



Standing At The Intersection: Reconsidering The Balance In Administration

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Abstract

Student life administrators everywhere recognize the scenario: sitting in conference with a student, expounding institutional policies, explaining a particular action because policy “requires” it. They can also recall pursuing action against a student who, while clearly violating the letter of a policy, seems more a confused adolescent than an intentional offender. Student development professionals “theoretically” deal with these issues by addressing the needs of students in the context of a developmentally appropriate educational environment. In that small, remote region that administrators identify as their “gut,” they also know that tomorrow morning their attempts at development may be featured in the local paper’s headline story about unregulated behavior on college campuses. They face media attention, government regulations, professional organization ethical standards, local policy, and their own, sometimes conflicting, values. They are constantly challenged by the questions What should we do? What will we do? How will we decide?

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Each chapter in this volume has portrayed the historical antecedents that led us to the professional intersection just described and has offered insights concerning alternative practices for student affairs. In this chapter, we build on these insights, offering our own assessment of how student affairs is challenged by the changing educational and social environment, and look to the challenges of our professional future.

As coeditors of a special edition of the *Journal of College Student Affairs*, we invited practitioners around the country to write about their concerns for balancing the legal and the ethical. Response to the initial call for submissions was surprising in both its quantity and the breadth of areas in which the concerns were manifest. We quickly faced the need to create not one but two editions: the first to explore the dimensions of the concern (Cooper and Lancaster, 1995a), the second to offer evidence of the diversity of approaches in attempting to resolve the imbalance between care and justice (Cooper and Lancaster, 1995b). The response of authors in these editions reflected a widespread concern across virtually every area of student life operations. As we observed in the first of those special editions:

Although student affairs professionals clearly understand the value of student development theory and intervention, the management and operational atmosphere of many institutions has

apparently caused them to revisit their most fundamental values. Extreme caution and frequent consultation with counsel have become daily guides to living in the educational neighborhood. This in turn is creating a perceived need for policies that address as many contingencies as may be conceived by the educated mind. In the final analysis, we find ourselves resorting solely to procedure when an informed understanding of theory, best practice and the appropriate policy or law might better suffice. Thus, the fault is found in ourselves and our lack of willingness to make critical judgements rather than in the stars of a legalistic society.

What is occurring in higher education is a reflection of larger changes in our society. But in higher education, and especially in student affairs, such changes are fundamentally altering the culture of an institution that has previously withstood a variety of evolutionary changes [Lancaster and Cooper, 1995, pp. 94–95].

The Environment

Many people in student affairs share a disquieting feeling that much of their work has increasingly slipped toward enforcement of policy or reduction of risk rather than a learning outcome. In the Decision Perspective Survey (Cooper and Lancaster, 1995c), individual comments provided by recipients reflected growing frustration with increasing paperwork, bulging policy manuals, and the roles of legal counsels as major administration policy advisers. David Hoekema (1994) reported similar results in his research, quoting one respondent administrator: “We are gradually moving away from *in loco parentis*, educating trustees and students to issues of personal responsibility and accountability” (p. 48). Another respondent summarized “the continuing attempt to write a policy that is realistic, workable, and legal” (p. 49). Elizabeth Baldizan has captured this dilemma in Chapter Three of this volume.

In interviews with a sample of senior student affairs administrators, we heard similar comments. These administrators demonstrated a clear knowledge of the liabilities and the developmental and educational issues that are inherent in today's administrative environment. Many cited specific instances in which programs, policies, or decisions had been directly and, in their view, negatively affected by the concerns of accountability and the need to navigate a growing local, state, and federal bureaucracy of regulation. Each reflected the need to balance myriad concerns in a shifting policy and social environment. A faculty member's recent address to a parent orientation group at a local university made the point quite succinctly. The faculty member, an English professor, compared the incomprehensible length and complexity of most current federal regulations with the clear, concise, and memorable language of an earlier policy statement, the Gettysburg Address. No one missed her point.

We share much in common with the “frog in the pot” of Donald Gehrings Chapter One. This point was made by E. Gordon Gee, president of the Ohio State University, at a recent U.S. House of Representatives hearing. In an address on the need for enhanced accountability in higher education, Gee charged that the cost of college is on the rise due in part to institutional inefficiency and voiced concern about the “unrelenting assault of federal and state regulations,” compliance funds for which “come largely from tuition” (Burd, 1996).

The concern with a growing bureaucratic and legalistic culture in the United States has been noted in other countries as well. Less acculturated to the daily rhythms of life in this country, these outside observers often see the many threads of social change and organization before those of us who live in the thick of the fabric. Gary Pavela (1995) recently attempted to make sense of our national march to substitute legal interpretation for common sense. He reminded us that no less an authority on bureaucracy than

Aleksandr Solzhenitsyn had noted our American penchant for legalism and rights. If such is the case, our government, in all of its forms, might better turn its attention to creating a national dialogue about common obligations for individuals living in social communities.

The obsession with law and policy is a symptom of a larger distress. Kidder (1994), reporting a conversation with Jeane Kirkpatrick, former United States ambassador to the United Nations, cast light on this challenge. Kirkpatrick repeated Samuel Johnson's comment that "if you really don't believe there's a difference between right and wrong, no difference between good and bad, then I say to you that when you leave my table I'll count my spoons" (p. 289). Kirkpatrick went on to say that common ground was difficult to find at the UN because "despite all the talk to the contrary, there isn't any global community" (p. 289). We have deferred a dialogue on the importance of core values and beliefs in favor of an easy reliance on policy and regulation.

Though it may seem that Solzhenitsyn and Kirkpatrick make odd bedfellows, it is impossible to ignore their common concern with the larger interests of the human community. From their vantage point, law might reasonably be inferred as having become, in Marx's phrase, the new "opiate of the masses." Following our national fascination with the O. J. Simpson trials, rational analysis suggests that the outcome of such public spectacles is a view of proceduralism as the most important value of the judicial system. It is not surprising that higher education, frequently debated as both the cause and the victim of American social movements, should have found itself in a place where the legal seems often more influential than the ethical. "We learned to develop contracts which protected our institutions against lawsuits and codes of conduct which kept student disruption to a minimum. Is our learning from experience now helping us or hurting us? What do we need to know now to improve our services and educational activities?" (Fried, 1995, p. 253). As Margaret Healy and Debora Liddell argued in Chapter Four, we should pursue the "developmental conversation" as a means of escaping this ethical and moral desert.

These are fundamental questions reflective of a variety of educational and public policy issues. The rise of new technology, including the explosive growth of the Internet, has challenged many governmental authorities to consider policy or legal remedies for controlling access to and the content of such media. But how do we control information and, more important, should we attempt such control? Who will "watch the watchers" to ensure that our efforts at control do not become an excuse to manipulate the free flow of ideas? Raymond Goldstone (1996), dean of students emeritus at the University of California at Los Angeles, has termed the entire debate one of "liability versus liberty." Such a debate reaches to the very heart of the democratic experiment that continues in this country and on which the ideals of academic freedom in education are largely founded.

The most recent disturbing manifestation of the debate surrounding intended policy versus educational outcome is the creation of the Accuracy in Campus Crime Reporting Act of 1997 (ACCRA). Introduced in the House of Representatives in 1997 and cosponsored by thirty or so members of the House, ACCRA has a noble goal: reducing campus crime by encouraging more reporting of campus crime statistics, including reporting about most individual student disciplinary cases, which ACCRA would open to the press. "However," Gary Pavela (1997) points out, "the law would prove to be a lasting embarrassment to its sponsors. That's because ACCRA would have the primary effect of inserting the current style of 'Gotcha' journalism into the heart of the campus disciplinary process, discouraging complainants from reporting cases, and colleges from trying to resolve them."

ACCRA poses the dilemma of governmental regulation of educational issues in a stark

light: by its chilling effect on both victims and witnesses, it may discourage the reporting of the very crime it seeks to expose. The difficult educational and public policy questions that confront us too often lead to overly simplistic answers. ACCRA is only one such simplistic response; there are others. In his groundbreaking publication about the undergraduate experience, Ernest Boyer (1987) clearly identified one of the principle difficulties facing higher education: "The idea that a college stands in for parents, *in loco parentis*, is today a faded memory. But on many campuses there is great uncertainty about what should replace it" (p. 5).

The Present

In our failure to engage at an earlier time in a rational and productive dialogue about our future, we have allowed government policy, often driven by ill-informed critics, to usurp our traditional responsibility for the direction of our campuses. Initiatives such as ACCRA seek to bridge our perceived failures with enhanced but superficial reporting of selected information while ignoring the important and necessary dialogue that is fundamental to educational communities. We lack initiative and direction in the administration of higher education. In Hoekema's words: "The moral vacuum that now obtains on many campuses, the absence of any clear motivation or direction for student conduct or for the institution as a whole, has corrosive effects on faculty and students alike. Faculty are encouraged to see their responsibility as limited to research and lecturing; students are given help with the intellectual aspects of self-definition but not with the equally essential moral and personal aspects" (1994, p. 165).

Historian John Lukacs suggests that higher education in this country has declined over the past twenty years because of this dearth of social and moral concern. He reflects that this is only one part of the larger societal failure to provide a foundation of intelligence and civility—fundamental assets in a higher education community ("Magazines and Journals," 1997). In Chapter Two of this volume, John Lowery proposed that greater community can arise from the pursuit of both justice and principle. Either, alone, is much less than the whole.

Government policy has become a willing partner with public critics in attempts to address the perceived failures of higher education through a bewildering array of policy actions. In their rush to react to such criticism, administrators have done little to create the opportunity for any reasonable public discourse on values and their place in higher education. In the process of reacting to critics, administrators of public institutions have often become a part of the problem. They have become timid in any approach that is suggestive of values, ethics, or even religion. "In our sensible zeal to keep religion from dominating our politics, we have created a political and legal culture that presses the religiously faithful to be other than themselves, to act publicly, and sometimes privately as well, as though their faith does not matter to them" (Carter, 1996, p. 3). The "safe answer" for administrators, citing the constitutional separation of church and state, denies the opportunity for a meaningful dialogue concerning the place of values, ethics, and religion in balance with policy. Administrators are found seeking what appear to be simplistic answers in unlikely places. Their mindless resort to "the rules" or to imposed, minimum legislative standards is only one of many thoughtless and potentially harmful minimalist administrative routines.

Such attempts to respond to governmental and public criticism, as well as the search for better assessment measures, have led many institutions to yet another reaction: the creation of new vision and mission statements. This trend, adopted largely from private industry, can have mixed results:

Many executives have thrashed about with “mission statements” and “vision statements.” Unfortunately, most of these turn out to be a muddled stew of values, goals, purposes, philosophies, beliefs, aspirations, norms, strategies, practices, and descriptions. Even more problematic, seldom do these statements rigorously link the fundamental dynamic of visionary companies. . . . Keep in mind that there is a big difference between being an organization with a vision statement and becoming a truly visionary organization. When you have a superb alignment, a visitor could drop into your organization from another planet and infer the vision without having to read it on paper [Collins and Porras, 1997, pp. 238–239].

We embrace vision and mission statements because they are clear and immediate reactions both to critics and to the requirements of certain public enactments. They represent tangible documents that, framed handsomely and hung prominently, say to the public, “Here is an institution whose response to public concern is a mission and vision that is clear and precise.” But like the ersatz wizard in Oz, what hides behind the curtain of our rhetoric is often distinctly hollow. More tragically, vision statements for institutions of higher education can read depressingly like those of industry, blurring rather than clarifying institutional distinctions.

The Challenge for Student Affairs

The national debate in higher education, focusing on institutional effectiveness, diminished resources, strategic directions, and current practices, comes at an interesting time for student affairs practitioners. For at the same time in our history, we have come to concomitant debate on the role and, in some critics' views, the relevance of student affairs in a changing educational environment. Student affairs is at a crossroads. Contemporary administration of higher education often reflects a litigious and legalistic society on a collision course with developmental approaches to college and university administration. Student affairs should stand at the center of that intersection. We arrive here as honest travelers in the higher education journey. From the traditional role of the dean to the expanded organizational hierarchy of the modern student affairs division, the rationale was always the same: to advocate and provide much of the care and justice for students that our increasingly complex and diverse educational institutions found difficult to supply.

Our students, before the general public or any government agency, require and deserve less reactive and more thoughtful solutions. Students are desperate for meaningful associations with one another, with their institutions, and with the larger society. Superficially seeking society, our students binge-drink in frightening numbers. They join cultlike organizations looking for community. They are challenged academically and, perhaps modeling the conventional thinking of their institutions, seek quick fixes. This is typified by responses to recent national research surveys on academic dishonesty. Students voiced disturbing viewpoints reflecting little understanding of serious social issues. “Student values have changed. The ability to succeed at all costs is one of the most cherished values. Students are more interested in financial security, power, and status and less committed to altruism, social concerns, and learning for the sake of learning” (Dannells, 1997, p. 34).

This developmental crisis for our students is matched by our own professional crisis of confidence, reflected in our increased reliance on policy rather than informed and reflective judgment. Viewing our institutions through the lens of Kohlberg's stages of moral development, we have become mired in conventional thinking. We have achieved Kohlberg's orientation toward authority, fixed rules, and the maintenance of the social order and seem unwilling or unable to mature to the postconventional, autonomous, or principled level

(Smith, 1978). For example, rather than addressing the value set that encourages honesty and personal integrity, many institutions simply define what is cheating and unintentionally discourage a broader consideration of the meaning and value of integrity. Narrowly defining cheating in traditional terms, faculty punish cooperation when, on reflection, they might foster discussion among students related to the value of appropriate cooperation as a part of the learning environment. We must move our students and ourselves beyond the boundaries of simplistic policy and on to an evaluation of the real meaning of learning. If students are left to define cheating or other behavior only where it is found to violate certain stated rules, anything that is not explicitly prohibited becomes acceptable.

If we are to assist our students developmentally in becoming more reflective about their behavior, we must face a similar dilemma: How can institutions that are increasingly seeking risk reduction and policy explication define their moral and ethical expectations? Is anything acceptable if it is within policy or law? How will presidents and other educational leaders find an appropriate balance between the legal and the moral and ethical dimensions? How can administrators emphasize both cognitive complexity and cognitive diversity? Traditional, legal-rational thought involves organizing everything into either-or categories, but the future will increasingly call for “both-and” thinking, tolerating intellectual ambiguity and cognitive dissonance in a search for constantly evolving truths (Fried, 1995). Our society is changing rapidly; we must be intellectually flexible enough to respond to this change, and we must stimulate our students to be equally engaged.

As higher education organizations have evolved over time, their delivery of knowledge through increasingly discreet academic majors and departments has diversified to the extent we find in large public institutions today. A student today can feel at home in the bosom of an academic department yet at odds with the larger administrative behemoth. That creature has agencies dedicated to a variety of institutional pursuits: business and financial affairs, academic affairs, development and advancement, and perhaps even a department of administration to ensure that the other components work—and at the end of the chain, a division of student affairs, whose stated purpose is to manage student life but whose function in the management-driven environment of most institutions has increasingly come to be understood as “keeping the students happy” until the next crisis. Student affairs practitioners have traditionally been the advocates of much of the experiential and organizational learning that has now become so widely discussed across the institution. How will we respond to the challenges of today?

It surprises many observers that student affairs now finds itself called on to justify its mission and its continued existence. Yet the same powers that call for accountability in higher education at large act on individuals in student affairs. If critics suggest that it is time for a reappraisal of the role of student affairs (Bloland, Stamatakos, and Rogers, 1994), those critics might also benefit from examining the social and intellectual evolution of student affairs in the context of higher education. There has always been a dichotomous relationship between the academic mission of colleges and universities and their need to attend to the complete student. As ineffective as institutions have been at describing their processes and products in any but the most qualitative terms, they have been equally ineffective in demanding quantification from their student affairs divisions. While student development has been critiqued as a symptom of the problems in student affairs, it has also provided a theoretical justification for humanizing the otherwise headlong rush to bureaucracy throughout the institution.

An entire cottage industry is growing from the accountability demanded from student affairs work. *Involving Colleges* (Kuh, Schuh, Whitt, and Associates, 1991) has become required reading on many campuses and is frequently cited by consultants as “must

reading” for administrators seeking the secret to producing “successful students.” It has not been suggested that there is a single path to success in the college experience, but certainly, as both *Involving Colleges* and much of the Carnegie Foundation’s work in recent years (1990) have suggested, assisting students in meeting basic academic requirements and providing routes to becoming potentially successful citizens of the larger world are discreet way stations on this journey. To accomplish such results, it must be possible for students to place their classroom learning in some reasonable context with that larger world. Student affairs professionals, as Roger Winston and Sue Saunders discussed in Chapter Seven, must play their part in creating this context. Whether labeled “developmental” or not, student affairs as traditionally practiced in this country offers the best, and arguably the only, humanistically focused approach to such integration. It would be ironic if, in the hour of this clarion call for community, the keepers of the flame found that light smothered by a bureaucratic and legalistic environment of practice.

Anyone who seeks to understand the function of student affairs in the contemporary higher educational environment will want answers to important questions: At what point, if any, does the individual cease to matter? At what point, if any, is the community more important than the individual? Where is the nexus? The balancing of the legal and the ethical is a critical issue for the resolution of the individual-versus-community equation. Individual rights cannot exist without individual responsibility; the law means nothing without ethical practice.

What is (or should be) the role of student affairs in creating a balanced academic community? Critics have rightly pointed out that the mission of a college or university becomes a reality primarily through the efforts of the instructional faculty.

If the institutional mission also includes the encouragement of . . . personal development . . . the student affairs component has a very specific role in its actualization. What may not be as apparent or accepted is the role that student affairs can and often does play in relation to the academic program . . . areas to which student affairs can make a special educational contribution such as learning effective citizenship, creating learning communities, developing cultural and artistic environments, teaching acceptance of cultural and racial diversity, orienting students to the collegiate way of life, exploring career and leisure options, and involving students in the fabric of student life [Bloland, Stamatakos, and Rogers, 1994, p. 96].

The very diversity that is a strength of our educational communities can also pose unusual challenges in the creation of that community, as Mary Howard-Hamilton, Rosemary Phelps, and Vasti Torres argued in Chapter Five. In a world where structure, policy, and the reduction of risk seem preeminent, the mission of student affairs may be to stand in the institutional environment as a reminder of the individual and his or her worth, serving as a constant catalyst for dialogue about values, integrity, and the meaning as well as the substance of policy and law.

Recommendations for Our Future

It has been asserted that we are moving into a new time in undergraduate education, from the teaching to the learning paradigm (Barr and Tagg, 1995). In this time, we will assist students in the discovery of knowledge, reinforcing their own innate ability to learn from the environment around them. We will, in our organizations, learn more from each successive generation of students and apply that learning to the benefit of each future generation. Each institution must become a learning organization, “an organization that is continually expanding its capacity to create its future” (Senge, 1994, p. 14). To do so, we must identify our core values, that “small set of general guiding principles; not to be confused with specific

cultural or operating practices; not to be compromised for financial gain or short-term expediency,” and rediscover a sense of purpose, “a perpetual guiding star on the horizon; not to be confused with specific goals or business strategies” in our institutions (Collins and Porras, 1997, p. 73).

What will we find as our core values, as our institutional purpose? Will it tend toward minimalism, or will it be something larger and more thoughtful? In his recent work on discipline and student development, Dannells (1997) observed that we have discussed the importance of caring, collaborative communities for over a decade. Although Dannells was writing about student discipline, his observations have value for the larger institutional search for meaning: “First institutions must clarify their values, and then campus leaders—including both academic affairs and student affairs—must take responsibility for developing . . . programs which are fair, humane, and uphold those values for the betterment of the individual student and for the community as a whole” (p. 99).

We have learned to frame the questions about our lack of institutional focus, our easy reliance on minimalist policies and regulations, and our failure to give thoughtful and significant direction to the fundamental matter of building real community. The answers will not be simple, but there are possibilities. Our professional associations must provide such opportunities, as Gregory Blimling argued in Chapter Six. But the most salient of possibilities will be our preparation of new professionals entering administration or student affairs. Our coursework and our experiential opportunities must provide time for reflective judgment as well as appropriate exposure to the difficult but critical practices of decision making and ethical practice. We must, in short, revise our curriculum for and our expectations of future practitioners.

Rushworth Kidder (1995) has suggested that our choices are often not between right and wrong but between right and right—between two competing and potentially valid choices. “Tough choices don’t always involve professional codes or criminal laws. . . . They often operate in areas that laws and regulations don’t reach” (p. 15). Appreciating the difficulty posed by such choices and the need for thoughtful appraisal, we suggest that readers use this volume of *New Directions for Student Services* as a departure point for continuing discussions about the complexity and richness of student affairs work in the present and the future. We have much to learn from such dialogue and discovery.

We might learn as we attempt to foster this discovery in new professionals and among our students. We might learn from the “tough choices” Kidder presents in his paradigm (1995, p. 18):

Truth versus loyalty Individual versus community
Short-term versus long-term Justice versus mercy

We will also learn through careful evaluation of our current practices and their outcomes, both those that are intended and those that occur unexpectedly. To do so, we will need to establish firmly and differentiate the things that we value and seek to have students learn from the things that detract from the creation of learning communities. In this process, we will also be required to learn how to connect what we observe as outcomes to what we hold as expectations and constantly to seek improvement in both. We will learn to go beyond the minimalism of law and policy and strive for the possibilities of our highest expectations for success on behalf of our students and our institutions. It has been suggested that what is coming may constitute a new morality of mindfulness, in which the light of ethical reason and intuition dispels shadows, builds firm conclusions, and leads to goodness, worth, and

dignity (Kidder, 1995, p. 222).

We stand at the intersection of choice. All who administer higher education, who teach in its classrooms, and who learn as its students must evolve toward a model of unified practice where community-held expectations, mindful of policy and law, are linked to a synthesis of developmentally and educationally appropriate practices in student affairs and academic administration.

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