The Changing Student-Campus Relationship: In Loco Parentis in Transition

Michael Farley

From the late 1800s until the early 1960s, the relationship between a college and its students resembled that between a parent and child. Colleges stood *in loco parentis*, or "in place of the parent," and were the de facto and de jure guardians of their students' health, welfare, safety and morals (Gibbs & Szablewicz, 1987). This paper will describe current dilemmas facing the doctrine of in loco parentis and consider the historical and legal parameters that shaped them.

In loco parentis, an institution's right to limit the conduct of students as if it were their legal guardian, was articulated for the first time in the 1913 Kentucky Court of Appeals case, *Godd v. Berea College*. This decision gave colleges both the right and duty to act in place of parents in enforcing academic and nonacademic codes of conduct, as well as protecting the safety and welfare of its students (Thomas, 1991). For those who believe parents know best, this protection was acceptable or even desirable. However, for students craving the freedom to make their own choices, right or wrong, the regulations accompanying this form of nurturing incited resentment and rebellion rather than gratitude (Morrill & Mount, 1986).

In the wake of growing student activism during the 1960s, the legal concept of in loco parentis began to erode as a number of federal court cases provided new rights and freedoms for college students. This new body of case law was accompanied by a reduction in the accepted age of majority, a national increase in student enrollment numbers, a broader and more diverse student population in terms of ages and backgrounds, as well as other factors that decreased the applicability of in loco parentis on comtemporary college campuses (Ballou & Gregory, 1986). At the same time, the court demonstrated in *Bradshaw v. Rawlings* that higher education no longer had complete authority to discipline its students without the constraints of First Amendment protection and due process rights or fear of judicial intervention on the students' behalf.

As the idealistic and socially conscious 60's gave way to the "me-isms" of the cynical '70s and the competitive consumerism of the '80s, students and parents alike began to question the value of higher education and seek certain services that guaranteed retention and future success (Morrill & Mount, 1986). Some of these demands included a well-organized orientation to the collegiate community; more practical courses such as business, medicine and law; secured financial aid packages; academic advising and progress reporting; a growing desire for early career counseling and job placement services; enhanced leadership training; and opportunities for personal growth such as internships and study abroad.

These elements led colleges in general, and student affairs staffs in particular, to the realization that their energies should be refocused to create positive models of intellectual and psychosocial development outside the classroom. The student affairs philosophy ad-

vocating the application of human development concepts in post-secondary settings became widespread, and the definition of the college student not as a child or a consumer, but as a responsible adult member of the educational community became more accepted (Morrill & Mount, 1986).

In spite of its necessary bureaucratic features, the institutional community can assume a familial character without reverting to the traditional in loco parentis model. Through a shared system of decision making and planning, a basic environment of trust and mutual respect can exist. Above all, those who work directly with students should perceive themselves as educators and facilitators of personal growth, primarily concerned with helping to shape the environment in which students live. According to Morrill and Mount (1986), this also includes a sensitivity to the organizational dynamics of the community, an awareness of the developmental issues facing students, and the ability to support and strengthen student leaders in the exercise of their responsibilities.

While the "whole student" philosophy has garnered support in the higher education profession, American campuses in the last two decades have become increasingly litigious, adversarial, and contractual (Morrill & Mount, 1986). Prior to the 1960's, students had little chance of pursuing their grievances against a college in the judicial system because of the doctrines of sovereign and charitable immunity. Since then, courts have increasingly held colleges liable for damages in suits brought on by students. These decisions have set new precedents under contract, negligence and constitutional tort theory that will continue to have an impact on campus policy making and enforcement (Gibbs & Szablewicz, 1987).

Many court cases have been based either upon a vaguely defined special relationship between the student and institution or on the voluntary assumption of responsibility by either party. In most of these decisions, students claimed that the administration had not intervened enough to ensure their personal safety and welfare. This phenomena was evidence of the growing conservative sentiment that students were more willing to support rules, regulations, and restrictions on negative individual behavior than in the previous decade.

Although the call for more control by today's students might seem to invite the former doctrine of in loco parentis, it is, in fact, an illustration of the ambiguity of the student-campus relationship. Members of the administration, faculty, parents, and students have gradually accepted the notion that the proper function of the college is to assist intellectual and moral development rather than to direct it, and to advise rather than control it. Some contemporary professionals call this the "arms-length" version of in loco parentis (Fass, 1986).

To some observers and historians, current legal trends and campus climates have created a new form of in loco parentis under which colleges must protect students from physical harm but are not empowered to police or control their morals (Gibbs & Szablewicz, 1987). While a strict interpretation of in loco parentis may be outdated, these new tenets have emerged to take their place in the philosophical foundations of higher education. Included in this new definition is both a broader legal responsibility and a new nurturing and developmental function only suggested in the past.

Institutions of higher education today are both held accountable for the actions of their students and mandated to provide a full range of services and programs deemed essential to students' intellectual and psychosocial maturation (Ballou & Gregory, 1986). Because of the legal, ethical and developmental expectations and demands placed upon institutions,

it will become increasingly important for all segments of higher education to share in the responsibility of campus governance.

As Thomas (1991) illustrated, the changes in attitudes beginning in the 1960s have redefined the relationship between institutions and their students. Although no court has explicitly resurrected the doctrine of in loco parentis since the *Bradshaw v. Rawlings* decision, higher education faces complex new obligations and liabilities due to expanded theories of negligence, contract and guest/host laws. College administrators must walk a fine line between providing too much or too little regulation and protection, while remaining exposed to potential liability in both cases (Thomas, 1991).

Still, many members of the student affairs profession agree that the parenting function will continue to be a significant issue in higher education, no matter how or by whom it is defined. The success of future student affairs staff could hinge on how this new student-campus relationship is managed, making it vital to know and understand the capricious nature of college climates and developing roles.

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Michael Farley graduated from the CSPA program in 1994. He earned his bachelor's degree in public relations at the University of Florida in 1992. At IU, Michael served as the Building Manager of the Indiana Memorial Union and the Graduate Advisor to the Interfraternity Council. Michael is currently a National Coordinator of educational and leadership programs for the National Interfraternity Council.

Indiana Memorial Union: An Environmental Assessment

Stephanie Danes
Deanna Jordan
J. Ritchie Morrow
William Woodward

The union of a university has long been seen as the campus center; the place where all constituents of the university can come to find a common meeting ground, and a sense of identification and comfort. The traditional union mission "emphasizes its contribution to the institution's educational goals; the union is a unifying force, building campus community" (Blackburn, 1990, p.15). The union provides "an oasis of quiet freedom, splendid activity, and simple pleasure" (Burdick, 1987, p.1). The Indiana Memorial Union (IMU) incorporates these ideas into its guiding philosophy. According to the mission statement, the IMU exists ". . . To serve as the community center for all members of the Indiana University community . . . To provide the services, conveniences, and amenities which are needed in daily campus life . . . and to serve as a point of identification—a unifying force—in the life of Indiana University" (Indiana Memorial Union, 1993, p. 1).

The analogy for the union as the front porch of the university is often used. The Director of the IMU describes the union as an integral place where members of the neighborhood —the university community—can spend time with each other, share ideas and concerns, feel like part of a community, and have their needs met.

The IMU's ideal sense of community is reflected through its history, constitution, mission, and values statement, all of which have been recently posted throughout the IMU. The history speaks to creating a welcome atmosphere bringing students, faculty, staff and alumni together. A primary purpose of the IMU is described in its constitution as bringing about a greater spirit of unity and cooperation among all students. Included within the mission of the IMU are the following two concepts: serve as the community center, and provide a point of identification—a unifying force—in the life of Indiana University.

The purpose of this study is to investigate students perceptions of the IMU and determine if their perceptions are consistent with the union's mission and front porch analogy. For the purposes of this study, the idea of the union as the front porch was assessed as follows: how comfortable students feel in the union, whether they feel a sense of identity with IU through the union, whether the union meets their needs, and if students are generally satisfied with the union. The frequency of participation in various activities and use of specific areas were also examined. Finally, the relationship between feeling a sense of identity and overall satisfaction with the IMU was compared to the respondents class year and ethnicity.

Blackburn states that how a union is perceived can impact its effectiveness and its objectives (1990). Therefore, this study uses the perceptual approach to research the