

## **Presenter**

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### *Biography*

Mr. Minger has worked in higher education for nearly 32 years in a variety of positions in the University of California system, at community and technical colleges in Washington, and in Arizona. He holds a master of arts in Linguistics and is in the final stages of his Ph.D. in Education with a focus on Community College Leadership through Oregon State University. He is currently going through the training prior to certification in Nonviolent Communication™ through the Center for Nonviolent Communication. In his current position he oversees a branch campus (Williams), a learning center (Grand Canyon), Adult Education programs for the second largest county in the U.S., as well as all the traditional areas of student affairs. He has teaching experience at the university graduate level, undergraduate college level, noncredit courses, professional development, training, tutoring, and other activities.

## **Integrating Student Discipline with Nonviolent Communication™ and Principles of a Learning College**

### *Introduction*

The management of student discipline and behavior is a concern on college and university campuses. This paper explores a synthesis of Nonviolent Communication™ (NVC™) with Principles of a Learning College (PLC). The aim is to help students learn “what is alive in them” so that a disciplinary proceeding or other intervention is converted into a learning opportunity at the deepest level in the sense of transformative learning. Some or all of the following questions will be considered in this discussion:

1. What is the difference between retributive and restorative justice?
2. What does it mean to learn what is alive in one another?
3. Why is anger a tragic expression of unmet needs?
4. How can we distinguish between needs and strategies?
5. How can we make a request that is not a demand?
6. What is the difference between life-affirming and life-alienating?
7. What language might avoid diagnosis and evaluation of students and yet hold them accountable?
8. Why are we responsible for our feelings, while other people are responsible for their actions?
9. How do the principles of a learning college apply?

*Nonviolent Communication™*

NVC™, also known as Compassionate Communication, is the work of Marshall Rosenberg and the Center for Nonviolent Communication. The materials below are excerpted with permission from and attribution to Dr. Rosenberg and the Center for Nonviolent Communication, though any errors are mine.

The methods of NVC are often used as a basis for mediation. Its approach asks us to become aware of what is alive in us.

Here are some key concepts about the process of NVC:

1. Expressing how I am and what would make life more wonderful for me ...
  - a. When I see/hear \_\_\_\_\_ I feel \_\_\_\_\_ because I would have liked \_\_\_\_\_ and I would like you to \_\_\_\_\_
2. Confirming whether my message was received to my satisfaction ...
  - a. Please tell me what you have heard me say so I can see if I've made myself clear.
3. Focusing attention on how others are and what would make life more wonderful for them ...
  - a. Are you reacting to \_\_\_\_\_ (or) Are you feeling \_\_\_\_\_ because you are needing \_\_\_\_\_ (or) Would you like \_\_\_\_\_
4. Confirming whether I have accurately received the message of others ...
  - a. Are you reacting to \_\_\_\_\_ (or) Are you feeling \_\_\_\_\_ because you are needing \_\_\_\_\_ (or) Would you like \_\_\_\_\_

Examples of life-alienating communication:

1. Criticism (the problem is you have violated college policy)
2. Denial of responsibility (I cheated on the test because I was stressed out)
3. Demands (if you do not comply I will suspend you from the campus)
4. Justification of reward and punishment (you richly deserve to be censured)

Enemy images:

1. He is just a troublemaker
2. Wow, is she out to get that instructor
3. That kid is close to evil
4. This student, she will just never get it together

Life-connected communication:

- Connects images and thoughts between two people with feelings and needs between two people

Life-alienated communication:

- Tries to connect images and thoughts between two people without connecting feelings and needs

Feelings inventory—how we are likely to feel when our needs are being met:

- Absorbed, Calm, Carefree, Delighted, Encouraged, Glad, Hopeful, etc.

Feelings inventory—how we are likely to feel when our needs are *not* being met:

- Afraid, Blue, Despairing, Distressed, Edgy, Helpless, Leery, Numb, etc.

Self-reflection:

- How are you feeling right now? Do your feelings indicate your needs are being met or not?

Small group exercise:

With one or more partners, refer to the handout and practice one of each of the following:

1. Taking responsibility and not taking responsibility for a need
2. Taking responsibility and not taking responsibility for a thought

Needs inventory exercise:

Referring to the handout that shows samples of needs, write down what your needs would be and what the student's needs might be in the following situation. A student has come on campus with a gun. He is waving it and threatening violence because he did not get a class he has to have to graduate.

List your needs

List student's possible needs

Telling a request from a demand (small group exercise):

Discuss which of the following are requests, and which are demands. Explain why in the full group.

1. Follow college policy or I will issue a no trespass against you (R/D)
2. Never violate academic honesty again. (R/D)
3. I am asking you not to violate that policy again. If you do, I will need to take further disciplinary action. That could result in your suspension (R/D)
4. The shirt you have on is offensive to a lot of other students. You may have a right to wear it, but what would you think would be a good thing to do to keep a good environment for everyone? (R/D)

Scenario analysis—which of the responses indicates the staff person heard the communication and met it with a demand or a request:

- (Staff Person) Please do not violate the plagiarism rules again.
- (Student) I'm telling you again, I put the sources in the references. Why would I have done that if I was cheating?
- (Staff Person-Response 1) Listen, you are already in trouble. Don't push it. (R/D)
- (Staff Person-Response alternate 2) Let's back up for a moment. Are you feeling like I have not understood the situation or your motives? (R/D)

Empathy Analysis—which staff response shows empathy or non-empathy:

- (Student) My boyfriend had just left me and I was sick. It was too late to call the instructor for an extension.
- (Staff Person-Response 1) You are not taking responsibility. (R/D)
- (Staff Person-Response alternate 2) Are you feeling helpless because you did not see other options?

### *Strategies Versus Needs*

We often confuse the needs and strategies. When we get angry at a tail-gating driver and slow down to send a message, do we need to send that message or is that one strategy (and not a very effective one) to try to express our need for someone to follow us at a safe distance? Which of the following are needs and which are strategies?

1. John ran out of time so he copied the paper off the Internet. (N/S)
2. John realized he needed to pass the course to graduate on time. (N/S)
3. Mary was yelling at the registrar because she needed to get her point across. (N/S)
4. Mary told the registrar she needed to get her transcript in or she might not be admitted to the university.

Question for self-reflection or discussion: Take a case of extreme violence: a suicide bomber. Is killing oneself and others a need or a strategy to express a need? What might the underlying need be? What are some other strategies someone could use to meet such a need?

*Note:* protection of life is a first priority of NVC™.

### *Retributive Versus Restorative Justice*

- Retributive justice punishes, attempts to avert behavior through consequences
- Restorative justice seeks healing, averting behavior by connecting people with one another's humanity

### *Principles of a Learning College*

The learning college is based on six key principles (O'Banion—see references).

1. The learning college creates substantive change in individual learners.
2. The learning college engages learners as full partners in the learning process, with learners assuming primary responsibility for their own choices.
3. The learning college creates and offers as many options for learning as possible.
4. The learning college assists learners to form and participate in collaborative learning activities.
5. The learning college defines the roles of learning facilitators by the needs of the learners.

6. The learning college and its learning facilitators succeed only when improved and expanded learning can be documented for its learners.

Question for discussion: Which of the preceding principles might help with learning in a student conduct or other situation?

### *Transformative Learning*

Mezirow (2000) focuses on rational thought and critical reflection as the key tools for transformation. Three key concepts are: (1) becoming more critically reflective; (2) becoming more open to others' views and perspectives; and (3) becoming more able to accept the ideas of others (and less defensive about new ideas). The emphasis is on *becoming* – change is at the heart of things. Mezirow had been criticized for ignoring emotional, social context, and related aspects of finding meaning, but in his most recent work he acknowledged some role, and the role of social relationships and power structures as they affect learning. Nonetheless, he remains focused on cognitive factors, critical reflection, and discussion.

Question for discussion: How might NVC™ promote a conversation where the student becomes more aware of his or her unexamined assumptions? Might this lead to a learning transformation and thus an enduring change in behavior?

### *Student Discipline and Related Interventions*

Actual case: A student was having trouble with financial aid due to delays in transcripts being sent to a scholarship provider. She had repeatedly tried to get help from staff, but the matter was not resolved. Her father was upset. He came to campus and aggressively pounded on a counter and demanded to see the president. When told that the president was not in, he went past the president's executive assistant and went into the president's office. I was called.

I started with a handshake and introduction.

Then I led the father out into a public area where I was in view of many staff, students—and Security.

“Why don't we sit and talk?” I said. I didn't wait for him to sit down. He hesitated then sat in a chair I had indicated.

We talked. I used active listening techniques and applied lots of empathy. I in my peripheral vision I carefully watched his hands for any indication he might go for a weapon, such as the level and intensity of his anger. I was sitting, but had positioned myself so I could move quickly. I mentally rehearsed what I would do if attacked: I would attempt to disable him by one forceful kick to the side of his knee. A blow from the angle I envisioned could dislocate a knee with 20 or so pounds of thrust. Although part of my mind was planning exit strategies, I still attended to him more intently than most people receive.

Eventually he calmed enough so we could enter an informal social contract. However, he began leaving aggressive, somewhat threatening phone messages. When I returned calls, I did so with the phone on speaker and Security in the room with me.

During the day, I kept in mind the hidden alarm button under my desk.

In debriefing meetings, a repeated comment was “I’m still afraid he is going to come and shoot David.”

I will admit that for a couple months after these events, I was especially observant of my surroundings as I walked to my car at night, and watched to make sure I was not followed home.

Questions for discussion. In the preceding situation ...

1. What was alive in the daughter? In the father? In the staff person?
2. What were the needs of the daughter? The father? The staff person?
3. What were the strategies that the daughter may have used to meet her needs? Were there other strategies that might have worked better?
4. What strategy was the father using to meet his needs? Were there other strategies he might have considered?
5. How might the principles of a learning college apply?
6. What ways might transformative learning be achieved?
7. If you are familiar with Maslow’s hierarchy of needs, where was the staff person on the hierarchy? Where would he hope to be in general (okay to assume)?

#### *References and Resources*

- Center for Nonviolent Communication: <http://www.cnvc.org/>
- Mezirow, J., & Associates (2000). *Learning as Transformation*. San Francisco: Jossey-Bass.
- O’Banion [http://www.ntlf.com/html/lib/lc21\\_bio.htm](http://www.ntlf.com/html/lib/lc21_bio.htm) (A learning college for the 21<sup>st</sup> Century)