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Matthew Starcke, Stephen R. Porter

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# Do Student Conduct Administrators Discriminate against Black students? An Analysis of Drug Sanctions Using Vignettes

*Matthew Starcke and Stephen R. Porter*

**Abstract:** Recent scholarly work indicates Black students in K-12 are significantly more likely to be suspended or expelled than their White peers. However, little empirical work exists in the post-secondary environment, raising questions about the discrimination Black students encounter in the university

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Matthew (Matt) Starcke is a Manager of Education Research at RTI International. His research interests include student worldview development, collegiate athletics, and the college student experience generally. He received his Ph.D. in educational research and policy analysis with an emphasis on higher education administration at North Carolina State University. In addition to his experience at RTI, he has ten years' experience working in higher education administration in the areas of leadership, service, and cocurricular student engagement.

Stephen R. Porter is Professor of Higher Education in the Department of Educational Leadership, Policy, and Human Development at North Carolina State University, where he teaches courses in educational statistics and causal inference with observational data. His current research focuses on student success, with an emphasis on quasi-experimental methods for program evaluation, and survey methods, particularly the validity of college student survey questions. He received his Ph.D. in political science from the University of Rochester, with a concentration in econometrics. Prior to his faculty career, he spent nine years in higher education administration in the field of institutional research.

student conduct process. This study explored racial disparities in postsecondary student discipline through the use of vignettes randomly assigned to a national sample of student conduct administrators. Our vignettes asked administrators to recommend student conduct sanctions for individuals found responsible for marijuana violations. Vignettes differed only in the student name provided, and names were purposely selected to suggest a particular racial identity. We found no pattern of racial bias in sanction assignments given to Black students compared to White students, nor did we observe differences in the total number of sanctions assigned.

Recently, Smith and Harper (2015) produced a longitudinal report indicating Black students enrolled in K-12 public schools in southern states were suspended or expelled at disproportionately higher rates than other students. Though alarming, this is not the first study of its kind. In fact, a number of researchers have observed significant ties between race and K-12 student discipline, almost all of which pose serious questions regarding the equity and fairness of the K-12 student discipline process (Alvarez et al., 2009; Balfanz, Byrnes, & Fox, 2014; Butler, Lewis, Moore, & Scott, 2012; Fabelo et al., 2011; Gregory, Skiba, & Noguera, 2010; Losen, Hodson, Keith, Morrison, & Belway, 2015; Marchbanks et al., 2014; Morris, 2005; Rocque, 2010; Skiba, Michael, Nardo, & Peterson, 2002; Wallace, Goodkind, Wallace, & Bachman, 2008). Moreover, these disciplinary actions seem to result in a number of long-term, detrimental outcomes including increased risk of dropping out of high school, not attending college, and involvement with the juvenile justice system (Balfanz et al., 2014; Fabelo et al., 2011; Gregory et al., 2010; Losen et al., 2015; Marchbanks et al., 2014). However, while research of this nature has been conducted at the K-12 level, the same cannot be said of postsecondary education. Research on postsecondary student conduct indicates college students perceive differing levels of fairness and value in their experience with student conduct (Howell, 2005; R. H. King, 2012; Mullane, 1999), but the literature does not seem to explore actual disciplinary outcomes. Thus, we cannot answer a compelling and important question for higher education: are minority students treated equitably in the student discipline process?

This study explores racial disparities in postsecondary student discipline through the use of vignettes randomly assigned to a national sample of student affairs administrators involved in the student conduct disciplinary process at their campus. Vignettes are notable in their ability to provide participants a brief, consistent account of a given situation, and they have been used successfully in research for a number of years (Hughes & Huby, 2002; Schoenberg & Hege, 2000; Spalding & Phillips, 2007). Importantly, vignettes allow for customization, making them excellent tools for selective information sharing (Hughes & Huby, 2002). Within the framework of a randomized field experiment, the causal nature of a particular phenomenon may be explored

by adjusting specific aspects of the vignette text (Booth, Leigh, & Varganova, 2012; E. B. King, Hebl, Morgan, & Ahmad, 2013; Prager & Western, 2012).

The vignettes, describing a hypothetical disciplinary situation involving marijuana possession, were identical except for the name of the student and the amount of marijuana involved. Similar to the many résumé studies in labor economics, administrators received vignettes with randomly assigned names commonly associated with different racial groups to see whether recommended sanctions differed between Black and White students. We use responses to the vignettes to answer the following research questions:

1. Do Black students receive more or different sanctions for marijuana violations than White students?
2. Does the amount of marijuana or the racial identity of the student conduct administrator affect sanction severity for Black and/or White students?

Answering these research questions provides an important contribution to the higher education literature. First, while racism within student conduct is and continues to be explored at length in K-12 literature, it remains virtually unexamined among higher education researchers. Although it may be reasonable to assume racial disparities in student conduct carry over from K-12 to college, there is little existing evidence to support or counter these claims. Put simply, there is great concern regarding racism on college campuses, but our empirical understanding of racism in the context of college student conduct is practically nonexistent. Further, the methodology employed by this study differs from other studies conducted on the topic at any level. Making use of a random experiment, this study allowed for the exploration of causal claims about racist behavior, specifically those suggesting a student's perceived race played a role in their discipline sanctioning process.

## LITERATURE REVIEW

### *Race and Discipline in K-12*

Evidence of racial bias in student discipline for grades K-12 has been well-documented in the literature (Alvarez et al., 2009; Balfanz et al., 2014; Butler et al., 2012; Fabelo et al., 2011; Gregory et al., 2010; Losen et al., 2015; Marchbanks et al., 2014; Morris, 2005; Rocque, 2010; Skiba et al., 2002; Smith & Harper, 2015; Wallace et al., 2008). As previously mentioned, Smith and Harper's (2015) recent report documented suspension and expulsion rates for the 2011–2012 academic year among school districts in thirteen southern states, finding evidence Black students were subject to these disciplinary actions at rates as high as five times their enrollment proportion in many districts. The data, collected by the U.S. Department of Education's Office

for Civil Rights (OCR), clearly demonstrated an imbalance in disciplinary practice, one the authors suggested went “beyond student behavior and bad parenting—they also are attributable to racist practices and policies in K-12 public schools across the South” (Smith & Harper, 2015, p. 1). But are these discrepancies tied solely to racial discrimination, or do other factors play a role?

A number of studies have attempted to isolate the role of race in K-12 student discipline. Socioeconomic status and gender, for example, have been used to further explore associations between race and process outcomes. Generally, when socioeconomic status was included as a controlling factor, results changed little—non-White students remained subject to higher rates of suspension, expulsion, or principal referrals than their peers (Skiba et al., 2002; Wallace et al., 2008). Differences in concerning behavior between genders have been observed, but these, too, do not explain gaps in suspension or expulsion rates (Skiba et al., 2002). What has been suggested is that Black students are more likely to be referred to the principal or discipline officer for behaviors that are only subjectively different (Fabelo et al., 2011; Morris, 2005; Rocque, 2010; Skiba et al., 2002). In fact, evidence indicates Black students remain more likely than White students to face referrals to the discipline office and receive punishment for their actions even when similar motivating behaviors are taken into account (Finn & Servoss, 2015; Rocque, 2010). In other words, when Black students and White students engage in similar, problematic behaviors (e.g., fighting), Black students are often treated in a dissimilar fashion by school administrators.

While a majority of findings indicate race remains a factor in K-12 discipline outcomes, there are exceptions. Butler et al. (2012), for example, found non-significant links between race, socioeconomic status, and suspension or expulsion decisions among elementary school students. However, the authors did identify race as a significant predictor of the number of days a student would be suspended (Butler et al., 2012).

Indeed, while disproportionate rates of suspension or expulsion are concerning on the face, perhaps more worrisome are the subsequent effects of these events. Gregory et al. (2010) argue disproportionate disciplinary actions often negatively impacted eventual academic outcomes. This is not surprising; Fabelo et al. (2011) demonstrate a connection between suspension or expulsion and a greater likelihood of repeating a grade or dropping out of school completely, while Balfanz et al. (2014) note being suspended even once in the ninth grade reduced a student’s graduation and post-secondary educational prospects. Additionally, students who were suspended or expelled were more likely to have experiences with the juvenile justice system than were their peers (Fabelo et al., 2011). Ultimately, these consequences impact both the individual student and society at large, as students who drop out

represent both an economic and social drain on their community (Alvarez et al., 2009; Losen et al., 2015; Marchbanks et al., 2014).

### ***Higher Education Context***

Studies exploring student experiences with college discipline processes are lacking, although a small number of studies explore student perceptions of fairness and value in the disciplinary process. Generally speaking, students view their experiences with student conduct as beneficial, although there were exceptions (Howell, 2005; R. H. King, 2012; Mullane, 1999). For example, Mullane (1999) identifies a connection between perceptions of value and fairness and a student's measure of moral development, noting the more morally developed a student was, the more likely they were to believe their experience was fair and educational. Interestingly, while Howell (2005) found students with alcohol violations reported learning from their experience with student conduct, none of those interviewed expressed an intent to cease drinking. Finally, and perhaps most topically, King's (2012) study highlights demographic differences among student conduct participants and their respective perceptions of fairness, finding both older students and males perceived the process as being less fair than younger students or females, respectively. That said, King (2012) found no differences in perceptions of fairness based on student ethnicity.

Beyond the realm of student discipline, studies suggest racism and prejudice are evident on college campuses. Harper and Hurtado (2007) identify two overarching research themes directly applicable to this discussion, namely studies exploring different perceptions of climate by race and those reporting underrepresented student populations' experiences with racist or prejudiced incidents and environments. Regarding the former, research continually suggests non-White students and, more specifically, Black students, operate within campus climates often perceived as hostile and containing heightened levels of racial tension (Ancis, Sedlacek, & Mohr, 2000; Harper & Hurtado, 2007; Hurtado, 1992; Rankin & Reason, 2005; Solórzano, Ceja, & Yosso, 2000). Importantly, these concerns reverberated throughout campus. Rankin and Reason (2005) found climate concerns expressed by students of color included the classroom environment and faculty interactions, a finding echoing earlier studies (Ancis et al., 2000; Solórzano et al., 2000).

Within these environments, then, it is not surprising to see evidence of racism and prejudiced behavior in studies of students' specific experiences. These studies provide opportunities for students to share their direct experience with racism by calling on "the experiential knowledge that people of color possess" (Harper et al., 2011, p. 184); what they reveal is an ever-present "everyday racism" faced by students of color (Swim, Hyers, Cohen, Fitzgerald, & Bylsma, 2003). The racism experienced by students in these studies cut across all facets of campus life. For example, Black students reported differ-

ential treatment at the hands of peers (Suarez-Balcazar, Orellana-Damacela, Portillo, Rowan, & Andrews-Guillen, 2003), staff (Harper et al., 2011; Iverson & Jagers, 2015), faculty (Ancis et al., 2000; Suarez-Balcazar et al., 2003), and campus police (Iverson & Jagers, 2015). Though rarely overt (Swim et al., 2003), reported acts of racist behavior included not receiving the benefit of the doubt in interactions with campus supervisors (Harper et al., 2011) and increased surveillance by RAs or campus police (Iverson & Jagers, 2015). More generally, Swim et al. (2003) generalize observed racist behaviors into four categories—“(a) staring, (b) verbal expressions of prejudice, (c) bad service in public establishments, and (d) miscellaneous interpersonal offenses” (p. 51).

Where the above-mentioned studies examined racism based on the direct experience of students of color, Milkman et al. (2015) explored faculty behavior toward racially diverse students using an experimental design. In this study, faculty across several disciplines received e-mails from fictional, prospective doctoral students; these “students” were given names suggestive of a gender and racial identity, but the e-mails were otherwise identical. The authors found students with names suggesting a white male identity were more likely to elicit responses than others, even when women and minorities were more represented in the faculty. This finding suggests significant racist attitudes exist among college faculty and further confirms the experiences reported by students of color.

In sum, studies of secondary education reveal significant racial disparities in conduct outcomes, with minorities receiving disproportionate levels of disciplinary action. And while the literature tells us little about racial disparities in the post-secondary student discipline process, research of racism in college generally confirms students of color face hostile campus climates and regularly experience acts of prejudice and racism at the hands of other students, faculty, and staff. Together, these findings suggest minority students may not be equitably treated during the student conduct process at colleges and universities.

### CONCEPTUAL FRAMEWORK

As noted, evidence of racism has been documented across all levels of education, and research on student discipline at the elementary and secondary level in particular suggests Black students are disciplined more often and more severely than their White counterparts, even when problematic behaviors were similar. While comparable research at the post-secondary level is lacking, investigations of campus climate and the student experience reveal students of color live within generally hostile environments and regularly face acts of discrimination. What, however, is the motivating factor behind this treatment?

We view institutional racism as a promising framework from which to approach our study. Institutional racism was defined by Fitzgibbon (2007) as “a dynamic of racial discrimination which is rooted in the mode of operation of an institution rather than simply in the cultural or psychological attitudes of its practitioners” (p. 128). Notably, institutional racism is often built on the unexamined stereotypes of others (Bowser, 2001) and may lead to organizational behavior where discriminatory attitudes shape professional socialization and group norms (Fitzgibbon, 2007; Iverson & Jagers, 2015; Lopez, 2000).

Our study is specifically concerned with student conduct sanctions recommended by student affairs administrators, a group whose professional associations (including the Association for Student Conduct Administration [ASCA], the American College Personnel Association [ACPA], and the National Association of Student Personnel Administrators [NASPA]) have long championed non-discrimination and impartiality (ACPA, 2013; ASCA, 1993; NASPA, n.d.). Given this environment, we simply do not expect the widespread presence of overtly racist individuals. Instead, we suggest any difference in student sanctions attributable to race are indicative of institutional racism and the stereotyped assumptions of Black students inherent therein.

Said Iverson & Jagers (2015), “Race matters. Reliance on stereotypical assumptions about race can lead to bad advising, poor teaching and learning, and lack of trust between Black males and faculty, staff, and peers” (p. 40). As applied to our study, then, we expect to observe evidence of institutional racism demonstrated by both the number and severity of discipline sanction recommendations for Black students when compared to White students, all else being equal.

## METHODOLOGY

Field experiments have long been used to measure discrimination across a number of areas, including employment and hiring decisions (Pierné, 2013; Prager & Western, 2012). Generally, these experiments occur in one of two ways, via written correspondence or through the use of actors. The former involves sending identical correspondence in response to a job posting, for example, while varying only the name of the job applicant, using names highly correlated with race (Booth et al., 2012; Pierné, 2013); the latter makes use of actors portraying applicants, allowing for a physical interaction not found in correspondence studies (Prager & Western, 2012).

Regardless of the method, these field experiments (and others like them) represent an excellent vehicle to measure discrimination in a given context. Surveys of discrimination, for example, may provide insight on the subject, but they likely include responses from individuals seeking socially acceptable



positions (Booth et al., 2012; Prager & Western, 2012). These biased results may mask discriminatory attitudes, suggesting discrimination does not exist when, in fact, it does. In contrast, field experiments seek to measure the true behaviors and attitudes of respondents by “creating a context in which all other factors except ethnicity are held constant” (Booth et al., 2012, p. 548). In this way, researchers are able to “directly observe discrimination in real-world settings” (Prager & Western, 2012, p. 223) allowing for causal inference (E. B. King et al., 2013).

### ***Research Design***

While the labor market experiments discussed previously relied solely on correspondence involving resumes, CVs, or cover letters, the setting for this study—student conduct—required different interactions with study participants. Student conduct administrators generally come into contact with a student only when a situation requires their involvement. As such, cold correspondence, such as an email, from a “student” on an administrator’s campus does not typically occur, especially given the context of this study. Similarly, it would not be feasible to hire actors at campuses nationwide to portray students and meet with conduct administrators regarding a discipline issue.

Instead, we developed a vignette depicting a hypothetical disciplinary scenario in which a student on the administrator’s campus was discovered with marijuana in their possession (see Appendix for text of vignettes). The vignette was structured to mirror a typical scenario that a student conduct officer might face. Participants were told that they arrived at work in the morning to discover a police report describing how a certain amount of marijuana was found on a student, and they were provided text from a dialogue between the participant and the student. At the conclusion of the scenario, participants were asked to recommend one or more sanctions for the student involved, based on both the information provided and their professional experience. Respondents were given the following possible sanctions as options from which to choose:

- Warning
- Disciplinary probation
- Alcohol/drug education program
- Alcohol/drug assessment (conducted off-campus by an external party)
- Drug counseling
- Drug testing
- Community service
- Reflective paper
- Suspension
- Expulsion
- Other: (text)

Following data collection, we reviewed the text responses from those who selected “Other.” In many cases, text responses included sanction recommendations directly applicable to pre-existing categories. In these cases, responses were recoded appropriately. We did, however, receive several categories of sanction recommendations not included in our original list that we felt warranted the creation of new categories. The revised sanctions used in analysis are representative of these changes and are comprised of the following options:

- Warning
- Disciplinary or deferred probation
- Educational program (alcohol/drug/decision making)
- Alcohol/drug assessment (conducted on or off campus)
- Drug counseling
- Drug testing
- Community service
- Reflective paper
- Suspension
- Expulsion
- Parent notification
- Fine or fee
- On-campus housing suspension or expulsion
- Deferred or partial suspension

“Other” responses not applicable to existing or additional sanction groupings remained coded as “other” and were not placed into an alternative category.

Importantly, the disciplinary situation described focused solely on the behavior of one student. This was an intentional choice, allowing respondents to base sanction recommendations on the information presented without the need to differentiate between multiple students and their respective actions, or make judgements as to which student might be more or less responsible in given situation.

Finally, respondents were asked whether or not their particular campus enforced mandatory sanctions for on-campus marijuana violations (and, if so, what these were). We also collected demographic information about the respondents, including their full-time experience with student conduct, gender identity, and racial/ethnic identity.

Obviously, we could not tell participants the study explored racial disparities in student conduct because some participants might alter their response behavior. We instead devised an alternative explanation for the study based on the conduct violation described in the vignette—possession of marijuana. Nationally, state laws regarding marijuana use and possession are in flux, while public attitudes toward the drug are becoming more favorable (Motel, 2015). As such, participants were told the study was an investigation

of national marijuana sanctioning consistency. After the vignette survey website was closed, participants were notified of our use of IRB-sanctioned deception and given the option of removing their response; 28 administrators exercised this option.

We altered the vignette content to create four vignettes varied on two dimensions: small (1 joint) versus large (1.02 ounce) amounts of marijuana, and White versus Black sounding student names. We differentiated amounts to represent a small quantity compared to something that could be considered more substantial and, thus, might warrant a different sanction response. In some states, for example, possession of 1 or more ounces of marijuana elicits much harsher legal penalties than possessing less than 1 ounce.

Given our research questions, selecting appropriate names for inclusion in the vignettes was of the utmost importance. We first selected several last names based on racially prominent surnames found in the 2000 U.S. Census data. We then paired these surnames with a variety of first names as reported in vital records birth certificate data from Virginia, Texas, Arkansas, and Colorado between 1995 and 1997 (these states were selected based on availability of data and region). Specifically, the first names selected each had greater than 100 counts and were highly (if not almost entirely) skewed toward a single racial identity. The years 1995 through 1997 were selected because the names from those years represent the first names of today's traditionally aged college students.

Once paired, we surveyed faculty at two institutions, asking them to assign racial/ethnic identities to each name. The names ultimately selected—Connor Schmidt and Darius Jefferson—were those most associated with White and Black racial identities, respectively (see Table 1). Additionally, the vignettes mentioned the name of the reporting police officer, Officer Williams. This name was intentionally selected as our survey of faculty members indicated the surname Williams was not associated with a specific racial identity.

### ***Participants***

Our study population was student affairs administrators responsible for determining sanctions for student code violations. To identify and contact study participants, we first generated a list of potential institutions. We began by identifying all four-year public and not-for profit institutions with a Carnegie classification of research, masters, or baccalaureate based on 2013 IPEDS Institutional Characteristics. Six institutions were eliminated from this list for not providing a web address or for providing a web address not ending in “.edu,” resulting in an initial pool of 1,588 institutions. We then eliminated institutions from Guam, Puerto Rico, the Marianas, and the Virgin Islands, as well as service academies. These reductions produced a final sample of 1,539 institutions.

**TABLE 1.**  
**RESULTS FROM NAME-RACE/ETHNICITY FACULTY SURVEY**

Name options	Associated race/ethnicity			
	African American/ Black	Caucasian/ White	Hispanic	Other/ unsure
Malik Washington	83%	1%	1%	15%
Tanner Olson	2%	87%	0%	11%
Darius Jefferson	90%	4%	1%	5%
Marquis Robinson	83%	5%	2%	10%
Tucker Branch	6%	76%	0%	18%
Connor Schmidt	0%	94%	0%	6%
Colton Meyer	4%	77%	1%	18%
Cesar Gonzolez	0%	1%	96%	2%
Jorge Ramirez	0%	0%	99%	1%
Louis Hernandez	0%	0%	99%	1%
Tony Williams	22%	45%	0%	32%

Note:  $n=254$ .

Next, each institutional website was individually searched for a number of terms, including “student conduct,” “student rights and responsibilities,” and “student discipline.”

Ideally, these searches produced links to a given institution’s office and the administrator(s) responsible for administering student conduct. However, in many cases, these searches proved fruitless. In these situations, we then searched for the office, name, and/or title of individual(s) responsible for student conduct in the institution’s student handbook. From these searches, we identified a participant pool of 1,781 administrators at 1,039 separate institutions.

These individuals were then randomly assigned to one of four experimental groups—White student, small amount; Black student, small amount; White student, large amount; or Black student, large amount. Individuals employed at the same institution were clustered into the same experimental group in an effort to minimize treatment contamination between participants. Finally, in an effort to ensure our results measured only the behavior of administrators currently responsible for student conduct, we limited analysis only to respondents who indicated they were responsible for deciding or recommending sanctions for students.

Ultimately, our final sample includes 618 responses from administrators at 489 separate institutions; descriptives for the four experimental groups are provided in Table 2<sup>1</sup>. As can be seen, the groups are similar across a range

<sup>1</sup>*A priori* power analyses for a bivariate logistic regression model, assuming  $\alpha=.05$  and power=.80, suggests we have the power to detect effect sizes ranging from 7 to 12 percentage points, depending on the base level of  $P(Y)$ .

of administrator and school characteristics, with no statistically significant differences across groups. This research design allows us to test for overall disparities in White and Black student conduct sanctions, and whether Blacks and Whites receive differing levels of sanctions for minor and more significant drug violations.

### ***Validity of Vignettes in Studying Administrator Behavior***

A major assumption underlying our research design is that participants' responses match what they would do in a real-life situation. While we cannot directly verify this assumption, we can determine if their responses are similar to what we would expect to see, if participants' responses did indeed mirror their actions in real-life. From this perspective, we would expect to see three patterns in the overall distribution of responses. First, given the nature of the offense, assignment to some type of drug education program should be one of the most common sanctions. Second, given the growing acceptance of marijuana use in American society, the average level of sanctions given should be relatively low. In other words, participants should rarely recommend strong sanctions such as suspension and expulsion, and instead recommend less punitive sanctions. Third, when comparing sanctions for the two amounts of marijuana, the larger amount should yield more punitive sanctions than the smaller amount.

Table 3 shows the proportion of respondents recommending a sanction for a given amount of marijuana (proportions do not sum to 100 because respondents could choose multiple sanctions). As can be seen, assignment to an education program is by far the most common sanction, with two-thirds of respondents choosing this sanction. Looking at the severity of sanctions, suspensions and expulsions were almost never chosen. Instead (and besides educational programs), respondents most often chose disciplinary or deferred probation (56–66%), writing a reflective paper (34–35%), and a warning (18–27%).

In addition, we see possession of the large amount of marijuana was more likely to yield a severe sanction and less likely to result in a less severe sanction. For example, being found with 1.02 ounces resulted in higher probabilities of suspension (4% versus 1%,  $p < .02$ ) and disciplinary or deferred probation (66% versus 56%,  $p < .02$ ), yet also resulted in lower probabilities of receiving a warning (18% versus 27%,  $p < .01$ ) and receiving a fine or fee (9% versus 14%,  $p < .04$ ). Together, these results suggest participants were indeed assigning sanctions based on how they would behave if the vignette took place in real life.

### ***Limitations***

As with any study, there are a number of limitations applicable to this work. Of particular note, this study examines just one aspect of potentially

**TABLE 2.**  
**DESCRIPTIVES FOR RESPONDENT SAMPLE AND EXPERIMENTAL GROUPS**

	National population	Email sample	Respondent sample	White/ small	Black/ small	White/ large	Black/ large	p value <sup>2</sup>
<i>Response behavior</i>	-	-	36%	36%	35%	36%	36%	0.99
% responding								
<i>School characteristics</i>								
Carnegie: Research	18%	24%	31%	24%	36%	31%	33%	0.21
Carnegie: Masters	41%	44%	41%	44%	40%	42%	38%	0.78
Carnegie: Baccalaureate	41%	32%	28%	32%	24%	26%	29%	0.54
Private	64%	55%	49%	53%	46%	50%	49%	0.81
Undergraduate FTE	5,515	6,895	8,690	8,674	8,868	8,464	8,766	0.99
% nonwhite	40%	39%	38%	40%	39%	36%	36%	0.41
Region: Northeast	29%	30%	31%	33%	30%	30%	29%	0.93
Region: South	32%	32%	32%	33%	33%	29%	33%	0.84
Region: Midwest	26%	24%	24%	19%	21%	31%	26%	0.11
Region: West	13%	14%	13%	15%	15%	10%	12%	0.45
Marijuana: Recreational, medical, and/or possession legal in state	42%	43%	40%	43%	41%	39%	39%	0.89
N schools	1,539	1,039	489	118	117	125	129	0.85
<i>Administrator characteristics</i>								
Nonwhite	-	-	20%	25%	20%	21%	16%	0.32
Race unknown	-	-	6%	3%	7%	7%	6%	0.48
Female	-	-	46%	44%	49%	42%	49%	0.48
Gender other/missing	-	-	6%	4%	6%	7%	5%	0.68
Greater than five years experience	-	-	66%	67%	68%	58%	70%	0.14
N administrators	-	1,781	618	154	151	158	155	0.98

<sup>1</sup>Calculated using total *n* of consenting participant responses to the first survey question, "In your current professional role, do you decide and/or recommend (individually or as part of a panel) sanctions for students who are found responsible for violating your student code of conduct?"

<sup>2</sup>*p*-values based on chi-square for categorical variables (responsible for sanctions, Carnegie classification, private institution, region, legal status of marijuana, number of schools, and all administrator characteristics) or ANOVA for continuous variables (undergraduate FTE and % nonwhite)

**TABLE 3.**  
**DISTRIBUTION OF SANCTIONS BY AMOUNT**

<i>Recommended sanction</i>	<i>Proportion selecting sanction for</i>		<i>p for difference</i>
	<i>1 joint</i>	<i>1.02 oz.</i>	
Warning	0.27	0.18	0.01
Fine or fee	0.14	0.09	0.03
Reflective paper	0.34	0.35	0.85
Community service	0.10	0.16	0.06
Parent notification	0.10	0.08	0.50
Educational program (alcohol/drug/decision making)	0.72	0.68	0.27
Alcohol/drug assessment (conducted on/off campus)	0.11	0.14	0.23
Drug testing	0.07	0.08	0.60
Drug counseling	0.09	0.11	0.33
Disciplinary or deferred probation	0.56	0.66	0.01
On-campus housing suspension or expulsion	0.02	0.02	0.82
Deferred or partial suspension	0.03	0.02	0.37
Suspension	0.01	0.04	0.01
Expulsion	0.00	0.01	0.50

<sup>1</sup>Fisher's exact test used as the expected frequency was <5.

racist behavior in universities, namely the number and type of sanctions students receive when found responsible for marijuana code-of-conduct violations. This study does not explore potentially racist behaviors students may encounter in other facets of the conduct process or university life more broadly. Moreover, this study explores administrative behavior that could result in differential treatment of White and Black students only, a limitation resultant from our use of just two names in the vignettes. As such, we cannot use findings from this study to comment on conduct sanctioning for students of other racial and ethnic backgrounds, or all students more generally.

Additionally, our research design assumed participants would both register the name used in the vignette text, and associate that name with its intended racial identity. Regarding the first assumption, we see distinct differences in the visibility of the name when comparing this research design to a similarly formulated resume study. In resumes, names are often presented at or near the top of the document, and may be written in larger and/or different font than the rest of the document. In our context, however, presenting the name in this fashion would likely have appeared unusual, and may have resulted in participants suspecting the true purpose of the study. As such, we adopted a subtler presentation, providing the full name only once, followed by two further mentions of the first name only.

Of course, even if participants read and remembered the name provided, there is no guarantee they made a connection between that name and a particular racial identity. We hoped to minimize this possibility by purposefully selecting names strongly suggestive of a particular identity, and our initial survey of name and racial identity associations suggests we succeeded (see Table 1). Further, in a resume study finding significant employment discrimination of openly gay men, Tilcsik (2011) experienced similar limitations; as names do not signal sexual orientation, involvement in an organization suggesting sexual orientation was used instead. If subtle changes to the name of an organization listed on a resume were effective, we believe it is likely people similarly noticed the name used in the vignettes. That said, the possibility remains some participants may have drawn alternative associations to those we intended.

Finally, we must mention the possibility some participants suspected the true purpose of the study and, in doing so, consciously responded to the survey in ways differing from a “true” response. We attempted to mitigate this possibility by overtly stating an alternative purpose for our study—consistency of marijuana sanctions—that might appear plausible to participants. However, as previously mentioned, the names selected for use in each vignette were likely evocative of particular racial identities, and these may have triggered suspicions among some participants.

## RESULTS

We investigate whether student affairs conduct officers take race into consideration when meting out discipline in several ways. First, we test for differences in the probability of receiving a sanction by race. Second, we test whether Blacks and Whites have different probabilities of specific sanctions based on the amount of drugs found. In other words, are minorities more likely to receive a sanction when the offense is more serious? Third, we test whether Blacks and Whites receive differing sanctions based on the self-reported racial identity of the student conduct administrator. Finally, we test whether or not Black students receive a larger number of recommended sanctions than White students in each of these contexts.

We test for differences in individual sanction recommendations using a series of logistic regression models with a binary dependent variable indicating whether or not the respondent would recommend a specific sanction for their vignette. Additionally, we used Poisson regressions to test for differences in the total number of sanctions recommended.

We estimate five sets of models using these two dependent variables to answer our research questions. First, we include a single race dummy variable to test for the overall effect of race. Next, we add a drug amount dummy



variable and race by drug amount interaction term to test for racial differences at the two drug amounts (1 joint and 1.02 oz.). This allows us to test for possible racial differences given the severity of the offence. Third, we add a non-White administrator dummy variable and student race by administrator race interaction term to test for racial differences in sanctions when the race of the respondent recommending the sanction varies. Fourth, we use an indicator variable to denote Southern/non-Southern institutions to test for racial differences in sanctions when the administrator's institution is located in the geographic South. Fifth, we estimate a model in which the quantity, student race, and administrator race are interacted together, again testing whether race of the respondents has an effect on sanctions at differing levels of drug amount.

The left section of Table 4 presents results for all participants. The first thirteen entries in the table are percentage point differences in the probability a specific sanction is levied between Blacks and Whites. Looking at the first row, for example, the probability that a student with the Black-sounding name, Darius Jefferson, received a warning is .21, while the probability the student with the White-sounding name, Connor Schmidt, received a warning is .23, yielding a difference of -.02; this value appears in the upper left-hand cell of the table. In other words, the probability Jefferson received a warning is 2 percentage points lower than the probability for Schmidt (this difference is not statistically significant). The final row in the table represents differences in the expected number of total sanctions recommended from the Poisson regression models. For example, administrators with the Schmidt vignette recommended an average of 2.58 sanctions, while administrators with the Jefferson vignette recommended an average of 2.57 sanctions. The difference, -.01, is displayed in the lower left cell of Table 4 and is not statistically significant.

Looking at the first column in the Table 4, only two of the 13 sanctions show statistically significant differences between Jefferson and Schmidt, parental notification and assignment to an alcohol/drug assessment. Both of these differences are relatively small from a practical perspective, 5 and 6 percentage points, respectively. Moreover, with 13 statistical tests at  $\alpha = .05$ , one statistically significant result is to be expected. In general, the results in the first column of the table do not reveal a pattern of discriminatory behavior by the participants.

The next two columns of Table 4 show the same differences in probability, but at differing levels of drugs found. The pattern here is similar, with only two statistically significant differences indicating Jefferson was less likely than Schmidt to receive community service (8 percentage points) and more likely than Schmidt to receive a parental notification if found with a joint (9 percentage points); there were no statistically significant differences between

**TABLE 4.**  
**BLACK-WHITE DIFFERENCES IN PROBABILITY OF RECEIVING A SANCTION AND TOTAL NUMBER OF SANCTIONS BASED ON AMOUNT**

Dependent variable	All respondents		No mandatory sanctions	
	Overall	1 joint 1.02 oz.	Overall	1 joint 1.02 oz.
Warning	-0.02	-0.04	-0.01	-0.04
Fine or fee	0.02	0.05	-0.03	0.00
Reflective paper	-0.03	-0.03	-0.06	-0.09
Community service	-0.05	-0.08 *	-0.02	-0.05
Parent notification	0.05 *	0.09 **	0.06 *	0.10 *
Educational program (alcohol/drug/decision making)	-0.05	0.00	0.00	0.01
Alcohol/drug assessment (conducted on/off campus)	0.06 *	0.05	0.05	0.00
Drug testing	0.01	0.01	-0.01	-0.03
Drug counseling	-0.01	0.01	-0.03	-0.01
Disciplinary or deferred probation	-0.01	-0.03	0.00	-0.07
On-campus housing suspension or expulsion	0.00	0.00	-	-
Deferred 0.5 partial suspension	0.00	0.01	0.00	0.00
Suspension	0.00	0.01	-	-
Total number of sanctions	-0.01	0.05	-0.061	-0.165

Note: cell entries for recommended sanctions are average marginal effects, calculated from binary logistic regression models with and without a race by drug amount interaction term; cell entries for total number of sanctions represent differences in the expected number of total sanctions recommended for Black students compared to White students; \*  $p < .05$ , \*\*  $p < .01$ .

<sup>1</sup>No respondents selected on-campus housing suspension or expulsion when responses were limited to those without mandatory sanctions.

<sup>2</sup>Too few cases chose suspension for analysis by quantity.

Jefferson and Schmidt at the larger quantity of marijuana. As with the overall results, sanction probabilities do not differ between the Black- and White-sounding names, regardless of the severity of the offense.

One possible issue with these analyses is that some institutions have mandatory sanctions for drug violations. Because sanctions in these situations are mandated, conduct officers may have less discretion when meting out sanctions. The last three columns of Table 4 show the results when the sample is limited to participants who indicated their institution did not have mandatory sanctions for on-campus marijuana violations ( $n=245$ ). The pattern here is similar to the results for the full sample, with small differences in probability of sanctions between the two names, and almost no statistically significant results.

Next we use the race/ethnicity provided by respondents to test whether or not Black and White students were treated differently by White and Non-white administrators, and whether or not this treatment was consistent across differing quantities of marijuana. The results are displayed in Table 5. The first two columns reflect differences in the probability of a Black student receiving a given sanction as compared to a White student when the student conduct administrator identifies as White or non-White (a group consisting of Asian, Black/African-American, Hispanic, or multiracial). Two statistically significant findings are present—Black students are 7% more likely to receive a parental notification than White students when the administrator is White, and 18% more likely to receive an alcohol/drug assessment than White students when the administrator is not White. The remaining columns in Table 5 display differences in sanction proportion by administrator race at differing amounts of marijuana. The story remains the same; White administrators recommend parent notification for Black students at higher rates than White students, and non-White administrators recommend alcohol/drug assessment for Black students more than White students.

We are also aware that institutions located in regions with a history of racial strife may embody aspects of institutional racism. For this reason, we also test whether or not administrators working at Southern and non-Southern institutions treated Black and White students differently, both generally and in the context of small and large quantities of marijuana. In these tests, no significant findings were observed, suggesting administrators at Southern institutions treated students in a manner consistent with colleagues in other regions of the country.

Our final test involved interacting the student race dummy variable with both the quantity of marijuana and the race of the administrator (measured again as White and non-White). Given the number of possible variable combinations within each recommendation and the relatively low rates at which certain sanctions were recommended, we were only able to

**TABLE 5.**  
**BLACK-WHITE DIFFERENCES IN PROBABILITY OF RECEIVING A SANCTION AND TOTAL NUMBER OF SANCTIONS BASED ON AMOUNT AND ADMINISTRATOR RACE**

Dependent variable	Administrator race		Amount: 1 joint Administrator race		Amount: 1.02 oz. Administrator race	
	White	Non-White	White	Non-White	White	Non-White
Warning	-0.01	-0.05	-0.01	-0.06	-0.01	-0.05
Fine or fee	0.03	-0.02	0.03	-0.03	0.02	-0.02
Reflective paper	-0.04	0.02	-0.04	0.02	-0.04	0.02
Community service	-0.04	-0.09	-0.03	-0.07	-0.05	-0.10
Parent notification	0.07 *	0.01	0.07 *	0.01	0.06 *	0.01
Educational program (alcohol/drug/decision making)	-0.04	-0.06	-0.04	-0.06	-0.04	-0.06
Alcohol/drug assessment (conducted on/off campus)	0.03	0.18 **	0.03	0.16 **	0.03	0.20 **
Drug testing	0.01	0.03	0.01	0.02	0.01	0.03
Drug counseling	0.01	-0.05	0.00	-0.04	0.01	-0.05
Disciplinary or deferred probation	-0.02	0.03	-0.02	0.03	-0.02	0.03
On-campus housing suspension or expulsion	0.00	-0.01	0.00	-0.01	0.00	-0.01
Deferred or partial suspension	0.00	0.03	0.00	0.03	0.00	0.02
Suspension	0.00	0.01	0.00	0.01	-0.01	0.02
Total number of sanctions	-0.02	0.03	-0.02	0.03	-0.02	0.03

Note: cell entries for recommended sanctions are average marginal effects, calculated from binary logistic regression models with a student race by administrator race interaction term; cell entries for total number of sanctions represent differences in the expected number of total sanctions recommended for Black students compared to White students; \*  $p < .05$ , \*\*  $p < .01$ .

successfully run this model on nine sanction options and the total number of sanctions recommended. Of note, a Black student with a large quantity of marijuana sanctioned by a White administrator was 12% less likely to be recommended for an educational program ( $p < .05$ ) and a Black student with a large quantity of marijuana sanctioned by a non-White administrator was 22% more likely to be recommended for alcohol/drug assessment ( $p < .05$ ). All other models were statistically similar. The administrator results parallel the results presented in Table 4, and overall do not suggest differential treatment of students by their race.

## DISCUSSION

Based on our findings, a student's perceived racial identity does not seem to play a role when sanctioning college students for marijuana violations. While we observed some differences in specific sanctions, student conduct administrators did not appear to take race into account when meting out sanctions broadly. Instead, the results mirrored what we might expect to see due to random chance, with no consistent pattern of differential treatment when looking at the totality of sanctions. This seems surprising, as it stands in stark contrast to findings from both the K-12 discipline and postsecondary literature discussed above.

One explanation to consider is the training that student affairs administrators receive prior to entering the field and while employed. We know the faculty studied by Milkman et al. (2015) are not necessarily analogous to student conduct professionals. To begin, some student conduct administrators emerge from traditional student affairs academic programs. These programs are structured to support and encourage the development of a diverse, welcoming community, and often include course content detailing student development theory as it pertains to race and ethnicity (Mitstifer, 2012).

Regardless of education, professional student conduct officers are often specifically trained administrators whose job functions include upholding "... the integrity of the student conduct process," (ASCA, n.d.-a). Members of the Association for Student Conduct Administration (ASCA), the primary professional organization for student conduct administrators, agree to uphold a number of principles, including nondiscrimination and acceptance of all students as individuals (ASCA, 1993). These motifs are again captured in ASCA's Statement of Diversity (n.d.-b), in statements from more broadly representative student affairs organizations as well (ACPA, 2013; NASPA, n.d.), and included among the specific professional standards suggested by the Council for the Advancement of Standards in Higher Education (Mitstifer, 2012). Taken in full, the tenor and content of student affairs graduate preparation programs and professional expectations suggest student conduct

administrators are keenly aware of the role they play ensuring an impartial conduct experience for students on campus.

One alternative explanation for our finding may be the litigious environment surrounding student conduct administrators. Within this context, administrators may be hypersensitive to the nature and implications of decisions regarding student responsibility and, when applicable, sanction assignment. As a result, these decisions—and our findings—might reflect an awareness of this reality and the desire to produce demonstrably impartial conduct decisions.

Based on these findings, a number of questions and opportunities for future research remain. First, while we speculate the training of student affairs administrators practicing student conduct is a significant factor explaining the lack of racist behavior observed, this assertion remains speculative. Future studies might investigate the training student conduct professionals receive and seek to understand if and how these individuals embrace and embody their charge to provide equitable treatment to the students with whom they work. Second, as mentioned in the limitations, it is possible we did not observe racist behavior because our use of race-related names was too subtle. Future studies using a similar approach might explore racism within postsecondary student conduct in ways more overtly suggestive of the racial identity of the student. This might include the use of a picture, additional mentions of the student's name, or providing a "student data file" as part of the vignette containing demographic information for the student, including race. Additionally, this study was limited to discerning differences in administrator response to names suggestive only of Black or White students, and future efforts may explore administrator reactions to a wider array of ethnic names (e.g., Latino, Asian, Arab-origin, etc.). Lastly, this study only examined whether or not an administrator would recommend a given sanction in light of the vignette text received, but does not shed insight as to *why* a given sanction may or may not be recommended. Future studies could further explore administrator decision-making to contextualize when and why particular sanctions might be warranted.

Finally, we note vignettes and field experiments provide opportunities to understand postsecondary behavior that might appear to be difficult, if not impossible, to study. Many areas of policy interest, such as alcohol and drug abuse, cheating, and discriminatory behavior, can be problematic research areas, given respondents have incentives to provide socially desirable responses. Vignettes and experimental designs offer one way to make improved causal inferences, compared to the traditional approach of combining surveys with covariate control using regression analysis.

## APPENDIX

In your current professional role, do you decide and/or recommend (individually or as part of a panel) sanctions for students who are found responsible for violating your student code of conduct?

Yes

No [*skips to end*]

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Following, please find a brief vignette describing a fictional incident that recently occurred on your campus. Then, using the information provided and your professional experience in student conduct, please answer the question that follows.

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### **Coming to work Monday morning, you received the following report:**

At approximately 3:45 a.m. Saturday night, I, Officer Williams, was patrolling campus when I came upon a lone male with a backpack walking in the middle of the street. I shined my light on the male, who then proceeded to walk quickly toward the sidewalk. I stepped out of my patrol car and asked the individual to stop. He did so, and I approached him slowly.

I asked the young man his name, and he initially refused to provide one. After further questioning, he told me his name was **[Insert Name]** and stated he was a current student. When I asked what he was doing prior to my arrival, he stated he was walking home from a friend's house.

I asked the subject what was in his backpack, and he told me he had several books in the backpack. I asked to see inside, and he agreed. I next asked him to open his bag. Inside, I saw what appeared to be a jacket stuffed inside the bag, and I asked him to pull out the jacket. As the subject removed the jacket from the backpack, one joint fell out of the coat onto the ground.

The subject initially denied knowing the marijuana was in his bag, claiming a friend must have placed it in the bag without his knowledge. When pressed further, however, he admitted the marijuana was his and that he was fully aware the marijuana was in his backpack.

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Following your standard procedure, you contacted the student named in the report, informed him his behavior represented a potential violation of the student code of conduct, and confirmed a meeting with him later in the week. On the appointed date and time, **[Insert Name]** arrived at your office. After introducing yourself and reviewing the potential violations, the following exchange occurred:

You:           Talk to me more about that night. The report we received says you were walking in the middle of the street?

Student:       I was walking home from a friend's dorm and there was no one else around. I didn't really think much about it, to be honest.

- You: Okay. Let's talk about the marijuana.  
Student: What about it?  
You: How often would you say you use marijuana?  
Student: Not often, maybe a few times a month. I always do it off-campus, though.  
You: What about other drugs?  
Student: No, I just use marijuana.  
You: And alcohol?  
Student: Oh, I guess I drink occasionally, too. Maybe once or twice a week?  
You: When you say you drink once or twice a week, how much are we talking about?  
Student: I don't know. A few beers. Five or six?  
You: Were you under the influence of drugs or alcohol when the officer stopped you?  
Student: No. My friend and I were studying for a test that night. I was on my way home to go to bed.  
You: What was the marijuana doing in your bag, then?  
Student: I honestly forgot it was even in there. I haven't worn that coat in a while.

Following this exchange, [Insert Name] accepted responsibility for possessing marijuana on campus. In addition, you confirmed he was a junior at your institution with a cumulative GPA of 3.02. According to your records, he has no other violations on file. When asked what was learned from this experience, he struggled to answer the question, saying only "I guess I shouldn't be using marijuana." Finally, when asked what he thought an appropriate sanction would be for this violation, he said he did not know.

Based on the information provided and your professional experience, you would recommend the following sanction(s) for this student (select all that apply):

- Warning
- Disciplinary probation
- Alcohol/drug education program
- Alcohol/drug assessment (conducted off-campus by an external party)
- Drug counseling
- Drug testing
- Community service
- Reflective paper
- Suspension
- Expulsion
- Other: (text)

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Which of the following best describes your level of experience with student conduct?

- Less than one-year full-time experience
- Between one and three years full-time experience



Between three and five years full-time experience  
Between five and ten years full-time experience  
More than ten years full-time experience

Does your institution have mandatory sanctions for on-campus marijuana violations?

No  
Yes

*If “yes” above . . .* Please indicate which sanction(s) are mandatory for on-campus marijuana violations on your campus:

Warning  
Disciplinary probation  
Alcohol/drug education program  
Alcohol/drug assessment (conducted off-campus by an external party)  
Drug counseling  
Drug testing  
Community service  
Reflective paper  
Suspension  
Expulsion  
Other: (text)

Does your campus allow students to possess legally obtained marijuana on-campus?

No  
Yes

I identify as:

Female  
Male  
Another gender identity

I identify as:

Native American  
White  
Hispanic  
Black/African-American  
Asian  
Native Hawaiian/Pacific Islander  
Multiracial

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