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Under Pressure: The Impacts of Judicialization on Dual Role Housing/Conduct Officers

ADJUDICATION OF ALLEGATIONS OF STUDENT MISCONDUCT in campus living facilities is one of many responsibilities often held by residence hall staff. After receiving an incident report, these administrators may address concerns like roommate conflicts, fire safety, vandalism, and alcohol consumption with their residents in formal or informal meetings in concert with or as a part of the larger institutional disciplinary system. As students increasingly perceive any sort of conduct matter as adversarial and legalistic, they may enlist the support of parents, senior-level administrators, or even attorneys to navigate this process. However, residence life staff, who typically manage only lower level cases like those described above, may not necessarily have the training to comfortably address the encroachment of outsiders into the student disciplinary process. This phenomenon is called *judicialization*, and as a direct result of this interference, full-time student conduct administrators experience real harms in both their professional work and personal lives. Based on a survey of 87 full-time housing and residence life professionals who also have conduct adjudication responsibilities, this study extends the body of literature on how concerns about litigation impact the lived experiences and well-being of those who adjudicate student conduct. Findings and discussion reveal insight into the ways that distinct demographic groups within this population experience the impacts of judicialization on their well-being.

Residence life staff often wear multiple hats in their interactions with students. One such role is that of conduct officer (Blimling, 2015; Bryant et al., 2018; Miele & Hamrick, 2019), in which a staff member trained in an institution's disciplinary procedures assesses information to determine whether a student, or group of students, has violated community expectations and, if so, what outcomes or sanctions are appropriate. Residence life staff who also serve as conduct officers are therefore required to have a "legal consciousness" (Nguyen et al., 2018, p. 129), or the understanding that policies and procedures are undergirded by federal and state laws and statutes

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designed to offer protections to institutional stakeholders. Several scholars agree that such awareness includes knowledge of the law and of key judicial decisions that inform student conduct administration (Gehring, 2006; Glick, 2016; Waller, 2013).

While the foundation of student conduct philosophy is grounded in holistic student development (Greenleaf, 1978), the process has increasingly been infiltrated by attorneys, legal issues, and case law (Horrigan, 2016; Miller, 2018; Shook & Neumeister, 2015; Waller, 2013), creating a quasi-judicial system in place of one designed to be educational in nature. Researchers are only beginning to explore the lived experiences of conduct practitioners (Glassman & Lewis, 2022a; Nguyen et al., 2018), particularly as they navigate the tension and dissonance of using an educational lens to support students while being required to maintain procedural fairness (Gehring, 2001) under the scrutiny of students, their attorneys, senior administrators, and even the media.

In 2021, the term *judicialization*, first used within the realm of politics to describe the “spread of judicial decision-making methods outside the judicial province proper” (Vallinder, 1994, p. 91), was applied to the phenomenon of lawyers encroaching on the disciplinary process, along with the intrusion of senior-level decision-makers and the misrepresentation of facts by the mass media. Glassman and Lewis (2022b) explored the impacts of judicialization on the personal lives and professional work of 350 self-identified student conduct administrators who serve in diverse student affairs departments, including offices of student conduct, housing and residence life, student activities, and offices of institutional equity. Findings illustrated how judicialization had strong impacts on participants’ personal lives, including negative impacts on personal well-being.

This article contributes to the body of literature examining the reported well-being of those residence life and housing staff who also serve roles as conduct officers by focusing specifically on the ways that judicialization may have affected them. Specifically, this study is guided by the question, “*In what ways is the well-being of residence life staff impacted by judicialization?*” Through a quantitative approach using the same instrument from Glassman and Lewis (2022b), I evaluate reported impacts on various aspects of well-being—including physical and mental health, coping mechanisms, communication skills, and persistence—and compare responses within this demographic across genders and professional levels, as well as against the responses of conduct administrators who do not work in residence life. Connecting the current study to the body of literature on student affairs burnout, the implications of this research may reveal unique aspects of the dual role of housing/conduct officers who provide guidance for onboarding, career development, and supervisory support of these professionals.

THE JUDICIALIZATION OF STUDENT CONDUCT ADMINISTRATION AND ITS IMPACTS ON PRACTITIONERS

Managing student conduct and discipline has long been a challenge for college and university leaders. In his 1822 letter to South Carolina College president Thomas Cooper regarding reports of student misbehavior on campus, former president Thomas Jefferson called “the article of discipline . . . the most difficult in American education” (para. 2). Early on, corporal punishment was a common response (Smith, 1994), doled out by faculty who lived among the students in small, meager residential facilities where they could ruthlessly monitor students’ every move (Brubacher & Rudy, 2008). Instructors were responsible for both teaching and discipline, and they punished students for their “spirit of insubordination” (Jefferson, 1822, para. 2). Under the doctrine of *in loco parentis*, faculty could reprimand students at will in accordance with contemporaneous social mores (Dannells, 1996).

It was not until the early 20th century, following the cases *Gott v. Berea College* (1913) and *Stetson University v. Hunt* (1924), that *in loco parentis* was affirmed as legitimate and lawful, and American colleges and universities shifted the duties of student discipline to designated staff whose titles would eventually evolve into deans of men and women. However, the seminal court case *Dixon v. Alabama State Board of Education* (1961) rejected *in loco parentis* and established that a student may not be summarily dismissed from a public institution of higher education without proper due process as granted by the Fourteenth Amendment. It was from this verdict that the contemporary college disciplinary process emerged, requiring state-supported institutions to provide due process before depriving students of their liberty and property interests.

Dixon not only confirmed due process in public college and university disciplinary proceedings as a student’s right, but also left a legacy of litigation encroachment in campus discipline. Baldizan (1998) laments that the end of *in loco parentis* signified the end of legal support for student conduct administrators acting as parents. Rather, their work should be defined by legal precedent and is “effectively withdrawn from the field of morality and character formation” (Hoekema, 1994, p. 18). The opportunities to engage students in conversation to promote moral and ethical development have been overwhelmed by the responsibility to strictly adhere to written policies and procedures.

Examining Critogenic Harms as an Impact on Practitioner Well-Being

In 2000, Gutheil and colleagues coined the term “critogenic harms” (from the Greek root *crites*, meaning “judge,” and *genic*, meaning “generated by”) to refer to “the intrinsic and often inescapable harms caused by the litigation process itself, even when the process is working exactly as it should” (p. 6). Such harms have also been called litigation response syndrome or the physiological and emotional responses of the litigant in reaction to the stress of being involved in a lawsuit (Lees-Haley, 1989). While those working directly in the legal field have generally been the subject of the study of critogenic harm,

other professionals are also at risk, including physicians (see, for example, Charles & Kennedy, 1985; Charles, Pyskoty, & Nelson, 1988; Charles et al., 1985; Charles et al., 1984; Fileni et al., 2007), mental health practitioners (Wilbert & Fulero, 1988), and law enforcement and public safety officers (Hall et al., 2003). Common symptoms related to critogenic harms include, but may not be limited to, “sleeplessness, anger, frustration, headaches, inability to concentrate, humiliation, anxiety, loss of self-confidence, isolation” (Gutheil et al., 2000, p. 11); feelings of helplessness, distress, and guilt (Fileni et al., 2007); and exacerbation of existing pain and injuries (Jacobs, 2013).

In addition to studying the physical and emotional impacts of critogenic harms on physicians, Charles, Warnecke, and colleagues (1988) also investigated how these professionals appraise the stress of litigation and its threat; that is, they examined the coping mechanisms physicians used in response to the possibility of a lawsuit. They found that problem-focused coping or positive event appraisal, in which the individual believes a situation to be changeable by taking specific action, resulted in fewer physical and psychological symptoms than did emotion-focused coping, which is “an evaluation of one’s ability to psychologically adjust to the situation should it turn out not as desired” (Smith & Kirby, 2009, p. 1,357). The findings of Charles, Warnecke, and colleagues may be relevant to the current study and future research; the appraisal skills and coping mechanisms used by residence life conduct administrators may correlate with their self-reported impacts of judicialization on their well-being.

Using the lens of critogenic harms, Glassman and Lewis (2022b) explored the mental and physical impacts of judicialization on student conduct practitioners. Positing that medical practitioners and student conduct administrators share common personality traits such as a strong ethic of care for their patients/students and high self-value (McLeod, 2003), Glassman (2021) argued that studies on medical malpractice stress syndrome or clinical judicial syndrome—a condition that one group of researchers called a partial manifestation of post-traumatic stress disorder (Paterick et al., 2017)—may provide valuable insight on how litigious workplace environments induce real negative emotional and physical responses in its practitioners. Participants in a phenomenological study of the responses of full-time conduct administrators to judicialization identified specific mental and physical health concerns that they believed were a direct result of their work, including “post-traumatic stress disorder, anxiety, depression, weight loss, and sleep deprivation” (Glassman & Lewis, 2022a, p. 23). Several participants used problem-focused coping as a strategy to manage these afflictions.

For the purposes of this manuscript, I define well-being broadly as the range of physical and emotional reactions, including coping mechanisms, that dual role housing/conduct officers have in response to the critogenic harms of the judicialized student conduct environment. Much of the scholarship on the relationship between responses to litigation and the ability to manage them finds them inextricably intertwined; how one appraises (or copes with) the event determines their emotional, and possibly their physiological, response (Lazarus & Folkman, 1987). However, Maddi’s hardiness model (Kobasa et al., 1982; Maddi, 2006) eliminates the event itself as a factor in coping and

instead posits that specific personality traits—“commitment, control, and challenge” (the 3Cs; Maddi, 2006, p. 160)—can be learned. Also related to resilience, hardiness provides the “courage and motivation” (Maddi, 2006, p. 161) for people to engage in healthy, problem-focused coping processes and allows them to appraise an event as less stressful. It is of note that control, the understanding that one can have influence over various aspects of life by means of exercising creativity, imagination, choice, and knowledge, has been cited as a key factor in women’s stress levels (Grönlund, 2007).

Dual Role Housing/Conduct Staff and the Possibilities of Critogenic Harm

Conduct and Community is an extensive, curated work on the intersections of managing student residential behavior, staff preparedness, and conflict resolution (Hudson et al., 2018). Within this book, Nestor and Lowery (2018) allude to the fact that incidents within residence halls require “minimal procedural due process” (p. 65) because their outcomes are not likely to impact a student’s enrollment status. These cases, which may include matters like burning candles or moving furniture out of common areas, typically result in minor sanctions (e.g., reflection paper, apology letter, written warning) and therefore may be less stressful for residence hall staff to adjudicate. Certainly, the type of disciplinary cases that dual role housing/conduct staff adjudicate varies from institution to institution, which could generate more exposure to critogenic harms for some of these staff than others. It may also be that, because such cases are typically less formal, residence life staff receive less training on student conduct adjudication; these cases typically result in sanctions that are educational in nature and not likely to result in a contested finding, thereby lessening the chance for attorney involvement and the possibility of litigation or critogenic harms.

Because residence hall staff, who typically live among their students, are responsible for building community, they should be the institution’s designees to respond to such behavior as described above with educational, holistic strategies (Meyer & Redington, 2018). And since conduct adjudication is only a portion of their job portfolio, more egregious and disruptive behavior can be investigated by full-time conduct officers. But despite outcomes that are rarely argued, it is still possible that legal matters arising within student living communities could involve residential conduct staff, thereby generating the potential for critogenic harm. One such example could be a student who contests their removal from a residential community, arguing that such a sanction is a violation of their housing contract with the institution. Most guidance for residential staff who adjudicate allegations of misconduct, such as how to avoid lawsuits (Bryant et al., 2018), does not discuss how such attention to detail and focus on providing due process can impact residence life staff with dual role housing/conduct responsibilities.

The opportunities to engage students in conversation to promote moral and ethical development have been overwhelmed by the responsibility to strictly adhere to written policies and procedures.

While there is little research on the ways that the legalistic inclinations of today's student conduct landscape create critogenic harms for its full-time practitioners, there is even less on how those staff who serve as both residential staff and conduct administrator experience and manifest the impacts. This manuscript serves to fill that gap by identifying the ways that conduct administration may affect the well-being of housing and residence life staff who perform conduct work.

METHODOLOGY

Data were collected using the Concerns About Litigation Survey for Student Conduct Professionals (CALSSCP) instrument (Glassman, 2021), which was designed to assess the impacts of judicialization using three subscales that correspond to three realms: Subscale A (impacts on professional work), Subscale B (beliefs about judicialization), and Subscale C (impacts on personal life). This survey was adapted from several peer-reviewed instruments that had been used to assess physicians' and law enforcement officers' physical and emotional responses to litigation or the threat thereof. It was hypothesized that student conduct administrators share many personality traits with doctors, such as being perfectionistic, having a high ethic of care for their stakeholders, and applying their best judgment in uncertain situations (McLeod, 2003). It seemed possible that these characteristics may also make college and university administrators with student conduct responsibilities more susceptible to critogenic harms, thereby impacting their well-being and abilities to cope with the stressors of the workplace.

Responses from Subscale C (questions 29–40 of the CALSSCP) were analyzed for purposes of this study. Figure 1 (*see page 75*) lists the items in this section of the instrument. The questions in Subscale C were adapted from earlier published studies on the impacts of litigation stress on psychologists (Wilbert & Fulero, 1988), the attitudes and reactions of physicians to medical error (Benbassat et al., 2001), and the feelings experienced by radiologists who had been sued for alleged malpractice (Fileni et al., 2007). Because the aforementioned studies contained questions that specifically evaluated aspects of the participants' well-being and because the current research seeks to understand how litigation stress and other environmental factors of the student conduct landscape impact its practitioners, it was deemed relevant to translate some of the questions targeted to physicians into language evaluating the experiences of student conduct administrators.

Subscale C asked participants to report their level of agreement from 5 (*Describes me greatly*) to 1 (*Does not describe me at all*). Several items were reverse-worded, with the results reported here representing the reverse-coded data. Using Cronbach's alpha, the reliability of the instrument in the current study was $\alpha = .884$ (for Subscale A, $\alpha = .791$; for Subscale B, $\alpha = .655$; and for Subscale C, $\alpha = .798$).

A purposive sampling strategy was used to recruit residence life professionals with student conduct responsibilities. Participants were recruited via residence life-oriented

FIGURE 1

Questions 29-40 (Subscale C) of the Concerns About Litigation Survey for Student Conduct Professionals

29. Thinking about the possibility of litigation has made it difficult for me to sleep at night.
30. My eating habits have changed as a result of the stress from my job.
31. (Reverse-coded) I do not believe my personal relationships have been affected by job stress.
32. My experience of student conduct administration is different from what I expected it to be when I entered the field.
33. I relive/reenact conversations with students in my head to recall whether I made any errors with them.
34. The federal oversight of some student conduct policies and processes makes me think about leaving student conduct for another profession.
35. The way in which I talk to students has impacted how I communicate with friends, family, and other loved ones.
36. I have good support from my colleagues if I need to discuss my concerns about attorney involvement.
37. I have experienced an increase in physical ailments since beginning work in student conduct.
38. I often find myself venting about work to loved ones.
39. The possibility of litigation makes me question my competence.
40. (Reverse-coded) Concerns about litigation have not impacted my ability to concentrate on everyday tasks.

listservs and social media. In spring of 2022, a total of 87 respondents completed the survey. The majority of respondents reported that they earned a master's degree and were in mid-level positions. Fewer than 20% of participants reported being sued or otherwise involved in a lawsuit. Table 1 (*see page 77*) provides further demographic details about the participants.

RESULTS

This study sought to explore the ways that the well-being of residence life staff is being impacted by judicialization. Subscale C (Questions 29–40) on the CALSSCP addressed impacts on their personal life. The mean score for all 87 participants on Subscale C was 2.95. It may therefore be inferred that the well-being of these administrators is moderately impacted by judicialization.

Because only three residence life professionals did not disclose their job level, those participants were excluded from analyses based on self-reported job level. A one-way ANOVA was performed on each of the CALSSCP items as well as on each of the subscales and the overall instrument based on residential staff's job level. Only the effect of position level (entry-level, mid-level, and director) on the belief that "There is inequity among students who have the ability to hire lawyers and those who don't" (Item 22) was statistically significant, $F(2, 81) = 5.082, p = .008$. After examining the Tukey post-hoc from the ANOVA calculations, statistically significant differences were found between residence life professionals at the entry level and director level for Item 3 ($M_{I-J} = .88; t(df) = -3.948; p < .001$; "I believe that errors made by the staff I work with, both in my office and across the institution, may leave me vulnerable to litigation"), Item 13 ($M_{I-J} = 1.11; t(df) = 3.064; p = .004$; "It is rare that the thought of litigation comes to mind when working with a student"), and Item 34 ($M_{I-J} = .94; t(df) = -2.692; p = .01$; "Litigation in student conduct matters is not necessarily due to practitioners' error"). While entry-level staff reported stronger agreement with Item 13, directors reported stronger agreement with 17 ("Litigation against student conduct practitioners harms students") and 34. With the majority of the study participants working in 4-year public and private institutions, no significant differences were found on any instrument item or subscale between the two institutional types.

Within Subscale C, however, there are some notable results with regard to potential critogenic harms. The lowest score (strongest disagreement; $M = 1.90$) for residence life staff appeared in Item 29: "Thinking about the possibility of litigation has made it difficult for me to sleep at night." However, this demographic group also reported that they somewhat agreed that their "personal relationships have been affected by job stress" (Item 31; reverse-coded; $M = 3.69$) and that they "relive/reenact conversations with students in my head to recall whether I made any errors with them" (Item 33; $M = 3.49$). And while there is stronger agreement that residence life staff "often find [themselves] venting about work to loved ones" (Item 38; $M = 3.79$), this group also reports having "good support from my colleagues if I need to discuss my concerns about attorney involvement" (Item 36; $M = 3.93$).

TABLE 1

Self-Reported Demographics of CALSSCP Participants

	Housing/residence life (N = 87)	
	n	%
<i>Gender</i>		
Female	50	57.5%
Male	30	34.5%
Other/did not disclose	7	8.0%
<i>Highest educational degree obtained</i>		
Bachelor's	4	4.6%
Master's	79	90.8%
JD	1	1.1%
Doctoral	3	3.4%
Other/did not disclose	0	0.0%
<i>Position level within student conduct</i>		
Entry-level	34	39.1%
Mid-level	36	41.4%
Director	14	16.1%
Senior leadership	*	*
Other/did not disclose	3	3.4%
<i>Been sued/involved in lawsuit</i>		
Yes	14	16.1%
No	70	80.5%
Choose not to answer	3	3.4%
<i>Where do you live?</i>		
Off campus	37	42.5%
On campus in the building/area I supervise	36	41.4%
On campus and I do not directly manage any given residential area	6	6.9%
On campus, and I supervise a different residential area from the one in which I live	6	6.9%
Other	2	2.3%

Note. * Denotes that option was not offered.

Layering in the variable of gender, Subscale C (critogenic impacts on personal lives) showed substantial differences between male- and female-identified residence life participants. Women indicated statistically stronger agreement with Item 30, “My eating habits have changed as a result of the stress from my job” ($M_{I,J} = .91$; $t(df) = 2.8$; $p = .006$) and Item 33 ($M_{I,J} = .61$; $t(df) = 2.308$; $p = .024$). Female respondents also reported that they found themselves venting to loved ones at a stronger rate than did males (Question 38; $M_{I,J} = .58$; $t(df) = 2.113$; $p = .038$). With only seven respondents indicating that they identify as non-binary or genderqueer, there were not enough participants in this demographic to conduct a meaningful data analysis.

Although only 14 of the respondents reported that they had been sued or otherwise involved in a lawsuit, this demographic revealed a greater overall impact on their personal lives than did those who had not been ($M_{I,J} = .554$; $t(df) = 2.868$; $p = .005$). Question 31 was reversed coded and invited the respondent to agree or disagree with the statement that “I do not believe my personal relationships have been affected by job stress.” Participants who had been sued showed a significantly stronger disagreement with the statement ($M_{I,J} = .69$; $t(df) = 2.884$; $p = .008$). This group also demonstrated a statistically significant difference from non-sued respondents on questions 32 (“My experience of student conduct administration is different from what I expected it to be when I entered the field”), 34 (“The federal oversight of some student conduct policies and processes makes me think about leaving student conduct for another profession”), 35 (“The way in which I talk to students has impacted how I communicate with friends, family, and other loved ones”), and 40, which was also reverse coded (“Concerns about litigation have not impacted my ability to concentrate on everyday tasks”).

The difference between living off campus or on campus in the area that the respondent supervises also generated statistically significant results in consideration of well-being. For Item 9 (“I avoid dealing with students who have threatened litigation or have involved their parents/attorneys”), those housing staff who live on campus in the area in which they supervise reported a statistically significant stronger response ($M = 2.53$) than did those who live off campus ($M = 1.7$) ($M_{I,J} = .83$; $t(df) = 3.415$; $p = .001$). Questions 29, 34, and 37 yielded statistically strong differences between these two groups, with those study participants who live off campus indicating greater agreement with the aforementioned items.

DISCUSSION

This study sought to understand the experience of critogenic harms in residence life professionals who also have responsibilities for student conduct and revealed that concerns about judicialization and the legalistic nature of conduct adjudication have a moderate impact on the well-being of its practitioners.

The demographic population of this survey skewed heavily toward entry- and mid-level residence life staff ($n = 70$), with only 17 participants reporting that they serve in a director-level or other position. A total of 14 respondents in the current study

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(16.1%) indicated that they had been sued or otherwise involved in a lawsuit. These results are curious when compared to those of Glassman and Lewis (2022b), who examined full-time student conduct administrators, 131 out of 235 (55.7%) of whom reported serving in a director-level position and 118 (50.2%) of whom reported being sued or otherwise involved in a lawsuit. In evaluating the two studies in tandem, one may infer that the likelihood of being sued is correlated with a higher level of responsibility within one's department.

Further findings about the differences between entry- and mid-level residence life staff and directors imply that the former populations have less exposure to the legalistic or contentious aspects of student conduct work, thereby decreasing the likelihood of developing citrogenic harms as a result of their work. For directors, it seems that litigation is a significantly more pressing issue than it is for entry- and mid-level staff and that they are concerned about the possibilities of litigation as a matter of the practice itself, not just as a result of their own errors. This resonates with findings from Glassman and Lewis (2022b) on the work of full-time conduct administrators, as well as from Charles and colleagues (1985), who reported that physicians who are sued often believe the lawsuit to be unjustified.

Because more than half of the survey respondents reported living somewhere on campus, one might expect that this group experiences impacts on their well-being at greater rates than do those who live off campus because they are almost always immersed in the community of students whose behavior they must adjudicate. However, independent samples *t*-tests between these two populations revealed that, for the most part, they experience judicialization in the same way; generally, they believe that their personal relationships have been somewhat impacted by job stress, they relive conversations with students to assess whether they made errors, and they frequently vent about work to loved ones. One unexpected finding was the statistically significant results demonstrating that off-campus staff report that the possibility of litigation makes it difficult for them to sleep at night, they think about leaving student conduct because of the federal oversight of their work, and, perhaps most interesting, they have experienced an increase in physical ailments as a result of their work in student conduct. Connecting these findings to the literature, one could infer that there is a relationship between a residence life staff member's position level and where they live. Because being a live-in staff member is typically an entry- or mid-level position that is tasked with community building (Meyer & Redington, 2018), they may only be assigned conduct

cases that can typically be remedied through educational, developmental assignments, rather than through punitive sanctions. One may then deduce that residence life staff who live off campus and serve at the director level are generally adjudicating cases that are more likely to be contested than those handled by staff in entry-level positions.

The difference between residence life staff who live on or off campus was particularly notable in the responses to Question 9, which stated “I avoid dealing with students who have threatened litigation or have involved their parents/attorneys.” The phrase “I avoid” can be interpreted in two ways, which may illuminate why residence life professionals responded with strong agreement. The respondent may have interpreted this question to mean “I *choose to* avoid dealing with students” but may have understood it to mean “I avoid dealing with students who have threatened litigation . . . *because the expectations of my role require me to notify someone else when this occurs.*” However, it may be inferred that, because there was a significant difference in responses to Question 9 between housing staff who live in the area they supervise and those who live off campus, they actively and intentionally avoid working with those students who have indicated that they will involve their parents or retain legal counsel.

Female-identified respondents reported stronger impacts of concerns about litigation than did those who were male-identified in every item on Subscale C, with items 30 and 33 showing statistically significant higher agreement than males. These two questions reveal the most explicit examples of how student conduct work has impacted the well-being of residence life practitioners. Women report at much higher rates that their eating habits have changed as a result of the stress from their jobs and that they relive conversations to recall whether they made errors with students. Such behaviors represent coping mechanisms that concentrate more on one’s ability to regulate emotions than to address the environmental impact that is causing the distress (Folkman et al., 1986). These results align with Glassman and Lewis’s (2022b) study as well, in which female student conduct administrators reported stronger impacts of judicialization not just on their personal lives, but on their professional work as well. Of note, early research on the impacts of litigation stress on physicians (Charles, Pyskoty, & Nelson, 1988; Charles et al., 1985; Charles et al., 1984) did not address the differences between men and women because the majority of the study participants were men.

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LIMITATIONS AND FUTURE RESEARCH

There are several limitations to consider in the current study. First, one must note that the CALSSCP instrument was initially developed to ascertain the practices and beliefs of those whose full-time work is student conduct adjudication. Besides demographic questions beyond the 40 items, no changes were made between the administration of the survey to student conduct staff in the fall of 2019 and to residence life staff in the spring of 2022. There are several questions on the instrument that do not explicitly ask for responses to the items within the framework of respondents' conduct adjudication duties, but rather are more general and ask about reactions and impacts from one's job in general; participants may have completed the CALSSCP with a more holistic mindset of the full scope of their responsibilities. Therefore, it is not certain that the results reported by residence life staff are a true representation of their experiences with judicialization. Future investigation into this subject matter should consider adapting the CALSSCP with specific regard to the multiple job responsibilities of residence life staff—including community building, conduct adjudication, conflict resolution, and facilities management—to understand the specific aspects of their work that lead to critogenic harm and therefore impacts on their well-being.

While the study allowed participants to write in their response to "Gender," the researcher coded all answers as either "female" or "male" or "other/choose not to answer" (for answers that were left blank or included such gender identities as "genderqueer," "non-binary," "trans-masculine," etc.). Only 8% of the current study's respondents were then categorized as "other/choose not to answer," and this sample proved too small to make any meaningful deductions about the lived experiences of residence life staff who identify outside of the male-female binary. Additionally, this study did not invite the participant to identify a racial or ethnic identity. Representation of the spectrum of genders and racial identities in a future study would more clearly reveal the ways that the well-being of diverse individuals is impacted by concerns about litigation and judicialization.

The findings that women's well-being was impacted more strongly by concerns about litigation than were men's perhaps reveal that women feel they have less control over their work, believing that colleagues and others with whom they work are more responsible for workplace litigation. Connecting these findings with Kobasa and colleagues' (1982) model of hardiness, in which commitment, control, and challenge serve to buffer an individual from stress, one may infer that teaching the importance of these personality traits, perhaps in single-gender environments, may promote healthier responses to stressful events. Such professional development could help women strengthen hardiness characteristics that allow them to build resilience and reframe the possibility of litigation from being threatening to being stimulating. Grönlund's (2007) findings infer that a woman with greater control can mitigate the effects of a high demand and high strain job, typically in "education, health care, and service positions" (p. 490), and possibly even generate greater gains.

For directors, it seems that litigation is a significantly more pressing issue than it is for entry- and mid-level staff and that they are concerned about the possibilities of litigation as a matter of the practice itself, not just as a result of their own errors.

The current study lacked a complementary qualitative strand that could have enhanced the results of the survey with rich experiential data. Having narrative information about the lived experiences of dual role residence life/conduct officers may have served to improve confidence in the quantitative component and provided a deeper understanding of the phenomenon. A future narrative inquiry into the lived experiences of residence life staff may not only enrich the body of literature on how student affairs personnel feel about and navigate their professional roles, but could also expose gaps in training and job preparation that could assist new staff with a deeper understanding of the complexities of the residence life landscape.

Finally, because federal legislation and contemporary discourse play a role in the practice of student conduct administration on campus, it is possible that the responses generated for this survey were impacted by the political climate during which it was administered. The first distribution of the CALSSCP to student conduct administrators (Glassman & Lewis, 2022b) took place during the Trump presidential administration, months before the Office for Civil Rights drastically overhauled the federal policies and procedures institutions would need to implement for addressing allegations of sex- and gender-based harassment. By the time residence life staff completed the survey, President Biden's team was working to overturn many of the regulations set forth by the Final Rule on Title IX (Office for Civil Rights, 2020). Although housing staff are not typically involved with Title IX-related cases, they—and almost certainly some students in their community—may still be impacted by the ripple effect of legislation. It is remiss to exclude student affairs staff from all levels of Title IX education, response, and prevention. Residence life departments must include all levels of staff in training and workshops that address not only law, policy, and protocol, but also the impacts of adjudication on the involved parties, the investigators, the decision makers, and other community members.

CONCLUSION

Although the residence life staff in entry- to mid-level positions who completed the CALSSCP generally reported lower impacts from judicialization on their well-being, it would be naive to think that these personnel are not meaningfully affected by litigation threat, public scrutiny, or encroachment on their decision making by supervisors. Perhaps they experience the stress of adjudicating student conduct cases as being inextricably intertwined with the stressors from other aspects of their work, including counseling, crisis management, building maintenance, roommate disagreements, and community building. As such, the well-being of housing/residence life staff who also adjudicate allegations of student misconduct will require a holistic approach in addressing the multidimensional aspects of both their sources of stress and their experience of the workplace. ■

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DISCUSSION QUESTIONS

1. In what ways have you noticed that judicialization of student conduct issues impacts your own well-being or that of your peers or staff?
2. How might housing departments better incorporate training on legal responsibilities and mitigating critogenic harm for residence life positions that require student conduct responsibilities? How might ongoing training be differentiated based on the experience level of staff (e.g., new versus returners)?
3. The author found notable differences based on gender regarding the impact of judicialization on housing staff well-being. What can be done to lessen critogenic harm for female-identified staff?
4. In what ways might critogenic harm play a role in burnout and workplace trauma within housing staff?
5. To what extent might student staff be exposed to critogenic harms and judicialization in residence life?

Discussion questions developed by Jason Lynch, Appalachian State University