into administrative systems. Their documents go even further, putting authority for determining what disruption is in the hands of the reporting party without considering the context of a situation. CU's policy language similarly puts power in the hands of a campus administrator when deciding the path of a student through the process. This reliance on individual discretion takes away further power from the student and relies on the largess of the university to grant them individuality. Of important note, the policy sets out expectations for the student experience, none of which include learning or education. On campus, Ander indicated that the majority of students referred for disruption incidents at CU are Black and Brown. Ander's response uses their discretionary power to reinforce practices of oppression by being more likely to process white students through the formal process even as Brown students are more likely to be reported. They are thus complicit in reinforcing this practice of oppression rather than what appears to be their intended goal: to counter it. The use of "advocacy sanctioning" similarly puts staff in a position of being an advocate for students, which on the face of it appears to be incredibly helpful. However, the use of "for" rather than "with" highlights the power dynamic inherent in this relationship, continuing to put staff above students in the structure. The tension on CU's campus demonstrates the challenges inherent in an institution attempting to wrestle with change. VU also experiences a campus disconnect in how faculty, staff and students experience disruption. Faculty see this as indicative of an issue with students' well-being, while staff also approach from a position of care. In contrast, students appear to be most interested in the possible impact on their classroom experience, and if they would be offered additional time in classes or to finish an exam. On the VU campus, neurodivergence becomes part of the discussion. When faculty and staff raise concerns about

white students' behavior in class, the discourse becomes about possible ways that their behavior is rooted in neurodivergence. In contrast, BIPOC students are disruptive to the community and must be removed. Thus, white students are coded as neurodivergent when they are disruptive but BIPOC students are not, and faculty and staff have the power to define this context. This orientation towards faculty and staff power codifies and perpetuates a power dynamic that dehumanizes students by removing their agency in the campus discourse. However, like CU, PU uses language that can be in conflict with established norms. The "emphasis on teacher-learner relationship if a student is assuming a consumer relationship" indicates an attempt at removing power from the dynamic between student and faculty (PU Responding to Disrespect strategies worksheet, p. 1). Another explicatory document integrates some practices for developing classroom norms at PU that appears to run counter to supporting faculty and staff power. Humanizing behaviors such as "build rapport and community" and "model inclusive language that acknowledges student differences" both role model important strategies. It's notable, that these are part of the explicatory documents rather than the policy itself, suggesting a need to blunt a dehumanizing policy with additional language.

### **Removal of Context.**

Another theme that perpetuates the dehumanization of students is the way that the policy and practice strip students of the richness of their personal and situational context. EU incorporates noise into the broader discourse around disruption. This link then creates a dynamic whereby the explicatory documentation around noise provides clarification about what the institution considers important. To this end, the noise policy strips context from the individual, making students responsible within a particular set of parameters and without consideration for other things that might be happening in a situation. This also gives power to the reporting parties



or enforcement staff, while ignoring student experiences. Compliance is CU's touchstone, with the policy naming specific behaviors that are prohibited and including the minimum sanctions. This removal of context shows up throughout my analysis. I only touch on it here because it shows up in more detail elsewhere.

### **Strategies to Combat Dehumanization.**

Throughout my data there were examples of strategies in practice that can inform a way forward. SCC uniquely works to address the dehumanization of students. Daniel indicated that they have been working to respond to faculty and staff who target MENA students by engaging in advocacy and educating faculty proactively. The intentional reframing of interaction as opportunity for support rather than punishment or accountability speaks to the importance of engaging with context. Toby acknowledges a similar strategy at VU but works hard to address this dehumanization through practice. They focus on context in individual meetings and in the broader campus environment. Toby effectively ignores the policy and makes their own decisions because they have the autonomy and freedom to do so. The use of discretion indicates practices that can be incorporated into policy in the future. More specifically, rather than relying on discretion to undo the damage of oppressive policies we can use the examples where discretion is used to undo white power and integrate those practices into policy.

### ***Legal Structures as whiteness***

Due to the litigious nature of higher education, student conduct is often focused on legal compliance over learning. The policy language and practices of the participating institutions reveal the ways that the legal structures, themselves manifestations of whiteness, appear in our institutions. One way that legal structures manifest includes code language and explicatory policies that align together against students. Similarly, the policies themselves incorporate legal

structures that create administrative barriers to supportive partners from outside of the process for students. Finally, the primacy of legal counsel in decision making, despite having no formal role within processes, indicates the relative importance of legal permissions within processes over the well-being of students. As in other examples, a few institutions indicate possible practices that could be incorporated into policy.

### **Code Language and Legal Frames.**

In the example of institutional isomorphism that I discuss in Chapter 1, many of the policies I reviewed used similar language and terms that perpetuate legal systems of whiteness. For example, DU's policy was similar to the NCHERM (2014) code that is rooted in legal systems. The term "orderly operation" is coded language, rooted in maintaining the status quo on campus. Similarly, the prohibition about interfering with "staff, law enforcement, or emergency personnel" specifically protects individuals who already have positional power on campus (DU Disruption Policy, p. 1). The remainder of the policy is aligned with the NCHERM policy named above, itself guided specifically for maintaining legal compliance above other considerations, with minor edits based on an adherence to legal compliance as Azerath mentions in our interview. CU's disruption policies expand beyond disruption to incorporate other policies regarding free speech. The policy incorporates terms such as "shield" which are rooted in legality and protect the institution from liability while also precluding campus from responding to certain situations. The code of student conduct is also framed with legal terms that incorporate minimum sanctions in a way that is akin to minimum sanctioning requirements in the criminal legal system and in the K-12 system. This practice may be intended to offer transparency to students, but in fact sets students up to understand what the outcome will be regardless of the students' context or what happened in a given situation. The larger Code of Student conduct

foregrounds legal processes and the reliance on formal reports rather than allowing for more fluid discussions about concerns. DC integrates coded terminology in their Code, including terms like respect and civility. They integrate legal frameworks and tools, including “legally permissible contexts” that create parameters around institutional responses. They are not permitted to engage with context, instead focusing on accountability. Adjudicative outcomes aim to deter, rather than educate. Blucher points out how this dynamic includes a tension with the broader campus discourse, where faculty who expect accountability (read: punishment) are in conflict with staff and students attempting to support them. Further, the appeal guidelines name the various reasons that are not grounds for appeal, including “the stress, expense, and inconvenience of relocation, contract termination...suspension [and] educational sanctions” (DC 2022022 SSR, p. 13-14). Even in my own experience, academic leadership and faculty are most interested in keeping a disruptive student out and making them “pay a price” rather than helping reintegrate them into the learning community. This perspective is aligned with the data about faculty expecting punitive measures, rather than seeing student conduct as a learning opportunity. Given the increasing importance of retention in higher education, holding to this punitive framework appears inconsistent with attempting to keep students in the classroom.

In another example, PU’s disruption policy is rooted in legal frameworks from the highest levels of the institution. The University is focusing most on order and freedom within specifically proscribed frameworks detailed from the Board of Trustees, where the “University strives to seek that balance between maximum freedom and necessary order” on campus (PU Disruption of University Activities\_Board of Trustees\_[redacted], p. 1). Rather than considering the student experience, PU cares most about continued operations and accountability of students under the law. When students are held accountable, they do so “under the law, to established

legal and judicial authorities” (PU Disruption of University Activities \_Board of Trustees\_[redacted], p. 1). Similarly, PU’s president appears most focused on legal frameworks protecting neutrality. While this has the possible benefit of protecting BIPOC students, neutrality further perpetuates the status quo of whiteness and white supremacy. The PU free speech policy also foregrounds “civil and criminal law” and puts these above considering the experiences of students or other community members. Using this language creates an affirmative obligation for the institution, incorporating systems of whiteness into the broader campus discourse through policy. The language further protects the institution by codifying protections for faculty and staff who are enforcing these policies, rather than holding everyone accountable for the campus environment. In an extreme example, EU’s policy is specifically part of state law, making it uniquely rooted in legal structures of whiteness. Like PU, this policy comes from the highest administrative point in the institution and focuses on “normal operations.” The policy gives power to faculty in this setting, emphasizing ease of campus operations over student context and experiences. Additionally, their use of various legal terms offers insight into their upholding of whiteness. These intentional uses of legal frameworks to write policy give significant weight to whiteness within the campus discourse. However, this appears in contrast with Brody’s practice of integrating “coaching, mediation, and/or facilitated conversations” for conflicts (EU Report Behaviors of Concern\_[redacted], p. 1). This explicatory document provides a practice to flatten power structures despite the coded languages and legal frameworks within the institution.

### **Legal Barriers to Advocacy.**

Another way legal systems of whiteness manifest is in the worship of legal barriers to constrain how students receive support navigating these systems. While only one institution named this dynamic, I found similar language at other institutions and have experienced it at

each institution I have worked at. I thus chose to include it here. Azerath named several aspects of the process rooted in whiteness at DU. With regard to waivers for advisors, DU relies heavily on legal restrictions that unintentionally (or intentionally) hamper students' ability to use outside support in a process. Faculty and staff who try to insinuate themselves into the process cause challenges for all of the parties involved. Faculty and staff trying to support students are put at odds with conduct administrators. These challenges, restricted by the legal frameworks, are further influenced by white saviordom in situations at DU that include BIPOC students and white faculty and staff. Due to the legal frameworks, students' attempts to bring in advisors to support them are restricted, and racial dynamics influence who joins the discussion. White students bring lawyers and athletic coaches. BIPOC students bring faculty and staff. More often than not, white advocates then defend white students. Museus and Neville (2012) tease out the nuances about how faculty and staff support BIPOC students. BIPOC students benefit from support from BIPOC community members because they experience connections through shared experiences. However, they also speak to the benefits of white community members' relationships with BIPOC students positively impacting retention. In DU's case, it appears that the legal structures of their systems create barriers to these potentially positive relationships.

### **Role of Legal Counsel.**

While policies are legal language forward, practitioners and students appear to be beholden to their legal counsel, indicating that legal risk management is essential. At DC, the importance of legal and compliance arguments to make decisions indicates the way that legal counsel has constrained student conduct administrator choices. CU is another great example, with individuals required to get clearance for stepping outside of policies. When faculty disagree with Ander's outcomes, they push them to contact general counsel to receive "appropriate

education about their own classroom and how it works” (CU Interview – final, at 43:57). This statement simultaneously demonstrates the subordinate role of the student conduct administrator in the eyes of the faculty and the primacy of legal counsel within the institutional framework. SCC’s process incorporates legal frameworks, where participation in the system requires engagement regardless of the context. Daniel pointed out the challenges in this system, and how legal counsel’s “advice” then becomes more important than student care. Indeed, Daniel shared that “general counsel has overturned decisions...in the name of legal fairness” (SCC – interview Final, at 52:36). Daniel’s response, to contextualize the policy with examples of what is and is not disruptive behaviors, appears to be an ongoing struggle against the passive but still powerful nature of the policy. Sebastian named that though the policy development group at PU technically involves members of the community with student representatives, the group is controlled by faculty and is ultimately advisory in nature – they recommend to institutional leadership the policies rather than having the ability to enact them. The ultimate decision makers are the Vice President and President, with the committee having little real power. However, Sebastian appears to appreciate the discretion built into the process, but this discretion works both ways and is dependent on individuals operating the system to be aware of these dynamics and selectively involve legal counsel. At an extreme end of this dynamic, Brody indicated that the positioning of the policy at EU in law further made it challenging to make change. Their strategy includes involving legal counsel early in the process and allowing them to make legal arguments, including shutting down attempts to make changes that Brody might not agree with or think possible. Going through the rule making process for the state legislature is exhaustive and requires extensive engagement with stakeholders. However, legal counsel has the final say.

### **Strategies for Responding to Legal Structures.**

The legal underpinning of institutional policy serves to perpetuate systems of whiteness. However, some of the participating institutions demonstrated strategies for responding to their legal structure that can be incorporated into policy. At CU, Ander appears to appreciate what they perceive as flexibility in the exercising of the process. Exercising flexibility to benefit BIPOC students becomes their form of subversion. Some of the explicatory documentation at EU works to flatten this hierarchy and equalizes some power between faculty and students. This practice gets community members to ignore the written hierarchy in policy and instead focus on relationships. However, this does little to address the frameworks regarding reporting students of concern for “harassing” and “threatening.” By routing people into systems, EU still appears to be replicating disciplinary systems in a way reminiscent of K-12 systems and structures. However, many of these strategies are suggestive of strategies for policy development that do not perpetuate structures of whiteness.

### ***Policies as Control***

The reliance on policy language by community members and student conduct administrators reveals the reason this study is important – institutions and individuals referring back to policy as the justification for oppression. That this language becomes a “contract” with the student in both a legal and epistemological sense highlights the reason that policy language serves to reinforce control. Policies become controlling for students in this study in a few notable ways. First, the norms that nearly every institution name are largely white norms that foreground whiteness in the ways that individuals are expected to interact. The policy language also appears to focus on how power is distributed within the institution, intentionally putting faculty and staff authority above students. Finally, by foregrounding legal compliance, most of the participating

institutions use the magical words “legal risk” to control students. A few of the institutions appear to offer specific examples of policies that could help realign power within the community away from whiteness and towards considering strategies that share power with students.

### **white Norms.**

White norms, such as unemotionality, order, compliance, quietness, and formality appear throughout the materials from participating institutions as manifestations of policy as control. For example, DU’s policy foregrounds white norms, including putting spaces for faculty and staff up front in the policy. Similarly, the use of the term “orderly” is rooted in systems of whiteness and demonstrates putting power in the hands of reporters. The policy also incorporates protections for “student staff, law enforcement, or emergency personnel” as a key aspect of the disruption policy. These protections formalize the role of these agents of power. With this setting, pushing back against these individuals in power is disruption. Azerath names their role with disruption as being responsible for educating students about how their behaviors were disruptive, rather than hearing the context for a student. When an issue does not rise to the level that Azerath would pursue a case under their student conduct code, they still engage with the involved individuals. The use of a “restorative approach” still serves to route students into a process. Similarly, the use of disruption as a “catch all” is a strategy that widens the net of reporting, a strategy that appears in the K-12 system that harms minoritized students. DU leans on discretion as a mechanism for equity rather than incorporating equity into the system. When considering the possibilities of how discretion plays out at DU, there are three options. When practitioners use this discretion to promote antiracist practice, this can be beneficial for BIPOC students. In both the circumstance that practitioners are “neutral” and when they choose oppression, BIPOC students lose. DU policies outline their definitions of campus values in their



code, but throughout demand civility and respect from students. The policy language includes prohibitions against taking up too much time of faculty, itself a concept rooted in whiteness. Time and who is entitled to attention are rooted in concepts of whiteness, where white students are authorized to gain access to resources. Faculty and staff time is considered part of the college experience, and throughout my experience, the expectations about who is allowed to take up time or is entitled to time all are rooted in the expectation that particular (white) individuals deserve it. With education as a property right, whiteness then becomes part of the discourse. White students are permitted to take this resource. BIPOC students are not. CU takes the work of foregrounding white norms a step further by explicitly naming norms including “maintain eye contact” and “reinforce messages nonverbally” (CU – Responding to Disruptive or inappropriate Student Behavior, p. 8). Explicitly setting forward these norms further emphasizes the normalization of whiteness on campus. DC also explains their disruption policies throughout their code of student conduct, and names general behaviors such as “demonstrate civility” and “respect.” These coded norms are rooted in whiteness. Similarly, the terminology SCC uses to define disruption in presentations is similarly laden with coded terminology including “disrespect” and “inappropriate.” Daniel’s approach is intentional as part of their broader efforts to push back against white norms on campus and doing “very conscious work in the last couple of years, especially in helping [the] faculty and staff understand what disruption actually means” (SCC – Interview Final, at 5:46). This work contrasts with the definitions of disruption, and Daniel works to counter that “disruption does not mean that the student raises their voice slightly [or] is upset about a grade [or is] coming in late” (SCC Interview Final, at 5:46). The tension in SCC’s discourse involves the apparent push against systems of whiteness. While Daniel uniquely

appears to be pushing against this dynamic, they appear to be fighting a challenging battle against the campus discourse.

PU policy appears to clearly define what the campus thinks is important, including “orderly community living” and “the interests of all students.” Using terms like “horseplay” indicates an interesting dynamic that evokes a “boys will be boys” dynamic often used to protect problematic behaviors of whiteness. The free speech policy further foregrounds the importance of not interrupting speech activities. “Appropriateness” becomes dependent on the administrator or campus community member to determine how this should be applied. The policy also foregrounds ensuring that an event can continue. With regard to students in distress, the campus education resource perpetuates problematic terminology such as “incivility” and relies on socially constructed terminology about what is “hurtful and demeaning” and what the reporting party believes is such. While some explicatory documents encourage collaboration with the involved students and faculty, they do not prevent faculty from falling back on the stated policy language that puts them in control. PU encourages faculty to make clear “desired behavior” that includes both white norms AND a clear statement about the “consequences for not complying” (PU Strategies for Preventing Disruption and Disrespect, pp. 1-2). Ultimately, Sebastian’s practice at PU of “build trust, promote justice, and teach peace” is misaligned with campus policy and discourse. They care about students when the policy does not. EU has a similar dynamic, with stated behaviors such as “talking incessantly while you are delivering a lecture” and “student who loudly and frequently interrupts the flow of class” (EU StudentRightsResp\_[redacted], p. 21). These documents still differentiate between disruption and rude or uncivil behavior, and Brody discussed the challenges in navigating this nuance with

faculty and staff. White norms remain paramount on these campuses, with standards of behavior rooted maintaining campus order over education.

VU has two separate policies regarding disruption. Both foreground the concept of teaching, research, and administration as most important to the institution. Within the broader campus discourse, VU positions itself as a defender of free speech. While the policy language sets up the discourse conflict, the broad language gives significant latitude for VU to make decisions about controlling students. As with other institutions, they also use terms like “horseplay” and the suggestion about what makes “good sense” suggests that not following controlling procedures means one is “bad.” Similarly, LSU policies name the various behaviors that cause disruption on campus, setting out specific controls for the campus. Failure to comply as part of this policy is also part of the discourse, with refusing to engage being part of a “reasonable person standard” that is in fact part of whiteness since reasonable is coded as white.

### **Faculty Power on Campus.**

One aspect on most campuses is the way that systems perpetuate controlling power dynamics, specifically relating to faculty power on campus. Where CU educates faculty about approaching conversations about disruption, the guidelines remain rooted in whiteness and white power, rather than considering individual student context in their approaches. However, Ander does speak to the strategies they use to address this conflict, specifically by clarifying for faculty that meetings are educational and not formal and speaking to students about their experiences. Faculty responses reinforce their own power, providing positive feedback when they get what they want and critical feedback when they do not. The policies force students into learned subordination where it is easiest for them to knuckle down under the pressure of the campus and policy. At DU, faculty are placed in positions of authority in the educational context given the

power to control and dictate terms for how individuals may act in this space. Nowhere is power tempered by opportunities for dialogue and collaborative learning. Where this might be a practice, the policy does not permit it. DC reiterates this power dynamic on their campus by making it the responsibility of the student to act with “respect” and protecting staff in the completion of their work. This blanket expectation, without consideration for the behavior of staff or faculty, means that only students are accountable to their behaviors. Daniel’s work at SCC in pushing back against this similar power dynamic involves redefining disruption and the power that faculty have in the interaction and expecting faculty to engage in discussion when possible.

PU puts syllabus language as an opportunity to set guidelines and control, perpetuating the worship of the written word that is key to maintaining whiteness. The reliance on terms such as “incivility” and “respect” are in conflict with an attempt to make sure that “students are treated fairly and with compassion” (PU Students in Distress and Disruptive Students, p. 1). Despite this tension, the priority remains “protecting the instructional process.” While encouraging faculty to “explicitly set expectations and norms in [the] classroom” there is limited space in the instructions for these norms to be co-created with students. However, the guidelines for managing disruptive students includes practices aligned with social justice principles, indicating tension within the campus discourse between highly rigid norms and responses that consider student identities and humanity. EU’s policies similarly include explicatory documents and presentations that work to define what constitutes disruptive behavior. The strategies clarify methods of faculty control, and while they try to incorporate the difference between disruption and rude/uncivil behavior they still seem to foreground faculty control. Brody acknowledged that this was part of the broader discourse, with faculty reporting disruption that is not actually

disruption. This nuance, the difference between disruption and rude/uncivil behavior, was unique amongst the participating institutions. At others, these concepts were all wrapped up into disruption, with distinctions being rooted in whether or not there was sufficient evidence to engage a process rather than the behaviors themselves. Brody also named that there is tension amongst the institutional conduct offices, whereby the main conduct office can recommend changes for housing policies but they are not always considered. This also translates into a disconnect between campus expectations about disruption and what is actual disruptive behavior. Faculty appear to want more power and control in their spaces rather than less. At the same time, students actively seek narrower definitions in order to push back against faculty and staff power and overreach. The policy language at LSU is largely general, as well, and perpetuates faculty power. However, the campus administration appears to be willing to insert itself into the discourse without consideration of the context. The response to having a Black Lives Matter flag in an office window was to rely on administrative rules rather than the values that the institution appears to care about. Students seem to notice this dynamic and express their frustration at the discourse and how they feel that the campus community feels about each other. Lorkoril names that students appear most concerned about the impact on themselves, such as the inability to get to the library or study effectively. As at other institutions, white women appear to be most likely to report BIPOC students in the cases Lorkoril was most involved in. At their core, these policies are working to ensure that the institution protects faculty power in the learning environment.

### **Risk Management.**

Along with legal frameworks, risk management is a key way that the institution controls students with policies. CU's policy foregrounds control within a legal context. With the promulgation of multiple legally framed policies such as free speech and the code, CU appears

most focused on the possible impact of situations on the institution, rather than on students. Similarly, SCC policy protects institutional operations and faculty control over the classroom settings. Unlike other institutions, SCC appears to have limited the creation and distribution of additional policies describing disruption (with the exception of disruptive demonstration). Daniel indicates that they have been working to clarify what does and does not constitute disruption. Their measurement of disruption appears to be different and narrower than what faculty believes constitutes disruption. By having a narrow definition, Daniel ensures that disruption only involves a smaller number of behaviors. In contrast, a broader definition allows faculty to control a greater swath of the classroom environment. Their control over the space suggests a level of ownership of the classroom environment. The insight is that faculty control their classroom as a property right and has a direct relationship to whiteness as property. An explicatory video at PU points to “the syllabus as the formal statement of how faculty members are going to create a safe space for conversation and learning” (PU Addressing Incivility in the Classroom). This language reinforces the worship of the written word and protects the institution against misunderstanding in the classroom. A syllabus creates the written contract for students and faculty in the classroom and minimizes the possible risk to the institution by providing a written touch stone for faculty to fall back on when issues occur in the classroom. The desire to control this space and avoid conflict takes advantage of legal protections of whiteness to mitigate risks of litigation. EU approaches this relationship by positioning the student conduct administrators as a neutral fact-finding body within the institution. This intentionally minimizes risk for the institution by giving community members a seemingly unbiased body to seek assistance from. However, the underlying implication of risk management, as shown by other institutions, is about maintaining the status quo - whiteness. LSU approaches risk management by framing disruption within the

context of possible injury to the institution or community members, including creating “an unsafe or hazard to oneself or others.” Positioning disruption within the context of risk of injury escalates the perceived need for control and puts language in place that appears intended to protect the institution. Similarly, LSU leadership’s decision to remove the Black Lives Matter flag and relying on policy compliance as their reason further demonstrates how risk management is used to justify decisions. By invoking legal risk, the participating institutions cast a spell on students that they have difficulty pushing against because, who is willing to take risks?

### **Strategies for Managing Policies as Control.**

Some of the conduct administrators appear able to navigate ways the ways that policies control students. At DU, Azerath also appears to be attempting to push back against legal frameworks in the process by considering context. They do so within the context of required content neutrality from the policy. While Azerath is making these choices, Black or African American students are reported twice as frequently as they appear in the campus community. Rightly or not, Ander noted that the policy at CU is flexible enough to allow them to correct for possible bias in reporting. This raises an interesting dynamic around the concept of discretion, and how policies can be used for control in both directions – both to oppress and to combat the harm created by systems of whiteness. The challenging part of this dynamic is when the impact on students is reliant on practitioner discretion. Without clear antiracist practices codified in policy and process, the skeleton of white supremacy remains in the written words of the student conduct codes. Enforced neutrality within these policies subsequently precludes true consideration of context. Given that literature demonstrates that neutrality equates to supporting the status quo, this subsequently means supporting oppression. Brody’s approach at EU is to pursue non-adjudicative outcomes and work to push against faculty for understanding what is

appropriate or inappropriate behavior in the classroom. As at other institutions, the white individuals are the folx who are reporting. Similarly, the conduct administrators are white and expected to navigate their identities. Students at EU appear to consider positionality within the institution as relevant to their ability or willingness to share their experiences. They are more interested in reporting bias to the central conduct administrators than their housing counterparts.

### ***Toxic Neutrality***

Throughout the study, neutrality manifested as both an ethical position and a formal part of the institutional policy. By keeping things “down the middle,” student conduct administrators appear to be using neutrality as a way of avoiding taking a position on concerning issues. In this way, there is a formal expectation of neutrality. Second, most institutional participants indicated that the expectation is that they remain neutral and apart from the space. By creating distance, student conduct administrators are separating themselves from the community and engaging in some cases disingenuously with their students. Unfortunately, none of the participants appeared to have demonstrated strategies for addressing this neutrality, instead using neutrality to avoid taking on positions aligned with their personal values.

#### **Keeping it Down the Middle.**

One way that toxic neutrality manifests is the idea that there are always two sides to reports and that conduct administrators are expected to “be down the middle.” CU integrates free speech into their disruption policy, and in so doing implicates the role that CU has in remaining neutral in “encouraging and broadly protecting freedom of thought and expression” (CU Policy on Free Speech and Free Expression, p. 2). Neutrality keeps CU as an institution out of the broader discourse, leaving the campus community to navigate how to balance interactions on campus and in the learning environment. At DU, Azerath discussed their approach of using



neutrality in the process and their attempts to incorporate restorative practices. Azerath's approach of being "down the middle" is in tension with a desire to hear students' experiences. However, their reliance on neutrality indicates a way that the policy constrains practice. White saviorism also adds complexity, with a perception that white faculty attempt to "save" their BIPOC students. Lorkoril indicated that neutrality appears to be a key framing for the institutional leadership at LSU, given the response to the Black Live Matter flag. This becomes challenging because LSU is a Jesuit institution, which foregrounds values. However, their president appears most interested in "protecting the brand." Often, the faculty and staff follow up is regarding how their own power is being reinforced. They demand neutrality, which really means demanding the decisions they want to reach their desired outcome. Lawyers, then, become the real decision makers as they demand a particular neutrality to student conduct administrator's decisions and possible changes to policy. Neutrality is thus revealed as a farce since their agenda is in fact to maintain their campus hierarchy and power.

### **A Part But Apart.**

The next tension point within toxic neutrality is a push and pull on the conduct administrator themselves. These professionals are expected to be part of the campus community, and simultaneously expected to remain empty, neutral vessels for making decisions. CU and Ander lean into neutrality and the way that the policies expect representatives of the institution to create spaces for discourse without being part of that discourse. Ander, given their positionality and role, must then navigate the politics of faculty power, couching their responses to issues with a need to avoid upsetting faculty. Within CU's institutional context, faculty upset, rather than student distress, appears most important for Ander's success. When they take a position, it has to be carefully couched to avoid political pitfalls. Sebastian clarified how at PU the policy and

practice diverge. They position themselves as a facilitator of process rather than taking responsibility for being a decision maker. Their language usage is rife with terminology such as “fact pattern” and “written rationale” leans into neutrality without context. Their approach becomes a method for avoiding taking a stand, and they hide behind their duty without considering the greater harm caused by their neutrality.

### **Strategies for Managing Toxic Neutrality.**

Unfortunately, none of the participating institutions were able to share explicit strategies they used for responding to the ways that neutrality becomes toxic in their environments. Neutrality is a touchpoint with participants keeping things “down the middle” rather than taking a position on difficult topics. This ensures distance for student conduct administrators that few appeared to address. In those instances where student conduct administrators did take steps to consider context, they did so by using the discretion built into the system. Given information in the literature about considering multiple perspectives (multipartiality), there is a possibility of using this strategy as a mechanism for combatting toxic neutrality.

### ***white Ignorance***

As I discuss elsewhere, one of the constant components of whiteness literature is the refusal to acknowledge context and engage with systems of power. One way that this shows up at the participating institutions is an intentional ignoring of context written into the policies and demonstrated by the practitioners. Additionally, faculty appear to intentionally position themselves from a position of ignorance. By remaining ignorant of context, institutions leverage faculty power and retain their control over the academic space. Finally, most institutions appear largely inattentive to who is present in decision making, and what identities are present in the

discussion. Fortunately, some of the participating institutions, practices include strategies for addressing white ignorance in their processes and practices.

**Ignoring, not ignorance of, Context.**

Given the education that happens around campuses regarding DEI efforts, it is notable that a common thread continues to be the perpetuation of white ignorance to BIPOC students' context. This ignorance, like most white ignorance, appears to be an intentional ignoring of identities. For example, CU integrates language into their code that presupposes responsibility without considering context. Stating "defending actions is admitting to a policy violation" tells a student that offering context is as good as admitting guilt. Reasonable responses to provocation or toxic environments then cannot be part of the calculus, instead making holding students accountable more important than centering student experiences. Ander indicated that while they engage in practices to center students, these are still constrained by the written policy. These constraints require Ander to ignore context actively, and not consider it in the ultimate decision making. DC incorporates white ignorance into their policies as well, focusing on concepts of legal compliance and good/bad character. The framing that violating policy is bad, but not violating policy is good, speaks to this dynamic. When faculty report disrespect, it is rooted in their statutory and perceived ability to control their environments. For them, the reporting parties are often older white men and international men, and the dynamic is based in their desire to exercise their power. Behaviors such as raised voices are automatically coded as dangerous threats that could lead to campus violence. Throughout, they choose to ignore the role of context in favor of maintaining control, going so far as to often behave as though they are announcing "I'm powerful you're not" (DC Interview FINAL, at 14:23). The incorporation of the free speech policy into disruption at PU similarly prioritizes legal frameworks. Explicatory documents

include opportunities to highlight “the important roles social identity factors such as race and gender play in shaping students’ responses to their instructors” (PU Teaching Strategies\_Disrespect and Disruption in the College Classroom, p. 1). Integration of context in this setting is one way PU is pushing back against white ignorance. In the broader campus discourse, a faculty video similarly attempts to balance understanding context with maintaining faculty power. EU incorporates white ignorance into the policies by prioritizing white ways of valuing information that has been validated, researched, and that “they work!” Additionally, the refusal to consider context is another strategy of whiteness, instead it becomes policing in order to exert power over BIPOC folx. Disrespect, particularly towards positions of authority, is part of a white culture of policing that foregrounds ways that systems perpetuate their own power. The campus community appears to know this, with white students more likely to assume a conduct administrator understands their context and BIPOC students feeling the need to explain themselves. The act of intentionally ignoring this context then becomes suspect.

### **Faculty Ignorance is Power.**

Another strategy for remaining ignorant includes how faculty can intentionally ignore racial dynamics in exchange for maintaining their power. Ander discussed how CU processes support faculty ignoring context, and instead subordinates students to faculty and staff power. At CU, Ander attempts to push back against this ignorance through education about whiteness and about student identities in faculty trainings and other explicatory material. SCC integrates white ignorance into the definition of disruption by framing disruption as either “rebellious” or “emotional” behaviors. Terms like “defiant” and “disrespectful” lack clarity, and instead give faculty and staff the power to determine what is disrespectful or defiant. The subsequent examples all lack contextual information and give reporters (particularly white faculty, and

international faculty who are men) the power to define what is disruptive and they do so by using white norms. Daniel attempts to push back against this dynamic, incorporating education about whiteness into their outreach to faculty. Their push against faculty ignorance highlights the tension in the SCC discourse.

While the DC student population is racially diverse, their staff is largely white and many faculty have had the opportunity to develop a greater understanding of their identities. With a campus discourse focused on legal compliance, those who have not engaged in working on their white identities are able to continue to sit in that ignorance without challenge. When staff are confronted with this dynamic, they lean into their own power to control students, regardless of their context that might include BIPOC and neurodivergence identities. Blucher shares how this dynamic plays out involving particular faculty who hold minoritized identities such as being international men and how their response reinforces faculty power. Faculty avoidance of taking steps to understand their students' truths allows them to perpetuate their problematic behaviors without examination. This is in contrast to PU's efforts with faculty that incorporates context to push against faculty ignorance. They include concepts such as "help students develop awareness of multiple visible and invisible identities in the classroom," a key strategy for helping humanize students and push back against white ignorance (PU Preventing Student-Student Disrespect in your Classroom, pp. 1-2). Brody shared that faculty focus on their own feelings of anger and disrespect, rather than the broader context for their decisions. This ignorance is intentional, and Brody shared how BIPOC students then feel the pressure to disclose more about their identities and experiences to student conduct administrators. Brody's willingness to hear them and make space for context is one possible strategy for combating this ignorance on campus.

### **Who is not in the Room.**

One dynamic of ignorance includes when decisions about disruptive behavior (or other topics) are made. Azerath acknowledges that at DU, there is a lack of acknowledgment of context within individual positionality. Different identities appear to be manifest within their office, with a white director and a Black colleague. However, at the campus level, consultation groups like the BIT bring in perspectives because of position, not identity. there are clearly limits to the concept of representational diversity, just because someone identifies as BIPOC does not mean that they are not reinforcing whiteness, especially when they are being constrained by policy. Daniel has similar experiences at SCC, where MENA students see Daniel as an ally in the process. When Daniel is not part of the discourse, these students express to Daniel that they feel less supported. Their presentations to faculty and staff and the subsequent decrease in reporting makes Daniel believe that this dynamic is shifting. At PU, who is in the room and involved in the meetings with students appears as a critical part of the student experiences. Like Azerath, Sebastian shared the ability to get students to open up about the harm others create for them. When they are not in the room, Sebastian stated that the students “expressed that everybody is against them” (PU Interview Final, at 41:22). Who is present in the room becomes critical, both in the decision making process and to support students feeling heard and valued.

### **Strategies for Addressing white Ignorance.**

While running the risk of engaging in white saviordom, at CU Ander appears to be able to navigate this risk by supporting the students. Like at many institutions, white women appear to be most frequently reporting BIPOC students. Ander’s approach is to intentionally provide supports to mitigate the negative effects of a white college environment. At SCC, Daniel’s strategy of incorporating historical contexts around the history of whiteness in higher education

is one step in trying to move the campus discourse forward. Education becomes a strategy for combating alleged ignorance. However, the code language itself includes terms such as “civility” and “ethical” which are themselves coded as whiteness. Daniel further works to push against white norms by using their administrative discretion to push back against inequitable faculty practices. While PU foregrounds language of white ignorance by refusing to consider context, their explicatory documents insinuate context into their guidance for faculty. This is itself a step towards equitable approaches to address white ignorance. For example, one of the resources also addresses incivility on campus. They suggest the incorporation of social identities into understanding a classroom dynamic and the participating students. Prevention strategies for resolving student-student conflicts also integrate context into the conversation by considering different perspectives. PU’s broader campus context also includes an AAPI zoom-bombing incident. Sebastian named that they were in a state of “disequilibrium” in their attempt to treat students holistically while also upholding the process. While they choose to not be ignorant of individual contexts, their process still forms a barrier to student success. In contrast, LSU attempts to balance free expression and civil discourse with their Jesuit values. The nuances in this relationship come out in Lorkoril’s description of how they consider context, which includes consideration of the impacts on students. They simultaneously articulated that BIPOC students do not get in trouble, and that this happens because they are less present on campus to begin with. But at their core, the use of values including social justice and holistic care create a powerful counterbalance to white ignorance.

### ***Checking my Analysis with the “Frame Tool”***

I engaged in a reflective checking of my data using Gee’s (2014) frame tool. This tool asks the researcher to broaden the examination of context to ensure that there is not other

information that would contradict or differently inform the analysis. One of the participants asked during their interview:

I do have an interesting question for you. So it seemed to me like your dissertation topic, posits a conclusion. That, that it does, and I'm not saying that it doesn't. Matter of fact, I might agree with you. But I'm wondering if you know, from a purely academic view. **Is the possibility open that the premise of your dissertation proves inaccurate?**

The frame tool requires exactly this self-reflection. My epistemological position originates from a position whereby systems and structures of power are part of the broader discourse.

Additionally, my literature review revealed the ways that the criminal legal system and K-12 discipline system act to replicate these systems of oppression. While I can understand the above skepticism, the idea that higher education (itself built with and on the backs of Black and Brown individuals) would somehow be different seems unlikely. I still believe some reflectivity is important, and my review of news articles, documents, and the wide-ranging interviews themselves offered insight into the larger context. There is still room for there to be information that would contradict my above analysis and conclusions. However, the available data do not reveal evidence to refute my analysis. Instead, external context appears to have validated my review of the campus contexts. Thus, I elect to move forward with my analysis given what I understand to be true based on the available evidence about the discourse.

As part of this study, I continue to reflect on my own identity as a student conduct administrator and how this work has shaped my professional and personal experiences. I find myself leaning into my own professional training that privileges systems and structures. Over a decade of relying on the written word and falling back on legal defenses for my decisions is difficult to break. From the start of my graduate journey, I struggled with making meaning of a different, critical way of engaging. The journey I find myself on professionally and personally requires continued work, and in no way do I believe I have arrived. As I think about this study



and my findings, I find myself in tension between a critical positionality and a desire to fall back on the comfortable, white supremacy-informed practice that defines my chosen profession. My daily practice remains informed by humanity, context, and holistic care. It is simultaneously constrained by policies that continue to be informed by legal compliance and formality. I live with this hypocrisy, as well as my history of operating oppressive systems and causing harm in the student conduct community.

I am reflecting on implications for practice, and how I ultimately am offering a policy framework that continues the worship of the written word by maintaining a policy for campus. la paperson (2017) recognizes that to engage in institutional change, we need to take the aspects of the existing institutions and rebuild them to reflect the future we hope for. Brown (2017) indicates that intentional adaptation is a purposeful form of evolution. I suggest that the following implications for practice are exactly that: a purposeful form of evolution for our disruption policies to promote liberation in our campus communities.

## **Limitations**

There are several limitations to this study. First, the limited number of participating institutions makes it challenging to draw broader conclusions. Additionally, of the participating institutions only three provided institutional data about their student conduct data, preventing me from engaging in a broader analysis of this data. For the data that I did receive, none of the institutions captured information about the reporting party. The lack of these data make it difficult to validate the narrative data about white women primarily reporting cases, as well as determining if there are any trends regarding reporting parties. Turning to the campus discourse, one limitation was my ability to collect enough information about the broader campus community. While I attempted to collect as much information as I could via online search, there

may have been other information available that I was unable to find. My decision to use discourse analysis and the subsequent checking mechanisms makes the analysis possible, though there are remain opportunities to continue to build on the data set.

There are also limitations based on my decisions about who to interview. My decision regarding interviewing student conduct administrators provided important content regarding both policy development and their subsequent practice. However, interviews with other staff or faculty, as well as students (both those reported for disruption concerns and wider members of the community), could have offered details about the campus discourse regarding the disruption policy. Additionally, the limited responses added to the limitations of my data set. While I did not exclude any individuals who expressed interest in the study, roughly half of the institutions which completed the survey declined to respond to my outreach to gather more information. As I noted above, I felt comfortable moving forward with my analysis of each institution where an interview participant was involved, particularly given my review of the data within the context of the frame tool. As a methodology, discourse analysis can become an unending process of data gathering. For each institution, my use of the frame tool gave me confidence about my analysis though there could always be space to gather more information. As a larger data set, I felt comfortable with the eight institutions I worked with since common trends and similar quotes began to emerge amongst the various data sources. The small number of participating institutions remains a limitation of this study, and an opportunity for further research.

Finally, my role as a single researcher is a limitation of this study. Discourse analysis requires evaluation of multiple data sources for each participating institution. I used deductive and inductive strategies for checking coding. However, without other reviewers my coding and analysis are subject to my own biases. Similarly, I did offer opportunity for my interview

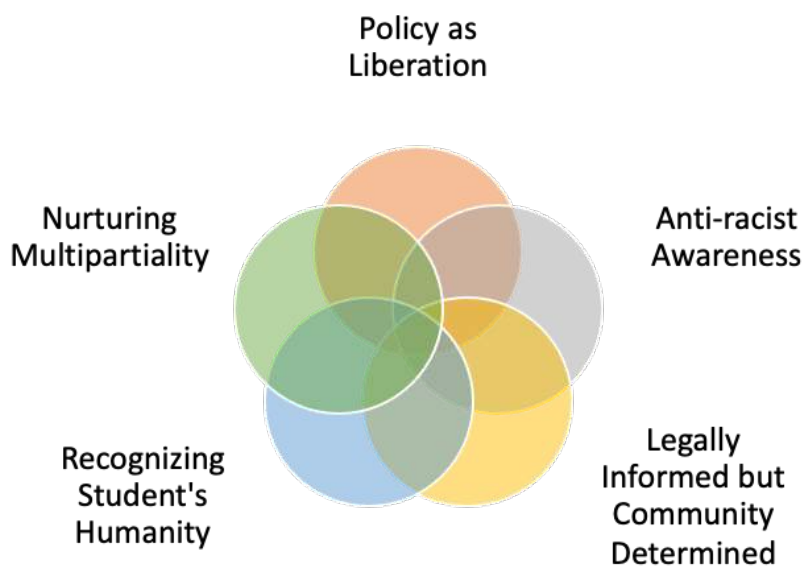
participants to review their transcripts and offer thoughts and edits, in addition to soliciting directly from them documents and resources they believed were important for understanding their campus discourse. Only two participants offered comments or edits to their transcripts, and similarly two participants provided additional context or content beyond links to the code language. Without more robust member checking, there are limitations to the overall analysis. As I indicate in Chapter 1, I am aware of my positionality and epistemological perspectives. I am transparent about my approach and do so with the understanding that there may be limitations to how practitioners approach my recommendations given the acculturation towards neutrality and worship of the written word within the student conduct profession.

### **Recommendations for Practice**

The argument I make is that the data show that overly broad or nonspecific disruption policies put control of enforcement and defining disruption into the hands of individuals. This placement of power creates disparate, sometimes conflicting, and often oppressive campus discourses around disruption. The overly broad policies reinforce control by individuals, rather than offering protection for robust discourse. Some institutions (like Enterprise University) are able to take a single, clear and inclusive policy (not in a “woke” way) to preclude lots of community interpretation through explicatory documents. My model or process presupposes that change means changing to another form of systems or structures. That liberation means reimagining of process and programs rather than abandoning them as a model. The question is not really “what do we do instead” but rather “how do we change our policy to be better?” This may be a form of interest convergence, and I find myself wrestling with “we have to have policy” is a continuing fetishization of the written word. However, in alignment with la paperson (2017), we have to start somewhere and continue to work towards liberation. The exercise of

emancipatory power on campus where “power experienced as motivating or galvanizing...fuels activism and desire for change” can be a mechanism for creating change (Brookfield & Hess, 2021, p. 135). This work offers a starting framework for policy development.

The inverse of my theoretical framework is a starting point for defining a liberatory policy development guide. I formulated my proposed model from the information I learned from each participating institution, where institutional actors appeared in fits and starts to be working to confront signature aspects of whiteness. Taking Brown’s (2017) call to create change to heart, I worked to formulate a proposed paradigm for policy review and development. Figure 2 is a visual representation of this proposed model.



**Figure 2**

*Framework for Liberatory Student Conduct Policy Development*

In this paradigm, a policy as control becomes a policy as liberation. White ignorance instead becomes anti-racist awareness. Legal frameworks transform to be legally informed but community determined. Dehumanization through policy instead becomes policy that prioritizes

student humanity. Finally, toxic neutrality can be reframed as nurturing multipartiality. Applying this framework to policy development, particularly in student conduct, gives practitioners a path forward for conducting policy revision.

### ***Policy as Liberation***

In all of the policies and explicatory documents, the language is that of control. The “thou shalt nots” of policy language clarify what students may not do, and the subsequent enforcement mechanisms define student behavior throughout the process. Policies throughout this study seem most interested in reinforcing white norms and faculty power, in alignment with existing literature (Holmes & Anaya, 2020; Holmes et al., 2020; Karp, 2015). Policy as liberation instead takes the role of policy at the institution and makes it work for the community at large. Returning to my early schema that policy=practice=praxis based on Freire’s (2000) work, we can start from any of those positions and redefine the other aspects. Liberatory practice and praxis seek to formalize a deemphasis on power, instead thinking about all members of the learning environment as learners and knowers. As part of this journey, student conduct administrators must use their emancipatory power as described by Brookfield and Hess (2021) while being aware of the perils of this power becoming a further form of white saviordom. Some of the practices I heard about sought to consider context, relationships, and to situate faculty and staff alongside students. Liberatory policy can then take this practice and codify it. Consider a disruption policy like Defiant College’s that frames disruption within the context of obligations for community members. Similarly, policy as liberation would use language that defines positively what the learning community should look like. Rather than defining disruption, we define how the community should enter into the learning environment for each other.

### ***Anti-racist Awareness***

White ignorance shows up particularly in the lack of consideration for context, as well as a lack of awareness about the role of whiteness in maintaining systems of power. In alignment with Kendi (2019) and Brookfield and Hess (2021), anti-racist awareness pushes decision makers and policy developers to educate themselves AND create change. The reality is that, as a field, student conduct is beyond the point of asking whether we know that racism is real or that BIPOC students are treated disproportionately and have a more hostile experience in our institutions. Continuing to debate this is a key aspect of white ignorance. This study shows the importance of using a new lens for understanding minoritized student's experiences in student conduct, similar findings by Irby (2014) in the K-12 system. Instead, anti-racist practice calls us all in to reformulate policies with the assumption that at baseline our policies are replicating and reinforcing whiteness beyond Neumeister's (2017) call for a more integrated model of transformational change in student conduct. In policy language, anti-racist awareness means including an acknowledgement that context can and should play into decision making. Within disruption policies, anti-racist awareness can mean using language that considers context and identifies the importance of active engagement in the learning environment to combat racism. Depending on the institution and individual campus climate, this may mean thinking about how the policy can be formulated to make it more difficult for community members to abuse the process due to their lack of awareness. Having a campus expectation of being aware of racism and white supremacy makes ignorance taboo.

### ***Legally Informed but Community Determined***

Higher education cannot escape the litigious nature of the United States climate (Brayboy, 2003). However, sole reliance on legal frameworks to adjudicate cases only serves to

replicate the systems that legal processes mean to support – those of whiteness (Leonardo & Porter, 2010). Rather than relying on legal frameworks, student conduct administrators can reframe the relationship with the policy as being legally informed but community decided in alignment with work in the criminal legal system (Smith, 2021). Instead of asking a general counsel to sign off on something, we ask “help us understand the legal risks involved.” Campus leadership can then decide if the risk of litigation is worth it, particularly when a given policy is aligned with institutional values. With disruption policies, the legal language about disruption and obstruction and the foregrounding of institutional operations all further exacerbate reinforcing systems of whiteness. While Martin and Janosik (2004) propose less legal language, my findings suggest further work to delegalize policy language in a way similarly aligned with Barnes (2020) work. A legally informed policy would take into consideration the possible risks and rely on the campus community to participate in defining what behaviors are conducive to the learning environment. While this might make for a longer policy, more clearly defining how the community wants members to show up positively (as described above) also hedges against the arbitrary (and white) strategy of faculty, staff, and students to hold control over defining disruption based on their own biases. In alignment with Brookfield and Hess (2021) call to embrace discomfort together, putting responsibility into communities large and small at the institution means asking more from our faculty, staff, and students - more engagement, more thoughtfulness, and more humility that does not shame others as they attempt in good faith to understand their place in the community. As a bulwark against reinforcing white supremacy, I recommend institutions intentionally frame these discussions about policy language within the context of institutional values in alignment with Kallager and Curran (2020). As they note, using these values still comes with the risk of replicating systems of whiteness, particularly at

predominantly white institutions. Integrating anti-racist principles as I discuss above serves to push this model forward, since replicating whiteness in policies would be inconsistent with anti-racism. The path forward includes both values and anti-racism, thereby avoiding the automatic replication of whiteness. When a conflict arises, anti-racist principles take priority.

### ***Recognizing Student's Humanity***

Many of the policies and processes appeared to largely strip students of their identities and contexts. Reporting faculty, staff, and students can define disruption and its impacts totally absent of context or individual students. As a result, for the institutions that provided student conduct data, BIPOC students were reported more frequently than their white counterparts when considering their representation on campus. These data are in alignment with other existing literature both in and outside of higher education (Giacomini & Schrage, 2011; McCarthy & Hoge, 1987; Mizel et al., 2016; Peguero & Shekarkhar, 2011; Skiba et al., 2011; Wallace et al., 2008; Zane & Pupo, 2021). This institutional power exists absent of any checks other than the practices of student conduct administrators to push back with their administrative authority. Instead, policies can be constructed to recognize student humanity in alignment with Baldizan's (1998) call to recalibrate student conduct work. Acknowledging context and the intersectional nature of individual experiences is a key way of doing this. Rather than redefining students as "respondents," we can use terminology that accurately reflects their relationship with the institution. Institutions need not include sanctioning minimums or statements about how a student may be automatically found responsible in particular scenarios. Instead, the institution can incorporate context into the disruption policy by speaking to whether a particular behavior is disruptive to a classroom environment within the context of the discussion. Incorporation of context further humanizes students and pushes student conduct administrators to help BIPOC



students see them as “human beings and friends” (Museus and Neville, 2012, p. 448). Bringing in student voices in this process also aligns with Hernandez’s (2016) call to give space for students to “testify (to) the consequences and effects of racism on (their) lives” (p. 170). Formalizing the expectations that each learning community (classroom) discuss what is and is not permissible can also push faculty to engage in this discourse early so that students understand what the community expects of them and can participate in their development.

### ***Nurturing Multipartiality***

Nearly every institution discussed the role of neutrality. However, as my analysis demonstrated, this neutrality remained an aspect of white supremacy that reinforces systems of whiteness. The fetishization of neutrality becomes toxic and is used as a shield from responsibility for taking context into consideration. Instead, nurturing multipartiality builds on the work of Homes et al. (2020) that seeks to acknowledge that neutrality is impossible, while also taking some work from Clair and Winter’s (2016) observations about how accounting for racial disparities in the criminal legal system decision making process plays out. Instead, student conduct administrators should identify their own identities and approaches to this work, including the values that guide the conversation. Student conduct administrators can engage transformative justice in our work which “asks us to consider how to transform toxic energy, hurt, legitimate pain, and conflict into solutions” rooted in each individuals' experiences (Brown, 2017, p. 133). A student conduct code can still treat students fairly by redefining fair to not mean equally. Each student brings personal context, as do student conduct administrators. Ignoring these contexts is disingenuous. Instead, I recommend that policies include language that enables multipartiality, and names that students will be engaging with a student conduct administrator interested in their growth and learning, rather than just focusing on an empty vessel of neutrality.

Multipartiality relies on an appreciation and foregrounding of the identities of everyone who is part of a given interaction. Rather than empty vessels charged with passing judgment, student conduct administrators approach conversations with students with an agenda – understanding individual context and identities and bringing with them their own experiences. Their priority becomes humanizing the interaction and making space for students to be partners in learning. Vulnerability rooted in humanity also role models for students a different way of engaging on campus. Disruption policies can then include language that does not rely on accusations, and instead consider individual participation in the process.

### ***Applying this Framework***

Using these guidelines, I considered what one of my prior institutions might have done in revising their disruption policy. These policy revisions attempt to foreground students in a collaborative learning environment, still acknowledging the importance at current institutions to have policies about disruption. Where the policy remains broad, it leaves space for students, faculty, and staff to define what policies mean together, within a framework of institutional values. The policy is both more specific and offers mechanisms for individual learning communities to generate norms to hold each other accountable to. Finally, foregrounding campus values and concepts of anti-racism into the policy development creates guardrails that prevent a campus community from developing even more oppressive policies aligned with whiteness (particularly at predominantly white institutions). Possible language includes:

Disruption or obstruction of student learning and University activities or events, including learning, education, research, administration, or other non-University activities or events on campus may include

- Behaviors inconsistent with developed learning community norms in individual classes, student groups and organizations, or other gatherings
- Actions that cause a hazard to the community such as public vomiting, urination, or defecation, reckless driving on campus,
- Use of bias terms, gestures, or actions that target one or more protected group, when these occur outside of the context of appropriate classroom discourse (ie. Academic discussion about a historical text), and/or
- Actions that prevent students, staff, faculty, and/or visitors from engaging in campus programs.

Evaluation of allegations of disruption or obstruction considers the context of the behavior, the impact on the community, and campus values.

This policy does have some significant differences from existing policies. However, there may be an opportunity to integrate some of the principles of this revised policy to change the current process. Additionally, as institutions consider change, this language offers a pathway towards change.

Outside of the policy itself, one consistent strategy across institutions is to educate members of the community (particularly faculty) about how to report instances of disruption in their classroom. My analysis indicates that rather than using training to further define disruption, a more equitable strategy would be to educate individuals about how to facilitate dialogue across difference. Effective classroom and intergroup conflict management centers the voices of the community. While the broader code of conduct can retain specific behaviors that may cause harm to the community, the disruption policy can instead be a set of guidelines for promoting a positive educational environment.

Finally, with this move, it would be important to reduce the number of other policies that further define disruption. By flattening this enforcement structure, we avoid arbitrary application and definition outside of spaces where members of the community can define how they would like their spaces are managed.

### **Implications for Future Research**

This study considered specifically ways that whiteness and white supremacy manifests in institutional disruption policies. I focused largely on whiteness within the context of race and ethnicity, but as a concept whiteness can manifest in experiences of ableism and systems that oppress and exclude neurodivergent individuals. The multiple participants highlighted the experiences of neurodivergent and disabled students, and how their behaviors were coded as disruptive. A subsequent study could explore more specifically this topic, to understand how whiteness manifests in this area.

Another area of possible study includes the ways that practitioners work to compensate for structures of whiteness and white supremacy through practice. Repeatedly, practitioners articulated taking steps, either through the use of professional discretion, conversations, or the use of collaborative consultation to identify non-adjudicative practices. This information is certainly valuable, but outside of the scope of this study.

Finally, there is an opportunity for greater analysis and study that goes deeper into the individual discourse analyses for a campus and focuses on the code language. Where my study sought to consider multiple codes and put them into conversation with each other, a more focused study could provide a different type of insight. This would also be in alignment with studies like Alston (2021), particularly when using a critical whiteness studies lens or my own

theoretical framework. A broader strategy would include exploring a specific institution type to understand specific challenges in a given type of setting.

## **Conclusion**

When I began this journey, I was contemplating my own experiences as a student conduct professional. I was educated by colleagues who prioritized due process and legal frameworks, with education a secondary (though important) part of practice. My approach to practice became focused on context and student experiences as I refined my epistemological and ontological positions. Criticality, including the importance of identifying opportunities for new practice, inspired me to turn to policies. Too often I would use policy as a tool of oppression, even when my own conscience demanded a different response. I turned my eye in this study towards these policies, particularly related to disruption, as a starting point to understand and create change.

Starting with Freire's (2000) schema, I expand it to consider that oppressive policy = oppressive practice = oppressive praxis to demonstrate how despite our best intentions, student conduct administrators' practice and praxis is influenced by policy. I approached the literature using a critical lens and understanding that student conduct sits at an intersection between legal compliance, student development, and institutional policies. Given the lack of research in this area of higher education policy, I bracketed this topic with literature from the K-12 disciplinary system and the criminal legal system, both of which show how disproportionality impacts BIPOC students. My review of student conduct literature indicates the hard work that student conduct colleagues have been doing to find equitable approaches to our work.

I enter the discussion of policy by using a theoretical framework that similarly considers the intersecting facets of student conduct work. My theoretical framework incorporates

components beyond critical whiteness studies to acknowledge that, like the literature review, student conduct requires a more nuanced lens. I reviewed my study with a lens that considered policies as control, toxic neutrality, white ignorance, white legal structures, and dehumanization through policies. I considered the campus discourses for eight colleges and universities that included four-year public and private universities, as well as a community college and a four year religiously affiliated institution. My analysis informed the subsequent discussion where I determined common trends across institutions. I used this analysis and the inspiration of la paperson (2017) and Brown (2017) to yield a model for developing antiracist policies that includes policy as liberation, anti-racist awareness, language that is legally informed but community determined, policy that recognizes student humanity, and nurturing multipartiality in determining disruption policies and the subsequent responses to reports. Critically, nothing about this model takes away from offering students the necessities issued by law. When we think about risk of litigation, in my experience the students who sue do so because they do not feel that they have been heard, they feel that they have had their educational opportunity taken from them, or we (student conduct administrators) have made mistakes in our practice. Sometimes their litigation is reasonable, and my proposed model mitigates risk by honestly looking to and considering students as partners rather than adversaries. We cannot control for all risk, but we can build processes for the majority of our students rather than holding the majority hostage to the very few who litigate.

Reimagining our student conduct policies requires a fundamental shift in our collective relationship with the learning environment. This work, and the continued work we all do, is built on the labor of scholars before me. My call to push beyond a spectrum model to a truly transformational paradigm is only possible because they began the conversation for this change.

Rather than a didactic, top down model, we must invite and expect faculty and staff to engage collaboratively with students to create learning community norms. We need to rely on our values as an institution as touch points. We have to give up the positional and institutional power to dictate terms and instead negotiate in good faith. Simultaneously we must not forget that the majority of students at most of our institutions are white. Thus, our efforts need to be guided in an anti-racism framework that also engages these white students in becoming anti-racist accomplices. We need to stop designing policy only to mitigate risk and acknowledge that the vast majority of student cases can be resolved through liberatory praxis. We can do better, and with this and other studies I believe we can.

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## APPENDIX A: EMAIL SOLICITING PARTICIPATION

Subject: Request for Participation from the ASCA Membership

Dear Colleague,

My name is anton ward-zanotto, and I am a Ph.D candidate in the Higher Education Leadership program at Colorado State University. I am studying the ways that institutional disruption policies act as manifestations of white power in higher education and am hoping to solicit information about your institutional disruption policies and the enforcement mechanisms for this study. For the purposes of my study, disruption policies include those written student conduct codes, explaining documentation (websites, suggested syllabus language, etc.) and other publications that explain the behaviors that might negatively impact students, staff, and faculty participation in the higher education experience.

The title of this study is **Words Matter: How Institutional Disruption Policies Reinforce white Power in Higher Education**. The study itself has been approved by the Institutional Review Board at Colorado State University (protocol # 3395). I will apply critical policy discourse analysis methodology to evaluate individual institutional policies and engage in a larger analysis of higher education policies. The Principal Investigator is David McKelfresh, Ph.D (School of Education, Colorado State University) and I am the Co-Principal Investigator.

I am interested in gathering the following information from each willing institution using a secure Qualtrics survey which should take approximately 15 minutes to complete:

- A copy of your disruption policy(ies)

- Links to publicly available documents and websites for your institution explaining the application of this policy
- Disaggregated information about the student conduct processes related to this policy (submitted via Onedrive)

In addition to this data, I am also conducting interviews with student conduct administrators who have policy development responsibilities as part of their role regarding the application of these policies. I will contact you once you have completed the online survey to arrange a 60-75 minute interview via zoom platform. I will use otter-ai, an online transcription software, to produce a live transcription during the interview.

We will be collecting your name, title, and email address for communication. When we report and share the data to others, we will combine the data from all participants. We will keep your data confidential; your name and data will be kept separately in a key saved in OneDrive and only available to myself and Dr. McKelfresh. While there are no direct benefits to you, we hope to gain more knowledge on how student conduct policies manifest white power, and potentially how to make changes for future policy revision. In exchange for participation, I will produce an individualized report for each institution. This report will include an analysis and recommendations for policy revision to make institutional disruption policies equitable and I will share this report with you with your consent. The information for each participating institution will be sanitized and identifying information removed in the final dissertation write-up.

There is limited risk for participating in this study. All data for this study will be disaggregated, and the names and institutionally identifying information will be removed in the final analysis. It

is not possible to identify all potential risks in research procedures, but the researcher(s) have taken reasonable safeguards to minimize any known and potential (but unknown) risks. The information I collect will be used only for the purposes of my dissertation project. I will retain this data for three years following the successful defense of my dissertation, after which point it will be deleted.

You can access the survey here:

[https://colostate.az1.qualtrics.com/jfe/form/SV\\_7U67e9TqnlllyAWG](https://colostate.az1.qualtrics.com/jfe/form/SV_7U67e9TqnlllyAWG)

For more information, please feel free to contact me at [anton.zanotto@colostate.edu](mailto:anton.zanotto@colostate.edu) or my dissertation advisors, ryan barone, Ph.D ([ryan.barone@colostate.edu](mailto:ryan.barone@colostate.edu)) and Dave McKelfresh, Ph.D ([david.mckelfresh@colostate.edu](mailto:david.mckelfresh@colostate.edu)). If you have any questions about your rights as a volunteer in this research, contact the CSU IRB at: [RICRO\\_IRB@mail.colostate.edu](mailto:RICRO_IRB@mail.colostate.edu); 970-491-1553.

Sincerely,

anton ward-zanotto

## APPENDIX B: SURVEY

Introduction: Thank you for taking the time to participate in this survey. By completing it, you are acknowledging that you have reviewed the following information and you have informed consent of the benefits and risks of participation.

I am studying the ways that institutional disruption policies act as manifestations of white power in higher education and am hoping to solicit information about your institutional disruption policies and the enforcement mechanisms for this study. For the purposes of my study, disruption policies include those written student conduct codes, explaining documentation (websites, suggested syllabus language, etc.) and other publications that explain the behaviors that might negatively impact students, staff, and faculty participation in the higher education experience.

The title of this study is Words Matter: How Institutional Disruption Policies Reinforce white Power in Higher Education. The study itself has been approved by the Institutional Review Board at Colorado State University (protocol # 3395). I will apply critical policy discourse analysis methodology to evaluate individual institutional policies and engage in a larger analysis of higher education policies. The Principal Investigator is David McKelfresh, Ph.D (School of Education, Colorado State University) and I am the Co-Principal Investigator.

- Participation will take approximately 15 minutes
- Your participation in this research is voluntary. If you decide to participate in the study, you may withdraw your consent and stop participation at any time without penalty.

- I will be collecting information including your name, email, role at your institution.
- When I report and share the data to others, I will remove identifiable information about you and your institution.
- I will keep your data confidential; your name and data will be kept separately in my Colorado State University OneDrive folder, accessible only to the research team.
- While there are no direct benefits to you, I will provide an executive summary of my analysis for your specific institution with your consent.
- It is not possible to identify all potential risks in research procedures, but the researcher(s) have taken reasonable safeguards to minimize any known and potential (but unknown) risks.

In addition to this data, I am also conducting interviews with student conduct administrators who have policy development responsibilities as part of their role regarding the application of these policies. I will contact you once you have completed the online survey to arrange a 60-75 minute interview via zoom platform. I will use otter-ai, an online transcription software, to produce a live transcription during the interview.

There is limited risk for participating in this study. All data for this study will be disaggregated, and the names and institutionally identifying information will be removed in the final analysis. It is not possible to identify all potential risks in research procedures, but the researcher(s) have taken reasonable safeguards to minimize any known and potential (but unknown) risks. The information I collect will be used only for the purposes of my dissertation project. I will retain this data for three years following the successful defense of my dissertation, after which point it will be deleted.



For more information, please feel free to contact me at [anton.zanotto@colostate.edu](mailto:anton.zanotto@colostate.edu) or my dissertation advisors, ryan barone, Ph.D ([ryan.barone@colostate.edu](mailto:ryan.barone@colostate.edu)) and Dave McKelfresh, Ph.D ([david.mckelfresh@colostate.edu](mailto:david.mckelfresh@colostate.edu)). If you have any questions about your rights as a volunteer in this research, contact the CSU IRB at: [RICRO\\_IRB@mail.colostate.edu](mailto:RICRO_IRB@mail.colostate.edu); 970-491-1553.

Thanks for participating!

Institution Name

Institution Type

Institutional disruption policy (please include the text and link to policy online for each, as appropriate)

Links to website that explain institutional disruption policy (include any/all that are appropriate)

TEXT: I am looking to interview individuals who have student conduct responsibilities, including responsibility for policy development. If you do not meet this criteria, please include the contact information of someone at your institution who does, and I will reach out to them to arrange an interview time.

Your name

Your title

Your email/contact information

The name and email of the representative at your institution who may fit the above criteria for interview

Thank you for your participation. I will be in touch soon to provide you with a spreadsheet and individualized OneDrive folder to submit your institutional data for disruption adjudication.

## APPENDIX C: SPREADSHEET DETAILING CASE INFORMATION AND CATEGORIES

Year	Campus	Institution Type	Location	Responsible/Not Responsible	Sanctions	Other factors (open ended)	Gender Code	Race/Ethnicity	Domestic/International	Year in School	Reporter Type	Gender Code	Reporter race/ethnicity
2017/18		4-year public	Classroom/Learning Space	Responsible	No sanction	May include	Male	African American	Domestic	First	Faculty	Male	African American
2018/19		4-year private	Residence Hall	Not Responsible	Warning	information	Female	American Indian	International	Second	Staff	Female	American Indian
2019/20		2-year public	Public Space		Probation	about	Non-binary	Asian		Third	Student	Non-binary	Asian
2020/21		2-year private	Other		Suspension	priors, other	Other	Caucasian/White		Fourth	Other	Other	Caucasian/White
2021/22		Other			Dismissal	context, etc.		Hawaiian/Pacific Islander		Fifth+			Hawaiian/Pacific Islander
								Hispanic/Latino		Graduate			Hispanic/Latino
								International					International
								Not indicated					Not indicated
								Two or more races					Two or more races

## APPENDIX D: INTERVIEW SCRIPT WITH INSTITUTIONS

Thanks again for taking time to talk with me today. As we discussed, this interview is part of my dissertation study for my doctorate at Colorado State University. I am exploring the ways that institutional disruption policies serve as mechanisms of white power, and as part of my analysis, am spending some time interviewing student conduct administrators about their experiences. Today we will talk about your experiences. I've provided you with the starting questions in advance, and my hope is to use them as a jumping off point for us to talk about your experiences. I want to be clear that the information you share will only be used for this dissertation project, and I will be removing personally identifying information like names from my notes. One aspect of this project includes transcribing interview records. I would like your permission to record our conversation, both so that I can accurately reflect your thoughts and experiences.

What if any questions or concerns can we talk about before we get started?

So we have about an hour, and as you saw we have about ten questions to talk through. Feel free to let me know if there are questions that you are uncomfortable answering, or if you want me to pause the recording at any time. We are going to begin the interview now. Do you have any other questions before we begin?

1. Tell me about yourself. What is your experience with student conduct?
2. When you think of disruption on campus, what comes to mind?
3. What has been your experience meeting with the faculty, staff, and students who report concerns about disruption?

4. What has it been like to meet with students who are accused of violating your disruption policies? How do white students respond? What about BIPOC students? (spell out Black, Indigenous, and People of Color if necessary)
5. When you meet with students accused of violating your disruption policy, what do they share are the reasons for their behaviors. How does this align or conflict with what the reporting party alleges?
6. How does race, and particularly whiteness, show up in these conversations?
7. What feedback have you received about your disruption policies from students? From faculty/staff?
8. How do you see the racial identities of the students, staff, or faculty involved in these cases impacting them?
9. If you were involved in the development of these policies, tell me about that experience. What kinds of things did you discuss in that conversation?
10. What other information do you think I should know?

Thank you again for taking the time with me today. What questions do you have before we wrap up?

I will be in touch once I have completed the transcription process and will share this and the summary with you so that there is an opportunity to provide feedback. I will also reach out to you once I have an initial draft of my analysis for you to get your feedback and offer any additional information or explanation. Thank you again for your time.

## APPENDIX E: ASSOCIATION FOR STUDENT CONDUCT ADMINISTRATION RESEARCH COMMITTEE APPLICATION

### 1. Study abstract (max. 350 words)

I am working towards being able to identify how student conduct systems operationalize whiteness and white supremacy. In so doing, my study would offer clarity about how to renegotiate the discussion and drafting of policies. The purpose of this study is to reveal how institutional student conduct policies serve to codify and reinforce systems of whiteness and white power. I approach student conduct policies from the assumption that power structures maintain white power on the campus level. Institutional student conduct policy responds to multiple influences, ranging from federal and state obligations, such as prohibitions against underage alcohol consumption or sexual assault, standards regarding academic performance, and community norms about appropriate behavior. More specifically, disruption policies establish expectations regarding student behavior in the institutional environment in and outside of the classroom. This dissertation study begins from the primary question:

How do institutional policies regarding campus disruption manifest systems of white power?

To address this study, I raise the following sub-questions:

1. What language do institutions use to describe disruption on their campuses?
1. How do institutions explain disruption policies? What do they publish in terms of direction or clarification for campus community-members?
1. How do institutions apply and enforce their disruption policies?
  - a. Is there disproportional enforcement based on student identities?

I will approach these questions using a critical policy discourse analysis methodology. By examining the text of institutional disruption policies in conversation with materials and artifacts

about their application, I will explore how the policies themselves act as the white supremacist skeleton within institutional practice.

2. Describe the specific population of the ASCA membership that you would like to study.

I would like to solicit information from all ASCA members, particularly those who are in positions of leadership who have the ability to speak to the development and distribution of their disruption policies. If I am fortunate enough to have significant response rates, I will narrow the group for study by engaging in a specific analysis of 4-year public institutions.

3. Describe the plan and timeline for your study invitations. This narrative should include the nature of your contacts with ASCA members as well as the number of contacts and specific dates that you would like the contacts to occur. Please note that the ASCA Research Committee and/or ASCA Office may need to work with you to set the specific dates for contact if your request is granted. (max. 350 words)

I am planning to begin distribution of this study during the last weeks of the Spring Semesters/Quarters in 2022, between May and June. I will send three messages similar to the original solicitation for participation with reminders. Depending on the approval timeline, I will space out the distribution over four week intervals. I hope to collect data during the summer terms, completing data completion at the start of the 2022-23 academic year (September/October 2022). I would work with ASCA to forgo these reminders if there is significant response.

4. Describe the study's benefit to the ASCA membership and contributions to the research literature in the field of higher education administration and student conduct. (max. 200 words)

My analysis and discussion operate from my ontological and epistemological perspective, recognizing the role of racism and whiteness in the higher education environment, and the question is not whether these policies are manifestations of white power, but to what extent and how do we reimagine them to confront this reality. Our discourse about institutional policies are fictions that fail to address the racist underpinnings of our institutions and stop short of true reformation by refusing to reckon with the policies themselves, instead remaining fixated on practice. My study will provide both an analysis of policies and a roadmap for other institutions to engage in similar analyses at their institutions.

5. Describe your research protocol to ensure confidentiality of ASCA members during your study as well as to ensure that the ethics of ASCA members are not compromised during your study. Please provide an explanation for the appropriateness of your proposed research instruments and the process you pursued to gain access to and/or develop your instruments. Please note that all studies are required to ensure participation is both voluntary and anonymous. (max. 350 words)

I will solicit the above information from higher education institutions using a request through the Association for Student Conduct Administration membership listserve. In this request, I will solicit information about the institution, institution type, the language for their institutional disruption policy from their student conduct code, links to websites that explain this policy, documents that are used to explain the application, and documents outlining the enforcement of



these policies (student conduct processes). This data falls into three broad categories. First, documents and texts may be publicly available via online locations such as websites and public databases. These include student codes of conduct, published websites, and annual reports. Second, data may not be publicly available but, because an institution is a public college or university, may be available via public records requests. This may include notes from meetings, internal documentation, or emails. Finally, there may be information that is private but that institutional administrators may be willing to share. This includes private communications, internal guidance documents, or information that might be related to the drafting process. I will ask for all of these types of information and for institutions to clarify which is which as they are able.

I will also provide a spreadsheet to ask for disaggregated data about student conduct cases, including information about the race/ethnicity of a student, the location, the source of the report, a finding from a student conduct proceeding, and the race/ethnicity of the conduct officer or decision maker. Finally, I will interview a representative of the institution to understand their experiences and perspectives about the disruption policy. As an incentive for participation, I will offer to share an executive summary of my findings and a follow up discussion about recommendations for action. Beyond this institutional disclosure, I will also review the institutional website to reveal other aspects of the discourse, including student news sources, meeting notes, or other publicly available information about the campus discourse related to the disruption policy within student conduct codes. In the final analysis, I will remove identifying information for each institution.

## APPENDIX F: INITIAL CHECKLIST FOR ANALYSIS

### White ignorance

- Ignoring of context

- No note of community standards

- Focus on precedent rather than looking forward

- Ignoring race

- Assumption of whiteness (e.g. noting “students” then “Black students”)

### Dehumanization through policy

- Focus only on behavior and not context

- Lack of naming the student (e.g. “respondent” or “accused”)

- Limited specifics

### Policies as control

- Power structures (faculty over students)

- Protection of teaching/learning environment against speech or disruption

- Assumed values in languages (respect, control, etc.)

- Removal of emotionality

### White legal structures

- Emphasis on power structures

- Neutrality and focus on the written word

Singular way of engaging

Emphasize use of process rather than community involvement

#### Toxic neutrality

Emphasis on neutrality

Lack of specific behaviors

remaining content neutral

emphasis on process over discretion

believe that all speech/behavior is equal (e.g. equating BLM with Unite the Right)

## APPENDIX G: INITIAL CODEBOOK

<b>whiteness in Student Conduct Policies</b>	
Dehumanization through Adversarial Systems	Crafters of student conduct systems intentionally mirror them on formal adjudicative systems to be legally compliant with regulations and to protect from litigation. However, legal systems and disciplinary systems in the K-12 system enable operators to oppress and disproportionately sanction BIPOC individuals
Legal structures as whiteness	Few components of institutional policy are more rooted in the need for legal compliance than student conduct. When students seek legal remedies, they often challenge institutional action taken under student conduct codes.
Policies as Control	Members of the academic environment rely on policies to reinforce their control in the institutional environment. Gusa (2010) discusses white ascendancy within higher education as a frame for how leaders and stakeholders, mostly white, create policies and expectations for the learning environment that privilege their norms.
Toxic Neutrality	Neutrality, within the contexts of legal frameworks, is an uncentering of individual experiences in favor of only scrutinizing the behaviors in question.
white Ignorance	One consistent thread throughout whiteness literature is the refusal of individuals to acknowledge racism. When reviewing institutional policies, professionals' failure to engage with racism and power dynamics only work to reinforce whiteness and white power. Critical scholars foreground the existence of racism, bringing into focus how it is central to the way that social systems operate. The epistemology of ignorance from critical whiteness studies informs this practice.

Title	Description
Discourse analysis	
Connections	Discourse analysis involves drawing the essential connections between concepts and subjects. The ways that language clarifies context, it can also obscure. How a given discourse makes visible or invisible various connections. Within student conduct policies, connections between behavior and norms may be more or less visible.
Identities	Critical to understanding the way that discourse occurs, individual identities and their inherent power relationships impact the ways that individuals and groups interact. Gee (2011) points out the ways that power in relationships influence the ways that individuals interact, and socially accepted constructs of power and privilege govern these relationships.
Politics	Politics plays out in a way within a discourse analysis. Gee (2011) highlights that in this instance, politics are related to “distribution of social goods” which, in the context of student conduct, relates to the quality of and presence in higher education. How language frames the availability of these social goods, is how politics manifests in discourse analysis. This also includes the ways that individuals have access to a given resource, and how that access relates to an individual or group’s ability to have those resources.
Practice (Activities)	Practices and activities capture a series of behaviors and actions surrounding a given discourse. Language, particularly policy, captures the series of activities and practices involved in operationalizing that given activity. These practices are also socially constructed and accepted, creating meaning for individuals.
Relationships	Gee (2011) frames relationships as part of a given discourse, since they offer insight into how individuals and groups interact. Like identities, relationships govern the way that language and context play out in the interactions between people.

Sign Symptoms and Knowledge	The language itself and the turns of phrase that show up in written language matches with a given discourse. Student conduct policy language, then, matches with similar legalese that shows up as a result in particular systems.
Significance	Significance indicates what actors make important through language. This can sometimes be the subject of a given discourse but may also include other descriptive aspects of the discussion. For example, the phrase “good student conduct needs to be legally compliant.” The subject, student conduct, is modified and emphasized by the term “good.” With other context and language, “legally compliant” can become the critical part of this statement, giving it greater significance in a given context. We use significance to indicate levels of value, and my analysis will require me to assess how institutions place significance on different terminology or behaviors in their given context.

## APPENDIX H: DISRUPTION POLICIES

(Stoner & Lowrey,2004):

2. Disruption or obstruction of **teaching, research, administration, disciplinary proceedings, other [College] [University] activities...**

[and]

13. Participating in an on-campus or off-campus demonstration, riot or activity that **disrupts the normal operations** of the [College] [University]...leading or inciting others to **disrupt the scheduled and/or normal activities** within any campus building or area

[and]

to **model good citizenship** in any community. (p. 27-34)

NCHERM (2014):

Disruptive Behavior. Substantial disruption of University/College operations including obstruction of **teaching, research, administration, other University/College activities...** (p. 16)

Discovery University:

verbal, written or physical actions that cause disruption to the **orderly operation of the University...**This includes, but is not limited to, obstruction of **teaching, research, University administration, University events and activities...** (DU Disruption Policy, p. 1)

Cerritos University:

a. *Disruption of University Functions of University-Sponsored Activities* - Materially and substantially **disrupting the functioning of the University.**

[and]

**committing a nuisance or generally engaging in disruptive behavior...**

[and]

amplification of sound in a manner that disrupts or disturbs the **normal functioning of the University**. (CU 2021-22 Code of Student Conduct, p. 18)

Defiant College:

2. Individuals will **respect** and foster the academic endeavors of others.

3. Individuals will **respect** the integrity of the University's **academic and administrative records**.

4. Individuals will adhere to all policies and regulations of [DC] and [DC's state system] along with **federal, state, and local laws...**

[and]

6. Individuals will demonstrate **civility** for others in all their interactions.

7. Individuals will show **respect** for personal and University property.

[and]

9. Individuals will comply with the University in **enforcing its administrative responsibilities**. (DC Student Policy Handbook 2021 2022, pp. 4-5)

Shenzhou Community College:

Disruption or obstruction of any operation of the college, including, but not limited to, **teaching, student conduct proceedings, college activities, public service functions on or off campus...** (SCC Code of Student Conduct 2018, p. 8)

Protostar University:



N. Obstructing or **disrupting classes, research projects, or other activities or programs** of the University... (PU – Disruption policy, p. 1)

Enterprise University:

conduct, not protected by law, that interferes with, impedes, or otherwise unreasonably hinders the normal **teaching, learning, research, administrative**, or other functions, procedures, services, programs, or activities of the university... (EU Code Language)

Voyager University:

Obstruction or disruption of **teaching, research, administration, conduct proceedings**, or other University activities... (VU Student Code of Conduct)

La Sirena University:

Disorderly conduct by an individual includes **any behavior that is unreasonable, reckless, causes inconvenience, annoyance, or alarm...**

[and]

Disruptive conduct includes any behavior that unreasonably obstructs or interferes with the **normal operation of the University...** (LSU Disruption Policy)