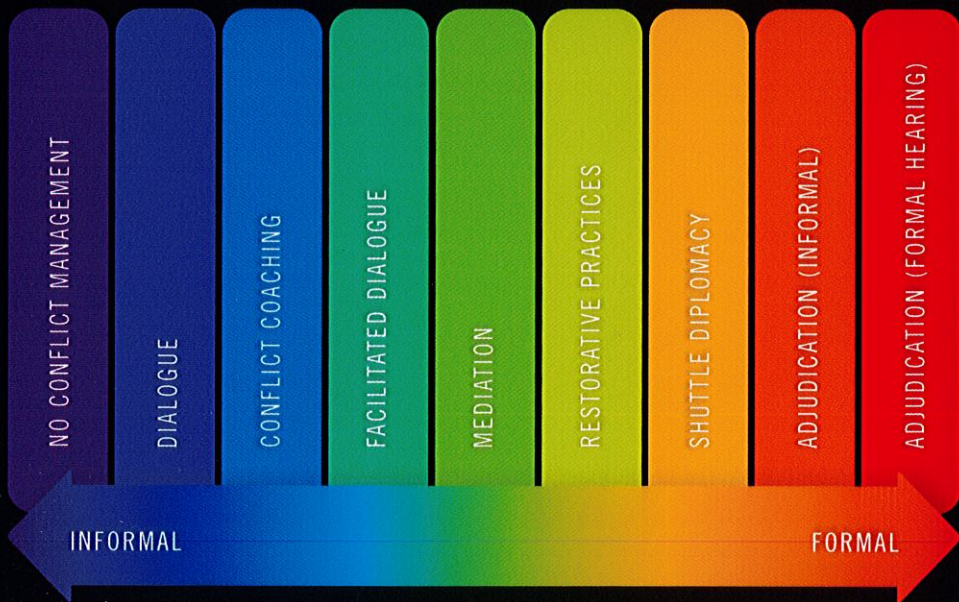


# REFRAMING CAMPUS CONFLICT

STUDENT CONDUCT PRACTICE THROUGH THE LENS OF **INCLUSIVE EXCELLENCE**



EDITED BY **JENNIFER MEYER SCHRAGE**

AND **NANCY GEIST GIACOMINI**

FOREWORD BY TIA BROWN McNAIR

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*Foreword by Tia Brown McNair*

*Preface by Karen D. Boyd, Eleanor Moody-Shepherd,  
and James McFadden*

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## PREFACE

*We had no idea that we would be expelled from school for it [protesting segregation]. It was a Black college. It didn't even cross our mind, or mine until it happened. . . . And I'll go to my grave with this statement. "Due to the circumstances that you are not obeying to the rules of the state of Alabama I have no other alternative but to comply with the governor." . . . And I turned around and walked out. It was a sad day, 'cause I had gone through a lot even to get there. And I was still going through a lot to try to stay in school.*

—St. John Dixon, Lead Plaintiff, *Dixon v. State of Alabama Board of Elections* (1961)

Half a century after H. Council Trenholm, the president of Alabama State College (ASC) delivered the news to St. John Dixon that he and eight others were expelled from ASC, Dixon remembers those words and that moment as if it were yesterday. The morning of February 25, 1960, a group of 30 ASC college students gathered to march to the Montgomery County Courthouse Grill, joining the college student sit-in movement crossing the South. No one was arrested that day; instead, they continued their gatherings almost daily, demanding change. They were removed from school less than 2 weeks later at the directive of the State of Alabama Board of Education led by Governor John M. Patterson. Before the 1960 spring term ended at ASC, the board also ordered sympathetic faculty and administrators removed. The student protestors received no notice of a hearing, no opportunity to respond to the allegations and punishment, nor were they informed exactly which events merited their removal. These actions prompted a court decision that extended constitutional protections and procedural due process to students and employees in public schools and in effect put an end to the *in loco parentis* student-institution relationship.

The foundations of today's conduct systems in U.S. higher education are grounded in *Dixon v. Alabama State Board of Education* (1961). Adopting the legal principles and values outlined in *Dixon*, predominantly White higher education administrators created quasi-legal processes and practices that guaranteed the right to speak but not to have the powerful listen. The activists had sought the dignity of being heard and their message respected; yet the systems *Dixon* launched only began to remedy the inequity and injustice that drove their actions.

## OUR STORY

We were Alabama State College students living at the intersection of the Jim Crow era and our hopes for a better tomorrow kindled by the Montgomery Bus Boycott. We came together with other civil rights student activists across the South to demand equal rights and to be treated with simple human dignity. We did not know if marching or sitting at “Whites Only” lunch counters would make a difference or what that difference might be. We did not anticipate that the price of our actions in the winter of 1960 would be expulsion from college and cost us our lives together.

What we did know was that we were strong, and we felt ready, with the courage of our convictions, living our ancestors’ dream. We knew the dangers of simply existing in the Jim Crow South, much less protesting segregation in Montgomery, Alabama. Emmett Till was our age when he was assassinated not far from our hometowns—and we could be next. We feared for our lives as we readied ourselves for the sit-in the next morning, but knew we had to march. We simply had something inside of us that said, “It has to be me.” We acted because our convictions compelled us to make the morally right decision to act despite the risk or the cost. We found it impossible to turn away from the responsibility to continue the civil rights progress being made in Alabama.

Our parents taught us that we had to do something about injustice and that when faced with injustice there are only two choices: Take action or take no action. We were taught that the responsibility rests in all of us, doing nothing makes us part of the problem. We trusted that our families would lift us up despite the lost work and death threats they might endure, and they did. We had the clarity of our convictions and found it impossible to turn away from the responsibility to continue the Civil Rights progress being made in Alabama.

*Note.* As told by Eleanor Moody-Shepherd and James McFadden (Boyd et al., 2020).

As they left for this sit-in that morning, the male activists asked the lone woman to stay behind to spread their message of change in the event they did not come back. So it is that Eleanor Moody-Shepherd and James McFadden tell their story. After a lifetime implementing the rights they helped secure, these fellow educational administrators hope to open a new chapter in “our *shared* story” that fully makes the change the *Dixon* litigants sought: Truly restorative practice that hears the injured and honors the values driving the protest and the lawsuit that became *Dixon v. State Board of Education* (1961).

At the time of their protests, these young activists were not fighting for due process. After all, “The Nine,” as the expelled students referred to themselves, did not know that the consequences of their actions would be expulsion. St. John Dixon didn’t even know until years later that he was eligible to return to ASC as a student. The due process enjoyed by students today stands as an unintended consequence of Black civil rights student activists’ success. Yet, for many years historically Black colleges and universities (HBCUs) resisted adopting these structured processes enacted by predominantly White colleges (PWCs) because they did not fully right the wrong that motivated the decision to file *Dixon v. Alabama State Board of Education* (1961). HBCU administrators understood that the protestors took a stand because they wanted to be educated, treated with respect, and acknowledged as fellow human beings with unabridged rights. They knew the activists acted against being dehumanized and discounted.

The chapters that comprise *Reframing Campus Conflict* acknowledge the systemic nature of oppression. Institutionalized oppression feeds activism. In oppression, no one is spared harm, though the injury is unequal. This situation presented H. Councill Trenholm, the widely respected African American leader of the first public HBCU, the choice between either standing up for his students and faculty by challenging the system he spent his career working to change or serving ASC, the institution that allowed him the platform to make that contribution. The students and Dr. Martin Luther King Jr. had hoped Trenholm would sacrifice himself for the cause. McFadden continues to wish that Trenholm had said “to the governor, or the board, or the powers that be that ‘I’m not going to do this. I’m not going to put my students out like that.’ But it’s also important to realize that even in making that decision he had our parents and people who sacrificed [for us in mind]” (J. McFadden, Leadership Research Team Interview, May 17, 2018). Trenholm chose to do what was required to save ASC from Governor Patterson’s threats, and hence his job. Although the individual students bear the scars of their removal from ASC, over time they came to recognize that their harm was shared by Trenholm when he found himself fired by the board at the governor’s request, similarly unprotected and without due process. Trenholm may have expelled The Nine, but the students had no question that it was the system that was pushing the buttons that interrupted their education.

What the activists hope is remembered is that against all odds, things can change. They don’t tell the story because it was fun. It wasn’t fun. It was a moment in history that changed the course of civil rights in the United States and came to serve as an important educational legacy and template for future student engagement. In higher education and our communities at large, we continue to face similar challenges and calls to action today. The

struggle must move forward. We have made great strides and there are more strides to come. Each one of us finds ourselves between what is just and what is unjust, knowing we must act.

Activism is the highest form of giving. There are repercussions to action for certain, but we must act anyway. If we do not, we will look back 60 years from now and realize that we were sidetracked without gains in the name of equity and justice. Issues still exist today, and opposition against the status quo that protects power will always be a challenge. Digging a pothole that intentionally interrupts an unjust course is not easy. It requires the moral courage and strength to know that, with consistency, we can change things for the better even along a well-worn path.

Do the work. Putting in the work is seeking *our* collective story by caring enough to listen so that we may truly come to know the people whose stories we join. Educators hold power. We must remember what it is to be a student, or else we cannot be empathetic. We must draw on our hearts and minds to define the goals and strategies at play in the systems we administer. We are pawns within the system, but we can also have an impact from the inside out.

*Reframing Campus Conflict* empowers administrators to bring their hearts and minds together to be the change The Nine sought in the system. The editors and contributors represent diverse allies within an educational system of institutionalized inequities; a system that has not yet realized the sort of *inclusive conflict excellence* envisioned by these protestors and conceptualized within these pages.

The message of The Nine continues to drive college student conduct administrators' decades-old journey toward justice on campus. That is, due process as expressed within a rubric of procedural justice is necessary but it is also inadequate when working with students and campuses in conflict, much less when working across difference between diverse students and administrators. Students seek compassion; empathy; trustworthiness; and to be viewed through the added lenses of restorative, social, and transformative justice. What students want remains the same as what the ASU student sit-in leaders sought, to matter—to be heard, to be valued, and to be respected as members of their institutions, among their peers, and by the powerful in their communities.

Back in the 1960s, the consequence of being expelled without due process set campus procedural justice practices in motion that continue to this day. In turn, it took over half a century for the campus that turned The Nine out to restore their status to being in good standing and extend a public apology for the injustices against them and others. This is a significant initial step in societally doing the work, however long it may take, of transforming systems to engage multiple lenses and process options along foundations of

Figure R1. Student organizers' press release.

First, we would like to make it clear that we are law-abiding citizens. We have no intentions to participate in any violence at all. Ours is definitely a movement of no hate or bitterness for those who oppose us. We only wish to gain our rights as guaranteed us by the Federal Constitution and the Bill of Rights. All we did was request some food service in a public building which was built by taxpayers' money.

Second, in regards to our most honorable governor, his Excellency, John Patterson, we would like to say that Dr. H. C. Trenholm, president of Alabama State College, and none of his staff members had any knowledge nor awareness of this movement by our students.

Our movement is purely led on by the students. It was started by the students and only students will be able to stop it. And we are willing to stop upon the granting of our rights.

It is disappointing to students of an institution of higher learning who have been and are still being taught democracy, that there are still those who will threaten us and look upon us as criminals because we are trying to put into practice the ideals we are being taught, and the principals on which our nation was founded.

However, we feel that we are not alone in our struggle. Contrary to the implications made by the mayor of this city and the police commissioner, we do not feel that the white citizens of Montgomery will resort to violence in order to deter the students of Alabama State College in their effort to make real the democratic principals of our country.

We do hope that the governor and school administrators will not seek to close the doors of that institution to us. For in no other instance of the Southwide sit-downs, do we know of any student who has been dismissed from school. However, if this is the case then we will be forced to make applications to admittance to other colleges and universities. In the name of love and peace we are asking for our rights.

*Note.* Recreated by J. Adams and K. D. Boyd. First Student Statement to the Press, original text in *Montgomery Advertiser* (February 29, 1960, p. 1-2). © 2020 Karen D. Boyd and Carolyn Staples. [www.csctw.org](http://www.csctw.org)

justice, fully rendered. This is what real restoration and transformation can look like.

The ideas presented in this book enable conduct officers to infuse just transformative practices into the systems they administer. This model begins

to decenter the original narrative of *Dixon v. Alabama State Board of Education* (1961) by challenging the processes initiated by these activists while seeking to understand what they attempted to achieve both at the lunch counter and in the court case as captured in their student press release—“In the name of love and peace we are asking for our rights” (see figure P.1).

This new chapter in “our *shared* story” and this book both offer a vision for the ways today’s administrators can deliver what the protesters needed from Trenholm—a student conduct practice that provides leadership toward a more inclusive educational student-institution relationship—and spark the societal change the activists sought.

The question remains, how will we as educators treat the students of today and tomorrow when they are inspired to act up and act out as The Nine did so many years ago? Will it be enough to exercise due process alone and call it justice, or will we draw on our own experiences and sense of right and wrong to be mentors, allies, and teachers across a range of resolution process options that empower students and center interpersonal and systemic excellence, inclusion, and justice? What we know for sure is that removing a student from their chosen educational community by due process alone is not justice. In some instances, it may be worse than being afforded no process at all.

See the wrongs that we have seen in the community and working within the framework of the community to do all we could to change it. That still needs to be and is the challenge before us—It’s up to you. We’ve done what we could, now the responsibility is up to you...I can’t tell you how to treat these students ... [but I can tell you to] do the right thing. (Gray, 2010)

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## Authors' Note

College Students Change the World memorializes the landmark civil rights history of St. John Dixon, Eleanor Moody-Shepherd, James McFadden, and other Alabama State College activists. Visit [www.csctw.org](http://www.csctw.org) to find additional information and educational resources.

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