

**Student Conduct, Restorative Justice, and Student Learning:  
Findings from the STARR Project  
(Student Accountability and Restorative Research Project)<sup>1</sup>**

David R. Karp, Ph.D.  
Associate Dean of Student Affairs  
Professor of Sociology  
Skidmore College  
815 N. Broadway  
Saratoga Springs, NY 12866  
518-580-5779  
[dkarp@skidmore.edu](mailto:dkarp@skidmore.edu)  
[www.CampusRJ.com](http://www.CampusRJ.com)

Casey Sacks, Ph.D.  
Project Manager  
Colorado Community College System  
9101 East Lowry Blvd  
Denver, CO 80230  
720-858-2841  
[Casey.Sacks@cccs.edu](mailto:Casey.Sacks@cccs.edu)

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Conduct officers in higher education, administrators who are responsible for hearing cases of student misconduct, widely share the twin goals of student development and educational sanctioning. Rarely does a conduct officer seek retributive punishment, enunciating with ironic darkness, “We are here to teach you a lesson you will not forget.” The aspirations are typically compassionate, developmental, and educational, and in this article we explore what is learned by participants in a conduct process, and how well these lessons accord with student development theory. More specifically, we compare more traditional conduct practice, known as the “model code,” with emerging restorative justice practices (Karp, 2013; Karp & Allena, 2004; Karp & Conrad, 2005; Lipka, 2009). This article reports findings from the STARR Project (Student Accountability and Restorative Research Project), a multi-campus study of several hundred cases of student misconduct in the United States. In essence, we examine what students learn from the experience of going through a disciplinary process on a college campus after they have gotten in trouble for violating the institution’s code of conduct.

### **Restorative Justice and the Model Code**

The vast majority of higher education institutions in the United States base their disciplinary policies on two similar templates promoted nationally. Each is described as a “model student conduct code” or “model code” for short (Pavela, 1979-1980; Stoner & Lowery, 2004). In a recent study, the model code was compared with a restorative justice approach to student misconduct (Karp, 2009). To summarize this analysis, both practices are used for a wide variety of conduct violations on college campuses, such as underage drinking, plagiarism, theft, and assault. Both models share an aspiration for fair treatment and the application of educational sanctions. However, the models differ significantly in both procedure and sanctioning.

Restorative justice is a collaborative decision-making process that includes victims, offenders, and others seeking to hold offenders accountable by having them (a) accept and acknowledge responsibility for their offenses, (b) to the best of their ability repair the harm they caused to victims and communities, and (c) work to reduce the risk of reoffense by building positive social ties to the community (Karp, 2013). The model code calls for a hearing process that is conducted by a single hearing officer or a volunteer board, often composed of students, faculty, and staff. While proponents of the model code highlight that the hearing is not a criminal trial, it has many of the similarities to the courtroom process. While proponents of restorative justice highlight that it is not mediation, it has many similarities to the mediation process.

The model code is more a formal process, emphasizing authority and carefully managed procedures as a way to guarantee fairness and legitimacy. Restorative practices instead focus on creating social support in order to elicit honest dialogue and personal investment in the process. The model code strives for an objective assessment of the facts through a careful parsing of the evidence in order to make the best possible determination of responsibility. Restorative practices are typically used when a student has already admitted responsibility, and focus much more on the impact the misbehavior has had on everyone involved in order to tailor an outcome that best meets the needs of the participants. Model code sanctions are varied and inclusive of a wide range of punishment philosophies, however, the prescribed list tends to feature retribution, deterrence, and incapacitation, and is often a model of progressive restriction and exclusion—with sanctions that begin with restrictions such as losing access to the gym or participation in a club, to fines, to removal from campus housing or suspension from classes, and finally to expulsion from the institution. Restorative practices instead focus on strategies to repair the harm caused by the offense and tasks that will rebuild trust between the respondent and the campus community. Under the model code, conduct officers ask, “Should the student be suspended

because of the gravity of the offense?” In restorative justice, the question is typically reframed, “What actions could the student take to reassure us that he or she will be a responsible member of the community?”

## **THE STARR PROJECT**

The STARR Project includes data from 659 conduct cases at 18 college and university campuses in the United States. In addition to case information provided by a conduct administrator, case files included surveys completed by student offenders and affected parties. The primary goal of this study is to compare learning outcomes in model code conduct practices with restorative justice practices. This study identifies two categories of conduct practice:

1. *Model Code Hearing*. In this model, an administrative or board hearing is conducted in a manner consistent with best practice. An administrative hearing is a one-on-one meeting between a conduct officer and an accused student. A board hearing is a meeting between the accused student and a panel of conduct board members which may include students, faculty, and staff. The focus of the model code hearing is on the determination of responsibility, followed by the assignment of sanctions that include warnings, probation, fines, restrictions of privileges, suspension from residence, suspension, and expulsion.
2. *Restorative Justice Practice*. In this model, a facilitator hosts a dialogue between the student offender (who has admitted responsibility) and affected community members. The dialogue maintains a focus on identifying and repairing harm as well as tasks to rebuild trust between the campus community and the student offender.

## **Student Conduct and Student Development: Six Indicators**

Integrating several student development theories, we identify six student development goals:

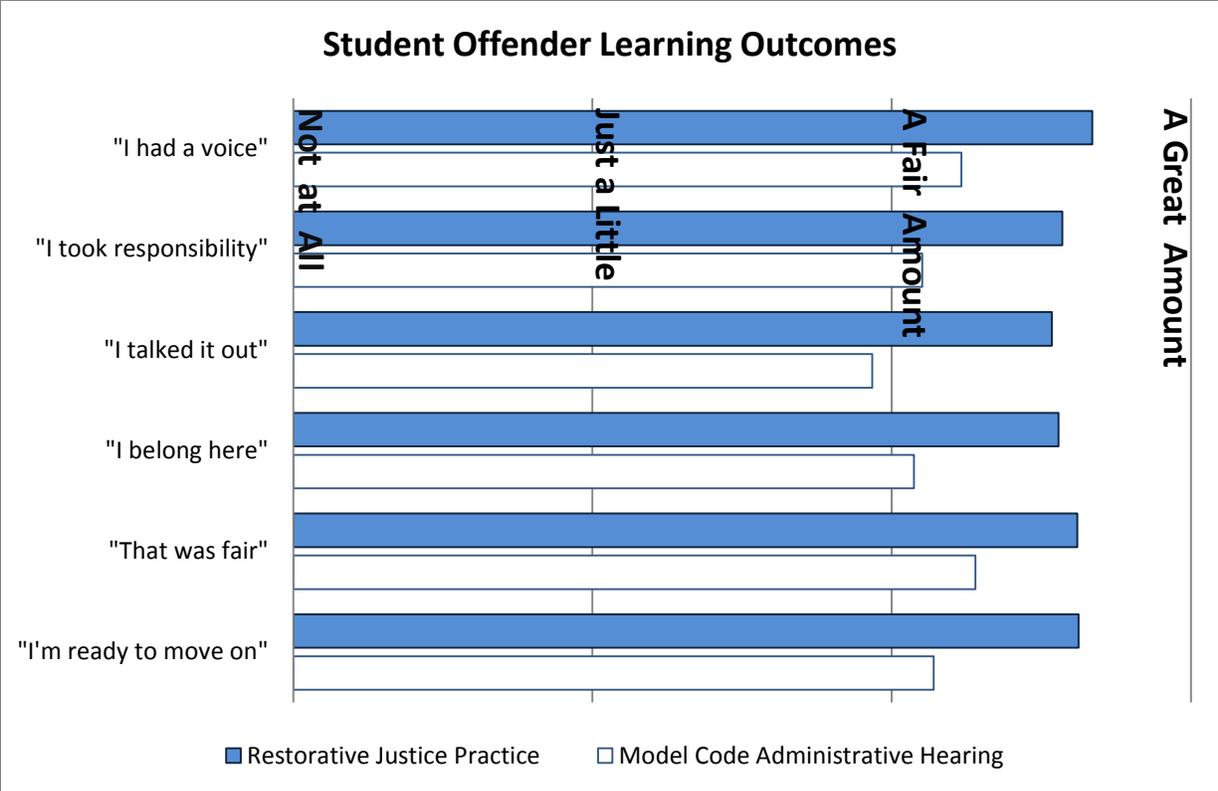
1. *Just Community/Self-Authorship*: “I had a voice” refers to the active participation of the offender in the decision-making process. It has the student development goal of internalizing community standards so behavior is guided by conscience and recognition of the ethical responsibilities inherent in community membership. This dimension was measured with the following items:
  - To what extent were you given options in how the case would be handled?
  - To what extent were you able to communicate your thoughts and feelings about the incident?
  - How much were you able to meaningfully contribute your ideas towards the outcome?
  - To what extent was the outcome tailored for you and your situation?
2. *Active Accountability*: “I took responsibility” refers to how much offenders understand not only that the behavior was a violation of rules, but also the consequences of the behavior on others and their willingness to take responsibility for making things right. This dimension was measured with the following items:
  - How much did the process help you to take responsibility for the consequence of the incident?
  - To what extent did the outcome focus on repairing the harm that was caused by this incident?
  - To what extent did the outcome create opportunities to respond to larger social issues that are relevant to the incident (such as relevant community service, research on alcohol issues, etc.)?
3. *Interpersonal Competence*: “I talked it out” refers to the ability to listen to others’ perspectives, express remorse, and repair fractured relationships at least to the point that students in conflict can safely and civilly co-exist in the campus community. This dimension was measured with the following items:
  - How much did the process help you to understand the point of view of those most affected?

- To what extent did the process offer an opportunity to give a sincere apology to those most affected?
  - To what extent was a sincere apology offered during this process?
  - To what extent would you now feel comfortable seeing the others involved in the incident around campus or in the community?
4. Social Ties to the Institution: “I belong here” refers to the student’ social ties to the campus community, including a positive, non-adversarial orientation to campus administrators and police. This dimension was measured with the following items:
- How much did the process help you to understand your responsibilities as a member of the community?
  - As a result of this process, I have a greater appreciation for the campus administrators involved in my case (such as deans, residential life staff, conduct officers, etc.).
  - As a result of this process I have a greater appreciation for campus safety officers.
5. Procedural Fairness: “That was fair” refers to the belief that the conduct process was fair, which helps create a sense of legitimacy for the rules and standards of the institution. This dimension was measured with the following items:
- To what extent did you receive the information needed for you to confidently participate in this process?
  - How much did the process include people who could offer you counsel and support?
  - To what extent did you feel respected throughout the process?
  - To what extent was the process fair to all parties?
6. Closure: “I’m ready to move on” refers to satisfaction with the process leading to closure: facing up to the misconduct, learning from it, but not letting it become an obstacle to future success. This dimension was measured with the following items:
- Overall, how satisfied are you with the way this process was handled?
  - Overall, how satisfied are you with the outcome of this process?
  - How much did the process help you bring closure to this situation?

## STUDY FINDINGS

In general, we find that students benefitted from their participation with the conduct process by showing learning gains in six dimensions of student development. Overall, students in both model code and restorative justice hearings typically indicated they learned either a “fair amount” or a “great amount.” But a pattern emerged across the types of practice. This study found the most learning occurred with restorative justice practices that included harmed parties in the decision-making process and focused on repairing harm and rebuilding trust.

Using multiple regression to control for a variety of influences, we determined that the type of conduct process used is the single most influential factor in student learning. We consistently found restorative justice practices have a greater impact on student learning than model code hearings. On all six student development measures, the only item that consistently helped to explain the variance observed in reported learning was the disciplinary process—model code vs. restorative justice. Students who engaged in restorative practices reported more learning on all six scales.



One reason why learning may be greater with restorative practices is that student development is a holistic enterprise focused on moral concern, citizenship, and emotional intelligence. Model code practices tend to focus on facts and procedures—Did the student violate the code of conduct? Questions pertaining to the mindset of the offender are predicated on deterrence—Did the student understand the rules?

Restorative justice leads to a different line of inquiry, less focused on conformity and reason than on empathy and engagement. The wrongfulness of the behavior is predicated on the hurt rather than the proof of rule-breaking. Student offenders are first asked to listen to the accounts of those harmed by their behavior, and these emotional appeals are often effective in eliciting expressions of contrition and remorse. When harmed parties hear a student admit fault, they often respond with, if not forgiveness, then appreciation of the student for taking responsibility. This is important groundwork for cooperative, inclusive decision-making about a just response to the misconduct and building support systems to reassure the group of the offender’s continued membership in the community. The lessons from this experience are in greater alignment with the overarching goals of college student development.

Although restorative justice practices have demonstrated positive findings in criminal justice settings (Sherman & Strang, 2007), this is the first study to examine its impact in college student conduct administration and on the learning outcomes for student offenders. The evidence provided here would support more widespread implementation of restorative justice, assuming that conduct officers are committed to evidence-based best practices in student development. We do not argue that restorative justice replace the model code, which remains especially important in adversarial cases where the student is denying responsibility for the alleged violation. But we do argue conduct officers are too

singular in their implementation of model code practices, and many more cases could benefit from a restorative approach.

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