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## The Evolution Of An Institution And Student Misconduct Polices: A Study Of Minnesota State University Moorhead (MSUM), 1887-2007

Ashley Jo Atteberry

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THE EVOLUTION OF AN INSTITUTION AND STUDENT MISCONDUCT POLICES: A  
STUDY OF MINNESOTA STATE UNIVERSITY MOORHEAD (MSUM), 1887-2007

by

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A Dissertation  
Submitted to the Graduate Faculty

of the

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for the degree of

Doctor of Philosophy

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May  
2021

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April 9, 2021

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## ABSTRACT

An institution of higher education holds certain beliefs about the personal growth of students while they are enrolled. The behavior prohibited within the student misconduct policies reflect the norms within the larger society as well as the expectations specific to the learning environment within the institution. Students adhering to the expectations defined in these policies are perceived as embracing these beliefs, which enhances the character and resulting community member the student becomes upon graduation. In an opportunity to understand and resolve the concern of having an overly legalistic published policies for student misconduct, this qualitative study reviewed the content of codes of student conduct and published rules for students at Minnesota State University Moorhead from the start of the college through the span of 120 years. The evolution of the institution and student misconduct policies was studied through qualitative historical document analysis of archived student handbooks and annual catalogues and bulletins at the institution within the noted timeframe of 1887 through 2007. Using this design allowed for the holistic understanding of the data given the researcher's professional knowledge, the setting of the college, and the evolution of the institution. The findings included evidence of the dynamic evolution of policies; an increased proportion of policies that reference criminal law, state statute, and federal law; and the changes in policies that reflect the contextual landscape changes of the institution. In the advent of "model codes", this study provides a framework for student conduct practitioners to conduct a review of the student misconduct policies on a college or university campus.

## Chapter 1

### Introduction and Background of the Study

Higher education institutions have a set of policies that provide expectations for student behavior, often identified as prohibited conduct policies within a code of student conduct or an honor code. These policies identify prohibited behaviors in the classroom and on campus in an effort to ensure there is an environment for all students to learn and to promote normative behavior within the campus community. There are policies similar to laws, such as “do not steal,” while other policies are specific to the learning environment, such as “no cheating.”

In part, misconduct policies set a tone and convey to students some beliefs of the institution while providing the framework for the community standards of the campus. As Blimling (2006) summarizes:

Standards and policies universities have adopted are the embodiment of institutional values. They are the attributes institutions expect in their graduates. The role of student conduct affairs professionals who work with student conduct is quite literally that of a moral and ethical teacher of institutional and societal values. (p. x)

An institution of higher education holds certain beliefs about the personal growth of students while they are enrolled. The behavior prohibited within the policies reflect the norms within the larger society as well as the expectations specific to the learning environment within the institution. Students adhering to the expectations defined in the misconduct policies are perceived as embracing these beliefs, which enhances the character and resulting society member the student becomes upon graduation.

Often conduct policies are published in student handbooks, in course catalogs, and other prominent documents and web pages held by the institution. These policies were historically

printed in handouts provided to students at the start of the term of their enrollment at the institution. More recently, colleges and universities publish these policies within printed and printable brochures limited to the code of student conduct and on institutional web pages for current students. The content of the code and the details of policies may be regulated by stakeholders outside of the institution; for example, a university may have to adhere to the policies that are governed by the system or oversight body the university is part of. As such, these policies need to be articulated in the code of student conduct at the institution.

Administrators typically update and revise institutional policies for student conduct concerns. Some of these reviews occur on an annual basis while others occur much less often, such as every two, five, or ten years due to the oversight of approving bodies like a Board of Trustees or state legislators' involvement. Furthermore, federal law and oversight offices may create a need for institutions to change or update policies. In addition, there are many stakeholders as part of the campus community who are invested in the policies written for students, which can have an impact on the time a review takes. For example, a Board of Trustees or state legislators may have a specific timeline or review cycle for policies established; as such, the code of student conduct review may be scheduled and delayed due to other priorities. Other institutions may have more flexibility in the authority of making changes and have an annual review that is held on campus in consultation with campus community members in a briefer timeline.

### **Statement of the Problem**

It is known that colleges during the eighteenth century in the United States had policies of established rules for those who were enrolled (McDaniel Moore, 1976). As Danells (1997) noted:

Fearing the unbridled expression of the natural depravity of their charges, the early colonial college trustees, presidents, and faculties set about shaping the moral character and social manners of their students through long and detailed codes of conduct and rigid scheduling (p. 3).

The existence of a code of student conduct is important as it provides expectations of behavior and protections for student who may be accused of violating any of these expectations (Bach, 2003). The policies within the code historically provided a reflection of institutional values and acted as a guide in setting a tone for the learning environment desired at the institution (Bach, 2003; Lake, 2009).

There is some guidance for institutions of higher education to move to simpler codes that focus on the intent of supporting the student learner to grow and develop outside of the academic classroom (Dannells, 2009; Hoekema, 1996; Lake, 2009; Lake, 2011; Lake, 2013; Lancaster, 2006). While the field of student conduct administrators has become professionalized (Dannells, 2009; Lake, 2009), this does not equate to the formal training provided by law schools. Having simpler codes would be easier for students to understand, and it would be less formal for administrators to uphold as they work to ensure the environment is conducive to learning. The leaders within the field of college student discipline advocate for not creating a legalistic process and avoiding legalistic language and ideas (Dannells, 2009; Hoekema, 1996; Kaplan & Lee, 2014; Lake, 2013; Lake, 2011; Lake, 2009; Stoner & Lowery, 2004) to ensure the clear separation between the criminal court and the campus administrative process (Lake, 2011). Noteworthy, there are times when state laws contradict this, such as state level policies in North Dakota requiring the involvement of legal representation as part of the student disciplinary process (N. D. Century Code § 15-10-56).

There is an opportunity to evaluate and resolve the concern of having an overly legalistic code and published policies for student misconduct. This includes using a lens of seeking to understand the genuine historical context of higher education (Thelin, 2011). I studied the content of codes of student conduct/published rules for students at Minnesota State University Moorhead because I wanted to find out how the rules changed over time in order to provide understanding in how the rules may reflect the campus culture and return to a more meaningful code that is less legalistic.

### **Purpose of the Study**

The purpose of this study was to understand policies for prohibited student conduct from a historical perspective while taking into consideration legal issues and campus culture at Minnesota State University Moorhead (MSUM) from the start of the college through the span of 120 years.

### **Research Questions**

The research questions for this study include:

- 1) How have the policies for prohibited student conduct changed and evolved given the evolution of an institution that started as a normal school in 1887 to a comprehensive state institution in 2007?
- 2) How have the student conduct policies at MSUM changed during the time span of 1887 through 2007 given the growing legalistic climate of college students' rights and court decisions?
- 3) How does the code of student conduct at MSUM reflect the contextual landscape of the institution and the leadership of the institution?



## **Rationale for the Study**

This research was worthy of study because it sought to discover how policies changed over time as the college changed. At the time of this study, there is no such research existing from other studies that compiled and presented the factual information of student policies while also providing interpretation of the policies, assigning meanings, and determining significance in what was discovered.

It was also important to consider policies that the college had prior to model codes being published. To date, there is very little research in the area of student misconduct policies and their existence, especially prior to the model codes being produced. From my professional experience, the existence of model codes created a sense of legal authority in response to federal laws and college student lawsuits. The student misconduct policies within these models appear to neutralize the college specific policies that diminishes the reflection of the unique institution culture.

It was important to consider an evaluation of the actual prohibited conduct policies. In my evaluation of the historical changes within the state of Minnesota, there have been fundamental changes to higher education over time, noting special consideration of state-level decisions and the evaluation of the purpose of some degrees and programs controlled by state legislators and boards of trustees. With respect to federal and state laws, colleges should consider how their policies speak to their students and how students find community within the college setting in conjunction to the policies.

## **Conceptual Framework**

Described in more detail in the review of literature in Chapter 3, student misconduct policies were explored within the framework of four specific areas. The first characteristic was

the concept of *in loco parentis*, which was interpreted to mean the early faculty and then administrators of colleges were acting in place of the parents of the students while the students were enrolled (Kiplinger, 2006; Loss, 2014). The second characteristic was legalisms, which draws similarities between student misconduct policies and criminal and civil laws (Lake, 2009; Lake, 2011; Kaplan & Lee, 2014; Stoner & Lowery, 2004). The third characteristic was related to academic misconduct, which includes a variety of behaviors specific to academic wrongdoing (Berger & Berger, 1999; Boehm, Justice, & Weeks, 2009; Fox, 1988; Lake, 2011; McCabe & Treviño, 1993; Pavela, 1997; Pavela 2006). The final characteristic was off-campus misconduct, which introduced the concept of a nexus in determining whether the behavior that occurs off campus is relevant for the college to address (Dagley & Weiler, 2017; Goings, 2008; Kiplinger, 2006). The conceptual framework for this study is represented in Figure 1.

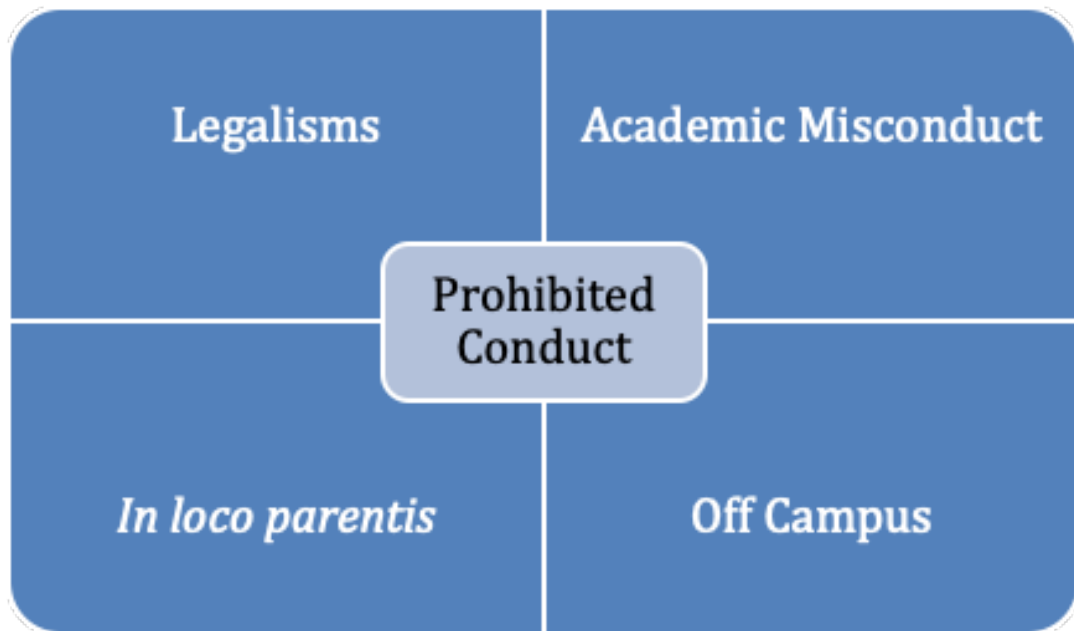


Figure 1. Visual image of the Framework Quadrants of Prohibited Conduct: *in loco parentis*, legalisms, academic misconduct, and off campus.

I created this conceptual framework based upon my work in the field and based upon a synthesis of works by numerous authors regarding these four areas as they related specifically to college student misconduct and codes of student conduct, detailed in Chapter 3. By using this conceptual framework, I was able to more clearly analyze commonalities and absences in what policies were included in the early student misconduct policies at the normal school starting in 1887 through its evolution to a state university in 2007. Although some of these concepts are rooted within certain time periods and may present some overlap in ideas, I find it helpful to conceptualize these four categories individually and connect them within the historical context.

### **Definitions of Terms**

The following terms are important to this study and used throughout this dissertation. They are defined here to assist the reader in understanding the usage within the study.

The following terms are specific to student misconduct:

- Code of Student Conduct: A code of student conduct is a guide produced for students to identify specific prohibited conduct and expectations along with procedures for how any alleged violations of policy would be resolved with possible outcomes (Kaplan & Lee, 2014; Lake, 2011; Stoner & Lowery, 2004). Model codes have been created by higher education professionals, often with a background in professional legal training, to serve as guides for campus administrators to use in re-writing individual campus codes.
- Prohibited Conduct: Prohibited conduct is that which is specifically identified acts or behaviors that a student is directed not to do or to engage in while in class, on campus, or at an event hold by the college or university (Kaplan & Lee, 2014).

- **Published Policies:** Published policies are those that indicate prohibited conduct or expected behavior for a student while they may be in while in class, on campus, or at an event hold by the college or university. These policies are printed or provided in notices from a department or program at the college or university, and they may be included in handbooks or catalogues (Lake, 2011; Stoner & Lowery, 2004).
- **Students:** Institutions of higher education often provide a definition of who they deem to be students of that institution. This often includes individuals who have been admitted and are enrolled in courses at the institution. Also, when individuals are not enrolled for summer offerings but for Fall term courses, they are considered to be students given this on-going relationship (Lake, 2009; Stoner & Lowery, 2004).

The following terms are specific to historical research in education:

- **Historiography:** The study of ideas held to be fact or true during a certain time or period of history, reconstructing an event or pattern of events that occurred in the past (Becker, 1938).
- **Primary Sources:** The written records or materials that were created for personal use or for public audiences, often considered a manuscript source or a published source, that was created at the specific time of the events (Brundage, 2013).
- **Secondary Sources:** The researched and investigated primary sources that often result in a book, an essay, or a scholarly article that relies on information from primary sources (Brundage, 2013).

## **Significance of the Study**

This research will serve as professional development for people who work in roles within higher education offices of student conduct, student judicial affairs, or dean of students offices. This study created a sustainable template for their own investigation. This study may be replicated at other institutions where administrators want to know the history of the student misconduct policies and the expectations that were previously created for students during a point in the history of the institution. This information will enhance the understanding of the historical aspects of the institution and the students enrolling at the institution.

In addition, the community of student conduct professionals and academics benefit with the addition of this research. The field of student conduct research is an underdeveloped area with growing content within the areas of the impact of court decisions, student behavior in relation to student development theory, and how the defined concept of due process is operationalized. While these are valuable areas, this study focused on policies and expectations that add depth to the field of knowledge.

## **Overview of the Research Design**

This was a qualitative historical research study for accessing and evaluating historical texts specific to student misconduct policies at Minnesota State University Moorhead (MSUM). The qualitative research approach required that I read texts, serving as the research instrument to record applicable data and analyze it. My role was to search for consistencies or patterns and to find meaning in how people created their interpretations due to interactions in a specific setting in history. Also, I drew attention to and provided descriptive findings after in-depth engagement with the texts.

Historical research design includes three main components: the discovery of the sources, critical assessment of the text/source, and the articulation of the findings “in terms of objective truth and significance” (Garraghan, 1946, p. 34). The sources used for this study were documents in the Archive Department at MSUM, stored and available in their original format with some scanned, uploaded, and stored digitally in the online archival repository. I critically assessed the sources for this study by assessing them myself. In University Archives, the student handbooks were catalogued in a single box, which was labeled with reference numbers and noted as student handbooks for the institution. The printed texts were organized chronologically and had the name of the institution and often insignia of a dragon, which became the school mascot following the fire that destroyed the main campus building in 1930. The online repository was linked from the University Archives webpage, and the documents were catalogued by year and month of publication. Each text had a clear reference to the name of the institution. I believed the printed documents within the student handbook archival box and the bulletins and catalogues uploaded online to be credible sources for student misconduct policies. I read the text and recorded information from the text using a text reference form. Creating an audit trail. I took these steps to I also followed a prescribed set of steps to code the texts. I then articulated the findings discovered through the coding process.

This study was specific to the institution in Moorhead, Minnesota. The institution has been formerly known as Moorhead Normal School in 1887, Moorhead State Teachers College in 1921, Moorhead State College in 1957, and Moorhead State University in 1975. From 2002 through the present day, the institution has been known as Minnesota State University Moorhead.

Document analysis allowed for tracking the changes in the policies written for students and creating a pattern for shifts or new developments in the language used within policies (Bowen, 2009). This study focused on the published policies specific to student behavior and what were considered prohibited conduct for students. I utilized primary source documents within the Minnesota State University Moorhead Livingston Lord Library Archival Collections—University Archives and the RED (REpository of Digital Collections) Archives to discover the sources of these policies. This included 56 student handbooks and 49 academic catalogues and bulletins.

While there are archival documents at the university and within state historical archives, there are also individuals who produced histories of the early institution. These secondary materials were used in conjunction of the primary sources to create the contextual past to answer the research questions. Clarence Glasrud, in his retirement from the institution, took on crafting a history of the Normal School in 1987 and of the Teachers College in 1990 to produce two bound texts. In these creations, Glasrud reviewed archival materials stored at the university. He also conducted interviews with individuals who had formerly taught and worked at the institution as well as provided his first-hand knowledge of being a student, professor, and community member. Given Glasrud’s intimate knowledge of the institution, I relied on his texts to better know the institution myself.

In 1969, Joseph Kise wrote a history of Moorhead State College. Kise taught history and government at the institution from 1923 through 1961. It is noted on the first page of the text that the text was written in 1969 “for general publicity purposes.” This document also used materials outside of Kise’s creation, such as an article written by Edwin Reed regarding Athletics in 1911 and notes taken from Weld’s speech from the cornerstone laying of MacLean Hall in 1931.

In 2013, university archivist Terry Shoptaugh and former president Roland Dille co-authored a book about the institution: *MSUM memories 1888-2013: Reflections of the college and the university*. As noted in the dedication of the book, it was created at the request of then President Szymanski as a brief history of the institution for the one hundred and twenty-fifth anniversary of operations as the institution. This text along with others were valuable resources for understanding some of the broader dynamics of the institution. The course catalogues and student handbooks were the most critical sources for this study in regards to the actual policies and expectations for the students at the institution.

### **Assumptions, Limitations, and Delimitations**

I have four years of paraprofessional and near sixteen years of professional experience in the area of student misconduct policies, first in enforcement and then as an administrative hearing officer. I have spent a significant amount of time reading student policies, explaining and presenting them to undergraduate college students, mentoring graduate and new professionals in interpreting them, and applying policies to documented student behavior. My existing knowledge impacted my study, specifically how I looked for policies, how I viewed them, and how I coded them. My initial assumptions about the early prohibited student misconduct policies considered them to be simple and limited to a more legalistic framework. I assumed the policies would show that they evolved to formalistic expectations of students.

The results of this study are not considered to be generalizable, yet they are transferable. Hoekema (1994) summarized,

We should not expect to be able to arrive at one set of goals that will fit every campus.

Surely one of the lessons to be drawn from the variety of different rules we have reviewed is that student conduct codes must reflect particular circumstances of



geography, tradition, and student background. [...] When an honor code has been developed and nurtured over the course of several decades, it exerts a strong influence and may become almost self-enforcing. (p. 118)

Thus, it was valuable to consider the policies that have been created and those that have evolved at MSUM. Student conduct practitioners may use this study as a professional development exercise, transferring the framework and process to the setting of their specific campus and historical documents. The outcomes and findings would be anticipated to vary depending on where the institution was physically located, the history of and traditions at the institution, and the characteristics of students who have enrolled at the institution (Kalagher & Curan, 2020; Kiplinger, 2006).

There were limitations to conducting research using the document analysis method. First, there were details that are insufficient for my inquiry (Bowen, 2009). I relied on documents that were created over a 120-year time span with the original publishing purpose outside of the study I conducted. To address the possible gaps in information, I worked to obtain documents that filled in the gaps. I accessed the academic bulletins and catalogues along with additional booklets that were archived in the student handbook box and in the Archives Department. In addition, there were times when a document or text was not retained or there were years when the student policies had not been printed. The lack of retrievability existed (Bowen, 2009). To address this, I exhausted all avenues to gain access to materials for this study.

### **Positionality of the Researcher**

As a researcher, I was interested in learning more about the expectations set for students, specifically those beyond the academic assessment and evaluation done by professors and instructors. I myself was charged with a noise policy violation when I was an undergraduate

student. I then became a resident assistant, enforcing residence hall policies and community standards by confronting students. I served in the role of a hearing officer as a graduate assistant hall director, where I met with students who had been documented by the resident assistant staff. In short, I talked with students about their choices and established expectations for future behavior, consistent with the published policies. I began a full-time career in 2005 specifically in student judicial affairs, charged with addressing student behavior on campus and sometimes off campus. Today, the primary function of my professional role is to meet with students when documentation has been submitted to the Dean of Students office about students violating conduct policies within the code of student conduct and other published university policies.

In 2005 I attended the Gehring Institute, which provided me a greater depth of knowledge about codes of student conduct and student disciplinary processes on campus. I have attended multiple annual conferences of the Association of Student Conduct Administrators, and I have read available texts related to the field of student conduct administration, including books by practitioners in the field, law and policy reports, and ongoing news. I have thought critically about viewpoints and perspectives, considering who I view as an expert in the field and how I conduct myself as a practitioner.

My professional experience and training impact my role as the researcher. I have a number of years in the field, having direct responsibility tied to student misconduct policies. This put me in a position to learn about the spirit and intent of why a policy was written, to explain to colleagues and students the rationale for prohibiting such conduct, and to consider and reflect on concerns of changing or eliminating a policy. In addition, I am responsible for training others to understand the code of student conduct policies, including resident assistants, area directors, campus security officers, and student conduct committee members. Recognizing that there was a

potential for bias in the analysis of this study, I mitigated this by engaging in specific steps to ensure trustworthiness: conducting a replicable study, providing direct references to the texts, consulting with a student conduct practitioner, conducting an informational interview with the archivist at MSUM, and keeping researcher notes of reflective memos and log of activities.

### **Organization of the Document**

This chapter has provided an explanation of the problem, purpose, conceptual framework, significance, and definitions relevant to this study. Also this chapter has provided an overview of the proposed study.

The next chapter will present a historical context relevant to this study. This includes a brief history of Minnesota State University Moorhead, noting the normal school origins, state teachers college, state college, and state university contextual framework.

To follow, chapter 3 provides a review of relevant literature, including information about model codes of conduct and the four areas specific to the conceptual framework: *in loco parentis*, legalisms, academic misconduct, and off-campus behavior.

Chapter 4 presents the research methodology and methods used for this study, including the research approach, the research questions, the research design, site and material selection, data collection, data analysis, trustworthiness, and limitations.

Chapter 5 presents the findings of the study: an overview of the themes developed through the coding process and detailed answers for the three research questions.

Chapter 6 provides a discussion of the findings, including a revisit of historical aspects, reconnecting with the conceptual framework as presented in Chapter 3, implications for practice, implications for policy, and considerations for future research.

## Chapter 2

### Historical Context

In this chapter, I provide the historical context to understand the evolution of the state institution of higher education now known as Minnesota State University Moorhead. It is important to recognize the early formation of the institution, the purpose it served, and the state that authorized it along with relevant national trends. This information is the frame of reference for student life and the setting of student learning. This is important because the code of student conduct reflects the setting in which it was created.

This historical context was developed to reconstruct the setting of the university since it opened as a normal school through the year 2007.

- Normal Schools, 1830s
  - Normal Schools in Minnesota, 1858
  - Normal School at Moorhead, 1887
- State Teachers Colleges, 1910-1930
  - State Teachers Colleges in Minnesota, 1921
  - State Teachers College at Moorhead, 1921
- State Colleges, 1780s-1860s
  - State Colleges in Minnesota, 1957
  - Moorhead State College, 1957
- State Universities, 1770s-1890s
  - State Universities in Minnesota, 1975
  - Moorhead State University, 1975
  - Minnesota State University Moorhead, 2000

In part, this historical context creates greater comprehension of the student policies being studied. While one may want to view the policies from a contemporary lens, it is important to recognize the actual setting for which specific policies were created so as to fully analyze them (Berkhofer, 1969; Kalagher & Curan, 2020).

Minnesota State University Moorhead (MSUM) originated as a Normal School, which is not unique as the need for normal schools was realized in many areas given the growth and immigrants settling further beyond the Mississippi River. Moorhead was the location for the fourth normal school in Minnesota. The occurrence of normal schools transitioning to be teacher colleges reflected the transformation of education at the time, notably delineating the educational needs of children at younger ages through those being trained to teach them (Glasrud, 1987). The growth of populations and the railroad provided opportunities with the expansion, which included the need for teachers (Minnesota Commission on Higher Education, 1950). However, the location and the leadership of the institution were the most significant aspects of history that was owned by the institution itself (Glasrud, 1987).

### **Normal Schools**

Normal schools were the places where individuals who had already received elementary level education at common schools went to receive standard training to then teach others (Labaree, 2008; Tyack & Hansot, 1982). The first normal school existed in Massachusetts in 1839 (Labaree, 2008; Tyack & Hansot, 1982). Many schools were modeled after this school; however, there was not one specific structure as different entities, such as the common school boards, cities, and religious institutions, were often creating and managing normal schools (Labaree, 2008; Tyack & Hansot, 1982).

In the 1830s, normal schools sprouted up as regional public schools in response to the need for educating individuals to serve as teachers in common schools; these schools were often state funded (Labaree, 2008). As the common school developed and advanced in the level of education offered and in clarifying the division of elementary and high school education, the educators within the normal schools responded by providing more advanced course offerings in order to continue in serving as a teacher-in-training school (Labaree, 2008). Many normal schools offered education for teachers to teach elementary level classes as there were a greater number of elementary schools, which created a greater demand (Fawcett, 1933; Labaree, 2008; Snarr, 1950; Tyack & Hansot, 1982).

As high school education was developed and became more accessible in the 1890s, normal schools again evolved with the requirement of high school education for admission (Labaree, 2008; Mitau, 1977). The focus of the normal school courses was to provide advanced education on topics and professional training for teachers (Fawcett, 1933; Labaree, 2008; Snarr, 1950; Tyack & Hansot, 1982). As Tayack and Hansot (1982) summarized, “The mainstream of American public schooling during most of the nineteenth century was rural, chiefly unbureaucratic in structure, exhibiting only rudimentary professionalism, and dependent on the actions of hundreds of thousands of lay promoters and school trustees” (p. 17). The administrative staff at the normal schools were responding to the needs of providing teachers for the common schools. The focus of these schools was largely driven by the body of individuals that funded or were charged with leading the school.

### **Normal Schools in Minnesota**

Minnesota was established as a territory in the late 1700s. By 1850, more and more people were immigrating and settling in Minnesota with statehood established in 1858. The state

legislators recognized the importance of forming the educational opportunities similar to those in well-established states. It was an asset that there were migrants from the eastern American states to the new territory (Minnesota Commission on Higher Education, 1950; Mitau, 1977; Ogren, 2003). The state legislators recognized the need of common schools with a law in 1849, and the expansion of education to include high schools with a law that provided funding in 1878 (Minnesota Department of Education, 1967).

The Minnesota state legislators passed the Normal School Act in 1858, requiring the creation and the financial support of four normal schools to be opened within a 10-year time period (Mitau, 1977). The three communities in the original act were identified as Winona (1860), Mankato (1868), and St. Cloud (1869) (Fawcett, 1933). There was some debate about a fourth location: Crookston or Moorhead (Fawcett, 1933). Given the high regard for Normal Schools, communities wanted them in their town (Mitau, 1977). Solomon G. Comstock was a state legislator from Moorhead. He was willing to donate the land that was required for the community to develop the Normal School; it was settled in Moorhead (Engelhardt, 2002).

The State Normal School Board oversaw and governed the Normal Schools across the state (Glasrud, 1987; Kise, 1969). The Normal Schools were seen as serving a broad range of citizens—from the early ages through the high school and professional training years (Carmichael, 1954). As Mitau (1977) summarized,

To the pioneer people of Minnesota, in search of economic opportunity and personal growth, education provided the indispensable intellectual, scientific, artistic, and cultural resource without which neither material progress nor the good life seemed attainable. These pioneer educational institutions were to serve as integrators, the agents of socialization and civic concern for the children of immigrant parents. (p. 2)

The legislators in Minnesota knew that as the population of the state was growing the normal schools were paramount to the formation and success of communities and the growth of the society in this blossoming state.

Moorhead was a place growing with entrepreneurs, including Comstock, who were interested in the development of the area and the expansion of the railroad. The 1880s and 1890s were times of exciting growth and investment while also seeing the fall of some businesses and some businessmen (Engelhardt, 2002). Moorhead was a pioneer town on a rugged prairie (Engelhardt, 2002). The Normal School at Moorhead had significant enrollment that continued to increase over the years (Collins, 1987).

### **Normal School at Moorhead**

Glasrud (1987) provided information of the setting of Moorhead and the normal school at the start of the institution. The land that Comstock had donated and where the Normal School was built was considered to be beyond the then residential area of Moorhead. As such, there was early concern about where the women who enrolled as students would live; the very small number of men enrolled were expected to fend for themselves. The nearby Bishop Whipple School was closing, which allowed a space available for Normal School students to reside and dine. It was also a place where Normal School faculty resided and dined.

Livingston Lord was named the first president of the Normal School in Moorhead. Lord was recommended by Comstock and others across the state (Glasrud, 1987). Lord was recognized as being critical of Normal Schools, and it is believed that Lord agreed to the presidency at Moorhead as he was given the freedom to implement his beliefs of focusing on the course content learning itself prior to learning about the teaching methods (Glasrud, 1987; Kise, 1969).



The circumstances of the use of Bishop Whipple School by Moorhead Normal School students and faculty changed when a group of interested Lutheran men bought the School building to start another school (Glasrud, 1987). The leadership of the Normal School and interested businessmen in Moorhead solicited the state to allocate funding for a dormitory as the options were dwindling and students were choosing other schools to attend due to lack of housing (Glasrud, 1987). Lord recognized that a dormitory was more than a place where students slept and ate (McKinney, 1937). With state funding, a women's dormitory at the Moorhead Normal School was built in 1893, which delayed the start of classes until the women students could move in (Glasrud, 1987).

When the dormitory opened, Miss Frances Wheeler was hired to be the first Preceptress or matron.

The terms 'preceptress' and 'matron' sound forbidding to modern ears, but of course it was unthinkable to allow college women to live unguarded and unrestricted lives a century ago. [...] At Moorhead Normal all the evidence shows that the women who served in that capacity did more to help than restrict the women. (Glasrud, 1987, p. 42)

After having met Wheeler, the Minnesota Governor at the time recommended and it was so that the dormitory was named after her: Wheeler Hall. Wheeler stayed at the Moorhead Normal School for six years. To follow, a number of women were hired in the position. In 1908, the position was advertised as a Dean of Women for the school. President Weld appeared to hire women who were scholarly to teach English, Weld's specialized content area, and to serve as Dean of Women (Glasrud, 1987).

Frank Weld became the second president of the Normal School, following Lord's departure in 1899. Glasrud (1987) highlights changes under Weld:

Essentially it was a changeover from an institution controlled entirely from the top, by administration and faculty, to a school or college including many activities and organizations that were largely student impelled. Before the process had developed very far, students who came to Moorhead Normal were probably learning almost as much outside of their classes as in them. (p. 109)

Students respected and felt a sincere sense of connectivity to Weld as an educator and mentor, even after he left the position as president at Moorhead (Glasrud, 1987).

Glasrud (1987) provided a look into the Moorhead Normal School course offerings. There was some fluctuation in what courses were offered as this depended largely on the faculty members employed at the time. On the opening day of the institution in 1888, the following were identified as courses offered: Latin, mental science, natural science, history, English, vocal music, mathematics, and pedagogy. The following year, there were changes with faculty members leaving and new ones hired, which expanded the course offerings to include geography, physical culture, rhetoric and literature, English grammar, and drawing. Glasrud (1987) detailed the account of teachers who left for unknown and some known reasons, including to get married, to go to another school that offered them more money, and to find another school that didn't require them to personally teach a complex combination of courses.

Glasrud (1987) also provided information about students' social activities at the Moorhead Normal School. Glasrud stated that students spent a considerable amount of time preparing and performing rhetorical, which were scheduled for Friday evenings and were regularly attended by the community members. The rhetorical included music and recitations, occasionally scenes from plays but mostly poetry. "It seems obvious that the weekly and monthly rhetorical were intended to prepare Normal School students to perform in public. To

become successful teachers they needed the poise and confidence gained through successful experience in appearing before audiences” (Glasrud, 1987, p. 109).

Glasrud (1987) identified additional student activities. In the beginning, there were field days and baseball games that were associated with the week of commencement; Glasrud noted that these were events for the men of the school. “At the end of the 1890s there was a dramatic upsurge of sports activity at Moorhead Normal” (Glasrud, 1987, p. 48). There were over 300 students enrolled at the time, and there were men who formed baseball, football, and basketball teams, playing other regional schools and college teams. Glasrud also identified the Normal School Literary Society, where students took part in debating students from other schools. Women students often enjoyed winter weather, especially when it was nice to be out skating. In 1901, the Owl fraternity was formed by men of the school. Finally, the Normal School women considered shopping in Fargo as a preferred pastime.

There was a challenge in the Normal Schools in considering what the mission was given the growing demands from students for advanced curriculum beyond teacher education (Labaree, 2008). The presidents of the schools knew that they needed to make a change (Mitau, 1977). They also knew that there was growth in teachers as well as the leadership within the administration in roles as principals and superintendents. The professional training was important, but the liberal arts foundation of knowledge was expected by students (Labaree, 2008; Mitau, 1977) and supported by presidents (Collins, 1987; Snarr, 1950).

### **State Teachers Colleges**

The state teachers college was a transformation of the normal school to a college that awarded certificates and degrees to those pursuing a career as a teacher or school administrator. In part, normal schools were serving the identified need of training teachers to teach elementary

and high school students (Labaree, 2008). Normal schools were accessible, often regionally located and less expensive than state universities (Labaree, 2008). Many of these aspects continued as the coursework and degree offerings for teachers and school administrators expanded under the new designation.

There were a number of states that supported Normal Schools elevating to Teachers Colleges in response to acknowledging a rise in the professionalism of educators (Glasrud, 1987; Labaree, 2008). In the 1920s, the teachers colleges administrators were working to achieve “full collegiate status” (Rudolph, 1990, p. 463). Rudolph (1990) noted that these were the administrators who responded to the request of citizens: “education beyond the high school, less expensive and more convenient than that provided by the great universities” (p. 463). Between 1910 and 1930, the shift to State Teachers Colleges was broadly occurring with colleges making the conversions across the nation (Tyack, 1967). Not all normal schools moved on to become teachers colleges (and eventually universities). Rudolph (1990) stated, “in 40 states 160 community colleges developed out of onetime normal schools” (p. 487).

### **State Teachers Colleges in Minnesota**

On April 13, 1921, Minnesota Governor J. A. O. Preus signed a bill to change the designation from normal school to state teachers college and to allow these colleges to grant bachelor’s degrees (Glasrud, 1990). The change to advance the curriculum was slow. It took the State Normal School Board some seven years to update the two-year curriculum to four-year in order to address the changes needed to actualize the Teachers College (Mitau, 1977). The courses being taught within the Normal School setting were focused on what was considered to be high school-type education (Labaree, 2008; Rudolph, 1990). With the elevation to a teachers college, the course content needed to reflect the more advanced education as students were

entering college already having earned a diploma from newly present high schools (Snarr, 1950). The teachers-in-training needed to be receiving an advanced level of education.

With the changes, there were no significant appropriations or additional funds provided to the State Teachers Colleges by the state (Mitau, 1977). As experienced in Minnesota and across the nation, enrollments responded to the Great Depression and World War II with significant declines. There were times when the State Teachers Colleges received significant reductions in state funding and times when they received no funding at all during the depression years. These financial challenges are recognized as contributing factors to the slow growth at the colleges (Mitau, 1977).

In 1933, there were financial concerns, as there were across the nation in the Great Depression years. There were state legislators who saw opportunity in cost savings by retracting the degree-granting abilities of the state teachers colleges and re-setting them as secondary schools (Collins, 1987). The state legislators believed it would cost less money to operate the normal schools to provide training for teachers (two-year programs) versus the advanced expectations to meet the requirements of the bachelor's degree (four-year programs). The state legislators were not successful in this reversed course of action. Meanwhile President MacLean at Moorhead State Teachers College was fighting for the college to become accredited. The accreditation had been important for the college to indicate that the institution was meeting a standardized level of education and requirements for admissions (Brubacher & Rudy, 1968). Many Minnesota high school students were graduating from schools with regional accreditation; however, the state teachers colleges in Minnesota were not accredited until 1948 (Collins, 1987, Mitau, 1977).

The impact of World War II on the state teachers colleges within Minnesota was significant in regards to enrollment and financial matters. The enrollment numbers during World War II were close to a fifty percent reduction at some colleges, which was occurring at many other institutions of higher education (Minnesota Commission on Higher Education, 1950). President Snarr at Moorhead State Teachers College fought for funding, addressing the state legislators as Moorhead was receiving the smallest amount per student of state allocation. It was hard for some colleges to be able to make up for the difference when the enrollment numbers were so low and the appropriations from the state were low. Following the war, the challenges continued as enrollment multiplied, most notably with the number of men who enrolled at Moorhead (Minnesota Commission on Higher Education, 1950). The classrooms and day schedules at the state teachers colleges swelled both from veterans' enrollments as well as other citizens (Collins, 1987; Minnesota Commission on Higher Education, 1950). The colleges continued to face challenges as they responded to the rapid enrollment growth (Mitau, 1977).

It was in the late 1940s that the State of Minnesota commissioned a study regarding the higher education opportunities at the colleges (public and private) and the university as well as the anticipated enrollment forecasts per population trends and high school graduates within the state, resulting in the 1950 Report *Higher Education in Minnesota*. The Report's authors were critical of the work that educators in the state needed to do in order to advance the educational attainment of Minnesota residents. They noted that the state was performing just under the national average, identifying that those who lived in rural areas were attaining at an even lower rate (Minnesota Commission on Higher Education, 1950).

Within the 1950 Report the committee stated, "Higher education is by nature a superstructure, based on foundations laid in elementary and secondary schools. The success of

these schools in meeting the needs of young people directly affects the extent and quality of post-high-school education” (p. 31). The information provided in the report indicated that all professionals and teachers alike needed to work towards convincing and recruiting individuals into teacher education. Also, the report indicated that some were exhausted from debating the salary teachers should be paid; rather, the job was important to the growth and success of the state (Minnesota Commission on Higher Education, 1950).

The 1950 Report provided data regarding students who chose to enroll at the various institutions of higher education in Minnesota. Per this information, while a significant number of students who were children of professional parents were seeking enrollment at the University of Minnesota, children of farmers were the majority of enrollees at the teachers colleges. The Report identified students as not just the traditionally aged, high school graduates but also adults who may already have had jobs and families. The report identified the variety in students that called for a variety in the formats for the educational courses being offered, which included mail-in and short-term courses (Minnesota Commission on Higher Education, 1950).

In addition, in 1946 the State Teachers College Board directed the Teachers Colleges to offer an additional certificate to those individuals who completed coursework but did not plan on seeking a career in teaching (Snarr, 1950). The teachers colleges served as a regional school where students could start their education, thus needing an enrollment track for those not interested in teaching. This would later allow the student to transfer credits into the University of Minnesota system to pursue their desired career, outside of education. The 1950 Report included some direction about students starting programs at one college who could then transfer to a professional program such as law or medicine at another school (Minnesota Commission on Higher Education, 1950; Mitau, 1977).

In addition, the inclusion of curriculum beyond the teacher training courses was in response to the public interest (Snarr, 1950).

A large part of every college student's program is intended to equip him for more competent citizenship, for happier family and social relationships, for a more deeply satisfying personal life. Education toward these ends, as distinguished from education for occupational skill, is *general* education. (Minnesota Commission on Higher Education, 1950, p. 71)

The 1950 Report brought clarity to the public interest in courses beyond teacher training at the regional schools and made room for the consideration of additional purposes, such as the value education added to individuals and the society they lived in.

The admissions to the teachers colleges was open enrollment, with no specific grade point average or college admissions test score required. The data provided in the 1950 Report reflected that those who choose the teachers colleges were students with high performance records. However, the reality of open enrollment meant that there are varying degrees of preparedness for college level work. Many of the teachers colleges reported about one-third of their enrollments didn't "survive" as students withdrew (Heaton, 1950).

In the 1950 Report, Snarr, who was the president at Moorhead Teachers College at the time, wrote there was concern that he believed the state needed to address specific to the teachers colleges. He identified the need not to raise tuition given the primary students seeking education at the teachers colleges were middle and low income individuals. He also noted that there was a need for the institutions to be able to grow in facilities in order to continue addressing the still evolving needs of the curriculum, the aging facilities, and the lack of student housing (1950).



The 1950 Report provided information about students' personal growth and beyond. It was noted that there seemed to be a loss of self-confidence that college educated individuals often had. However, the Report recognized a social awareness and moral development that colleges were directed to focus on in addition to the provided curriculum (Eckert, Dobbin, & Berning, 1950).

An additional state report was written in 1956: *Minnesota's Stake in the Future: Higher Education, 1956-1970*. The Governor appointed a committee to assess the needs specific to higher education within the state and planning for the future. The committee used data from the Commission who created the 1950 Report, updating data points and re-evaluating the previously presented planning recommendations (Governor's Committee on Higher Education, 1956).

In the 1956 Report, there was some criticism of the teachers colleges having open enrollment. There were noted concerns from faculty at teachers colleges specific to students having a high learning curve in adjusting to the course content. With these concerns about student preparation, there are questions about the number of those who were able to be successful in completing the teacher preparation (Governor's Committee on Higher Education, 1956).

The 1956 Report identified the ongoing concerns of students who lived at a distance from institutions of higher education. It was previously noted that the teachers colleges were serving a number of students from numerous counties within their regional location of the state. Yet there appeared to be a continued concern of those from farming communities that were missing out. This was a complex problem: increased costs to travel to college, higher unfamiliarity with the college setting, perhaps less value placed on college, and less guidance about college in rural schools (Governor's Committee on Higher Education, 1956).

The 1956 Report also included concerns about women's enrollment in higher education. It stated cultural values in Minnesota were believed to be the reason for women's declining enrollment numbers, especially in comparison to the growth of men's enrollment. While the data indicated women had the capabilities to go to college, there remained socialized messages that women did not need to go on to college nor should they be in professional roles in society. "There is a real need for careful thinking about the place of women in our society and the appropriate preparation for their responsibilities" (Governor's Committee on Higher Education, 1956, p. 32).

The 1956 Report revisited financial challenges as concerns. Again, students at the state teachers colleges were coming from lower income families, so increasing tuition was not presented as a viable option. In addition, the Report identified the increased need of the administration of the state teachers colleges to be reconfigured in serving the individual schools in a means of consistent advocacy on the state level and soliciting state-level allocations (Governor's Committee on Higher Education, 1956).

The 1956 Report provided a recommendation specific Teachers Colleges. The recommendation identified an oversight board, similar to the board of regents for the University of Minnesota. The committee acknowledged that the anticipated enrollments at the Teachers Colleges were expected to grow. This was coupled with the concerns that many aspects of the colleges had not kept up with the growing needs: facilities, finances, and faculty salaries (Governor's Committee on Higher Education, 1956).

In the 1956 Report, committee members acknowledged the State of Minnesota had already been supplying a high financial contribution to higher education. While the committee members admitted throughout the report that they are merely lay persons not associated with

administrative or faculty member roles within higher education, they believed in the importance of the State continuing to provide a high financial contribution to support higher education (Governor's Committee on Higher Education, 1956).

### **Moorhead State Teachers College**

Oliver Dickerson became president when Weld left in March of 1920. However, Dickerson was quite a different leader and remained in the helm for three years. Some saw Dickerson too militaristic (Glasrud, 1987; Glasrud, 1990). During the time of Dickerson's presidency, the Normal School became the State Teachers College in 1921. Under the direction of the State of Minnesota legislators, the normal schools were being reconfigured into teachers colleges. There would now only be courses of post-secondary status, and the college would be issuing four-year bachelor's degrees (Glasrud, 1987; Glasrud, 1990).

The early 1920s was a financially difficult time for those in Moorhead as well as other places in the nation. This was the time shortly following World War I, with the recovery from increased military spending, decreased workers, and the loss of human lives. Another influence on the local economy was a vote in 1915 for Moorhead to go dry, leading to the shuttering of about 50 liquor establishments, which impacted families being able to send their children to college. The institution saw a decline in students enrolling (Glasrud, 1990).

In the 1920s there were more men, along with a consistent number of women, enrolling at Moorhead State Teachers College. It is noted in the history of the school that students went to primary school there, and some were hired into the administration and teacher roles after graduation. In addition, some students at Moorhead Normal School and later Moorhead State Teachers College would take courses, take time off to teach and earn money, and return to take more classes that they were then able to afford. With the shift to Teachers College, the students

were now high school graduates, having more education than some of the previous students (Glasrud, 1990).

In the late 1920s, Moorhead State Teachers College promoted education courses and degrees for professionals (Glasrud, 1990). It should be noted that the only bachelor's degree that the school was able to award was that of Bachelor of Education. Furthermore, there was a large increase in the number of student activities and students organizing (Glasrud, 1990).

Raymond MacLean became the president in 1923 (Glasrud, 1990). MacLean came from within as he had served on the faculty at the college for 20 years prior to taking on the role of the president. As such, the faculty and students were familiar with MacLean (Glasrud, 1990). The Dean of Men and the Dean of Women who served with President MacLean saw MacLean as sincerely dedicated to the students at the college. MacLean was willing to interrupt his work meetings and activities to meet with students who called on him. The staff also saw MacLean's leadership as that of creating a family-like atmosphere at the college (Glasrud, 1990).

There continued to be a Dean of Women, which included addressing the needs of women students who lived off campus (Glasrud, 1990). Some of the Dean of Women served as advisors to student organizations for activities outside of the classroom (Glasrud, 1990). It was less clear as to who served at the Dean of Men. Given the low number of men enrolled, this person when identified had light duties outside of teaching responsibilities (Glasrud, 1990).

Otto Snarr took the lead as president when MacLean retired in 1941. Snarr came from Mankato State Teachers College while also working on a doctorate degree from the University of Chicago, beating out the believed competition of two possible internal candidates (Glasrud, 1990). Snarr was set on making improvements to the general education curriculum, which was the focus of his dissertation he completed months before officially starting as president (Glasrud,

1990). Snarr faced a fifty percent turnover in the faculty, which was influenced by the perceptions of him as well as the impact of World War II (Glasrud, 1990).

While there were women who continued in the role of Dean of Women, it seemed that it was a position not necessary following World War II. Then in the mid-1950s, the woman hired was no longer a Dean of Women but “Counselor of Women” (Glasrud, 1990). President Snarr hired a person to serve as the “‘director of the college personnel program.’ The experiment was not a success” (Glasrud, 1990, p. 44). A Dean of Men had been hired the following year, with the position later becoming the Counselor of Men (Glasrud, 1990).

President Snarr established committees across campus to work on areas that he identified as important, including curriculum and finances (Glasrud, 1990). While there was some initial positive response from this structure, noting a lower enrollment allowed for faculty members to have some availability for these meetings, disappointments and frustrations rose as it became apparent that Snarr was always making final decisions on his own (Glasrud, 1990). Snarr led many changes in the curriculum, including the development of a personal and social growth courses that aligned with his supporting beliefs of human growth and development:

Personal and Social Growth 110 dealt with problems of personal adjustment to all phases of college life. [...] [This] course, essentially an old, non-credit, orientation course that had been given real substance and a better name, was necessary because many students in the Fifties came to Moorhead State Teachers College ill prepared to do college work. It was not really a college course [...] but perhaps a necessary compromise with reality. (Glasrud, 1990, p. 295)

Following World War II, the enrollment at Moorhead State Teachers College saw an increase, having close to the same number of men as women (Glasrud, 1990). There were also

students coming for the first time who were older than the typical age had been in the past (Glasrud, 1990). Students now had to purchase their textbooks, and the need for housing for students who were men became aggravated with the housing needs of faculty members (Glasrud, 1990). Beds for men were moved into a basement area under MacLean Hall as well as into classroom space that wasn't being used in MacLean (Glasrud, 1990). The state legislature appropriated money to the college in 1947 for a dormitory for men; Ballard Hall opened in 1949 (Kise, 1969).

There were changes in the degrees offered at the college. In 1946, the State Teachers College Board permitted colleges to offer and issue degrees beyond teaching degrees (Glasrud, 1990). The administrators at Moorhead started to do this even though the name of the college remained a teachers college until 1957 (Glasrud, 1990). President Snarr supported the change of expanding degree offerings while remaining primarily focused on teaching degrees (Glasrud, 1990). In 1953, the state legislature authorized the state teachers colleges to offer an additional year of courses to equate to a master of science in education (Kise, 1969).

In Moorhead, President Snarr worked for the growth of the college with limited resources. He traveled to recruit faculty; however, he frequently was unable to meet the salary expectations (Glasrud, 1990). Snarr also worked on housing for men students as space in the basements of academic buildings were set up with bunks for temporary housing (Glasrud, 1990). Snarr also approved evening classes to be created for community members to enroll (Collins, 1987).

Alfred Knoblauch became president of Moorhead State Teachers College in 1955, assuming the role with Snarr left. Knoblauch was known for the state appropriates he obtained and the building projects that occurred (Collins, 1987; Glasrud, 1990). However, he found ways

to upset faculty, such as prioritizing a fieldhouse for athletics over classroom and research space (Collins, 1987; Glasrud, 1990). He also upset students by directing the elimination of mailboxes on campus, eliminating student lounge space, using student-fee dollars to plan a bell tower, and withholding a student's degree for one year after catching him drinking a beer in an on-campus residence space (Glasrud, 1990; Shoptaugh & Dille, 2013).

Knoblauch was well respected at the state level, even being offered the role as Chancellor to a state-level system to oversee the teachers colleges (Collins, 1987). Some believe that Knoblauch was preparing Moorhead to become a university (Collins, 1987). Near the end of Knoblauch's short presidency, the state dropped the "teachers" designation in 1957 (Collins, 1987). Knoblauch left in 1958 for a presidency at the University of Western Illinois (Glasrud, 1990).

### **State Colleges**

In the 1780s through 1860, state legislators granted charters for colleges as a means to recognize those who provided political support (Thelin, 2011). The state government units did not directly or indirectly indicate that there would be any financial funding from the state budget given to these colleges (Thelin, 2011). Yet it is important to recognize:

All colleges and universities are--and have always been-- 'public' institutions in that they are obliged to adhere to their charter and abide by laws, rules, and codes ranging from safety requirements in the workplace to the larger issues of mission and malfeasance.

(Thelin, 2011, p. 73)

Legislators and governors made decisions to support the idea of the colleges. The early establishments left the colleges financially independent, recognizing there were a high number

chartered with religious ties (Rudolph, 1990). Yet, there were specific practices expected of the colleges to follow laws, rules, and codes established.

The number of colleges grew within America at a much faster pace than existence of colleges and universities in Europe (Rudolph, 1990). The start of colleges in many states appeared to be serving the direct needs of small communities, increasing the number that came into existence (Rudolph, 1990). Colleges in American were seen as “social investments” (Rudolph, 1990, p. 58) where students learned about their role within society and how best they could serve that society (Rudolph, 1990). State colleges “created an elaborate world of their own within and alongside the official world of the college” (Thelin, 2011, p. 65). While colleges offered courses in an organized class schedule, students found much more in the lifestyle. There were organized activities, informal gatherings, and student organizations.

### **Minnesota State Colleges**

Within the State of Minnesota, the relationship between the state colleges and the state was defined within the “State Colleges” Minnesota Statute (1957). Within this statute, the State College Board was identified as charged with the management of the state colleges. The Board was noted within the statute (1957) as originally being the Normal School Board, evolving to the State College Board with the changes of the state colleges. The board members were individuals who worked outside of these state colleges, and they were faced with challenging and dynamic issues related to the growing changes of the colleges to move to a liberal arts education and to compete with the growing needs of the residents of Minnesota while finding their role of higher education in a state with a number of other colleges and a university (Governor’s Committee on Higher Education, 1956; Mitau, 1977). There came to be a sharp contrast in how the state colleges and central staff of the state colleges appeared before the state appropriation committees



of the state legislature in comparison to other higher education entities such as the University of Minnesota and the State Department of Education (Mitau, 1977). While the latter two were integrated organizations, the former were delegates from each of the state colleges and the central office that were not (Mitau, 1977).

The creation and leadership of a Chancellor position was recognized as necessary in the Governor's Committee on Higher Education in 1957 and perceived as a unifying factor of the leaders of the state colleges and the central office staff by a number of politicians within the state (Mitau, 1977). In 1967, there was an informal agreement among state legislators to hire a Chancellor to serve the state college system (Mitau, 1977). In a trial role, in 1969 an acting Chancellor presented a well-organized request specific to the financial and building needs for each of the state colleges with college presidents available to answer questions; this combined presentation was well received (Mitau, 1977). Following the 1969 state session, the State College Board began the process of finalizing the role of the Chancellor and professional staff who were to manage the organization and leadership of State Colleges, which were to be considered "legally equal, unique, coordinated, and co-operating [*sic*] institutions of higher education" (Mitau, 1977, p. 59). In 1971, the State College Board adopted the state college rules and regulations as developed through faculty, staff, and student representation from all six colleges, which provided for clarification and definition in the roles and rights of student consultation, faculty authority and decision-making, and administrative council tasks (Mitau, 1977).

Many areas in the nation struggled with the Vietnam War (1955-1975), including college students compelled to speak out against a war they did not believe in. The Minnesota state colleges experienced rallies and disruptions on the campuses as students opposed the Vietnam War. In response, the State College Board supported the Chancellor and College Presidents

keeping campuses open while creating opportunities for student assemblies or gatherings (Mitau, 1977).

It was also during this time that there was growth within programs occurring at the state colleges. There were additional degrees at the level of masters:

Even more important for the future course of the colleges were additions of the Fifth Year programs in Teacher Education and, they, in the late 1950s (with [State College] Board and legislative authorizations) the rapid expansion of graduate school curricula at the M.S. and M.A. levels. (Mitau, 1977, p. 39)

These master's degrees were in the field of education as well as programs of study in chemistry, business, and art (Mitau, 1977). These course offerings increased the opportunities for student enrollments.

### **Moorhead State College**

In Moorhead, a hiring committee assembled to evaluate the best fit for the College in preparation to hire a president to proceed Knoblauch. The committee decided to break with the traditional choices of the past in order to reflect the newly attained state college status (Collins, 1987). They no longer looked for someone who had served as an administrator at an elementary or high school; rather, they looked to the liberal arts education mission to guide their decision-making (Collins, 1987). The hiring committee chose John Neumaier to lead the college (Kise, 1969).

John Neumaier assumed the role as president of Moorhead State College in 1958. Neumaier was born in Germany and attended school in Switzerland, Italy, and England (Collins, 1987). He became a citizen of the United States in 1943 (Collins, 1987). He served in the Army for three years and earned degrees from the University of Minnesota (Collins, 1987). During his

leadership at Moorhead State College, new buildings were built, graduate work was accredited, and specific plans were made about a student center (Collins, 1987). The new buildings included the fieldhouse, named Nemzek Hall, which created a place for athletics (Collins, 1987).

Neumaier boldly addressed open admission to the college. In the early 1960s, Minnesota state colleges were enrolling all students who applied. Neumaier knew over fifty percent of new, entering students were leaving after their first year (Collins, 1987). He believed that some students were better suited to attend and graduate from a two-year college instead of a four-year (Collins, 1987). At this point in time, “Moorhead State was the first in the system to introduce admission standards, in 1964, admitting students who were above 38 percent of their high school class, or who scored above 16 on the ACT exam” (Collins, 1987, pp. 8-9--Neumaier).

Even with admission restrictions, enrollment at the college continued to grow under Neumaier’s leadership (Kise, 1969; Shoptaugh & Dille, 2013). It is noted that these increases included a reflection of the national trend of the high number of Baby Boomers attending with the assistance of federal loans. Project E-Quality provided a focus of growing the enrollment of racially diverse students (Collins, 1987). It was noted that students at this time were seen as “curious and eager to learn, but never shy to let [administrators] know what they expected, and always ready to organize a way to get it” (Shoptaugh & Dille, 2013, p. 77).

### **State Universities**

The categorizing of an institution of higher education as a university has been defined as “an educational institution of large size which affords instruction of an advanced nature in all the main branches of learning” (Brubacher & Rudy, 1968, p. 143). There have been institutions of higher education in American known as universities since the late eighteenth century; however,

the design of the university has evolved over the years with no one model followed (Brubacher & Rudy, 1968; Rudolph, 1990).

There were two federal Morrill Acts: one provided land (1862) and the second provided federal funds (1890) (Brubacher & Rudy, 1968). These acts provided for public land to be used as the locations for building of public universities while the financial support was the necessary ingredient for them to thrive. These universities started off with small enrollments and “preparatory departments” (Brubacher & Rudy, 1968, p. 156). There were competing interests within each state given the colleges and universities that had been established prior to the land grant institutions. There were also some states that were dividing state appropriations among multiple institutions of higher education (Brubacher & Rudy, 1968).

State universities were seen as providing a diverse curriculum and contributing to the community, responsible to “advance knowledge, not merely preserve it” (Brubacher & Rudy, 1968, p. 158). In addition, they were considered to be organizations of multiple, different departments that promoted advanced knowledge attainment (Rudolph, 1990). The American state university shed the religious influence and oversight within the higher education setting (Brubacher & Rudy, 1968; Rudolph, 1990) and increased “the principles of democracy and equality of opportunity” (Brubacher & Rudy, 1968, p. 171). The universities were centered on advanced education and on the service to the community, including how graduates would serve the community. These ideas were no longer controlled by religious entities and the philosophy of missionaries. Furthermore, “almost everywhere the state universities became the major teacher-training agencies, setting standards for the public schools” (Rudolph, 1990, p. 361).

## **Minnesota State Universities**

In 1975, the State of Minnesota legislature enacted the “university designation” bill (Minnesota State Law, 1975). This led to the State Board renamed to be the State University Board. The State Colleges were to be State Universities in recognizing the advanced level of education being provided by the colleges (Mitau, 1977). However, there remained cleared delineation between the state universities and the University of Minnesota system. With the university designation, state legislators were clear that this was done in the spirit of uplifting the state colleges; however, this was not to elevate them so far as to dilute the State’s commitment to “a single major research and professional center at the University of Minnesota” (Mitau, 1977, p. 79), which was chartered in 1851 while Minnesota was a territory.

In 1985, Minnesota became the first state to allow for high school juniors and seniors to complete college level courses at participating Minnesota colleges and universities for free (Postsecondary Enrollment Options Act). The State assumed the cost for enrollment and also allowed for additional funding requests for these students as the students had the opportunity to attend the courses on the campuses they are being offered (Hinrichs, 2016). Ideally, this would have put a high school graduate ahead when considering the student would have a number of earned credits upon high school graduation that would then be applied to the necessary credits for a college degree. Also, this would include the benefits of the student not accruing financial debt for the credits, finishing their degree earlier, and potentially entering their desired career sooner.

## **Moorhead State University**

Roland Dille became president of Minnesota State College in 1968. Dille served in the Army during World War II and taught at other colleges before arriving at Minnesota State

College to teach in the English Department (Shoptaugh & Dille, 2013). The expansion of degree programs continued to grow under Dille's leadership, including social work and business (Shoptaugh & Dille, 2013). There were 90 programs and majors at Moorhead (Mitau, 1977). Under Dille's leadership, a foundation was created at the college, raising money for student scholarships in the institution's first major fundraising efforts (Shoptaugh & Dille, 2013).

Succeeding Neumaier in 1968, Moorhead's President Dille faced the mounting tensions of the soldiers going to fight in Vietnam (Collins, 1987). There were professors at Moorhead openly consulting with students about how to dodge the draft. In review of a student newspaper, Dille decided to prevent it from going to print, which he later acknowledged was censorship (Collins, 1987). There was quite a challenge that Dille faced as students remained vocal regarding their discontent. As a result, he decided to make himself as available to students as possible: open office hours, open time in the student union, and an offer to meet with students in their residence halls (Collins, 1987). While the rise of protests and unrest seemed to settle, Dille faced an economic recession. The enrollment numbers stayed steady, and students were working hard to stay in school while President Dille taught English courses, which also allowed him to continue to make himself accessible to students (Collins, 1987).

During Dille's leadership of the institution, a major change also occurred when the name of the institution changed to Moorhead State University in 1975 (Collins, 1987). Also, women students were allowed to have more flexibility in visitation, which men students had already been enjoying (Collings, 1987). In addition, men and women students were given the option to live on the same floor in the residence halls (Collings, 1987).

Dille took a short leave of absence from Moorhead in 1982 to serve as the acting chancellor for the State University System (Collings, 1987). While many questioned his return,

Dille came back to Moorhead, having missed campus and the students (Collings, 1987). He continued to be involved in additional areas beyond campus, serving as the chairman of the American Association of State Colleges and Universities and the National Council on the Humanities (Collings, 1987). Dille continued to advocate for a low tuition rate for state university students and the access to liberal arts education (Collins, 1987). Dille was the longest serving president, in the role for 26 years (Shoptaugh & Dille, 2013).

There were many changes at the university in the 1990s. The increased use of electronic mail saw a high as more and more students reported using it. There was a major investment in technology as faculty and staff received computers. The student admission standards changed, including the requirement of a higher ACT score. There were extensive budget challenges on the state level and at the university, and there was declining enrollment at the university (University Archives, 2013).

### **Minnesota State University Moorhead**

Roland Barden assumed the role as president in 1994. He oversaw the course terms change from quarters to semesters (Shoptaugh & Dille, 2013). The university became part of the Minnesota State Colleges and Universities system, effective in 1995 (Minnesota State Colleges and Universities), and the name of the institution changed again in 2000 to Minnesota State University Moorhead (Minnesota State Colleges and Universities, 1999). Another significant change at this time was the shift in the role of the president serving as an employee for system instead of the individual institution (Shoptaugh & Dille, 2013).

The university continued to face enrollment challenges while those who did enroll were increasingly assuming debt in order to be enrolled (Shoptaugh & Dille, 2013). The university also continued to receive less money through the Minnesota State system funding model

(Shoptaugh & Dille, 2013). Some students are juggling responsibilities as more and more worked jobs that were off campus (Shoptaugh & Dille, 2013).

There was an increased awareness to “power hour” drinking in the wake of a student death (Strnad, 2005). The “power hour” was the short time an establishment serving liquor was open after midnight, when a person just turning 21-years-old would go to this place in order to drink 21 shots before closing time, which was typically 2:00 AM. A course named “Alcohol and College Life” became a required course for students (Sailer, 2006).

Additional concerns faced in the early 2000s included free speech debate with pro-life messaging printed and distributed on campus. Also, queer students expressed concerns regarding their lived experiences on and off campus (Morris, 2006). The campus went tobacco-free as there was no smoking or use allowed (Schafer, 2008). Furthermore, the Corrick Center, which served a variety of needs for students who were slightly below auto-admission standards, was closed (Haley, 2011).

Edna Szymanski became the first women president at Minnesota State University Moorhead in 2008. Szymanski made many decisions at the university in response to the financial crisis that was happening across the country. She served while the institution faced a decrease in the student enrollment as the state recognized a shrinking in the overall state population, especially noting the decreases in rural areas outside of the Minneapolis/St. Paul metropolitan area. Szymanski made decisions that were often disappointing to faculty, and she limited personal interactions with students and faculty alike.

Anne Blackhurst succeeded Szymanski in 2014. Blackhurst served as the Provost and Senior Vice President for Academic Affairs prior to filling the role as president. Blackhurst created a close connection to students, some admitting to having an enlarged “cut out” image of



the president's head in their residence hall space. Blackhurst is often present during student events—athletic events, music and theater productions, and student leadership and organization programs. She also has a strong presence in the social media environment, heightening her accessibility.

### **Conclusion**

This chapter has provided a history of Minnesota State University Moorhead, as it originated in 1887 as a normal school through the more recent name change in 2000. The information presented also provided a setting of the context of the institution during the span of time within the state of Minnesota and within a general sense of the national landscape. The contextual ideas presented in this chapter are important as it informed the study and analysis of findings.

## Chapter 3

### Review of Literature

This chapter presents a synthesized and analyzed peer reviewed research articles and scholarly and practitioner authored textbooks. The pertinent literature included information regarding the current standards within the field of student conduct and specific to codes of student conduct, model codes of student conduct that have been published, and areas of literature from the field of practice of student conduct administrators specific to student misconduct policies. Included in the review, two previous studies completed on the topic of college student misconduct policies are highlighted.

#### Model Codes of Student Conduct

There are a number of individuals in the field of student conduct who have created “model codes,” offered to student conduct practitioners and college general counsel staff to guide in individual campus publications. Most of these individuals are attorneys, writing for the *Journal of College and University Law*. The others have served as practitioners or scholars in the field of student affairs.

There are no existing studies that examine the models of student conduct. These models have often been the work of those offering best practices after studying court decisions and published opinions of college and student involved matters. There continues to be advice regarding the student policies colleges implement in their codes. Many college administrators consider the published models to be best practices or “gold standards” for the language and policies that should be included in their campus codes. There are some campus administrators who use the models as the framework for re-writing their codes, believing in the learned lesson from court proceedings that involved other colleges and universities.

## **Pavela's First Model Code (1979)**

Pavela's first model code was published in the *Journal of College and University Law* in 1979. This journal is published by the Rutgers School of Law and the National Association of College and University Attorneys (NACUA); given the membership, the audience for this journal is largely attorneys. In addition, Pavela himself is an attorney. Pavela presented this model to serve the University of Maryland; however, he related the information in a manner that allowed for generalized ideas that other student conduct administrators could relate to and use or modify to use on their campuses.

Pavela (1979) introduced his model with a "Rationale" (p. 139) and "Definitions" (p. 139) of fourteen words, including addressing the use of the words "will" and "shall" (p. 140). Pavela provided clarification in "Violations of Law and Disciplinary Regulations" (p. 141), indicating the university may start with the same reported behavior but would not yield to the resolution of a criminal court case. Pavela presented eighteen items under the "Prohibited Conduct" section (p. 141-142): physical harm; weapons; false reports; interfering with normal university activities; violating terms of a sanction; controlled substances or illegal drugs-- distribution, possession, and use; fire safety equipment; false information; false identification; academic misconduct; freedom of expression; theft; damaging property of others; failure to comply; other published rules; unauthorized presence; and fireworks. As noted, he included an item for academic misconduct behaviors within the listed conduct. A policy of prohibited conduct that appeared to stand out was item r: "unauthorized use or possession of fireworks on University premises" (p. 142), which was not a common item students would possess. Pavela concluded with "Disciplinary Files and Records" (p. 149), to indicate record management.

Finally, Pavela included over nine pages of annotations to clarify 54 items within the model code.

### **Stoner and Cerminara's Model Code (1990)**

Stoner and Cerminara's model code was published in the *Journal of College and University Law* in 1990. As previously noted, this journal is written for an audience who are mostly attorneys; Stoner and Cerminara are also attorneys. Stoner and Cerminara (1990) presented their model for many to use:

What follows is a model student code which college and university counsel and administrators may use in creating their own written student disciplinary code. Of course, decisions with regard to certain topics will depend upon the preferences of each individual college or university. (p. 92)

Stoner and Cerminara acknowledged there may be special topics a campus would accommodate within their code in addition to those they provided; however, they presented their code as a best practice.

Stoner and Cerminara pointed out a special consideration, stating that they did not include a "students' right" section but campus administrators should consider including one. The tone of the introduction assumed authority. While the credentials of Stoner and Cerminara are not in question, the language and framework are very formal, such as in legal proceedings.

Stoner and Cerminara introduced their model with "Article I: Definitions" (p. 95) of sixteen items, including academic misconduct behaviors. "Article III: Proscribed Conduct" (p. 99) included a section on "jurisdiction" (p. 99), with a comment regarding off-campus behavior within the prescribed scope of "adversely affect the interest of the college or university community" (p. 99) and seventeen items under "conduct--rules and regulations" (pp. 99-101):

acts of dishonesty, including academic misconduct; disruptions to the activities of the college, conduct that threatens or endangers the health and safety of any person; theft or damage to property; hazing; failure to comply; misuse of keys and unauthorized entry; other published rules; federal, state, or local law; narcotics or controlled substances; alcoholic beverages except as permitted by law and public intoxication; firearms, explosives, other weapons, or dangerous chemicals; campus demonstrations that disrupt the normal operations; obstructing foot and vehicle traffic; disorderly, lewd, or indecent conduct; misuse of campus computers; and abuse of the campus judicial system. One of the items, number 9, was “Violation of federal, state or local law on [College-] [University-] premises or at [College] [University] sponsored or supervised activities” (p. 101). They also included separate policies for narcotics (item 10, p. 101), public intoxication (item 11, p. 101), and firearms (item 12, p. 101). The final area under Article III was “Violation of Law and [College] [University] Discipline” (p. 105), providing options of language based on the campus choice to address off-campus behavior.

### **Dannells’ Model Code (1997)**

The text *From Discipline to Development: Rethinking Student Conduct in Higher Education*, Dannells (1997) included a “Model Student Code” as Appendix A within the text. Dannells is a university professor, having earned a doctorate degree in College Student Development, and previously served in student affairs practitioner roles. The text was considered a monograph, sponsored by the Association for the Study of Higher Education (ASHE) and the Educational Resources Information Center (ERIC) Clearinghouse on Higher Education. The primary audience for this text was considered to be scholars and practitioners within the field of student affairs.

Within the model, Dannells started with “Article I: Definitions” (p. 101), which is a list of sixteen words and definitions. These are technical words that relate to the proceeding policies and procedures. Dannells included “Article III: Proscribed Conduct” (p. 102), which first identified the jurisdiction and then the rules and regulations of seventeen areas of prohibited behaviors (p. 103-105): acts of dishonesty, including academic misconduct; disruption or obstruction of university functions; conduct that threatens or endangers the health or safety of any person; theft or damage to property; hazing; failure to comply; misuse of keys and unauthorized entry; other college published rules; federal, state, or local law; narcotics or other controlled substances; alcoholic beverages except permitted by law and public intoxication; firearms, explosives, other weapons, and dangerous chemicals; campus demonstration; obstruction of foot and vehicle traffic; disorderly, lewd, and indecent conduct; misuse of computers; and abuse of the campus judicial system. There is a section regarding a violation of law and campus discipline. These policies are very similar, if not the same in most cases, to those presented by Stoner and Cerminara (1990); however, there are no footnotes or annotations for specific explanations. Dannells (1997) includes the “Violation of Law and [College] [University] Discipline as the final item in this article. The final section is “Article V: Interpretation and Revision” (p. 110), which provided references for a student to inquire about the information provided within the code and the cycle for revisions.

There are some specific points about the model code Dannells provided that require further review. Contrary to other scholars, Dannells argued throughout the text that the spirit of *in loco parentis* has long since died by the time of his writing. This is reflected in the policies that focus on the harmony of the campus as a learning community. Second, this model code was laid out with a formal nature that reflects a legalistic nature. The language of “judicial” was still

used or included in positions and roles to be used within this process. Third, Dannells framed his ideas regarding academic misconduct to indicate that he believed there needed to be a closer relationship, stating that the vice presidents for student affairs and for academic affairs needed to work together to close this gap. Finally, Dannells provided an entire section with alternative language to articulate the very limited nature within which the campus would address off-campus behavior. This model code included “Violation of federal, state, or local law on [College] [University] premises or at [College] [University] sponsored or supervised activities” (p. 103). As stated, the policy was clear about the criminal violation occurring within the scope of the campus or college associated event.

#### **Stoner and Lowery’s Model Code (2004)**

Produced fourteen years after the Stoner and Cerminara (1990) model student code, Stoner and Lowery (2004) published “A Twenty-First Century Model Student Conduct Code” within *The Journal of College and University Law*. As previously noted, this journal is written for an audience who are mostly attorneys and by authors who are attorneys or are in training to be. Stoner is an attorney, and Lowery is a University professor within the field of educational leadership and policy.

Stoner and Lowery started their code with a “Preamble” (p. 18). While they did not offer any suggested content, they provided commentary about the opportunity of including a preamble to “[reflect] the culture of the institution” (p. 18). The model appeared to be duplicated from the one presented by Stoner and Cerminara (1990), with the exchange of “student conduct” in the place of “judicial” in most cases. Also, two additional terms were presented in the 2004 model under Definitions: “complainant” and “accused student” (p. 23). Stoner and Lowery included “Violation of federal, state, or local law” (p. 29); however, the policies are not limited to only on

campus or during a college event. There are also more references within the policies that include “or off-campus” so as to provide a broader scope. Stoner and Lowery provided an additional policy under Rules and Regulations: “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” (pp. 33-34). This policy was much broader than the other policies presented and created a special expectation for students that would be similar to expectations parents would have of their children. Stoner and Lowery’s Article IV was labeled “Student Conduct Code Procedures” (p. 38) instead of “Judicial Policies” (Stoner & Cerminara, 1990, p. 108). There was an additional item under charges and board hearings: item j. “Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings” (p. 44).

#### **Pavela’s Revised Model Code (2006)**

In 2006, *Exercising Power with Wisdom: Bridging Legal and Ethical Practice with Intention* was published as part of The Higher Education Administration Series, which included several chapters regarding addressing student misconduct in college campus settings. Included as appendix four in this text was the “Model Code of Student Conduct” as written by Gary Pavela. In the introduction, Pavela noted a previously published model code from a 1979 text (see above reference). Pavela stated that work was been done in terms of editing and reviewing codes from a variety of colleges and universities.

There are several notable aspects to this code from Pavela (2006). He provided a more noble introduction than his 1979 model with “Purpose of the disciplinary system” (p. 171). Pavela included “Authority for Student Discipline” (p. 172), which was very similar to the “jurisdiction” sections of the other models but was less legalistic as it focused on behavior and



did not reference law. The next section for Pavela was “Student Participation” (p. 172), which was an item that did not appear in other models but seemed to serve a key purpose in speaking directly to students as partners and presented concepts in opposition to *in loco parentis*. Pavela provided a list of ten definitions related to the ideas presented in the code; this was a very typical section. One significant change from Pavela’s 1979 model to the 2006 model was the removal of academic misconduct terms. Also, Pavela (2006) included a policy specific to sexual assault and sexual harassment (item b, page 174). Next, Pavela provided two additional sections that appeared to equalize the relationship with students with asserting less power and stressing more partnership with the student: “Interpretation of Regulations” (p. 173) and “Inherent Authority” (p. 173). Pavela included a section of “Disciplinary Action while Criminal Charges are Pending” (p. 173), which provided the delineation from campus administrative policies and criminal law. Pavela presented the sections “Standards of Classroom Behavior” (p. 174) and “Prohibited Conduct” (p. 174) with fifteen items. It is important to point out that this was the only model code that provided for behavior within the classroom as separate from the prohibited conduct list. Also, one of the prohibited conduct items included a reference to the “Code of Academic Integrity” (p. 174), creating a clear separation for academic misconduct. Pavela included “Mediation” (p. 180) “as an alternative means to resolve most disciplinary cases” (p. 180). Pavela included almost ten pages of annotations for this model code, citing case law specific to campus proceedings, specific campus policies, and expanded rationale.

Pavela appeared to provide direct access to the formal language and concepts of discipline to the reader, most specifically a college student of varying ages and experiences. This 2006 text also included a previous appendix authored by Pavela that provided a “Model Code of Academic Integrity” (p. 159) that presented a formal process in enforcing an Honor Code. This

separation created the bifurcated rules in addressing academic misconduct in a separate process from other student misconduct.

Pavela addressed off-campus behavior in the “Inherent Authority” (p. 173) section, stating the following:

The University reserves the right to take necessary and appropriate action to protect the safety and well being of the campus community. Such action may include pursuing disciplinary action for any violation of state or federal law--on or off-campus--that affects the University’s educational interests. (p. 173)

Pavela provided further details regarding this inclusion, indicating that college administration has the authority to address student behavior on and off campus. Pavela went on to note that a campus may present limits in terms of distance from campus or the level of criminal activity.

### **Summary of the Model Codes**

Each code has a similar format, including the definitions, prohibited conduct polices, jurisdiction noted, and the formal separation of sections or articles. As previously mentioned, Pavela’s 1979 model appears to be the starting place for the other models, with Dannells’ (1997) appearing to directly use Pavela’s (1979) text. Each code includes a reference to prohibiting violations of laws, being dishonesty or providing false information, and stealing or causing damage.

While there are strong similarities between the models, there are several differences. The model codes offered by Dannells (1997) and Stoner and Lowery (2004) are more legalistic than the model code of student conduct produced by Pavela (2006), making the intended audience appear to be the average college student. Also unique, Pavela (2006) drew a sharp distinction by providing a completely separate model code for academic misconduct. Finally, Pavela (2006)

stated clearly that off-campus behavior was fully within the authority of the campus administrators.

The models were created by those who have studied regional and supreme court decisions, including the detailed opinions of judges when offered. Thus, the ideas communicated within these formal decisions have driven the creation of how the code of student conduct should be crafted. Many practitioners view the model codes as the framework for campus policy creation, so far as some college codes reflect the more recent model code. These revised codes often remove the college specific policies, muting campus identities and neutralizing the unique expectations of students at the specific college.

### **Previous Research**

There are two previous studies involving college student misconduct policies that were discovered during the process of reviewing the literature relevant to this study. There is growing research in the areas of the procedures used in college student conduct, the expectations of due process within college student process, and the inclusion of student mental health in the disciplinary field. However, the studies by Hoekema (1994) and Merrick (2016) were significant as they are the only two studies regarding content of student misconduct policies that were discovered in the exploration for relevant literature for this study. The two studies are briefly described below. The connection to the specific framework areas for this study are identified with the following Literature Review section of this chapter.

#### **Hoekema's Study**

Hoekema (1994) took note of the numerous media articles regarding concerns of student misconduct at several colleges and universities across America. Hoekema designed a study:

my purpose will be to review the present state of student behavioral regulations in order to discern its principal features, its major achievements, and its most serious shortcomings. Against this background I will recommend both overall aims and specific strategies that might make for a more successful system of rules of conduct. (p. 5)

Hoekema made clear that he was not a practitioner within the field of student conduct or student affairs; rather, Hoekema identified himself as a concerned faculty member who interacted with students and advised them as part of a campus community.

Hoekema's study included providing a survey and a questionnaire to primary student affairs officers at a preselected number of colleges and universities: "selective liberal arts colleges, large and small state universities, and religiously affiliated institutions" (p. 47).

Hoekema openly acknowledged that the results of his study were not generalizable. However, Hoekema believed that the chosen institutions were "representative of the institutions that play a leading role in American higher education" (p. 47). Hoekema received 49 responses to his survey and questionnaire. He summarized,

From these factual data and from the narrative responses summarized earlier [in his text], we gain a sense of both how persistent are many of the problems of maintaining order. Problems of alcohol abuse and academic dishonesty are the most frequent grounds for disciplinary action, and administrators voice their frustration not only with student irresponsibility but with faculty inattention. (p. 55)

In his discussion of the content of the 25 codes of student conduct that he solicited and received from study participants, Hoekema summarized some of the data that he discovered. He provided information about several residence hall related policies, from unwanted appliances and specific details regarding extension cords to acceptable refrigerator measurements and the use of

cooking equipment. Hoekema provided an outline of the procedures that were used when a student was alleged to have violated a campus policy. Hoekema provided “ten distinct stages” (p. 68) that he identified in his review of the codes of student conduct. Hoekema spent considerable time highlighting the following policy areas per his review: plagiarism and academic dishonesty (including honor codes), drinking and alcohol abuse on campus, illegal drug use, sexual and social mores (including a variety of rules for visitation, sexual harassment, and sexual violence), and abusive speech and writing.

Hoekema (1994) addressed the nuances of different campuses, which provided some reflection in the policies within the individual codes of student conduct policies. Regardless, Hoekema argued that there are “three distinct goals [...] that a system of campus discipline seeks to achieve” (p. 118). Hoekema used these three goals to create a framework in which he reviewed the campus policies within the codes that were part of his study. Hoekema recognized that there were overlaps in these goals as he considered them independently important but jointly effective. Hoekema provided details about each of the three goals, including identifying policies that fit within one or multiple areas.

Hoekema (1994) identified the first goal: “to prevent exploitation of and harm to students” (p. 118). Within the first goal area, Hoekema stated college administrators were able to create a level of protection for students by prohibiting specific behaviors on the campus, regardless if the behavior was a criminal one. He stated, “a carefully framed and scrupulously enforced policy regarding assault may deter dozens of attacks that would have occurred in an atmosphere of laxness and inattention” (Hoekema, 1994, p. 119). Hoekema recognized that students may be more “especially vulnerable” (p. 120) and subject to “intense social pressures” (p. 120) while being enrolled and socializing with other students.

Hoekema (1994) identified the second goal: “to promote an atmosphere conducive to free discussion and learning” (p. 121). Hoekema stated the college campus environment allowed for dynamic opportunities where students had discussions, debates, and information sharing to present their ideas and learn about other ideas held by fellow students, faculty, and researchers along with beliefs of religion, politics, etc. Within this goal area, he challenged assumptions that are sometimes held about college faculty being overly liberal and limiting, and he defended campuses having a history of hosting civil discourse.

Hoekema (1994) identified the third goal: “to nurture a sense of mutual responsibility and moral community in students” (p. 126). In consideration of the “responsible and moral community” (p. 126), Hoekema seemed to be conflicted in stressing the importance of adding value to students’ experiences and to the campus as a whole while noting the challenges that existed in this lofty goal. Hoekema described this third goal more specifically in how misconduct is addressed and policies are enforced in the practice of enforcement, in the role modeling by faculty and staff of favorable behavior, and in the social interactions of all members of the campus.

Hoekema (1994) concluded his address of student conduct by taking the three aforementioned goals in correlation with a measured response or one of “three distinct stances that an institution may adopt toward disapproved behavior” (p. 148). As such, Hoekema outlined that when a behavior goes against all three of the identified goals, the more appropriate it is for the campus administrators to set restrictive policies against such behavior as the college administration has “a moral basis for the institution's effort to control” (p. 146) student behavior and the campus environment. Hoekema went on to indicate that when a behavior would only go

against goal 1 or goal 1 and 2, the response stance would be permissive and directive, respectively (p. 149).

### **Merrick's Study**

The second study is from Merrick (2016). Merrick completed a study of student misconduct policies at 80 universities, including Historically Black Colleges and Universities (HBCUs) as 40 of the included universities. The purpose of Merrick's study was "to examine the contemporary status and expression of the doctrine of *in loco parentis* at public Predominantly White Universities (PWIs) and public Historically Black Colleges and Universities (HBCUs) in student polices" (p. 16). Merrick completed this study in partial fulfillment for the degree requirements of Doctor of Philosophy in Public Policy and Urban Affairs.

Merrick argued that *in loco parentis* evolved from the early known doctrine to a concept given the balancing act that college administrators exercise when meeting the expectations of parents, demands of federal law, and the student development approach of campus administrators. Merrick (2016) clarified that the *in loco parentis* concept was not specifically stated in the policies within the code of student conduct; however, it was woven in the intent of policies.

Merrick developed a historical evolution of the *in loco parentis* concept, including the origins in the 1800s through the modern era. While the early foundation was largely assumed given the then perceived role of college administrators, student activists resisted the parental role in the 1960s. College administrators shifted the focus to treating students like adults; granted, administrators still had a role in students' development and growth as well as a liability in college related activities.

Merrick designed “a key word subject index to access the frequency of terms used demonstrating the presence of *in loco parentis* policies” (p. 93). Using this index, Merrick used internet searches of policies of selected colleges and universities to conduct her study. Merrick converted the frequencies to percentages that were entered to create statistics. Merrick concluded that her study “[provided] further significance as increased levels of scrutiny have been placed on colleges and universities to safeguard students from situations causing harm in any way” (p. 159).

### **Literature Review**

As referenced in Chapter 1, the conceptual framework for this study was developed using four characteristics: *in loco parentis* concept, legalisms, academic misconduct, and off-campus misconduct. The concepts included in this framework are further outlined below. Given my years of experience in the field, these four areas rise in prominence relative to the code of student conduct policies within colleges.

This literature review included searching for relevant sources via the University of North Dakota online databases using EBSCOhost research databases to access Academic Search Premier, Academic Search Complete, America: History & Life, Anthropology Plus, Criminal Justice Abstracts, eBook Collection, EBSCO MegaFILE, E-Journals, ERIC, MasterFILE Premier, Professional Development Collection, PsycARTICLES, and SocINDEX with Full Text. In addition, research databases HeinOnline and Project MUSE were used. I also used the Minnesota State University Moorhead online library search tool, especially in searching and locating textbooks. The keywords that were used in searching for peer-reviewed journal literature and books included the following: college or university student conduct, college or university student misconduct, college or university student behavior, college or university



student policies, college or university academic misconduct, college or university academic dishonesty, college or university academic integrity, college or university student policies off campus, college or university student *in loco parentis*, and higher education history. The search results were limited to peer-review/scholarly journals. Furthermore, searches were also made from key ideas, authors, and research referenced within literature obtained through the aforementioned searches. Most of the textbooks obtained were through the Minnesota State University Moorhead library and interlibrary loan, and some books were borrowed from the University of North Dakota library.

I made sense of the historical interpretations of student behavior by using the literature that remains as evidence of the past (Berkhofer, 1969). First, the documented early foundations of colleges along with court decisions defined *in loco parentis*. The ongoing expectations of college administrators has shown its continued existence. Second, the creation and enforcement of a number of significant federal laws and criminal laws gave meaning to the legalistic concepts reflected in student policies. Then historical practices within an institution determine whether academic misconduct is included in the student misconduct policies, governed by an honor code, or left solely to the academic freedom of faculty members. Finally, the span of time has led to decisions as to whether the behavior of students who live and socialize off campus is connected to the expectations and purpose of the institution.

### ***In Loco Parentis***

The Latin phrase *in loco parentis* has been interpreted to mean the early faculty and then administrators of colleges were acting in place of the parents of the students while the students were enrolled (Kiplinger, 2006; Loss, 2014). In Lake's (2009) view the policy focus during the 1800s and in the early 1900s for *in loco parentis* was about students being subordinate to the

college administrators. As such, colleges made policies and held student accountable in a manner consistent with how children experienced parenting, with the college exercising their responsibility of care for the student (Lake, 2013). Given the dynamics of students living and learning in the early college settings away from their parents and in some of the first collegial settings where students lived within the home of the faculty, the philosophy of *in loco parentis* was strongly held (Dannells, 1997; Lake, 2009; Merrick, 2016; Rudolph, 1990).

**Early foundation.** The college presidents and faculty took on a paternalistic role in the college setting (Rudolph, 1990). Some college administrators struggled with a parental role in disciplining students as they believed the students were not parented well before going to college; yet others argued that the strict student conduct policies held students back in an adolescent state of mind, which resulted in immature behavior by students (Rudolph, 1990). As such, college administrators had to consider other ways to manage students who were enrolled. Many colleges held very strict codes of student conduct policies, sometimes referred to as laws instead of policies (Harriman, 1933; Horowitz, 1987; Rudolph, 1990). Brubacher and Rudy (1968) described the roles faculty were required to assume as spies and disciplinarians prevented the scholar-student relationship many faculty members desired. Students did not perceive faculty and administrators protecting them as believed by some under the *in loco parentis* scope; rather, students felt restricted and controlled (Kiendl 1963). This stern approach and lack of rapport between students and faculty also led to more riots and rebellions by students, often male students (Brubacher & Rudy, 1968).

Brubacher and Rudy (1968) indicated there was a decrease in student misconduct following the Civil War for a number of reasons. One reason provided was the lessening of the overly strict approach, striving to treat students as adults, and another was moving faculty out of

the disciplinarian role and instead hiring individuals specific to this role (Brubacher & Rudy, 1968; Rudolph, 1990). In addition, some college presidents developed models where students assumed taking responsibility and discipline of themselves (Brubacher & Rudy, 1968). Gelber (2014) stated there were shifts at colleges to include extracurricular and co-curricular experiences that decreased the limits that had been set on students. Gelber (2014) also stated the increasing view of students engaging in scholarly work and the expansion of graduate studies at colleges elevated the students and led to more freedoms.

*In loco parentis* was a concept often considered to have flourished in the United States during the early 1900s in which there were court decisions regarding the responsibilities college administrators had in relation to their students and the increased expertise held by faculty members (Gelber, 2012; Lee, 2011; Loss, 2014). “Courts of that era used the doctrine of *in loco parentis* to give judicial blessing to virtually any university decision to intrude into the private life of students” (Kiplinger, 2006, p. 90). In other words, the administrators at the colleges were given the authority in educating and developing the character of students, which in turn provided for administrators to have and enforce rules that supported the intrusion.

Even though students later would be considered adults with their own decision-making responsibility, there was a “*in loco parentis* function of ‘caring.’” (Johnson, Flynn, & Monroe, 2016, p. 271). Within this function, a campus staff person provided intrusive care for the student’s success (Johnson et al., 2016). According to Dannells (1997), the mission driven nature of addressing student conduct was interwoven in the character development of students. The creation of college student personnel offices and hiring staff members in student life and student affairs became the individuals who took on the responsibility of being the “parent” per the *in loco parentis* concept in the mid-1920s (Loss, 2014). With the growth of additional professional

roles in providing services in support of students, the *in loco parentis* role increased (Gelber, 2012; Johnson et al., 2016; Lee, 2011). The *in loco parentis* concept placed college administrators in the position to address certain student-college challenges, such as drop-out rates through orientation activities and student suicides through mental health services on campus (Loss, 2014).

**Shifting concept.** There was a downfall of the *in loco parentis* concept when the civil rights era surged in the 1960s. The college policies were enforced by heavy handed administrators who allowed for little to no procedural process, which resulted in lawsuits where judges found in favor of students (Gelber, 2014; Lee, 2011). There was another reason: “This shift reflected the increasing rights society had bestowed upon students, including the passage of the Twenty-Sixth Amendment to the United States Constitution, which granted voting rights to persons eighteen and older” (Kiplinger, 2006, p. 90). As such, students were now of an age considered to be adults, which meant they were to assume the responsibility of their own behavior.

Instead of finding ways to rebel against the administration and the rules, Kiendl (1963) challenged students were in the position to consider their role within the society during this time. Kiendl (1963) argued that the students of the time were much more prepared for the adulthood they were living in, more so than their fathers before them as college students. Kiendl (1963) made an important point: the college students of his writing were not different only by gender and a few years of age; these students were much more broadly diversity in age, lived experiences, and so on, compared to their parents. It was important for college students to assume their adult role in society and at the college (Kiendl, 1963).

**Increased safety.** According to Merrick (2016), the ever-current expectations on college administrators to provide safe campuses and protect students were in-line with the *in loco parentis* doctrine philosophy. Merrick (2016) reported the college policies specific to controlling student behavior and activities informed this argument. In order to keep students safe, there had to be student policies that limited the actions of students' risky behaviors.

There has been a high expectation of college administrators to assume liability for accidents and harm that have come to students while they are enrolled in college courses. As such, there have been court decisions that indicate college administrators continue to have a duty of care (Kiplinger, 2006; Lee, 2011). Lake (2013) summarizes,

The university has a special social mission. Courts increasingly give careful consideration of the policies and factors that should govern the college experience. Courts are also aware that higher education is not one uniform experience for all students in all contexts. (p. 108)

While acknowledging the variety of lived experiences, it is because of the special mission and the expected duty of care, college administrators are trusted to keep students safe, regardless of the student's age.

**Summary.** An early foundation was created when campus administrators served in a paternalistic role. While faculty had a high level of contact with students, they did not desire or enjoy the role of spy and disciplinarian. The responsibility transitioned to the created student affairs professionals, providing intensive care of students. The role and responsibilities of care for students shifted with the recognition of adulthood officially being realized at the age of 18. Yet some argue the concept of student and the dutiful roles of college administrators continues to

breathe life into *in loco parentis* with the continued need to provide support and care for students.

There is no argument that the level of care and support for students has changed over time; however, the *in loco parentis* concept continues to exist. Hoekema (1994) argued that while he believed *in loco parentis* had died, there remained a focus on the special relationship between the university and the care (or lack of care) for students who are enrolled. The special mission of colleges (Lake, 2013) that has existed through time is reflected in the student misconduct policies influenced by the *in loco parentis* concept:

hazing, weapons, drugs and alcohol, sexual misconduct and bully (including cyberbullying) [... as well as] student policies in the areas of Greek Life, band participation, AIDS/HIV, missing students, dress codes, behavior/honor codes, visitation, zero tolerance, off-campus activities and behavior, gambling and pregnancy. (Merrick, 2016, pp. 163-164)

The increased number of behaviors that fall within these policies increased the expectations of parents, the demands of federal law, and the student development approach of campus administrators (Merrick, 2016). Balancing the demands of these stakeholders resulted in the continued existence of the *in loco parentis* concept in student misconduct policies.

### **Legalisms**

It has long been held that college administrators create policies to regulate the students enrolled at the college (Hoekema, 1996; Lake, 2009; Kaplan & Lee, 2014). The concept of a code of student conduct “is laced with legal meaning” (Lake, 2009, p. 171). Some student misconduct policies appear very similar to criminal and civil laws.

Brubacher and Rudy (1968) argued that the Harvard College Laws of 1642 were the original model as other colleges and later universities created similar student misconduct rules. Brubacher and Rudy (1968) described these policies as “a veritable strait jacket of petty rules in which to confine their young charges” (p. 52). Lake (2009) argued that the student misconduct policies are framed in a way “as the principal regulators of student behavior” (p. 171). Lake (2009) asserted his concerns about the heavy-handed nature that campus administrators take in creating rules to frame a student’s life while enrolled at the college.

**Law congruencies.** Some have argued that the prohibited conduct policies for college students are too similar to those of the criminal law (Kaplan & Lee, 2014; Lake, 2011; Stoner & Lowery, 2004). When policies used legalistic language and gave the appearance of alignment with criminal law, judges in the courts started to create expectations for evidence and case resolution similar to criminal law (Lake, 2009; Stoner & Lowery, 2004). There have been terms and concepts that sounded like criminal law within the code, presiding over the life of students.

There are three significant laws that apply to students enrolled at colleges and often result in college specific policies. First, Title VI of the Civil Rights Act of 1964 prohibited discrimination on the basis of race, color, and national origin at colleges receiving federal financial aid (US DOJ Title VI, 2019). Second, Title IX of the Education Amendments of 1972 prohibited discrimination on the basis of sex at colleges receiving federal financial aid (US DOE Title IX, 2018). Third, Section 504 of the Rehabilitation Act of 1973 prohibited discrimination on the basis of a person’s handicap at colleges receiving federal financial aid (US DOE Section 504, 2018). This law identified the protection of individuals with both physical and mental impairments (US DOE Section 504, 2018). While these laws limited college administrators to not discriminate against students, administrators were expected to ensure that students

experience an environment free of mistreatment based on these protected identities. College administrators created non-discrimination policies to prohibit student-to-student and employee-to-student conduct as well. In addition, the State of Minnesota has additional protected classes identified by state law.

There are two additional federal laws that influence student misconduct policies due to the expectations on college administrators adhering to them. In 1989, the United States Congress passed a reauthorization of the Higher Education Act. In this passing, there was the inclusion of the Drug-Free Schools and Communities Act (1990). Within this federal law, college administrators were required to engage in prevention efforts related to students' alcohol and drug abuse. Part of the required biennial reporting is providing information about the campus policy for students and identifying the number of violations. Also in the 1989 reauthorization of the Higher Education Act was the passing of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Campus Security Act of 1990). Under this law, college administrators were required to report statistics of specific incidents on campus that fall within the crime classifications of the law. The Campus Security Act was amended over time, including in 1992 with requirements on campus administrators to develop policies and procedures for responding and supporting sexual assault survivors.

**Summary.** Some campus policies appear to reflect criminal or civil law. Hoekema (1994) reasoned against leading students to believe campus was a haven from criminal and civil laws; still he reasoned administrators should take steps to prevent possible student-to-student criminal behavior. Admittedly, some state and federal laws are reflected in student misconduct policies due to specific expectations placed on college administrators, such as having a policy that prohibited illegal alcohol and drug use, prohibited harassment and discrimination based on



protected classes, and prohibited crimes of theft, burglary, arson, homicide, sexual misconduct, and stalking.

### **Academic Misconduct**

There is some variation to what is considered academic misconduct within the realm of student academic work at a college. McCabe and Treviño (1993) defined academic dishonesty as the following:

using crib notes on a test; copying from another student during a test; using unfair methods to learn what was on a test before it was given; copying from another student during a test without their knowledge; helping someone else cheat on a test; cheating on a test in any other way; cheating on a test in any other way; copying material and turning it in as your own work; fabricating or falsifying a bibliography; turning in work done by someone else; receiving substantial, unpermitted help on an assignment; collaborating on an assignment when the instructor asked for individual work; copying a few sentences of material from a published source without footnoting it. (p. 529)

Berger and Berger (1999) identified academic wrongdoing as the following: “plagiarism, cheating, collusion with other students to engage in academic dishonesty, and falsifying transcripts and resumes” (p. 293). Boehm, Justice, and Weeks (2009) described academic misconduct as the following: “Unethical behavior occurs at many colleges and universities where dishonest students and their actions successfully disrupt the learning environment” (p. 46). Fox (1988) stated, “the two most common types of student academic misconduct are cheating, usually through the illicit use of notes, and plagiarism, in which a student represents ideas or wording as his own without proper attribution to another source” (pp. 671-672). Fox (1988) added a number of additional behaviors that could be considered academic misconduct as well,

including “taking an examination for another student, writing a paper for another student, or inaccurately listing someone as a co-author on a paper” (p. 672).

These policies reflect the broad range of expectations for students. Some of the policies are clearly written as a list of examples, while others are overly broad yet authoritative. These examples reflect the dynamic environment of courses and assignments and increase student ownership. In addition, the specific detailed lists could be seen as over-compensation for the reality that these policies are for adult learners who should be able to discern behavior that lacks integrity. They could also be seen as an attempt to cover the already known ways students have misbehaved.

**Bifurcated rules.** Lake (2011) provided information that the division of academic misconduct from other student misconduct policies was considered in-line with the roles of employees at the college. While faculty are mostly centered in the work of teaching and research, student life professionals are given work responsibilities outside of this scope (Lake, 2011). Lake (2011) also provided information specific to court decisions that have provided decisions that support this bifurcation (*Dixon v. Alabama State Board of Education*, 1961; *Board of Curators of the University of Missouri v. Horowitz*, 1978; *Regents of the University of Michigan v. Ewing*, 1985). Each of these case opinions included analysis that created the separation of academic and non-academic policy violations, specifically the process required in addressing such matters (Lake, 2011). Lake (2011) argued it was these three decisions that led to the further separation or bifurcated rules. In turn, colleges accepted these decisions and at times, they have created completely separate policies outside the code of student conduct for academic misconduct.

Lake (2009) argued against the idea that the policies about student conduct should be divided in the academic misconduct and other general student behavior. Lake (2011) stated

when campus populations grew following World War II, the specialized staff grew to meet the needs of the changing student population. Within this vein, Lake (2011) indicated that the faculty were no longer responsible for addressing non-academic or classroom behavior, which contributed to the bifurcated rules and separation of academic policies from other misconduct.

Some campuses have an honor code, which require students to make a pledge that they are going to follow the expectations that are clearly defined (McCabe & Treviño, 1993; Pavela, 1997). Some have argued that students take more responsibility for their actions when it comes to academic work, ensuring that they are not being dishonest in their work, when they are aware of the honor code and have made committed pledges to follow it (McCabe & Treviño, 1993). Tatum and Schwartz (2017) “defined traditional honor codes as having four components: an honor pledge, a peer-reporting requirement, a student-run adjudication system, and a requirement that faculty turn all suspected cases over to the judiciary body” (p. 132). Pavela (1997) offered a model of student code specific to academic integrity, identifying four behaviors: cheating, fabrication, facilitating academic dishonesty, and plagiarism. Pavela (2006) supported the clear delineation in a model code he published, creating an entirely separate code for academic misconduct.

**Behavior in focus.** Vandehey, Diekhoff, and LaBeff (2007) provided statistics related to the number of students who admitted to cheating, noting a significant increase from 1984 at 54% to 1994 at 61% (p. 468). At times, students have seen this as less “deviant behavior” (Vandehey et al., 2007, p. 468). In addition, Vandehey, Diekhoff, and LaBeff (2007) provided information from multiple studies, stating that faculty and college administrators are “disengaged” from students’ academic misconduct (p. 469). “Possible rationales for this situation can be traced to the desperate enrollment straits of many colleges and fear of liability or lengthy legal

entanglements on the part of some institutions and faculty” (Carnegie Council on Policy Studies in Higher Education, 1979, p. 15).

Nevertheless, it is important to note: “Academic dishonesty costs institutions administrative time, loss of integrity within the school, and student lack of respect for ethics and values” (Boehm et al., 2009, p. 47). A number of studies indicated the importance of faculty talking with students about what is considered academic dishonesty and what the consequences of such behavior would be (Brown & Emmett, 2001; Tatum & Schwartz, 2017). Faculty members are typically responsible for identifying the misconduct and determining outcomes (Fox, 1988).

The behaviors involved in a student academic misconduct case is a combination of academic concern and disciplinary matters (Byrom, 2012; Fox, 1988). “Academic misconduct cases are a unique hybrid of [student conduct cases]. They involve questions of academic performance, but they are also disciplinary in nature, since a possible outcome is the imposition of penalties against students” (Fox, 1988, p. 672).

**Summary.** Academic misconduct is specific to behavior associated with the labor of students in the creation of work to be evaluated for a grade in a course. Some policies regarding academic misconduct go so far as to limit behaviors that many adults would know as unacceptable behavior. Again, the student affairs type staff were blamed for separation of general student misconduct with that specific to coursework. Hoekema (1994) argued that the removal and distancing of the responsibilities associated with addressing student misconduct from faculty members and the evolution of the student affairs administrators had created a sharp disconnect from faculty members’ and academic affairs’ involvement and interest in “any sense of shared responsibility for matters of student conduct” (p. 145), including academic misconduct.

It is confusing to consider a student through two different lenses. A student's unacceptable behavior outside the classroom could result in an outcome to remove the student from the college, including the courses that they are enrolled in. Likewise, a student is held to a high level of integrity with the expectations for their labor related to coursework, which should be reflected in the expectations outside the classroom.

### **Off Campus**

On and off campus indicates a relationship with the physical space of a college. Bromley (2006) summarized,

When a college or university has a cluster of buildings and owns most or all of the land around them, the area is usually known as 'the campus.' The campus becomes the prime symbol of institutional life—a separate space and place for the academic community. (p. 2)

This space is the home for the collegiate life of the college. The "campus" is the buildings and grounds where faculty and staff manage programs and offer courses. The administrators of the college often control the activities and have responsibilities for behaviors occurring on the campus while there are conflicting views about addressing off-campus student behavior (Kiplinger, 2006).

**Campus life.** Modeled after those in European countries, the first residence halls were proposed in 1800; these were intentionally designed spaces for students and faculty to gather in the interest of academic and social life growth (Brubacher & Rudy, 1968). At the time, there were concerns expressed by college administrators that the residence halls would inhibit the paternalistic approach to supervising students that had been used at the time (Brubacher & Rudy, 1968). During the latter half of the 1800s, the concept of residence living halls became more

popular (Brubacher & Rudy, 1968). By the end of the 1800s, colleges had “new luxury residence halls” (Brubacher & Rudy, 1968, p. 121), which were places with large shared meeting rooms for students to gather and a dining area. “When students live on campus, the college or university administration is usually responsible for their welfare and imposes a broad range of rules and limits” (Bromley, 2006, p. 5). For example, the first Deans of Women were charged with limiting the outside activities of women students, keeping them focused on their studies and restricted to socializing amongst themselves while the Dean was constantly nearby (Harriman, 1933). This strict expected and accepted lifestyle was very paternalistic and within the scope of *in loco parentis*.

Rudolph (1990) wrote of the “collegiate way” (p. 108), detailed as an environment beyond the physical structures and courses taught, creating the elements for students to come into their own with the freedom of living away from their own parents to discover their own values and ideas that they would embrace in their individual development as a citizen in American society. “Universities have long accepted the role of shaping tomorrow’s leaders. Inherent in that role is the obligation to discipline students for violations of rules promulgated by university administrators, as well as for violations of federal, state, and local law” (Kiplinger, 2006, p. 88). Kiplinger (2006) contended that the college administrators working during the time of *in loco parentis* (prior to the 1960s) considered off-campus student behavior to fall under the scope of the code of student conduct policies.

**Beyond the classroom and campus.** Brubacher and Rudy (1968) stated that in the late 1800s and early 1900s American colleges lacked the funding to be able to create the student residential space that lent itself to the close student communities enjoyed at English colleges. As such, there were students who lived off campus. In addition, some students found the on-campus

living rules to be too restrictive and sought an off-campus option (Bromley, 2006). In the late 1800s and early 1900s, “[the] social life of the residence hall had come to be regarded as separate from, and unrelated to, the intellectual life of the classroom and laboratory” (Brubacher & Rudy, 1968, p. 122). This separation was evident in off-campus living as well (Brubacher & Rudy, 1968). During the 1960s, college students pushed against the college administrators' constant surveillance and guidance. “[The students] seemed to be impatient of all official or adult restraint on their lives, suspicious of anything that smacked of the official *in loco parentis* regime” (Brubacher & Rudy, 1968, p. 351).

Some administrators found themselves faced with student behaviors that do not align with the mission of the institution (Kiplinger, 2006). There were challenges administrators faced with the varying number of students who lived and socialized off campus, including risky student behavior and complaints from people who lived within the town or city that hosted the campus. “[Local] business owners and residents frequently complain about rowdy parties, drunken students, widespread littering, and the sharp fluctuations in activity that result from the calendar of academic and sporting events” (Bromley, 2006, p. 6). When the members of the community surrounding campus are not happy or believe their community is disrupted by the students from the college, there is a strain on the town and college relationship.

**Creating a nexus.** From a historical perspective, the *in loco parentis* doctrine was used in creating a broad stroke to include off-campus behavior within the scope of the college code of student conduct (Kiplinger, 2006). Dagley and Weiler (2017) identified the need to use a nexus in determining whether the behavior that occurred off campus was relevant for the college to address. As such, a nexus was informed by the relationship between the student's behavior and the mission of the college (Dagley & Weiler, 2017; Kiplinger, 2006). The more contemporary

language referenced the concept of a nexus used to evaluate the student behavior in question, seeking to identify whether it adversely affected the educational, research, or service function of the college (Goings, 2008).

Kiplinger (2006) stated the college administrators' focus centered on the mission of the institution in considering what student behavior to address: what behavior negatively impacted the mission of the institution? Kiplinger (2006) stated there were what he determined to be "four major factors when defining what off-campus student acts 'impact the mission.'" Kiplinger (2006) identified these factors to be:

- (1) the nature of the university;
- (2) the character of the actual student misconduct;
- (3) the character of the university's student body; and
- (4) the extent to which courts impose liability on the university for the off-campus misconduct of its students. (p. 93)

Kiplinger (2006) described the nature of the college focused in the areas of public versus private colleges, the curriculum and residential foundations of the institution, the characteristics of the town-gown relationship, and the evaluation of the educational interest in addressing a student facing criminal charges. Kiplinger (2006) detailed factors of student misconduct specific to the impact it had on other members of the campus community and the proximity that it occurred in relation to the physical campus. Kiplinger (2006) detailed the factors of the college's character specific to the notoriety of the institution, the caliber of qualifications for admission, and the type of degrees that students are eligible to earn. Kiplinger (2006) provided court case information to indicate that campus administrators needed to be cautious to the circumstances where liability could exist because of a duty created for student activities off campus, such as creating a "safe ride" program that was funded through the institution.



Kiplinger (2006) argued that while college administrators could address student misconduct that occurs off-campus, he advocated for clearly defined policies to ensure students understand what specific behavior met the nexus of misconduct that negatively impacted the mission of the college. In doing so, Kiplinger (2006) stated, “[students] can see that the university is simply trying to help them live and learn in the real world” (p. 113). The expectations for individuals while they are students reflect a lifestyle code that individuals would continue to live by once they graduated and moved on to their professional career.

**Summary.** It has been assumed that when students are on campus—physically in the spaces of facilities, often with faculty members and other students—they are held to expectations of the college policies. However, college student life has not been limited to the borders of the physical campus. The college administrators have a role to provide care for students, especially when students often are living in the community only because they are a student at the college.

The expectations for students spending time off campus should reflect the standards of living off campus once they have graduated. The time students are in college are years of personal growth and development. The student misconduct policies of a specific college reflect many aspects of who that person is once they graduate.

### **Conclusion**

This chapter has provided a review of published models of student conduct codes, two relevant studies, and relevant literature. The literature regarding college policies specific to *in loco parentis*, legalisms, academic misconduct, and off-campus misconduct developed the conceptual framework created for purposes of reviewing student misconduct policies as presented in Chapter 1 and reinforces the research questions of the study.

## Chapter 4

### Methods

This study focused on *how* student misconduct policies, through the conceptual lens developed in Chapter 3, evolved through 120 years at Minnesota State University Moorhead (hereinafter MSUM). The research methods for this study are discussed in this chapter, including the research approach, the purpose of the study, the research questions, the research design, the methods, and the limitations.

### Research Approach

This study approached the research questions through qualitative research. First, qualitative research aligns with reading of texts (Krippendorff, 2019), searching for consistencies or patterns in the texts that may be “unanticipated as well as expected” (Stake, 1995, p. 41). Qualitative research is consistent with finding meaning in how people create their interpretations based on interactions within a specific setting in a specific time in history (Creswell, 2014; Merriam, 2002), such as the expectations created by college administrators through student misconduct policies. A qualitative approach was best suited for this study because it allowed for drawing attention to and providing descriptive findings after in-depth engagement with the historical texts (Creswell, 2014; Crotty, 1998; Glense, 2011). In the context of my study, qualitative research requires me to spend extended time with the historical texts in order to answer the research questions (Garraghan, 1946).

Given the number of years of field experience that I have working at colleges and practicing within the roles connected to student misconduct policies, I approached this qualitative study with a willingness to be flexible, resourceful, and adaptive in the methods used (Glense, 2011). I was open to exploring documents beyond those anticipated where student

policies would be published (Garraghan, 1946), as the current form of codes of student conduct have not always existed. I accessed documents at the MSUM library Archive Department, in hard copies and electronically. I consulted with a professional responsible to maintaining college and state archived documents who serves as the archivist at MSUM.

The constructionist lens requires the researcher to acknowledge the documents as socially constructed and interpreted. The historical context provided in chapter 2 and the historical interpretations provided with the literature in chapter 3 informed my perspective. My reading of the texts ensured that I concentrated on the focus on the study and allowed me to secure any suitable snippet of information that was relevant (Garraghan, 1946).

It is important in qualitative research for researchers to take note of their personal perspectives and positions of their interpretations and the meanings developed through the study (Creswell, 2014; Maxwell, 2013). I kept a researcher notebook where I recorded reflections of my attitudes and continuously confronted assumptions I made during the process (Garraghan, 1946). I used my researcher notebook to sort out subjective responses I had in order to keep my study findings and conclusions neutral and impartial.

### **Purpose of the Study**

The purpose of this qualitative study was to explore archived documents and texts to understand the policies for prohibited student conduct within the historical context of Minnesota State University Moorhead as it evolved from a school training teachers to a state university. The policies for prohibited student conduct were examined within the conceptual framework of four primary areas: *in loco parentis*, legalism, academic misconduct, and off campus.

## Research Questions

The research questions for this study were as follows:

1. In considering the context of the university, how have the policies for prohibited student conduct changed and evolved given the evolution of the institution that started as a normal school in 1887 to state university in 2007?
2. How have the student conduct policies at MSUM changed during the time span of 1887 through 2007 given the growing legalistic climate of college students' rights and court decisions?
3. How does the code of student conduct at MSUM reflect the contextual landscape of the institution and the leadership of the institution?

## Research Design

A qualitative historical research design was used for this study. Shafer (1969) explained: The historical approach is characterized by a concern for change over a significant period of time, for the directions or trends that may appear in such a period, and for those unique qualities, persons, or events that may either sum up an age or stand out from it. (p. 1)

This study was governed by these three key aspects of historical approach.

To study aspects of history, it was essential to acknowledge the context of a specific time frame and place (Garraghan, 1946). This context was important to accurately understand historical aspects. This study was concerned about the first 120 years of the college: 1887 through 2007. As outlined in Chapter 2, this period of time was significant due to the changes at the institution, the changes within the state of Minnesota, and the changes within the nation. The name changes of the college served as significant markers in the timeline of the study.

There are documents that were created in the past that are “permanently and irrevocably fixed” (Garraghan, 1946, p. 4). The course catalogues, student handbooks, and college related materials (e.g., student publications, memorandums from administrators, committee meeting minutes, state board meeting minutes) are examples of these documents. This study focused on the changes and trends of student misconduct policies during this period of time. The concepts outlined in Chapter 3 of *in loco parentis*, legalisms, academic misconduct, and off-campus behaviors were primary in this study.

Thinking in a historical context is to be concerned about what humans have done in the past (Garraghan, 1946). The student misconduct policies were expectations of student behavior while enrolled at the college. As such, the policies reflected aspects of student life at the college during specific periods of time.

### **Methods**

Document analysis is regarded as an approach that does not cause a disruption to people or activities, recognizing data gathering practices are through available, stable texts and records (Bowen, 2009; Merriam, 2002). Analyzing documents directs the researcher to consider what is provided within the text and to consider what is left out (Garraghan, 1946; Rapley, 2007).

Document analysis was best suited for this study because the focus was on student misconduct policies that were printed in documents within the noted context (Bowen, 2009). The evolution of the student misconduct policies was studied by exploring the archived documents at the college within the noted timeframe of 1887 through 2007. Using this design allowed me to bring holistic understanding to the data given my professional knowledge, the setting of the college, and the evolution of the institution.

The following areas provided details of the specific steps I engaged in to complete the qualitative historical document analysis study. The areas described below include site and material selection, data collection, data analysis, thematic analysis, and trustworthiness.

### **Site and Material Selection**

The student misconduct policies at Minnesota State University Moorhead were the focus of this study. Documents and texts that once served a primary purpose, were used as reference, or essentially were kept as a form of documenting the events and life of the past are archival data (Brooks, 1969; Garraghan, 1946). As such, archival materials were the documents used for this study.

Minnesota State University Moorhead has an office on campus dedicated to archiving official records, past publications, campus committee documents, student materials, and so on. The documents in which the student policies were printed and now archived were accessible by me through filing a researcher registration form. I was able to use accumulated vacation hours to negotiate leave from my work responsibilities to visit the MSUM University Archives office within the library on campus.

The University Archives office is located on the fourth floor of the Livingston Lord Library, staffed by an archivist. The office was open during limited hours: 8:00 AM to 12:00 PM on Mondays, Tuesdays, Wednesdays, and Thursdays (during the Fall 2019 semester). The collections at the University Archives office cover a wide range of materials, including materials produced for and by students. The MSUM Archives serves as the repository of University Archives and the Northwest Minnesota Historical Center. Upon receiving approval to conduct my study, I scheduled and attended a meeting with the Archivist to discuss the study and my use

of the space within the Archival Collections office. I worked with the Archivist to follow protocols in handling all archived materials.

I went to the University Archives office and discussed the study with the archivist, who pulled archived materials for my review. I started with exploring texts within the University Archives, specifically those that were made available to students who first enrolled at the college as early as the first enrollment in 1888. I explored the undergraduate catalogue, which often had policies specific to student enrollment and course completion. I explored pamphlets and additional printed materials that gave indication to expectations of students' behavior. My goal was to find primary sources. For materials that I wanted to capture electronically, I downloaded electronic files of scanned books.

In addition, I used the electronically available materials and printed student handbooks. Some of the archived materials of the college have been scanned and are available via RED, a repository of digital collections from MSUM, which are available on the university's web page. Within RED, there is a collection specific to MSUM Archives, including handbooks, histories of MSUM, and undergraduate bulletins. Within my job responsibilities, I have direct access to printed student handbooks dated 1969 to present day with some exceptions. The student handbook is the typical text that included the student misconduct policies.

I kept brief notes about the details of each of the student handbooks and academic catalogues and bulletins reviewed as part of this study. The first student handbooks (during the normal school era) were small, measuring close to three and half inches by near six inches. The coverings were thicker than standard paper, slightly textured, and often of a darker coloring. The books were bound with two staples in the folded crease, and often between fifteen and thirty pages. The 1935 -36 *Student Handbook* included the seal of the school; there was also what

appeared to be a stamped image of a traditionally looking dragon. The dragon became the symbol of school following a fire that destroyed Old Main in 1930. It was stated that those who saw the fire believed the school would rise from the ashes like a dragon and be rebuilt. The normal school era books included no drawings or images except for the three-pillar school seal on the main cover and sometimes on the inside title page. The teachers college era books included grey-scale photographs of the campus landscape, rooms used for instruction and large gatherings, and dormitory rooms for students and lounging; each of these photographs took up the entire page of the text. The state college era books sometimes provided no images while other times there were similar landscape images that were grey scale, typically a smaller image that would not account for the full page of the text. There were also more photographs that included actual students in them within the inner pages of the book. The covers of these texts were often thicker stock with noticeable texture. The state university era books were mostly full size: measuring eight and a half inches by eleven inches. The later years of the study (2003 through 2007) books included daily planners for students. These texts were bound by a plastic spiral and measured close to eight and a half inches by eight and a half inches. These state university era books included grey-scale photographs that varied in size, placed throughout the text, and appeared to include students, faculty, and staff engaged in activities on campus.

The following years were not available in student handbooks from the Archives Department at the university: 1888 through 1920, 1922 through 1925, 1928 through 1934, 1936 through 1938, 1941, 1943, 1944, 1956, 1958, 1959, and 1960 through 1968. Given the gaps in the years of student handbooks, I requested and reviewed the archived documents for Welcome Week and Orientation and the Dean of Students. There was very limited information in the Dean of Students box in regards to this study. The Welcome Week and Orientation materials provided



a broader view of some of the information referenced in the student handbooks, such as the face books, which included random groups of first year students posing on or standing next to a couch and then became individual photographs. There were also scrapbooks from the students who served as orientation counselors. However, there were no materials related to the expectations or policies of students.

After attempting to access every year from 1887 through 2007, I was left with gaps for fourteen years. There were 56 years covered by student handbooks, and 49 covered by bulletins. There were five student handbooks and two bulletins that covered multiple years; these were two-year spans. There were 8 years that overlapped with both student handbooks and bulletins reviewed for this study. There were no student handbooks and no bulletins available through the MSUM University Archives office for the fourteen years noted. The following years were not available as student handbooks nor as bulletins: 1888 through 1891, 1893, 1896, 1904, 1905, 1923, 1931, 1934, 1936, 1937, and 1943. Every attempt was made to gain access to these books. Appendix A provides a table of the student handbooks, bulletins, and missing texts for the 120 years of this study.

### **Data Collection**

Given the historical factor of the study, previously printed texts and documents were relied on as the key sources for the data (Bowen, 2009; Garraghan, 1946). The texts used for historical document analysis research are not generated for the purposes of the study such as survey data or interview answers. The archived documents that included the text of student misconduct policies were created for college community members in communicating what the expectations were for student behavior during a specific time. Collecting data from these texts

required me to engage with them and to interrogate them so as to fully access them (Garraghan, 1946; Rapley, 2007).

**Text Reference Form.** It was important to have a system of keeping track of the materials I gathered as my data set, or research archive, as well as being able to connect quotes and references back to the original text (Rapley, 2007; Shafer, 1969). As an initial step, I reviewed each text, and I recorded text information using the Text Reference Form, included in Appendix B. I created this form to capture information specific to each book, ensuring tracking of the text and documenting key bibliographic information. The included information allowed me to “establish the meaning of the document and its contribution to the issues being explored” (Bowen, 2009, p. 33). Finally, the form allowed me to record any additional information that appeared noteworthy in reviewing the individual text. This form was re-created within the Qualtrics survey creation tool as a way to gather all the details and provided ease when I moved to analyzing the data.

I created the Text Reference Form for the purpose of fully accessing and evaluating the texts (Bowen, 2009; Garraghan, 1946, Rapley, 2007; Shafer, 1969). The data recorded on the Text Reference Form and the purpose of collection are explained here. The *document name* was important to catalogue the text, to ensure that I did not review it more than once and allowed me to associate the name with the content. The *date of the text* was important so as to place it in the historical context of the college. The *Archival Collection reference* ensured that the authenticated text was locatable or retrievable during the study and in creating an audit trail. The *place of publication* was often the college, which had evolving names given the history of the college, and informed the context. The information about *author, department, or office* provided perspective in terms of who was responsible for the creation of the text. The prompt to provide

*context* allowed me to record important information about the document itself, including historical references made within the content. The prompt to provide information about the *language* allowed for me to draw out distinctions about words or phrases that were used in the content. The *general observations* provided for recording information about the paper texture or quality, information about the font and style of the printed words themselves, information about the format and layout of the words, and additional information that appeared valuable to note. The *authenticity* was noted for indication of the physical quality of the document, which was extremely important in considering the use of it in the study. The authenticity of a primary source document was worth noting because I needed to ensure that the document was original. The original *audience* of the text was for students, aligning with the focus of the study. The prompt to note *significance* required me to view the content in its entirety, which also informed the context of the text. The prompt for recording *assumptions* explored the idea that there were concepts and ideas communicated within the text that were at times unfamiliar or hard to understand by a student but assumed by staff and administrators within the college. I made notes of *additional information* about the text, within the text, and about student misconduct policies that appeared noteworthy. Finally, I noted *possible sources for triangulation* that were considered in the review of the document.

**Document preview.** In summary, the data collection via the Text Reference Form provided for a more limited review of the historical documents. A preliminary review of three relevant texts with student misconduct policies are highlighted here: an early text, a text about half-way through the identified time period, and the most recent text indicate these sections of focus may appear differently in each of the texts used for this study:

- The *Annual Catalogue of the Minnesota State Normal School at Moorhead. Fifth Year. (1892-1893)* was 37 pages in length. On pages 25-26, there was a brief reference to by-laws from the Board of Normal Directors and a reference to “Article VII” (p. 25), which included three sections that specifically addressed student behavior and expectations of students while enrolled at the school.
- The *Moorhead State College Handbook (1969-1970)* was 40 pages in length. There was a general introduction on the first page. There were a number of pages that included general policy information for students. There was also a section entitled “a general principle for student conduct” (p. 36), which spanned two pages of text.
- The *Minnesota State University Moorhead Student Handbook/Daily Planner (2006-2007)* was 51 pages in length, not counting the planning calendar pages. This text included academic policies, including academic honesty, on pages 15-18. There were also “University Polices, Student Conduct Code, & Discrimination Information” on pages 23-41.

To follow, I engaged in reading and coding, “in which meaningful and relevant passages of text or other data are identified” (Bowen, 2009, p. 32).

**Document review.** I read the handbooks and sought out the student policy language. As I reflected on the information within the 1927 student handbook text, I had a moment of confronting my personal bias. I made some assumptions of what student misconduct policy language looked like. When I was reading the early books, I struggled with whether the statements were policy language. Starting with the early books instead of more recently published books allowed me to evaluate my perceptions of what policy language looked like. I went back to the circa 1921 and 1925 texts and read with a renewed sense of reading for policies.

In gathering the data, I considered how I might code the text. There were frequent instances where I questioned my decision-making in whether I should include text or pass it over. I often weighed this decision in thinking about what my research questions were and the focus of student misconduct policies. At times I found myself being critical of the policy language instead of seeing it for what it was. It was helpful to complete the Text Reference Form and examine the entire book, and then I returned to the beginning of the text with the research focus in mind. This process often allowed for leaving book content that made me curious but was not relevant. I recorded data from the policies from the available student handbooks and student regulations books from circa 1921 through 2006-2007.

I made attempts to fill in the gaps of missing years. I accessed the bulletin/course catalogues of the university. These books are scanned and stored on the university's digital collection (RED). In accessing these books, the books of the years previously noted were reviewed. I read through the Bulletins, taking notes on the Text Reference Form and recording policy statements gathered from the book on the Researcher Memo and in the dataset spreadsheet. There were eight bulletins that were reviewed which overlapped with student handbook years; there were two bulletins that were written for more than the typical one-year period. I reviewed a total of 49 bulletins and identified 127 policies for coding.

### **Data Analysis**

Rapley (2007) stated, "analysis is always an ongoing process" (p. 126). The moment I became interested in this research study, I started to analyze my ideas and gather additional perspectives, which are represented in the literature review (Chapter 3). In reading the texts through the data collection process, I started to notice key words and recognize what I perceived to be themes (Rapley, 2007; Saldaña, 2016). There were moments where I re-considered the

conclusions I started to draw as I worked to be objective and sensitive towards the data collected (Bowen, 2009; Garraghan, 1946). It was important for me to keep track of my reflective and analytical ideas in a researcher's journal to capture my thoughts during the data collection process through the coding process to stimulate and enhance the analysis process (Maxwell, 2013; Saldaña, 2016). There was value in keeping my journal for purposes of establishing trustworthiness as noted in the next section.

Once I accessed and reviewed all the available archived documents and texts relative to my inquiry, I used the texts to “[perform] coding and category construction, based on the data's characteristics, to uncover themes” (Bowen, 2009, p. 32). Saldaña (2016) summarized, “coding is the transitional process between data collection and more extensive data analysis” (p. 5). In addition, coding is an important part of the research process as it ensures consistency and establishes an audit trail of the original data to the final themes (Maxwell, 2013).

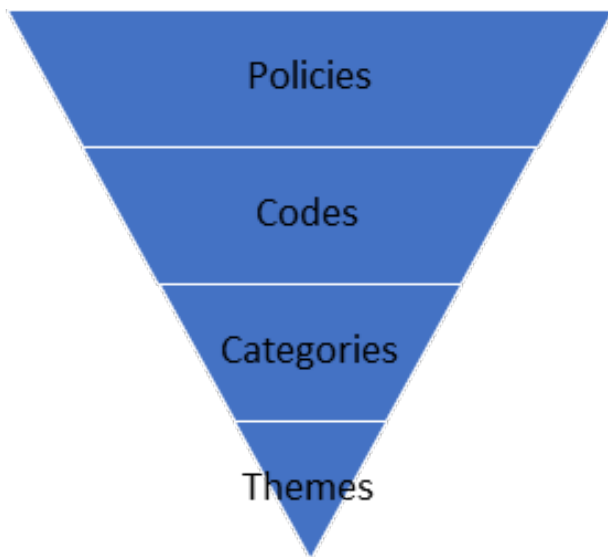
**Researcher reflection.** After gathering the policy data available through the student handbooks, I entered a name for each policy. Many of the policies from the first three eras of the institution (years 1887 through 1974) were lacking a policy name or were grouped together under a broadly labeled section. It was important for me to consider the policy language with an associated name or title. I struggled with the first level of coding; I revisited Saldaña's (2016) guidance regarding initial coding and revised my work.

At the point I coded the policies from the 1950-51 student handbook, I struggled with the codes and whether they made sense. I considered how I was framing some of the behavior in a “negative light.” I reflected on how to consider the aspects of the “spirit” or intent behind the policies. When I considered the spirit of the policy, I focused on how and why policies created standards for a group of individuals living and learning in the campus community

environment. I thought about how the early student handbooks had statements about dos and don'ts, but the statements evolved to much more extensive behaviors. For example, students were told to take turns answering the phone because there was no one else to do it, and they were given direction about how to act in this shared community. This is represented in *The Dragon Handbook* of 1945-46: “*Phone Tactics/* Since there are no duty girls, students are asked to take turns answering the student phone during the evening. Limit conversations to five minutes. No calls after 10:00 p. m.” (p. 25). I re-framed my thinking.

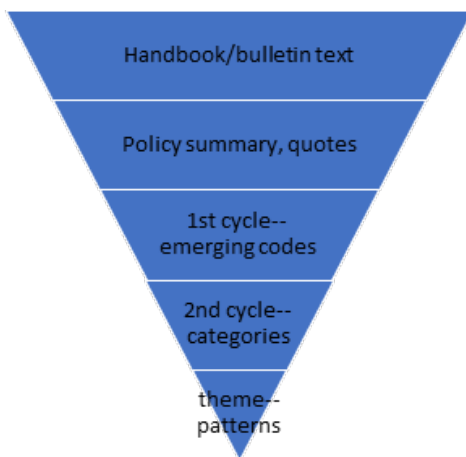
I worked hard to “get out of my head” because I have worked with student misconduct policies for many years. After I had completed a round of initial coding, I considered the policy statements and codes. I sensed that I had missed a step. I acknowledged that I had a sense of “stepping away” from what I saw in my professional work and trying to see the policy through a new lens. I reflected on how the policy may have been interpreted by students and the expectations of them. I considered seeing the policy for the words written and context of the time versus my perspective of it. I continued bracketing my thoughts of the policies as I continued coding.

I engaged in initial coding of a sample of the policies: the 1969-70 student handbook and the 1992-94 student handbook. After a couple of rounds of sampling and discussing the process with my advisor, I again revisited Saldaña’s (2016) coding guidance. I re-conceptualized my work and process, and I considered the concepts of the funnel Saldaña (2016) created, as represented in Figure 2.



*Figure 2.* Image Representing Saldaña's (2016) Coding Guidance: the largest or broadest selection are the policies; then narrowed down to the codes, next the categories; finally the themes.

In relation to Saldaña's (2016) guidance, I created a funnel to guide my work, represented in Figure 3.



*Figure 3.* Image Representing Policy Coding Process: the largest or broadest selection is the handbook/bulletin text; then narrowed down to the policy summaries and quotes, next the first



cycle of emerging codes, and the second cycle of categories; finally the themes, which are patterns.

**Initial coding.** I engaged in initial coding of the student misconduct policy statements, as initial coding is appropriate for analysis of documents (Saldaña, 2016). Initial coding is a first cycle in inspecting the policy statements, where I looked for comparisons and contrasts in the data (Saldaña, 2016). I conducted a sentence-by-sentence initial coding informed by my professional knowledge in the field of student conduct (Saldaña, 2016).

Many times, the initial coding resulted in one policy entry to be divided into multiple lines as there was more than one aspect of behavior within the policy. For example, the 1972-73 student handbook of Moorhead State College included a policy for weapons: “Possession of firearms, explosives, and lethal weapons is prohibited on campus” (p. 10). In my evaluation of the policy, there appeared to be three separate behaviors: prohibiting firearms possession, prohibiting explosives possession, and prohibiting lethal weapons possession. A complete list of codes that emerged in the first cycle of analysis are available in the codebook (see Appendix C). Table 1 provides the total count of policies and codes, the total number of years in each era, and the percentages of the policies and codes per each era of the institution.

**Table 1***Numbers and Percentages of Policies and Codes in Each Era of the Institution*

	<b>Normal School (1887- 1920)</b>	<b>Teachers College (1921- 1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Years per Era</b>	34	36	18	32	120
<b>Policies</b>	75	135	96	591	897
<b>Codes</b>	124	435	290	2105	2954
<b>Percentage of Policies per Era</b>	8%	15%	11%	66%	100%
<b>Percentage of Codes per Era</b>	4%	15%	10%	71%	100%

**Focused coding.** Saldaña (2016) explained, “the primary goal during second cycle coding is to develop a sense of categorical, thematic, conceptual, and/or theoretical organization from [my] array of first cycle codes” (p. 234). In the second cycle of coding, I engaged in focused coding, which was appropriate in following initial coding (Saldaña, 2016). This cycle took the first-round codes and organized them into categories related to the research questions, the conceptual framework, and initial codes (Bowen, 2009; Saldaña, 2016). Table 2 provides a count of the categories that emerged from the focused coding separated by era.

**Table 2***Numbers of Coded Categories in Each Era of the Institution*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Risk Reduction</b>	10	14	39	449	512
<b>Campus Expectations</b>	80	306	152	341	879
<b>Academic Integrity</b>	0	0	17	61	78
<b>Academic Engagement</b>	10	76	33	24	143
<b>Criminal Behavior</b>	0	4	24	734	762
<b>Protected-class Respect</b>	0	0	0	123	123
<b>Off-campus Risk Reduction</b>	0	0	10	59	59
<b>Off-campus Expectations</b>	24	35	15	22	96
<b>Off-campus Criminal Behavior</b>	0	0	10	292	302

**Thematic Analysis**

The next step in analysis was discovering themes. Saldaña (2016) summarized, “a theme is an *outcome* of coding, categorization, and analytic reflection” (p. 198). I looked for themes that emerged from the patterns within the codes and categories (Bowen, 2009). To provide context for the themes and to prepare my narration of the findings to the research questions, I circled back to the information presented in Chapter 2 regarding the specific college setting along with the historical context over time. I focused on the sample: the 1969-70 *Student Handbook* and the 1992-94 *Student Policy Handbook*. I then went back to the earliest policies I had from student handbooks: circa 1921 and 1925. I continued through all the policies I had gathered from the student handbooks. To fill in the gaps, I accessed the bulletins/course catalogues using the electronic repository. Once I collected all the available policy statements

from these texts, I went back to review and evaluate the codes that I had used already. Table 3 provides an overview of the number of codes within each theme along with the individual categories.

**Table 3**

*Numbers of Codes within Themes and Categories by Era*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Limit and Oversight</b>	90	320	191	790	1391
<b>Risk Reduction</b>	10	14	39	449	512
<b>Campus Expectations</b>	80	306	152	341	879
<b>Academic Expectations</b>	10	76	50	85	221
<b>Academic Integrity</b>	0	0	17	61	78
<b>Academic Engagement</b>	10	76	33	24	143
<b>Unlawful Actions</b>	0	4	24	857	885
<b>Criminal Behavior</b>	0	4	24	734	762
<b>Protected- class Respect</b>	0	0	0	123	123
<b>Off-campus Oversight</b>	24	35	25	373	457
<b>Off-campus Risk reduction</b>	0	0	0	59	59
<b>Off-campus Expectations</b>	24	35	15	22	96
<b>Off-campus Criminal Behavior</b>	0	0	10	292	302

## **Trustworthiness**

Trustworthiness is a known concern within the scope of qualitative research (Creswell, 2014; Glense, 2011; Maxwell, 2013). I engaged in the following to maintain trustworthiness for this study. First, I conducted a study that arrived at an analysis that is replicable based on the texts that were accessed and the steps taken through data collection. Second, my goal was to answer the research questions through the data gathered and the analysis I conducted. In answering the research questions, I provided direct references to the texts. Third, I consulted with a student conduct practitioner to debrief the findings and my interpretations. This allowed for reflection and input from someone employed outside of the college. Fourth, I conducted an informational interview with the archivist at MSUM. In this interview, we discussed the findings, and it allowed the archivist to provide insight and perspective. Finally, I kept a researcher journal to record my personal thoughts, reflections, and specific steps taken during the time of conducting the study and analyzing the data.

While a researcher cannot pretend to be ignorant to components and concepts that are discovered through a study, I addressed my subjectivity in this study (Creswell, 2014; Garraghan, 1946; Maxwell, 2013). I have been forthcoming in Chapter 1 with a statement addressing Positionality of the Researcher, including direct experiences working with student misconduct policies and being responsible for the code of student conduct within my current professional role. I have also crafted a Researcher Identity Memo per guidance from Maxwell (2013), which is included in Appendix D.

## **Limitations**

There are limitations when conducting research using the document analysis method. First, there were details that were insufficient for my inquiry (Bowen, 2009). I relied on

documents that were created during 120-year time span with a purpose outside of the focus of the study I conducted. To address the gaps in information, I worked to obtain documents for triangulation. In addition, there were times when a document or text was not retained or there were years when the student policies were not printed. The lack of retrievability existed (Bowen, 2009). To address this, I exhausted all avenues to gain access to materials for this study.

### **Conclusion**

In this chapter, I outlined the qualitative design and document analysis approach I used to analyze the historical documents containing student misconduct policies at MSUM. I used the MSUM University Archives office and online repository to access these documents and record data regarding these documents using the developed Text Reference Form. The steps for analyzing the data and ensuring trustworthiness, with noted limitations, were outlined within.

## **Chapter 5**

### **Findings**

The purpose of this qualitative study was to understand the evolution of policies for prohibited student conduct from a historical perspective while taking into consideration legal issues and campus culture at Minnesota State University Moorhead from the start of the college through the span of 120 years. The research questions for this study included:

- 1) How have the policies for prohibited student conduct changed and evolved given the evolution of an institution that started as a normal school in 1887 to a comprehensive state institution in 2007?
- 2) How have the student conduct policies at MSUM changed during the time span of 1887 through 2007 given the growing legalistic climate of college students' rights and court decisions?
- 3) How does the code of student conduct at MSUM reflect the contextual landscape of the institution and the leadership of the institution?

This study approached the research questions through qualitative research using a historical research design in the analysis of archived, primary source documents. This chapter provides the findings of the study, first through an overview of the themes that resulted from the data collection and analysis of the student misconduct policy language. There are direct quotes from the policies to provide examples of the categories within each theme. Then detailed answers are provided for the research questions of this study. A summary concludes this chapter.

#### **Overview of Themes**

I used a qualitative analysis process to identify the themes of the student misconduct policies within the handbooks and bulletins from the start of the institution through the span of

120 years. Historical research is centered on a specific timeframe from the past as the context for studying something fixed, such as printed materials like student handbooks, academic bulletins, and course catalogues. This study focused on the changes and trends of student misconduct policies printed for students during the time period of 1887 through 2007.

The themes were a result of weaving together the patterns of data displayed in the categories, which were results of the initial and focused coding that occurred during data analysis. There were four themes developed from nine categories. The themes and corresponding categories are identified in Table 4. To follow, the themes are presented with details of each of the corresponding categories.

**Table 4**

*Names of Themes and Associated Categories of this Study*

<b>Themes</b>	<b>Categories</b>
<b>Limit and Oversight</b>	Risk Reduction, Campus Expectations
<b>Academic Expectations</b>	Academic Integrity, Academic Engagement
<b>Unlawful Actions</b>	Criminal Behavior, Protected-class Respect
<b>Off-campus Oversight</b>	Off-campus Risk Reduction, Off-campus Expectations, Off-campus Criminal Behavior

### **Limit and Oversight**

The theme of limit and oversight was defined as limiting and controlling policies or rules that restricted the choices students had in a given situation. These situations were specific to on campus and in the residence spaces of the institution. This theme was developed through the patterns of data within the categories of risk reduction and campus expectations and accounted



for the majority of codes across all eras (from 1887 through 2007) that were included in this study. See table 5 for a summary of the number of codes within these categories and theme in each of the eras.

**Table 5**

*Numbers of Codes in the Limit and Oversight Theme and Associated Categories*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Limit and Oversight</b>	90	320	191	790	1391
<b>Risk Reduction</b>	10	14	39	449	512
<b>Campus Expectations</b>	80	306	152	341	879

**Risk reduction.** The risk reduction category included policies that centered on three primary areas: not to cause harm to other campus community members, not to damage campus property, and to limit alcohol, tobacco, and other drug use and possession. There were 512 codes used in this category for the policies covered during the span of years within this study.

**Harm to others.** Some policies within the risk reduction category were specific to prohibiting students from causing harm to other campus community members. One example of this included a policy that stated students were responsible for their guests at all-college parties. This policy first appeared in the 1935-36 *Dragon Guide Book* within the “Rules of Social Committee”:

For the convenience of the new students unfamiliar with our All-College Party regulations, we submit these regulations to be observed. [...] The guest will come with

his host or hostess. The responsibility for the conduct of the guest will rest upon the one who has invited him. (pp. 9-10)

The rules of social committee policy appeared in the handbook through 1942-43, repeated with the same language. The social gatherings were detailed in policy during this period of time that saw a growth in men enrolling at the college; policy provided guidance for how students were to behave in such formal situations they likely had not experienced until that time.

Another example of a policy specific to limiting the harm to others was the weapons policy within the 1969-70 *Moorhead State College Handbook*: “Possession of firearms and lethal weapons is prohibited” (p. 15). The timing of this policy aligned with a period of student unrest and protests against foreign wars and in response to civil rights activities that was seen on a national level. Campus administrators worked to keep campuses at peace. It is also important to note that this 1969-70 student handbook established the structure of a clear code of student conduct that was most similar to those in the model codes (as discussed in Chapter 3). In 1971-72, the weapons policy included the addition of “explosives” (p. 10). The policy continued in the handbooks until 1992-94, in *The Student Policy Handbook*, when the policy was labeled “unlawful use or possession of weapons” (p. 28). Further information about this policy is included the section regarding unlawful weapons and threats to welfare within the criminal behavior category of the unlawful actions theme.

A third example of policies specific to limiting the harm to others were those specific to sexual misconduct. In the 1969-70 *Moorhead State College Handbook*, the “general rules and regulations” included item F: “Students who develop problems in the field of sexual behavior, including deviant sexual conduct, are usually considered subjects for counseling. [...] However, instances of extreme or aggressive misconduct may result in disciplinary action” (p. 37). This

policy was important in consideration of the Civil Rights Act of 1964, which included sexual discrimination, and in 1968 the women's rights movements included many student activists, who had a long history of advocating for sexual misconduct to be addressed as the target was most frequently women. This policy was repeated through the 1983-84 *Student Handbook*. In the 1984-85 *Student Handbook*, the policy language changed:

Students who develop problems in the use of alcohol or other chemicals, or the imposition of sexual behavior on others are considered subjects for counseling. [...]  
Instances of extreme misconduct involving the usage of chemicals, i.e. repeated excessive consumption of alcohol or the abuse of people or property while under the influence of alcohol, or in the area of sexual behavior, i.e. sexual assault, constitute a violation of the University Conduct Code and will result in disciplinary action. (p. 37)

This policy started with a reference to counseling, recognizing a student's alcohol use may be at the point of addition. However, students are still responsible for their actions while under the influence. The policy was repeated and then changed again in the 1987-88 *Student Handbook*, in item H: "The imposition of sexual behavior on others is considered a violation of student's rights. Actions involving sexual intimidation, sexual abuse, or sexual assault constitute a violation of the University Conduct Code and will result in disciplinary action" (p. 38). This rewrite expanded the language regarding sexual misconduct. The policy repeated in the student handbooks through the 1994-96 *Student Policy Handbook*.

The next significant change to the policy was in the 1996-97 *Dragon Details: Student Handbook* under sexual misconduct within the listing of violations: "Acts of sexual violence, assault or abuse, such as rape, acquaintance rape or the imposition of sexual behavior on others

will not be tolerated” (p. 71). The policy was repeated and then changed in the 1998-99 *Student Handbook: Dragon Details*:

Sexual misconduct is non-consensual physical contact of a sexual nature including but not limited to sexual physical abuse, rape, acquaintance rape, or any other form of sexual assault. Consent in a sexual relationship must be clear, spoken, and mutual. Consent can never be assumed and is never present when one is incapacitated by alcohol or drugs. (p. 74)

This policy continued through the 2006-07 *Student Handbook/Daily Planner*; however, the label of the policy changed to “sexual violence” (p. 31).

A final example of policies specific to limiting the harm to others was the policy paragraph regarding respecting others. This policy first appeared in the 1969-70 *Handbook* as item C within the “general rules and regulations”:

Students are expected to respect the rights and privileges of others. Violence and actions endangering the safety of persons and property will result in disciplinary action. Hazing and other activities which lead to physical injury, intimidation, or humiliation of individuals are prohibited. (p. 36)

Hazing was seen as (and continues to be) an issue often connected to social organizations formed by students at a specific college as well as social activities student-athletes may engage in outside of college-sponsored training and events; this is a concern not limited to one college or region. With several varsity sports teams and the Order of the Owls, a mostly secret fraternity originally influenced by some faculty, at Moorhead State College, it made sense for administrators to have a policy that prohibited hazing. This policy paragraph was repeated in the student handbooks through the 1974-75 *Handbook*; in this edition, the word “hazing” was

removed from the policy (p. 17). The revised version of the policy entry repeated through the 1992-94 *Student Policy Handbook*. In the 1994-96 *Student Policy Handbook*, there was no longer a policy specific to respecting the rights and privileges of others; however, there was a policy labeled physical harm: “Intentionally, recklessly, or negligently causing physical harm to any person on University property or at University sponsored activities. This includes but it not limited to engaging in any form of fighting” (p. 28). There was also a separate entry labeled “hazing” in the 1994-96 *Student Policy Handbook*:

Includes but is not limited to: any action, activities or situation intentionally created to produce unnecessary or undue mental or physical discomfort, embarrassment, harassment, ridicule, excessive fatigue, interference with scholastic or personal lives, or exposure to situations where one’s physical or mental well-being may be in danger. (p. 28)

The “physical harm” policy was repeated in the student handbooks through 1999-2000. In the 2000-01 *Dragon Details: Student Handbook*, the policy was labeled “physical harm and threats” with the following text: “Intentionally, recklessly, or negligently causing physical harm or threatening to cause harm, to any person on University property or at University sponsored activities. This includes but is not limited to assault, battery or any form of fighting” (p. 74). This policy, along with the hazing policy, continued to appear in the handbooks through 2006-07.

**Damage to property.** The second major area of policies within the risk reduction category were specific to not causing damage. One example of this included policies about fire safety. The first fire safety-type policy appeared in the circa 1957 *Moorhead State College Student Handbook* within the “Where There’s Smoke” policy:

There is always some difficulty in making up a set of sensible smoking regulations; there is greater difficulty in enforcing them. As a matter of fact, unless the students see a reason for self-enforcement, any rules will be easily ignored. [...] Let's take care of our facilities. In your home you exercise reasonable care to avoid fire or other damage. You don't lay your lighted cigarette butts on the rug or toss them, lighted, into the wastebasket. It's against the law to smoke in bed. In public institutions other laws apply.

(p. 6)

The policy was published within the first year of the state college being established; there was a more diverse and mature student attending the college at this time. While this policy addressed cigarettes, this section was specific to the related fire safety. In the 1996-97 *Dragon Details: Student Handbook* "fire safety" appeared: "Intentionally or recklessly activating a fire alarm without cause; damaging fire safety equipment or initiating a false report, warning or threat of fire, explosion or other emergency on University premises" (p. 71). This policy was likely in response to national attention regarding fire safety and resulting additions to the Campus Crime Report Act that expanded to include fire safety measures and reporting. This policy was repeated through the 2002-03 *Student Handbook/Daily Planner*. Then in the 2003-04 *Student Handbook/Daily Planner*, the label of the policy became "fire/arson" and an additional line was added to the beginning of the aforementioned policy language: "Starting a fire or attempting to start a fire" (p. 143). This version of the policy was repeated through the last text of this study, 2006-07 *Student Handbook/Daily Planner*.

Another example of policies specific to limiting damage to campus property, including taking or misuse of it. In the 1892-93 *Annual Catalogue* the "students" policy included reference to personal responsibility with Section 3:

Persons admitted to the privileges of a normal school are expected cheerfully to comply with all the regulations published by the president for the guidance and direction of students, [...] to recognize a personal responsibility for the preservation from damage or destruction of the property of the state in the school, the building and grounds and their appurtenances [...]. Disregard of either of these fundamental principles as rules of conduct will invariably be considered as sufficient cause for denying the privilege of the school to any student. (pp. 25-26)

Since early normal school students were teenagers seeking education beyond the eighth-grade level, it made sense that the president provided specific expectations of behavior. It is noteworthy to point out the other aspects of this policy will be identified later in this overview. This policy was included in the annual catalogues through 1903-04. There was a significant break in the printing of the policy. The next time a policy specific to campus property preservation was in the 1967-69 *Bulletin*, under the “Conduct” subheading within the “Student Information: Student Responsibilities and Obligations” section:

An individual admitted to Moorhead State College is expected to conduct himself as a mature citizen on and off the campus, and in general to demonstrate his worthiness to become the graduate of a collegiate institution. He is expected to comply with all the regulations established for the guidance and direction of students, including requirements for admission. He is expected to recognize a personal responsibility to preserve from damage or destruction the property of the State and the College. (p. 43)

While similar in some regards, the language in this policy was for a more mature audience during the Moorhead State College years when students were likely to be in their late teens,

twenties, and beyond. This policy was not repeated in the texts of subsequent policies within the scope of this study.

In the 1994-96 *Student Policy Handbook*, there was a policy specific to campus property: “theft and damage to property” with the following text: “Intentionally taking, attempting to take, damaging or destroying property belonging to the University (on- and off-campus), a visitor of the University or a member of the University community” (p. 28). In addition, there was a policy labeled “unauthorized use of campus property,” with the following text: “Unauthorized presence in or use of University premises, facilities or property which includes but is not limited to an unauthorized presence in any building” (p. 28). The “theft and damage to property” policy was repeated in the books, with some changes in the label. This policy was repeated in the 1996-97 *Dragon Details: Student Handbook* under the label of “theft and damage to property.” Then the label of the policy changed to “theft, vandalism, defacement and damage to property” (item numbered 18 within the Student Conduct Code section) in the 2001-02 *Student Handbook/Daily Planner*; the text also changed: “Intentionally taking, attempting to take or unauthorized borrowing, damaging or destroying property belonging to the University (on- and off-campus), a visitor of the University or a member of the University community.” In the 1996-97 *Student Policy Handbook*, there was an additional statement added to the “unauthorized use of university property” policy: “Including the unauthorized use of the University’s name, logo, initials, trademarks, or other University identified imagery” (p. 72). Both of these policies, “Theft, Vandalism, defacement and Damage to Property” and “Unauthorized use of university property” appear in the texts through the 2006-07 *Student Handbook/Daily Planner*.

**Limiting alcohol, tobacco, and other drugs.** The third major area of policies within the risk reduction category was specific to limiting the use and possession of alcohol, tobacco, and



other drugs on campus. It is important to note that some policies specific to alcohol, tobacco, and other drugs did not reference illegal activities or lawful limitations. Those policies that did will be discussed within the unlawful actions theme in the criminal behavior category as they identified on-campus behaviors and within the off-campus theme in the off-campus criminal behavior category as they identified off-campus behaviors.

The first smoking or tobacco use policy was in the 1950-51 *Life of the Great Circle [Student Handbook]*, with students directed as follows:

*DO* observe smoking regulations. Smoking is permitted in the area around and in the Student Center, in all laboratories, and in the foyer of Weld Hall. There is no smoking in classrooms, in MacLean or Weld Hall corridors, in the auditorium, in the Campus Laboratory School, or in the Comstock Hall dining room. (p. 16)

This policy indicated the limits the administrators created regarding where smoking could occur. This policy continued to appear in the student handbook, modified as the limitations of where not to smoke and the designated allowable areas for smoking changed. For example, in the 1977-78 *Student Handbook*, the policy stated: “Smoking isn’t allowed in any instructional area, classroom, laboratory, seminar room, library area, auditorium, or the fieldhouse. Smoking will only be permitted in designated areas” (p. 41). Then in the 1996-97 *Dragon Details: Student Handbook*, the policy significantly changed as it expanded to include prohibitions, permitted areas, and authority information and suggestions:

I. Smoking Prohibited in Facilities and Vehicles

Smoking is prohibited in all Moorhead State University Facilities, including private offices within facilities and in Residence Halls, except areas which are specifically designated as “smoking-permitted areas.

Rooms assigned to individuals in Residence Halls may be designated as “smoking-permitted” areas, provided that all individuals assigned to the same room agree that smoking will be permitted in that room. No cigars or pipes may be smoked in any smoking-permitted areas.

Cars and station wagons in the MSU motor pool will be designated no-smoking or smoking permitted. At the time of reservation, persons may indicate whether they wish to reserve a no-smoking or smoking permitted vehicle. When two or more persons are traveling in a car or station wagon, the vehicle will be designated no-smoking, unless all the passengers agree to permit smoking. Vans utilized for “group travel” will be designated “no-smoking.” (p. 68)

This first section identified facilities, residential spaces, and vehicles. The policy clarified that while there are prohibitions, there remained allowances for “smoking permitted” to continue.

The policy went on:

## II. Smoking-Permitted Areas

This policy does not prohibit the lighting of tobacco by an adult as part of a traditional Native American spiritual or cultural ceremony, in an otherwise no-smoking area.

Smoking-permitted areas will be established and reviewed annually by the office of Administrative Affairs, and where it is deemed that the best interest of the University is served, adjustments will be made accordingly.

Any member of the University Community may receive information and make suggestions on this policy by written communication to the Office of Administrative Affairs, Room 208 Owens Hall. (p. 68)

The policy allowed for exceptions as they related to Native Americans, and it established an annual review with opportunities for feedback. This version of the smoking policy continued with limited edits until the 2001-02 *Student Handbook/Daily Planner*, which included the following introductory section:

Policy Statement: Minnesota State University Moorhead recognizes that tobacco smoke is a hazard to the health of its students and employees. To protect health of the non-smoking University community, the University designates all buildings as smoke-free except some student living areas in University housing. Smoking in vehicles and equipment owned or leased by the University is prohibited. Smoking in University housing and at outdoor events on campus is restricted to designated areas. To the extent possible, the University will provide access to cessation programs to help smokers and employees who presently use tobacco products. (21<sup>st</sup> page of policies prior to the daily planner pages)

Following this “policy statement,” the text included a section of “guidelines,” which was a list of ten items including prohibitions, exceptions, enforcement, designated areas, and smoking cessation information. This version of the smoking policy continued through the 2006-07 *Student Handbook/Daily Planner*.

The first policy that directly addressed alcohol on campus without reference to illegal or unlawful behavior was in the 1969-70 *Student Handbook*. As previously noted, this was a foundational text in terms of code of student conduct. The following appeared under the label “alcohol”: “No person shall possess or consume alcoholic beverages of any kind within the confines of land designated as college property” (p. 2). Within the same text, another entry

regarding alcohol was stated, included in the listings of “general rules and regulations” within the conduct statement, item D:

Students who misuse alcohol and drugs will be subject to disciplinary action. The use or possession of alcoholic beverages or illegal drugs on the college campus, in the dormitories, or at college sponsored events is prohibited by state law. Illegally selling alcoholic beverages or selling or using illegal drugs, may lead to disciplinary action. (p. 37)

Due to the reference of state law, this second entry was also coded within the criminal behavior category of the unlawful actions theme. The remaining alcohol and other drug policies through the 2006-07 *Student Handbook/Daily Planner* also included reference to state law; more information about these policies will be provided in the section regarding the criminal behavior category of the unlawful actions theme.

**Campus expectations.** The campus expectations category included policies that centered on two primary areas: private life intrusions and limits and direction. There were 879 codes used in this category for the policies covered during the span of years within this study.

**Private life intrusions.** Some policies within the campus expectations category were specific to private life intrusions. One example of this included a policy that expected students to attend church and promoted faith-based ideologies. In the 1892-93 *Annual Catalogue*, there was a policy “Attendance at Church:”

Each student is expected to attend regularly the church of his choice, or which meets the approval of his parents. The pastors and members of the different churches have expressed their willingness and their desire to make the students of the school at home in the churches and Sunday schools. The teachers of the normal school will in every way

possible encourage the pupils to form and sustain intimate relations with the churches. (p. 32)

As previously noted, these normal school years were focused on grooming a young student, noting the reference in the policy to “pupil.” This policy continued in the annual catalogues through the 1910-11 *Annual Catalogue*. The emphasis on Christian life continued in the on-campus residence hall policy as stated in the 1906-07 *Annual Catalogue* with the “Wheeler Hall” section of the “living expenses” areas:

Wheeler Hall, situated on the school campus not far from the Normal School Building, is an attractive home for young women. Here the young women of the school are surrounded by a stimulating and Christian influence. The purpose of the administration of the Hall is to make it, not a boarding house, but a Christian home, where every effort may be put forth to maintain the amenities of life, which prevail in homes of influence, refinement and good cheer. (p. 8)

While there was no faith tradition associated with the Moorhead Normal School, there was a clear faith-based ideology associated with expectations of housing as detailed in this policy. As noted above, the normal school years centered on the enrollment of teenagers; the migrated population during these early years of state of Minnesota settlement included many who identified as Christians. With minor edits, this policy continued to appear in the annual catalogues through 1920-21. Later, there was a policy statement that referenced church attendance. In the 1945-46 *Dragon Handbook* within the “code for co-eds,” the policy stated, “Don’t forget your home training, such as going to the church of your preference” (p. 25). This policy appeared again in the 1946-47 *Dragon Handbook*.

Another example of a private life intrusion policy was requiring students to have a physical examination when enrolling. In the 1942-43 *Annual Catalogue* the “health service” paragraph of the “Student Life, Organizations and Activities” stated:

All entering students are given a physical examination by a physician, and when necessary follow-up examinations are given. The nurse's office is on the first floor of the Physical Education Building. The nurse is to be notified in case of illness, and she will call on the student. The infirmary, in Comstock Hall, is available for all students. There is no charge for room or nursing care, but a small charge is made for meals for off-campus students. No student having a contagious disease is permitted to remain in rooming houses where there are other students. (p. 60)

While not well documented through policy, the school employed medical staff, starting in 1919. This policy statement was repeated in the annual catalogues through the 1965-67 *Bulletin*.

A final example of a private life intrusion policy was to direct students what to wear. The first policy about students wearing specific clothing was in the 1935-36 *Dragon Guide Book* regarding “freshman caps:”

The freshman caps this year bear the M. S. T. C. Dragon, the insignia of the College. The wearing of this headpiece is a distinction which not only marks the honorable entry of the wearer into the folds of the M. S. T. C. but also identifies him to the upper classmen, faculty, and townsmen as a new Dragon student with whom to become acquainted. (p. 5)

This policy existed for teachers college students, who were likely late teenagers. The wearing of these caps limited students’ independence and served as a symbol of the students remaining under the care of the school, serving *in loco parentis*. In addition, the policy noted students were given entry “into the folds,” suggesting special membership and access. The policy continued:

The sophomores are the official protectors of the honor of the emblem. For unbecoming conduct, on or off the campus, they may recommend to the Student Commission that the offending freshmen be denied the privilege to wear the cap. Thus, the only freshmen who will appear without their green caps will be those who have been suspended from the roll of honor. (p. 5)

By involving upperclassmen, the social pressure and likely shame increased. The policy established second-year students as the enforcers of freshmen wearing their caps per policy. As noted, this enforcement included on and off campus, limiting a student's separation from the school. The policy continued:

#### **Rules for Wearing Freshman Caps**

1. The wearing of the green cap by all freshmen will become effective at 8 a.m., Wednesday, September 4.
2. The cap shall be worn at such times on the part of both sexes of the freshmen class as herein specified.
3. The cap shall be worn by all freshmen both on and off the campus on all days except Sunday.
4. Freshmen shall not be required to wear green caps inside of any building.
5. The traditional green cap shall be worn by all freshmen until the time of the contest during the Homecoming festivities. At Homecoming the Commission will hold a contest for freshmen and sophomores. If the freshmen win they will be excused from wearing green caps. If the sophomores win the contest, the freshmen shall continue to wear green caps until Thanksgiving.

6. Freshmen must salute ALL upper classmen, at all times except in class rooms, by touching the back point of the hat with the forefinger of the left hand. (pp. 5-6)

Through the detailed rules, the expectations for freshmen continued, providing a sort of performance while wearing the cap. Then in the 1939-40 *Dragon Guide Book*, there was not a “freshman caps” policy but a “freshmen buttons” policy:

The Freshman buttons this year bear the M.S.T.C. Dragon, the insignia of the college.

The wearing of this button is a distinction which not only marks the honorable entry of the wearer into the folds of M.S.T.C. but also identifies him to the upperclassmen, faculty, and townsmen as a new Dragon student with whom to become acquainted.

All freshmen are required to wear the Dragon Frosh button for the first two weeks of school. (p. 2)

This freshmen button policy appeared again in the 1940-41 *Dragon Guide Book*. The next student clothing policy was in the 1945-46 *Dragon Handbook*; there was dress code language within the “code for co-eds” section: “Tres Chic, Campus Clothes: suits, skirts and sweaters” (p. 25). This policy appeared again in the 1946-47 *Dragon Handbook*. Then in the 1950-51 *Life on The Great Circle [Student Handbook]*, there was a policy about school loyalty: “DO develop a spirit of loyalty for the college. Wear its colors (including your new Freshmen beanie) proudly. Dragons never wear high school letter sweaters or insignia on campus” (p. 15). Noteworthy, the policy for beanies ceased, but the reference here indicated the traditions in some form continued. This policy appeared again through the 1954-55 *Life on The Great Circle [Student Handbook]*. Finally, in the 1952-53 *Life on The Great Circle [Student Handbook]* there was section in the about wearing school colors and freshmen beanies: “DO develop a spirit of loyalty for the college. Wear its colors proudly, including your new freshmen beanie. Dragons are not supposed



to wear high school letters or insignia on campus” (p. 14). This same policy continued in the 1953-54 *Life on The Great Circle [Student Handbook]*. These policies drew clear boundaries for clothing that centered school association and membership. At this time, students had a significant number of post-secondary school options available to them. Furthermore, those who did not want to be teachers were on a path to transfer to another school. Perhaps it was strategic to strengthen a students’ loyalty to the school and sense of membership to the school as a tactic to retain students at the school and in the field of educators.

**Limits and direction.** The second major area of policies within the campus expectations category was specific to providing limits and direction for students specific to being on campus. One example of this included policies about following the directions of the school president as stated in the 1892-93 *Annual Catalogue* within the “pupils” policy, section 3:

Persons admitted to the privileges of a normal school are expected cheerfully to comply with all the regulations published by the president for the guidance and direction of students, to observe such study hours as may be prescribed outside of school sessions [...] and in general character, association, and deportment, to evince worthiness to become recognized teachers and examples for the youth of the state. Disregard of either of these fundamental principles as rules of conduct will invariably be considered as sufficient cause for denying the privilege of the school to any student. (pp. 25-26)

The text of this policy was provided in a previous section as it related to another category of coding. As mentioned before, the students enrolled at the normal school were often teenagers enrolled in classes likely equivalent to grades nine through twelve in contemporary times. This policy, including section 3, was repeated in the annual catalogues through 1903-04.

Another example limiting and directing students included policies prohibiting interfering or disrupting campus processes and operations. In the 1969-70 *Moorhead State College Handbook*, there was a policy labeled “disorderly assemblages or conduct” within the “policies, procedures, and general information:”

No person shall: disrupt the normal, orderly functioning of the educational process or threaten, or use physical force or violence or incite others to use force or violence; obstruct access to campus buildings or other facilities; unlawfully enter or remain in a building; damage college property; interfere with free speech; use obscene language in speaking or on signs; fail to comply with a lawful order by a police officer or a college official; interfere with disciplinary proceedings; interfere with the normal use of any campus building or area which has been assigned or scheduled through appropriate channels for educational or extracurricular activities. Included within, but not limited to the foregoing, is the use of appropriate buildings or areas for dramatic or musical presentations, lectures, athletic events, orientation meetings, registration, commencement ceremonies, and placement activities. Persons disrupting academic processes as defined above will be subject to suspension pending hearings. (p. 4)

The long text here reflected the many scenarios that administrators likely anticipated could be disruptions given the national student protests and unrest of the late 1960s, straddling the fine line between limitations and students’ rights. This policy did not appear again in the student handbooks. Then in the 1994-96 *Student Policy Handbook* there was a “disruptions of operations of the university” policy: “Unreasonably interfering or prevention the regular and essential operation of the University which included but is not limited to: studying, teaching, research, programs, services, and the administration of fire, police or emergency services” (p. 28). This

policy as published following Dille leaving the presidency at the college, perhaps signaling the end of the concern and tolerance Dille showed for student movements. This policy was repeated, continuing to appear through the 2006-07 *Student Handbook/Daily Planner*.

A third example of limits and directions for students included money and property of others. This policy first appeared in the 1969-70 *Moorhead State College Handbook* within the general rules and regulations of the conduct statement: “Students are expected to show integrity concerning the money and property of others. Passing bad checks, stealing, destroying or damaging the property of others, etc., may result in disciplinary action” (p. 36). This policy repeatedly appeared in the student handbooks through 1987-88.

A final example of the area of limit and direction within the campus expectations category was the “distribution of literature” policy. This policy first appeared in the 1969-70 *Moorhead State College Handbook* with the following text:

The policy for outside agencies differs from that for students and their organizations.

1. Outside agencies are required to have the permission of the Dean of Student Personnel Services for such distribution. Permission is granted unless the proposal is believed to involve a violation of an existing college policy. In case of denial of approval, appeal may be made to the President. Where permission is granted, a place for distribution is assigned, table and chairs provided, and the normal assistance and courtesies extended.
2. Student organizations are free to distribute without prior approval. The source of the material and the name of the organization must be stated. The organization and the individual students participating are held responsible under the disciplinary authority

- of the college that no college policy is violated and that there is no justified complaint on the grounds of obscenity or libel.
3. Individual students are similarly free to distribute, with the same responsibilities.
  4. Distribution in classrooms, at college convocations, at registration, in the library, or from door to door in the residence halls is not permitted.
  5. There are especial [*sic*] regulations governing candidates for student government offices during the period of campaigning and elections. These are adopted by the Student Senate and may vary from year to year. (pp. 4-5)

As previously noted, the origins of this policy in the last 1960s was likely in response to student movements that occurred on a global scale. This policy was repeated, with minor edits, through the 1986-87 *Student Handbook*.

### **Academic Expectations**

The academic expectations theme is defined as matters specific to the learning environment and students showing integrity in their work created for academic assignments. These situations were specific to the classrooms and spaces managed by faculty members and faculty evaluation of coursework submitted by students. This theme was developed through the patterns of data within the categories of academic integrity and academic engagement. See Table 6 for a summary of the number of codes within these categories and theme in each of the eras, spanning 1887 through 2007.

**Table 6***Number of Codes in the Academic Expectations Theme and Associated Categories*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Academic Expectations</b>	10	76	50	85	221
<b>Academic Integrity</b>	0	0	17	61	78
<b>Academic Engagement</b>	10	76	33	24	143

**Academic integrity.** The academic integrity category included codes that represented policies promoting academic honesty, both in the initial general policy section and within the prohibited conduct listing. There were 78 codes used for the policies covered during the span of years within this study. It is worth noting that there were no policies coded for this area during the first two eras covered in the study (1887 through 1956).

**General policy.** The first time an academic integrity policy appeared was in 1969-70 *Moorhead State College Handbook*. As previously noted, this text was foundational to establishing a code of student conduct at the college. The policy was labeled “Integrity of Scholarship and Grades:”

1. The principles of truth and honesty are recognized as fundamental to a community of teachers and scholars. The College expected that both faculty and students will honor these principles and in so doing protect the validity of college grades. This means that all academic work will be done by the student to whom it is assigned, without unauthorized aid of any kind. Instructors, for their part, will exercise care in the

planning and supervision of academic work, so that honest effort will be positively encouraged. (p. 8)

This first paragraph provided the guiding principles and examples of the behavior in question that was expected of students at the state college. The policy went on to state:

2. If any instance of academic dishonesty is discovered by an instructor, it is his responsibility to take appropriate action. Depending on his judgment of the particular case, he may give a failing grade to the student on the assignment or for the course, or he may refer the student to the Student Conduct Committee for possible disciplinary action.
3. In instances where a failing grade in a course is given for academic dishonesty, the instructor may, but is not required to, report the offense to any or all of the following: Registrar, Dean of Academic Affairs, and the Dean of Student Personnel Services. If the offense is reported the student must simultaneously be notified.
4. The student who receives a failing grade based on a charge of academic dishonesty may appeal to his advisor, the department chairman, the Dean of Academic Affairs, and ultimately, to the President of the College. (pp. 8-9)

With some modifications to the policy title and the individuals listed within the last statement for who the matter may be reported to, this policy was repeated through the 1974-75 *Student Handbook*. In the 1975-76 *Student Handbook*, there was a noteworthy change to the policy, then titled “Dishonesty in the Classroom:”

Course instructors should ask students to report instances of cheating to them. When the instructor has convincing evidence of cheating, he may take any of the following actions:

Assign a failing grade to the paper, examination, report, etc., on which the student cheated.

Assign a failing grade for the course in which the student cheated.

(In the case of either one he must inform the student, and may, but is not required to report the offense and his/her action to any or all of the following: Registrar, the Vice President for Academic Affairs, and the Vice President for Student Personnel Services. If the offense is reported the student must simultaneously be notified.) (p. 5)

Interestingly, the policy started with students reporting misconduct to the instructor. The behavior in question rested in one word: cheating. The policy went on to state:

If the instructor feels the seriousness of the offense warrants a more severe penalty, or if he/she believes it is appropriate to do so for any other reason, the incident may be reported to the Student Conduct Committee through the Vice President for Student Personnel Services.

(The instructor's report should be in writing and be accompanied by evidence and will meet with the student in question. After its study of the case, the Student Conduct Committee may take disciplinary action, including suspension or expulsion from the university.)

Any student who has been accused of cheating has the right to appeal to his/her advisor, the department chairperson, the Vice President for Academic Affairs and, ultimately, to the President of the University. (p. 5)

The policy addressed the consequences of cheating much more than defining what was considered cheating. This policy was published in the first year of the state university era. In the 1976-77 *Student Handbook*, the policy was repeated; however, the last paragraph about the

student having the right to appeal was removed. Then in the 1977-78 *General Information [Student Handbook]*, the paragraph regarding appealing was printed again. During this year, the name of the policy changed to “Cheating in the Classroom” (p. 40). Also, the first statement of the policy was replaced with the following: “Course instructors are expected to take all reasonable measures to prevent cheating in the classroom” (p. 40). The policy quoted here with the noted changes continued to be repeated through the student handbooks, with a title changed in the 1984-85 *Student Handbook* to “Academic Dishonesty” (p. 40). Then in the 1997-98 *Dragon Details: Student Handbook*, the introductory statement was replaced with the following: “The University expects all students to represent themselves in a honest fashion, that includes presentation of original ideas and giving credit for the ideas of others. Faculty determine the occurrence of academic dishonesty” (p. 56).

This policy with the previous noted changes was repeated in the student handbooks through 2000-01. Then in the 2001-02 *Student Handbook/Daily Planner*, there was a new policy as it was noted “approval pending” within the title. This policy started on the first page of the policy section immediately following the daily planner pages and continued on to the next page, under the heading “Student Policies:”

The University expects all students to represent themselves in an honest fashion. In academic work, students are expected to present original ideas and give credit for their ideas of others. The value of a college degree depends on the integrity of the work completed by the student. (no page number)

Similar to the version of the policy from the 1969-70 handbook, this policy provided a clear introduction with the behavior expected. The 2001-02 published policy went on to state:



When an instructor has convincing evidence of cheating or plagiarism, the following actions may be taken: assign a failing grade to the assignment in question, or assign a failing grade for the course in which the student cheated. For informational purposes, instructors may choose to report the offense, the evidence, and their action to the Dean of their college, or the Vice President for Academic Affairs. If the instructor (or any other person) feels the seriousness of the offense warrants a different or additional penalty, the incident may be reported to the Student Conduct Committee through the Student Development Office. The Student Conduct Committee will follow procedures set out in the Student Conduct Code. After its review of the case, and fair and unbiased hearing, the Student Conduct Committee may take disciplinary action if the student is found responsible (see Student Conduct Code for details).

A student who has a course grade reduced by an instructor because of cheating or plagiarism, and who disputes the instructor's finding, may appeal the grade using the Course Grade Appeal Policy, which states that the student must prove the grade was arbitrary, prejudicial, or in error. (no page number)

Similar to the previously noted academic dishonest policies, the majority of the text articulated outcomes and process. Faculty members design course assignments and exams in a multitude of fashions. Thus it may have been limiting if more definition was provided. Regretfully, this would not be helpful to students. While it was pending in the 2001-02 *Student Handbook/Daily Planner*, the policy appeared to have been approved as the same policy was repeated through the last text of this study, the 2006-07 *Student Handbook/Daily Planner*, without the "pending" notation.

**Conduct violation.** Concurrently, there were policies within the listing of violations in the conduct statement. In the 1969-70 *Moorhead State College Handbook*, item A of the “general rules and regulations” of the “Statement of Conduct” stated the following: “Students are expected to show integrity in meeting their academic obligations. Cheating, plagiarism, forgery, falsification of records, etc., will result in disciplinary action” (p. 36). This second policy was repeated through the student handbooks until the 1992-94 edition. In the 1994-96 *Student Policy Handbook*, the policy within the “Violations” listing in the “Conduct Code” remained mostly similar in text, labeled “Academic Misconduct”: “Failure to show integrity in meeting academic obligations includes but is not limited to: cheating, plagiarism, forgery, and the unauthorized use of materials prepared by another person. (See also, **Academic Dishonesty**)” (p. 28). The text of the policy changed expanded in the 1996-97 *Dragon Details: Student Handbook*, with the label of “Academic Misconduct/Dishonesty:”

Failure to show integrity in meeting academic obligations includes but is not limited to: cheating, plagiarism, forgery, and the unauthorized use of materials prepared by another person. (See also, ACADEMIC DISHONESTY POLICY). The term “cheating” includes, but is not limited to:

- a) use of any unauthorized assistance in taking quizzes, tests, or examinations;
- b) dependance upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or
- c) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff.

The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials. (p. 70)

Here the policy language included comprehensive information for students, clearly detailing the prohibited conduct. There was formatting change that created an alpha-listing the two components of plagiarism, which started in the 2001-02 *Student Handbook/Daily Planner*. Beyond this mechanical change, this policy was repeated through the last text of this study, the 2006-07 *Student Handbook/Daily Planner*.

**Academic engagement.** The academic engagement category included class absence policies, expectations for students to attend faculty members’ office hours, and classroom disruption prohibitions. There were 143 codes used for the policies covered during the span of years within this study.

**Class absences.** The first area of significance within the academic engagement category was specific to students’ attendance and absences from class. The first policy was in the 1892-93 *Annual Catalogue* under the heading of “Pupils,” section 2:

Persons admitted to any department of a normal school shall be entitled to all the privileges thereof until their connection with the school is discontinued [...] (b) by absence of not less than one month during a term of school, without notice of intention to return within a reasonable time. (p. 25)

As presented here, the school administrators accommodated students’ leaves of absence for up to a month; this makes sense given the multitude of needs the rural-based families may have called

on a student to assist with, such as farming, supervision of siblings, and so on. As noted before, the normal school years were a time when the students were teenagers; the administration provided clear expectations for behavior as they acted *in loco parentis*. While the heading changed, this policy text continued to appear in the bulletins through 1903-04.

Then in the circa 1921 *Information for M.S.T.C. Students [Student Handbook]*, there was an extensive section labeled “Rules Regarding Absences.” The text of this policy is included in Appendix E. The length of this policy was longer than three pages of the printed booklet, having appeared on first page of the text through page five. In summary, this policy defined absences, provided approved and unapproved reasons for absences, the process of canceling an absence or tardy, the expectations of reporting absences, and the consequences for unexcused absences. The policy ended with the college President’s name as officiant of the policy. It is noteworthy to point out that this book was published during the transition of the normal school to the teachers college, which included a shift in the student demographics. This policy did not appear in any other books reviewed in this study. The next policy regarding attendance and absences was in the 1926-27 *Student’s Handbook of the State Teachers College*, under the heading “Regulations” with the label “Absences and Illnesses”:

In general, illness is the only recognized reason for a student's absence from classes. Conditions at home, or otherwise, which make it necessary for a student to be absent should be immediately explained, by women, to the Dean of Women, and by men, to the Dean of Men. All absences must be cancelled within forty-eight hours after the student's return. Young women will present their excuse blanks to the Dean of Women and the young men will report to the Dean of Men. Excuses for absence on account of illness,

before being presented to the Dean of Women, must be signed by the residence nurse. (p. 11)

This policy was published during the teachers college era; students were likely in their late teen years, yet administrators were still acting *in loco parentis*, as detailed by students needing to explain absences to the designated dean. This same policy appeared in the 1927-28 *Student's Handbook of the State Teachers College*. Then in the 1935-36 *Dragon Guide Book*, the “Absences” policy appeared with the following text:

In case the illness, report to Miss Jones, the school nurse, the day the absence occurs.

Telephone hours are 8 to 9 a.m. and 1 to 2 p.m.

Upon return to school, secure an excuse blank from the nurse (room 143 Physical Education building) for every class missed. If the absence is not reported the day it occurs, it will not be excused.

For absences due to cases other than sickness apply for excuses at the office of either the dean of women or dean of men. (p. 12)

In a continued effort of *in loco parentis*, students were responsible to report to the school nurse their illness for care and attention. The next absence policy was in the 1939-40 *Dragon Guide Book* with the label “Health Service—Absence” with the following text:

Miss Isabel Kulzer is the college nurse. She is here for the express purpose of helping to keep you well in order that you may attend classes regularly and enjoy your activities.

Miss Kulzer's office is in room 148, first floor of the Physical Ed. building. Her office hours will be posted within a few days.

If you are ill and consequently unable to attend school, such absences must be reported to the Dean's office on the same day it occurs. This may be done by telephone or

the same student who lives in your house. Give the details of the illness reported--how long you have been ill, if you're subject to this type of illness, and if you expected to be in school the next day. (p. 10)

The policy provided the strong oversight not just in connection to class attendance but in terms of verification and care. The policy went on to state:

This does not excuse you from class. When you return to school, common sense will suggest that you immediately consult any instructor whose class you missed and arrange to make up as much as you can of what you missed.

If you have been cut, your first duty is to report to the Deans that you are back in school. They will advise you about further trouble.

The nurse will not issue excuse slips. No absence is really excuse slips. No absence is really excused in the sense that it does not mean a loss in class work and scholarship. Absences may be unavoidable but college classes go on during your absence and work missed cannot be duplicated. (pp. 10-11)

The policy provided clear instructions for students to attend to their class and coursework, guiding a still-maturing young adult. This policy appeared again in the 1940-41 and 1942-43 *Dragon Guide Books*. Then in the 1945-46 *Dragon Guide Book*, there was a section titled “Academic Matters” with sections regarding attendance and illness:

#### C. Regular Class Attendance

is expected of all students. For necessary absences, excuse blanks are obtained from the Dean and must be presented to the instructor.

#### D. Illness

shall be reported to the nurse on the first day of absence, and the student is to report to her before returning to classes. (p. 20)

A similar policy appeared in the 1946-47 *Dragon Guide Book*, in a section labeled “Degrees” with the class attendance text modified:

### C. Class Attendance

In order to develop student responsibility, the College assumes that students will be regular in attendance at classes. Valid reasons for absences are:

1. Personal illness of the student.
2. Serious illness, death or crisis in the student’s immediate family.
3. College sponsored activities or trips for which the Advisor has provided notice in writing well in advance of the intended absence. (p. 27)

The language in this policy continued in that aforementioned vein of guiding and mentoring the student who was likely in their late teenage years and early twenties. There were noteworthy changes in the 1947-48 *Dragon Guide Book* as there was a section “Class Attendance” with language in addition to the previously noted policy text. The following paragraph was added:

There is no cut system. Daily class attendance records and Convocation attendance records are kept in the Personnel Office and become a part of the student’s permanent files. It is the student’s obligation to see that these records reflect his mature sense of responsibility, since dependability is of major importance in recommending a student for a position. (p. 24)

The tone shifted in this language: absences were permanently noted and would be negatively reflected which would limit students’ success in the teacher job search. In the 1948-49 *Student Handbook*, the listing of “valid reasons for absences” was removed, leaving only the

introductory statement and the concluding paragraph without the “cut system” sentence. This modified policy appeared again in the 1949-50 *Student Handbook*. Then the language changed again in the 1950-51 *Life on The Great Circle [Student Handbook]*:

*DO* develop a spirit of regular class and Convocation attendance. Daily attendance records are kept in the personnel office and become part of your permanent file. The Student Commission and Faculty Council on Students Affairs have placed a maximum on the number of absences that you are allowed in each course. These limits do not mean, however, that you should take all of the allowed cuts—the total is the absolute maximum. You are allowed one excused and one unexcused absence for each quarter hour assigned to the class (with some exceptions). Students exceeding these limits are dropped from class roles, but may be reinstated by a student-faculty Board of Appeals, provided for dealing with such cases. (p. 19)

This policy was framed in language that offered guidance and encouragement rather than prohibitions. However, the absences continued to be negatives and limitations. This version of the policy appeared again in the 1951-52. With some minor modification, the policy appeared again in the 1952-53 and 1954-55 student handbooks. The absence policy changed in the circa 1957 *Moorhead State College Student Handbook*, with the section title “The Little Man Who Wasn’t There” and subheading of “Absence Regulations,” which is included in Appendix F. This policy appeared in a numbered list of eight items on pages 5 through 6. In summary, the policy included statements of the following: students were directed to attend class, there was a stated correlation between credit hours and allowed absences, students on the honor list were excluded from the regulations, and students were to see the college nurse if they were ill. This policy was published at the start of the state college era, aligning with a shifting demographic for students



and an expansion of degree offerings. This policy did not appear in additional texts within this scope of this study.

In the 1969-70 *Moorhead State College Handbook* there was a policy “student absences,” which is included in Appendix G. This policy was presented in five paragraphs on pages 13 through 14. Similar to previous policies, the language noted the faculty member’s role in penalizing a student for nonattendance, cases of illness, extra-curricular event related absences, and the right for the student to appeal make-up work to be “excessive and arbitrary” (p. 14). With some small changes in language, this policy repeated through the 1975-76 *Student Handbook*, which was the start of the state university era. After an extended break in this policy being published, it appeared again in the 2004-05 *Student Handbook/Daily Planner*, within the section labeled “Grievance/Complaint Procedures” under a policy title “Student Absence Policy” on pages 139 through 140 with most of the same language as the one stated in prior books. The full text of this policy is included in Appendix H. Some changes in the language of the 2004-05 *Student Handbook/Daily Planner* included the “Vice President for Academic Affairs” in lieu of the “Dean of Academic Affairs” for who the faculty member was to address with their practice of penalizing students for nonattendance; additional absence matters such as jury duty, legal obligations, and military leave were included; and identifying “official university activity” (p. 140) in lieu of extra-curricular events. This policy continued through the 2006-07 *Student Handbook/Daily Planner*.

**Attending faculty office hours.** The second area of importance within the academic engagement category was a policy directing students to attend the office hours faculty held. This policy first appeared in the 1950-51 *Life on The Great Circle [Student Handbook]* under the “Do’s and Don’ts for Dragons:”

*DO* observe the office hours established by college instructors. Most teachers have busy schedules and can best serve you during the regular office periods. Another good rule is not to accost a faculty member on his way to class, expecting him to answer your request at the time. Instructors have deadlines to meet too, you know. (p. 16)

This policy provided direction while also offering a rationale for the direction. This policy paragraph continued in the 1951-52 *Student Handbook of College Regulations*. Then in the 1952-53 *Life on The Great Circle [Student Handbook]*, the language slightly changed:

*DO* observe the office hours established by college instructors. Most teachers have busy schedules and can serve you best during their regular office hours. Another good rule is not to accost a faculty member on his way to class, expecting him to consider some special request then. Instructors have deadlines to meet, too, you know. (p. 14)

This policy continued to appear in the student handbook through the 1954-55 edition. These early 1950s books were published during the late years of the teachers college era, as more students were interested in degree programs beyond teacher training.

***Classroom disruptions.*** The final area within the academic engagement theme was policies that prohibited classroom disruptions. This policy first appeared in the 1998-99 *Student Handbook* within the listing of prohibited conduct with the label “Disruptive Behavior:”

Disruptive student behavior in the classroom is defined as behavior which interrupts, obstructs, or inhibits the teaching and learning processes. The faculty member determines what is disruptive. Disruptive behavior may take many forms: persistent questioning, incoherent comments, verbal attacks, unrecognized speaking out, incessant arguing, intimidating shouting, and inappropriate gestures. (p. 73)

The first part of the policy clearly identified specific prohibited conduct. The policy continued:

Disruptive classroom behavior may, on the other hand, result from overzealous classroom participation, lack of social skills, or inappropriately expressed anger at the course content. Sometimes there is a thin line between controlling the learning environment and permitting students' academic freedom, between intentional and unintentional disruption. Faculty have the responsibility to maintain a learning environment in which students are free to question and criticize constructively and appropriately. Faculty also have the authority and responsibility to establish rules, to maintain order, and to eject students from the course temporarily for violations of the rules or misconduct. (p. 73)

The second part of the policy acknowledged students rights while centering the learning environment. This policy continued in the student handbooks until 2000-01. Then in the 2001-02 *Student Handbook/Daily Planner* the policy was shortened to only the first paragraph of the above provided text of the 1998-99 *Student Handbook* version (no page number, page following the subheading "violations," right column). This one paragraph version of the policy continued through the 2006-07 *Student Handbook/Daily Planner*.

### **Unlawful Actions**

The unlawful actions theme is defined as those behaviors specific to matters covered or identified by the law and specific behaviors prohibited by law. This area of codes resulted in the categories of criminal behavior and protected class respect. See Table 7 for a summary of the number of codes within these categories and theme in each of the eras.

**Table 7***Number of Codes in the Unlawful Actions Theme and Associated Categories*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Unlawful Actions</b>	0	4	24	857	885
<b>Criminal Behavior</b>	0	4	24	734	762
<b>Protected-class Respect</b>	0	0	0	123	123

**Criminal behavior.** The criminal behavior category included codes for policies that specifically used “unlawful,” “illegal,” or referenced local, state, or federal law in the language. These policies included unlawful alcohol, tobacco, and other drugs, unlawful weapons and threats to welfare, computer and system compliance, and other legal matters. There were 762 codes used for the policies covered in this category during the span of years within this study.

**Unlawful alcohol, tobacco, and other drugs.** There were a number of policies regarding alcohol, tobacco, and other drugs within the criminal behavior category. The first policy that referenced law or unlawful behavior was in the teachers college era in the 1935-36 *Dragon Guide Book*, under the “General Regulations” in the “No Smoking” policy with the following text: “Under the laws of Minnesota, smoking is NOT allowed on the College grounds by any student” (p. 10). This same policy was repeated in the 1939-40, 1940-41, and 1942-43 student handbooks. The policy then did not appear in the handbooks or bulletins until the early state college era in the 1976-77 *Student Handbook*, within the “General Information” section, under the label of “smoking:” “Smoking isn’t allowed in any instructional area, classroom, laboratory, or seminar room. Smoking will only be permitted in designated areas. – Faculty, Staff, Student Senate, and Minnesota State Law” (p. 5).

The first reference to law or illegal behavior within the alcohol and other drug policies was in the 1969-70 *Student Handbook* within item D of the “general rules and regulations” of the “Statement on Conduct” with the following text:

Students who misuse alcohol and drugs will be subject to disciplinary action. The use or possession of alcoholic beverages or illegal drugs on the college campus, in the dormitories, or at college sponsored events is prohibited by state law. Illegally selling alcoholic beverages or selling or using illegal drugs, may lead to disciplinary action. (p. 37)

This policy was repeated in the student handbook books through the 1992-94 *Student Policy Handbook*. Then in the 1994-96 *Student Handbook* the policy entries for alcohol and drugs were separated into two: the “unlawful use and possession of alcohol” and the “unlawful use and possession of drugs.” Here is the text of the alcohol policy entry:

Unlawful use, possession, and distribution of alcoholic beverages or open alcoholic beverage containers on University property, including residence halls, or at University sponsored events on- and off-campus regardless of age. This is also prohibited by federal and Minnesota State Law (Section 340A). (p. 28)

Here is the text for the drug policy entry:

Unlawful use, possession, and distribution of any controlled substance, drugs, or drug paraphernalia on University property, including residence halls, or at University sponsored events on- and off-campus regardless of age. This is also prohibited by federal and Minnesota State Law (Section 340A). (p. 28)

The policy language was more specific to criminal behavior. At this point, the Drug-Free Schools and Communities Act of 1990 had been passed, which included expectations for

colleges to have policies prohibiting alcohol and other drug use. In addition, the Campus Crime Act of 1990 required reporting of criminal behavior associated with alcohol and other drugs. In the 1996-97 *Dragon Details: Student Handbook*, the unlawful use and possession of drug policy entry remained the same; however, the “unlawful use and possession of alcohol” entry included the addition of the following two paragraphs:

Minnesota Statutes 340A.101 prohibits the sale of alcohol on or within 1,500 feet of the Minnesota State University System Universities. An alcoholic beverage is defined as any beverage containing more than one-half of one percent of alcohol by volume and includes intoxicating and non-intoxicating malt liquor (Minnesota Statutes 340A.101).

Students should note that even though they are of legal age to consume or possess alcohol, MSU and State University policies prohibit the use or possession of alcohol or illegal drugs on campus. (p. 72)

The policy changed due to state statute amendments in 1995. With some minor additions to the text, this policy continued to be repeated in the student handbooks through 2001-02. Then in the 2001-02 *Student Handbook/Daily Planner*, there was added language to the policy regarding driving under the influence: “Driving under the influence (DUI) Minnesota Law makes it illegal to drive while under the influence of alcohol, a controlled substance or both. A blood alcohol level of .10 or more is considered intoxicated” (no page number, second page following the “violations” heading within the “Student Conduct Code”). In the 2005-06 *Student Handbook/Daily Planner*, there were additional paragraphs added to the “unlawful use and possession of alcohol” policy. This included a listing of health risks associated with eight different drugs and the legal consequences not just for driving while under the influence but also the criminal law misdemeanor citation for being under the age of 21 having consumed or

possessed alcohol and the criminal law gross misdemeanor for aiding minors (p. 158). The version of the unlawful alcohol policy changed again in the 2006-07 *Student Handbook/Daily Planner*. The initial paragraph remained the same, with the reference to Minnesota State Statute 304A. However, beyond the first paragraph, the other four paragraphs were new:

Students should note that even though they are of legal age to consume or possess alcohol, MSUM and MnSCU [Minnesota State Colleges and Universities System] policies prohibit the use or possession of alcohol and illegal drugs on campus.

The abuse of alcohol and drugs has a way of creating turmoil more than just physically and socially; abuse also can create havoc with mental and emotional stability. Many people underestimate the influence that use/abuse of alcohol and other drugs can have on an individual's life.

Since involvement with alcohol or other drugs may be associated with medical and psychological problems, students may be referred or refer themselves to the counseling and medical resources of the University. **For students seeking help for an alcohol or other drug related problems, confidential assistance is available through the following offices: Hendrix Health Center 2853, Counseling Center, 2227.** (pp. 31-32)

The first paragraphs of this policy stated the prohibited conduct while also stating the larger impact substance use may have on the student as a person. The inclusion of this additional information was supported by the requirements of the Drug-Free Schools and Communities Act of 1990. The policy went on to state:

## **Campus Discipline & Alcohol/OD Violations**

Students believed to have violated any of the above laws or regulations regarding alcohol will be held accountable for that behavior. If you choose to violate any of these standards, you should be aware that being under the influence of alcohol will not excuse any action nor mitigate any degree of accountability for the behaviors which may result from your intoxication. (p. 32)

The final part of this policy was more specific to the prohibition of conduct and consequences. This was the last book within the review of this study.

*Unlawful weapons and threats to welfare.* The second significant area of policies within the criminal behavior category was specific to unlawful weapons and threats to the welfare of others. The first policy that was an example of this was in the 1992-94 *Student Policy Handbook*, labeled “unlawful use or possession of weapons” (p. 28). While similar policy language appeared in prior texts without the use of “unlawful,” this policy was significantly different than previous ones: “Use or possession of weapons on University premises, unless expressly authorized by the University. ‘Weapon’ is broadly defined to include but it not limited to: explosives, explosive fuels, dangerous chemicals, billy clubs, fireworks, dangerous knives, and guns” (p. 28). This version of the policy was repeated in proceeding handbooks as stated here; then in the 2003-04 *Student Handbook/Daily Planner*, the policy was revised:

The possession of any weapon or instrument used in such a manner as to threaten or inflict injury to another person is prohibited on campus. “Weapon” is broadly defined to include but is not limited to: explosives, explosive fuels, dangerous chemicals, billy clubs, bows, fireworks, dangerous knives, and guns. Minnesota law states: weapon is defined as “an object used in the manner it was not intended to be used.” (p. 144)



Most notably, the language from state law was included in this policy. This was the wording of the policy as it appeared in the last handbook within this study: 2006-07.

Another example of a policy in this area was “Laws and Ordinances” within the 1996-97 *Dragon Details: Student Handbook*, which the following text: “Violation of local ordinances, federal or state law on University premises or at University sponsored or supervised activities, where said violation poses a substantial threat to the safety and/ or welfare of campus community members” (p. 71). This policy casted a broad net for behavior, likely striving to ensure compliance related to required crime reports for the Campus Crime Act of 1990 and amendments. This policy continued to appear through the 2006-07 *Student Handbook/Daily Planner*.

**Computer and system compliance.** Another area of policies within the criminal behavior category identified legal compliance for internet and email use. The first example of this was a section of the “general rules and regulations” within the “Conduct Statement” in the 1984-85 *Student Handbook*, in item B:

Computer misuse is interpreted by the Minnesota Computer Crime Act. Misusers are persons who:

1. Intentionally and without authorization damages or destroys any computer, computer system, computer network, computer software, or any other property. (Refer to University Policy on equipment usage.)
2. Intentionally and without authorization alters any computer software, or any other property.

3. Intentionally and without authorization accesses or causes to be accessed [*sic*] any computer, computer system, computer network, or any other part for the purposes of attaining services or property.
4. Intentionally and without authorization takes, transfers, conceals, or retains possession of any computer, computer system or any computer software or data contained in a computer, computer system, or computer network. (p. 37)

Given the timing, the use and access of computers was growing, which also meant that the expectations around use needed to be clarified. Also, the Minnesota Computer Crime Act noted in the first line of the policy was the primary influence of the creation of this policy in the student handbook. This policy was repeated in the student handbooks through 1992-94. The policy in the 1994-96 *Student Policy Handbook* was labeled “Computer Misuse” with the following text: “Intentionally and without authorization damaging, destroying, altering, accessing or taking any university computer, computer system, network, or software. Also prohibited by the Minnesota Computer Crime Act” (p. 28). While this version appeared to summarize the multiple points in the previous policy versions, the policy language within the 1996-97 *Dragon Details: Student Handbook* was a significant change, including the removal from any reference of state law and unlawful actions. Any legal reference was missing from computer misuse policies in handbooks until 2003-04. In the 2003-04 *Student Handbook/Daily Planner*, the policy included reference again to Minnesota statutes:

Theft or other abuse of computer hardware, or software, including but not limited to Minnesota statutes (609.87, 609.89):

- a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.

- b. Unauthorized transfer of a file.
- c. Unauthorized use of another individual's identification and password.
- d. Use of computing facilities to interfere with the work of another student, faculty member, or University official.
- e. Use of computing facilities to send obscene or abusive messages.
- f. Use of computing facilities to interfere with normal operation of the University computing system.
- g. Theft or damage of computer equipment, soft ware [sic], electronic mail, or computer process. (p. 142)

As previously noted, state statutes influenced the changes to student policy. This policy was repeated in the 2004-05 *Student Handbook/Daily Planner*. This was the last computer misuse policy with reference to unlawful behavior.

Another policy that was coded within this area was the "Student Web Server (SWS) Policy" that appeared in the 2001-02 *Student Handbook/Daily Planner*. The full text of this policy is included in Appendix I. This policy identified a number of behaviors including the prohibition of providing "information that is intended to teach how to commit any criminal or illegal act" (p. 148) and the limitations of students' use of "information that violates any MSUM policies, software licensing agreements, contractual agreements, copyright, or local or federal laws" (p. 148). This language reflected the fast-paced, growing environment of the computer technology landscape. This policy was repeated through the 2006-07 *Student Handbook/Daily Planner*.

A final policy example for this area was the "System Integrity" policy that first appeared in the 1998-99 *Student Handbook* with the following text:

MSU faculty, staff, and students must respect the integrity of the computer system. In addition to conduct that might violate federal or state law or MSU policies, faculty, staff, and students who use e-mail may not engage in the following conduct such as:

- 1) changing, concealing, or forging the identity of the person who is sending e-mail;
- 2) using computer systems or networks to send any kind of material (e.g. messages, images) that constitutes harassment or discrimination under law or policy. (p. 58)

With more people using and often defaulting to email as the primary form of communication, it made sense that more guidance was written in policy form for email. This policy was repeated in the student handbooks through the 2006-07 *Student Handbook/Daily Planner*, which was the last book reviewed for this study.

**Other legal matters.** There were a number of additional policies that referenced a specific law or indicated that the behavior was illegal. The first example of a policy that referenced state law not previously identified was the “Interference With Use of Public Property” policy within the 1970-71 *Student Handbook*. The full text of this policy is provided in Appendix J. This policy specifically referenced four paragraphs from the Minnesota State Law 624.72. The law references public property, including that of the College as a public, state institution. While violations of the law were punishable with imprisonment and a fine, the policy stated, “such violations through its internal judicial procedures” (p. 10). In previous sections, additional policies regarding disturbances existed on campus. During the period of wide-spread unrest in the last 1960s and early 1970s, this policy amplified the serious nature by citing state law. This

policy was repeated in the student handbooks, with minor changes, through the 1980-81 *Student Handbook*.

Another policy that was coded within this area was the entry for gambling. In the 1996-97 *Student Handbook*, the first entry for gambling was printed with the following text:

“Gambling for money or other things of value on campus or at University sponsored activities except as permitted by law” (p. 71). The addition of gambling to the prohibited conduct was likely in response to the growing legalization of gambling on the federal and state level during the late 1980s. This exact language appeared within the gambling entry through the 2006-07 *Student Handbook/Daily Planner*, which was the last book reviewed for this study.

A final policy that was coded within this area was specific to immunizations. In the 1992-94 *Student Policy Handbook*, the first policy statement for “Immunization Policy” with the following text:

Minnesota Law (M.S. 135A.14) requires that all students born after 1965 and enrolled in a public or private post-secondary school in Minnesota be immunized against diphtheria, tetanus, measles, mumps and rubella, allowing for certain specified exemptions.

Attendance in class will not be allowed after 45 days without official documentation of these immunizations. (p. 16)

As noted above, changes in state law had an impact on student policy at a state institution such as Moorhead State University. The related state statute was noted at the beginning of this policy.

The policy went on to state:

An immunization record form is available at the Hendrix Health Center and needs to be completed before attending classes. Records of previous immunizations are often on file at your high school and school officials can validate the necessary information.

Immunizations updates may be obtained through your local clinic/physician, city/county health department or Hendrix Health Center. (p. 16)

The policy referenced a similar practice where high schools were keeping these records on file as well. This policy did not appear in the 1994-96 *Student Policy Handbook*; however, it was printed in the 1996-97 *Dragon Details: Student Handbook* with an additional statement mid-policy: “Students graduating from a Minnesota high school after Spring Semester, 1997 are exempt from this requirement” (p. 63). This policy was repeated, with some minor edits, in the student handbooks through the 2005-06 *Student Handbook/Daily Planner*.

**Protected-class respect.** The protected-class category is defined by the policies that used state and federal laws that identified specific groups of individuals as stated in the policies that align with those in the state and federal laws at the time. There were 123 codes used for the policies covered in this category; all of the related policies were in the state university era (1975 through 2007).

The first example of the policies coded in this category was the three-paragraph entry within the 1977-78 *Student Handbook* with the following text:

#### Equal Opportunity

Moorhead State University is committed to providing equal educational and employment opportunity to all persons, regardless of race, creed, color, religion, sex, age, national origin, marital status, reliance on public assistance, physical disability, or inclusion in any other group or class against which discrimination is prohibited by state or federal law, including Vietnam Era veterans.

This first section of the policy identified all protected class as stated in the state of Minnesota law. The policy continued:

## Non-discrimination

It shall be the policy of this University to seek fair and just solutions for problems of discrimination relating to race, religion, color, national origin, sex, age, marital status, or physical or mental handicap. Any employee, student, or group of employees or students who feel discriminated against may obtain confidential advice, consultation, and assistance from their respective Equal Opportunity Officer or Affirmative Action Officer.

The official discrimination grievance procedure is available to all members of the State University System, either as individuals or as groups. An employee or student who pursues a grievance through this procedure shall do so without coercion, reprisal, or discrimination. Inquiries or grievances related to discrimination should be directed to the campus Affirmative Action/Title IX Coordinator, (Evelyn J. Swenson, Office 219, Library, MSU. Phone: 236-2922). (p. 32)

The Minnesota state statute 363A.02 was amended in 1973 to include educational institutions specific to prohibitions of protected class-based harassment and discrimination. While the policy may have existed at the college before, the language first appeared in this 1977 version of the student handbook. The policy was repeated in the 1978-79 *Student Handbook* with the addition of examples of state or federal laws: “including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974” (p. 36). Then in the 1980-81 *Student Handbook*, there was no entry for all areas of protected classes; rather, this is an entry to “sexual harassment policy” with the following text:

All members of the Moorhead State University academic community are entitled to freedom from sexual harassment.

Sexual harassment is defined as the use of institutional power or position to impose unwanted, sexual related verbal or physical actions on another person.

Persons who have experienced sexual harassment, persons who perceive themselves as having been subject to sexual harassment, or who witness others being subjected to sexual harassment, should contact Evelyn Swenson, Affirmative Action Officer, Library 2922 or one of the following contact persons [..]

This policy and procedure is [*sic*] established to protect equal opportunities for all members of the academic community in compliance with Minnesota and Federal law. (p. 55)

This policy appeared again in the 1981-82 *Student Handbook* through the 1990 *Student Policy Handbook*. In this book, the text was expanded to the following:

All member of the Moorhead State University academic community are entitled to freedom from sexual harassment, including violence and assault. Acts of sexual harassment create an environment contrary to the goals and mission of the University. These acts also constitute criminal behavior within society at large, and are also acts which may subject an individual to complaints and disciplinary sanctions under the State University System grievance procedures or University Student Conduct Code.

Sexual harassment occurs when someone uses power or position to impose unwanted sexually-related verbal and/or physical actions on another person. By definition, behavior may be sexually harassing when:

- A. Submission to such behavior or conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of a student's academic



- performance, or term or condition of participation in student activities or in other events or activities sanctioned by the University; or
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the University; or
- C. Such conduct has the purpose or effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile or offensive, isolating working or education environment. (p. 8)

The policy changed again in the 1992-94 *Student Policy Handbook* with the inclusion of the full Minnesota State University Board policy. This policy included sexual and gender harassment as well as sexual violence, racial harassment, and disability harassment. The full text of this policy is included in Appendix K. This policy appeared again in the 1994-96 *Student Policy Handbook* with the modified title of "Moorhead State University Discrimination/Harassment/Violence Policies" (p. 8). This policy included additional text following the "sexual violence or assault acts" section, with a subheading of "The Victim's Rights" and nine items, referenced from the Minnesota State Statutes Section 135A.15 (pp. 8-9). The version of this policy was printed in the 1996-97 *Dragon Details: Student Handbook* included the following as the introduction:

Minnesota State Colleges and Universities is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personal practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law.

Harassment of an individual or group on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission has no place in a learning or work environment and is prohibited. Sexual violence has no place in a learning or work environment. Further, the Minnesota State Colleges and Universities shall work to eliminate violence in all its forms. Physical contact by designated system, college, and university staff members may be appropriate if necessary to avoid physical harm to person or property.

This policy is directed at verbal and physical conduct that constitutes discrimination/ harassment under stated and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, MnSCU will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. (p. 61)

This policy continued, further defining and detailing racial discrimination, racial harassment, sex discrimination, sexual harassment, sexual violence, sexual orientation discrimination, sexual orientation harassment, disability discrimination, and disability harassment. This extended, detailed policy was repeated through the 2006-07 *Student Handbook/Daily Planner*, which is the last book reviewed for this study.

### **Off-Campus Oversight**

The fourth thematic area, off-campus oversight, is comprised of the categories of off-campus risk reduction, off-campus expectations, and off-campus criminal behavior. In evaluating the pattern of these categories, the off-campus oversight theme was developed. Table 8 provides a summary of the number of codes within these categories and theme in each era.

**Table 8***Number of Codes in the Off-Campus Oversight Theme and Associated Categories*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>	<b>Total</b>
<b>Off-campus Oversight</b>	24	35	25	373	457
<b>Off-campus Risk Reduction</b>	0	0	0	59	59
<b>Off-campus Expectations</b>	24	35	15	22	96
<b>Off-campus Criminal Behavior</b>	0	0	10	292	302

**Off-campus risk reduction.** The off-campus risk reduction category included areas of risk reducing behaviors that are similar to those within the risk reduction category; however, these were specific to off-campus matters of harm to others and damage to property. There were 59 codes used for the policies covered during the span of years within this study.

**Off-campus harm to others.** Some policies in the off-campus risk reduction category were specific to prohibiting harm to others. One example of a policy coded within this area was in the 1994-96 *Student Policy Handbook*, labeled physical harm: “Intentionally, recklessly, or negligently causing physical harm to any person on University property or at University sponsored activities. This includes but it not limited to engaging in any form of fighting” (p. 28). As stated, the policy addressed on- and off-campus behavior. The university experienced a surge in enrollment in the 1990s, which resulted in more students living on and off campus. As such, the policy made sense to include off-campus behavior. This policy continued with some small changes to the language but continued reference to off-campus University sponsored activities through the 2006-07 *Student Handbook/Daily Planner*.

A second policy within this area of off-campus harm to others in the off-campus risk reduction category was the “Off-Campus Students” policy section, which first appeared in the 1996-97 *Dragon Details: Student Handbook*:

Off-campus students are considered members of the University community, and are expected to behave responsibly. Off-campus incidents will generally be referred to the local police department, but the University reserves the right to also adjudicate off-campus offenses that involve MSU student(s) and violation of the Campus Student Code of Conduct. Such cases will be reviewed on a case-by-case basis. In addition, the University may take disciplinary action against those students whose behavior off University premises indicates that they pose a threat to University persons or property. (p. 70)

Here the attention is pointed to the statement within the first paragraph, noting a student may be addressed for off-campus conduct that poses a threat to University persons or property. This first paragraph provided students with the connection between their role as students and their lives off campus. This text also provided the nexus for a student’s behavior weighed against the function of the institution. As previously noted, the growth in enrollment resulted in the university administrators providing clarity in policies for students. The policy went on to state:

University disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

In matters not related to University functions, students shall not be considered under the control of the University, nor shall the University be held responsible for off-campus activities or personal conduct of its individual students. Students who violate a local ordinance or any law risk the legal penalties prescribed by civil authorities. (p. 70)

Again the language provided information about students' behaviors off campus and the factors that would be taken into account by campus administrators in determining what if any disciplinary approach would be used to address the student. This policy is repeated in the student handbook through the 2006-07 version.

***Off-campus damage to property.*** Another significant area within the off-campus risk reduction category was prohibiting damage to property. One example of a policy coded within this area was the "theft and damage to property" policy found in the 1994-96 *Student Policy Handbook*: "Intentionally taking, attempting to take, damaging or destroying property belonging to the University (on- or off-campus), a visitor of the University, or a member of the University community" (p. 28). Then the label of the policy changed to "theft, vandalism, defacement and damage to property" (item numbered 18 within the Student Conduct Code section) in the 2001-02 *Student Handbook/Daily Planner*; the text also changed: "Intentionally taking, attempting to take or unauthorized borrowing, damaging or destroying property belonging to the University (on- and off-campus), a visitor of the University or a member of the University community." Typically specific changes such as these text additions were due to student situations that occurred and cause an administrator to make updates to ensure students clearly knew what was prohibited. This policy continued to appear in the texts through the 2006-07 *Student Handbook/Daily Planner*.

**Off-campus expectations.** The off-campus expectations category included policies that centered on two primary areas: off-campus private life intrusions and off-campus limits and directions. There were 96 codes used for the policies covered during the span of years within this study.

***Off-campus private life intrusions.*** One area within the off-campus expectations category was the private-life intrusion related to off-campus boarding. The first policy within this area was students needing arrangements to live per the “boarding” policy in the 1892-93 *Annual Catalogue* quoted in part:

Board can be obtained in private rooms for from \$2.50 to \$3.50 per week. The president of the school will arrange for board or for renting of rooms for any who desire to make such arrangements in advance.

It is possible for pupils renting rooms and doing their own cooking to reduce expenses to a very small sum.

Pupils will, in all cases, consult the president of the school in choice of boarding place. (p. 32)

As mentioned throughout this chapter, student enrolled at the normal school were teenagers; thus, the president and school administrators provided specific guidance and oversight. This was also during a time when there were very limited options for housing off-campus as the city of Moorhead was still in early settlement. This policy continued to be repeated with some minor text changes, with the noted required approval from the president through the 1912-13 *Bulletin*. Then the approval was required by the president or dean of women in the 1913-14 through 1925-26 *Bulletin*, next the staff of the Personnel Office in the 1965-67 *Bulletin*, and finally the College in the 1967-69 *Bulletin*.

Another example of a policy coded within the off-campus expectations category related to civil court matters, which resolves private disputes between people, as cited in the 1969-70 *Student Handbook* within the “general rules and regulations” as item E:

Students tried in civil court may be subject to:

1. acquittal
2. official warning
3. probation
4. suspension
5. expulsion

by the Student Conduct Committee if, in the opinion of the Office of Student Personnel and the Student Conduct Committee, the misconduct has seriously affected the college’s interests as an educational institution. (p. 37)

The language in this policy provided a connection to activities that students may have been engaging in that they believed to be separate from them being students. The time period of the late 1960s was a time of student unrest and activism, which at times resulted in students being arrested or involved in matters not specific to the college. This policy was repeated through the 1973-74 *Student Handbook*.

***Off-campus limits and direction.*** The second area within the off-campus expectations category was the limits and direction policies. The first policy within this area was “student homes” policy within the 1932-34 *Bulletin*, quoted in part:

The regulations for the life of the student are only those that are dictated by the requirements of punctuality, consideration of others, and the standards of refined

womanhood. Women who live off-campus are under the same regulations as those who live in the college halls. (p. 18)

The additional text of this policy referenced men students consulting with the dean of men in securing a place to live off campus; however, there was no reference to men being held to the same expectations as noted in this quote. This policy existed during a time when administrators were in a role of *in loco parentis*, providing direction for those often in their late teenage years. Then in the 1935-36 *Bulletin*, the language of the policy changed, specifically: “the standards of refined young person” (p. 18), while continuing to point out that women living off campus were still regulated. This policy language was repeated in the texts reviewed until the 1943-43 *Bulletin* when the language changed again, first with the label of “living accommodations” with reference to on- and off-campus living options and then in the policy text, quoted in part: “The regulations that govern the life of the student are those that make for high moral standards, refinement, punctuality, consideration for others, and good workmanship” (p. 59). This policy was repeated through the 1944-45 *Bulletin*. Then in the 1956-57 *Bulletin*, there was a section “off-campus housing” within the “housing” section:

The Personnel Office provides information regarding approved off-campus rooms for students who cannot be accommodated in the dormitories. Students contact householders and complete rental arrangements individually, subject to the approval of the Personnel Office. Students who live off-campus are under the same contract obligations and standards as students living in the dormitories. Changes of housing are to be reported to the Personnel Office, and, except for urgent cases, are to be made only at the end of the quarter. (p. 19)



The policy was published during the time of the college student personnel movement, noting the name of the college office. At this time, student services focused on guiding and advising students. The policy reference to “the same contract obligations and standards” (p. 19) for off-campus students continued through the 1967-69 *Bulletin*.

Another policy example within this category is the “off-campus students,” which first appeared in the 1996-97 *Student Handbook*, quoted in part:

Off-campus students are considered members of the University community, and are expected to behave responsibly. [...] In addition, the University may take disciplinary action against those students whose behavior off University premises indicates that they pose a threat to University persons or property. [...]

In matters not related to University functions, students shall not be considered under the control of the University, nor shall the University be held responsible for off-campus activities or personal conduct of its individual students. Students who violate a local ordinance or any law risk the legal penalties prescribed by civil authorities. (p. 70)

Here the attention is pointed to the first statement of the first paragraph, noting an off-campus student is a member of the campus community. This was a similar expectation to those communicated above in the “student homes” and “living accommodations” policies, addressing how off-campus student should behave and will be limited. This policy was repeated through the 2006-07 *Student Handbook/Daily Planner*.

**Off-campus criminal behavior.** The policy content coded within the off-campus criminal behavior category was specific to off-campus illegal alcohol and other drugs, off-campus threats to welfare, and referrals to local law enforcement. There were 302 codes used for the policies covered during the span of years within this study.

***Off-campus illegal alcohol or other drugs.*** Similar to the criminal behavior for on-campus, the area of off-campus illegal alcohol and other drug use and possession accounted for a significant number of codes within this category.

The first reference to law or illegal behavior within the alcohol and other drug policies that included an off-campus reference was in the 1969-70 *Moorhead State College Handbook* within item D of the “general rules and regulations” of the “Statement on Conduct” with the following text:

Students who misuse alcohol and drugs will be subject to disciplinary action. The use or possession of alcoholic beverages or illegal drugs on the college campus, in the dormitories, or at college sponsored events is prohibited by state law. Illegally selling alcoholic beverages or selling or using illegal drugs, may lead to disciplinary action. (p. 37)

As previously noted, the 1969-70 student handbook was foundational in establishing prohibited policy. This policy was repeated in the student handbook books through the 1992-94 *Student Policy Handbook*. Then in the 1994-96 *Student Policy Handbook* the policy entries for alcohol and drugs were separated into two, again including the scope of these behaviors occurring off-campus: the “unlawful use and possession of alcohol” and the “unlawful use and possession of drugs.” Here is the text of the alcohol policy entry:

Unlawful use, possession, and distribution of alcoholic beverages or open alcoholic beverage containers on University property, including residence halls, or at University sponsored events on- and off-campus regardless of age. This is also prohibited by federal and Minnesota State Law (Section 340A). (p. 28)

Here is the text for the drug policy entry:

Unlawful use, possession, and distribution of any controlled substance, drugs, or drug paraphernalia on University property, including residence halls, or at University sponsored events on- and off-campus regardless of age. This is also prohibited by federal and Minnesota State Law (Section 340A). (p. 28)

With some minor additions to the text, this policy continued to be repeated, referencing off-campus student behavior at University sponsored-activities through the last book within the review of this study: 2006-07 *Student Handbook/Daily Planner*.

***Off-campus threats to welfare.*** The second area within the off-campus criminal behavior was the off-campus threats to welfare. In the 1996-97 *Dragon Details: Student Handbook* under the label “laws and ordinances” within the violations listing: “Violation of local ordinances, federal or state law on University premises or a University sponsored or supervised activities, where said violation poses a substantial threat to the safety and/or welfare of campus community members” (p. 71). This policy continued to be printed in the student handbooks through the 2006-07 edition.

***Referrals to local law enforcement.*** The final area within the off-campus criminal behavior category was specific to referrals to the police, also known as local law enforcement. The first policy that provided an example of this was the “Off-Campus Students” policy section, which first appeared in the 1996-97 *Dragon Details: Student Handbook*:

Off-campus students are considered members of the University community, and are expected to behave responsibly. Off-campus incidents will generally be referred to the local police department, but the University reserves the right to also adjudicate off-campus offenses that involve MSU student(s) and violation of the Campus Student Code of Conduct. Such cases will be reviewed on a case-by-case basis. (p. 70)

Here the attention is pointed to the second statement within this paragraph, noting the referral to local police. This policy was repeated in the student handbook through the 2006-07 edition.

### **Response to Research Questions**

This study included the data gathering and analysis of student misconduct policies in student handbooks and bulletins from the start of the institution in 1887 through 2007. The overview of themes presented above identifies the student misconduct policies, provides numerous quotes from these policies, and indicates when policies repeated and changed in proceeding books. This information informed the answers to the research questions, which are presented here.

#### **Question 1: How have the policies for prohibited student conduct changed and evolved given the evolution of an institution that started as a normal school in 1887 to a comprehensive state institution in 2007?**

The policies regarding student misconduct have changed and evolved through the evolution of the institution that originated as a normal school in 1887 through 2007 as a comprehensive state institution. The following policies included the most significant changes, including some that resulted in codes within more than one theme: class absences, academic integrity, damage to property, smoking, alcohol and other drugs, weapons, and sexual misconduct.

#### **Class Absences**

Class absence policies were coded in the academic engagement category of the academic expectations theme. These expectations were articulated in a number of policies that spanned the books first reviewed for this study through those at the end, starting during the normal school era

through the state university era. These policies included a number of changes as the details regarding the expectations increased and decreased.

Starting in the normal school era, the first class absence policy was in the 1892-93 *Annual Catalogue* under the heading of “Pupils,” section 2. As previously described, the policy identified six areas for which a student would no longer be enrolled, including being away from the school for no more than one month with notice of intended return. This policy text continued to appear in the bulletins through 1903-04, noting the heading for the policy changed from “pupils,” to “students,” and then “the school.”

Starting the teachers college era in the circa 1921 *Information for M.S.T.C. Students [Student Handbook]*, there was an extensive section labeled “Rules Regarding Absences.” The text of this policy is included in Appendix E. In summary, this policy defined excused absences, recognized reasons for absences, and unrecognized reasons for absences. There was also a “Remarks” section that provided further details about absences in relation to the school calendar, the allowed number of absences, and consultation with the Dean of Women. The policy included expectations for men students to report to the Dean of Men, and women students to report to the Dean of Women. In addition, there were expectations for students who roomed with another student off campus to make the report for the ill student. Finally, the penalties for unexcused absences were detailed. This policy defined many aspects of the expectations specific to the absences of students. This specifically detailed policy did not appear in any other text reviewed in this study.

The next policy regarding attendance and absences was in the 1926-27 *MSTC Y.M.C.A. Handbook*, under the heading “Regulations” with the label “Absences and Illnesses”. This policy was a condensed version of the circa 1921 *Information for M.S.T.C. Students [Student*

*Handbook*] version. This same policy appeared in the 1927-28 *MSTC Y.M.C.A. Handbook*. Then in the 1935-36 *Dragon Guide Book*, the “Absences” policy appeared, introducing the school nurse. The next absence policy was in the 1939-40 *Dragon Guide Book* with the label “Health Service—Absence.” As previously quoted, the policy started with the name and office location of the school nurse and then gave specifics for what a student was to do if ill and unable to attend classes. By labeling the policy under “health services,” the focus of the policy seemed to shift, centering illness as the reason for absences. This policy appeared again in the 1940-41 and 1942-43 student handbooks. Then in the 1945-46 *Dragon Handbook*, there was a section titled “Academic Matters,” with sections regarding attendance and illness. A similar policy appeared in the 1946-47 *Dragon Handbook*, in a section labeled “Degrees” with the class attendance text modified. These two entries seemed to center the expectations back to academics with the labels “academic matters” and “degrees.”

There were noteworthy changes in the 1947-48 *Dragon Handbook* in a section labeled “Class Attendance” with language that included and expanded the previously noted policy text. This policy existed during the era of the school being a teachers college, continuing to train professionals; the policy made a direct connection of student behavior to post-graduation professional role. In the 1948-49 *Dragon Handbook*, the listing of “valid reasons for absences” was removed, leaving only the introductory statement and the concluding paragraph without the “cut system” sentence. This modified policy appeared again in the 1949-50 *Student Handbook*. Then the language changed again in the 1950-51 *Life on The Great Circle [Student Handbook]*. As previously described, this policy stated the expectations of regular attendance and the limits to excused and unexcused absences. This policy included a reference of the student commission, providing insight into the organized students (similar to modern day campus student

government) active role on campus. This version of the policy appeared again in the 1951-52. With some minor modifications, the policy appeared again in the 1952-53 and 1954-55 student handbooks. The absence policy changed in the circa 1957 *Student Handbook*, with the section title “The Little Man Who Wasn’t There” under the subheading of “Absence Regulations.” This policy did not appear in additional texts within this scope of this study.

In the 1969-70 *Moorhead State College Handbook* there was a policy “student absences,” which is included in Appendix G. This policy was presented in five paragraphs on pages 13 through 14. Similar to previous policies, the language noted the faculty member’s role in penalizing a student for nonattendance, cases of illness, extra-curricular event related absences, and the right for the student to appeal make-up work to be “excessive and arbitrary” (p. 14). With some small changes in language, this policy repeated through the 1975-76 *Student Handbook*, which was the start of the state college era of the institution.

Well into the state university era of the institution, a “student absences” policy did not appear again until the 2004-05 *Student Handbook/Daily Planner*, within the section labeled “Grievance/Complaint Procedures” under a policy title “Student Absence Policy” on pages 139 through 140 with most of the same language as the one stated in prior books (provided in Appendix H). There were some changes in the language of the 2004-05 *Student Handbook/Daily Planner*, which included the “Vice President for Academic Affairs” in lieu of the “Dean of Academic Affairs” for who the faculty member should address with their practice of penalizing students for nonattendance; additional absence matters such as jury duty, legal obligations, and military leave are included; and “official university activity” (p. 140) in lieu of extra-curricular events. This policy continued through the 2006-07 *Student Handbook/Daily Planner*.

As presented, there were a number of changes that occurred to the student policy regarding absences from class. There were times the label of the policy changed; however, the focus continued to identify the expectations of students limiting their absences from class meetings. The changes for class absence policies spanned the four eras of the institution related to this study.

### **Academic Integrity**

Academic integrity policies were stated in the books of this study, both in a general policies section and within the listing of student misconduct prohibited conduct. All of these policies were coded within the academic integrity category. The two versions of policy first appeared in the 1969-70 *Student Handbook*, which was during the state college era, and continued to be repeated through the 2006-07 *Student Handbook/Daily Planner*, which was during the state university era.

The first time an academic integrity policy appeared was in 1969-70 *Moorhead State College Handbook*, labeled “Integrity of Scholarship and Grades”. Concurrently, there were policies within the listing of prohibited conduct in the conduct statement specific to academic integrity. In the 1969-70 *Moorhead State College Handbook*, item A of the “general rules and regulations” of the “Statement of Conduct” stated the following: “Students are expected to show integrity in meeting their academic obligations. Cheating, plagiarism, forgery, falsification of records, etc., will result in disciplinary action” (p. 36). This violation policy was repeated through the student handbooks until the 1992-94 edition.

The “Integrity of Scholarship and Grades” policy from the 1969-70 *Moorhead State College Handbook* was repeated through the 1974-75 student handbook with some modifications in the policy title and the individuals listed within the last statement for who the matter may be



reported to. Then in the 1975-76 student handbook, there was a noteworthy change to the policy, then titled “Dishonesty in the Classroom”. As previously described, this policy text first indicated that students were to report instances of cheating to course instructors. In addition, the policy stated the consequences for students: the instructors would assign failing grades for assignments and for the course, and the instructors could refer the misconduct to the student conduct committee for more serious matters.

In the 1976-77 *Student Handbook*, the policy was repeated; however, the last paragraph that stated the student had the right to appeal was removed. Then in the 1977-78 *Student Handbook*, the paragraph regarding appealing was printed again. During this year, the name of the policy changed to “Cheating in the Classroom” (p. 40). Also, the first statement of the policy was replaced with the following: “Course instructors are expected to take all reasonable measures to prevent cheating in the classroom” (p. 40). The policy quoted here with the noted changes continued to be repeated through the student handbooks, with a title changed in the 1984-85 *Student Handbook* to “Academic Dishonesty” (p. 40).

In the 1994-96 *Student Policy Handbook*, the policy within the “Violations” listing of the “Conduct Code” remained mostly similar in text, labeled “Academic Misconduct”: “Failure to show integrity in meeting academic obligations includes but is not limited to: cheating, plagiarism, forgery, and the unauthorized use of materials prepared by another person. (See also, **Academic Dishonesty**)” (p. 28). The text of the policy changed in the 1996-97 *Student Handbook*, with the label of “Academic Misconduct/Dishonesty”.

In the 1997-98 *Dragon Details: Student Handbook*, the “academic dishonesty” policy changed with the introductory statement replaced with the following: “The University expects all students to represent themselves in a honest fashion, that includes presentation of original ideas

and giving credit for the ideas of others. Faculty determine the occurrence of academic dishonesty” (p. 56). This policy with the previous noted changes was repeated in the student handbooks through 2000-01.

The “academic misconduct” policy changed in the 2001-02 *Student Handbook/Daily Planner*. The formatting changed: an alpha-listing of the two components of plagiarism was created. Beyond this edit, the policy was repeated through the last text of this study, the 2006-07 *Student Handbook*.

In the 2001-02 *Student Handbook/Daily Planner*, the “Academic Honesty” policy was noted “approval pending” within the title. This policy started on the first page of the policy section immediately following the daily planner pages and continued on to the next page, under the heading “Student Policies.” As previously described, the policy stated the expectation of students completing their work. The policy also stated that instructors may assign failing grades if they have convincing information of a student’s academic dishonesty. While it was considered “pending” in the 2001-02 *Student Handbook/Daily Planner*, the policy appeared to be approved: the policy was repeated through the last book of this study, the 2006-07 *Student Handbook/Daily Planner*.

There were two policies within the books reviewed for this study: the academic dishonesty policies appeared to emphasize the importance of scholarly work, and the academic misconduct policies centered on the definitions of cheating and plagiarism. Both of these policies were coded in the academic integrity category. The two separate policies were included in the state college and state university eras of the institution.

## **Damage to property**

There were policies specific to prohibiting students from damaging property, including that of the institution. These policies were coded within the risk reduction category and the off-campus expectations category as the policies included on- and off-campus behaviors. The first reference of damage to property occurred in the first books reviewed for this study, starting in 1892-93. With a void during the teachers college years, similarly stated policies appeared again during the state college years in the 1969-70 *Moorhead State College Handbook* through the state university years, including the last book reviewed in the 2006-07 *Student Handbook/Daily Planner*.

Starting in the normal school era, the first reference to direct students not to damage to campus property was in the 1892-93 *Annual Catalogue* within the “students” policy. As previously described, the policy stated students specifically had a responsibility to preserve the property of the school, including the buildings and grounds. This policy burdened students with personal responsibility for ensuring there was no damage or destruction of the property of the institution. This policy was included in the annual catalogues through 1903-04. The policy did not appear again until the state college years: In the 1967-69 *Bulletin*, under the “Conduct” subheading within the “Student Information: Student Responsibilities and Obligations” section. The text in this policy is similar to that printed in the 1892-93 *Annual Catalogue*, specifically identifying a student’s personal responsibility. This policy was not repeated in additional texts within the scope of this study.

Then in the state university era in the 1994-96 *Student Policy Handbook*, there was a policy specific to campus property: “theft and damage to property.” In addition, there was a policy labeled “unauthorized use of campus property.” The “theft and damage to property”

policy was repeated in the books, with some changes in the label. This policy was repeated in the 1996-97 *Dragon Details: Student Handbook* under the label of “theft and damage to property.” Then the label of the policy changed to “theft, vandalism, defacement and damage to property” (item numbered 18 within the Student Conduct Code section) in the 2001-02 *Student Handbook/Daily Planner*. In the 1996-97 *Dragon Details: Student Handbook*, there was an additional statement added to the “unauthorized use of university property” policy. While very similar, both of these policies, “Theft, Vandalism, defacement and Damage to Property” and “Unauthorized use of university property” appeared in the texts through the 2006-07 *Student Handbook/Daily Planner*.

The first version of the damage to property policy appeared during the normal school era, specific to on campus property. Then the “conduct” entry was printed during the state college era. Finally, the two policies regarding university property and damage to property, including off-campus behavior, appeared during state university era. As noted through the quotes of the policies, there were significant changes from the first policy printed until the last one.

### **Smoking**

The first smoking policies appeared during the teachers college era and included reference to state law. These policies were coded within the criminal behavior category. Then in the 1950-51 *Student Handbook*, the policy was printed without reference to state law, allowing for smoking to occur on campus with some limitations of where students could smoke. Later in the 2001-02 *Student Handbook/Daily Planner* during the state university era, the policy included references to concerns for health and limited most of campus as being smoke-free. These policies without reference to law were coded in the risk reduction category.

The first policy that referenced law or unlawful behavior was in the 1935-36 *Dragon Guide Book*, under the “General Regulations” in the “No Smoking” policy with the following text: “Under the laws of Minnesota, smoking is NOT allowed on the College grounds by any student” (p. 10). This same policy was repeated in the 1939-40, 1940-41, and 1942-43 student handbooks.

The first smoking or tobacco use policy without reference to state law was in the 1950-51 *Life on The Great Circle [Student Handbook]*. This policy continued to appear in the student handbook, modified as the limitations of where not to smoke and the designated allowable areas for smoking changed. For example, in the 1977-78 *Student Handbook*, the policy stated: “Smoking isn’t allowed in any instructional area, classroom, laboratory, seminar room, library area, auditorium, or the fieldhouse. Smoking will only be permitted in designated areas” (p. 41).

Then in the 1996-97 *Dragon Details: Student Handbook*, the policy significantly changed as it expanded to include prohibitions, permitted areas, and authority information and suggestions. This version of the smoking policy continued with limited edits until the 2001-02 *Student Handbook/Daily Planner*. As previously quoted, this policy stated tobacco use was a health concern, and the campus was a tobacco-use free area, including University vehicles and equipment. Following this “policy statement,” the text included a section of “guidelines,” which was a list of ten items including prohibitions, exceptions, enforcement, designated areas, and smoking cessation information. This version of the smoking policy continued through the 2006-07 *Student Handbook/Daily Planner*.

The first non-smoking policy cited stated law, appearing during the teachers college era of the institution. There were significant changes in the mid-1950s, with the removal of state law

reference; this was also during the teacher college era. The policy continued to appear through the state university era, restated without reference to state law.

### **Alcohol and Other Drugs**

The alcohol and other drugs policies were coded in three different categories. First, the policies identified prohibitions of alcohol and other drugs on campus, which were coded in the risk reduction category. The policies that included reference to unlawful behavior were coded in the criminal behavior category. The policies that included reference to school-sponsored activities that were off-campus events were coded in the off-campus criminal behavior category. These policies first appeared in the 1969-70 *Moorhead State College Handbook*, which was during the state college era, and continued through the 2006-07 *Student Handbook/Daily Planner*, which was during the state university era.

Starting in the state college era, the first alcohol on-campus policy without reference to illegal or unlawful behavior was in the 1969-70 *Moorhead State College Student Handbook*. This policy appeared under the label “alcohol”: “No person shall possess or consume alcoholic beverages of any kind within the confines of land designated as college property” (p. 2). Within the same text, another entry regarding alcohol and referenced criminal law was stated in the listings of “general rules and regulations” within the conduct statement. Due to the reference of state law, this second entry was also coded within the criminal behavior category of the unlawful actions theme. In addition, the inclusion of “college sponsored events” resulted in the policy coded for off-campus criminal behavior as well. This second policy was repeated in the student handbook books through the 1992-94 *Student Policy Handbook*, stretching into the state university era.

Then in the 1994-96 *Student Policy Handbook*, the policy entries for alcohol and drugs were separated into two: the “unlawful use and possession of alcohol” and the “unlawful use and possession of drugs.” These policies continued to provide expectations that corresponded with state law and off-campus, being coded as such. In the 1996-97 *Dragon Details: Student Handbook*, the unlawful use and possession of drug policy entry remained the same; however, the “unlawful use and possession of alcohol” entry included the addition of the specific Minnesota state statute that prohibited the sale of alcohol near the university and the measurement of alcohol by volume. This was the first reference within the policy to indicate to students that the law for students on campus was different due to state laws prohibiting alcohol on campus. With some minor additions to the text, this policy continued to be repeated in the student handbooks through 2001-02. In the 2001-02 *Student Handbook/Daily Planner*, there was added language to the policy regarding driving under the influence: “Driving under the influence (DUI) Minnesota Law makes it illegal to drive while under the influence of alcohol, a controlled substance or both. A blood alcohol level of .10 or more is considered intoxicated” (second page following the “violations” heading within the “Student Conduct Code”).

In the 2005-06 *Student Handbook/Daily Planner*, there were additional paragraphs added to the “unlawful use and possession of alcohol” policy. This included a listing of health risks associated with eight different drugs and the legal consequences not just for driving while under the influence but also the criminal law misdemeanor citation for being under the age of 21 having consumed or possessed alcohol and the criminal law gross misdemeanor for aiding minors (p. 158). The version of the “unlawful alcohol” policy changed again in the 2006-07 *Student Handbook/Daily Planner*. The initial paragraph remained the same, with the reference to Minnesota State Statute 304A. However, beyond the first paragraph, the other four paragraphs

were new. They addressed the Minnesota State Colleges and Universities System policies related to alcohol and other drug limits on campus, the concerns related to alcohol and drug abuse, and the referral of students concerned about medical and psychological issues to the campus health center. This was the last book within the review of this study.

The alcohol and other drug policies accounted for a large number of codes (1648) that included the risk reduction category, the criminal behavior category, and the off-campus criminal behavior category. As noted above, some policies represented multiple codes due to the multiple behaviors prohibited in the policy. These policies started in the state college era and continued through the state university era.

## **Weapons**

The policies about weapons initially did not include reference to the law or unlawful conduct and were coded risk reduction. These policies were published during the state college era through the state university era. The policies that referenced unlawful conduct were coded criminal behavior, which were in the state university era.

The first weapons policy appeared in the 1969-70 *Moorhead State College Handbook*: “Possession of firearms and lethal weapons is prohibited” (p. 15). This was a time of student unrest and national movements involving matters of civil rights and protests of the Vietnam War. In 1971-72, the weapons policy included the addition of “explosives” (p. 10). The policy continued in the handbooks through 1990.

Then in the 1992-94 *The Student Policy Handbook*, the policy was labeled “unlawful use or possession of weapons” (p. 28). This version of the policy was significantly different than previous ones: “Use or possession of weapons on University premises, unless expressly authorized by the University. ‘Weapon’ is broadly defined to include but it not limited to:



explosives, explosive fuels, dangerous chemicals, billy clubs, fireworks, dangerous knives, and guns” (p. 28). This policy provided several examples of weapons, and it exempted authorized use and possession on campus. This version of the policy continued as stated here. Then in the 2003-04 *Student Handbook/Daily Planner*, the policy was revised to include the Minnesota state legal definition of weapons. This wording of the policy was repeated, appearing in the last handbook within this study: 2006-07.

The first weapons policy did not cite state law and appeared during the state college era. With the addition of “explosives,” the policy continued into the state university era. Then in the 1992-94 *Student Policy Handbook* the policy was labeled “unlawful”; however, the policy language itself did not include reference to state law until the 2003-04 *Student Handbook/Daily Planner*, which was repeated through the 2006-07 *Student Handbook/Daily Planner*.

### **Sexual Misconduct**

The sexual misconduct policies first appeared in the 1969-70 *Moorhead State College Handbook*, which was in the state college era, and continued in a modified version through the 2006-07 *Student Handbook/Daily Planner*, which was the state university era. The first sexual misconduct policies were coded risk reduction. The protected class policies, which included sexual harassment and sexual violence, were coded in protected class respect category. While not specifically identifying the law, the change in the policy as reflected in the coding closely aligned with amendments to the Campus Crime Act: in 1992, there were additional requirements for policy to prevent sexual assault.

In the 1969-70 *Moorhead State College Handbook*, the “general rules and regulations” included item F: “Students who develop problems in the field of sexual behavior, including deviant sexual conduct, are usually considered subjects for counseling. [...] However, instances

of extreme or aggressive misconduct may result in disciplinary action” (p. 37). This policy was repeated through the 1983-84 *Student Handbook*. In 1984-85, the policy language changed to specifically include the use of alcohol and other substances as part of the sexual assault. The policy was repeated and then changed again in the 1987-88 *Student Handbook*, in item H: “The imposition of sexual behavior on others is considered a violation of student’s rights. Actions involving sexual intimidation, sexual abuse, or sexual assault constitute a violation of the University Conduct Code and will result in disciplinary action” (p. 38). The policy repeated through the 1994-96 *Student Policy Handbook*.

The next significant change to the policy was in the 1996-97 *Dragon Details: Student Handbook* under sexual misconduct within the listing of violations: “Acts of sexual violence, assault or abuse, such as rape, acquaintance rape or the imposition of sexual behavior on others will not be tolerated” (p. 71). The policy was repeated and then changed in the 1998-99 *Student Handbook*, using the language of “non-consensual physical contact” and defining consent (p. 74). This policy continued through the 2006-07 *Student Handbook/Daily Planner*; however, the label of the policy changed to “sexual violence” (p. 31) that year.

Sexual violence and sexual misconduct are considered extreme forms of sexual harassment. Thus, it is important to recognize the student misconduct policies specific to sexual harassment, which were often included in the policies that identified protected classes. In 1972, the creation of the federal Title IX of the Education Amendments solidified sex as a protected class for the inclusion of prohibited student conduct. These policies were separate entries from the conduct statements and conduct code listings of violations but were included in student handbooks as expectations for students to adhere to.

The first example of the protected class policies was the three-paragraph entry within the 1977-78 *Student Handbook*. As previously described, the policy included all protected classes and included the language of “equal opportunity” and “non-discrimination” (p. 32). The policy was repeated in the 1978-79 *Student Handbook* with the addition of examples of state or federal laws: “including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974” (p. 36). Then in the 1980-81 *Student Handbook*, there was no entry for all areas of protected classes; rather, there was an entry for “sexual harassment policy.” This policy appeared again in the 1981-82 *Student Handbook* through the 1990 *Student Policy Handbook*. In the 1990 book, the text was expanded to include specific language about campus community members expecting to not experience sexual harassment, including sexual violence. The policy language included detailed definitions of sexual harassment. The policy changed again in the 1992-94 *Student Policy Handbook* with the inclusion of the full Minnesota State University Board policy. This policy included sexual and gender harassment as well as sexual violence. The full text of this policy is included in Appendix K. These policy changes aligned with changes on the federal level. In 1992, the US Congress pass the Campus Sexual Assault Victim’s Bill of Rights, which required colleges and universities to provide more equitable treatment to reporting parties and to provide additional support and resources. The policy appeared again in the 1994-96 *Student Policy Handbook* with the modified title of “Moorhead State University Discrimination/Harassment/Violence Policies” (p. 8). This policy included additional text following the “sexual violence or assault acts” section, with a subheading of “The Victim’s Rights” and nine items, referenced from the Minnesota State Statutes Section 135A.15 (pp. 8-9). The version of this policy was printed in the 1996-97 *Dragon Details: Student*

*Handbook*. This policy continued, further defining and detailing sex discrimination, sexual harassment, and sexual violence among other protected classes. This extended, detailed policy was repeated through the 2006-07 *Student Handbook/Daily Planner*, which was the last book reviewed for this study.

There were two policies within the books reviewed for this study: one within the conduct statement or conduct code and the other provided separately in the student handbooks. The listing within the conduct statement started in the 1969-70 *Moorhead State College Handbook*, which was coded in the risk reduction category. The other policy statements specific to equal opportunity and nondiscrimination first appeared in the 1977-78 *Student Handbook*, which were coded in the protected class category. Both these policies started in the state college era of the institution and were repeated in modified versions through the state university era.

### **Summary**

The policies for prohibited student conduct changed and evolved along with the normal school that evolved into a comprehensive state university. There were policies that were coded within one category that changed over the four eras of this study. There were other policies that were coded in multiple categories and were represented in two or three eras. The policies of most significance were those for class absences, academic integrity, damage to property, smoking, alcohol and other drugs, weapons, and sexual misconduct.

**Question 2: How have the student conduct policies at MSUM changed during the time span of 1887 through 2007 given the growing legalistic climate of college students' rights and court decisions?**

In Chapter 3: Review of Literature, information was presented regarding a number of model codes of conduct published from 1979 through 2006. The student policies coded in this

study that started in 1969 through 2007 represent a similar structure and similar policies to those within the model codes. The policies from 1969 through 2007 reflect the increases of federal laws concerning alcohol and other drugs and prohibitions of protected class harassment and discrimination. To illuminate this, the following are examples of the alcohol and other drug policy changes and the discrimination policy changes.

### **Alcohol and Other Drugs**

Alcohol and other drugs were addressed through policies that represented limit and oversight as well as unlawful actions. There were changes within these policies that are noteworthy in reviewing the legalistic language and changes that occurred. At times, specific laws were cited while other times the language closely aligned with that found in criminal law. For example, in 1969-70 the alcohol and illegal drugs policy within the general rules and regulations listed in the student conduct statement stated:

The use or possession of alcoholic beverages or illegal drugs on the college campus, in the dormitories, or at college sponsored events is prohibited by state law. Illegally selling alcoholic beverages or selling or using illegal drugs, may lead to disciplinary action.

*(Moorhead State College Student Handbook, 1969-70, p. 37)*

This statement used the word “illegal” drugs, which is legalistic language. This policy continued to appear in the student conduct statement for several years. In 1987-88, there was an additional policy that appeared, separate from the student conduct statement: chemical abuse policy. The policy repeated the alcohol and illegal drug prohibition as stated in the general rules and regulations section while also addressing a broader scope of information, including education and screenings offered to students in a more comprehensive manner to address substance abuse with students.

Then in the 1990 *Student Policy Handbook*, the language in the chemical abuse policy changed to include a legalistic reference to alcohol: “the unlawful use, possession, or distribution of alcoholic beverages or illegal drugs at University sponsored events, on or off-campus, is prohibited by federal and/or Minnesota State Law” (p. 12). In this policy, the use of the word “distributed” increased the seriousness as it went beyond campus policy to mirror criminal law. In the 1994-96 *Student Policy Handbook*, there was no alcohol or other drug policy beyond the conduct code, which included a policy paragraph for unlawful use and possession of alcohol and a separate entry for unlawful use and possession of drugs, including clear legalistic language. The unlawful use and possession of alcohol policy stated:

Unlawful use, possession, and distribution of alcoholic beverages or open alcoholic beverage containers on University property, including residence halls, or at University sponsored events on- or off-campus regardless of age. This is also prohibited by federal and Minnesota State Law. (p. 28).

The paragraph regarding drugs stated:

Unlawful use, possession of any controlled substance, drugs, or drug paraphernalia on University property including residence halls or at University sponsored events on- or off-campus. This is also prohibited by federal and Minnesota State Law. (p. 28)

The use of the words “open alcoholic containers,” “controlled substances,” and “paraphernalia” closely aligned with language used in criminal law. On the last page of the 1994-96 handbook, there was a section with the heading “Moorhead City Ordinances” (p. 39), which consisted of information paragraphs about city liquor ordinance, legal drinking age, driving under the influence, and noise party ordinance. The lower half of this page included the “likely consequences of a conviction for driving while under the influence of alcohol and drugs” (p. 39).

In the 1996-97 *Dragon Details: Student Handbook*, there was a section under “student policies” with the subheading of “substance use and abuse policy” (p. 55). This policy included similar language to that which was previously used within the chemical abuse policy: “The unlawful use, possession or distribution of alcoholic beverages or illegal drugs at University sponsored events, on- or off-campus, is prohibited by federal and/or Minnesota State Law” (p. 55). Also in this policy section, the information regarding the Moorhead city ordinances and possible consequences for driving under the influence convictions was printed. Within the listing of prohibited conduct of the 1996-97 handbook, the policy paragraph regarding alcohol included the prohibition of alcohol sales within 1,500 feet of the campus and the definition of an alcoholic beverage, both of which included a reference to state law. The alcohol prohibition concluded with a statement that called attention to the fact that students could be over the age of 21, which was the legal age to drink, but still limited students: “Students should note that even though they are of legal age to consume or possess alcohol, MSU and State University policies prohibit the use or possession of alcohol or illegal drugs on the campus” (p. 72).

There was another significant shift in language in the 2001-02 *Student Handbook/Daily Planner*. In this handbook, there no longer was a substance use and abuse policy. The alcohol and illegal substances policy was included within the student policies section. This was only one paragraph of text, shorter than what previously had been included in the handbooks. The policy stated prohibitions of “illegal drugs” and “the illegal use of or possession of alcohol” on campus and at sponsored events (p. 150). This policy language referenced state law in regards to drugs and the system policy in regards to alcohol. This language no longer used words such as “controlled substances” or “drug paraphernalia.” Within the listing of the prohibited conduct of the 2001-02 handbook, the policy paragraphs were the same as those referenced for the 1996-97

handbook. There was an additional statement in the unlawful use and possession of alcohol paragraph: “Driving under the influence (DUI.) Minnesota law makes it illegal to drive while under the influence of alcohol, a controlled substance or both. A blood alcohol level of .10 or more is considered intoxicated” (p. 175). This additional statement continued to reference legal aspects of state law.

The policy language noted above from the 2001-02 *Student Handbook/Daily Planner* continued through 2003-04. In the *Student Handbook/Daily Planner* of 2003-04, the language expanded within the listing of prohibited conduct to include “possession, consumption, intoxication, distribution, open alcohol containers on University property” (p. 144). The behavior included in this policy increased and created a closer alignment to language within criminal law.

The policy language noted above from the 2003-04 *Student Handbook/Daily Planner* was similar to that in the 2004-05 *Student Handbook/Daily Planner*. However, the language changed within the listing of prohibited conduct as there was additional language regarding public intoxication and alcohol abuse. While there was no state law citation, both of these additional sections incorporated language similarly used in criminal law. Then in the 2005-06 *Student Handbook/Daily Planner*, the unlawful use and possession of alcohol policy section included a paragraph for campus discipline and alcohol prohibited conduct, alcohol and drug health risks, and legal consequences. There were several places where criminal laws and legalistic language were used to present prohibitions of student behavior and expectations.

In the 2006-07 *Student Handbook/Daily Planner*, there was an entirely new policy. Within the handbook before the pages of the conduct code, there was a section entitled university policies with a policy of entitled “MSUM Student Alcohol and Other Drug Policy” (p. 23). The full text of this policy is included in Appendix L. This policy included a general philosophy



statement, definitions, policy sections with seven separate areas of prohibited behavior, and sanctions for student found in violation of the policy. Within this policy, there were references to unlawful behaviors related to alcohol and illegal drugs. One section of the policy also included being cited by local law enforcement. Then within the prohibited conduct section of the student conduct code, unlawful use and possession of alcohol and unlawful use and possession of drugs continued to be printed. However, the entry for alcohol was limited to that which had appeared in the 2003-04 handbook as noted above, with reference to state law but not as extensive to as many laws as had appeared in the two years of handbook text between 2003-04 and 2006-07.

### **Protected Class Harassment and Discrimination**

The policy statements prohibiting protected-class harassment and discrimination was defined by state and federal law. As noted in Chapter 3, federal laws were written in the 1960s and 1970s that identified race, color, national origin, sex, and disability as protected classes. There were additional classes included at the federal and state level over time.

In the 1977-78 *Student Handbook*, the first policy about protected class harassment and discrimination was printed. This policy immediately followed the conduct code statements section. In 1978-77, the policy included additional language that referenced Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974. Similarly, this policy statement was printed immediately after the conduct code statements. The equal opportunity policy was omitted in the 1979-80 handbook; however, the 1980-81 *Student Handbook* included a sexual harassment policy, including a definition: “Sexual harassment is defined as the use of institutional power or position to impose unwanted, sexual related verbal or physical actions on another person” (p. 55).

The sexual harassment policy continued through the 1990 *Student Policy Handbook*; however, there were changes to the language. This policy statement was expanded from the previously stated one, including violence and assault. The policy aligned with the federal legal language regarding sexual harassment. In addition, the policy clearly referenced possible criminal complaints based on this behavior.

The 1992-94 *Student Policy Handbook* included a policy entitled “Sexual/Gender Harassment, Sexual Violence, and Racial and Disability Harassment” (p. 10). The policy stated the Minnesota State University Board adopted the policy in 1986 and amended it in 1991. However, this was the first time this policy appeared in the student misconduct policies. The policy defined the following: sexual harassment, gender harassment, intolerance/harassment based on sexual orientation/affection preference harassment, sexual violence or assault acts, racial intolerance/harassment, and disability intolerance/harassment. Each section of the policy referenced prohibited conduct of board policy as well as noting the legality.

In the 1996-97 *Dragon Details: Student Handbook*, the same policy from the 1992-94 handbook appeared; however, there was additional information provided as an introduction of the Non-discrimination/Harassment/Violence policy statements. This policy provided a comprehensive listing of the state and federal defined protected classes (that existed at the time) and explicitly stated the prohibitions of behaviors. The policy addressed harassment and discrimination based on these classes, and there was a separate reference to sexual violence, which is often considered an extreme form of sexual harassment. This policy included some minor modifications, and it was printed repeatedly through the 2006-07 *Student Handbook/Daily Planner*.

## Summary

The data analyzed for this study included the student misconduct policies during the timeframe of 1887 through 2007. The first era of the institution was normal school years (1887 through 1920), which resulted in zero codes that were identified within the unlawful actions theme. The second era, teachers college years during 1921 through 1956, included four codes. Then during the third era of the institution, the years of 1957 through 1975, there were 24 codes within the unlawful actions theme. These codes included policies for illegal drugs in 1969-70, 1970-71, 1971-72, 1973-74, and 1974-75. There was one policy related to harassment via the telephone (in 1969-70). The remaining codes were for policies specific to use of public property per state of Minnesota law, traffic regulations, obscene and libel language, and interference with free speech. The final era was state university, during the years of 1975 through 2007, when there was a significant increase of codes (of 857) within the unlawful actions theme. These codes included policies for alcohol and drugs in each year with multiple policies for each year. There are multiple policies related to harassment and discrimination based on protected class, often those identified on a federal level but also including those specifically by the state of Minnesota. The remaining codes were for policies specific to threats, tobacco, immunizations, weapons, gambling, and electronic systems of the university.

The growing legalistic climate of college students' rights and court decisions was reflected in changes within the student misconduct policies at the institution. While the early policies at the institution were centered on the student and their experience while enrolled, an increased proportion of the policies within the last five decades of the study referenced criminal law, state statute, and federal law. In addition, there were specific terms and concepts in the policies that echoed criminal law.

**Question 3: How does the code of student conduct at MSUM reflect contextual landscape of the institution and the leadership of the institution?**

The code of student conduct policies regarding student misconduct reflected the contextual landscape of the institution and leadership of the institution, including the scope of the institution, the controlling factors of the state governing board, and the engagement of students. In Chapter 2: Historical Context, information was presented regarding the contextual landscape and the leadership of the institution, ranging from 1887 through 2007. Table 9 provides a tally of the policies coded in each theme per each era of the study (1887 through 2007).

**Table 9**

*Numbers of Codes within Each Theme per Era*

	<b>Normal School (1887-1920)</b>	<b>Teachers College (1921-1956)</b>	<b>State College (1957-1974)</b>	<b>State University (1975-2007)</b>
<b>Limit and Oversight</b>	90	320	191	790
<b>Academic Expectations</b>	10	76	50	85
<b>Unlawful Actions</b>	0	4	24	857
<b>Off-campus Oversight</b>	24	35	25	373

**Normal School Era**

**State level control by the Board of Normal Directors.** The Normal School Act of 1858 in the state of Minnesota established the funding for four normal schools in the state, with the school in Moorhead becoming the fourth location. Many of the rules and expectations of how the school was managed came from the governing board’s guidance. In the 1892 *Annual Catalogue*, there was a section entitled “pupils,” which stated, “Sections 1, 2, and 3 of Article VII, from the By-Laws, Rules and Regulations adopted by the Board of the Normal Directors, clearly stated

the relations of pupils to the school” (p. 25). This same reference appeared in the 1894 through 1903 *Annual Catalogue* texts with the heading of “pupil” changed to “students” and then “the school.”

**School structure and mission of Normal School at Moorhead.** The normal schools were places where individuals who had received a common school education, most similar to elementary level schooling, were trained to be teachers in common schools. The aim and purpose of the normal school at Moorhead was described as follows in the 1892 *Annual Catalogue*:

The design of a normal school is without doubt professional, aiming to prepare its pupils to teach in the public schools of the state. To this end, it is of the greatest importance that its graduates possess a thorough and even minute knowledge of such branches of learning as they may be called upon to teach. [...] While as far as possible it will be the duty of this school to make its graduates self-reliant, it will also try to cultivate in them a modest, docile spirit which shall always make them willing and ready to profit by the experience of those older and wiser than themselves and under whose supervision they may be called up on to work. (pp. 16-17)

The aim and purpose changed and evolved through the normal school years but remained closely similar to the one provided above. In the 1920 *Bulletin*, the purpose of the school was stated:

The Normal School is maintained for the purpose of preparing teachers for the public schools of the state. While its work is essentially technical, its courses of study possess marked cultural values and afford a liberal education, as effective as is possible in the length of time. (p. 12)

As described in chapter 2, the courses and curriculum at the normal school evolved beyond the narrow focus of common school teacher training and responded to the kindergarten through

eighth grade and then through high school evolving curriculum. Teachers in the rural school settings were expected to teach multiple subjects, as was true with the faculty and presidents of the early normal school. However, specialization grew, multiplying the courses that were offered, which was documented in the annual catalogues. In addition, Livingston Lord, president of the normal school at Moorhead from 1887 through 1898, firmly believed that students needed to know the intricacies of a subject before they would be able to teach it; this was the foundation for the how he managed the school and clearly was reflected in the early aim and purpose statement.

The *Annual Catalogue* texts in 1892 through 1903 provided a pledge that students were required to make in lieu of payment to the school. The pledge required students to promise they were over the age of 15, and they would teach in a common school in the state for at least two years. Per the pledge, students were required to report to the president of the normal school annually of their teaching appointment.

**Student conduct policies of normal school era.** The early dormitory living for students was largely based on need for space most specifically for girls in their teenage years. As the enrollment of the school grew, the need for living space increased. Similar to the curriculum of the school, the expectations for students living in the spaces increased as well as administrators were acting *in loco parentis*. There was a strong emphasis in students attending church and treating the dormitories similarly to how they had treated their family homes. In considering how students lived at home, their parents would have been there to establish limits and oversight. The codes for policies during this era directly reflected this as limit and oversight was the highest occurring theme.

## State Teachers College Era

**State level control by the State Teachers College Board.** The State Teachers College Act of 1921 in the state of Minnesota established the designation change for the six normal schools to be classified teachers colleges. The full listing of the state board members as appointed by the governor often appeared in every *Catalogue* and *Bulletin* of this era, on the page following the title page. There were a number of references to the state board within the courses, curriculum, and degree offerings of the institution. While the state board was charged with establishing rules and policies, the misconduct policies regarding students and expectations of their behavior did not appear with references or notations to the state board during this era.

**Changes and involvement at the teachers college.** The course catalogue and bulletin existed and provided much of the necessary information for requirements of admission, curriculum, and graduation requirements; however, the handbooks were a new concept. The student handbook from 1925-26 indicated that it was the first edition of a student handbook. The student handbook was created to provide guidance, at times echoing the admission requirements and also serving as “a convenient and useful addition to [students’] personal equipment” (*Student Handbook*, 1926, p. 3). In addition, there were church directories, school yells and cheers, and information for students to acclimate to the college.

There was peer-to-peer advice shared in the form of letters written by student commissioners to incoming students. The 1945-46 through 1949-50 *Student Handbook* texts provided a number of letters; some of the letters were acquainting students to campus while others were about specific areas of study. The 1953-54 and 1954-55 *Student Handbooks* texts included a letter from President Snarr, who strongly supported the personal and social growth course at the college. The 1955-56 *Student Handbook* text included a letter from President Knoblauch; the

letter was focused on students taking advantage of being admitted and enrolled, which not all young people had. Knoblauch had a background in the military prior to serving as president, which explained his pragmatic approach.

There was a section about student life, which first appeared in the 1925 *Bulletin* and continued through the 1940-42 *Bulletin* text, with some revisions. The 1925 *Bulletin* text stated the following:

No small part of higher education is the opportunity given the young men and women to learn to live with themselves. Every college campus is a miniature world in itself.

Dormitory life, that helpful participation necessary for the success of undergraduate organizations, and the social and intellectual atmosphere of the college as it is felt outside the class room, make two years of student life at Moorhead State Teachers College an experience of lasting worth. (p. 17)

This text highlighted the unique setting and community that the college created. There was also an emphasis on the opportunities to be connected to the community. The revised language included a reference to students living under supervision; the Dean of Women was described as the supervisor of women students (1924 & 1926 *Bulletin*).

**Student conduct policies of teachers college era.** During this time, students enrolling at the teachers college were older as they had received high school education prior to arriving at the college; the high school diploma was required for admissions. The population of the state of Minnesota and western bordering states continued to grow, which provided more students as well as more children who needed teachers. The enrollment at the teachers college increased, and the residential options for men to live on campus increased as well. During the teachers college era, there were times when the men enrollment out-paced women. There were policies that



limited students being able to live off campus; permission from the college president and later the deans of students had to be granted for a student to live off campus. While the age of those who enrolled at the teachers college was older than those who were enrolled during the normal school era, these individuals were often only in their late teenage years and early twenties. A majority of the policies during this era were focused on student housing, library regulations, and class absences. There was a brief surge in college loyalty policies related to freshman caps and buttons that were expected to be worn. In addition, there are policies related to expectations of students being involved in campus organizations. Similar to the normal school era policies, the limit and oversight theme was the highest occurring as administrators continued to serve in a care-taking role.

Furthermore, there were expectations that students would abide by the very same expectations while living off campus as those for students who lived on campus. The students who lived off campus were expected to fulfill their obligations while also conducting themselves in a refined manner, being punctual, offering consideration for others, and engaging in good workmanship. These off-campus living expectations reflected an increase in codes within the theme of off-campus oversight, which was the third highest occurring theme of this era.

### **State College Era**

**State level control by the State College Board.** The State College Act of 1957 in the state of Minnesota established the re-designation of teachers colleges to state colleges. The State College Board was defined as the following:

The State College Board, appointed by the Governor of Minnesota, exercises the final authority in the government of the college, within the limits fixed by the state legislature.

In exercising its responsibility, the Board delegates to the president of the college and

through him to the faculty, appropriate authority and jurisdiction over matters for which they are held accountable by the Board. These matters include educational policy and the development of a strong and efficient organization with which to accomplish the objectives of the college. (*Student Handbook*, 1969-70, p. 16)

The state board continued to provide oversight and rules for the college, similar to the structure of the normal school era and the teachers college era. The president of the college, and at times those he designated authority to, was responsible for the function of the college and the students enrolled there. During this era, Neumaier and Dille served as presidents at Moorhead State College, who were both advocates for equity and inclusion.

The 1969-70 *Student Handbook* text provided a summary about the prohibited conduct policies:

The policies and regulations contained in this handbook have been compiled from various policy statements adopted over a period of years, from common practices established in the past, and from the Rules and Regulations of the Minnesota State College Board. (p. 1)

The student misconduct policies were a reflection of the evolving campus community and the rules established by the state board. Further in, the text stated students could submit requests for changes to the policies and procedures to the student senate or “council on student affairs,” which may have required approval from the State College Board but would have needed the approval of the college president. Included in this text, the “council on student affairs” was described as being charged with focusing on student welfare, and the student-faculty committee was charged with working together to evaluate, recommend, and implement policy. Within the section of this text regarding the prohibited conduct policies, there were notations of the

following entities approving the statements in May of 1968: student-faculty committee, student senate, council on student affairs, and the president (*Student Handbook*, 1969-70).

**Transformation at the state college.** The enrollment of the college grew, and some students were able to attend given the assistance of federal loans. There were newly introduced higher admissions standards for students and an expansion of degrees. The characteristics of the student population changed.

There was a strong focus on the student experience of those who lived in the on-campus housing. In the 1957-58 *Bulletin* text, there was a reference to the housing on campus, stating, “social adjustment and effective student life is greatly stimulated by group living” (p. 20). While first appearing in the handbooks of the late 1950s, the on-campus housing transformative experience was repeated through the texts of the late 1960s. Under the subheading dormitory life, the following text was printed:

Dormitory life is considered by many an indispensable part of the American College. The stimulus of group living in a dormitory can do much to develop social maturity. The friendships based on the experiences of informal living in a comfortable dormitory have been described as very rewarding.

Believing that this aspect of college life is unique in its contribution to the development of students, the State College Board consistency has sought to expand and improve dormitory facilities at each of the state colleges. As the result of this policy, the college is now in the position to house most students not living at home in modern dormitories which are as fine as the best college housing. (*Bulletin*, 1959-60, p. 20)

Students living in the dormitories on campus were given opportunities to further their own personal growth in a comforting and supportive environment. There was support at the state level

to make the necessary updates to these facilities for students to get the most out of the experience. As stated in this quote, the administration at the college promoted the personal growth and development of students, believing this would transform students into the respectable citizens beyond graduation.

The 1965-66 *Bulletin* text included a section for student information with a subheading of student responsibilities and obligations. There were three areas listed in this subsection: conduct, discipline, and financial obligations. The conduct section included the following text:

An individual admitted to the privileges of attending Moorhead State College is expected to conduct himself as a mature citizen on and off the campus, and in general to demonstrate his worthiness to become the graduate of a collegiate institution. He is expected to comply with all the regulations established by the President and the faculty for the guidance and direction of students, including requirements for admission. He is expected to recognize a personal responsibility to preserve from damage or destruction the property of the State and the College. (p. 61)

This text provided a clear expectation about the foundation of student behavior. The texts from the normal school era and the state teachers college era were narrowed to focus on training teachers and grooming them to be models within the schools and communities the students would move on to. The students at the state college had a much broader range of goals and degrees to pursue. This excerpt from the 1965-66 *Student Handbook* provided some balance in continuing to have professional aspirations for students while also establishing the personal responsibilities.

**Student conduct policies of state college era.** The highest occurring theme during this era was limit and oversight, which is consistent with previous eras. However, the variety of

policies changed. There were several policies that focused on the health and well-being of students, including a required physical exam and an expectation that students report accidents and illnesses to the college nurse. Students' tobacco and alcohol use were limited. Students were also directed not to be disorderly, cause any damage on campus, nor loiter or trespass. There were policies about prohibiting the possession of firearms or lethal weapons on campus, and extreme or aggressive sexual misconduct was prohibited. Finally, there were living requirements, parking regulations, restrictions for freshmen women, and limits to the distribution of literature.

The other three categories were near similar in the number of codes from this era: off-campus oversight, unlawful actions, and academic expectations. As previously referenced, students were expected to abide by similar rules when living off campus as those who lived on campus. There were limits to alcohol and illegal drug use and possession, which extended off campus. Unlawful prohibitions included alcohol and illegal drug use, unlawful threats and harassment via telephones, failing to adhere to traffic regulations, and obscene or libel language and literature. Academic expectations were presented by policies that promoted academic integrity in coursework and limited disruptions to the classroom.

### **State University Era**

**Control by the State University System.** In 1975, the state university act by the state of Minnesota legislature designated the change of state colleges to state universities. There remained to be a state board with authority and oversight of the universities, not including the University of Minnesota which remained a separate entity. The 1975-76 *Student Handbook* referenced the State University Board (SUB), specifically Section 108 of the regulations that stated the university was to create regulations for the campus that had to be in accordance with the governing rules of the board. This text also referenced regulation 209 of the state board as the

basis for the university conduct statement, which was the section of the handbook text for most of the prohibited conduct policies that were coded for this study. Finally, this text included a reference to expectations of student behavior:

The State University Board Statement indicates that students are responsible for their conduct anytime they are in actual attendance, directly involved in college activities, or any time they are on college property. Alleged violations of law by a student which result in court cases may be subject to action by the Student Conduct Committee and the Office of Student Personnel, the action has seriously affected the well being [*sic*] of the student body. (p. 6)

The statement from the state board provided clear boundaries for the type of prohibited conduct policies that would be included in the text. The reference to the state board also provided recognition of the board as oversight.

**Elevation within the state university.** The University of Minnesota was chartered in 1851, which was prior to the 1858 legal existence of Minnesota statehood, and it first enrolled students in 1869 (Minnesota Commission on Higher Education, 1950). From this start to the state legislative state universities act of 1975, the University of Minnesota enjoyed the sole designation within the state. The 1950 *Commission on Higher Education* Report and the 1956 *Minnesota's Stake in the Future* Report created clear delineation of the education provided and populations served by the University of Minnesota that were distinctly different than those of other higher education institutions within the state. The state university designation allowed for the state colleges to elevate the advanced education offered.

**Student conduct policies of state university era.** The limit and oversight theme was the highest occurring in this era; however, it accounts for far fewer codes as it represented in the

previous eras. Many of the same policies within this theme from the state college era are again present in this era: expectations of personal integrity; limits to alcohol and tobacco use; prohibition of firearms, explosives, and lethal weapons; and prohibitions of extreme or aggressive sexual misconduct. The unlawful actions theme closely followed as the second highest occurring theme. The policies for illegal drugs and unlawful use and possession of alcohol multiplied during this era. In addition, there were additions of several policies related to uncivil, disruptive, or abusive language and substantial threats to the safety and welfare of campus community members. Starting in the mid to late 1990s, there were several policies related to computer and network systems as well as harassment and discrimination based on protected classes.

The other two themes were represented in the policies during this era: off-campus oversight and academic expectations. The third highest occurring theme was off-campus oversight, which extended many on-campus policies to off-campus settings: alcohol, illegal drugs, and controlled substance possession and use; physical harm and damage to property; gambling; and charges of breaking state or city laws. The least occurring theme during this era was academic expectations: showing integrity in all academic work and no plagiarism or cheating.

### **Summary**

As the mission and goals of the institution changed and grew in scope, the code of student conduct policies reflected the changed contextual landscape of the institution: first serving mostly women training to be teachers for elementary and high schools, next expanding the professional scope of the teaching profession and increasing men enrollment, then building out the curriculum to advanced degrees and additional program areas, and finally elevating to the

include degree expansion and federal and state mandates. The policies reflected the activities and consultative role of students, the leadership changes at the institution, and the continued guidance from the evolved state governing board.

### **Conclusion**

In this chapter, I provided information about the findings of this study, including answers to the three research questions. The answers to the questions were presented in relation to the four eras of the institution: normal school, teachers college, state college, and state university. The findings represented the nine categories and four theme areas of the student misconduct policies. The categories included risk reduction, campus expectations, academic integrity, academic engagement, criminal behavior, protected-class respect, off-campus risk reduction, off-campus expectations, and off-campus criminal behavior. The themes were limit and oversight, academic expectations, unlawful actions, and off-campus oversight. In Chapter 6, I provide a discussion of these findings. In addition, the implications for practice and future research is included.



## **Chapter 6**

### **Discussion**

This chapter offers a discussion of the findings presented in Chapter 5 and the four themes that emerged during data analysis: limit and oversight, academic expectations, unlawful actions, and off-campus oversight. In this chapter, I review how these themes reflect the areas described in the conceptual framework presented in Chapter 3. Finally, I offer thoughts regarding the implications for practice, the implications for policy, recommendations for future research, and closing remarks.

The purpose of this study was to use a qualitative historical research approach to learn how student misconduct policies evolved at Minnesota State University Moorhead, from the start of the institution as a normal school in 1887 through 2007 as a state university, including the considerations of a growing legalistic climate focused on college students' rights and court decisions within of the contextual landscape and leadership of the institution.

### **Revisiting History**

It is important for the history of something to be known as it sets precedent and creates a foundation for values. The existence and evolution of the code of student conduct represents a composition of the history and purpose of the institution. It is difficult for the administrators of institutions of higher education to know the right policies to have on campus. There are court decisions from the different regions of the country and from the supreme court of the land. Student conduct practitioners take lessons learned due to these court decisions, often involving other institutions, to reflect what relevant changes could be made within their own institutions. In addition, the birth of model codes (as noted in Chapter 3) resulted in some blindly adopted codes of student conduct as those providing them were (and often continue to be) respected leaders in

the world of higher education student conduct administration. Even though authors of these model codes indicate numerous notations for administrators to contextualize the code per campus, creating such a foundation may be beyond the perceived scope of the work or timeline. Consequently, these model codes without campus context may not actually be best suited for a specific campus. The history, values, and purpose of a campus are the key aspects for a code written with the best interest of students.

There was rich data in the archived documents of Minnesota State University Moorhead during the period of 120 years. This data allowed me to find trends in the student misconduct policies that communicated expectations held for students. The context of this study was provided in Chapter 2, which is necessary to understand these policies. This historical context started with the normal school in 1887, which was one of four in the state in the infancy of its statehood. The school was reclassified as a teachers college in 1921, which was one of six in the state. State legislatures designated the school as a state college in 1957, along with transitioning five other teachers colleges in the state. Finally, the college became a state university in 1975. For the purpose of this study, the first thirty-two years of the university designation were considered.

In 1887, the institution started as a normal school, centered on training individuals to be teachers. Students entered the school with a clear purpose for professional training. The policies during this time were concentrated on training the young student (minimum age of 15) how to behave on campus: don't litter, don't walk on the grass, and socialize in the social rooms, which were typically separated by sex. Beyond some general campus guidance, the policies were often directly connected to those defined by the state board. There was one primary theme that was represented in the codes for this era: limit and oversight theme. Given the broad assumptions of

*in loco parentis* during this time, this makes sense that the policies were centered on safeguarding students while also intruding on their personal decision-making and the professional training philosophy to prepare teachers aligned with limits and directions of the faculty.

The transition to a teachers college in 1921 continued the focus on the professional training of teachers with advanced knowledge; the oversight of the state board continued. The focus of board policies during this time appeared to be more specifically connected to who was eligible for admission and what degrees were offered. Students were enrolled longer and remained on campus for more years due to taking more courses to complete the required education. The expectations for students increased with more policies and so did the supervision by the Deans of Men and Women, as faculty abandoned these roles. There were also expectations of students showing their loyalty through wearing school caps, buttons, and school colors, which promoted a sense of community. Students were also directed to get involved in campus activities, which increased their marketability in finding a job after college. While still being directed by the *in loco parentis* guidance, the limit and oversight theme was most dominant again in this era. The off-campus oversight theme, which consisted of only two codes during the normal school era, had a stronger presence during this era due to the expectations for the increasing number of students who lived off campus. The expectations and promotion of risk reduction expanded beyond the boundaries of campus. These shifts in policy were consistent with the student personnel movement embraced in the 1930s. While seemingly coupled with *in loco parentis*, this movement went beyond supervision to include guiding and advising students (Worley & Wells-Dolan, 2012).

The state college designation in 1957 expanded the population of students beyond those who sought teacher training. The acknowledgement of the state board was more prominent in the student handbooks during this era, with clear references to the board authority and board rules and regulations. This re-enforced the idea that the school was within a state and system that served a specific need and population, which was detailed in the two reports commissioned by the state regarding post-secondary institutions. The college promoted the value and perceived personal growth for students who lived in on-campus halls, continuing to provide living spaces for students while also increasing expectations for those living off campus and away from the campus community reflected in the off-campus theme. There remained high standards for students in their association with the college; the limit and oversight theme continued to dominate within the codes from this era. This included policies that gave women more freedoms, with less restrictions on those over the age of 19, and expectations were made about respecting the money and property of fellow students. Respecting other students promoted a sense of community. The off-campus oversight theme remained a strong presence by addressing criminal-type behaviors and reducing the risky behavior that students engaged in related to alcohol and other drugs. What was previously assumed in regard to students acting with integrity in coursework now was plainly stated in the prohibited conduct policies, which increased the number of codes within the academic expectations. As with most student misconduct, once the behavior occurs in a manner that is tracked as trend, a policy was created to establish the prohibition against it. Thus, instructors having to confront growing trends of academic misconduct resulted in clearly stated policy to prohibit it. Similarly, illegal substances and unlawful actions were now specifically stated as prohibitions in the texts, which was reflected in the unlawful actions theme increases. The administrative policies on campus were seen separate

from criminal law; however, there was value in identifying the criminal behaviors that were trending with students as prohibitions. Then in the 1960s and 1970s, the supervision and advising concepts shifted to student development approaches as the diversity of enrolling students expanded, promoted by federal laws for returning servicemen, underserved populations, and federal financial aid (Worley & Wells-Dolan, 2012).

In 1975, the professional teacher training school became known as a state university. The number of policies and resulting codes multiplied during this era. Each of the four themes were represented in the codes. The limit and oversight theme occurred the most frequently, continuing to intrude on the personal lives of students while setting boundaries and expectations. The unlawful actions theme was close in second place, represented by the explicitly stated criminal-type of behavior that was prohibited on campus. Most significantly, alcohol and substance misuse grew as students experienced negative consequences from consumption and over-consumption. The alcohol and other drug policies expanded to include more substances and more limits. These limits extended to off campus, which is another area that showed increases in the number of codes. The academic dishonesty policies became more prominent and consistent in appearing in the student handbooks, which resulted in more codes.

Teachers of rural and pioneer town schools are often portrayed in contemporary media as being single, younger white women who were expected to live a modest life as a role model for all students. Knowing that student misconduct policies frequently are developed as a response to a significant situation or to set clear expectations, I naively expected stronger, more limiting policies in the handbooks of the normal school. Yet the policies there appeared to be more focused on easing the transition of recently graduated middle and then high school students to advance their education only to return to the classroom as a teacher. The early policies provided

structure and mentoring: making a commitment to remain at the school, establishing housing before the school had built student living spaces, directing students to study outside of class, and attending a local church of choice. These policies are consistent with the *in loco parentis* philosophy used by school administrators to directly manage students.

As a first-generation college student, I had many things to learn about traditions and the system within a university, which was 136-years-old when I first enrolled. There were well-established ways for me to get involved and build my school spirit. I was surprised to see the policies about the school beanies and buttons, which forced a shared experience, and the policies that specifically stated students were to develop school spirit and wear school apparel. Recognizing that students developing school spirit strengthens their connection to the school, which in turn promotes their persistence in enrollment, was aligned with the student personnel movement in guiding and advising students. Students were participating in wearing the beanies and buttons as member-only activities, which in turn the upper classmen and community members witnessed and at times served to affirm. The beanies, buttons, and apparel evolved to social expectations not specifically stated anymore but appeared in other ways, such as expected engagement activities during welcome week or homecoming. Similar to my first-generation college student thinking, the policies regarding beanies and buttons existed during a notable time in students' lives: often in their late teenage years as they were in the process of developing their sense of their socialized identities.

In addition, there was language in policies in the 1960s that surprised me with the direct nature that also assigned burden. In the 1965-67 *Bulletin*, the conduct policy stated students were to act as mature citizens on and off campus, and they were to “demonstrate [their] worthiness to become the graduate of a collegiate institution” (p. 61). These statements are examples of the

evolved advising and mentoring of student that emphasized student development, aiding students in their personal growth journeys. Similarly, the reference to demonstrating worthiness to administrators and faculty seemed to exaggerate a responsibility not just to themselves but to the college which is a burden. Often, these ideas and concepts continue to be considered values of the contemporary institution while not being plainly stated.

### **Reconnecting to the Conceptual Framework**

In Chapters 1 and 3, I presented a conceptual framework with four quadrants: *in loco parentis*, legalisms, academic misconduct, and off campus conduct. This framework was presented as a tool in the analysis of commonalities and absences in the policies during the time period identified for the study: the normal school years starting in 1887 through 2007 during the years as a state university. The four themes that emerged during data analysis corresponded to the areas presented in the conceptual framework.

The first characteristic was the *in loco parentis* concept, which essentially defined the role of faculty and administrators of the college or university to act in place of the parents of the students while the students were enrolled. This concept aligned with the limit and oversight theme. The private life intrusions are similar to the intrusive care believed to be important for students' success, as if guiding and setting boundaries for the child to arrive into adulthood. While many of the normal school employees focused primarily on teaching courses, the preceptress (and later the Dean and Counselor of Women and Dean of Students) focused on and cared for the students living on campus. These policies continued through the final years of the study. Institutions of higher education continue to have a heightened responsibility to their enrolled students. While many demographics of a largely "homogeneous group of young people, with life objectives, like interest, working and playing, under supervision" (Moorhead State Teachers

College, 1926, p. 18) enrolled at Normal School at Moorhead and Moorhead Teachers College, there were significant changes to the population enrolled at Minnesota State University Moorhead in 2007. Yet demands from stakeholders and the duty to care evolved with the changes of the institution.

The second characteristic was legalisms, which matched student misconduct policies to criminal and civil laws. These concepts closely aligned with the unlawful actions theme. These policies were specific to matters that were covered or identified by laws. There were no codes within this theme during the normal school or the teachers college eras, but there were a number of policies in the state college and state university eras. This increase displayed the growth of federal and state laws that mostly accounted for college and university-level compliance. This was most apparent in the number of policies that prohibited illegal alcohol and drug use, prohibited harassment and discrimination based on protected classes, and prohibited criminal or illegal behavior.

The third characteristic was related to academic misconduct, which included several behaviors that constituted cheating and plagiarism. This area was similar to the academic expectations theme. The codes in this theme were specific to the learning environment and student created work that was submitted for academic evaluation. There were no codes within this theme during the normal school or the teachers college eras. Professional schools often have a high standard of ethics; likely early educators took for granted individuals seeking professional teacher training to not be unethical in their work. Additionally, there were a number of hands-on training labs and technical work within the curriculum during these eras, which limited the opportunities students would have had to cheat, complete an assignment for someone else, or fail to cite or reference a published text. Conversely, if there had been an honor code at the



institution, the number of policies in this area would have been much higher. Finally, this is an area that faculty continue to manage, often independently, in order to find the best way to address the academic need versus taking a disciplinary approach. There are a number of institutions of higher education that have no academic misconduct policies in the code of student conduct due to bifurcation: academic policies remain solely within the purview of academic affairs.

The final characteristic was off-campus misconduct, which detailed the concept of evaluating factors of the behavior that occurred off campus relative to the impact on the mission of the college or university. These concepts aligned with the off-campus oversight theme. As implied in the labeling of the theme, these codes were specific to the actions and activities students were prohibited from engaging in while living and visiting off campus. During the early years of higher education institutions, many policies broadly addressed the teenaged student behavior, including those that occurred off campus, so the small number during the normal school era is not surprising. There was a strong representation of off-campus oversight during the teachers college and state college eras. This included the evolution of the teachers college era where administrators continued in a role of *in loco parentis* to traditionally-aged college students along with a greater number of men enrolled through the state college era, more students living off campus, and diversified student demographics given the expansion of course and degree offerings and intentional recruitment efforts. However, the number of policies multiplied by more than ten during the state university era. This increase supported an expectation that colleges and universities needed to clearly define off-campus prohibited conduct to ensure students' understanding along with the continued need to address off-campus student conduct when relevant.

## Implications for Practice

This study provides a framework to be used by other student affairs and student conduct professionals to evaluate the policies at the institution where they work. In this process, I shed light on the history and values of MSUM that have accumulated in the codes of student conduct through present day.

The model codes of student conduct have been offered to bring a high standard to the student conduct practices at colleges and universities. However, fully adopting these models without understanding the history of the institution's code risks disconnecting the policies from the values of the institution. This may also limit the inclusion and unique needs of the campus. These research findings allow for a student conduct practitioner to better craft the prohibited conduct policies for the code of student conduct on their individual campus. Codes of student conduct should present the distinct nature of the campus coupled with the numerous compliance aspects associated with higher education.

In addition, this research adds to the field of student conduct research. Student conduct practitioners often focus time on processes and procedures, evaluating and implementing a spectrum of resolution practices to best serve students and the campus community: responding to bias incidents, investigating sexual misconduct, promoting first amendment protections, intervening during behavioral situations, and addressing student organization misconduct. Yet the roots of student conduct practice are often bedded deep in policies. This research offers information about how deep these roots go, and it assists in the task of reviewing and updating a campus code of student conduct.

## Implications for Policy

In review of the results from this study, there are implications for policy. These implications are provided here for student affairs and student conduct professionals who may be leading or participating in a review of student prohibited conduct policies.

Based on the data, there is value in having policies that promote a sense of community while not intruding on the private lives of students. This sense of community may look like prohibitions of causing harm to others and damage to the learning-living environment on campus and online. In addition, the prohibited conduct policy may support a dynamic, social environment while also providing some limit and oversight, especially to situations directly related to the campus community. Clearly campus administrators are not in the position to parent students; however, the duty to care for students remains.

The policy language regarding academic misconduct needs to be clear and specific to what behaviors students are prohibited from engaging in while in the classroom or learning environment and encouraged to retain their integrity in completed coursework. In tandem, each faculty member has an opportunity to address nuances in the course syllabus or class setting of expectations and possible outcomes for misconduct. The concept of cheating may have roots in the past, but the digital age and use of technology requires the policy to have branches in contemporary times.

Student conduct administrators know the expectations and goals for matters involving federal and state laws that require compliance. One goal is to prevent the creation of prohibited conduct policies to read as criminal code. There have been judges in courts who have suggested that if a code is overly legalistic, the same standards used within criminal court will be used in evaluating the student misconduct matter when heard in the courts. As such, the policies need to

be written in a way that addresses the needs of compliance for federal and state laws and concurrently serving the campus and students' needs. In addition, there needs to be a gathering process for any state or governing system that may dictate or require approval of policies.

According to the results of the study, the expectations for students who live and socialize off campus need to be calibrated with factors as outlined by Kiplinger (2006) to create a nexus between the university and student misconduct. It is well-known that students' lives are not limited to on-campus; likewise, university sponsored events and activities are not limited to on-campus either. Any prohibited conduct policy that identifies off-campus student behavior must be clearly written for students of a diverse identity to understand and make sense.

The prohibited conduct policies are only a small section of the overall code of student conduct. Student affairs and student conduct professionals will serve students well by accounting for these implications.

### **Future Research**

This study represented an in-depth look at the prohibited conduct policies at one institution over an extended period of time. Only a small portion of the text was included in the study for coding purposes. A future researcher could seek more understanding of the institution through a closer examination of the student handbooks, including the orientation activities of the institution that were often included in the early (teachers college era) books and the letters written by presidents and student editors. In addition, there were four other early normal schools in the state of Minnesota established through the 1858 normal school act, and six schools that became teachers colleges in 1921. Future studies may consider the comparison and contrasting of the evolution of policies within these institutions. Finally, the Minnesota State Colleges and Universities Board of Trustees was created in 1991, which expanded the state board's role with

the oversight of universities along with community and technical colleges. A larger study that included colleges and universities within this system would add to the understanding of higher education within the state of Minnesota.

Another area for future research could use a critical lens to review language used in the handbooks related to inclusion. First, the normal school years and a notable portion of the teachers college years included a larger number of women enrolling with on-campus housing provided only for women. A future study could critically evaluate the policies that were written for women students versus men. In addition, the policy language regarding civility and respectful behavior would be an area of attention. Given these are concepts were created by older white men with dated ideas of society, future research could critically review the language used and the evolution of policy and expectations for students, especially as it has been and continues to be a predominately white institution with a noted enhanced recruitment of racially diverse students. Finally, there are many examples in the prohibited conduct policies that used male gendered pronouns along with policies that appeared to create different expectations for women versus men, which also provides an area for critical research.

### **Closing Remarks**

I studied the content of codes of student conduct, including published policies in student handbooks and some annual catalogues and bulletins, to find out how these policies or expectations for students changed overtime in order to provide insight of how they may have reflected campus culture. Every student handbook that I held and bulletin I downloaded presented a piece of understanding for the institution currently known as Minnesota State University Moorhead. Reading school poems, the welcome letters, and words from several presidents gave me a sense of connection to the spirit of the institution. This spirit was also

represented in the policies that communicated the expectations for those enrolled. This historical research provided policies within four themes: 1) limit and oversight, 2) academic expectations (per institutional practices), 3) unlawful actions, and 4) off-campus oversight. This framework will assist student conduct practitioners to deepen the work of reviewing and revising student misconduct policies, informed by history.

APPENDIX A

	Student handbook	Bulletin/ Catalogue	MISSING
888			1
1889			1
1890			1
1891			1
1892		1	
1893			1
1894		1	
1895		1	
1896			1
1897		1	
1898		1	
1899		1	
1900		1	
1901		1	
1902		1	
1903		1	
1904			1
1905			1
1906		1	
1907		1	
1908		1	
1909		1	
1910		1	
1911		1	
1912		1	
1913		1	
1914		1	
1915		1	
1916		1	
1917		1	
1918		1	
1919		1	
1920		1	
1921	1		
1922		1	

	Student handbook	Bulletin/ Catalogue	MISSING
1923			1
1924		1	
1925		1	
1926	1	1	
1927	1	1	
1928		1	
1929		1	
1930		1	
1931			1
1932		1	
1933		M*	
1934			1
1935	1	1	
1936			1
1937			1
1938		1	
1939	1		
1940	1	1	
1941		M*	
1942	1	1	
1943			1
1944		1	
1945	1	1	
1946	1		
1947	1		
1948	1		
1949	1		
1950	1		
1951	2		
1952	1		
1953	2		
1954	1		
1955	1		
1956		1	
1957	1	1	
1958		1	
1959		1	



	Student handbook	Bulletin/ Catalogue	MISSING
1960		1	
1961		1	
1962			
1963			
1964			
1965		1	
1966		M*	
1967		1	
1968		M*	
1969	1	1	
1970	1		
1971	1		
1972	1		
1973	1		
1974	1		
1975	1		
1976	1		
1977	1		
1978	1		
1979	1		
1980	1		
1981	1		
1982	1		
1983	1		
1984	1		
1985	1		
1986	1		
1987	1		
1988	1		
1989	1		
1990	1		
1991	M*		
1992	1		
1993	M*		
1994	1		
1995	M*		
1996	1		

	<b>Student handbook</b>	<b>Bulletin/ Catalogue</b>	<b>MISSING</b>
<b>1997</b>	1		
<b>1998</b>	1		
<b>1999</b>	1		
<b>2000</b>	1		
<b>2001</b>	1		
<b>2002</b>	1		
<b>2003</b>	1		
<b>2004</b>	1		
<b>2005</b>	1		
<b>2006</b>	1		
<b>total</b>	56	49	14

*Note.* 1= one book reviewed; 2= two books reviewed; and M\* = a multi-year text was accessed, reference prior year.

## APPENDIX B

### Text Reference Form

**Document Name:**

**Date of the document/text:**

**Archival Collections reference:**

**Place of publication/archive:**

**Author/department, office:**

**Context** (provide historical information related to the text):

**Language** (Make note of any distinctive words or phrases found in the text):

**General observations** (Make note of the paper textures, the type font/style, sizes, format, etc.):

**Authenticity** (Make note of the quality of the text):

**Audience** (Make note of who the original intended audience appears to be):

**Significance** (Provide a summary of the document content to further inform the context):

**Assumptions** (Make note of what assumptions appear in the text):

**Additional notes:** What additional information about the text, other information within the text, or student misconduct policies are worthy of noting?

**Possible source for triangulation:**

## APPENDIX C

### Codebook

Per Saldaña (2016), it is helpful to keep a list of the codes used during the coding process to assist with organizing and analyzing codes used. The list of codes became of reference list as I evaluated and re-evaluate the codes used for the policy entries. This list also assisted me in articulating the categories and themes that resulted from the coding I conducted on a large number policy entries (2954).

**Limit and Oversight.** Defined as restrictions and administrative control of students managing personal non-academic conduct and responsibilities in the campus environment.

**Limit and Oversight: Risk Reduction.** The risk reduction category included policies that had aspects of reducing possible injury or loss: do not disrupt or cause harm to others, do not damage campus property, do not use or possess substances (including alcohol, tobacco, and other drugs), and take care of self.

>> not to cause harm to other campus community members.

- for guests students are responsible
- do not endanger others or cause harm, no violence or threat of violence
- do not possession or use weapons, firearms on campus
- rights and safety to others
- filing false complaint
- extreme or aggressive sexual misconduct, sexual violence
- abusive, disruptive language, actions
- taking or threatening to take property of others/visitors

>> not to damage campus property

- do not damage or take property
- fire safety precautions
- unauthorized use, presence

>>limit ATOD (use or possess substances: alcohol, tobacco, and other drugs)

- do not smoke, where to smoke
- do not possess or use alcohol on campus
- do not possess or use drugs on campus

**Limit and Oversight: Campus expectations.** Defined as private life intrusions; expectations that limit and direct a student, such as when to study, where to live, what to do if ill, where to park, how to use the library, where/when to get involved, etc.

>> private life intrusions (behave in a certain way regardless personal preferences --no HARM to others)

- church attendance
- observe study hours
- limit student email use
- provide ID upon request
- complicity in prohibited acts
- see the nurse when ill
- required physical exam
- change bedding
- wear school colors/school loyalty
- write to parents; reflect on purpose for attending college

>> limits and direction (how to behave, act with integrity)

- comply with campus conduct process
- distribution of literature
- do not interfere with/disrupt campus processes/operations
- mail distribution
- no loitering or trespassing
- ordered and refined family-like conduct
- directions from the president
- lockers should be secured
- official compliance with school/college/university officials
- evince worthiness

### **Academic expectations**

**Academic expectations: academic integrity.** Prohibition of cheating, plagiarism, etc.  
related to work completed for academic assignments

>>Academic Integrity: General policy (handbook and catalogue entries that were outside the “violations” listing of the conduct statement/conduct code)

>>Academic Integrity: Conduct violation (handbook and catalogue entries within the “violations” listing of the conduct statement/conduct code)

**Academic expectations: academic engagement.** Matters specific to the learning environment, classroom behavior, and interacting with faculty

>>Class attendance and absences

>>Faculty office hours

>>Classroom disruptions

**Unlawful actions.** This category included illegal, unlawful, or law reference; legalistic language that reads most similar to criminal law; conduct that could result in the arrest of a student

**Unlawful actions: criminal behavior**

>>Unlawful ATOD

- Smoking (Mn state law)
- Illegal AOD (illegal possession, use, or distribution)

>>Unlawful weapons and threats to welfare

- Unlawful weapons
- Threat to welfare
- Lawful order

>>Internet and email compliance

- Computer compliance (Mn state act)
- Email compliance

>>Other legal matters

- Traffic
- Gambling
- Immunizations (state law)
- International students (federal law)
- Public property use (state law)
- Speech (1<sup>st</sup> amendment) --disorderly assemblages or conduct; telephones

**Unlawful actions: protected-class respect**

>>Based on federal and state law, protected classes are defined

## Off-Campus

**Off-campus: risk reduction.** The risk reduction category included policies that had aspects of reducing possible injury or loss: do not disrupt or cause harm to others, do not damage campus property, do not use or possess substances (including alcohol, tobacco, and other drugs), and take care of self. This off-campus category is specific to the policies that included references to these behaviors occurring off campus.

>>Harm to others

- civil court matters
- off-campus behavior that poses treat to university persons or property

>>Damage to property

- taking, damaging
- unauthorized borrowing
- destroying property belonging to the university

**Off-campus: expectations.** The expectations category addressed private life intrusions; expectations that limit and direct a student, such as when to study, where to live, what to do if ill, where to park, how to use the library, where/when to get involved, etc. This off-campus category is specific to the policies that included references to these behaviors occurring off campus.

>>Private life intrusion

- permission for boarding choice—off campus
- off campus misconduct (civil court reference: private disputes bw ppl)

>>Limit and direction

- regulations about being present on campus



- behaving responsibly off campus
- off-campus prohibited conduct

**Off-campus: criminal behavior.** This category included illegal, unlawful, or law reference; legalistic language that reads most similar to criminal law; conduct that could result in the arrest of a student. This off-campus category is specific to the policies that included references to these behaviors occurring off campus.

>>Illegal ATOD

>>Referrals to police (local law enforcement)

>>Threat to welfare

>>Gambling

## APPENDIX D

### Researcher Identity Memo

My research topic is codes of student conduct. I have been serving as a student conduct administrator since when I was a college student. First, as a student I had to learn the policies of the university and the residence halls I lived in. Second, I became a student employee as a resident assistant. I needed to have a firm grasp on policies as I confronted student whom were believed to be violating policy. I then was hired to be a graduate assistant hall director, where I trained the student staff regarding enforcing policies and then met with students accused of violating policy.

After completing my master's degree, I was employed as an instructor as a community and technical college. During that time, I had a couple of instances where I accused students of plagiarizing assignments that they had submitted. This behavior was a violation of the code of student conduct at the college.

I was hired in a student conduct office at a university where I met with students accused of violating university policies. I served as a supervisor to the professional staff within Housing department who met with students for alleged violations within the individual residence halls, and I served as an advisor for a three-member committee who met with students for the most serious violations of the code of student conduct.

I come to the world of student conduct with the belief that students are good people who may make poor choices from time-to-time. It is in the reflection of the choices made, that may learn and grow in their time as students, which also contributes to greater success of a member of society beyond their college-student days.

As a practitioner, I have made many assumptions about code of student conduct policies that exist. Often times, it is communicated that the policies “make sense” and promote the standards of community on campus. Sometimes new policies are created. For example, health initiatives may create awareness for campuses to go smoke and tobacco free, or federal law guidance or district court decisions provide direction to (re)write the sexual misconduct policy.

I am left wondering about other policies. Why were they created? Was there a specific incident that occurred, leading to the campus administrators developing the policy? Was there something in the social setting of the institution that contributed to a specific policy? Were there aspects of the students enrolling at the institution that could have contributed to the philosophy in policy creation? What role did administrators believe they had in the guardianship of enrolled students that is reflected in the policies? In this vein, how has this evolved?

In completing this study to conduct a historical document analysis of the codes of student conduct or otherwise student misconduct policies, I want to dive into the policies that were first used by the institution and track patterns of consistency and change through the evolution of 120 years. I want to know if changes were representative in changes at the institution. I want to know if changes were reflected in broader student conduct trends. (The more recent dates reflect a time when “model codes” were published by various professionals working in higher education with legal backgrounds.)

I think it is advantageous that I have an “insider’s view” in the work of student conduct. I think this helps me stay curious about the roots and foundation of the policies. I believe it will also allow me to see aspects of policy change and development that may not be noticed by someone with less foundation. I recognize that this may also be disadvantages given a lot of trust is given to those seen as professionals or leaders in the field of student conduct, especially those

who have put forth “model codes” that include numerous policies that college administrators are assumed to adopt for individual campuses.

## Appendix E

### Rules Regarding Absences

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the Class Attendance and Absences area of the Academic Engagement category within the Academic Misconduct theme. From the circa 1921 *Student Handbook*, in an extensive section labeled “Rules Regarding Absences,” which appeared on first page of the text through page 5 (no page numbers):

#### A. Classification of Absences.

##### GROUP I. Excused absences.

1. For illness, not exceeding two in any one month, when excuse is obtained under the conditions stated in Section C.
2. For marriage, death, or serious or protracted illness in student's immediate family.

##### GROUP II. Recognized Reasons for Absence.

1. Interrupted service of trolley.
2. Home duties.
3. Illness in family not included in Group I.
4. Unexpected arrival and temporary visit of an intimate friend.
5. Absence previously arranged for an accepted by the Women, such as weddings, funerals, confirmations and baptisms in immediate family.
6. Illness in excess of two per month.

##### GROUP III-Cut: Unrecognized Reasons for Absence.

1. Absence immediately before or after a vacation.
2. Going home for any reason not included in Group I or Group II.

3. For student activities.
4. Neglect of time.
5. To prepare or do work for another teacher or class.
6. unreported illness.

Remarks--(Read Carefully).

1. Two tardinesses [*sic*] for reasons not recognized as excusable count as "cut".
2. An absence before or after a vacation, holiday, or close of a term, or going home not included under Group 1, or Group II, counts the full number of unexcused absences allowed in any subject.
3. Not more than the allowed number of absences may be stated in Group II, or Group III, without incurring the penalty stated in Section D.
4. To avoid misunderstanding and complications, students are advised to see the Dean of Women before taking absences; students are expected to obtain excuses from classes from the Dean of Women and not from their class teachers.
5. Student teachers in the elementary school are expected to take absences under Group I only.

#### **B. Cancellation of Absences and Tardiness.**

After a tardiness or an absence from the class, all young men are required to have such absence or tardiness canceled [*sic*] by Mr. Prusha. All young women must have such absence or tardiness canceled by the Dean of Women.

A tardiness or an absence not canceled within 48 hours after the student's return will be counted two "cuts".

Excuses for absence on account of illness, before being presented to the Dean of Women must be signed by the resident nurse.

### **C. Report for Illness and Excuses for the Same.**

The resident doctor holds office hours in Comstock Hall from 8:00 to 9:15 P.M. [SIC]; 1:00 to 2:30 P.M.; 6:30 to 7:00 P.M. Students are expected to report illness and to bring excused for signature during these hours. Emergency calls will be attended to at any time.

Excused for absence on account of illness may be obtained only under the following conditions:

#### **1. Young Women in the Halls.**

Every woman living in the Halls, in case of illness should have that illness reported, promptly, to the resident doctor and excuses for illness must be signed by her.

#### **2. Young Women Rooming in the City.**

The illness of any young women rooming in the city should be reported on the day of its occurrence [*sic*] by the room-mate of the person who is ill, or by some student rooming in the same house, or by some other person. This report should be made to the nurse, at Comstock Hall, before 9:15 A.M., for an absence in the morning, and before 2:30 P.M. for an absence in the afternoon. The college doctor may be reached by telephone, call 659. A young woman who must leave because of illness, must report the fact to the doctor or to the Dean of Women before leaving school.

#### **3. Young Men of the School.**

The illness of any young man rooming in the city should be reported on the day of its occurrence [SIC], by the room-mate of the person who is ill, or by some student rooming in the same house, or by some other person. The report should be made to Mr. Prusha

before 9:15 A.M. for an absence in the morning, and before 2:30 P.M. for an absence in the afternoon. All cases of illness thus reported will be promptly investigated by the Chairman of the Faculty Committee on Young Men's Activities, and arrangements made for the proper care of the student.

**D. Penalty for unexcused Absences.** Students will be allowed three absences in each class, except in Physical education, during each term. At the close of each term an excess of unexcused absences in any class will result in lowering the grade in that subject. The grade of a student having more than three unexcused absences will be dropped to the next lower grade; more than six unexcused absences will result in dropping the grade two points; etc. Two unexcused tardinesses [*sic*] will be equivalent to one unexcused absence. Any student who is habitually absent or tardy may be reported to the Committee on Classification and Graduation.

O.M. Dickerson, President



## Appendix F

### Absence Regulations Policy

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the Class Attendance and Absences area of the Academic Engagement category within the Academic Misconduct theme. The absence policy changed in the circa 1957 *Moorhead State College Student Handbook*, with the section title “The Little Man Who Wasn’t There” and subheading of “Absence Regulations” with the following text:

1. Students are expected to attend all sessions of all classes in which they are enrolled.
2. Absences from any class which do not exceed the number of credit hours to be earned which do not exceed the number of class sessions per week will not be questioned. (It is always well, however, for the student to confer with his instructor after incurring an absence.)
3. Absences authorized by the college for extra-curricular activities will not be counted in the accumulated absences of the student.
4. The following shall be counted as double absences:
  - a. Absence on a day of previously announced examination.
  - b. The last session of each class preceding a vacation period.
  - c. The first session of each class following a vacation period.
5. Absences incurred because of late registration shall be counted in the accumulated total.
6. A student who has exceeded the number of absences permitted shall be reported to the Office of Student Personnel for appropriate actions.

7. Students whose names appear on the quarterly honor list are exempt from absence regulations. Post graduate and graduate students are also exempt.
8. Students should report circumstances concerning absences due to illness to the college nurse.

Conferences with your instructors before anticipated absences or after incurred absences will help you, since the recommendations of the instructors accompany the reports of excess absences to the Student Personnel Offices. The College Nurse will also be consulted in cases of illness.

(pp. 5-6)

## Appendix G

### Student Absences Policy

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the Class Attendance and Absences area of the Academic Engagement category within the Academic Misconduct theme. From the 1969-70 *Student Handbook*, labeled “student absences” with the following text:

Students are expected to attend all class meetings unless they are ill or officially excused as a result of participating in a college function. However, faculty members may or may not take roll in their classes and they may or may not lower the marks of students for the sole reason of unexcused absences. If a faculty member has a policy of penalizing for nonattendance, he must (1) announce his policy regarding penalty for nonattendance at the first class meeting of the quarter and (2) not penalize the student for nonattendance unless the student is absent without official excuse more class periods during the quarter than the number of periods the class meetings each week (or more than two class periods during a summer session), and (3) submit in writing to the Dean of Academic Affairs an explicit statement of his policy.

In cases of individual absence due to illness or for other legitimate reasons a faculty member may require of the student a written verification of the circumstances causing the absence. A student who has been ill or has had a medical appointment should apply for such an excuse at the Health Services. In cases of family emergency, military obligations, or other unavoidable causes of absence the student should consult the Office of student Personnel Services.

There will from time to time be groups of students absent from class because of participation in student activities. Before such an event can be scheduled it must be approved by the Athletic Committee if it is an inter-collegiate athletic event, by the Council on Student Affairs if it is for debate or other forensic events, music events, student organization trips, etc., or by the Dean of Academic Affairs if it is a field trip or a special event of an academic nature. Scheduled events that conflict with regularly scheduled final examinations must be approved by the Dean of Academic Affairs as well as the group listed above before being publicized.

When an event has been officially scheduled a list of participants shall be sent prior to the date of the event by the adviser of the group in question to all concerned faculty. Absences of students on these participant lists will be regarded as excused absences. An excused absence assures a student of the right to make up the class requirements missed. The nature, time and place of the make-up work will be at the discretion of the professor involved. It is the student's responsibility to consult with the professor regarding the make-up requirements prior to the absence, except in cases of emergency.

In the event a student feels the work required of him is excessive and arbitrary, he has the right of appeal to the Committee on Student Academic Appeals. (pp. 13-14)

## Appendix H

### Student Absence Policy

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the Class Attendance and Absences area of the Academic Engagement category within the Academic Misconduct theme. From the 2004-05 *Student Handbook/Daily Planner*, labeled “student absence policy” with the following text:

Students are expected to attend all class meetings unless they are ill or officially excused as the result of participation in a university function. However, faculty members may or may not take roll in their classes, and they may or may not lower the marks of students for the sole reason of unexcused absences. If a faculty member has a practice [sic] of penalizing for nonattendance, he/she must (a) announce the policy regarding the penalty for nonattendance unless the student is absent without official excuse for more class periods during the term than the number of periods the class meets each week (or more than two class periods during a summer session), (c) maintain accurate attendance records, and (d) submit in writing to the Vice President for Academic Affairs the explicit class attendance policy statement.

In cases of individual absence due to jury duty or other legal obligations, the student must notify his/her faculty instructors prior to the absence. Each faculty member will determine the work to be made up and any effect on the course grade. For military absences, see the *MSU Moorhead Bulletin* index under military withdrawal, or refer questions to the Records office.

In the case of individual absence due to health or other emergency, the student must notify his/her faculty instructor as soon as feasible. Each faculty member will

determine the appropriateness of the absence, all work to be made up, and any effect on the course grade.

When an official university activity conflicts with scheduled classes, students participating in the official activity will be regarded as excused. Without the limits of feasibility, an excused absence assures a student the right to make up the missed class requirement(s). The nature, time, and place of the make-up work are at the discretion of the instructor. Official university events are those that are approved by the appropriate dean, athletic director, or vice president. At least two weeks prior to the activity, lists of participating students should be distributed to those affected faculty members by the faculty member or organization advisor who will be overseeing the university activity. In the case of conflict about the appropriateness of an absence or the feasibility of the student making up missed work, the faculty members involved should confer directly; the student should not be expected to mediate the conflict. In cases where the faculty members involved cannot agree to a solution, the dean(s) of the respective colleges can be called upon to mediate.

Students wishing to appeal academic decisions or policies further may do so by appealing in writing to the Academic Appeals Committee (Owens 206). (pp. 139-140)

## Appendix I

### Student Web Server (SWS) Policy

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the computer and email compliance area of the criminal behavior category within the unlawful actions theme. From the 2001-02 *Student Handbook/Daily Planner*, the “Student Web Server (SWS) Policy” included the following text on the last page of the policy section (no page number):

This web server is for MSUM students and recent alumni only. Only currently registered students may apply for a web server account. Tri-College students may have a web account as long as they are registered at MSUM. Graduates may have their web accounts for one year after graduation. Accounts for students who do not return and have not graduated will be removed.

Space is limited and quotas will be enforced. If files are found to consume excessive disk space or access to pages causes excessive network activity, a member of the Information Technology staff will contact the owner to determine the appropriate course of action. In all cases, however, we will take concrete steps to protect resources and the rights of other users.

Intellectual property ownership unless otherwise officially documented, individual students who are provided a SWS account are the copyright owners of any content created strictly for such pages.

University trademarks are copyrighted. Use of trademarks must follow copyright laws.

Accounts names will be sws.mnstate.edu/account name

Each home page must have the name and e-mail address of the person responsible for the pages.

Client-Side scripting (JavaScript, VBScript, etc) is allowed. Server side scripting (CGI programs, Perl, etc) is not allowed.

Users may not have inappropriate material on their pages. Inappropriate material includes, but is not limited to the following:

- Any information that violates any MSUM policies, software licensing agreements, contractual agreements, copyright, or local or federal laws.
- Any material intended for business use or to generate personal financial gain.
- Commercial advertising of any kind, including banner adds [*sic*] for free services.
- Information that is designated to compromise the security or availability of MSUM resources.
- Material that provides information that is intended to teach how to commit any criminal or illegal acts.
- Information that compromises the personal privacy of other people.
- Any misleading labeling of links.
- Portrayal of any material as officially representing or sanctioned by MSUM without proper authorization.

Home pages may be monitored. Minnesota State University Moorhead reserves the right to unlink any page from the student web server at any time. Notification to author will be attempted but MSUM reserves the right to unlink without notification to the author.



The Student Conduct Committee is responsible for reviewing violations of this policy statement.

## Appendix J

### Interference With Use of Public Property

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the other legal matters area of the criminal behavior category within the unlawful actions theme. From the 1970-71 *Student Handbook/Daily Planner*, the entry for the “Interference With Use of Public Property” included the following text:

Minnesota State Law 624. 72 is the major law concerned with denying or interfering with the use of public property. It is wide in scope. Four of the paragraphs are reproduced below.

Subdivision 1. The State of Minnesota acknowledges and reaffirms the right of its citizens to petition, peacefully and in an orderly manner, all levels and units of government for the redress of grievances of whatever nature, but also affirms that functions and proceedings of governmental bodies and agencies must remain free from organized or calculated confusion, disturbance or delay, and that to this end rules and regulations for the governance of public property and business lawfully promulgated must be observed.

Subdivision 2. As used in this section “public property” means any building or other property owned by on [sic] in control of the state or any of its political subdivisions or of the Board of Regents of the University of Minnesota.

Subdivision 3. For the purpose of protecting the free, proper and lawful access to, egress from and proper use of public property, and for the purpose of protecting the conduct of public business therein or thereon, free from interference, or disruption or the

threat thereof, the legislature or any public officer, agency or board having the supervision thereof may to that end promulgate reasonable rules and regulations.

Subdivision 5. Whoever, intentionally, or through coercion, force or intimidation, denies or interferes with the lawful right of another to the free access to or egress from or to use or remain in or upon public business therein or thereon may be sentenced to imprisonment for not more than one year or a fine of not more than \$1,000 or both.

Moorhead State College must, of course, operate under this law, which makes illegal any act, including intimidation, that interferes with the rights or disrupts the activities of those engaged in the educational enterprise. So far as possible, the College will deal with such violations through its internal judicial procedures. (pp. 9-10)

## Appendix K

### Sexual/Gender Harassment, Sexual Violence, and Racial and Disability Harassment

This policy language is provided as referenced in Chapter 5, within the Overview of Themes for the protected class respect category within the unlawful actions theme. From the 1992-94 *Student Policy Handbook*, the entry for the “Sexual/Gender Harassment, Sexual Violence, and Racial and Disability Harassment” included the following text:

**Subdivision 1. Policy:** The Minnesota State University System is committed to ensuring an educational and employment environment free of sexual harassment, sexual violence/assault, harassment based on gender, sexual orientation/affectual preference, racial and disability tolerance. Such behaviors have no place in a University or work environment where students, faculty, and staff are expected to learn and develop to their full potential. Harassing and violent behaviors which impede that potential are unacceptable within this system.

**Subdivision 2. Sexual/Gender Harassment:** Sexual harassment and gender harassment constitute illegal discrimination under Title VII of the Civil Rights Act, Title IX of the Education Amendments, 1972, and the Minnesota Statutes, Section 363.

a. Definition: Sexual harassment is defined as unwelcome sexual advance, requests for sexual favors, other verbal or physical conduct of a sexual nature and constitutes sexual harassment when:

- (i.) submission to such behavior or conduct is made either explicitly or implicitly a term or condition of an individual’s employment, evaluation of a student’s academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the University; or

- (ii.) submission to such behavior or conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the University; or
- (iii.) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the University; or
- (iv.) such conduct has the purpose or effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile or offensive, isolating working or education environment.

b. Definition: Gender harassment, as distinguished from sexual harassment, is defined as the harassment of any individual or group within the University community based on gender. Such behavior is a violation of System policy and constitutes illegal discrimination. Acts of gender harassment will not be tolerated in the Minnesota State University System. Such conduct has the purpose or effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile or offensive, work or educational environment.

Consent: Many instances of sexual harassment occur in situations where there is a superior/subordinate relationship between the parties, such as between administrators and faculty or staff, faculty and staff, staff and students, and faculty and students. A

university employee who enters into a professional power relationship exists is warned that, if a charge of sexual harassment is subsequently made, the student or subordinate may assert that the relationship was not one of mutual or voluntary consent.

**Subdivision 3. Intolerance/Harassment Based on Sexual**

**Orientation/Affection Preference Harassment:** of any individual or group based on sexual orientation/affectional preference is a violation of System policy.

Definition: Intolerance/harassment based on sexual orientation/affectional preference is defined as offensive or degrading word/s, action/s, or deed/s relating to the sexual orientation or affectional preference of an individual or group; or such conduct has the purpose or effect of; interfering with an individual's work or academic performance; or creating an intimidating, hostile or offensive, work or educational environment.

**Subdivision 4. Sexual Violence or Assault Acts:** of sexual violence, assault or abuse, such as rape, acquaintance rape, or forms of non-consensual sexual activity will not be tolerated in the Minnesota State University System. Such acts are criminal behaviors and create an environment contrary to the goals and missions of the System and its universities. These acts will be swiftly investigated and will subject an individual to complaints and disciplinary sanctions under the System's complaint procedure or university student conduct codes as well as possible referral to appropriate law enforcement agencies.

**Subdivision 5. Racial Intolerance/Harassment:** Harassment of any individual or group in the workplace based on race is a violation of System policy and constitutes illegal discrimination. The Minnesota State University System employs students, faculty, administrators, and staff and all employees are entitled to work in an environment free

from intolerant or harassing behavior based on factors of race as specified in Minnesota Statutes, chapters 15.85 and 363.03.

Definition: Racial intolerance/harassment is defined as offensive or degrading word/s, action/s, or deed/s relating to the race of an individual or group; or, such word/s, action/s, or deed/s which have the purpose or effect of substantially interfering with an individual's employment or use of public services; or of creating an intimidating, hostile, or offensive work environment, or atmosphere in which public services are provided.

**Subdivision 6. Disability Intolerance/Harassment:** Harassment of an individual or group in the workplace based on disability is a violation of System policy and constitutes illegal discrimination. The Minnesota State University System employs students, faculty, administrators, and staff and all employees are entitled to work in an environment free from intolerant or harassing behavior based on factors of disability as specified in Minnesota Statutes, Chapters 15.85 and 363.03.

Definitions: Disability intolerance/harassment is defined as offense or degrading word/s, action/s, or deed/s relating to the disability of an individual or group; or such word/s, action/s, or deed/s which have the purpose or effect of substantially interfering with an individual's employment or use of public services; or of creating an intimidating, hostile, or offensive work environment, or atmosphere in which public services are provided. This includes behavior that maligns reasonable accommodation or interferes with such accommodation.

**Subdivision 7. Complaints:** It is the responsibility of all person within the Board Office and university community to work to ensure an educational environment free from violent or harassing behavior. Although all members of the university community are

expected and urged to report incidents of sexual harassment and sexual violence or assault, administrators and supervisory personnel are primarily responsible for reporting incidents of this type of behavior to the Affirmative Action Office in a timely manner and ensuring that the victims of such behavior receive appropriate support services.

Equity and justice require that the rights and concerns of both the complainant and respondent be respected and assured, and to this end, the System and its universities shall make every effort to protect these rights.

**Subdivision 8. Violations of Policy:** Individuals found in violation of these policies will be subject to disciplinary sanctions, including separation from the System or university when appropriate.

Individuals may also be prosecuted under hate crimes provisions of Minnesota Statutes, Chapter 609.

**Adopted at the September 26, 1986 Minnesota State University Board meeting.**

**Amended at the January 20, 1991 Minnesota State University Board meeting.**

(p. 10)



## Appendix L

### MSUM Student Alcohol & Other Drug Policy

This policy language is provided as referenced in Chapter 5, within the response to Research Question 2 specific to alcohol and other drug policy language. From the 2006-07 *Student Handbook/Daily Planner*, the entry for the “MSUM Student Alcohol and Other Drug Policy” included the following text:

#### **General Philosophy Statement:**

Minnesota State University Moorhead recognizes that the misuse of alcohol and other drugs is a serious problem in our society and our community. This University seeks to create a campus environment which promotes healthy and responsible living that is conducive to the intellectual and personal development of students. The University is committed to establishing and enforcing clear campus policies regarding the use of alcohol and other drugs.

Minnesota State University Moorhead complies with and supports the Minnesota State Colleges and University [sic] Board of Trustees policy governing alcohol and other drugs on campus, the Drug Free Schools and Communities Act, the Drug Free Workplace Act, the Camps Security Act and Minnesota State law.

#### **Definitions:**

- 1. Recognized Student Organization** – any student organization that has successfully completed the recognition process as outlined in the Student Organization Handbook and registers each academic year with the Office of Student Activities.

2. **Travel Status** – the time period from departure until return to campus by students who have obtained travel authorization through the appropriate university representatives for a university sponsored student event.
3. **University Sponsored Student Event** – activities that include, but are not limited to: official meetings, practice, competitions or trips involving students (who represent divisions, departments or majors), recognized student organizations or intercollegiate athletic teams of the University.

**Policy Sections:**

1. The use, possession, distribution, manufacture or sale of any alcoholic beverage or illegal drug is prohibited on the campus. The illegal or unauthorized use, possession, distribution, manufacture, or sale of any controlled substance or drugs is prohibited **on the campus**. The possession or display of alcohol “trophies,” or other form of empty alcohol containers, is not allowed on campus. An exception for instructional purposes in accordance with Board Policy 5.18 allows for the use of alcohol in laboratory and classroom instruction or experiments.
2. The use, possession, distribution, manufacture or sale of any alcoholic beverages, illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance is prohibited by individual students, recognized student organizations and athletic teams when in **travel status representing the University**.
3. For purposes of the National/International **Student Exchange, Study Abroad and Eurospring Programs**, the unlawful use, possession, distribution, manufacture or sale of any alcoholic beverages, illegal drug, and the illegal or unauthorized use,

- possession, distribution, manufacture or sale of a controlled substance will be determined by the law of the foreign state or country. Students are expected to comply with the laws of the foreign country. The standard applicable during travel status is to accommodate the educational aspect of exploring customs of culture of foreign countries.
4. The use, possession, distribution, manufacture or sale of any alcoholic beverage or illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance by MSUM students is prohibited at all **off-campus university sponsored student events**.
  5. As members of the University community, students who live or visit **off-campus** are expected to behave responsibly when off-campus. University community members violating civil or criminal law may be subject to University conduct procedures for the same conduct when the conduct occurs off campus but adversely affects the educational, research or service functions of the University. Students should be aware that a student's unlawful use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug, and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance cited by local law enforcement may be reported to the University. **If reported, the University will take appropriate disciplinary action under this policy.**
  6. A **Good Samaritan exception** for violations of the alcohol/other drug policy will be recognized and honored. A student, who may be in violation of the alcohol/other drug policies but comes to the aid of another student by seeking professional help, will not be cited for an alcohol/other drug university conduct violation. This exception will

not be granted to those who flagrantly or repeatedly violate the University's Alcohol and Other Drug Policy.

7. The following **advertising and promotional** activities are prohibited:
  - a. Using alcoholic beverages as awards or prizes in connection with university sponsored student events;
  - b. Alcohol promotional activities and advertising associated with university sponsored student events (this includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers, and any other items carrying alcohol/beer advertising);
  - c. Advertising of alcohol or illegal drugs appearing in university controlled or affiliated publications including university affiliated web sites over which it has editorial control.

The University does not regulate content or advertisements in autonomous student-edited publications, such as student newspapers, but encourages the editorship to not include advertising that promotes the high-risk use of alcohol such as happy hour drink specials, two for ones or other advertisements that encourage rapid and excessive consumption of alcohol.

**Sanctions for individuals in violation of the policies on alcohol & other drugs:**

**Level One:** Students will receive a discipline notification and will complete e-CHUG – a 10-20 minute on line alcohol assessment and educational tool. There will be a mandatory class fee of \$75.00. The University reserves the right, based on the severity of the incident, to automatically refer a student to Level Two or Level Three.

**Level Two:** Students will receive a notice of disciplinary probation and will complete a minimum of 6 hours of coursework on the ramifications of Alcohol/Drug Abuse by a licensed health professional. Upon completion of the coursework, an exit interview will determine the need for further assessment and/or counseling for chemical dependency issues. The mandatory course fee is \$150.00. The University reserves the right, based on the severity of the incident, to automatically refer a student to Level Three.

**Level Three:** A student with a severe violation or a third violation of the Alcohol and Drug Policy during his or her college career is subject to a minimum of one semester suspension from the university unless extraordinary circumstances exist. The University reserves the right to waive suspension in the event that the student agrees to a referral to a licensed treatment facility for assessment and follows all recommendations. Any costs will be the responsibility of the student.

Upon re-admission following a suspension, any further alcohol or drug violation may result in expulsion from the University. Students who fail to follow the policy procedures will be subject to a registration and grade hold and may face separation from the university. Parental notification, in accordance with the University's FERPA Policy IV (A)(5), may occur.

[...]

### **Alcohol & Drug Health Risks**

A variety of health risks are associated with the use and/or abuse of alcohol and other drugs. These health risks can be both acute and far-reaching and can adversely affect the physical, emotional, social, academic and spiritual aspect of a person's life.

The following is information regarding health risks resulting from use/abuse of alcohol and drugs:

**Alcohol:** Damage to heart and/or liver, pancreas addiction, coma, death from overdoses, injury or accident.

**Marijuana:** Damage to heart, lungs, and/or brain nerve cells, lung cancer, bronchitis, infections.

**Depressants:** (Alcohol, valium, Quaaludes, downers, etc.) Irreversible brain or nervous system damage, damage to heart, liver, and/or pancreas, coma, death from overdoses.

**Hallucinogens:** (LSC, PCP, angel dust, mushrooms, etc.) Agitation, hyperactivity, convulsions, death.

**Inhalants:** (Solvents, aerosol sprays paint thinner, glue, etc.) Damage to nervous system, liver and brain, heart failure, seizures.

**Narcotics:** (Codeine, heroin, opium, etc.) Respiratory arrest, coma, death due to overdose.

**Steroids:** (Roids, juice, d-ball, etc) Acne, liver and kidney damage, heart disease gallstone, kidney stones, liver cancer, impotence and sterility in men.

**Stimulants:** (Cocaine, crack, uppers, Ritalin, preludes, etc.) Headaches, depression, psychosis, cardiac arrest, convulsions, coma, death.

### **Legal Consequences**

Minnesota has many statutes, which regulate and control alcohol use and misuse. Fines and penalties are given on the basis of minimum requirements and prior violations. Some crimes and violation are as follows:

- Driving under the influence (blood alcohol content 0.08) First offense: \$700 fine, max. 90 days in jail, revocation of driver license min. 30 days. Second offense (within five years): \$3000 fine, max. one year in jail, revocation of license min. 90 days.
- Persons under the age of 21 (Misdemeanors): consumption and possession unless in parent or guardian's home, purchase or attempts to purchase alcohol, entering licenses premises, misrepresenting age.
- Aiding minor (Gross Misdemeanor): to sell, furnish or give a minor alcohol, to induce a minor to purchase alcohol, to lend or permit use of license to a minor.  
(pp. 23-25)

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