

PERSPECTIVES

Who's Your

Daddy?

Once governed by the doctrine of *in loco parentis*, donning the parental cap, today's university uses a more open approach to governing student life. While administrators say the policy keeps the campus safe without being overbearing, some students feel encroached upon.

By Phil Glynn
Perspectives Editor

For many university students, coming to college meant their first real experience of independence. No one doubts that the lifestyle formed at college is as lasting and as important as what is learned in the classroom. And at a university that makes the personal developments of students so high a priority, decisions about student life affect the community deeply.

Ken Zick, vice president for student life and instructional resources, said the university should play a role in the personal development of its students, without harkening back to the days when universities sought to control almost all aspects of student life. The legal doctrine *in loco parentis* was the governing principle in the ways universities around the country dealt with student life up until the 1960s. This model has been abandoned, but the university still directs social and student life through rules and regulations. But Zick has said the present model allows students the freedom and responsibility that foster an holistic academic environment.

"I think that's the way a good facilitator university should operate," he said. He added the university has opted for the philosophy of acting not in the place of the parent, but perhaps more like a concerned uncle.

Zick feels this philosophy is played out in the university's judicial system, which he considers an educational device for growth rather than a means of punishment.

Senior Mat Reynders, a Student Government legislator and chair of the physical planning committee, said he thinks the system here does foster learning.

"Everything about college is part of the learning process," he said. "It gives you a chance to learn about what you need to do to be a citizen of the world."

Reynders said he has heard around campus that people think such a system doesn't give students a real sense of consequences since, in many cases, the threat of full prosecution is not there. But Reynders compared a minor legal transgression to failing a test, meaning students are disciplined for their actions but in an instructive, non-permanent way.

Zick said the construction of the judicial system represents a shift in university policy that has taken the nation by storm in the second half of the 20th century. Prior to the 1960s, "universities had a greater supervisory role over student behavior," he said.

In their book, *The Rights and Responsibilities of the Modern University*, Robert D. Bickel and Peter F. Lake wrote, "American courts typically say that prior to 1960 the university stood *in loco parentis* to its students. This period - especially as it reached its nadir in the 1950s - featured powerful paradigms of university authority and rights to discipline students."

While Zick said the university has stepped out of the shoes of the parent, senior Derek Gilliam said he hears students talk differently. Gilliam, president of the Black Student Alliance and a former SG legislator, thinks the general feeling among students is that many university social policies are intrusive.

"The basic attitude is that the university is like a parent," he said.

Times have changed

Ed Wilson, provost emeritus, said university life changed a great deal as the university abandoned its legal role of parent. "Things became much more open as far as the extracurricular life of the campus," he said.

Wilson, who served as dean of the college from 1958 to 1967, said the era of the 60s and 70s didn't bring sudden sweeping changes to the curriculum. But world events were shaping a different kind of student and forming a different kind of relationship between the student and the university.

Wilson said events like the Vietnam war and the civil rights movement "created a kind of rebellious attitude on many college campuses." He

admitted that the university wasn't the hotbed of protest that Harvard and UC-Berkeley were, but "still, there were movements of that kind."

These movements caused the university to abandon several policies that would seem very parental by modern standards.

Wilson remembered the times when dancing was not allowed on campus, chapel attendance was mandatory and students attended Saturday classes.

Wilson believes the shift in opinions nationwide, as well as the abandonment of the *in loco parentis* doctrine, played major roles in changing attitudes about student life.

A helping hand

Tricia Richerson, assistant director of Greek affairs and conference programming,

said this shift in philosophy leads to a more sensible approach to student life.

"I obviously don't want to control students," she said. "We are not here as a parent to mandate or give rules, but to set things in place so students are educated and understand liability."

No one denies the legal environment for universities has become more complicated. The legal insularity the university experienced in the 60s has been replaced by a proliferation of regulations.

One hot button issue of both university policy and legal liability is social host liability.

"It took the university community by storm," Zick said of the idea set in place by a 1995 court ruling. This concept basically says organizations are responsible for the actions of intoxicated third parties whom

they serve alcohol to, if they know they are drunk and the person hurts someone.

Social host liability is one example of the external regulations now placed on universities. This external influence, while it may seem to foster a parental relationship between students and administrators, represents a departure from *in loco parentis*. The legal constraints put on all of society that now bind universities differ from the largely internal control systems of the past.

Legal or emotional?

Richerson said her office can be helpful in educating students about the burdens of legal liability and the role it plays in life outside the university.

In general, Zick said the administration provides regulation and direction without playing a parent's role.

"I wouldn't call it parental. What we have is an increasing regulatory environment," he said. Zick agreed that many students still consider this approach overbearing. He said he has become used to this response during his years in higher education. "I can understand that."

But Zick said it is this perspective of an experienced educator that deepens his understanding of what the nature of the school's regulatory role should be. He said that while many may see the school's policies as an intrusion, or simply a defense against potential lawsuits, his motivations are different. He has seen situations in which students have been hurt and even killed through the reckless behavior of others.

Of the perception that administrators' perspective on student life is purely legal, he said, "it's not true if you've been an administrator around here and seen students in coffins."



Photo Illustration by
Robyn Washington