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**The Operationalization of the Doctrine of *In Loco Parentis*:
The Administrative Council of the University of Tennessee
in the Early 1920s and 1930s**

**A Dissertation Presented for
the Doctor of Philosophy
Degree
The University of Tennessee, Knoxville**

**Bryan Franklin Coker
August 2010**

Dedication

This study is dedicated to the loving memory of two men who are here only in spirit to witness the completion of this study, Mr. Chris W. Barnette and Mr. Charles R. Burchett.

Mr. Chris W. Barnette was the researcher's father-in-law, and was one of America's most successful healthcare executives, having been named a Fellow of the American College of Healthcare Executives (FACHE) and having served on the Board of the American Hospital Association (AHA). He held numerous senior executive positions in healthcare systems in the states of Louisiana and Texas. He was an incredible motivator, mentor, and confidant in the professional life of the researcher. Tragically, his life was ended abruptly, prematurely, and unfairly in April 2008, at the hands of a drugged driver. His legacy lives on, in the lives of his children and grandchildren.

Mr. Charles R. Burchett served in numerous administrative positions in student affairs at the University of Tennessee, Knoxville, for over forty years. He was known to generations of University students as "Dean Burchett", due to this lengthy and illustrious tenure as Dean of Student Conduct. He was a decorated World War II veteran and a dedicated public servant to the City of Knoxville and the State of Tennessee. He was a tireless advocate for students, and his legacy of student advocacy lives on, in the professional careers of the many student affairs professionals whom he mentored and inspired. It was his gift to the researcher of the University of Tennessee's Administrative Council Minutes which made this study possible.

Acknowledgments

This study would not have been completed without the consistent and unwavering support of a few individuals.

Dr. Norma T. Mertz exercised and unfailingly demonstrated, over an extended period of time, confidence in the ability of the researcher to complete this study. Her patience, perseverance, and understanding are without equal, and amounted to much more than the researcher deserved.

Mrs. Dorothy C. Barnette, mother-in-law of the researcher, consistently provided generous financial support and emotional encouragement, which made the researcher's completion of graduate study possible.

Dr. John A. Balog, Vice President for Student Life at Jacksonville University, was a constant source of motivation and encouragement for the researcher to complete this study. His support, as a friend, supervisor, and mentor went well above and beyond the call of duty.

Mrs. Sara Barnette Coker, wife and best friend of the researcher, endured countless nights without help with the children, without a husband with whom to chat, and without a house handy-man during the course of this study. (And, no one ever said being the spouse of a Dean of Students was easy in the first place.) Her sacrifices were real and tangible – the researcher has been humbled by her love, support, and devotion, and is looking forward to many more loving years in which to pay it forward.

Finally, to Caroline, William, and Chris, children of the researcher – thanks for being so patient and understanding while your Daddy finished “his paper”.

Abstract

The purpose of this study was to describe how the doctrine of *in loco parentis* was operationalized at the University of Tennessee during the early 1920s and 1930s, through analysis of the minutes of the University of Tennessee Administrative Council, the administrative body charged with the major decisions concerning student life for the University. The phenomenon under examination in this single, descriptive, holistic case study design was the operationalization of the concept of *in loco parentis*, and the case was the University of Tennessee during the early 1920s and 1930s.

The study identified the various issues with which the Administrative Council dealt in the early 1920s and 1930s, as well as outcomes of the various issues before the Council. The findings revealed that the University practiced standing in the place of students' parents in various ways, including: a comprehensive class attendance policy and monitoring of class attendance; substantial monitoring and oversight of academic progress; mandated attendance at a religious chapel program; restrictions on travel outside Knoxville while classes were in session; regulation of social dancing; visitation and curfew restrictions in residential facilities for women; lecturing and verbal reprimanding of students who appeared before the Council; serving as a permission-granting or permission-denying body for various and sundry requests; disciplining of students for vague, non-specific matters of non-academic student misconduct; and extensive use of student probation and the associated restrictions which accompanied probation.

As the first study to document the way in which the doctrine of *in loco parentis* was operationalized from an administrative perspective, the findings add significantly to the

existing literature and to our understanding of the relationship between the student and the institution in the early part of the twentieth century.

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Chapter 1 Introduction

Leaders of American colleges and universities have long struggled to clearly define the relationship between their respective institutions and the students they educate, particularly concerning the institutions' regulation of student conduct (Clowes, 1973 & Fowler, 1984). As stated by Walton (1992-1993), the relationship between institution and student "has been much debated by students, parents, and school officials, and has been ambiguously interpreted by the courts" (p. 247). Throughout the history of American higher education, colleges and universities have taken various approaches to the institution-student relationship, and consequently, to student behavior. Historical accounts of American higher education typically chart a gradual evolution from very strict, quasi-military control of student behavior in higher education's earliest days, to a humanistic and counseling-based approach, by the mid-twentieth century (Dannells, 1988). The evolution has also been characterized by shifts in which college employees were responsible for oversight of student behavior. In the earliest days of higher education, the "President and faculty exerted total behavior control over their students" (Dannells, p. 127); however, as the roles of university presidents and faculty members changed, their participation in student affairs matters shifted from "total involvement to detachment" (Fenske, 1989, p. 5). This evolution and these changing roles accompanied shifts in the philosophy of the student-institution relationship, as evidenced by the relevant literature.

Such was the case at the University of Tennessee, as in the early part of the twentieth century, official matters pertaining to students at the University of Tennessee fell within the purview of the "Administrative Council". The Administrative Council was a group of senior administrators and faculty members who were responsible for the major decisions concerning

student life for the University, including the adjudication of student discipline cases. The records of the Administrative Council's proceedings were kept, at first in handwritten – and later in typewritten – form, then securely stored away. The Council's records remained in storage, virtually untouched until 2001, when they were presented to the researcher by an employee who was retiring after forty years of service to the University. Within the delicate, yellowed pages of these records, the researcher discovered rich accounts of student life at the University from the institution's perspective from the early twentieth century. Consider this case which came before the Administrative Council on December 6, 1921

(* Indicates a pseudonym is being used for the students' names):

Miss Greve presented the names of three young ladies who had gone on the river Sunday and remained until 9:45 P.M. The young ladies Karen Baxter*, Theresa Hamilton*, and Emily Randolph*, were called before the Council. Miss Baxter* said that she left Strong Hall about 4:00 P.M.; stopped at store and got something to eat; started on the river about 5:00; went a little way down the river; built a fire and ate lunch; returned about 9:45; had no permission. Jeff Vogel* had called her up and asked her to go. They saw no people on the bluffs and did not know that it was not a good place to go. When she returned she went down and told Mrs. Johnson that she had neglected to tell her where she was going. Miss Hamilton* said that John Smith* had asked her to go and that she had asked permission from Miss Hardison. She thought that a senior was a sufficient chaperone. Miss Randolph* said that Jeff Vogel* had called and asked her to go. She had asked permission of Mrs. LaCour; did not know that it was a boating party; did not know reputation of the bluff until Miss Greve told her. Miss Randolph* explained that Mrs. LaCour had misunderstood her when she had asked permission and

thought that she was going to Vesper services as some other girls had asked permission to go there at the same time she had asked permission to be out late. After some discussion it was decided that Miss Greve should reprimand the girls privately (Administrative Council Minutes, 1921).

While this case of student “misconduct” from 1921 provides a seemingly stark contrast to college student life today, one could make inferences from the case about how the University of Tennessee was relating to its students during this time period. The behaviors and general matters with which the Administrative Council was concerned reveal what behaviors the University considered important to regulate, and thus, how it conceptualized its relationship with students.

During the early 1900s, many American colleges and universities related to students in a way stakeholders – especially the students – would characterize as “paternalistic” (Simon, 1994). Simon (1994) stated, “From the start of the Republic until well after the Second World War, the rationale for governing American higher education was articulated largely in terms of its paternalistic duty to shape the values of students” (p. 15). For example, in 1933, a college woman at the University of Oregon noted, “I’ve found that rules are so thick that one can’t breathe! Why I have to get permission from my parents to the Dean before I can even visit my parents!” (Jameson, 1939, p. 502). Another woman remarked, “I haven’t been accustomed to accounting for every little thing I do...” (p. 504). Younger (1931) noted,

He [the student] is told what rooms are suitable for him, he is told what hours he shall keep. His amusements, in some instances, are prescribed for him. He is restricted in his smoking, and in use of his automobile. There are few personal activities that are not

dominated by university authorities... A truly remarkable system of patriarchal government has grown up in our universities (p. 204)

Students of this time period often expressed that colleges and universities regulated their behavior, much like – or more so than – what they had experienced in their home environments. These students were correct; in fact, that was just what the University was doing – acting *in loco parentis*.

In loco parentis, from the Latin, literally means “in place of the parent”, and is the doctrine which describes the relationship between institution and student that prevailed in American colleges and universities, from their inception through the 1960s (Walton, 1992-1993). Under *in loco parentis*, institutions “stood in place of the parents to the students entrusted to their care” during the time a student was enrolled in the institution (Jackson 1991, p. 1136). The *in loco parentis* doctrine “provided that the college had the right to step into the place of the student’s parents and a duty to protect the safety, welfare, and morals of its students” (Thomas, 1991, p. 32). Colleges and universities subscribing to this doctrine assumed responsibility for various facets of students’ lives, not just their academic pursuits, as Altschuler and Kramnick (1999) described, “from libido to laundry” (p. 1). Szablewicz and Gibbs (1987) further explained, “college administrations were thought to have custody of and authority over their students...parents transferred their parental authority and obligations to the schools” (p. 454). Consequently, institutions related to – and treated – students in a paternalistic matter.

The *in loco parentis* doctrine was sanctioned in U.S. Law in 1919, in the case of *Gott v. Berea College* (1919), when the Kentucky Court of Appeals held that “College authorities stand in loco parentis when the physical, moral, and mental welfare of pupils is concerned. Any rule of regulation for the betterment of their pupils in these areas was deemed permissible” (Jackson,

1991, p. 1146). The Kentucky Court of Appeals went on to explain that “college authorities were permitted to deny students the autonomy and rights enjoyed by others in order to preserve institutional harmony” (Jackson, p. 1147). Thus, the *Gott v. Berea College* case gave American colleges and universities significant latitude to treat students in a paternalistic manner and to interpret what that meant operationally, typically leading to student discipline systems characterized by subjectivity and very little semblance of due process.

The concept of paternalism, defined as “to act like a father, or treat another person like a child” and “to act for the good of another person without that person’s consent, as parents do for their children” (Suber, 1999, p. 632), mirrors *in loco parentis*, and is also used to describe the manner in which institutions viewed and treated their students. Veysey (1965) referred to the “overriding spirit of paternalism” in the American college and the “almost patriarchal authority” of the college president (p. 32) in early American higher education. College presidents such as General William Tecumseh Sherman often spoke of serving in a “father-like” role to students (Rudolph, 1990 & Hoekema, 1996). *In loco parentis* and paternalism were manifest in practices such as restrictions on dormitory access and visitation privileges, restrictions on leaving campus grounds, compulsory chapel attendance, scrupulous monitoring of class attendance, and censorship of the student press (Fowler, 1984). These two terms - *in loco parentis* and paternalism – are used interchangeably in the relevant literature, however, *in loco parentis* will be the term used within this study and it will be used to refer to the application of the doctrine to students enrolled in institutions of higher education.

While numerous theories have been advanced to explain the predominance of *in loco parentis* throughout various eras of American higher education, the foremost theory is that the doctrine was simply “imported” from the English colleges, and American institutions sought to

emulate those institutions (Jackson, 1991). A paternalistic atmosphere was considered reminiscent of the intimate and exclusive settings of Oxford and Cambridge, and was commonly referred to in America as, “The Collegiate Way of Living” (O’Hara, 2008). The Collegiate Way was characterized as “a large family, sleeping, eating, studying, and worshipping together under one roof” (Rudolph, 1990, p. 88 & Hoekema, 1996, p. 1). The English colleges were also characterized by a “distinctly Puritan educational ideal” and “absolute institutional control of students by faculty both inside and outside the classroom” (Jackson, pp. 1138-1140). The English colleges provided a solid foundation for the adaptation of *in loco parentis* to America.

Strong evidence exists to suggest that *in loco parentis* was the preeminent doctrine defining institution-student relationships in American higher education from its inception until at least the 1960s (Walton, 1992-1993). However, aside from general histories of American higher education such as those offered by Thelin (2004) and Rudolph (1990), as well as Brubacher and Rudy (1999), which speak to the defining nature of the doctrine, we know relatively little about how *in loco parentis* was operationalized from the perspective of University administrators, that is, how institutions of higher education actually practiced standing in the place of the parent. The minutes of the University of Tennessee’s Administrative Council’s proceedings provide an opportunity to gain an in-depth view, of how *in loco parentis* was operationalized in the early 1920s and 1930s, a time when it was still the predominant approach to the institution-student relationship.

Statement of the Problem

While the literature pertaining to the history of the institution-student relationship supports the existence and predominance of *in loco parentis* in defining the relationship between

universities and their students, very few examples exist about how the doctrine was operationalized, that is, how institutions of higher education actually practiced standing in the place of the parent. Given how critical and pervasive this concept was in American higher education, it is surprising and unfortunate that so little is known about how *in loco parentis* was operationalized on college and university campuses. Beach (1969) stated, "There are few events or lives or movements of any consequence which have no chronicle. But there are many whose accounts are totally inadequate" (p. 562). The minutes of the Administrative Council of the University of Tennessee offer unique insight, based upon the perspective of University administrators, into how *in loco parentis* was operationalized at a major public university in the early 1920s and 1930s, the heyday of the doctrine's realization. Further, the minutes allow for the chronicling of a phenomenon about which little is currently known.

Purpose Statement

The purpose of this study is to describe how the doctrine of *in loco parentis* was operationalized at the University of Tennessee during the early 1920s and 1930s.

Research Questions

This study will be guided by the following research questions:

1. What were the types of student conduct and student life issues with which the Administrative Council was concerned?
2. What was the response of the Administrative Council to the student conduct cases and student life issues which came before the Council?
3. What do the types of student conduct and student life issues with which the Administrative Council was concerned, and the ways in which they responded to the matters, tell us about the how the doctrine of *in loco parentis* was operationalized?

Significance

This study will fill a currently-existing void in the literature, by providing a rich description, from the administrative perspective, of the way a major university operationalized *in loco parentis* during the time in which it was the prevailing relational approach between universities and their students. This study will also contribute, on some level, to the overall history of American higher education, specifically, the history of the student-institution relationship and student discipline. Scholars of American higher education and student affairs practitioners alike will benefit from this study by gaining a greater overall understanding of the *in loco parentis* doctrine, specifically through the lens of University administrators. Edwards (1994) spoke to the significance of the *in loco parentis* doctrine, stating, “Seldom has a presumably simple concept generated as much debate and controversy as the legal doctrine of *in loco parentis* in American higher education” (p. 4).

Many researchers have theorized that, even today, *in loco parentis* can still be found in American higher education. Jackson (1991) contended that, “*in loco parentis* continues to influence the legal status and internal policies of many modern American multiversities” (p. 1137). Indeed, Sweeton and Davis (2004) posited that “*In loco parentis* is not a relic of the past; it has a strong presence in modern day student affairs practice” (p. 1). Higher education scholars point to court rulings, as well as institutional policies, as evidence that *in loco parentis* remains alive and well today. By providing greater insight into the practical application of *in loco parentis*, this study will enable current day theorists to make more informed judgments about whether *in loco parentis* maintains a presence on today’s college campuses.

Delimitations

This study will be delimited to the Administrative Council minutes of the University of Tennessee, Knoxville, during the early 1920s and 1930s. These delimitations were imposed because the time periods offer an ideal frame of time in which to study *in loco parentis*; a time that could arguably be considered the height of the doctrine in American higher education, and before its decline. These were time periods in which the concept was still very much in vogue, and well before the shift to more humanized and individualistic models of student discipline.

While the study sought to understand how the concept of *in loco parentis* was operationalized in higher education, the study was delimited to one institution, the University of Tennessee. Thus, the findings are limited to that institution and may not describe how the concept was operationalized at other institutions. However, as the only source of data which speaks to the operationalization of the concept, the findings may well be suggestive of how the concept was operationalized at other institutions of higher education at the time.

Limitations

The minutes of the Administrative Council's proceedings were originally recorded in non-verbatim form, by secretarial employees of the University. Each entry details the general issue(s) before the Council and the consequent action(s) taken by the Council. For any speakers or witnesses who appeared before the Council, a general, non-verbatim synopsis is offered of their testimonies. Thus, this documentation of the Council's proceedings presents only what the transcribing secretaries recorded. The history presented by these minutes is, therefore, a history as mediated through the recorder. As Gall, Borg, and Gall (1996) state, "The recording of the event involves an interpretative act, because the biases, values, and interests of those who recorded the event will cause them to attend to some details and omit others" (p. 644).

Consequently, what the minutes offer is an account which was subject to potential biases on the part of the transcribers. Yin (1984) states that, when using such documents, it is important to understand that “it was written for some specific purpose and some specific purpose other than those of the case study being done” (p. 81).

Preview of Methodology

The basic research design to be used in the study is a single, descriptive, holistic case study (Yin, 1984). The phenomenon to be examined is the operationalization of the concept of *in loco parentis*, and the case is the University of Tennessee during the early 1920s and 1930s. The source of data is the minutes of the University of Tennessee Administrative Council, for that period, which will be used to describe how *in loco parentis* was operationalized.

Organization of the Study

Chapter 1 provides an introduction to the study, including the rationale for the study, a statement of the problem, the purpose of the study, its significance, limitations and delimitations, and the organization of the study. Chapter 2 features a comprehensive review of the literature pertaining to the concept of *in loco parentis*, set within the history of the institution-student relationship, as well as an historical overview of the University of Tennessee from its inception through the 1930s. Chapter 3 offers an explanation of the methods and procedures used in the conduct of this study including the research design, sources of data and data analysis. The findings of the study will be detailed in chapter 4. A comprehensive summary of the study and a discussion of the findings will be presented in chapter 5, as well as conclusions and recommendations for future study.

Chapter 2 Review of the Literature

This chapter provides a critical review of the literature related to the study, and is organized into two sections. In the first section, a comprehensive review of the literature pertaining to the doctrine of *in loco parentis*, within the historical context of institution-student relationship, is presented. In the second section, an historical overview of the University of Tennessee, the institution which constitutes the case for this study, is provided, from its founding through the 1930s.

History of *In Loco Parentis*

As previously mentioned, while there is very little primary data pertaining to the operationalization of the *in loco parentis* doctrine, there are general histories of American higher education, which speak to the defining nature of the doctrine. Colleges and universities operating under *in loco parentis* functioned in a paternal manner toward the students entrusted to their care. As explained by Szablewicz and Gibbs (1987), “college administrations were thought to have custody of and authority over their students...parents transferred their parental authority and obligations to the schools” (p. 454). The concept of *in loco parentis* in education has deep roots, dating to eighteenth century English Common Law, and potentially even earlier. William Blackstone’s Commentaries on the Laws of England discussed the role of a schoolmaster or tutor in the 1700s:

He (the parent) may also delegate part of his parental authority, during his life, to the tutor or schoolmaster of the child; who is then *in loco parentis*, and has such a portion of the power to the parent committed to his charge, viz. that of restraint and correction,

and may be necessary to answer the purposes which he is employed (Blackstone, 1765, p. 413).

Blackstone's commentary, which speaks of a parent transferring some degree of control and authority to the schoolmaster of his/her children, provided one of the first documented references to the *in loco parentis* concept in education. van Alstyne (1969) likewise, stated of English Common Law, "acknowledged an implied agency in the tutor, granting him an authority to discipline a refractory pupil by means allowed to parents in the disciplining of their youngsters at home" (p. 406). As Jackson (1991) explained, "The schoolmaster was then *in loco parentis* and had a partial share of parental power" (p. 1144). Numerous scholars have posited that *in loco parentis* was, in essence, a principle created to protect teachers' rights to administer corporal punishment, a principle which was essentially imported from England to America (Zirkel & Reichner, 1986). Alan Edwards (1994) theorized that *in loco parentis* could generally be traced even earlier than Blackstone's England, to ancient Roman law and even the Code of Hammurabi. Worley (2003), likewise, referenced ancient Greece and spoke of the *pedagogue*, a slave assigned to a boy beginning school, who served as steward, leader, guardian, protector, tutor, teacher, and caregiver. "A pedagogue would act in a familial fashion toward the young boy, watching over him, teaching social graces, and administering discipline" (p. 280). Undoubtedly, *in loco parentis*, in various forms, was prevalent at educational institutions abroad well before the birth of American higher education.

The influence of the colleges and universities of England played the greatest role in the transmission of *in loco parentis* to America. The earliest American institutions of higher education emulated the English residential colleges and the medieval English universities, specifically Oxford and Cambridge (Jackson, 1991). America's first institution of higher

education, Harvard College, was founded on October 28, 1636, and the earliest Harvard diplomas actually read, *pro modo Academicarum in Anglica* ("according to the manner of universities in England") (Brubacher & Rudy, 1999, p. 3). The environments of English institutions were ones in which *in loco parentis* prevailed. Edwards (1994) described the typical English college as, "...a small, cohesive community populated by minors who not yet held any rights as adults" (p. 3). Adding to that characterization, Rudolph (1990) described these institutions as places where "Puritan theology and Puritan aspiration had been especially nurtured" (p. 4). Consequently, drawing upon these English themes, the earliest American colleges regarded education "as far more than a purely intellectual enterprise...college was to look after the moral as well the intellectual development of its students; character training was just as important as mind training" (Ashby, 1967, p. 419). Henry Dunster, one of Harvard's first presidents, advised faculty on working with students "...to take care that their conduct and manners be honorable and without blame" (Thomas, 1991, p. 2). Harvard continued to follow the English precedent carefully, and Harvard then became the template for subsequent American colleges (Brubacher & Rudy, 1999, p. 3). The English institutions had, indeed, provided a solid model for the establishment of *in loco parentis* at America's first colleges and universities.

The historically close relationship between churches and colleges, which predated the birth of American higher education, was another contributing factor to the permeation of *in loco parentis* in American higher education. A close college-church relationship often led to colleges fulfilling the role of transmitting values to students, much like the traditional role of a parent. Colleges and universities utilized compulsory chapel as "one of the principal instruments for moral supervision and religious indoctrination" (Brubacher & Rudy, 1999, p. 44). Chapel

exercises, often called vespers, typically took the form of daily prayers, and formal religious services then occurred on the Sabbath. And, as Brubacher and Rudy noted, student conduct was closely supervised according to the moral precepts of the Christian religion. Such strong church-college relationships were based upon a philosophy well-founded in medieval times, when piety (the church) and intellect (the college) were closely intertwined (Scott, 2006). In fact, most medieval European universities were actually chartered by the Roman church, and were consequently subject to the authority of popes, monarchs, local bishops, and dukes (Scott). In America, all but one of the nine Colonial colleges, the University of Pennsylvania, was founded specifically under church control. John Harvard, who bequeathed the funds necessary for seeding Harvard College, was a Minister himself, and designated his estate for “the Pious Work of building a *Colledge*” (O’Hara, 2008, p. 1). Harvard’s earliest printed rules cited as the chief aim of the institution, “Every one shall consider the Mayne End of his life and studies, to know God & Jesus Christ, which is Eternall life” (Brubacher & Rudy, p. 8). Traynor (1970-1971) linked such religiosity and *in loco parentis*, stating, “Education and religion were closely linked, and the college often assumed the parent’s duty of spiritual indoctrination” (p. 725).

Yet another importation from England to America’s colonial colleges, also indicative of colleges functioning in a parental role, was the administration of corporal punishment by school officials. Moore (1974) claimed corporal punishment was “based in English child-rearing practices, collegiate customs, and civil law, as well as the strain of severe righteousness and the abhorrence of evil deeds which the Puritans confessed” (p. 335). The first code of laws of Harvard College stated of student discipline,

If any Schollar shall be found to transgresse the Lawes of God, or the school, after twice Admonition, he shall be liable, if not *adultus*, to correction, if *adultus*, his name be given

up to the Overseers of the Colledge, that he may bee admonished at the publick monethly act. (Morison, 1935, p. 435)

One common method of corporal punishment was flogging, later to be replaced by the relatively “more humane practice of ‘boxing’, in which the bad boy was made to kneel at the feet of his tutor, who proceeded to smack him sharply on the ear” (Rudolph, 1990, p. 27). Harvard’s first two presidents were both observed participating in acts of corporal punishment against students, specifically, the whipping of students, and corporal punishment would continue to be utilized at Harvard until 1720 (Moore). Educational administrators doling out corporal punishment to college students was arguably indicative of American institutions acting “in place of the parent”, as such duties typically would have fallen within the purview of parents.

Along with the paternalistic environment, one often discovered a *familial* atmosphere in America’s first colleges and universities. Founders of these institutions did their best to emulate the environments of the English colleges, which were characterized by close, family-like relationships between instructors and students (Jackson, 1991). At colonial Harvard, the familial environment was often referred to as the “Collegiate Way of Living”, an expression most commonly attributed to Cotton Mather, a Puritan, a Massachusetts scholar, and member of the Harvard Corporation (O’Hara, 2008). The Collegiate Way was described by Rudolph (1990),

The Collegiate Way is the notion that a curriculum, a library, a faculty, and students are not enough to make a college. It is an adherence to the residential scheme of things. It is respectful of quiet rural surroundings, dependent on dormitories, committed to dining halls, and permeated by **paternalism** (emphasis added). (p. 87)

Brubacher and Rudy (1999) stated the Collegiate Way was intended to promote close relationships between students and faculty “in a common life which was both intellectual and moral” (p. 41), with everyone under one roof, and students receiving constant guidance (Rudolph). Colleges subscribing to the concept even described themselves as analogous to “a large family over which the president ruled like a fond but demanding father” (Hoekema, 1996, p. 1).

Yet another factor leading America’s earliest colleges to function in a paternal-type role with students was the general environment in which these institutions existed. America was, at the time, perceived by many to be a rather primitive, “frontier-like” setting (Robson, 1983). Thus, many believed an objective of the America’s first colleges and universities should be to “civilize the frontiersmen” (Robson, p. 325) of the New World, as well as to “isolate and insulate the students from the lawlessness characteristic of the frontier” (Traynor, 1970-1971, p. 725). The first American college students, not unlike their English counterparts, were young, generally 13, 14, or 15 years old (van Alstyne, 1969; Henderson, 1968-1969; & Bracewell, 1997). Such young students in what many viewed as a frontier-like environment led to a perceived need for restrictive and protective regulations. Allmendinger (1973) stated of the paternal regime,

...Extended over students an intimate supervision of residence, diet, company-keeping and manners. More rigorous in its substitution of faculty for family than modern conceptions of *in loco parentis*, it had functioned in a college designed to regulate minute details of daily life...The residential college confined young men within an observable space for definite periods of time. So long as students could find food,

lodging and work within the institution, few would have to leave its precincts and escape surveillance (p. 80).

Princeton students, in 1885, had to be granted special permission from the college to do their laundry at an off-campus location (Bowden, 2007) and Cokesbury College levied monetary fines against “students who remained in their bath for more than one minute” (Henderson, p. 66). Of American colleges since the earliest Colonial era, Fowler (1984) stated, they “provided a total structure of regulations covering every possible aspect of student life – promptness, attendance at classes and chapel, dress, idling, fishing, gunning, dancing, drinking, gambling, fighting, gaming, and swearing” (p. 405).

Treating students in a paternalistic manner did not necessarily result in well-behaved students. Even in Harvard’s earliest days, student misconduct and rebellion were undeniably prevalent, with “students playing cards, drinking, and stealing the turkeys of their Cambridge neighbors” and placing live snakes in the rooms of their tutors (Horowitz, 1987, p. 24). While some argued strict discipline was necessary to prepare students for life after college, as “adult life—all life—was governed by such codes, explicit or implicit...to impose them in college was merely to be realistic” (Veysey, 1965, p. 35), others posited that such restrictions “often led to an excessive paternalism, a handholding, a spoon-feeding that would prolong adolescence unnecessarily” (Rudolph, 1990, p. 109). Likewise, Brubacher and Rudy (1999) characterized the period from the founding of the Colonial colleges to the American Civil War in American higher education as one in which “constant warfare raged between faculty and students, when college government at best was nothing but *paternal* (emphasis added) despotism” (p. 50). Faculty members were not the only college employees functioning in loco parentis. Rudolph

(1990) reported on the paternal undertakings of some university presidents in the late 1700s and early 1800s:

President Moses Waddel at Georgia would sweep the horizon of Athens with a spyglass in search of students leaving town contrary to college laws. President Bishop of Miami would pray in chapel with one eye open, the better to be prepared for any disciplinary emergency. President MacLean of Princeton was believed by the students to sleep with his clothes on, so that he might rush from his official residence, lantern in hand, at every instance of suspicion or trouble (p. 105).

Many attributed such adversarial relationships to “the parental system of petty discipline which prevailed in every American college” (p. 50). Such strained relationships were actually a sharp contrast to the English model, which had allowed for students and faculty to “become close intellectual, and sometimes personal, friends”, largely because the institutions, unlike those in America, had special officials known as “deans, proctors, and beadles” to enforce the “petty administrative regulations” (Brubacher & Rudy, p. 42). While the *intention* in early America was to build collegial relationships between teacher and student, “the faculty (actually) stood in loco parentis to the students” (Bush, 1969, p. 593), due to the absence of other designated individuals to enforce the rules and regulations.

Further escalations in the tensions between faculty and students seemed inevitable, and students eventually reacted to the authoritarianism of their professors and presidents by rioting and rebelling (Bush, 1969). Horowitz (1987) stated, “College life was born in revolt...a wave of violent, collective upbringings in the late eighteenth and early nineteenth centuries against the combined authority of college professors and presidents” (p. 23). In the mid eighteenth century at Harvard and Yale, there occurred “collective acts of rational, purposeful violence and

organized rebellion... (signaling) a rising curve of collective student disorder" (Allmendinger, 1973, p. 75). Such incidents were considered to be student backlashes against the prohibitive government of colleges and institutional leadership, even forcing the resignation of Brown's president in the 1820s. Histories of higher education are full of tales of student protests and riots in the 1700s and 1800s. Harvard suffered through the "Bread and Butter Rebellion" of 1805, as students vowed "never to return to college unless its demand for good bread and butter was met" (Bush, p. 594). An especially violent 1807 riot at Princeton resulted in more than half of the student body being suspended (Brubacher & Rudy, 1999). Horowitz attributed such rebellious behaviors to students being "less willing to exhibit those marks of deference faculty had traditionally expected" (p. 26), while other scholars simply attributed the rebelliousness to the revolutionary spirit of America during that period in history (Brubacher & Rudy).

These disruptive and rebellious occurrences caused anxiety for college officials about a potential shift in their roles, away from "absolute monarchs" to "consultative rulers", a shift which would potentially threaten the known order of the time period (Horowitz, 1987). Regardless, just prior to the Civil War, in an attempt to address the problems, some institutions unsuccessfully attempted to institute more democratic systems of college government, with students actually playing a role in institutional governance (Brubacher & Rudy, 1999). Student government associations and student honor councils were created at numerous colleges and universities. Through such measures, institutions hoped to "appeal to the manly self-respect of students" (Brubacher & Rudy, p. 52). The University of Virginia, with students as "full citizens in a self-governing community" (Thelin, 2004, p. 51), was likely the best example of an institution attempting such efforts. However, what ultimately occurred was that "the

traditional authoritarian system, buttressed by religious concepts, remained the rule” (Brubacher & Rudy, p. 52). Student-faculty relationships in the 1800s could be characterized as fear on one side and suspicion on the other (Bush, 1969). Allmendiger (1973) noted that, in the 1840s, some college faculties even “began to appeal in new ways to the family for direct help in controlling sons at school” (p. 77). Amherst College faculty members authored a letter to parents in 1845, “for the first time confessing – before the very parents whose sons they supervised – their inability to maintain order, to act in place of parents” (Allmendiger, p. 78).

Gradually, in the mid-1800s, new ideas and discussions about college authority and student discipline began to surface in American higher education, especially in the colleges of the Northeast (Allmendiger 1973, p. 81). Thelin (2004) stated, “Despite the glorification of the ‘collegiate way’ as a haven for youth and a harmonious arrangement for learning, it also was a recipe for conflict characterized by student riot and revolts” (p. 21). The residential college model began to erode “as students scattered and professors moved away from residence halls” (Allmendiger, p. 82). Faculty, not surprisingly, were growing weary of the disciplinarian role, “(finding) such paternalistic duties immensely painful to perform, quite apart from the time they demanded” (Veysey, 1965, p. 36). William Rainey Harper (1914), President of the University of Chicago, spoke in the early 1900s of the college student and professor relationship, and argued against *in loco parentis*, proclaiming,

If parental authority has been rightly exercised, the young man or the young woman at the age of eighteen ought to be free, within the limitations of conventional life, to do what seems proper, in so far as it does not conflict with the general sentiment of the particular community to which they have now given adherence (p. 369).

Harper went on to specifically state that, “The college professor to-day is not an officer *in loco parentis*” (p. 368). However, Harper did not completely denounce the familial analogy in the college setting, proposing that the relationship between professor and student was more like that of an older brother to a younger brother and the entire community was “a family of brothers” (p. 372).

In 1887, the case of *Commonwealth ex rel. Hill v. McCauley* (1887) came before a Pennsylvania county court. This is a relatively unknown and seldom-cited case, but seems important in the overall history of court intervention in the institution-student relationship debate. The Pennsylvania court was called upon to reinstate a Dickinson College student who had been dismissed “for riotous conduct”. Dickinson invoked the *in loco parentis* doctrine, stating, “the relation between student and professor is similar to that existing between parent and child” (*Commonwealth ex rel. Hill v. McCauley*). The court, however, actually found in favor of the student, ruling that, “dismissal of students from colleges should be in accordance with those principles of justice which existed even in Pagan times, before the dawn of Christianity” (*Commonwealth ex rel. Hill v. McCauley*). The court’s decision was, essentially, a renunciation of *in loco parentis*. Fowler (1984) asserted that, “according to *Hill*, (*in loco parentis*) never did exist” (p. 416). This decision, unlike most others of the era, actually advocated for limitations in an institutions’ ability to discipline students. The reasoning in this decision was not, however, used in subsequent court decisions, and the relevant literature offers no explanations for this. One can only guess that this decision was disregarded, given the overwhelming dominance of *in loco parentis* during this time period.

The mid-1800s brought about the emergence of women’s colleges in America, with the Midwest as the most seemingly hospitable environment for such institutions (Thelin, 2004).

Following the Civil War, the integration of women as students in America's historically-male colleges and universities, the phenomenon known as coeducation, began. This phenomenon provided new ways in which the paternalistic regime would be manifested. Schwartz (2002) spoke of the fact that "For the first time, men and women were together on campuses in near-equal numbers, studying, living, and interacting with each other as never before with no parental supervision" (p. 226). A 1923 article in the *Christian Science Monitor* warned of the pitfalls of coeducational endeavors, such as the "danger of impropriety when young people were away from parental supervision" (Nardin, 1923, p. 1). College women of the time typically found their dormitory rules and regulations to be more restrictive than those of the men (Flanagan, 2007). Thelin (2004) noted, "Admission into the college or university hardly precluded segregation within the walls" (p. 98). Solomon (1985) stated, "patterns of coeducation in the late nineteenth and early twentieth century did not permit free association of sexes outside the classroom" (p. 100). Edward Parsons (1905) of Colorado College wrote of coeducation and the need "to guard against whatever dangers it brings to college life" (p. 382). Parsons advocated for separate lives for college men and women, with limited exceptions, stating,

While a wise regulation will discourage, and if necessary, forbid, the meeting of young men and women, of solitary walks or other intimate relationships, it will gladly permit such companionships as are natural, accidental, and courteous, upon the street, in the homes of friends, in the broad light of everyday society in which full safety lies (p. 387).

Interestingly, the first female students at the University of North Carolina "were required to sit behind screens in classes in order that the boys might keep their minds and eyes on their work" (McCandless, 1990, p. 206). Flanagan stated that restrictions on interactions between the

genders, which she labeled “parietals”, were “intended to regulate the sex lives of undergraduates” during a time when “colleges maintained a parental role with their students monitoring their health, enforcing bedtimes, and ensuring that their passions did not control their behavior” (p. 1). Families had to be reassured of their daughters’ safety, “Not only was a girl in danger of losing her virginity; she was also capable of falling in love with the wrong kind of fellow” (Flanagan, p. 3). At many institutions, such concerns lead to the construction of separate dormitories on campus for women, as well as the regulation of off-campus boarding houses at which female students resided (Horowitz, 1987). Lee (1930) wrote of some of the regulations under which college women lived, such as “requirements for signing out” and signing in at the dormitories, prohibitions on cigarette smoking, and restrictions on where one could dine. Lee quoted a college senior who stated, “I shudder at the kind of thinking that must lie behind some of the rules that our elders have made for our moral welfare!” (p. 3). An historical musing from 1994 at the University of Pennsylvania cited,

Men’s and women’s residence halls were built at the opposite sides of campus from each other...only freshman males were required to live in the men’s dorms, while all unmarried undergraduate women not pledged to a sorority had to live in the women’s residence halls. The women also had a curfew. The doors were locked around 10:30 p.m. on weekdays and at midnight on weekends (Honigman, 1994, p. 1).

Horowitz theorized that colleges had no choice but to assume a paternalistic role with female students, in order to convince parents “that their daughters could remain safely feminine even when exposed to higher education away from the protection of home” (p. 201).

Numerous colleges and universities reacted to the presence of female students by appointing “female faculty members to advise, assist, and counsel the new ‘minority’

population on campus” and typically called these faculty members “deans of women” (Schwartz, 1997, p. 504). These deans of women were impressively quick to organize at the national level, and the meeting minutes of the 1903 Conference of the Deans of Women of the Middle West provides an example of the paternalistic regime in which they worked, “The University of Michigan suggests to town houses that men callers be received only in down-stairs parlors, and be required to leave at a fixed hour; that there be no parties on Monday to Thursday...The receiving of men in up-stairs sitting rooms is almost done away” (Deans of Women of the Middle West, 1903). Dunbar (1923) made reference to these deans of women, noting that students were “answerable for the disposition of their time to a woman dean” (p. 5). Beatty (1932) featured an interesting portrayal of such deans, writing of “Prim old maids behind horn-rimmed spectacle preach chastity to emaciated females” (p. 2). The presence of these Deans of Women and the duties they performed proved to be yet another manifestation of the *in loco parentis* doctrine on many campuses.

Given the mounting historical tensions over the relationship between the student and the institution, it was inevitable that the courts would step into the fray. In an 1866 Illinois court case, *People ex rel. Pratt v. Wheaton College* (1886), one of the first legal applications of *in loco parentis* occurred in American higher education:

A discretionary power has been given... [to college officials] to regulate the discipline of their college in such a manner as they deem proper, and so long as their rules violate neither divine or human law, we have no more authority to interfere than we have to control the domestic discipline of a father in his family. (*People ex rel. Pratt v. Wheaton College*)

The Illinois court refused to strike down Wheaton College's prohibition against students joining secret societies (Szablewicz & Gibbs, 1987, p. 454), and thereby upheld "the discretionary power of a college to regulate the social conduct of its students" (Walton, 1992-1993, p. 248). This is a theme which would continue to be seen in America's courts for many years.

There were other noteworthy developments taking place in student life at America's colleges and universities at the turn of the century. As noted in Brubacher and Rudy (1999), "One of the most important developments in student life during the later nineteenth century was the rise of the college fraternity" (p. 126). Development of fraternities spread throughout the existing American system of higher education, and as Brubacher and Rudy (1999) stated, "(it) did not come without strife...On many campuses both faculty and students were bitterly opposed to them, mainly on the grounds of secrecy" (p. 127). The authors went on to note, "The very existence of these secret student organizations offered an implicit challenge to the college authorities and their rigid rules and pietistic atmosphere" (p. 128). Horowitz (1987) posited that "The fraternity appealed because it captured and preserved the spirit of the revolts" (p. 29) and was "created in the wake of uprisings which had sharpened the intensity of faculty-student conflict" (p. 36). Some states, such as Mississippi, Arkansas and South Carolina, enacted anti-fraternity legislation, but such laws were quickly overruled and repealed (Chambers, 1932). Eldridge Colby (1914) of Columbia University took a more positive view of the college fraternity movement, stating, "To group together a small number of men with fairly similar tastes and ideas, to unite them in view of a common ideal, to have them live together—this is the great educational advantage of a fraternity" (p. 343). It seems quite ironic that the fraternity movement, as theorized by Horowitz, may have grown largely in response to – and revolt

against – the established paternalistic regime, given how much the fraternity movement reportedly troubled many administrations of the time period.

American higher education has rarely been immune to the effects of significant historical events, and World War I, from 1917 to 1919, was no exception. At Presbyterian College in South Carolina, there was news of many male students withdrawing from the University to enter the service, and note of a general spirit of patriotism, which had infiltrated the campus (College men enlist: Presbyterian students join Naval service, 1917). Army training corps surfaced on many campuses, to prepare young men in the event they were called to service (All colleges on a war basis now, 1918). Often college authorities saw the First World War as a major distraction for their students, during an otherwise thriving period for higher education.

And then, there was the issue of social dancing on American college and university campuses in the 1920s and 1930s. Solomon (1985) noted, “For both men and women the new vogue of social dancing in the twentieth century offered an escape from the uncertainties that plagued their relations” (p. 101), characterizing it as another student backlash to the paternalistic regime. The dancing craze presented challenges for campus authorities still holding strong to Victorian values, as “college authorities had to judge which dance steps should be permitted” and “‘promiscuous’ dancing was feared as a prelude to uncontrolled sexual activity” (Solomon, p. 102). At the University of Wisconsin-Madison in 1922, it was noted that “a ruling by the Dean of Women prohibits co-eds from attending public dances under penalty of expulsion” (Curb on Wisconsin co-eds: Municipal and university rulings bar them from big dances, 1922). Restrictions on – and regulations for – such dancing were yet another way in which *in loco parentis* was manifested.

Another dynamic influencing college student life in the early 1900s was the availability of alcoholic beverages. In 1920, a national prohibition on alcoholic beverages was in place, but that did not prohibit American college students from partaking of such intoxicants. By most accounts, the prohibition movement in America was grossly ineffective, and “caused an explosive growth in crime and increased the amount of alcohol consumption” (Krohn, 2000, p. 1). The technicalities of the Prohibition acts made regulations virtually unenforceable, since, “Possessing illegally obtained alcohol was prohibited, (but) the act of drinking alcohol was legal” (Krohn, p. 2). Doyle (2004) spoke of Auburn University students in the 1920s, who “openly flouted Prohibition laws, and football weekends in Montgomery, Columbus, Birmingham, and Atlanta became wild occasions for partying” (p. 19). He stated of student attitudes towards such behavior, “Students not only had no compunction about publically admitting their drinking, they bragged about it” (p. 19). Thelin (2004) referenced, of the period between the two World Wars in higher education, “the hedonistic behavior of their students and alumni” (p. 211). Auburn President Spright Dowell in the 1920s enacted the policy of “Any student caught under the influence of alcohol was immediately expelled from school” (p. 20). President Dowell stated of those policies, “...were an effective means of eliminating ‘ne’er-do-well’s and incompetents’ from the campus” (p. 20). Thus, alcoholic beverages provided yet another arena for the monitoring and control of student conduct, and yet another way in which *in loco parentis* would rear its head.

The monitoring, approval, and recognition of student publications was an additional area in which institutions of higher education struggled in their relationship with students. This struggle often resulted in the censorship of publications by the institutions. Blackwell (1939) stated, “Few, if any, agencies of the institution have opportunities for creating either

good will or ill will equal to those of the college newspaper” (p. 243). While most college authorities acknowledged freedom of expression principles, they struggled with the negative image that an allegedly rogue newspaper might create. Freitas (1940) offered this characterization of a student newspaper in 1934, “it represents a perennial nuisance, a hotbed of undergraduate radicalism and bad taste, a playground that attracts freaks and publicity hounds, and uncertain chronicle of the ability of college students to misspell, misconstrue, and misjudge” (Freitas, p. 431). Numerous scholars spoke of University censorship, with Altbach and Peterson (1971) citing student protests of censorship in the 1920s. Thus, publications, particularly student newspapers, gave another opportunity for colleges and universities to fulfill a paternal role.

The strong religious influences in American higher education, as discussed earlier, were still prevalent in the 1920s and 1930s. As explained by Stetar (1985), “In their efforts to ensure a moral, Christian atmosphere advocates of mental discipline and piety sought to exercise control of the campus environment” (Stetar, p. 348). Countless institutions of higher education implemented mandatory and compulsory chapel programs for students, in an effort to promote an atmosphere of religiosity. While many of the progressive Northeastern institutions, such as Amherst (Compulsory church service protested, 1926) and Princeton (Princeton’s class day: University trustees abolish compulsory chapel attendance, 1915) were doing away with such practices in the 1920s and 1930s, chapel services were still found on most Southern campuses, including land-grant institutions such as the University of Tennessee (Behle, 2000, p. 57). Consequently, these Southern institutions, were, arguably, still functioning in a paternalistic role, concerning the moral and religious atmosphere in which students lived and learned.

In the continuing debate about the student-institution relationship, the landmark court case of this era is widely considered to be *Gott v. Berea College* (1913), which came before the Kentucky Court of Appeals in 1913. The basis of this case was that Berea College restricted their students from entering “eating houses and places of amusement in (the town of) Berea, not controlled by the College” at risk of dismissal from the College. J.S. Gott owned and operated a restaurant across the street from the Berea College campus. Mr. Gott claimed that the College’s restriction upon students was “materially injuring if not absolutely ruining” his business. Berea College claimed the regulation was enacted in the best interests of their students, citing that their students were “inexperienced country, mountain boys and girls of very little means” who were “unused to the ways of even a village the size of Berea”. The College contended that it was “compelled from time to time to pass rules tending to prevent students from wasting their time and money, and to keep them wholly occupied in study” (*Gott v. Berea College*). The College further held that such rules prohibited activities which they viewed as “detrimental to the best interest of the college, and the student body”. The Court considered the reasonableness of the college’s regulation and then issued its ruling, which resonated throughout American higher education. The court ruled unequivocally that,

College authorities stand *in loco parentis* concerning the physical and moral welfare, and mental training of pupils, and we are unable to see why to that end they may not make any rules or regulation for the government, or better of their pupils that a parent could for the same purpose. Whether the rules and regulations are wise, or their aims worthy, is a matter left solely to the discretion of the authorities, or parents as the case may be, and in the exercise of that discretion, the courts are not disposed to interfere, unless the rules and aims are unlawful, or against public policy (*Gott v. Berea College*).

Following this ruling, “For nearly fifty more years courts would continue to defer to university administrators in recognition of their broad authority and their *in loco parentis* status” (Grossi & Edwards, 1997, p. 2). *Gott* thus provided a solid legal basis for the *in loco parentis* doctrine largely defining institution-student relationships for quite some time to come.

A later case, *Anthony v. Syracuse University* in 1928, further supported the virtually unchecked power of institutions to enact whatever rules and regulations were deemed necessary. In this particular case, a Syracuse student was dismissed from the University and simply told she was not “a typical Syracuse girl” (*Anthony v. Syracuse University*, 1928), based on rumors which were allegedly circulating about her. The courts subsequently supported the University’s right to dismiss the student for the purpose of “safeguarding the University’s moral atmosphere” (*Anthony v. Syracuse University*). Higher education’s virtual immunity from the judiciary, as exemplified in this case, would continue until the mid-twentieth century, when changing circumstances eventually brought about a transition in the relationship between academia and the courts.

Paternalism was on the decline at some American institutions of higher education in the early 1900s, and a strong influence was sparking this decline, “the German model” of higher education, which gave rise to the “research university” (Simon, 1994). “The tradition of the German university accented intellectualism and impersonalism, the German professor being more interested in his subject and his research than in his relations with students, whom he treated in an impersonal matter” (Bush, 1969, p. 599). This German influence was brought to American higher education by “German-trained or Johns Hopkins-trained scholars who felt it was demeaning to their professional dignity to serve as petty disciplinarians keeping attendance records and checking up on the conduct of students outside the classroom”

(Brubacher & Rudy, 1999, p. 124). Such a philosophy was a direct repudiation of many of the fundamental principles of the *in loco parentis* doctrine. The German model placed a strong emphasis on research, was interested in the college student only as a “fledgling scholar”, and regarded students as “self-reliant young adults” (Brubacher & Rudy, p. 124). Based on this philosophy, many faculty members began to reconsider their positions in college governance, seeing themselves as “scientific experts rather than moral leaders” (Simon, p. 21). This philosophy stood in stark contrast to the strongly-rooted paternalistic regime, and the nurturing, family-like orientation of “The Collegiate Way”. Doyle (2004) characterized the 1920s, as “a significant social and cultural watershed in America” and claimed that youth of the era “became increasingly unwilling to accept uncritically the authority of their elders” (p. 18). Thus, early signs of a shift away from *in loco parentis* appeared on some American campuses.

In undertaking an examination of American higher education during the early 1900s, one would be remiss in failing to acknowledge two historical milestones, The Great Depression, as well as World War II. Of The Great Depression, which lasted from 1929 until roughly 1937, Horowitz (1987) noted, it “brought about a marked change in the college atmosphere...many were worried about life after college...Observers noted a new seriousness of purpose and maturity among college students” (Horowitz, p. 114). Maverick (1934) stated of the Great Depression period, “students should learn to expect of the future something probable to replace their naïve expectations of events romantic highly improbable” (p. 66). Another historical event bearing upon American higher education was World War II, which the United States entered in December 1941, leading one professor to remark, “...we saw several vacant chairs in the classroom and knew that their usual occupants must be downtown, waiting in line outside the recruiting station” (Altick, 1943, p. 477). Much like during World War I, a spirit of

patriotism was present on campuses, but Altick noted the difference, being this “was the different war, the total war” (p. 477).

Following the end of World War II in 1945, and the subsequent implementation of the G.I. Bill, the number and size of colleges and universities in America increased dramatically. This expansion brought about a tremendous influx of new students, greatly diversifying America’s college campuses. The G.I.s, based on their ages and life experiences, had little use for the traditional paternal regimen in American higher education (Simon, 1994). Adding fuel to students’ perceptions of themselves as adults was the twenty-sixth amendment to the Constitution, ratified in 1971, lowering the voting age to 18 for all citizens (Thomas, 1991 & White, 2007). Kaplin and Lee (1997), stated,

The emergence of the student veteran; the loosening of the lockstep pattern of educational preparation that lead students directly from high school to college to graduate work; and finally, the lowered age of majority—all combined to make the *in loco parentis* relationship between institution and student less tenable. (p. 8)

The long-established notion of higher education as a privilege for a select few seemed to be eroding, with a new notion emerging in which higher education was a necessity or a right for citizens. Shaw (1947) wrote of the “G.I. Challenge to the Colleges”, with new masses of students, for whom college would previously have not been an option. Shaw also spoke of the maturity of these students, and their worldliness, claiming, “World travel has been their lot for more months than most professors can accumulate in a lifetime of sabbatical leaves” (p. 18).

The 1960s saw even greater increases in the number of American college students, as the post-war baby-boomers entered higher education (Simon, 1994). Jackson (1991) contends such growth caused tensions “between an antiquated disciplinary system and the new developments

in American education” (p. 1142). These tensions led to the 1960s protests on college campuses, described by White as “the most galvanizing areas for radical change” (p. 325). Societal issues such as the Civil Rights Movement and the Vietnam War provided ripe grounds for student protests, with students citing – and taking full advantage of – their First Amendment rights to free speech. This time period also saw a shift in the thinking of the majority of students, from conservatism to liberalism (Edwards, 1994). All of these changes brought about what Szablewicz and Gibbs (1987) deemed “a new student independence” (p. 453), with students “free from university control and able to take part in the shaping of American social and political policy” (p. 456). Undoubtedly, monumental changes were taking place in the landscape of college student life in American higher education.

A 1961 court ruling, *Dixon v. Alabama State Board of Education* (1961) dealt what Edwards (1994) and many other scholars dubbed the “knock-out blow” (p. 6) to the doctrine of *in loco parentis*. In this case, six students at the Alabama State College for Negroes in Montgomery were expelled for their involvement in Civil Rights demonstrations without being given any specific grounds for their dismissals (i.e., notice, nor provided with any opportunity to be heard – a hearing). The students asserted that the U.S. Constitution, specifically the Fourteenth Amendment, required a level of due process before they, as students, could be expelled from a publicly-supported institution. Going against virtually all legal precedents of the time, the Court ruled for the dismissed students, asserting that the governmental power of universities was “not unlimited” and could not be “arbitrarily exercised” (*Dixon v. Alabama State Board of Education*). *Dixon* established that, at least within public institutions, students were entitled to a degree of due process in disciplinary matters. Furthermore, *Dixon* “did not hold higher education’s status to be such a privileged one as to permit administrators to violate the (U.S.)

Constitution with impunity” (p. 6). The majority of higher education legal scholars agree that *Dixon* signaled a new era in the institution-student relationship, moving away from the long-established *in loco parentis* doctrine.

Continuing the declining trend of paternalism, in 1967, numerous collegiate governance organizations, including the American Association of University Professors (“AAUP”), convened and formulated the “Joint Statement of Rights and Freedoms of Students”, a document which set forth the “minimal standards of academic freedoms of students”(AAUP, 1967, p. 273). The statement called for student participation in collegiate governance. Speaking specifically to student discipline, the statement read, “The administration of discipline should guarantee procedural fairness to an accused student” and spoke against arbitrary disciplinary procedures. The doctrine even went so far as to advocate for “significant student participation” in the creation of conduct codes and procedures for students. This empowerment and recognition of the student voice in campus governance seemed to be pushing higher education even further away from the days of *in loco parentis*.

In 1969, the court case *Soglin v. Kauffman*, struck yet one more blow to *in loco parentis*, echoing *Dixon* in ruling that colleges and universities must make the misconduct of accused students clear and specific. In this particular case, 10 students at the University of Wisconsin-Madison, who were engaging in free speech activities, were dismissed from the University and given only “misconduct” as the reason for their dismissal. The students filed lawsuits based upon the vagueness and overbreadth of the University’s reason for the dismissals, citing violations of their First and Fourteenth amendment rights. The courts ultimately decided in the students’ favor, based on violations of due process rights, warning Universities against “vagueness and overbreadth” and also stating there must be “properly promulgated

regulations” (Soglin v. Kauffman, 1969). This case continued the trend of expanding the rights and freedoms of college students.

A 1979 case, *Bradshaw v. Rawlings* (1979), even further evidenced courts’ reluctance to continue to place the college and university in a paternal role. In this case, students at Delaware Valley College held an annual picnic for the sophomore class at an off-campus location, and alcoholic beverages were available to student attendees. An intoxicated student left the picnic with other students in his car and caused a drunk-driving accident in which one of his passengers was critically injured. The injured party filed suit against the College, contending the College was aware underage students would be drinking at the picnic, and thus, should have intervened. In siding for the College, the Court discussed how students in 1979 had rights they had not enjoyed in decades past, citing, “Regulation by the college of student life on and off campus has become limited...College administrators no longer control the broad arena of general morals.” The Court then went on to comment on the “modern college student”, stating, “(the student is) an adult, not a child of tender years” (*Bradshaw v. Rawlings*, 1979). White (2007) referred to the case as, “The abrogation of *in loco parentis*...” (p. 327), leaving little doubt that, at least in the eyes of the courts, the *in loco parentis* doctrine was no longer a defining force in American higher education.

In 1974, the Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment, was passed by the United States Congress, in an effort to protect students’ educational rights. Specifically, FERPA recognized college students’ statuses as adults, and protected access to students’ official education records, even denying parents access to such records without a student’s consent. Thus, the initial implementation of FERPA furthered the pendulum shift in favor of students’ rights. However, in recent years,

amendments to FERPA have signified a shift in power from students to their parents.

Amendments in 1998 gave colleges and universities the latitude to notify parents when a student under the age of 21 violates alcohol and/or drug laws, and/or institutional regulations pertaining to alcohol and drugs. In turn, scores of colleges and universities developed parental notification policies and protocols to promote consistency in notification practices. Of this shift in power from students to parents, White (2007) theorized that parents of the baby-boomer generation, who had lobbied for their rights as college students, were now lobbying for expanded rights as the parents of college students.

Some higher education scholars suggested that FERPA's shift to parental empowerment was indicative of a larger trend of a return to *in loco parentis*. Szablewicz and Gibbs (1987) spoke of the new *in loco parentis* of the 1980s and 1990s, with students asking "colleges to take care of them much like their parents did" (p. 453) by finding them jobs, and protecting them against harm. Students of the 1980s increasingly brought lawsuits against colleges and universities for negligence, particularly concerning institutional duties to protect students' physical well-being. What was missing in this allegedly new *in loco parentis*, however, was the issue of students' morals and character; institutions were no longer stepping into that domain, as that had "long been barred by constitutional and civil rights protections" (p. 465).

A well-known court case which supported the theory of a potential return to *in loco parentis* involved Scott Krueger, a freshman at the Massachusetts Institute of Technology (MIT), who tragically died in 1997, following an evening of reported binge drinking and fraternity hazing. Krueger's parents later filed a lawsuit against MIT, alleging that the Institute's inadequate housing and alcoholic beverage policies contributed to their son's untimely death. Following three years of legal negotiations, MIT settled with Krueger's parents for six million

dollars, and the Institute's president issued a public apology to the family. Some legal scholars, such as Healy (2000), asked if this signaled a possible new era of *in loco parentis*, holding colleges and universities accountable for the alcohol-related deaths of students. Sweeton and Davis (2003-2004) asserted, "Parents of traditionally-aged college students maintain a strong influence on the lives of their children and seem to view the institution of higher education as a surrogate parent" (p. 2). The authors specifically pointed to parental expectations of colleges and universities regarding the regulation of alcohol and drug use, as well as expectations of the level of counseling and psychological services offered that institutions offer. So, does *in loco parentis* still exist today, a decade into a new millennium?

The new millennium brought about the now-familiar term "helicopter parents", referring to those parents who were overly-involved in the lives of their students or "always hovering". Helicopter parents were typically considered to be baby-boomer generation parents who have been, since preschool, "hands-on" in the lives of their children (Coburn, 2006). Modern technology seemed to facilitate helicopter parenting, as cellular phones, text messaging and electronic mail all made it much easier for parents to maintain close and frequent contact with their students than in the past (Coburn). Hence, the helicopter parents were able to be involved in the intimate details of students' lives unlike ever before, regardless of geographic distance. Helicopter parenting represented a unique manifestation and interpretation of *in loco parentis*, as, while colleges or universities may not be functioning as a parent, the actual parents are.

The University of Tennessee

The specific campus and institution in which this study is nested is the University of Tennessee, whose Administrative Council minutes from the early 1920s and 1930s form the very

basis for the study. The institution has a history dating back to 1794, and a general exploration of that rich history is necessary for providing a contextual grounding for this study.

The institution known today as the University of Tennessee was originally founded as Blount College in Knoxville on September 10, 1794. The college's historian, Milton Klein (1995), speculated that Blount College's founders "surely must have been inspired by the wave of college founding that followed the American Revolution and the concurrent effort to educate the citizens for the new republic" (p. 1). The initial goals of the humble College, which was described as essentially "a classical academy" for men from wealthy families, included educating young people in "moral and virtuous conduct" (Klein, p. 1). While the College initially received no public support, in 1806, the institution received a grant of public lands from the state of Tennessee, which resulted in a renaming to East Tennessee College, giving the institution a pseudo-public status. Following the death of the college's first president, the institution closed in 1809, then reopened in 1820. Klein states of the College's earliest days, "finances were always precarious...faculty was small, five or six, and so was the student body, around one hundred" (p. 1). Construction of campus facilities began in 1826 on an area of land still occupied by the University today, and additional buildings were added to the site in 1840. Furthermore, action of the 1840 state legislature resulted in a name change to East Tennessee University, further pushing the University towards status as a true public institution. Of student life in the mid-1800s, Klein noted,

Student life was organized along quasi-military lines. Discipline was strict. Students were expected to begin studying at 5 or 6 a.m. Rooms were subject to faculty inspection. Chapel attendance morning and evening was compulsory...Young ladies from

Knoxville were welcomed at social functions on the campus to alleviate the rigors of the Spartan regimen. (p. 1)

An 1840 article from the *Tennessee Whig* newspaper of Jonesborough, TN noted of East Tennessee University, "In the government of the institution, the strictest morality is observed, and good order is required throughout" (East Tennessee University, 1840). One could conclude that student life in the institution's earliest days was characterized by a strict, Spartan, and arguably, paternalistic, regimen.

The American Civil War took a serious toll on the University, as students and faculty left to join both the Union and Confederate forces, "their divided loyalties reflecting those of East Tennessee itself" (Klein, 1995, p. 1). Campus buildings were often occupied by troops and even used as hospitals for the injured. Following the War, the National Reconstruction Initiative of 1865 provided the college with restitution money from the federal government, which aided in the recovery effort from the war. Some scholars have posited that the effects of the Civil War on many Southern institutions of higher education were severe and long-lasting (Stetar, 1985). Thus, when undertaking a comprehensive examination of the University of Tennessee, it is important to acknowledge the institution's geographic identity as an institution of higher education in the *Southern* United States. As stated by Stetar, "Due to the impoverishing effects of the Civil War and the South's relative cultural isolation from the rest of the nation, changes in higher education evolved at a slower pace than was true elsewhere" (pp. 343-344). Stetar went on to offer,

Both Southern culture and higher education were, in the latter third of the nineteenth century, distinct from those in other sections of the nation. The development of colleges and universities in this period did not replicate the process in the rest of the nation

whereby research and utility dominated higher education and relegated mental discipline, piety, and liberal culture to marginal positions. The contest was much closer and markedly idiosyncratic to the South. Discipline and piety joined with liberal culture and Christian education to create a potent, viable, educational philosophy which retained its strength well into the twentieth century (p. 344).

Indeed, a primary thesis of James Montgomery's book, *Threshold of a New Day: The University of Tennessee, 1919-1946*, was "that the University (of Tennessee) remained a conservative institution which for the most part was not on the pioneering edge of social or political change" (Montgomery, 1971, p. iii). Thus, one could theorize that change came slower to - and new trends perhaps arrived later at - the University of Tennessee and other Southern institutions, than to colleges and universities outside the Southern United States.

Klein (1995) cited the passage of the Morrill Federal Land Grant Act by the United States Congress in 1862 as the most significant event in the history of the institution now known as University of Tennessee. In the mid-1800s, there was growing public sentiment for "democracy's colleges" or "industrial universities". Francis Wayland of Brown University stated that, in America, there were many colleges, seminaries, and law schools, but not any institutions "designed to furnish the agriculturist, the manufacturer, the mechanic, or the merchant with the education that will prepare him for the profession to which his life is to be devoted" (Brubacher & Rudy, 1999, p. 62). Therefore, the Land Grant Act "provided for the support in every state of at least one college 'where the leading object will be, without excluding other scientific or classical studies, to teach such branches of learning as are related to agriculture and the mechanic arts'" (Rudolph, 1990, p. 252). East Tennessee University, as it was then known, was designated as Tennessee's land-grant institution and subsequently

received real estate valued at \$400,000 (Klein). The trustees of the University requested the institution's name be changed to the University of Tennessee in 1879, largely due to hopes of receiving regular state funding. While the State legislature granted the name change, the gift of state funding was still twenty-five years away (Klein).

In 1893, the University of Tennessee opened its doors to women for the first time. A news article from *The Knoxville Journal* in September of that year reported on the annual opening of the University and the "special significance" of the admission of women (The Knoxville Journal, 1893). A few days later, another news article spoke of the women's residential facilities at the University, noting, "The old infirmary building has been refitted and now over forty young ladies claim it as their exclusive property" (The Knoxville Journal, 1893). Strong Hall, which still stands on the campus, has five wings named for the first five women admitted to the University: Barbara Blount, Polly McClung, Jennie Armstrong, Mattie Kain, and Kittie Kain (University of Tennessee Housing, 2008). Like many other institutions, the admission of women compelled the University to provide dedicated staff for this new population. The first reference to a dean of women or comparable position at the University of Tennessee appeared in the 1900 Volunteer Yearbook. Augie Warren Perkins was described as "A Woman for all that" and her titles were "Dean of Woman Department" and "Lady Principal" (Volunteer Yearbook, 1900). Later, in 1910, the roster of University officials included Catherine Archer Mulligan as "Dean of Women and Assistant Professor of Home Economics" and Virginia Anna Fain as "Matron of Barbara Blount Hall" (the women's dormitory) (Volunteer Yearbook, 1910).

An article from *The Knoxville Journal*, dated October 13, 1895, offers insight into student life at the University during the late 1800s. The article began, "Last Friday night was the occasion of the annual reception to new students by the Ladies' Auxiliary of the University

Y.M.C.A.” (The Knoxville Journal, 1895). The event was attended by students and “city friends” and “it was the general verdict of all that it was one of the most pleasant social affairs they had ever attended”. The article reports on an “air of unreservedness and informality” at the event and notes the presence of female students, as it stated, “Every one was glad to see the co-eds so well represented and the only regret is that they were not all there” (The Knoxville Journal). Also in the article, a report of the “regular month faculty meeting” proved interesting, as it read, “...The time being occupied chiefly by a discussion of the progress of various students with a view to the early discovery of any prospective black sheep who may have slipped into the fold” (The Knoxville Journal).

Maurine Ensor Patton enrolled at the University of Tennessee in the Fall of 1939 as a graduate student. Many years later she mused about her experiences at the University, specifically, the application of the *in loco parentis* doctrine to female students. She spoke of the Chamberlain House on Cumberland Avenue, which she described as “a three-story mansion converted into a cooperative dorm for female students with limited income” (University of Tennessee, 2006). The house had a house-mother who administered the facility, which included bed checks, monitoring the door and telephone calls, as well as locking up at night. The house also had a dietician on staff that planned and shopped for the meals. Patton noted that living in the Chamberlain House was a privilege, and decisions as to which women could live in the house were made by Harriet Greve, the Dean of Women (University of Tennessee, 2006).

In *Threshold of a New Day: The University of Tennessee, 1919-1946*, James Riley Montgomery attempted to characterize student life at the University in the 1920s and 1930s. Montgomery (1971) spoke of the “relaxation in fashion standards” for women, largely due to the 1920s’ flapper era, as well as the presence of “bootlegging” in a nation that had recently

placed a prohibition on alcoholic beverages (p. 5). The University's students were characterized much like other American college students of the time period, and Montgomery noted the dominance of fraternities and sororities in the University's social life (p. 5). Montgomery acknowledged the "tremendous influence of religion on the affairs of the campus", noting, "the campus reflected a Protestant ethos which made itself felt in many of the activities" (Montgomery, p. 17). He said of the University administration in the thirties, "the leadership of the University believed in stressing religion and, as the students were in large measure religiously oriented, certain patterns of behavior resulted" (Montgomery, p. 18).

The University of Tennessee's Student Handbooks for the early 1920s and 1930s set forth expectations for student behavior:

That he or she will be a gentleman or lady in all relations and associations; that he or she will be diligent in study, prompt and regular in attendance on all prescribed exercises, class, chapel, drill, examinations, and church, with respectful attention to those conducting them that he will properly observe the hours set apart for study, by remaining in his proper place and refraining from noise or disturbance of any kind; that contemplated changes of room, board, classes, courses, etc., or plans of any unusual entertainments, meetings or exercises will be submitted to the Dean for approval before action is taken; and that the student will not leave the city without permission previously obtained (University of Tennessee Student Handbook, 1922-1923, p. 1-2).

Students were left with little doubt regarding the lofty expectations which had been set for them. The University even went so far as to remind students of their connectedness to the State of Tennessee, declaring in the Student Handbooks, "Enjoying greater opportunities at the

expense of the state than the average citizen, the University has greater responsibilities to the state" (University of Tennessee Student Handbook, 1922-1923, p. 1).

One of the most memorable figures at the University of Tennessee in the 1920s and 1930s was James D. Hoskins, Dean of the University. Hoskins, a Tennessee native, first enrolled as a student at the University of Tennessee in the 1880s, at a time when military discipline was still prevalent on the campus. Hoskins earned his Bachelor's, Master's, and later, a law degree from the University. While an undergraduate student, he was a member of the Pi Kappa Alpha fraternity. After teaching stints in Louisiana and other areas of Tennessee, Hoskins returned to the University of Tennessee in 1900, as an assistant professor of History. Within four years, he had been named Dean of Liberal Arts (Klein, 1995) and, in 1919, was named Dean of the University (Montgomery, 1971). Hoskins holds a special place in the University's history in relation to student life, largely due to his responsibilities as Dean and his handling of student discipline cases. As noted by Montgomery, "Hoskins had managed to be well known to students" and often bragged of his "D.D." title (Damn Dean), bestowed upon him by students (p. 110). Klein noted Hoskins's alleged "toughness" and "rigid standard of morality" (p. 2) and Montgomery described Hoskins as a "strong anti-liquor man" (p. 51). The 1931 Volunteer yearbook featured a statement from Hoskins, which provided some insight into his professional philosophy:

It has been my privilege and pleasure to witness a great change in college life during the last decade or two. The former amiable and irresponsible law-breaking is now found only in the reminiscence of older alumni. Student life manifests itself in more legitimate ways. There has been rapid progress in the development of a normal, healthy responsible, and, at the same time, happy manhood. The year, 1930-1931, so far as

student life is concerned, according to my judgment, has been one of the best years in the long history of the University. A fine spirit of loyalty and co-operation has prevailed. There is a university of mechanisms, reports, and papers, and there is also a university of human beings. I am always interested mainly in the latter (Volunteer Yearbook, 1931).

Volunteer Yearbooks often featured infamous references to Hoskins as simply “the Dean”, and in the 1917 yearbook, one student even purchased a satirist advertisement featuring a copy of a letter written by Dean Hoskins to his (the student’s) parents, reporting the student’s propensity for missing classes. Hoskins’ illustrious tenure did not end as Dean, as he became President of the University in 1934, and served in that post until his retirement in 1946.

The dean of women role was assumed in 1921 by Ms. Harriet C. Greve, who is, arguably, the University’s most-remembered dean of women. Greve held a Bachelor’s degree from the University of Tennessee and a Master’s degree from Columbia University (Volunteer Yearbook, 1933). Greve is frequently mentioned in the minutes of the Administrative Council. Montgomery (1971) characterized Greve as “advisor and at times disciplinarian to the co-eds” and noted that “the girls frequently dropped by to chat in a warm and informal atmosphere with his lively and level-headed dean of women” (p. 318). A 1938 *Volunteer* yearbook stated, “Dean of Students F.M. Massey and Dean of Women Harriet Greve act as diplomatic advisors of university yes and no’s. More essential is their advice and counsel extended always to those facing real difficulties” (Volunteer Yearbook, 1938, p. 26). In 1939, the *Volunteer* again characterized Greve in a positive light, reporting, “Favorite with the boys as well as the girls is Miss Harriet Greve, who fills the office of Dean of Women with charm and understanding” (Volunteer Yearbook, 1939, p. 42). On the other hand, Greve’s views were, at times, seen as

excessively conservative. Greve took a stance on female smoking, deeming such behavior “wrong” and “demoralizing”. She strongly opposed the addition of female cheerleaders to campus in 1937, over concern that dancing females would give the “wrong impression”. Greve, on the losing end of the cheerleading argument, eventually gave in, but only if culottes were worn as part of the cheerleading costumes (Montgomery).

In addition to Deans Hoskins and Greve, another prominent figure in the University of Tennessee’s student life during the 1920s and 1930s was Colonel Felix Matthias Massey, who was named Dean of Men in 1923 to “oversee discipline and student affairs” (Montgomery, 1971). Massey had previously presided at the Massey Military school in Pulaski, Tennessee, and his appointment at the University reportedly “brought relief to the heretofore overburdened administrative officers, enabling them to give their time to other important phases of their work” (Volunteer Yearbook, 1925, p. 12). A passage from the 1931 Volunteer yearbook explains Massey’s role, as Dean of Men:

He is ex-officio a member of all faculties and committees which deal with student affairs, delinquencies in studies, and disciplinary measures. He is a member of the council of administration. He has supervision welfare of all the men students of the university. He has frequent personal interviews with them, advises them in their university life, and corresponds with their parents on matters of conduct as well as academic standing. He has oversight of the rooming and boarding houses for men, including the fraternity houses. He, in co-operation with the health authorities, approves or disapproves such houses and sees that proper discipline is maintained in them. He does all in his power, among the students and faculty, to improve the attitude toward scholarship and promote a spirit of mutual understanding and good will (Volunteer Yearbook, 1931).

Schwartz (2002) characterized the dean of men role, in general,

Discipline was the most visible part of their job. Violations of college rules among male students from the 1890s to the 1930s ran the gamut from cutting classes and cheating on exams to gambling, drinking and playing cards. Even riding in automobiles was subject to supervision (p. 221).

Massey took his role as dean of men seriously, and felt only certain men were able to fill such a position, as evidenced by his remarks at a National Association of Deans and Advisers of Men Conference in 1936, "...Because a man who has everything on paper to make him a good Dean of Men [may have] nothing at all in his clothes that makes him a good Dean of Men" (Schwartz, p. 229). Massey served as Dean of Men until his death in 1938, and was considered by many to be "a campus institution" (Montgomery, p. 319), based on his longevity and perceived impact upon the University.

As previously explained, the Administrative Council was the group of senior administrators and faculty members who were responsible for the major decisions concerning student life for the University, including the adjudication of student discipline cases during the 1920s and 1930s. The meetings of the Council constitute the source of data for this study. Prior to May 1920, no references to the Administrative Council were discovered. However, there was a "Committee on Degrees", which seemed to fulfill a function similar to the Administrative Council, for which records were available from April 1915 until February 1916. During the 1920s and 1920s, the Administrative Council records indicate the group met at least weekly while the University was in session. While a list of attendees was not always recorded, the University President was always present at meetings, as well as the Dean of Men and Dean of Women. The records also indicate that a faculty member also served on the Council, apparently

on a rotating basis. While public references to Administrative Council were far and few between, the Volunteer Yearbook of 1921 featured an editorial from student Caroline Wilson, which contained a rare, direct reference to the Council:

Please soften the hearts of the administrative council that they will disband some of the harsh rules to which we are subjected. May the time come when we shall have a honor system worthy of Honor and a student government in which the students shall have a voice. Open wide the Lyceum doors that one may enter with a clear conscience—save and protect Jack Frost that the future boarders of Barbara Blount may have a place to go where they may satisfy their appetites (Volunteer Yearbook, 1921, p. 375).

Ms. Wilson's comments strike upon several themes reminiscent of *in loco parentis*, such as the harsh rules and a lack of student voice in institutional governance. The University's Student Handbooks from the early 1930s also made reference to the Administrative Council, citing the Council as the ultimate appellate body for all student matters warranting appeal (University of Tennessee Student Handbook, 1930-1931). Montgomery (1971), in his text, made note of the Administrative Council. "In 1935, seventeen coeds who failed to sign out properly for a weekend in the mountains received swift punishment by the Administrative Council" (p. 277). This action by the Council apparently sparked appeals and mild protests by students, including a sign in front of a nearby coffee shop which read, "Nuts to the Administrative Council—phooey" (p. 277). Such a Council or administrative body was a common model on many University campuses of the time period, as a 1945 survey noted that 51 out of 60 American universities surveyed had "an administrative council or some other similar body" with typical responsibilities consisting of student discipline, regulation of social affairs, and general student dismissals (Adams & Donovan, 1945, p. 329).

Just as at many other colleges and universities, coeducation provided an avenue through which the *in loco parentis* doctrine was manifested. Montgomery (1971) offers additional insight into student life at the University of Tennessee in the 1930s, noting, "...when girls clad in shorts appeared on the tennis courts in 1936, a newspaper reported that the coeds had been warned 'not to shock the morals of the citizenry'" and a University official stated "the University 'is not running a leg show or a chorus'" (p. 275). And the rules went beyond shorts on the tennis courts. For example, "the dean of women tried to restrict automobile riding by coeds by requiring an approved chaperon to accompany a girl and boy going out at night in a car" (p. 276). As for life in the female residential facilities, "The coeds living in the residence halls at times complained that 'life is just one rule after another'" (p. 276). It would seem, by any reasonable definition – and definitely by today's standards – that the University's regulations in women's residence halls were excessive, as evidenced by this passage from Montgomery:

The rules covered avoidance of loud talking, whistling, calling from windows, refraining from hanging garments in the windows, drawing shades when necessary, and refraining from throwing things from the windows. If a party were to be held, permission was needed. Another rule prohibited telephone calls to the women's dormitories between eight and ten o'clock, the time reserved for study hours (p. 276).

Women at the University during this time period typically performed better than the men scholastically, possibly because "the coeds lived in dormitories where they were allowed to have only two nights out a week with the exception of Sunday, and they had little else to do except study" (Montgomery, p. 280). As for relations between the genders, Montgomery referred to an abandoned bridge by the agricultural campus which made "an excellent place for parking and sparking" (p. 314). The Student Handbook from the 1922-1923 year reflected the

University's concern about what might occur in idle automobiles, declaring, "Sitting in automobiles when they are parked anywhere on campus is prohibited" (University of Tennessee Student Handbook 1922-1923, p. 11).

The University of Tennessee was, by no means, immune from the previously mentioned social dancing phenomenon, as by the mid twenties, virtually all student groups, especially the fraternities and sororities, were sponsoring dances of various types. Dancing venues for students included the Alumni Memorial Gymnasium, Whittle Springs Hotel, and Cherokee Country Club (Montgomery, 1971). To reduce the sheer number of dances occurring, students came together to develop plans for "a series of formal dances". It was hoped that "this plan would bring a 'social consciousness' to those who wanted to dance and would promote cooperation between the students and administration over social matters" (Montgomery, p. 300). This plan evolved into the University's Nahheeyayli Dances (meaning in Cherokee, dance of the green corn) which were wildly successful and widely known across the Southern United States (Montgomery). Student Handbooks from the time period clearly reflected the University's cautiousness about dances, noting, "No dance, whether given by a student group or group of students, shall be given until after application has been made to, and permission has been obtained from the Dean" (University of Tennessee Student Handbook, 1922-1923).

In the early 1900s, the sport of football began to surface on college and university campuses in the Southern United States. Doyle (2004) explained, "Following the lead of their northeastern counterparts, many southern business leaders, politicians, and academics saw football as a symbol of progress and modernity" (p. 8). The University of Tennessee was, of course, no exception to this trend. In 1921, students set aside a day to allow "students and faculty to work side by side to finish the field and prepare it for football, baseball, and track"

(Montgomery, 1971, p. 322). The work was occurring on what is now known to Tennesseans as Shield-Watkins Field, and the day was named Campus Day. It was noted that, “Even the awesome Administrative Council gave its blessing to the request for a holiday” (Montgomery, p. 322).

Fraternities and sororities have long played a significant role in student life at the University of Tennessee, with the first fraternity, Alpha Tau Omega, being founded in 1872. These organizations flourished in the 1920s, with many new fraternities and sororities being added to the campus. This brought about the need for additional regulations for these groups (Montgomery, 1971). The Administrative Council intervened, and set restrictions on freshmen recruitment, as well as minimum grade point requirements for fraternity and sorority membership (Montgomery). Montgomery also wrote of the “Scarabbean Society”, to which frequent reference is made in the minutes of the Administrative Council. The Scarabbeans were a secret society with much history at the University, and were reportedly still in existence as recently as the late 1990s (Young, 1999). Reportedly founded in 1915, the Scarabbeans were characterized in the Volunteer Yearbook of 1919:

The Scarabbean Senior Society is composed of those male members of the Senior Class who have manifested in an exceptional degree during their undergraduate career the qualities of dependable manhood, natural leadership, and active, intelligent loyalty to their alma mater (Volunteer Yearbook, 1919).

The Scarabbeans were called “the most influential, yet most secretive of all campus organizations” and their objective was cited as “the betterment of the campus” (Montgomery, p. 311).

Earlier within this chapter, the strong bonds between student discipline, religion, and the church were discussed. Montgomery (1971) spoke of a chapel program on the University of Tennessee campus in the 1930s, noting “The chapel exercise proved an important source for communication among students, faculty and administration” (p. 297). As for topics at chapel, a local member of the clergy might have spoken, “or student Bob LaFollette might encourage students to lay off the ‘booze on the trip to Nashville’” (Montgomery, p. 297). Montgomery described how “Dean Massey presided...any student who arrived late was simply out of luck, because the dean, with his arms waving and finger pointing, would seek him out, obtain his name, and arrange an appointment with him” (p. 297). Student handbooks of the 1920s stated, “A student who persistently cuts chapel exercises will be dropped from the University” (University of Tennessee Student Handbook, 1922-1923). By 1930, chapel attendance was no longer mandatory for the University’s graduate students, but remained compulsory for all undergraduates until the 1940-1941 academic year, when it was made a voluntary activity (Montgomery). Throughout the 1920s and 1930s, the University was an institution of strongly religious faculty and staff members, with 98 percent of students reported to be church members (Montgomery).

The aforementioned trends regarding censorship of student publications were also prevalent at the University of Tennessee. Some of the first publications were the *Volunteer* yearbook, the *Orange and White* student newspaper, and the *U.T. Magazine*, which were under the direction of a Publications Council, headed by a faculty member. “The Publications Council and the administration kept a careful eye on these publications, and censorship of material or editors was not unusual” (Montgomery, 1971, p. 305). Concerns over excessive censorship led to the brief appearance of an underground student newspaper named “The Independent

Truth", which produced three issues before ceasing publication due to student apathy (Montgomery). In the 1920-1921 school year, a comic-literary magazine appeared, titled the *Mugwump*, whose "so-called humor ranged over smoking, professors and girls" (Montgomery, pp. 306-307). The University would reluctantly permit the *Mugwump's* publication for almost 10 years. Charles G. Red Mynatt, class of 1922, "one of the *Mugwump's* more successful editors and cartoonists" (Montgomery, p. 307), was often called before the Administrative Council for issues pertaining to the *Mugwump* but also general misconduct. The *Mugwump's* tenure at the University was infamous, resulting in one editor being placed on probation for obscene material, and in 1932, Dean Hoskins recommendation that the Trustees eliminate the publication, based on its "unworthiness". The Trustees supported Hoskins, and eliminated the *Mugwump*. Montgomery stated, "There was little protest over the ending of this magazine" as "journalistic censorship was a way of life at this time" (p. 307).

Strict monitoring and enforcement of class attendance was another way in which the *in loco parentis* doctrine was manifested on some campuses, and the University of Tennessee was no exception. The minutes of the Administrative Council reveal a strong interest in the class attendance of students, with missed classes typically referred to as "cuts" within the minutes. Montgomery (1971) notes that the faculty adopted a class attendance policy in the late 1920s, specifying a number of permitted absences before a students received the grade of "F" in a course. Excessive cuts were also identified as one of the major reasons for students being dismissed from the University in the early 1900s (Montgomery).

As previously discussed, The Great Depression lasted from 1929 until roughly 1937, and on the University of Tennessee campus, "Few students missed the effects of the Depression...times were hard and students had to scratch to make ends meet" (Montgomery,

1971, p. 283). More than ever before, students took on jobs to pay for their education and fraternity dues. In 1929, it was reported that 600 to 1,000 male students were working, as well as 168 of the 503 female students (Montgomery). Students found creative ways to make money, from donating a pint of blood for twenty-five dollars to firing furnaces in a department store in exchange for a free room (Montgomery).

World War II, which the United States entered in December 1941, impacted the University of Tennessee, as well. The war interrupted what was otherwise a period of substantial growth for the institution. There were minor attempts at anti-war movements on campus, but most of them resulted in low interest and small turnouts (Montgomery, 1971). Just as at many other campuses, what was successful were efforts to get students involved in supporting the war effort, as the 1940 draft registration received a favorable student response (Montgomery). The end of the War in 1945 would have a positive effect, as an influx of returning veterans raised the University's enrollment beyond eight thousand by 1946 (Klein, 1995).

While the University of Tennessee obviously offers a rich history worthy of study, what has yet to be studied is the operationalization of the *in loco parentis* doctrine at the University – a look into how the institution actually practiced standing in the place of the parent. The minutes of the Administrative Council of the University of Tennessee offer unique insight into how *in loco parentis* was operationalized in the early 1920s and 1930s, from the perspective of the University's administrators of that period.

Chapter 3 Methods and Procedures

The purpose of this study is to describe how the doctrine of *in loco parentis* was operationalized at the University of Tennessee during the early 1920s and 1930s. This study will be guided by the following research questions:

1. What were the types of student conduct and student life issues with which the Administrative Council was concerned?
2. What was the response of the Administrative Council to the student conduct cases and student life issues which came before the Council?
3. What do the types of student conduct and student life issues with which the Administrative Council was concerned, and the ways in which they responded to the matters, tell us about the how the doctrine of *in loco parentis* was operationalized?

Research Design

The research design chosen for the conduct of the study is a descriptive case study, informed by understandings drawn from historiography. Merriam (2002) defined a case study as “an intensive description and analysis of a phenomenon or social unit such as individual, group, institution, or community” (p. 8). With respect to the case study design, the phenomenon to be examined is the operationalization of the concept of *in loco parentis*, and the case is the University of Tennessee, as seen through the University of Tennessee Administrative Council minutes from the early 1920s and 1930s. Almost no primary data exist about how *in loco parentis* was operationalized in higher education. The Administrative Council minutes of the University of Tennessee provide a unique glimpse into the phenomenon under study, given

that these records offer the daily perspective of administrators in higher education over a period of time, and are the only known extant original documents which provide this perspective.

The influence of historiography is undeniable in the conduct of this study, given that the source of data is historical records. Historical research seeks answers to questions about past phenomena and allows for investigating “traditions that involved a defined moral and social order to which most members of a community subscribed” (Gall, Borg, & Gall, 1996, p. 647). Schwartz (2003) reminds us that there is no methodological standard for historical research; however, numerous texts on historical research do point to the need for the researcher to constantly be aware of how his/her own worldview may influence the study. There is also some agreement on basic steps to be undertaken in historical research, such as defining a problem for the purpose of learning something new, and then thoroughly researching historical sources. Researchers are also reminded of the importance of a thorough literature review in historiography, to allow for revealing a breadth of perspectives (Button, 1979).

Context for the Study

As previously mentioned, the case in this case study is the University of Tennessee, as seen through the University of Tennessee Administrative Council minutes from the early 1920s and 1930s. Student enrollment at the University during the 1919-1920 academic year consisted of 1,049 students, with 700 of those being undergraduates, and the remaining being Law or special students (Montgomery, 1971). The main campus consisted of around 15 buildings, with many of those being converted residences, while the agricultural campus contained less than five buildings. Throughout the 1920s and 1930s, the University functioned on the quarter system, and the number of faculty members grew substantially during the time period. Montgomery stated that while “in 1920 a faculty meeting could be held in a classroom in South

College" (p. 187), by 1940, the faculty numbered over 250. In the 1929-1930 year, student enrollment had almost doubled from 10 years prior, with 2,433 students in attendance. The cost of attendance for a 38 week period in 1919-1920, was approximately \$355 for in-state men, and \$325 for in-state women, and in 1931-1932, \$461 for in-state men, and \$428 for in-state women (Montgomery, 1971).

The Administrative Council of the University of Tennessee was a group of administrators and faculty members who, in the early part of the twentieth century, was responsible for major decisions concerning student life for the University, including the adjudication of student discipline cases.

Sources of Data

The minutes of the Administrative Council for two nineteen-month periods in the early 1920s and 1930s (May 1920 – December 1921 and July 1930 – February 1932) constituted the primary source of data for this study. This 38 month period, involving two different decades when *in loco parentis* was still the predominant approach to the institution-student relationship, offers a rich source of data for this study.

The minutes constitute primary source material, which is defined as, "account(s) of an event or activity told or related from the perspective of someone who witnessed the occurrence" including "documentation of the time, place, and names of those present" (Schwartz, 2003, p. 104). The minutes provide a comprehensive record of the Administrative Council's proceedings, in chronological order, arranged by each student case or general issue with which the Council dealt. Each entry details the members of the Council present to hear the cases and/or issues at hand, and typically notes the location where the meeting occurred. Each entry also consists of a general summary of the student case or issue at hand, and specifies the

consequent action taken by the Council. These minutes, both the handwritten and typewritten ones, were originally transcribed by secretarial employees of the University. To make the documents easier to work with, and to ensure that the original documents were preserved from excessive handling, the researcher transcribed the minutes into electronic word-processing documents, which were then used for analysis.

The minutes of the Administrative Council of the University of Tennessee were presented to the researcher in 2002. At that time, the researcher was serving as Director of Student Judicial Affairs for the University of Tennessee, responsible for administration of the University's student discipline system. The records were given to the researcher by Mr. Charles Burchett, who was serving as Director of Probation Services for the University at the time. Mr. Burchett had been working in student affairs at the University for over 40 years and was preparing to retire. During his tenure with the University, he either oversaw, or worked closely with, student discipline. Mr. Burchett presented the records to the researcher specifically for use in the researcher's doctoral dissertation, even explicitly stating, "This is your dissertation". While Mr. Burchett offered no specific details regarding how he obtained the minutes, the researcher's assumption is that Mr. Burchett possessed the documents simply based upon his various positions with the University and his associated responsibilities over the years. Mr. Burchett was very clear in stating that the records had been in his secure possession for 40 years, and that the researcher was the first person with whom he had shared the records.

The minutes were presented to the researcher in old, frayed binders, in which the minutes were arranged chronologically. The documents showed the expected signs of age, and while the 1920s records were handwritten, the records from 1930 forward had been typed on a manual typewriter. The records for the 1920s consisted of a nineteen-month period; however,

the 1930s records spanned the complete decade. Following the presentation of the records to the researcher, no further discussions occurred with Mr. Burchett about the records, and Mr. Burchett died in November 2008. The records have been in the sole and secure possession of the researcher since receiving them from Mr. Burchett. In 2002, the researcher made the University of Tennessee Archivist aware of the existence of the records, as well as his intention to donate the documents to the University Archives upon completion of his doctoral dissertation.

Access to student discipline records of institutions of higher education is governed by the aforementioned Family Educational Rights and Privacy Act (FERPA) of 1974, which restricts access to only the students who are the subject of such records, as well as institutional employees with a legitimate reason for access. Consequently, the researcher gave serious consideration to the issue of using these records, which contain the names of students from the 1920s and 1930s as well as disciplinary sanctions issued to the students, as the source of data for this study. The researcher did not wish to disclose information in the study which would otherwise be protected by FERPA. University archivists have spoken of "FERPA's crippling effect on historical research" and stated, "thirty years after FERPA's enactment, archivists continue to struggle with the ambiguous regulations of the act" (Chute & Swain, 2004, p. 213). Consequently, the researcher consulted various University archives for accepted practices of permitting access to historical records which contain information potentially protected by FERPA. The researcher discovered that FERPA protections are no longer afforded to deceased individuals, and protections are typically not afforded to records which are at least 75 to 80 years old. Among institutions whose archives abide by the 75-80 year rule are: Drexel University, Harvard University, Virginia Military Institute, University of Louisville, and the

University of Alaska – Fairbanks. A 2001 electronic mail listserve posting from the Society of Archives and Archivists soliciting input from various institutions, also concluded that FERPA protections no longer apply “to records after a lapse of 75 to 80 years or upon verifiable evidence of the student’s death” (Society of Archives and Archivists, 2001). Absent any specific FERPA guidelines or uniform archival standards, and given that the records fall just within the recommended period, the researcher has decided to use pseudonyms in the study rather than actual names.

Other sources of data were utilized to provide additional information about student life at the University of Tennessee during the early 1920s and 1930s. Volunteer Yearbooks from the time period were reviewed for pertinent information. James R. Montgomery’s text, *Threshold of a New Day: The University of Tennessee, 1919-1946* provided an abundance of useful material. Further, the Special Collections department of the University of Tennessee, Knoxville Libraries provided the researcher with photocopies of some student handbooks from the early 1920s and 1930s, with the hope of providing even more insight into how the University conceptualized its relationship with students during this era.

Data Analysis

As the primary source of data for this study, the minutes of the Administrative Council constitute “records”, which are defined by Love (2003) as a “formal statement prepared by or for an individual or organization for the purpose of attesting to an event or providing an accounting” (p. 85). As such, they were analyzed inductively using document analysis methods (Love, 2003). Love identifies the steps in the document analysis process as: determining the context in which the documents were created, assessing the authenticity of the documents, cataloguing the documents, and finally, performing content analysis of the data. Much like the

measure of authenticity in document analysis, Schwartz (2003) speaks to “internal criticism” in historical research, which he explains, “takes into account the intent and purpose of the source or original recorder of the event, the context in which the information was reported or written, and supporting evidence or reports that add to or detract from the source” (p. 105).

As for the context of these documents, these were created as a record of the proceedings of the Administrative Council. The documents were created by secretarial employees as a part of their jobs, presumably during or following Administrative Council meetings. The documents were likely created to provide a record of the Council actions, presumably, for other administrators and faculty to see and act upon, when necessary. Love (2003) recommends consideration of the influences and conditions under which the documents were produced, as well as the contexts in which the documents were written. While the administration of college student affairs and discipline is rarely ever without controversy, the researcher is not aware of any special influences, conditions, or contexts which are notable in regard to these documents and their production.

Love (2003) discussed measures to ensure the authenticity of the documents being analyzed, and suggested the following questions, to further assist in determining authenticity:

1. How did the document come into the possession of the researcher?
2. What guarantee is there that it is what it appears to be?
3. Has it been tampered with or edited?
4. Is it an original or is it a reproduction?
5. What were the author’s sources of information? (p. 89)

Likewise, historical researchers speak to external criticism, which is defined by Gall, Borg, and Gall (1996) as “the process of determining whether the apparent or claimed origin of a historical document corresponds to its actual origin” (p. 657). The researcher has uncovered no reason to question the authenticity of the minutes of the Administrative Council. As Schwartz (2003)

argues, when working with historical documents, “care must be taken to ensure that the data is accurate and acquired from a reputable source” (p. 105). Mr. Burchett had legitimate reasons for possessing the minutes of the Administrative Council, given his administrative responsibilities over a few decades with the University. The documents present the names of the University Presidents, Deans, and other officials who served the University in the 1920s and 1930s, and identify the member of the Administrative Council who participated in the hearings. The researcher checked student names in the Administrative Council minutes from various years against student names in the University’s *Volunteer* yearbooks, and confirmed that the students featured in the records were indeed University of Tennessee students during the time period. It should again be noted that the only minutes provided for the 1920s were those of May 11, 1920 – December 21, 1921, while there was a complete set of records for the 1930s decade. A thorough review of University documents and artifacts over the period of time, combined with Mr. Burchett’s assertion that the documents had not left his possession since he received them in the 1960s, lent credence to the belief that the documents had not been tampered with or edited.

As previously stated, Love (2003) identifies cataloguing as the next step in the document analysis process. The cataloguing process for the minutes of the Administrative Council involved placing the data from each Council case/issue into following format:

Date Case/Issue before AC	
Name(s) of Person(s)/Group(s) Involved	
Summarization of Case/Issue	
Date(s), Person(s) involved, Location(s)	
Outcome (Action taken by Council)	
Rich Text from Minutes (if any)	
Case/Issue Code	
Outcome Code	

This format provides information on the date particular cases and issues came before the Administrative Council. This cataloguing process allowed for placing the data into a consistent format, which provided for easy reference and retrieval of the data. Additionally, direct language from the Administrative Council minutes which the researcher believes is potentially indicative of the Council approaching their business in a paternalistic matter, was noted within the “Rich Text from Minutes” section.

Content analysis, which includes various procedures, is the next step. According to Love (2003), the purpose of content analysis is, “to identify underlying themes, assumptions, beliefs, and the narrative, sense-making and meaning-making structures of the document’s author” (p. 92), as well as to search for symbolism and meaning. When speaking of content analysis in qualitative research, Hood (2006) asserts that classical content analysis is a *quantitative* data analysis method. Hood states that, on the other hand, “*qualitative* (emphasis added) data analysis does not turn codes into numbers” (p. 211). Hood refers to the *qualitative* data analysis method as “ethnographic content analysis”, defined by Altheide (1987) as “the highly reflexive analysis of documents which can serve to verify theoretical relationships,” and is characterized by “reflexive movement between concept development, sampling, data collection, data coding, data analysis, and interpretation” (p. 68). Ethnographic content analysis allows for emergent categories, and the progression from data collection to analysis is intended to be reflexive, as opposed to serial. Altheide goes on to state that ethnographic content analysis allows for variables to emerge throughout the study. Altheide even notes that aspects of ethnographic content analysis are evident in document analyses by historians, and offers an advantage over quantitative/classic content analysis, by allowing for discovering of important

thematic patterns. Thus, ethnographic content analysis makes it possible to return to the data when new questions and inquiries arise.

As the first step of the overall content analysis process, the researcher categorized the data. As stated by Love (2003), “categories may be used later in the process of analysis to sort documents as a way of searching for different patterns among the categories” (p. 90). The cases will be classified into one or more of the categories listed below, based on the behavior(s) with which the Administrative Council was concerned, in each case/issue. The initial phase of categorizing the records will include the following:

- **Alcoholic Beverages (manufacture, possession, consumption)**
- **Automobile Use**
- **Censorship**
- **Chapel Attendance & Religious Indoctrination**
- **Class Attendance**
- **Dancing (Social)**
- **Dormitory & Boardinghouse Restrictions & Visitation Policies**
- **Dress/Attire**

These categories were derived predominantly from chapter 2, and, based upon the literature review, represent the researcher’s understanding of the most common ways in which colleges and universities acted in demonstrating the doctrine of *in loco parentis*. Supporting the researcher’s use of the literature review for determining these categories, Morrow (2005) spoke of the importance of “grounding in the literature” (p. 254). These categories will be considered evolving and fluid, and thus, subject to change and modification as the data analysis progresses. Altheide (1987) stated, “The aim is to be systematic and analytic, but not rigid” and allow for variables to “emerge throughout the study” (p. 68).

As the categorization process proceeds, the researcher will seek to identify themes and patterns in the data. Altheide (2000) stated of qualitative document analysis, “the main

emphasis is on discovery and description, including search for underlying meanings, patterns, and processes" (p. 290). Emerging themes and patterns will identified by coding, which Merriam (1998) described as simply assigning some sort of shorthand designation for the different aspects of the data, which will allow for later retrieval. Love (2003) notes that codes can be words, phrases, letters, or numbers. Codes remain in the analysis as concepts that can be related to others, and, even counted for frequency, but not manipulated statistically" (p. 211). The codes will later be analyzed and compared, and relationships identified, in an effort to identify the larger themes and patterns in the data that reveal how the doctrine of *in loco parentis* was operationalized at the University of Tennessee during the 1920s and 1930s.

Role of the Researcher

In qualitative research studies, especially case studies and historiographies, close consideration and full disclosure of the researcher's role are important (Creswell, 1994 & Love, 2003). Thus, it is imperative for the researcher to be aware of how his/her own worldview may influence the study and its findings. "Qualitative research is interpretative research...the biases, values, and judgments of the researcher become stated explicitly in the research report" (Creswell, p. 147). This is particularly true with respect to the analysis of historical documents. Love reminds us that "no document is a literal recording of an event" (p. 87) and that "the most significant drawback to documents as a source of data is that they are noninteractive and nonreactive...documents remain silent" (p. 86). Thus, the static nature of these documents makes the researcher's consciousness and awareness of bias and influence very important.

As for the researcher's background, he previously served for four years (1999-2003) as the Director of Student Judicial Affairs for the University of Tennessee, responsible for overall management and supervision of the University's academic and non-academic student discipline

systems. Likewise, the researcher now serves as Dean of Students at Jacksonville University in Florida, a role he has held since early 2003, again responsible for management and oversight of a University's student discipline system. The professional background and role of the researcher could potentially make him vulnerable to different biases and influences. One might argue that the researcher, who essentially served in the twenty-first century role of the Administrative Council while working at the University of Tennessee, would have a propensity to favor and acknowledge the viewpoints of the Administrative Council, over the viewpoints of others. Another vulnerability will be the possibility of the researcher applying a twenty-first century mindset to the twentieth century context of the Administrative Council. Finally, the researcher should disclose a potential propensity to prematurely attach significance to the minutes, given that they were presented to him as the basis for a dissertation.

Further, having completed an extensive literature review, the researcher should also disclose that he is already predisposed to believe that *in loco parentis* was very much a fact of life at the University of Tennessee during the early 1920s and 1930s. While this should not pose a problem, given that the focus of the study is the operationalization of a phenomenon, the researcher will bear a constant consciousness of this predisposition. Morrow (2005) speaks to the researcher's role, noting, "many factors interfere with a fair collection and interpretation of data, including the researcher's emotional involvement with the topic of interest, (and) presuppositions informed from reading the literature" (p. 254). Similar cautions are offered by Gall, Borg, and Gall (1996), "Historians add still another layer of interpretation by the way they choose to emphasize or ignore particular data and by how they organize data into categories and patterns" (p. 644). The researcher was mindful of this caution and consistently judicious

about not being too quick to identify certain behaviors as manifestations of *in loco parentis* without careful and deliberative consideration.

Trustworthiness and Dependability

The researcher used various strategies to promote trustworthiness and dependability in this study. Trustworthiness refers to credibility, rigor, and quality in a study; features which are sometimes questioned in qualitative research. Merriam (1995) defines trustworthiness as “how well a particular study does what it is designed to do” (p. 1) and Shenton (2004) identified dependability as one criterion for ensuring trustworthiness. Morrow (2005) explains how dependability may be established. “The process through which the findings are derived should be explicit and repeatable as much as possible” (Morrow, p. 252). Shenton points out that replicability is not a goal in qualitative research, given that qualitative researchers are interested in the changing nature of phenomena. However, given the nature of this study, and the accessibility of the data, it is not unreasonable to say that a measure of dependability not usually afforded in qualitative studies is available in this study, which is that the study could be replicated and one would expect the same or similar results. Merriam (2002) offers another definition for dependability, “whether the results of the study are consistent with the data collected” (p. 4). Many of the measures which were employed to promote trustworthiness and dependability have already been touched upon within this chapter, such as an assessment of the authenticity of documents, and a thorough literature review, providing a solid grounding in the literature.

Also previously referenced in this chapter is a discussion of the role of the researcher and the ongoing disclosure of the researcher’s assumptions, beliefs, orientations, biases, values, and positions. Creswell and Miller (2000) speak to the imperativeness of researcher reflexivity,

“acknowledging the inseparableness of the researcher and the process of inquiry” (p. 129).

Morrow (2005) asserted that a researcher must “own one’s perspective” (p. 257). Further, it is hoped that the use of documents as the single source of data will also enhance trustworthiness, as documents “do not intrude or alter the setting in ways that the presence of the investigator might” (Merriam, 2002, p. 13).

As another measure to promote dependability, the researcher maintained an audit trail (see Appendix A), which Creswell and Miller (2000) define as “documenting the inquiry process through journaling and memoing, keeping a research log of all activities, developing a data collection chronology, and recording data analysis procedures clearly” (p. 128). Morrow (2005) further describes an audit trail as “a detailed chronology of research activities and processes; influences on the data collection and analysis; emerging themes, categories, or models; and analytic memos. The audit trail may then be examined by peer researchers, a student’s advisor, or colleagues in the field.” (p. 252). Merriam (1995) goes so far as to describe audit trails as “operating manuals” for potential replications of studies. The audit trail maintained for this study appears in Appendix A.

Thick, rich description for all aspects of study – the setting, context, and emerging themes (Shenton, 2004), served as yet another measure for promoting trustworthiness and dependability. Creswell and Miller (2000) assert that such rich description should make readers feel “that they have experienced, or could experience, the events being described in a study” (p. 129) and Merriam (1995) says “readers will be able to determine how closely their situation matches the research situation” (p. 5). Creswell and Miller further state that such description enables readers to effectively apply findings to other contexts and settings.

Through employment of the above measures, the researcher sought to ensure the trustworthiness, dependability, and overall quality of the study.

Chapter 4

Findings

The purpose of this study was to describe how the doctrine of *in loco parentis* was operationalized at the University of Tennessee during the early 1920s and 1930s through inductive analysis of the minutes of the University of Tennessee Administrative Council, the administrative body charged with the major decisions concerning student life for the University. The study employed a single, descriptive, holistic case study design (Yin, 1984). The phenomenon examined was the operationalization of the concept of *in loco parentis*, and the case was the University of Tennessee during the early 1920s and 1930s.

The researcher was consistently conscious of his role in the study, guarding against the aforementioned vulnerabilities which could potentially influence the findings. Such vulnerabilities included a propensity to favor and acknowledge the viewpoints of the Administrative Council over the viewpoints of others, favoring a twenty-first century mindset over the twentieth century context of the Administrative Council, or possessing a predisposition to believe that *in loco parentis* was indeed a fact of life at the University of Tennessee during the early 1920s and 1930s. Through the previously-referenced measures to promote trustworthiness and dependability, the researcher strived to continually ensure the quality of the overall study.

The findings of the study are presented in this chapter beginning with a brief overview of the matters which came before the Administrative Council and which comprised the data for analysis. This overview is followed by a presentation of the specific findings of the study which are set forth in terms of the research questions that guided the study. Those research questions were:

1. What were the types of student conduct and student life issues with which the Administrative Council was concerned?
2. What was the response of the Administrative Council to the student conduct cases and student life issues which came before the Council?
3. What did the types of student conduct and student life issues with which the Administrative Council was concerned, and the ways in which they responded to the matters, tell us about the how the doctrine of *in loco parentis* was operationalized?

Overview of the Findings

During the two nineteen-month periods in the early 1920s and 1930s which constituted the source of data for this study, the minutes reflect that a total of 630 matters came before the Administrative Council. During the first nineteen-month period, May 1920 to December 1921, 59 matters came before the Council, and during the second period, July 1930 to February 1932, 571 matters came before the Council. The significant disparity in the number of matters which came before the Council between the two periods is attributable to two factors. The first factor is the difference in student enrollment at the University between the two decades. Enrollment practically doubled from the early 1920s to the early 1930s (Montgomery, 1971). The second factor is that during the 1920s, there was a “committee on degrees” at the University which administered the bulk of class attendance and academic progress issues with which the Administrative Council came to deal in the 1930s. The existence of the committee on degrees was evidenced by references to the committee in the Administrative Council minutes from the 1920s. However, the researcher was unable to locate any minutes from the committee on degrees to determine which cases went to it rather than the Administrative Council in the 1920s. Regardless, based on the University’s Student Handbooks for the time periods, it appears the

Administrative Council was given increased responsibility to deal with issues of class absences in the 1930s.

In terms of who appeared before the Council, individual student appearances accounted for 535 of the 630 total matters before the Council in the early 1920s and 1930s, and student group appearances accounted for 72. As for gender of individual students appearing before the Council, of the 535 total individual student appearances, 375 students were male, and 160 were female. Regarding the race and ethnicity of students appearing before the Council, only Caucasian students attended the University during this period of time. Applicability of these appearance totals to present-day student caseloads is not possible, given the vastly different and advanced systems and procedures now in place at the University.

Research Question #1: What were the types of student conduct and student life issues with which the Administrative Council was concerned?

Table B1 (see Appendix B) provides a summary of the categories of issues which came before the Administrative Council in the early 1920s and the 1930s, and the associated frequency with which each issue appeared. It is important to note that matters which came before the Council typically involved multiple categories of issues. For example, the matter of an intoxicated student at a dance who had been previously placed on probation by the Council would have involved three categories of issues: 1) alcoholic beverages, 2) dancing, and 3) student probation administration. Consequently, the number of total matters which came before the Council is substantially lower than the actual number of total issues, given that matters typically involved more than one issue. What follows is a breakdown and discussion of the categories of issues which came before the Administrative Council in the early 1920s and

1930s. The issues are presented in the order through which they emerged from the data analysis, and no specific significance should be associated with this order.

The category of student academic progress typically involved matters such as students not earning the recommended number of credits in a quarter or year and/or receiving failing grades. For example, on March 10, 1921, a student appeared before the Council, asking permission to count his D's of the last term of last year as C's and to permit him to enter classes for the new semester. Another example involved a first-year law student who came before the Council on February 10, 1931. He was reported to have failed two of four subjects, and five semester hours out of nine, making him ineligible to reenter the University. He came before the Council to ask for another chance. This category, as well as the category of class attendance issues, each constituted 223 cases before the Council for the 1920s and 1930s combined, making these the two most common issues with which the Council dealt in the 1920s and 1930s.

The class attendance category covered students not attending the classes for which they were registered, i.e., cutting class. Each of the University's Student Handbooks for the years being studied set forth detailed class attendance policies for students, with the policies being the same throughout the 1920s and 1930s. The 1929-1930 Student Handbook read,

The number of absences in any course per quarter shall be limited to the number of times the class meets per week...When a student has been absent more than the maximum number of times allowed, the Dean of Men or the Dean of Women shall immediately request the Dean of the College in which the student is registered to give a drop slip from the course with an F for the quarter and the student shall automatically be placed on probation. When a student has been dropped from two courses for

excessive absences, he shall be dropped from the University (University of Tennessee Student Handbook 1929-1930, p. 44).

The Student Handbooks went on to specifically speak to the role of the Administrative Council in class attendance matters, specifying the Council as the body to which extreme student absence cases were referred, as well as the body for student appeals of the absence policy. On March 30, 1921, the minutes described how “Dr. Porter brought up the issue of James Barton*, who had been absent from classes about fifty time (sic.) during the second term” (Administrative Council Minutes, 1921). Another student came before the Council on May 24, 1920 for the issue of excess absences, which were blamed upon “...business affairs...He was selling an automobile which required him to take several trips to Lenoir City” (Administrative Council Minutes, 1920). Then, on October 13, 1931, an academic Dean appeared before the Council and asked that the Agricultural students be excused from classes on the annual day of Barn Warmin’ (Administrative Council Minutes, 1931). Also in the early 1930s period, there was the matter of John M. Crabtree*, Manager of Warren County Canning Company, who, on September 25, 1930, requested that he be allowed to register as late as October 6th (Administrative Council Minutes, 1930).

Academic dishonesty/cheating matters, which covered the use of unauthorized aid in the academic setting, often involved stories such as that of a student who appeared before the Council on December 27, 1920, “... (The student) had been reported by Miss Reddish for cheating. His paper in Mathematics was so obviously similar to another paper that it was not worth while (sic.) for him to deny copying” (Administrative Council Minutes, 1920). The student reportedly stated to the Council,

...That he had copied but that he felt very humiliated and sorry; that he was in school on borrowed money; that he worked at Ely's for his board; that he worked in the shop. He said that he had received a Y.M.C.A. scholarship for his foreign service through the influence of Colonel Massey (Administrative Council Minutes, 1920).

Then, on February 3, 1931, "Miss Greve presented the case of Miss Florence Haynes* to the Council. Dr. Thaler charged Miss Haynes* with an irregularity on an English quiz. Miss Haynes* appeared before the Council and stated that while she did see the paper of the student who sat next to her, she did not intend to copy from it" (Administrative Council Minutes, 1931). The minutes also detailed this academic dishonesty matter from September 5, 1931,

Mr. F.C. Lowry and Mrs. J.D. Bond appeared before the Council in connection with the case of Miss Ginger Johnson* of Sale Creek, Tennessee. Miss Johnson* enrolled for College Entrance English in the Correspondence School. After she finished the course, she requested that the examination be sent to Professor E.C. Morgan. The examination was sent and returned with Mr. Morgan's certification attached that Miss Johnson* had taken the examination and has secured no help. When Mrs. Bond graded the paper in the course, she found unquestionable evidence that the examination had been copied from the text book (Administrative Council Minutes, 1931).

On November 25, 1930, another matter involved "Miss Mary Beth Rollins* (who) was called before the Council on account of copying the Introduction of a book on the play 'Shoemaker's Holiday' into a theme on that subject in Mr. Webster's English class" (Administrative Council Minutes, 1930). Academic dishonesty issues came before the Council nine times during the early 1920s and 31 times during the 1930s period.

The category of unspecified misconduct reflects the plethora of diverse non-academic misconduct which did not readily fall into the other categories, or, when it was simply not clear with what specific behaviors the Council was concerned. An example of such misconduct came before the Council on October 6, 1920, when the minutes stated, “(The student) admitted that he had allowed practices to go on there (the fraternity house) that are absolutely forbidden not only by the rules of the University but by the ordinary rules of the proprieties of life...He also admitted that he had been guilty of immoral conduct as a student of the University” (Administrative Council Minutes, 1920). An example of misconduct which was difficult to categorize came before the Council on December 6, 1921, when “...three young ladies, Mary Lewis*, Nancy Nordstrom*, and Sally Gaines* were called in about playing cards, bridge, on a Sunday afternoon. They said that they did not play cards at home on Sundays” (Administrative Council Minutes, 1921). Such issues came before the Council nine times during the 1920s and then 19 times during the early 1930s. As additional examples, on November 25, 1930, “The case of W.A. Blair was “brought up before the Council for a report...” (Administrative Council Minutes, 1930) and on September 14, 1931, “Student had voluntarily withdrawn from UT in April ‘29 due to failure to follow rules...” (Administrative Council Minutes, 1931).

Travel and automobile use restrictions typically involved individuals or groups of students seeking permission to travel away from Knoxville while classes were in session. The University’s Student Handbooks for both the 1920s and 1930s stated, “...the student will not leave the city without permission previously obtained” (University of Tennessee Student Handbook 1930-1931, pp. 40-41). On October 28, 1920, the Council faced the question “brought up by Miss Frisbie, as to whether or not the girls would be allowed to go on basket-ball trips to other places” (Administrative Council Minutes, 1920). Another example of a matter related to

such restrictions was brought to the Council on April 15, 1931, when a student "...asked that her (class) cuts be excused in order that she might attend the Chi Omega Convention in Chattanooga the 17th and 18th of April" (Administrative Council Minutes, 1931). Then on November 25, 1930, "Miss Priscilla McDaniel* appeared before the Council requesting permission to go home Thursday afternoon and stay until Sunday. Miss McDaniel* is on probation and wished to go home on account of the illness of her father and to see her sister who would be home at the same time" (Administrative Council Minutes, 1930).

The category of student probation administration covered matters of students who had previously been placed on probation by the Council, specifically, when students on probation were not living up to the expectations of probation which had been set for them, or when students had engaged in additional violations of University rules. While probation was an available option for the Council in the early 1920s, no such issues apparently came before the Council during that time period. However, on October 21, 1930, the Council established the following rule, "No student can hold an office of any kind when on probation and cannot appear in the Volunteer (yearbook) as having held that office" (Administrative Council Minutes, 1930). On November 10, 1930, two students were brought before the Council, and the minutes noted, "Mr. Fred Powell* and Mr. C.P. Ross* are on probation and not allowed to take part in any University activities or cut classes. Mr. Powell* has cut several classes and took part in the Dramatic Club. Mr. Ross* accepted a membership on the Nahheeyayli Board" (Administrative Council Minutes, 1930). As an aside, when considering student probation cases, given that the Council dealt with 68 such cases in the early 1920s and 1930s, theoretically, one would assume that at least 68 students were appearing before the Council a second time. However, that may not be reliable number for assessing the recidivism rate. The rate of

recidivism could have been higher, since some students may not have originally been placed on probation by the Council during their first appearance, but rather have received some other sanction.

The category of student admissions decisions specifically pertained to students with questionable records from other institutions of higher education seeking admission to the University of Tennessee. As an example, on September 22, 1921, "Mr. Raymond Daniels*, who was a student in Vanderbilt last year and had been dropped on account of cheating, requested that he be allowed to enter the University of Tennessee this term. He said that he wished to enter the University and study law" (Administrative Council Minutes, 1921). On March 21, 1931, the Council considered the matter of "Mr. John F. Cash*, who withdrew from U.T. Junior College at Martin because of cheating. He could not re-enter there and applied for admission here" (Administrative Council Minutes, 1931). Then, on August 20, 1931, "The (Council) meeting was for the purpose of considering the application of Helen Farmer* for admission to the University of Tennessee at Knoxville. Miss Farmer* was suspended indefinitely from the University of Tennessee Junior College for violation of dormitory regulations and for false statements concerning her misconduct" (Administrative Council Minutes, 1931). Also, on December 2, 1930, a gentleman who had failed in his work at Southwestern in Memphis (now Rhodes College) was refused admission to the University of Tennessee by the Council (Administrative Council Minutes, 1930).

Dormitory/curfew restrictions, which denoted when students were in violation of the numerous restrictions governing student life in dormitories, amounted to a total of 18 cases before the Council, for the 1920s and 1930s combined. A colorful example of dormitory/curfew restrictions was presented to the Council on May 29, 1931. The Council heard the matter of a

female student who "...climbed out of a second story window of one of the dormitories by means of sheets and went to the sandwich shop for sandwiches and returned to the room in the same manner...(she) was dressed in pajamas, dress and coat" (Administrative Council Minutes, 1931). Then, on November 23, 1931, the Council minutes detailed a similar case, when "Miss Hazel Smith* was brought before the Council because she came into the dormitory at 1:15 a.m. on Friday night, November 20th. She signed out to go to the dance at Jefferson Hall. She stated that she and her escort were out riding and that she was not conscious that the time was passing so rapidly" (Administrative Council Minutes, 1931).

Chapel attendance matters came before the Council when students failed to attend the weekly chapel sessions which were required of all students during the early 1920s and 1930s. The University's Student Handbooks from the 1921-1922 and 1922-1923 school years clearly stated, "A student who persistently cuts chapel exercises will be dropped from the University". On October 28, 1930, the minutes stated, "Miss Varnes* has not attended chapel this quarter. As a result she was reported overcut in chapel... case was referred to Dean Greve for final decision" (Administrative Council Minutes, 1930). A colorful example of the chapel attendance category occurred on December 21, 1921,

The case of J.S. Ratliffe*, lying to Dr. Porter in regard to chapel...He was leaving the chapel when Dr. Porter met him and asked him about leaving. He said that it was not his chapel day but that he had expected to sit in another boy's seat for him, but decided to leave. Later he came to Dr. Porter and told him that he had lied, that it was his chapel day. In the meantime Dr. Porter had investigated about his seat. Dean Hoskins had told him to withdraw but he appealed his case to the Council. Ratliffe* was called in and some other boys came with him to make statements. Ratliffe* waited in the outer office

while the boys talked to the Council. They pleaded that he be allowed to remain in school, that he be reprimanded and the matter be dropped (Administrative Council Minutes, 1921).

The category of chapel attendance amounted to three total matters in the 1920s and then seven matters before the Council in the 1930s.

As for censorship of student publications, the Council only considered such matters twice, both in the 1930s. One example was before the Council on February 8, 1932, when, "After a brief discussion of the recent issue of the Mugwump, Mr. Norman Smith* was called in. He frankly admitted that some of the poems and jokes were not of as high order as they should be but said that he believed that an entirely wrong interpretation had been placed upon certain cartoon" (Administrative Council Minutes, 1932).

The category of social dancing, with a frequency of four matters in the 1920s as well as four in the 1930s reflected the Council's struggle to regulate students' dancing and attendance at dances, a controversial topic of the time period, as previously discussed in chapter 2. On May 11-12, 1920, the Council minutes noted, "Dean Hoskins also suggested that Dr. Porter call up Lucado, the leader of the Pan-Hellenic Council, and the leaders of all the fraternities and tell them that the dances must stop" (Administrative Council Minutes, 1920). Dancing matters often involved other categories of issues as well, as in this example from February 8, 1932, which also involved alcoholic beverages. "One night last week at a dance in Jefferson Hall, Dean Massey saw Mr. J.C. Maloy with a flask sticking out of his pocket. After talking to Mr. Maloy, Dean Massey asked him to appear before the Council. He came before the Council and stated that he was not intoxicated and that he was merely taking care of the flask, which was empty, for a friend" (Administrative Council Minutes, 1932).

Although it was not a major category of issue coming before the Council for either the 1920s or 1930s, dress/attire of students involved the Council taking issue with a student's attire, or setting policies dictating what was considered appropriate student attire. This category amounted to three matters before the Council in the 1930s. For example, on May 12, 1931, the Council enacted the following policy: "Any student, girl or boy, will be excluded from classes unless fully clothed" (Administrative Council Minutes, 1931). As previously noted in chapter 2, Montgomery (1971) offered insight regarding this issue at the University in the 1930s, writing, "...when girls clad in shorts appeared on the tennis courts in 1936, a newspaper reported that the coeds had been warned 'not to shock the morals of the citizenry'" and a University official stated "the University 'is not running a leg show or a chorus'" (p. 275). On November 18, 1921, the Council encountered the case of "Walter Dodson* (who) was dismissed by the Council for appearing on the running track of Shields-Watkins Field unclothed" (Administrative Council Minutes, 1921).

The overall tally of issues before the Council would suggest that alcoholic beverage consumption was of some concern to the University during the 1920s and 1930s, coincidental to the prohibition movement. Alcoholic beverages matters amounted to a total of 18 cases before the Council for the 1920s and 1930s combined, with five of those cases occurring in the 1920s. On May 26, 1920, one of the more illustrious examples of the Council's concern with student alcohol use came before the body. As described in the Council minutes, "Dean Hoskins stated that two men came to him and said that a young man was in the University whose influence was bad for his fraternity and for the University, and that they wished that he not be allowed to return to the University" (Administrative Council Minutes, 1920). The minutes went on to speak of "...A number of instances of his public drunkenness on the streets and in the

restaurants of Knoxville and quite generally known of by the best people of Knoxville” (Administrative Council Minutes, 1920).

Continuing with the category of alcoholic beverages, on October 13, 1931, the Council faced a matter with which the University would continue to grapple for many years to come. As the minutes explained, “The University has had a good deal of trouble with people coming to the football games under the influence of liquor. The Board of Trustees has requested that something be done about it. Col. Parker met with the Council today in an effort to make some plan whereby this situation can be adjusted” (Administrative Council Minutes, 1931). The issue of alcoholic beverages even carried into the classroom setting, as on February 15, 1932, the minutes noted, “Mr. Gillis reported to Dean Massey that Mr. Jack Padgett* had reported to Mathematics class with a strong odor of whiskey on his breath. Mr. Padgett* appeared before the Council and admitted that he had taken a drink late the night before” (Administrative Council Minutes, 1932).

Other notable categories of issues at times included those matters which reflected the Council’s role as a general decision-making body, such as deciding on matters about the University’s Athletic programs, as denoted in the category of athletics matters. This category totaled four matters in the 1920s period, and eight in the 1930s. As an example, on March 1, 1921, the Council considered “the granting of a holiday for field day, to help clean up the athletic field and get it in good shape...the All-Students Club would have charge of such a day and the Engineers would plan the work; the girls would serve lunch” (Administrative Council Minutes, 1921). Then, on March 30, 1931, the Council acted upon a matter pertaining to Athletics schedules, as “Colonel Parker, in working out his football and basketball schedules for several years in advance, appeared before the Council to get their opinion in regard to games

scheduled in December; this is, late football games and early basketball games. The Council voted that no regularly scheduled basketball games be played before the completion of examinations. Col. Parker also asked that he be permitted to negotiate with Coast teams with reference to post-season games sometime within the next three years" (Administrative Council Minutes, 1931).

The category of public health matters, before the Council two times in the 1930s, but none in the 1920s, related to when the Council made decisions and/or issued directives about immunizations for students. On August 10, 1931, Mr. Charles Ammons* appeared before the Council and asked to be excused from taking the typhoid inoculation. Then, shortly after, on August 18, 1931 the Council discussed how five students had disregarded notices about their typhoid inoculations, even though several notices had been sent.

The issue of tobacco smoking also elicited Council concern in the 1920s and 1930s, with one case in each of the time periods. On April 8, 1921, there was "...the case of John C. Montgomery* who had been smoking in Tennessee Hall on Thursday night after having been requested by Dean Hoskins not to do so... Mr. Montgomery* said that he had smoked unconsciously; that he was not willfully disobeying the Dean or showing contempt for the regulations" (Administrative Council Minutes, 1921). And, on December 14, 1931, "...Miss Katherine Jennings* and Miss Hazel Tate* were asked to appear before the Council for smoking in the Library. The girls said they were sorry and promised that it would not happen again" (Administrative Council Minutes, 1931).

The categories of issues with which the Administrative Council was concerned were varied, and provide significant insight into the actual types of student conduct and student life issues upon which the Council was focused during the early 1920s and 1930s, ranging from

class attendance to student dress and attire. The next research question examines the outcomes of the various issues which the Council faced, in other words, how the Council responded to the issues before the body.

Research Question #2: What was the response of the Administrative Council to the student conduct cases and student life issues which came before the Council?

Table B2 (see Appendix B) sets forth the various categories of outcomes of Council appearances (i.e., the Council's responses to matters) in the early 1920s and 1930s, and the associated frequency of those outcomes. Readers should be mindful that a given matter before the Council may have had multiple outcomes. For example, a student caught cheating may have failed a course, but was placed on probation, as well, and thus would be placed into two outcome categories, loss of credit and probation. What follows is a discussion of the outcomes of issues which came before the Administrative Council in the early 1920s and 1930s. There is also an examination of outcomes, predominantly suspensions and expulsions, commonly associated with specific types of issues which came before the Council.

Suspension of a student, a common outcome, equated to a temporary separation of the student from the institution. Student suspensions accounted for 20 outcomes out of the 59 total matters before the Council in the 1920s. This is remarkable from the proportional perspective, as suspensions accounted for such a significant number of outcomes in the 1920s. The data show that suspensions accounted for a much lower proportion of the total cases in the 1930s, only 36 of 571 total outcomes. As an example of a suspension outcome in the early 1920s period, the minutes of May 11-12, 1920 noted that a "craps" game was discovered by Dean Hoskins at a dance and the three students involved were suspended for the rest of the year (Administrative Council Minutes, 1920). Another suspension was implemented on April 28,

1921, when the Council considered the previously-referenced case of "...John C. Montgomery* who had been smoking in Tennessee Hall on Thursday night after having been requested by Dean Hoskins not to do so...Dean Willson moved that he be suspended through the week ending April 16...the motion was seconded and carried" (Administrative Council Minutes, 1921). Then on January 5, 1931, "Mr. J.D. Lange* failed in his work the first quarter. He appeared before the Council accompanied by his sister. They both requested that he be allowed to return the second quarter...The Council voted that the rule must apply – suspension for one quarter" (Administrative Council Minutes, 1931).

The outcome of expulsion denoted when students were expelled, or in other words, permanently separated from the University by the Council. This occurred 11 times in the 1920s out of 59 total matters, which is again, notable from the proportional perspective, as expulsions, much like suspensions, accounted for such a significant number of outcomes in the 1920s. The data show that expulsions, like suspensions, accounted for a much lower proportion of the total outcomes in the 1930s, with only 18 such outcomes out of 571 total. As an example of expulsion, on February 1, 1932, "Mr. Peyton T. Gannon* appeared at a class Saturday morning under the influence of an intoxicant. Dean Massey dropped him from the University and he cannot re-enter without action of the Council" (Administrative Council Minutes, 1932). On both March 30 and May 16, 1921, students were expelled for matters of academic dishonesty. Mr. Pete Myers* was expelled on March 30 for copying from another student's paper during an examination (Administrative Council Minutes, 1921). Then on May 16, the following case came before the Council,

While he (Mr. Chavannes) was writing a quiz in Mathematics on the blackboard he looked around and saw J.B. Smith* looking on another boy's paper. He again saw him

looking in the same direction. When he corrected the papers he found that the first problem on both papers was the same. Mr. Smith* had not worked the second problem, a knowledge of which is required to be able to solve the first. Mr. Smith* was called into Mr. Chavannes' office. He denied that he had copied from the boy on whose paper he had looked. Mr. Chavannes then called in both boys and made them work the problem over. One man left in five minutes with problem correct. The accused took ten minutes and made serious mistakes (Administrative Council Minutes, 1921).

The Council promptly decided to expel Mr. Smith* for "dishonest work".

Another outcome of matters was for the Council to create and implement University policies in response to the issue(s) before the body. This occurred 15 times during the early 1920s period and 11 times during the early 1930s. One example of policy creation and implementation was the previously-referenced discussion from October 28, 1920, regarding travel for women's athletic teams. Following the discussion, the Council ultimately decided that "a schedule be made up with institutions within the state and not further than 150 miles from Knoxville...and President Morgan suggested that either Miss Frisbie or Dr. Bingham go with the girls" (Administrative Council Minutes, 1920). On January 18, 1921, the Council then developed policies regarding student dances, as the minutes explained,

Dean Hoskins stated that a committee from the Pan-Hellenic Council had called upon him to ask permission to have dances, beginning with the second term. Dances had been under the ban...Hoskins supported the students enforcing the rules and said "Any student who does not conduct himself properly should be reported to the council"...After dismissing the students from the room, the Council approved the plan

as presented and extended the hour for dances to one o'clock (Administrative Council Minutes, 1921).

The minutes reflect that, on this specific matter, Hoskins went on to add, "... the University had no objections to dances that were conducted in proper order and were under proper chaperonage and were at proper places" (Administrative Council Minutes, 1921). An example from the early 1930s occurred on May 5, 1931, when the Council decided "a probation student will remain on probation until notified by the Dean of Women or the Dean of Men that he or she is off probation" (Administrative Council Minutes, 1931).

Another outcome of matters before the Council was an affirmative decision by the Council to a request made of the respective body, typically a request by an individual student or an organization. This category of outcomes, seen 10 times during the 1920s and 101 times in the 1930s period is broad, but is richly reflective of the Council's function as a "permission-granting body" for various and sundry requests from individual students as well as student organizations. Typical of the requests from individual students were students seeking permission to "take a cut" (miss a class), or to travel outside of Knoxville. A typical request from a student organization was to allow a student who was on probation to participate in a University activity, such as Homecoming, which would have otherwise been prohibited for the student. Requests were even made of the Council by faculty members, as on February 21, 1921, "Mr. Tom Elam appeared before the Council and asked that members of the University Band be excused from their 1:30 class on May 1st in order to lead the Carnicus parade" (Administrative Council Minutes, 1921). The Council granted Mr. Elam's request. Likewise, on March 21, 1921, the Council granted the aforementioned request for a "field day, to help clean up the athletic field and get it in good shape" (Administrative Council Minutes, 1921). Then, on May 26, 1931,

Kappa Alpha Fraternity appeared before the Council and requested to initiate Mr. Webster C. McDonald*, a graduate of the University, and the Council granted this request as well (Administrative Council Minutes, 1931).

An unexpected outcome of matters before the Council was students and organizations being lectured to – or verbally reprimanded by – the Council, which occurred nine times in the 1920s, as well as nine times in the 1930s. In such instances, the transcribing secretary would describe in the minutes how Council members lectured or verbally reprimanded an individual student or the representatives of an organization. On March 15, 1921, the minutes reflected that “Both Miss Moore* and Miss Baker* were called in and reprimanded by Dean Hoskins. He reprimanded them for disorderly conduct in class and for doing those things which caused suspicion” (Administrative Council Minutes, 1921). The minutes of December 6, 1921, stated that Dr. Gordon, as a Council participant, reprimanded York Clark*, who was accused of being drunk on a trip to Nashville (Administrative Council Minutes, 1921). Such lectures and reprimands would continue to be a common outcome of matters before the Council well into the early 1930s, as seen on December 8, 1931, when the Council minutes stated, “After again discussing the case thoroughly, the Council voted to severely reprimand the boys for extreme carelessness in their work at the Athletic Office and consider the case closed” (Administrative Council Minutes, 1931).

Sometimes, the outcome of Council matters led to students and organizations being placed on a probationary status with the University, often with various associated stipulations. This was the most common outcome for the 1930s period, occurring 128 times, but only once in the 1920s. Such stipulations may have included restrictions on cutting classes, prohibitions against any travel outside of Knoxville including holidays, and, for student organizations, a

prohibition against participating in campus events such as Homecoming. The University's Student Handbooks for the 1920s and 1930s stated of probation:

A student whose work is unsatisfactory may be placed on probation and such student may not take part in any intercollegiate contest nor represent the University in any way, whether individually or in connection with any athletic, literary, musical, dramatic, or other organization, until such probation is removed (University of Tennessee Student Handbook, 1922-1923, p. 6).

As an example, on September 24, 1930, Paul Schneider*, who failed in work the third quarter last year, appeared before the Council and asked to be readmitted for the upcoming quarter. The Council voted to admit him on probation, provided he removed an existing "incomplete" in a course by September 27, and stipulated that he must be passing all work at mid-term or reappear before the Council (Administrative Council Minutes, 1930). As another example of probation as an outcome, on November 10, 1930, Mr. Thomas Parker* and Mr. C.P. Ringling* came before the Council already on probation and prohibited from taking part in any University activities or cutting classes. However, Mr. Parker* had cut several classes and taken part in the Dramatic Club, while Mr. Ringling* had accepted a membership on the Nahheeyayli Board. Consequently, the Council voted both students must suspend all University activities and remain on probation until the beginning of the third quarter (Administrative Council Minutes, 1930).

A common outcome in the 1930s period, implemented 64 times, was for the Council to affirm a request, but with certain stipulations. For example, the Council might grant a student's request to travel outside of Knoxville, but approve only a portion of the student's desired timeframe. This setting of stipulations occurred five times in the early 1920s, such as on

February 21, 1921, when “Georgia Raynor* requested that the Chi Omega sorority be permitted to initiate two of their pledges, Elizabeth Aylor* and Pauline Post*, who are each taking only two subjects...Decision was made to allow Aylor* to initiate if she completed two subjects this year and if she registers as a student next Fall” (Administrative Council Minutes, 1921). On November 14, 1930, such an outcome occurred when four female dormitory students appeared before the Council. The minutes noted, “They have taken their date (only one date per week was apparently allowed)for the week without permission, signing out for the Library or Glee Club instead. Each one of these girls appeared before the Council and asked that they be allowed another date so they can go to the Tennessee-Vanderbilt game this week-end at Nashville” (Administrative Council Minutes, 1930). As another example of a request granted with provisions, “The Council voted that these girls might go to Nashville this weekend with the understanding that if they go, they will be placed on probation until the beginning of the third quarter or they can remain here which will, of course, bring no penalty” (Administrative Council Minutes, 1930). Conversely, there were two occasions in the early 1920s and 53 occasions in the 1930s, when the Council refused the requests of students or organizations outright, yet another category of outcomes. On February 1, 1932, representatives from Phi Mu Sorority appeared, requesting that members Miss Margaret Stouffer* & Miss Billye Lambert* be removed from probation early to take part in a basketball game that night. The students even presented notes from instructors, stating Stouffer* and Lambert* were passing all work. However, the Council refused the sorority’s request.

Other categories of outcomes from the Council, while not necessarily significant in frequency of occurrence, beg explanation. First was referral to deans, a somewhat frequent outcome for the 1930s, occurring 25 times, but occurring only once in the early 1920s. With such

outcomes, the Council referred a matter to either the Dean of Men, Dean of Women, or an academic dean, for appropriate action. On December 18, 1930, the outcome of an alleged academic dishonesty matter was stated as, "After some discussion the Council voted that while there was some evidence of an irregularity, there was not enough evidence to convict the student. The Council did, however, refer Mr. Johns* to Dean Massey for instruction and a reprimand for carelessness" (Administrative Council Minutes, 1930). On May 26, 1931, the Council considered the matter of a young man who had garnered extensive absences and had failed to respond to notices in that regard. The minutes stated that the Council "gave Dean Massey permission to drop student from University if matter not cleared up by tomorrow morning" (Administrative Council Minutes, 1931).

Another interesting, if not necessarily frequent, category of Council outcomes was threatening action, which typically involved the Council telling a student or organization that action could – or would – be taken in the event of any additional violations. This outcome was applied by the Council 19 times, all in the 1930s. One example of this occurred on March 23, 1931, when a student was told he must be passing all work at midterm, or he would be "dropped from the rolls of the University" (Administrative Council Minutes, 1931). Later, a young woman who owed fines for an overdue library book was informed on February 8, 1932, that "she should pay this fine or be dropped from the University" (Administrative Council Minutes, 1932).

The outcome category of parental notification, which occurred seven times in the 1930s and not at all in the 1920s, was employed when the Council elected to notify students' parents of her/his status with the University. On March 21, 1931, a student was allowed to remain at the University on probation, despite his failing grades. However, the minutes noted that

“...Dean Massey should write his (the student’s) father of the action taken” (Administrative Council Minutes, 1931). Then, on May 19, 1931, the Council was apparently frustrated with a young woman who was missing too many classes, and “...requested Miss Greve to write her (the student’s) parents a frank letter, saying that if she returns next year, she must not take advantage of her cutting privileges” (Administrative Council Minutes, 1931).

Given the focus of this study on the issues before the Council and the outcomes of such issues, it seems appropriate to examine the types of outcomes most commonly associated with the specific issues which came before the Council. As previously stated, it is important for readers to remember that a given issue typically resulted in more than one outcome. For a full listing of the types of outcomes associated with the various issues for the 1920s and 1930s periods, readers should see tables 3 and 4, respectively. What follows is a consideration of the categories of issues which most frequently resulted in suspension and expulsion, since they were typically – and still remain – indicative of the issues institutions viewed – or view – as most serious. Since both outcomes mandate the separation of a student from the institution, one could reasonably conclude that matters before the Council which resulted in suspension and expulsion were considered to be quite serious, and were deemed worthy of sanctions resulting in major consequences for students.

Table B3 (see Appendix B) shows the issues and related outcomes during the early 1920s period. When evaluating the 1920s data, it is important to be mindful of the relatively small amount of data available from the 59 Council matters in the 1920s, as opposed to the significantly larger amount of data of 571 matters in the 1930s. As shown in table B3, class attendance issues amounted to 13 total cases during the 1920s period, resulting in five expulsions and one suspension. One of those expulsions pertained to the aforementioned case

on March 30, 1921 of James Barton*, who “had been absent from classes about fifty time (sic.) during the second term” (Administrative Council Minutes, 1921). The one suspension case occurred on December 14, 1920, in the matter of Greg Morris* and his excessive class absences. Morris* pleaded for Council leniency, as “He said that his absences were due to outside work and the trips made with the deputation team. The outside work was necessary from a financial standpoint” (Administrative Council Minutes, 1920). Unmoved by his plea, the Council immediately suspended Morris.

Social dancing issues constituted four matters coming before the Council during the 1920s, with three of those matters resulting in student suspensions. One of those dancing cases resulting in suspension involved Eric Talmadge* on November 15, 1921. The minutes explained, “Mr. Talmadge* went into the snake dance after the first half; said that he had not been drunk this year...He, himself, just drank a little bit on Friday night...” (Administrative Council Minutes, 1921). Suspensions were also implemented as a result of alcoholic beverage issues before the Council in the 1920s period, with three of the five alcohol cases resulting in suspensions. This was, again, indicative of the Council taking such matters quite seriously, by imposing suspensions and thus mandating the separation of students from the University. On December 6, 1921, the matter of Robert Worth* was before the Council, and the minutes noted, “In Chattanooga he had taken a drink but not enough to make him drunk. He did not drink any more. On the train ride to Nashville he pretended to be drunk in order to beat his way as he had no money...” (Administrative Council Minutes, 1921).

Table B4 (see Appendix B) shows the issues and related outcomes during the early 1930s period. It is important to be mindful of the significant difference in volume of matters before the Council in the 1930s. Whereas 11 out of 59 matters in the 1920s resulted in student

expulsions, only 14 of 571 matters received the same outcome during the 1930s period. As for suspensions, this involved 20 out of 59 matters in the 1920s period, but only 52 of 571 matters during the 1930s period. This might suggest that more severe outcomes were generally levied by the Council in the 1920s, as opposed to the 1930s.

Class attendance issues were numerous before the Council for the 1930s. Of the 239 issues, six resulted in suspensions, and two in expulsions. On November 18, 1930, Stephen Andrews* came before the Council, as the minutes noted, “(He) is a probation student and not allowed any absences. He went to the Tennessee-Vanderbilt game at Nashville last week-end and missed two classes on Friday and two classes on Saturday...The Council suspended him until the beginning of the third quarter”(Administrative Council Minutes, 1930). On April 28, 1931, Ryan Stamp* was also suspended from the University when he was charged with 13 absences thus far in the quarter, with five being in one class. The minutes stated of Stamp*, “...he had no special statement or excuse to make regarding the absences” (Administrative Council Minutes, 1931). Academic progress issues accounted for 28 suspensions and three expulsions during the time period. On January 5, 1931, the minutes described an academic progress matter, “Mr. J.D. Landis* failed in his work the first quarter. He appeared before the Council accompanied by his sister. They both requested that he be allowed to return the second quarter...The Council voted suspension for one quarter” (Administrative Council Minutes, 1931). Failure in work for two quarters could apparently result in expulsion, which is exactly what happened to Carl Mason* on September 28, 1931 – he was expelled for “Failure in work 3rd quarter of last year & failure in 2nd term of summer school” (Administrative Council Minutes, 1931).

Seventeen dormitory restrictions/ curfew issues came before the Council in the 1930s, with three resulting in suspensions. One of those suspension cases appeared before the Council on February 28, 1932, as the minutes reflected,

Miss Margaret Bedford* appeared before the Council because of a disciplinary matter in the dormitory. Recently, she spent the night out in town without securing permission to do so. The matron of the dormitory suspected Miss Bedford* of spending the night out once before but took her word for it that she was in the dormitory on that particular night (Administrative Council Minutes, 1932).

Another such issue resulting in suspension had come before the Council on October 21, 1930, as the minutes stated,

Jesse Gannon* who had agreed to take a room with Mrs. Creekmore for an entire quarter moved into a fraternity house without adjusting the matter with Mrs. Creekmore. After many efforts, without result, on the part of the Dean of Men to get him to adjust this matter... (the student) was brought into the Administrative Council meeting and suspended until a satisfactory adjust is made... (Administrative Council Minutes, 1930).

The minutes later reflected that Mr. Gannon "satisfactorily adjusted" the issue on October 22, 1930 and his suspension was then lifted.

Academic progress issues, which included 271 matters for the 1930s, resulted in 28 outcomes of suspension during the period. On September 23, 1930, Robert Bass*, who had failed in his work the third quarter of last year appeared, hoping to be allowed to continue for the new academic year, however, "the Council voted he must remain out of school until January '31" (Administrative Council Minutes, 1930). On the same day, Henry James Jones*

appeared, with the same circumstances and making the same request, and the Council voted to suspend him for one quarter (Administrative Council Minutes, 1930).

There were outcomes beside suspension and expulsion available to the Administrative Council for responding to the various issues they faced. Academic restrictions could be placed upon students, such as the case of A.G. Landis on May 24, 1920, who, because of excessive absences, was allowed to makeup incomplete grades for the first term, but could not to receive credit for second term's work (Administrative Council Minutes, 1920). The Council could also mandate that students receive a failing grade in a particular course, or lose any scholarship funds which they were being awarded. In response to the student admissions matters which periodically came before the body, the Council could also grant or refuse admission to prospective students. Further, when students had left the University – whether by choice or not – potential outcomes of Council matters might entail students being readmitted to the University.

Additional Council outcomes permitted the body flexibility in how they approached – or declined to approach – various issues before the Council. The Council had the option of simply dismissing matters, such as on October 28, 1930. On that date, “Mr. Joseph Mathis* was reported over-cut in Chapel. He appeared before the Council and said that he had been unable to find his seat in Chapel...the Council excused his cuts” (Administrative Council Minutes, 1930). The Council also had the option of delaying action on issues which they faced, often for the purpose of conducting additional investigation, or identifying additional witnesses. Further, the Council could also elect to reverse a previous action of the body; such was the case on November 24, 1931, as the minutes explained,

Miss Helen Sweeney came back to the Council and asked that her case be reopened. She apologized to the Council for her apparent rudeness at yesterday's meeting and confessed that she had not given all the facts correctly... The Council rescinded their action of yesterday and permitted her to remain in school on probation for the remainder of this quarter (Administrative Council Minutes, 1931).

On the contrary, the Council could also elect to uphold previous action of the body, when rehearing a matter.

The Administrative Council's responses to the student conduct cases and student life issues which came before the body were wide-ranging, from permanent expulsions to simple reprimands. These outcomes and the associated frequencies with which they occurred, as well as the issues linked to specific outcomes of suspensions and expulsions, provide substantial insight about the Council's stance upon, and approach to, various issues in the early 1920s and 1930s. The final research question applies these issues and outcomes to the doctrine of *in loco parentis*.

Research Question #3: What did the types of student conduct and student life issues with which the Administrative Council was concerned, and the ways in which they responded to the matters, tell us about the how the doctrine of *in loco parentis* was operationalized?

Under the doctrine of *in loco parentis*, colleges and universities "stood in place of the parents to the students entrusted to their care" during the time a student was enrolled in the institution (Jackson 1991, p. 1136). Further, the doctrine "provided that the college had the right to step into the place of the student's parents and a duty to protect the safety, welfare, and morals of its students" (Thomas, 1991, p. 32). Consequently, institutions' actions towards – and pertaining to – students might mirror those actions typically exhibited by a parent when dealing

with a child, when that parent is acting in a way which serves to protect a child's safety, welfare, and morals. The findings of the study, pertaining to the kinds of issues before the Administrative Council and how the Council dealt with these issues, provide insight into just how the doctrine of *in loco parentis* doctrine was operationalized at the University during this time period, through the perspective of University administrators.

Chapter 2 identified and discussed specific actions which the relevant literature set forth as manifestations of the *in loco parentis* doctrine, but as previously indicated, the literature fell short in providing specific examples of these actions. Some of the typical manifestations identified in the literature were the struggles encountered related to coeducation, leading to dormitory and visitation restrictions, the regulation of social dancing, censorship, chapel attendance requirements, and class attendance requirements. The concerns and associated responses of the Administrative Council, as described in the answers to the first two research questions, undoubtedly touch upon these manifestations of the *in loco parentis* doctrine. For universities of the time period, their actions spoke to their interpretation of the operationalization of the *in loco parentis* doctrine, meaning what the institution believed responsible, conscientious parents would – or should – want for their child.

The comprehensiveness of the University's class attendance policies during the 1920s and 1930s, and the Council's diligence in enforcement of the policies during the 1930s specifically, was arguably indicative of the *in loco parentis* doctrine. The University was not simply focused upon offering classes to students, but concerned that students actually attended the classes for which they were registered. The University apparently assumed that parents of students would share such concerns about class attendance, as evidenced by the comprehensive enforcement. Class attendance matters constituted 223 of the 630 total issues that came before

the Council during the 1920s and 1930s combined. Issues of class attendance resulted in five expulsions and one suspension for the 1920s period, and two expulsions and six suspensions for the 1930s period.

The University also engaged in substantial oversight of student academic progress, which constituted 223 of the 630 total issues before the Council for the 1920s and 1930s combined. Academic progress issues resulted in two expulsions and two suspensions for the 1920s period, and three expulsions and 28 suspensions for the 1930s period. Once again, the University was not just concerned with offering courses, but was active in monitoring students' success in courses, as well as students' progress toward specified degree completion requirements, and apparently presumed that parents, likewise, would share such interest. Students were routinely called before the Council for problems such as failing a course, not earning enough credits, and not registering for appropriate courses. The students were expected to explain their behavior to the Council, and hopefully, the Council would grant them another chance, and permit them to remain as University students.

Definitions of *in loco parentis* frequently speak to a concern for the overall development of students, including students' moral development. Consequently, requirements for mandatory attendance at religious chapel programs are typically considered manifestations of the *in loco parentis* doctrine. The University of Tennessee, as a publicly-supported institution, required a religious chapel program for all students in the 1920s and 1930s. The University's Student Handbooks for the early 1920s and 1930s went even further, setting the expectation that students were to attend "church" services in addition to chapel (University of Tennessee Student Handbook, 1930-1931). The strict monitoring of chapel attendance – even to the point of assigning student seats – evidenced the high priority which the University placed upon this

requirement. The Council minutes documented 10 times total for the 1920s and 1930s periods that the Council was concerned about chapel attendance, even resulting in one student's suspension from the University for missing chapel in the early 1920s. However, no chapel attendance issues resulted in expulsions.

While travel restrictions as a manifestation of *in loco parentis* did not appear in the literature, such restrictions seemed to be prime examples of a paternalistic approach to the institution-student relationship, and were prevalent in both the early 1920s and 1930s. The University was so concerned with monitoring and controlling student behavior and ensuring a safe environ that it did not want students leaving Knoxville during the time in which they were enrolled. This category commanded Council attention seven times in the early 1920s and 38 times in the 1930s. While no 1930s issues resulted in suspensions or expulsions, there were two suspensions and one expulsion during the 1920s period. Such concern, again, goes far beyond a simple obligation to offer classes and housing, but looks to exerting substantial control over students' lives. Students were not permitted to travel outside of Knoxville while classes were in session without first appearing before the Council, explaining the purpose of their travel plans, and receiving permission. Students on probation could not even request permission to travel. Typically, the Council only approved student travel for a serious illness in the family or the death of a family member. Students who dared to travel without first procuring Council permission were subject to Council action, and typically received sanctions such as suspension and expulsion.

The regulation of students' social dancing was yet another manifestation of the *in loco parentis* doctrine. As previously noted in chapter 2, Flanagan (2007) stated that restrictions on interactions between the genders, which she labeled "parietals", were "intended to regulate the

sex lives of undergraduates” during a time when “colleges maintained a parental role with their students monitoring their health, enforcing bedtimes, and ensuring that their passions did not control their behavior” (p .1). Families had to be reassured of their daughters’ safety, “Not only was a girl in danger of losing her virginity; she was also capable of falling in love with the wrong kind of fellow” (Flanagan, p. 3). Eight total issues of social dancing came before the Council in the early 1920s and 1930s, and the outcomes for four of those were student suspensions; indicate of the level of severity with which the Council viewed the issues. There were no expulsions for social dancing issues in the 1920s and one expulsion in the 1930s period. Throughout the time period with which this study is concerned, the University worked to regulate student dancing. The Student Handbooks of the time period contained detailed policies on dances, specifying the permissions necessary for dances, requirements for chaperones, and limitations on the ending hour (University of Tennessee Student Handbook, 1922-1923). On January 18, 1921, the Administrative Council minutes reflected a significant amount of time and attention devoted to the subject of dancing, as Dean Hoskins was noted as stating of a planned student dance, “Any student who does not conduct himself properly should be reported to the council” (Administrative Council Minutes, 1921). After the Council conceded to student requests to extend the dancing hour to 1:00 A.M., Hoskins reportedly stated, “...the University had no objections to dances that were conducted in proper order and were under proper chaperonage and were at proper places” (Administrative Council Minutes, 1921).

Dormitory/curfew restrictions were yet another way in which the University essentially restricted the free movement of female students. Such matters came before the Council five times during the 1920s period, and 13 times during the 1930s period. There were three

suspensions and one expulsion for such issues in the 1930s, and no suspensions or expulsions for the 1920s period. The 1929-1930 Student Handbook made reference to “The rules now governing the conduct of women students in the dormitories, their minor social activities, dinner engagements, reception of callers, etc.” (University of Tennessee Student Handbook, 1929-1930, p. 60). The college was acting in a protective role with female students, providing supervision much like they would have likely received in the home environment, with their parents present, and the University obviously presumed a duty or obligation to continue such a level of supervision. Flanagan (2007) noted that college women of the time typically found their dormitory rules and regulations to be more restrictive than those of the men.

The Administrative Council’s lecturing and verbal reprimanding of students cannot be overlooked in a discussion of the operationalizing of the *in loco parentis* doctrine. Such outcomes were seen nine times in the 1920s period, and 19 times during the 1930s. Through the lecturing of students who came before the body, it is arguable that the Council was acting in a paternalistic role. On March 15, 1921, the Council minutes detailed this exchange, “...(the students) were called in and reprimanded by Dean Hoskins...he reprimanded them for disorderly conduct in class and for doing those things which caused suspicion” (Administrative Council Minutes, 1921). Such lectures were demonstrative of an interest in students, which went beyond simply advising them of rules and procedures, to the point of exhibiting concern for the well-being and often, the moralistic fiber, of students. Such actions correlate well with Thomas’s (1991) definition of the *in loco parentis* doctrine, which stated, “provided that the college had the right to step into the place of the student’s parents and a duty to protect the safety, welfare, and morals of its students” (p. 32).

The Council's role as a permission-granting or permission-denying body for various and sundry requests is also indicative of the operationalization of the *in loco parentis* doctrine. For the early 1920s and 1930s periods combined, the Council granted 111 requests outright, 69 requests were granted with provisions, and 55 requests were refused. Such requests made to the Council involved, among other matters, requests for travel, to miss class, and for waivers to academic requirements. The Council serving as a body that granted or denied approval for various matters arguably placed the Council in a parental-type role, by assuming the necessity for such comprehensive oversight and approval of students' activities. By functioning in such a role, the Council was, again, exercising significant control over student and campus life

The issue category of unspecified misconduct, utilized for non-academic misconduct which did not readily fall into the other categories, or, when it was simply not clear with what specific behaviors the Council was concerned, is also demonstrative of the operationalization of *in loco parentis*. Such matters came before the Council nine times during the 1920s period and nineteen times during the 1930s period. It is obvious the Council possessed and readily exercised the authority to deal with vague matters of student misconduct, by not limiting themselves to a set list of infractions by students. The ability to deal with student misconduct in such a nonspecific, vague manner is a traditional theme of *in loco parentis*, and was one of doctrine's aspects condemned by the 1969 court case *Soglin v. Kauffman*, in which universities were warned against "vagueness and overbreadth" and were ordered to produce "properly promulgated regulations" (*Soglin v. Kauffman*, 1969).

The extensive use of student probation and the associated restrictions which typically accompanied probation were further indicative of the operationalization of the *in loco parentis* doctrine, reflective of an intention to monitor – and often control – students beyond their actual

appearances before the Council. For the 1930s, student probation was the most frequent outcome from the Council, with 128 total matters resulting in that outcome. The restrictions associated with probation often included mandated reappearances before the Council, exclusion from participation in campus activities, and a prohibition from future travel requests, all of which effectively served to exercise control upon students beyond their actual Council appearances.

The findings, pertaining to the kinds of issues before the Administrative Council and how the Council dealt with these issues, provide insight into just how the doctrine of *in loco parentis* doctrine was operationalized at the University during this time period, through the perspective of University administrators.

Concluding Statement

The purpose of this study was to describe how the doctrine of *in loco parentis* was operationalized at the University of Tennessee during the early 1920s and 1930s. Within this chapter, the 630 issues which came before the Council during this time period were discussed, as well as the Council outcomes in response to those issues. Further, the themes of how the doctrine of *in loco parentis* was operationalized via those issues were described as well. These themes provide significant insight into how *in loco parentis* was operationalized at the University in the early 1920s and 1930s, from the perspective of University administrators.

Chapter 5

The purpose of this study was to describe how the doctrine of *in loco parentis* was operationalized at the University of Tennessee, based upon an analysis of the minutes of the Administrative Council of the University of Tennessee from the early 1920s and 1930s. This study was guided by the following research questions:

1. What were the types of student conduct and student life issues with which the Administrative Council was concerned?
2. What was the response of the Administrative Council to the student conduct cases and student life issues which came before the Council?
3. What did the types of student conduct and student life issues with which the Administrative Council was concerned, and the ways in which they responded to the matters, tell us about how the doctrine of *in loco parentis* was operationalized?

This chapter features a summary and discussion of the study, as well as the findings, conclusions, and recommendations for future research.

Summary of the Study

The research design employed in the study was a single, descriptive, holistic case study (Yin, 1984). The phenomenon examined was the operationalization of the concept of *in loco parentis*, and the case was the University of Tennessee during the early 1920s and 1930s. The source of data was the minutes of the University of Tennessee Administrative Council for the early 1920s and 1930s, which were used to describe how *in loco parentis* was operationalized. These minutes were analyzed inductively, using document analysis methods.

Summary of the Findings

The study identified the various issues with which the Administrative Council dealt in the early 1920s and 1930s, including:

1. Academic Dishonesty/Cheating;
2. Admissions Decisions;
3. Academic Progress;
4. Alcoholic Beverages;
5. Athletics Matters;
6. Censorship;
7. Chapel Attendance;
8. Class Attendance;
9. Clubs & Organizations;
10. Dancing (Social);
11. Dormitory Restrictions & Curfew;
12. Dress/Attire;
13. Public Health Matters;
14. Reappearance before Council (on same issue);
15. Smoking;
16. Student Probation Administration;
17. Travel & Automobile Use Restrictions; and
18. Unspecified Misconduct.

Next, the outcomes of the various issues before the Council were explained, including:

1. Academic Restrictions;
2. Case/Issue Dismissed;
3. Delay Action;
4. Failure in Course;
5. Granted Admission;
6. Lectured or Verbally Reprimanded by Council;
7. Loss of Scholarship;
8. Other Restrictions;
9. Parents Notified;
10. Placed on Probation;
11. Policy Created/Implemented;
12. Previous Decision Upheld;
13. Referral to Dean(s);
14. Refused Admission;
15. Reversed Previous Council Action;
16. Student Allowed to Reenter University;
17. Student Expelled/Dropped/Dismissed;

18. Student or Organization Request Granted;
19. Student or Organization Request Granted with Stipulations/Provisions;
20. Student or Organization Request Refused;
21. Student Suspended (Not Permanent Separation); and
22. Threatened Action.

With respect to how the Administrative Council operationalized the doctrine of *in loco parentis* at the University of Tennessee in the early 1920s and 1930s, the University practiced standing in the place of students' parents in the following ways:

- A comprehensive class attendance policy, characterized by scrupulous monitoring of class attendance and substantial consequences for missing classes;
- Substantial monitoring and oversight of student academic progress;
- Mandated attendance at a religious chapel program for all students in spite of the fact that it was a publicly-supported state University;
- Restrictions on travel outside Knoxville while classes were in session;
- Regulation of social dancing;
- Visitation and curfew restrictions in the residential facilities for women;
- Lecturing and verbal reprimanding of students who appeared before the Administrative Council;
- Serving as a permission-granting or permission-denying body for various and sundry requests;
- Disciplining of students for vague, non-specific matters of non-academic student misconduct (i.e., poor behavior); and
- The extensive use of student probation and the associated restrictions which accompanied probation.

These themes offered significant insight about how the doctrine of *in loco parentis* doctrine was actually operationalized at an institution of higher education in the early 1920s and 1930s, from the perspective of University administrators.

Discussion of the Findings

While the comprehensive review of the literature in chapter 2 provided the researcher with some expectations as to how the University of Tennessee was likely to have operationalized *in loco parentis*, the researcher was unprepared for some discoveries which emerged in the course of this study. Two discoveries which were particularly unexpected were the Administrative Council's strong focus on students' class attendance, and the comprehensive oversight of students' academic progress. Both of these issues commanded the attention of the Council 223 times each in the early 1920s and 1930s periods combined, out of 630 total issues that came before the Council. The University's Student Handbooks of the time period set forth lengthy, detailed policies about class attendance, the number of absences permitted, and the various processes for granting of excuses (University of Tennessee Student Handbook, 1922-1923). The monitoring of class attendance and academic progress were not typically-discussed ways in which colleges and universities were theorized to have practiced standing *in loco parentis* in the available literature. However, it seems plausible that such comprehensive oversight was a legitimate manifestation of the *in loco parentis* doctrine at the University of Tennessee. Further, excessive "cuts" (class absences) were identified by Montgomery (1971) as one of the major reasons for students being dismissed from the University in the early 1900s. Such concern for – and oversight of – specific student behaviors is definitely a manifestation of the operationalization of *in loco parentis*. As Szablewicz and Gibbs (1987) noted, "college administrations were thought to have custody of and authority over their students...parents

transferred their parental authority and obligations to the schools” (p. 454). This information speaks to how the University interpreted the *in loco parentis* doctrine, focusing upon issues with which the University believed responsible and conscientious parents would be concerned.

Mandatory religious chapel programs were discussed in the relevant literature about *in loco parentis*, and definitely fit Thomas’s (1991) interpretation of *in loco parentis*, as a concern for the “welfare and morals of its (the institution’s) students” (p. 32). Thus, the prevalence of this specific manifestation of the *in loco parentis* doctrine did not come as a surprise. However, the zeal with which chapel attendance was enforced at the University of Tennessee, including the assignment of seats for students, was somewhat unexpected. Many readers may be surprised at the idea of a religious chapel program at a publicly-supported institution of higher education, but this was not uncommon in the 1920s and 1930s in the Southern United States, even at the land-grant institutions (Behle, 2000, p. 57). The University of Tennessee not only required chapel, but also required “church” attendance for students, as well (University of Tennessee Student Handbook, 1930-1931). While many progressive Northeastern institutions, such as Amherst (Compulsory church service protested, 1926) and Princeton (Princeton’s class day: University trustees abolish compulsory chapel attendance, 1915) were doing away with required chapel services in the 1920s and 1930s, change simply arrived slower to the campuses of the American South. Stetar (1985) theorized such slow change was the case with many trends at Southern colleges and universities, as he previously stated, “Due to the impoverishing effects of the Civil War and the South’s relative cultural isolation from the rest of the nation, changes in higher education evolved at a slower pace than was true elsewhere” (pp. 343-344).

The University’s concern with student travel and the restrictions on travel outside Knoxville was another finding which was not necessarily expected, based upon the review of

the literature. The University's Student Handbooks, throughout the early 1920s and 1930s, did not shift or waiver from the expectation that "...the student will not leave the city without permission previously obtained" (University of Tennessee Student Handbook, 1922-1923, p. 2). The Administrative Council minutes contain numerous instances of students appearing before the body requesting to travel outside Knoxville for various reasons, from attending football games to visiting ill relatives. This particular manifestation of the *in loco parentis* doctrine was, arguably demonstrative of the University's concern for student safety. This correlates with Thomas's (1991) interpretation of *in loco parentis*, that institutions perceived a "duty to protect the safety...of its students" (p. 32). Further, this finding seems to fit well with the University's focus on students' class attendance, given that students who were travelling would, of course, also be absent from their classes.

The attention devoted to the issue of social dancing by students was an expected finding, given the prevalence of literature on this subject. The University's Student Handbooks of the 1920s and 1930s echoed the depth of the concerns as well, setting forth detailed, explicit policies regarding social dances, the requirements for chaperones, and the necessary approvals (University of Tennessee Student Handbook, 1922-1923). Solomon (1985) spoke of the challenges the dancing craze presented, as "college authorities had to judge which dance steps should be permitted" and "'promiscuous' dancing was feared as a prelude to uncontrolled sexual activity" (p. 102). College authorities of the period were undoubtedly linking social dancing to the moral welfare of students, yet another tenet of the *in loco parentis* doctrine.

The least surprising manifestation of the *in loco parentis* doctrine which emerged from this study was visitation and curfew restrictions in the residential facilities for women, as this has been well-documented in the literature and described as being very common during the

time period. Horowitz (1987) has theorized that colleges had no choice but to assume such a paternalistic role with female students, in order to convince parents “that their daughters could remain safely feminine even when exposed to higher education away from the protection of home” (p. 201). The female students did not necessarily appreciate such protection, as Montgomery (1971) noted specifically of the University of Tennessee, that “The coeds living in the residence halls at times complained that ‘life is just one rule after another’” (p. 276). It was interesting, although not unexpected, that while these rules applied to female students, they did not appear to relate to male students at the University of Tennessee. Flanagan (2007), McCandless (1990), and Solomon (1985) have spoken about the disparities in rules between women and men often and long found at colleges and universities, with women typically experiencing more excessive regulations than men, and men experiencing few – if any – restrictions.

The lecturing and verbal reprimanding of students and student groups before the Administrative Council was another unanticipated outcome in this study. Again, while the literature review offered no clues to this specific outcome, the outcome seems to appropriately fall within the category of behaviors which the institution saw as indicative of how a responsible parent would treat a child. Perhaps such treatment of students was an accepted part of the student-administrator relationship during this time period, but was not necessarily recognized as a manifestation of *in loco parentis* and thus, was not identified in the relevant literature. Possibly, such characterizations of the student-administrator relationship were not viewed as significant or notable during the time period in which most of the relevant literature emerged. Or, maybe the authors of the relevant literature – often higher education administrators themselves – preferred not to cast themselves in such a light.

The extent to which the Administrative Council served as a permission-granting or permission-denying body for various and sundry requests was another unanticipated, though not necessarily surprising, finding. Requests made to the Council involved matters such as permission to travel, to miss class, and for waivers to academic requirements. Such a manifestation of the doctrine has not previously been identified in the relevant literature; however, it appears to be a plausible realization of that doctrine given that the requests before the Council related to the various issues for which the Council generally assumed oversight. Further, such a role for the Council seems to be a reasonable manifestation of how the institution believed a responsible parent would act towards a child. By serving as a body that granted or denied approval for such varying matters, the Council assumed the necessity for broad oversight and approval of students' activities, likely in an effort to even more comprehensively protect student safety and welfare. Hence, Thomas's (1991) interpretation of the *in loco parentis* doctrine once again seems relevant, which noted that institutions perceived a "duty to protect the safety...of its students" (p. 32).

The study found that the Administrative Council devoted attention to vague, unspecified matters of non-academic student misconduct which did not readily fall into the other categories, or, when it was simply not clear with what specific behaviors the Council was concerned. Two examples from the 1930s describe such matters well. On November 25, 1930, "The case of W.A. Blair was "brought up before the Council for a report..." (Administrative Council Minutes, 1930) and on September 14, 1931, "Student had voluntarily withdrawn from UT in April '29 due to failure to follow rules..." (Administrative Council Minutes, 1931). The Council possessed and readily exercised wide-ranging authority to deal with all manner of vague matters of student misconduct in the absence of a prescribed list of potential student

infractions. As previously stated, the latitude to deal with student misconduct in such a nonspecific, vague manner is a traditional theme of *in loco parentis*, and was one of the doctrine's aspects condemned by the 1969 court case *Soglin v. Kauffman*, in which universities were warned against "vagueness and overbreadth" and were ordered to produce "properly promulgated regulations" (Soglin v. Kauffman, 1969). The literature documents well that Colleges and universities subscribing to the *in loco parentis* doctrine assumed responsibility for various facets of students' lives, not just their academic pursuits, , "from libido to laundry" (p. 1), as Altschuler and Kramnick (1999) described.

The extensive use of student probation, and the application of associated restrictions which typically accompanied probation, was, once again, not an anticipated finding based upon the literature as set forth in chapter 2. This finding was indicative of an intention to monitor – and often control – students beyond their actual appearances before the Council. For the 1930s, student probation was the most frequent outcome from the Council, with 128 total matters resulting in that outcome. The restrictions associated with probation often included mandated reappearances before the Council, exclusion from participation in campus activities, and a prohibition from future travel requests, all of which effectively served to exercise control on students beyond their Council appearances. Institutions of higher education likely felt the obligation to exercise such broad control, as "college administrations were thought to have custody of and authority over their students...parents transferred their parental authority and obligations to the schools" (Szablewicz and Gibbs, 1987, p. 454).

All of the aforementioned findings regarding the operationalization of *in loco parentis* at the University of Tennessee during the early 1920s and 1930s, emerged from the minutes of the Administrative Council. Some of the findings were anticipated and are identified in the

literature as manifestations of *in loco parentis*, while others came as surprises. Regardless, these unexpected themes constituted legitimate manifestations of the doctrine, given their congruence with the philosophies underlying *in loco parentis*.

Implications of the findings

For many readers, this study will beg the question “Does *in loco parentis* exist, in some way, on modern day college campuses?” Sweeton and Davis (2003-2004) posited that “Parents of traditionally-aged college students maintain a strong influence on the lives of their children and seem to view the institution of higher education as a surrogate parent” (p. 2). While the morally-based manifestations of the doctrine, such as mandatory chapel attendance and restrictions on social dancing may largely be things of the past, scholars seems to agree that remnants of the *in loco parentis* doctrine, in its heyday, still exist on America’s college campuses (Bowden, 2007). Remnants exist in practices such as restrictions on dormitory visitation for women, some level of oversight of students’ class attendance and academic progress, and extended monitoring and oversight of student behavior, through mechanisms such as student probation. Stamatakos (1989-1990) referred to the aforementioned “broad and unambiguous renunciation of *in loco parentis*” and more recent attempts by courts and scholars to “recast the student-college relationship” (p. 476). Present-day initiatives expressed in terms of student security, safety, and retention often mirror those approaches of the past deemed manifestations of *in loco parentis*. Thus, have we advanced from the days of *in loco parentis*, or are we simply accomplices in the “recasting” to which Stamatakos refers? Regardless, it seems inevitable that colleges and universities will always struggle with the institution-student relationship, and the seemingly elusive quest to strike the appropriate balance between student autonomy and the appropriate regulation of student conduct.

Conclusions

As to the operationalization of *in loco parentis* during the early 1920s and 1930s, the University of Tennessee seems to have been relatively in line with similar institutions of the era, as described in the available, yet limited, literature. However, the University appears to have taken the *in loco parentis* doctrine in some different and additional directions than what was set forth in the literature, albeit limited. The manifestation of the doctrine in an intense focus on class attendance and academic progress of students, restrictions on travel, and a tendency to lecture and reprimand students, have not previously been documented in the literature, as established or generally-accepted manifestations. For the University of Tennessee to be conducting business in this somewhat different or unique way would generally be in congruence with the primary thesis of James Montgomery's book, *Threshold of a New Day: The University of Tennessee, 1919-1946*, "that the University (of Tennessee) remained a conservative institution which for the most part was not on the pioneering edge of social or political change" (Montgomery, 1971, p. iii). The University of Tennessee took the operationalization of *in loco parentis* into different arenas, and all of those arenas were indicative of an added level of concern for students and a general focus on student safety – both of which are fundamental tenets of the *in loco parentis* doctrine.

The University of Tennessee's Administrative Council for the 1920s and 1930s envisioned its relationship to the student as standing in place of the student's parent(s), and not only realized the previously identified manifestations of the doctrine, but added to the list in its interpretation of that role and responsibility.

Recommendations for Future Research

This study presents abundant opportunities and opens many doors for future research possibilities. While the literature pertaining to the history of the institution-student relationship supports the existence and predominance of *in loco parentis* in defining the relationship between universities and their students, very few examples exist about how the doctrine was operationalized, particularly, how institutions of higher education actually practiced standing in the place of the parent. The minutes of the Administrative Council of the University of Tennessee offered unique insight, based upon the perspective of University administrators, into how *in loco parentis* was operationalized at a major public university in the early 1920s and 1930s, the heyday of the doctrine's realization.

One potential endeavor would be to learn how peer institutions of the University of Tennessee, in the South and in other parts of the country, operationalized the *in loco parentis* doctrine during the same time period of the early 1920s and 1930s. A review of the archives at these peer institutions would be the starting point for materials which could form the basis of such a study. While direct sources such as the Administrative Council Minutes may not be available at other institutions, the studies would have to rely on secondary sources, for example yearbooks, campus newspapers, and institutional histories. The conduct of similar studies at other institutions would serve to confirm or deny whether the themes which emerged in this specific study were unique to the University of Tennessee, or perhaps characteristic of institutions within a specific geographic region. Both Behle (2000) and Stetar (1985) theorized that Southern colleges and universities had their own unique flavor and distinctiveness, apart from the rest of American higher education. Perhaps these manifestations of *in loco parentis* were part of that uniqueness and distinctiveness characteristic of the South, or maybe the

University of Tennessee was an exception even among its Southern peers – perhaps a bastion of conservatism, resistant and slow to change?

Throughout the data collection and analysis processes, the researcher continually considered different ways – and angles from which – to study the University of Tennessee’s Administrative Council. The Council minutes are complete from 1930 to the early 1960s, and the researcher will be donating all of these minutes to the Special Collections Department of the University of Tennessee Libraries upon the completion and final approval of this study. For future researchers interested in these minutes, the concept of *in loco parentis* is just one small way to approach this incredibly rich data. An in-depth study of the Council’s treatment of gender over three decades – and the aforementioned disparities in treatment of women and men – would make for a fascinating study, providing insight into the historical place of women in the institution. A researcher with a background – or particular interest – in the work of collegiate disciplinary bodies would likely be intrigued by a study of the Administrative Council’s consistency over time, in the sanctions issued to students and student organizations. The sanctions could be studied for consistency over the years, with any inconsistencies and changes noted, and then analyzed against historical trends in larger society of the period.

Yet another approach to the minutes of the Administrative Council would be to study in-depth, over a period of time, one specific issue or behavior with which the Council dealt, such as student class attendance or travel restrictions. The variety of cases from over the years could be analyzed, along with the associated Council outcomes. Shifts and changes in the types of cases and associated outcomes could be studied, within the larger context of student life at the University. The class attendance component would likely make for an incredibly rich study, given the potential uniqueness of that particular issue to the University of Tennessee.

Finally, given that this particular study of student life at the University of Tennessee was focused upon the administrative point of view offered by the Administrative Council minutes, another study could provide a missing piece of the larger puzzle by attempting to integrate the student point of view. Interviews with living former students who appeared before the Administrative Council could be sought out, in an attempt to reveal and incorporate the student point of view. Such a research study could potentially provide valuable information about the workings and dynamics of the Council, specifically, the ways in which the Council interfaced with students on various issues. By providing a new and additional point of view, such interview data could also be used to further support, or perhaps dispute, the veracity of the Council minutes, as well as answer lingering questions about the potential for bias on the part of those who originally transcribed the minutes.

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Appendices

Appendix A: Audit Trail

Audit Trail

The minutes of the Administrative Council from the early 1920s and 1930s were transcribed from handwritten and typewritten documents to electronic word-processing format. The minutes were transcribed verbatim, except in the rare case where the records were illegible in the 1920s, and such cases were noted in the word-processing documents.

In an effort to gain some sense of order and organization with the minutes, the first step was a rudimentary separation of the matters with which the Council dealt into the categories below:

- **Alcoholic Beverages (manufacture, possession, consumption)**
- **Automobile Use**
- **Censorship**
- **Chapel Attendance & Religious Indoctrination**
- **Class Attendance**
- **Dancing (Social)**
- **Dormitory & Boardinghouse Restrictions & Visitation Policies**
- **Dress/Attire**
- **Fraternities and Sororities**

These categories were derived predominantly from chapter 2, and, based upon the literature review, represent the researcher's understanding of the most common ways in which colleges and universities acted in demonstrating the doctrine of *in loco parentis*.

Next, a more sophisticated system was devised by which the matters within the minutes could be placed into a consistent format. It was decided that the format should include the following information: the date a case/issue came before the Council; the person(s)/group(s) involved; a summarization of the case/issue; and any action taken by the Council (the outcome). The minutes were then catalogued into tables, like the example offered below:

Date Case/Issue before AC	
Name(s) of Person(s)/Group(s) Involved	
Summarization of Case/Issue Date(s), Person(s) involved, Location(s)	

Outcome (Action taken by Council)	
Rich Text from Minutes**	

** Direct language from the Administrative Council minutes, which the researcher believed was potentially indicative of the Council approaching their business in a paternalistic matter, was noted within the “Rich Text from Minutes” section.

The process of coding then began, with separate codes being assigned for the issues which appeared before the Council, as well as the outcomes of the Council appearances.

The following system, shown below, was utilized for coding the issues which appeared before the Council.

<u>Issue before the Council</u>	
Academic Progress of Students	AP
Class Attendance of Students	CA
Student Probation Administration	PR
Travel & Automobile Use Restrictions	TR
Student Admissions Decisions	AM
Academic Dishonesty/Cheating	AD
Reappearance before Council (On same issue)	RE
Unspecified Misconduct	NA
Dormitory Restrictions & Curfew	DM
Alcoholic Beverages (manufacture, possession, &/or consumption)	AL
Athletics Matters	AT
Chapel Attendance	RL
Dancing (Social)	DN
Dress/ Attire of Students	DA
Censorship	CP
Public Health Matters	PH
Smoking	SM

There was no limit imposed regarding the number of codes assigned to an issue. For example, the case of an intoxicated student at a dance who had been previously placed on probation by the Council would be placed into at least three categories: 1) alcoholic beverages, 2) dancing, and 3) student probation administration.

Next, the system below was utilized when assigning codes to the outcomes of the Council appearances.

<u>Outcome (Action taken by Council)</u>	
Placed on Probation	PB
Student or Organization Request Granted	RG
Student or Organization Request Granted with Stipulations/Provisions	GP
Student Suspended (Not Permanent Separation)	SP
Student or Organization Request Refused	RR
Academic Restrictions	AR
Failure in Course	FC
Policy Created/Implemented	PY
Referral to Dean(s)	RD
Delay Action	DE
Threatened Action	TA
Student Expelled/Dropped/Dismissed (Permanent Separation)	EX
Lectured or Verbally Reprimanded by Council	LC
Granted Admission	OK
Refused Admission	RA
Case/Issue Dismissed	DS
Previous Decision Upheld	UP
Other Restrictions	OR
Reversed Previous Council Action	RV
Parents Notified	PN
Student Allowed to Reenter University	RE
Loss of Scholarship	LS

Just as with the coding process for the issues which appeared before the Council, there was also no limit imposed as to the number of codes which were assigned to the outcomes. For example, the case of an intoxicated student at a dance who had been previously placed on probation by the Council would be placed into at least three categories: 1) alcoholic beverages, 2) dancing, and 3) student probation administration.

Next, the cataloguing template was amended, to include the relevant codes – see the example below, with codes included.

Date Case/Issue before AC	
Name(s) of Person(s)/Group(s) Involved	
Summarization of Case/Issue Date(s), Person(s) involved, Location(s)	
Outcome (Action taken by Council)	
Rich Text from Minutes (if any)	
Case/Issue Code	
Outcome Code	

At this point in the data analysis process, the catalogued and coded minutes remained in a word-processing format, specifically, Microsoft Word. Due to the limited data analysis features available in the Microsoft Word program, the catalogued and coded minutes were then converted to a Microsoft Excel program.

Conversion to Microsoft Excel allowed for sorting and counting capabilities with the coded data. Consequently, the frequency of issues before the Council, as well as outcomes from Council appearances, could then be tallied. Please see the tables below for the totals which were gathered, for the issues and outcomes, respectively.

	<u>Frequency:</u>	<u>Frequency:</u>	<u>Frequency:</u>
<u>Issue before the Council</u>	<u>1920s</u>	<u>1930s</u>	<u>1920s & 1930s</u>
Academic Progress of Students	10	213	223
Class Attendance of Students	13	210	223
Student Probation Administration	0	68	68
Travel & Automobile Use Restrictions	7	38	45
Student Admissions Decisions	2	40	42
Academic Dishonesty/Cheating	9	31	40

Reappearance before Council (On same issue)	6	28	34
Unspecified Misconduct	9	19	28
Dormitory Restrictions & Curfew	5	13	18
Alcoholic Beverages (manufacture, possession, &/or consumption)	5	11	16
Athletics Matters	4	8	12
Chapel Attendance	3	7	10
Dancing (Social)	4	4	8
Dress/ Attire of Students	0	3	3
Censorship	0	2	2
Public Health Matters	0	2	2
Smoking	1	1	2
TOTAL	78	698	776

<u>Outcome (Action taken by Council)</u>	<u>Frequency:</u> <u>1920s</u>	<u>Frequency:</u> <u>1930s</u>	<u>Frequency:</u> <u>1920s & 1930s</u>
Placed on Probation	1	128	129
Student or Organization Request Granted	10	101	111
Student or Organization Request Granted with Stipulations/Provisions	5	64	69
Student Suspended (Not Permanent Separation)	20	36	56
Student or Organization Request Refused	2	53	55
Academic Restrictions	1	42	43
Failure in Course	0	38	38
Policy Created/Implemented	15	11	26
Referral to Dean(s)	1	25	26
Delay Action	9	16	25
Threatened Action	0	19	19
Student Expelled/Dropped/Dismissed (Permanent Separation)	11	7	18
Lectured or Verbally Reprimanded by Council	9	9	18
Granted Admission	2	16	18
Refused Admission	2	16	18
Case/Issue Dismissed	1	15	16
Previous Decision Upheld	5	8	13
Other Restrictions	0	11	11
Reversed Previous Council Action	1	8	9
Parents Notified	0	7	7
Student Allowed to Reenter University	1	5	6
Loss of Scholarship	3	0	3

TOTAL	99	635	734
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The researcher also used Microsoft Excel to find relationships between the issues and outcomes. Tables B3 and B4 in Appendix B contain information on the types of outcomes associated with the matters which came before the Council. It is important to remember that a given issue may have been assigned more than one outcome. The charts indicate the issue before the Council, and the frequency with which outcomes were associated with the specific issues for the early 1920s and then the early 1930s.

Appendix B: Tables

Table B1

<u>Issue before the Council</u>	<u>Frequency:</u> <u>1920s</u>	<u>Frequency:</u> <u>1930s</u>	<u>Frequency:</u> <u>1920s &</u> <u>1930s</u>
Academic Progress of Students	10	213	223
Class Attendance of Students	13	210	223
Student Probation Administration	0	68	68
Travel & Automobile Use Restrictions	7	38	45
Student Admissions Decisions	2	40	42
Academic Dishonesty/Cheating	9	31	40
Reappearance before Council (On same issue)	6	28	34
Unspecified Misconduct	9	19	28
Dormitory Restrictions & Curfew	5	13	18
Alcoholic Beverages (manufacture, possession, &/or consumption)	5	11	16
Athletics Matters	4	8	12
Chapel Attendance	3	7	10
Dancing (Social)	4	4	8
Dress/ Attire of Students	0	3	3
Censorship	0	2	2
Public Health Matters	0	2	2
Smoking	1	1	2
TOTAL	78	698	776

Table B2

<u>Outcome (Action taken by Council)</u>	<u>Frequency:</u> <u>1920s</u>	<u>Frequency:</u> <u>1930s</u>	<u>Frequency:</u> <u>1920s &</u> <u>1930s</u>
Placed on Probation	1	128	129
Student or Organization Request Granted	10	101	111
Student or Organization Request Granted with Stipulations/Provisions	5	64	69
Student Suspended (Not Permanent Separation)	20	36	56
Student or Organization Request Refused	2	53	55
Academic Restrictions	1	42	43
Failure in Course	0	38	38
Policy Created/Implemented	15	11	26
Referral to Dean(s)	1	25	26
Delay Action	9	16	25
Threatened Action	0	19	19
Student Expelled/Dropped/Dismissed (Permanent Separation)	11	7	18
Lectured or Verbally Reprimanded by Council	9	9	18
Granted Admission	2	16	18
Refused Admission	2	16	18
Case/Issue Dismissed	1	15	16
Previous Decision Upheld	5	8	13
Other Restrictions	0	11	11
Reversed Previous Council Action	1	8	9
Parents Notified	0	7	7
Student Allowed to Reenter University	1	5	6
Loss of Scholarship	3	0	3
TOTAL	99	635	734

Table B3

1920s Issues & Outcomes																									
	OUTCOMES																								
ISSUES		AR	DE	DS	EX	FC	GP	LC	LS	OK	OR	PB	PN	PY	RA	RD	RG	RR	RU	RV	SP	TA	UP	Totals	
	AD	0	2	1	1	0	0	1	1	0	0	0	0	1	0	0	0	0	0	0	2	0	0	9	AD
	AM	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2	AM
	AP	0	0	0	2	0	2	0	0	0	0	0	0	1	0	0	0	1	1	0	2	0	1	10	AP
	AL	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	3	0	0	5	AL
	AT	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	0	4	AT
	CA	1	0	0	5	0	1	0	0	0	0	1	0	1	0	1	1	0	0	0	1	0	1	13	CA
	CO	0	4	0	0	0	1	0	0	0	0	0	0	1	0	0	3	0	0	0	0	0	0	9	CO
	CP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	CP
	DA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	DA
	DM	0	1	0	0	0	0	2	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	5	DM
	DN	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	3	0	0	4	DN
	NA	0	1	0	1	0	0	2	0	0	0	0	0	0	1	0	0	0	0	0	4	0	0	9	NA
	PH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	PH
	PR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	PR
	RE	0	0	0	1	0	0	0	2	0	0	0	0	0	0	0	0	0	0	1	0	0	2	6	RE
	RL	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	1	0	0	3	RL
	SM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	SM
	TR	0	0	0	1	0	0	1	0	0	0	0	0	2	0	0	0	0	0	0	2	0	1	7	TR
	Totals	1	8	1	11	0	4	7	3	2	0	1	0	12	2	1	7	1	1	1	19	0	5	87	Totals
		AR	DE	DS	EX	FC	GP	LC	LS	OK	OR	PB	PN	PY	RA	RD	RG	RR	RU	RV	SP	TA	UP	Totals	

Issue Codes: AD: Academic Dishonesty/Cheating; AM: Admissions Decisions; AP: Academic Progress; AL: Alcoholic Beverages; AT: Athletics Matters; CA: Class Attendance; CO: Clubs & Organizations; CP: Censorship; DA: Dress / Attire; DM: Dormitory Restrictions & Curfew; DN: Dancing (Social); NA: Unspecified Misconduct; PH: Public Health Matters; PR: Student Probation Administration; RE: Reappearance before Council (on same issue); RL: Chapel Attendance; SM: Smoking; TR: Travel & Automobile Use Restrictions

Outcome Codes: AR: Academic Restrictions; DE: Delay Action; DS: Case/Issue Dismissed; EX: Student Expelled/Dropped/Dismissed; FC: Failure in Course; GP: Student or Organization Request Granted with Stipulations/Provisions; LC: Lectured or Verbally Reprimanded by Council; LS: Loss of Scholarship; OK: Granted Admission; OR: Other Restrictions; PB: Placed on Probation; PN: Parents Notified; PY: Policy Created/Implemented; RA: Refused Admission; RD: Referral to Dean(s); RG: Student or Organization Request Granted; RR: Student or Organization Request Refused; RU: Student Allowed to Renter University; RV: Reversed Previous Council Action; SP: Student Suspended (Not Permanent Separation); TA: Threatened Action; UP: Previous Decision Upheld

Table B4

1930s Issues & Outcomes																										
		OUTCOMES																								
		AR	DE	DS	EX	FC	GP	LC	LS	OK	OR	PB	PN	PY	RA	RD	RG	RR	RU	RV	SP	TA	UP	Totals		
ISSUES	AD	1	1	2	1	14	0	2	0	2	0	1	2	0	1	1	1	0	0	0	7	1	0	37	AD	
	AM	5	0	0	0	0	6	0	0	14	0	14	0	1	10	1	0	2	1	0	0	0	0	54	AM	
	AP	40	3	1	3	1	13	1	0	10	3	85	1	8	10	6	21	26	2	2	28	7	0	271	AP	
	AL	0	0	0	2	0	0	2	0	0	1	3	1	3	0	0	1	0	1	0	1	0	0	15	AL	
	AT	0	3	0	0	0	1	0	0	0	0	0	0	1	0	0	3	0	0	0	0	0	0	8	AT	
	CA	2	2	7	2	23	42	5	0	1	2	29	2	3	0	15	65	23	1	1	6	8	0	239	CA	
	CO	0	1	0	0	0	1	0	0	0	0	2	0	2	0	0	6	3	0	0	0	0	0	15	CO	
	CP	0	1	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	3	CP	
	DA	0	0	0	0	0	0	0	0	0	0	1	1	2	0	0	0	0	0	0	0	0	0	4	DA	
	DM	0	0	1	1	0	3	0	0	0	1	3	2	0	1	0	1	0	0	1	3	0	0	17	DM	
	DN	0	0	0	1	0	0	0	0	0	1	1	0	0	0	0	0	0	0	1	1	0	0	5	DN	
	NA	0	4	2	1	0	2	2	0	0	2	0	0	0	1	1	1	0	0	1	1	1	0	19	NA	
	PH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2	PH	
	PR	1	2	0	2	0	3	1	0	1	3	18	1	5	0	2	20	12	0	0	5	4	0	80	PR	
	RE	0	1	2	0	0	3	1	0	0	0	4	0	1	0	1	2	2	0	6	0	0	10	33	RE	
	RL	0	0	2	0	0	1	0	0	0	0	2	0	0	0	2	1	0	0	0	0	0	0	8	RL	
	SM	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	SM	
	TR	0	0	0	0	0	9	0	0	0	2	0	0	0	0	2	15	10	0	0	0	0	0	38	TR	
	Tota	49	18	17	13	38	84	15	0	28	16	164	10	26	23	31	137	78	5	12	52	23	10	849	Totals	
		AR	DE	DS	EX	FC	GP	LC	LS	OK	OR	PB	PN	PY	RA	RD	RG	RR	RU	RV	SP	TA	UP	Totals		

Issue Codes: AD: Academic Dishonesty/Cheating; AM: Admissions Decisions; AP: Academic Progress; AL: Alcoholic Beverages; AT: Athletics Matters; CA: Class Attendance; CO: Clubs & Organizations; CP: Censorship; DA: Dress/Attire; DM: Dormitory Restrictions & Curfew; DN: Dancing (Social); NA: Unspecified Misconduct; PH: Public Health Matters; PR: Student Probation Administration; RE: Reappearance before Council (on same issue); RL: Chapel Attendance; SM: Smoking; TR: Travel & Automobile Use Restrictions

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Vita

Born and raised in Western North Carolina, Bryan F. Coker currently lives in Jacksonville, Florida, where he serves as Dean of Students at Jacksonville University, a position he has held since 2003. He previously served as Director of Student Judicial Affairs as well as Fraternity Affairs Advisor at the University of Tennessee, Knoxville, where he was employed from 1997-2003. He received his Master of Education degree in College Student Personnel from the University of South Carolina, Columbia in 1997. His undergraduate degree is from Rhodes College in Memphis, Tennessee, where he received his Bachelor of Arts in Psychology in 1995. He is married to Sara Barnette Coker, and they have three children, Caroline Davis Coker, William Cain Coker, and Chris Barnette Coker.