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Educate or Litigate? The Mindsets of Advancing Knowledge and Maintaining Financial Stability in Higher Education

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THE
REFRACTIVE
THINKER®
VOLUME XXIII

CRIMINAL JUSTICE

Effective
Ethical
Policies &
Practices

Foreword by Wendy L. Patrick, JD, PhD



THE REFRACTIVE THINKER®

AN ANTHOLOGY OF
DOCTORAL WRITERS

VOLUME XXIII

Criminal Justice
Effective Ethical
Policies & Practices

Edited by Dr. Cheryl A. Lentz



THE REFRACTIVE THINKER® PRESS

*The Refractive Thinker®: An Anthology of Higher Learning
Vol. XXIII: Criminal Justice: Effective Ethical Policies & Practices*

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Testimonials

Brian Jud



Executive Director of the Association of Publishers for Special Sales, author of 14 books including *How to Make Real Money Selling Books* (2nd Edition)

<http://www.bookmarketingworks.com/>

Authors always want to know the latest out-of-the-box strategy to sell more of their books. *The Refractive Thinker*[®] series adopts this innovative-thinking approach, so you can get your doctoral research out of academia and into the hands of those who need it. This volume, specific to the field of work-life balance is a particularly good example of how to make that happen regarding strategies to enhance workflow and productivity. There is no need to go it alone. Join your colleagues on a journey in search of innovative solutions as you navigate the landscape of business.

Clarissa Burt



CEO/Founder of *In the Limelight*

<https://clarissaburt.com/>

<https://clarissaburt.com/magazine/>

Learning doesn't always happen in a formal classroom; sometimes one learns from the school of hard knocks and experience. *The Refractive Thinker*[®] series looks to connecting these two worlds of business

and learning in this volume regarding work-life balance—the ability to focus on strategies for effective personal and professional outcomes. A refractive thinker® is one who never settles for anything less than everything, daring to question what is, in favor of what might be. Dr. Cheryl Lentz dared to change the model of academic publishing by understanding the power of connection between education and business—to make research more accessible to business owners and entrepreneurs. No one benefits from playing small, particularly with one’s personal passion in the world of knowledge. Refractive thinkers play on a big stage, truly desiring to change their world and ours. Join them.

Mark James



**Business speaker; President/Founder,
Performance Advisors Group, Inc.
Delivering results that count, that can
be counted for B2B companies.
[https://www.linkedin.com/in/
performadvisors](https://www.linkedin.com/in/performadvisors)**

The journey to success, personally and professionally, is rarely without barriers or twists in the road. As the name implies, *The Refractive Thinker®* series is an excellent source of knowledge to help you change direction through barriers to overcome them and proceed onward to your goals. And this book will be an invaluable companion to your work-life journey.

Abby E. Gooch, C.E.O., Life Force Connection



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Dr. Cheryl Lentz is a beautiful soul full of integrity and love. I feel so blessed to have had her guest as a guest on *Oneness Talk* radio and I know anyone who comes across her path will be blessed! Be sure to review the wisdom offered by her and these scholars regarding the importance of work-life balance for your life.

Phyllis Ayman, MS/SLP, CDP, CADDCT, CMDCP



Ambassador for Conscious Aging Life Management

CEO, Phyllis Ayman Associates

#1 *WSJ* and *USA Today* Bestselling Author

UN NGO Committee on Aging

U.S. Eastern Region Chair - G 100

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Dr. Cheryl Lentz in this all-important series *The Refractive Thinker*® understands the critically important intersection of critical thinking and experience. She applies the social theories of Paolo Friere to the concept that education is an important element in the citizen's connection to community. In doing so, Dr. Cheryl brings together her extraordinary education and expertise with fellow thought leaders and educators, to examine and find

solutions to some of some of our most important societal business, social and political dilemmas.

This critical work is a must-read for all who believe, want to seek and understand the possibilities for changing how our society functions. I can personally attest to the resulting neglect, inadequate care, and substandard quality of life for those entrusted to the care of the system as well as the treatment of the workforce who cares for them. From there, each chapter unveils the opportunity for us to apply our highest order of thinking and intellect through one lens to broaden our perspective, guide our thinking and hopefully inspire our advocacy to hopefully make needed changes across several sectors.

*"Injustice anywhere is a threat to justice everywhere.
We are caught in an inescapable network of mutuality,
tied in a single garment of destiny. Whatever
affects one directly, affects all indirectly."*

—MARTIN LUTHER KING, JR.

*"Justice will not be served until those who are
unaffected are as outraged as those who are."*

—BENJAMIN FRANKLIN

Foreword

Dr. Wendy Patrick, JD, MDiv, PhD

Life presents challenges in how we learn to see people in our lives. While we all need emotional blinders at times, the questions to ask are how we can protect those around us—our family, our friends, our coworkers—to spot deceptive or downright dangerous people to find a safer way forward. Blinded by desire from the allure of positive attention, we can miss important details. We overlook red flags that can prevent us from distinguishing the dangerous from the desirable, from sexual predators to financial manipulators, to domestic abusers. The goal is to learn how to correctly read people through situational awareness, verifying information, and noting inconsistencies. How do you truly distinguish between friend or frenemy? How can you “hear between the lines” to detect a lie? And what do you do when realization hits that not everyone is who you think they are?

Through my decades of experience, corroborated by empirical research, the goal is to pay close attention and learn how to spot critical clues, both personally and professionally, that will enable you to perceive trustworthiness and integrity. We must guard our feelings and not be seduced by the selective attention of charmers, manipulators, and those who have mastered the art of deceit. These wolves in sheep’s clothing can deceive us through generating emotional intoxication which can mute the sharp colors of the red flags they are flying. Whether your focus is friendship or marriage, career or family, romance or professional

success, accurately reading people and perceiving signs of danger enables you to trade your rose colored glasses for reading glasses.

Using relatable, real-life examples, my experiences will help you assess people and circumstances clearly and accurately, identify healthy sources of attraction, to surround yourself with trustworthy, safe, compassionate people.

Dr. Cheryl Lentz and contributing scholars in this latest edition of *The Refractive Thinker*® series add their lessons learned from their doctoral level research and their experience and wisdom on how to navigate people and circumstances in the Criminal Justice System using a variety of lenses in business, the community, and the halls of academia. Their stories and reflections will provide additional insights on how to move forward effectively. I recommend you listen closely.

Dr. Wendy Patrick
<http://WendyPatrickphd.com>

About the Author . . .



Dr. Wendy L. Patrick is a career prosecutor, named the Ronald M. George Public Lawyer of the Year by the California State Bar's Public Law Section. She has been recognized by her peers as one of the Top Ten criminal attorneys in San Diego by the *San Diego Daily Transcript*.

Dr. Patrick has completed over 160 trials ranging from hate crimes to domestic violence, to first-degree murder. Much of her career has been spent prosecuting domestic abusers, sexually violent predators, human traffickers, stalkers, rapists, and child molesters. She has spent over 26 years lecturing and speaking both domestically and internationally on the topics of sexual assault, domestic violence, threat assessment, and human trafficking, which she has taught in Hong Kong, South Africa, and South Korea. She teaches sexual assault prevention for several branches of the United States military, including the Navy, the Air Force, and the United States Army, both domestically and internationally.

Dr. Patrick's doctoral thesis focused on the psychology of attraction used by sexual predators to ingratiate themselves with victims and their families, focusing on what can be learned from the science of seduction. She has been involved with the San Diego Sexual Assault Response Team, from whom she received the SART Response with a Heart Award for her significant contribution to the professional field of sexual assault prosecution.

As a private consultant, Dr. Wendy researches, publishes, and trains extensively on topics related to interpersonal violence, sexual assault, and working with victims to a wide variety of educational, community, and law enforcement groups. She also serves as a trial consultant and expert witness in the area of sexual assault dynamics between perpetrators and victims, and all other areas of victimology.

To reach **Dr. Wendy Patrick** for information regarding Black Swan Verdicts, Threat Assessment and Consulting, or guest speaking, please visit her **website**: <http://WendyPatrickphd.com> or **e-mail**: jstcesq@live.com

Preface

Welcome to the award winning Refractive Thinker® doctoral anthology series. We are thrilled to have you join us for the 23rd volume in the series, *The Refractive Thinker® Vol XXIII: Criminal Justice*. Join us as we continue to celebrate the accomplishments of doctoral scholars from around the globe.

Our mission continues to be to get research off the coffee table, out of the Ivory Tower of academia, and into the hands of people who cannot only use but benefit from the insights and wisdom found from doctoral research results and findings. Our intention is to continue to bridge the gap from the halls of academia into the halls of the business world. *The Refractive Thinker®* series continues to offer a resource from contributing doctoral scholars as they offer their chapter summaries of doctoral research well beyond the boundaries of a traditional textbook. Instead, the goal for this series is to use refractive thinking strategies to push the boundaries beyond conventional wisdom and to explore the paths not yet traveled, particularly in this evolving digital age.

As we move into the Spring of 2023, this peer-reviewed publication offers readers insights and solutions to various challenges within the realm of criminal justice, whether on the world stage, in the classroom, or in their personal space. Our hope is for you to find answers regarding these unique challenges managers and leaders face in finding effective ethical policies and practices within this field. Within these pages, scholars offer insights

regarding emerging trends within criminal justice to include these topics to add their lessons learned from their doctoral level research and their experience regarding how to navigate the Criminal Justice System from the effects of ethical leadership on employee engagement, effective strategies to reduce hospital data breaches, examining the high cost of police misconduct, the effect of criminal justice policies on the business economy, reformed offenders as solutions to the employee shortage, the illusion of education in America's public schools, leaders affecting change for diversity, equity, and inclusion, the courage of thought and why we suspend our thinking, and the mindset shift in higher education, to educate or litigate.

This volume will continue to shape the conversation of future success in business to examine proven effective policies and practices that have come from the research and pens of professional academicians and scholars around the world. The premise is to think not only *outside the box*, but also *beyond the box*, to create new solutions, to ask new questions, to proceed forward on new roads not yet explored or traveled. Our premise is to review academic research in a simple to digest executive summary format to offer new ways for business leaders to think about effective practices for strategies in their business based on what new research has to offer specifically growing the future of business.

With this volume, we continue to include a section to the series where Dr. Cheryl Lentz, *The Academic Entrepreneur*, concludes each chapter from a business point of view to link this doctoral research to applications for your business.

Remember, not only does *The Refractive Thinker*® series offer a physical book, we offer eBooks (Kindle, Nook, and Adobe eReader), and eChapters (individual chapters by author) that highlight the writings of your favorite Refractive Thinker® scholars, available through our website: <http://RefractiveThinker.com>, as well as Amazon.com. Be sure to visit our social media on

Facebook, Twitter, YouTube, and LinkedIn® for further discussions regarding the ideas presented here.

We look forward to your continued support and interest of the more than 200 scholars within *The Refractive Thinker*® doctoral community who contributed to this multi award winning anthology series from around the globe. Our mission that began with Volume 1 many years ago is to bring research out of academia for application in the world of business to provide answers to the many questions asked.

Acknowledgments

The foundation of scholarly research embraces the art of asking questions—to validate and affirm what we do, and why. Through asking the right questions, the right answers are found. Leaders often challenge the status quo, to offer alternatives and new directions, to dare to try something bold and audacious, to try something that has never been tried before. This 25th publication of our beloved multiple award-winning *The Refractive Thinker*® series required the continued belief in this new publishing model, of a peer-reviewed doctoral anthology, by those willing to continue forward on this voyage. (This is Vol. XXIII, however, we published Vol. II three times!)

We are grateful for the help of many who made this collaboration possible. First, let me offer a special thank you to our **Peer Review Board**, to include Dr. Judy Blando, Dr. Karen Balcanoff, Dr. Ed Jordan, and myself; and our and media partner, Rebecca Hall-Gruyter and her amazing team.

My gratitude extends with a well-deserved thank you to our production team: Gary Rosenberg (production specialist) and Joey Root, designer of the original Refractive Thinker logo.

Thank you. We appreciate everyone's contributions to this scholarly collaboration.

Job well done!

My best to our continued success!

Dr. Cheryl Lentz

Managing Editor and Chief Refractive Thinker

CHAPTER 7

Educate or Litigate? The Mindsets of Advancing Knowledge and Maintaining Financial Stability in Higher Education

Dr. Cherri Brown & Dr. Cheryl Lentz

The educational mindset for online higher degrees, specifically the master's and doctoral journey, shifted from the refractive thinking perspective as transformational experiences, producing objective decision-making processes, to transactional business exchanges, and in some institutions, an exchange for investors and stakeholders. Nehrlich (2006) coined “transactional exchange” as an exchange of one thing for another involving some form of gain. This chapter presents the business of marketing higher education programs (i.e., master's and doctoral degrees) and the front-line faculty positioned to achieve an institution's profit margin derived from degree production. Our goal is to discuss the losses and gains when faculty, who previously focused on innovation, comparative thinking, and mentoring, add an institution's financial stability to their responsibilities (Kaufman-Osborn, 2023). Stakeholder needs range from graduating learners with innovative ideas to meeting an institution's financial needs (Ramadoss et al., 2022). While the profit margins of public institutions have dropped precipitously (Macrotrends, 2023), for-profit and not-for-profit institutions of higher education must leverage

program efficacy with financial viability (Wally Boston, 2020). In the United States, private and increasingly public postsecondary institutions must consider political goals; thus, for-profit and not-for-profit institutions can experience increased demands for financial solvency. The profitability versus a learner's goals then must undergo a balancing exercise. This chapter briefly explores the progression of academic faculty from traditional harbingers of innovative programs to increased profitability, a nuanced yet pervasive mindset (PEW, 2019; Schwartz, 2022).

Academic transactional exchanges are guided by an accrediting private or public agency (i.e., state and regional agencies recognized by the U.S. Department of Education). The agencies have specific educational learning program criteria that educators and their institutions must meet in their classrooms and programs. The educator mindset exudes respect for the accreditation process, the learner, the course, and the program focus. Silver and Lentz (2012) coined the term “consumer learner” and highlighted the move from a transformational education mindset to a transactional customer service mindset. The transactional mindset continues to grow and evolve based on litigation paranoia brought on by learners as a premise of “the customer is always right” [or] “the customer is never wrong” (Morgan, 2018). That mindset emanates from a position of what we authors deem as process ownership and learner perspective outcome, the “my dollar, my choices” mindset. This chapter aims to share the importance of what we have found in master's and doctoral programs. Do we, as educators, educate or prepare for increasing litigation from learners in online and ground-based doctoral programs? A growing number of individual and class action lawsuits are part of a new perspective that affects the laws and practices from program marketing to our judicial system, such as University of Southern California, Northcentral University, Capella University, and others (U.S. Department of Education, 2023).

The Higher Purpose of Higher Education

At its core, the American dream represents belief and trust in an individual's pursuit of "certain unalienable rights, that among these is life, liberty, and the pursuit of happiness" (Bill of Rights Institute, 2023), often found in the pursuit of higher education and how an earned degree provides principles of "unalienable rights." The American dream symbolized hope, prosperity, and happiness, believed possible via education. F. Scott Fitzgerald's *The Great Gatsby*, foretold what we witness in higher degree programs, online and ground-based (i.e., brick and mortar) institutions (Jeanpierre, 2013). Fitzgerald used his characters to express a "struggle against the identity their society" gave them (Jeanpierre, 2013, p. 1). Jeanpierre's (2013) interpretation is categorized as knowledge, mainly via postsecondary degrees, and promises of wealth, prestige, and business acumen. The inherent nature of pursuing and attaining higher academic credentials of affluence, a joy of learning, and personal success, represented an individual's choice to obtain a higher education degree (Adair, 2001).

Traditionally considered keepers of expanded knowledge, higher education professors were heralded as respected community members (Boyer, 2016). Professors understood the importance of higher education and its credentials (Chan, 2016). Professors maintain promising careers and are well regarded at the master's and doctoral level; however, up to 25% of professors surveyed in 2020 were below the income poverty line as the increase in adjunct professors heralded a way to balance costs (Herder, 2022; Inside Scholar Community, 2023). A rise in the job outlook for professors is expected (U.S. Bureau of Labor Statistics, 2023); however, increasing degree costs and decreasing state and federal funding support leaves learners obtaining funding through private sources and institutions relying on U.S. federally

funded loans (Kelchin, 2019; Urban Institute, 2017), as a part of their financial stability needs. Intense marketing to attract master's and doctoral students by some institutions and increasing litigious actions by groups (i.e., class action suits from students at Tier 1-3 colleges and universities, online nonprofit and for-profit institutions, and brick-and-mortar institutions) against the institutions and their faculty occur when learners' expectations clash with accrediting agencies and doctoral program requirements (Schwartz, 2022).

From Dewey's (1897) *My Pedagogic Creed* to Seltzer-Kelly's (2008) *Deweyan Darwinism for the Twenty-First Century*, education guided by science for "democratic participation" (Seltzer-Kelly, 2008, p. 289) was the purpose of all levels of education. Ramadoss et al. (2022) posited that higher education prepared graduates for future challenges in all disciplines, focusing on the evolution of technology in all aspects of America. The authors added that higher education provides tools (i.e., internships and career guidance) to prepare and sustain students as good citizens throughout their lives (Brookfield, 1987).

What Happened?

The traditional transformational experience and rules of the game and, we suggest, the educational mindset have accepted a transactional business exchange in the obtention of an academic certification or credential. The expectation was that a learner's degree involved an exchange of personal investment (i.e., personal resources) as a business transaction, an expectation as one might expect when purchasing a home (Silver & Lentz, 2012). What once was an exchange of financial aid and investment for the opportunity to pursue future success became an expectation of quid pro quo, a grade for a fee. With the paradigm shift from a refractive thinking perspective, transformational experience

to one of transactional exchange, unintentional consequences crossed into the realm of justice where anything less than completing a transactional exchange of a fee for certification or credential was unacceptable to the learner. Final graduation and conferment of a degree defined by the authority vested in a university provost or dean expanded to litigation in civil courtrooms and the court of public opinion (McKenzie, 2017).

The Educational Promise Moved to Chambers

Legal teams, much like “ambulance chasers,” included higher education in their portfolio of clients, and we describe them as “degree chasers” (Schwartz, 2022). Since 2000, the number of class action lawsuits has increased in higher education and, more so, in doctoral than master’s programs (Cappellino, 2022; Greising & Roberson, 2022). Final decisions about grade attainment have traditionally been the purview of the academic dean (Washington University in St. Louis, 2023). Despite the foundation of the American dream, higher education learners have invited judges to the classroom and academic programs for various reasons that focus on marketing promises, such as the time to complete a degree (Cappellino, 2022). Judges and juries are not faculty in higher education and are not Refractive Thinkers as educators because they are arbiters of local, state, and federal laws. However, they have become *de facto* members of degree determinants, an unintended consequence with far-reaching implications for higher learning institutions and the knowledge they provide for future influential leaders of the world (Greising & Roberson, 2022; Schwartz, 2022).

Faculty training includes documenting all faculty and learner communications and creating a “paper trail” to justify actions that faculty and administration may legally call upon to defend, whereas previously, training was devoted to faculty development

(Ball, 2019; McQuiggan, 2014). Faculty receive training to protect themselves and their institution first and foremost as a teaching best practice based on a foundation of what we call “eduparanoia.” With every pen swipe, faculty feedback, assignments, grades, and cheating can be challenged as court cases and filings provide evidence of eduparanoia (Schwartz, 2022). Increasingly, learners submit work completed by hired editors, methodologists, and content experts as original work, despite institutional violations of student conduct regulations (du Boulay, 2023). In our opinion, the litigation mindset has a permanent home in the hallowed halls of academia.

Faculty as Police

In institutions of higher learning, advances in artificial intelligence (AI), especially programs that can pass a law school test and author postsecondary essays (Sloan, 2023), faculty are tasked with integrity enforcement. Learners can purchase papers from various online sources (i.e., STUDYclerk and Custom Research Papers). The latest software programs do not require a third party because the programs can write a paper without detection by any leading plagiarism program (i.e., Turnitin or SafeAssign software programs).

Build a Better Mouse Trap: Students Find a Better Mouse

In the online learner space, student surrogacy (i.e., hiring a professional in any discipline to complete course and degree requirements) learners can outsource participation in an online course, despite live online video and audio programs, the “mouse traps” for integrity (Glassman et al., 2023). The task in that situation has been up to educators to scan social media programs that match faces on a screen with faces in a learner’s social media

posts (i.e., LinkedIn and Facebook). Learners are acquiring an increasingly better mouse.

The Litigation Mindset

Instead of naively believing that a faculty member's role was to impart knowledge to the next generation, the goal is now to teach with a litigation mindset. This new premise is to avoid litigation or losing a position because a paper trail via recordings and copies of digital communications may not suffice. Faculty must protect themselves from technology designed to outsmart the faculty, institution, and, as we contend, a future business owner. We authors posit that faculty has become a de facto cyber police, trained in counter-cheating best practices. Faculty must now carve out additional and often countless hours away from their dutiful and loved teaching and mentoring actions to create a digital and paper trail for each learner, including recorded meetings via such programs as SKYPE and Zoom. SKYPE and Zoom offer transcripts of recorded meetings. The digital and paper trails must be kept for sometimes years to address student accusations. The accusations amount to a disparagement of requiring integrity and original work in a classroom, regardless of location. Original work from learners represents espousing their purpose and contributing within and outside their communities.

The more nefarious goal is pursuing a personal and Machiavellian-type endeavor when an end will justify the means to a master's or terminal degree. Chan (2016) and Ramadoss et al. (2022) suggested that academic credentialing could offer a higher probability of success in screening potential candidates. We lament the advent of achieving credentials and promotion with minor investment and effort possible.

To secure employment, the graduate must confirm their credentials. Note that we **do not** include the word "learning."

While faculty must constantly search for plagiarism, cheating, and student surrogacy, online master's and doctoral learning is increasingly popular with an adult, nontraditional learner (i.e., learners aged 25 years and older) (CAEL, 2021). Moreover, while faculty have noted decreased freedom in online classrooms, Lederman (2020) noted an increasing acceptance and preference for online learning at all levels (i.e., primary grades and postsecondary degrees). Shreaves et al. (2020) found that online faculty at a "midsized liberal arts university located in the Pacific Northwest portion of the United States" (p. 110) had mixed feelings. In opposition to faculty understanding that online coursework increased knowledge with increased learners, faculty acknowledged their misgivings about a decreased flexibility when it called into question their "personal teaching values" (Shreaves et al., 2020, p. 120).

When we began teaching careers in the late 1990s, we were tasked with proof of academic credentials, often including referrals from our dean, faculty, and other employment outside of our educational employment, as proof of attainment, credibility, and trustworthiness. In the early millennium, faculty often had to submit to local, state, and federal criminal background checks, including fingerprinting and federal government clearances. While we understand the need to protect our learners, we remain concerned about the validity of those checks if and when confronted by an individual or group lawsuit about our skills or grades not earned by a learner but demanded by a learner. A faculty meeting over a decade ago led to retitling faculty as customer service agents that resulted in being "deputized" in the service of the higher education cyber policing without training. The increasingly slow erosion of the American dream and the faculty's role in pursuing that dream is not good news.

Faculty receive more scrutiny than previous generations because faculty and administration must adjudicate and

investigate student complaints and are modeled best by Princeton University's procedures for all university members (Princeton University, 2023). When faculty are questioned about their personal beliefs, feelings, and thoughts as a justified accusation by a learner, abdicating the innocent until proven guilty defense, the result can be litigation. An accusation of an unfair grade needs only a verbal or written complaint to begin investigating a faculty or institution (Masis, 2007). The standard route is through the professor, department chair, dean, and sometimes a person in the institution who serves as a mediator between learner and institution.

There is a New Sheriff in Town: Faculty Security Force, Cyber Resilience

Faculty are challenged by how to keep up with changes in technology that can increase unfair and unjust accusations that result in the unfair position of faculty as officers of a cybersecurity force, particularly among the over 50% of faculty now serving as adjuncts (Flaherty, 2022). Faculty must incorporate what the group "saltycloud" (SaltyCloud, 2023) describes as cyber resilience. The advent of what we call "adjunctery" was an original form of transitional exchange because adjuncts received few or no benefits, such as medical and, more importantly, tenure. Adjuncts were not heavily involved in or aware of the advent of AI and its venture into all levels of education. AI programs create essays and substitute for learners in online classes and test-taking (du Boulay, 2023). The policing that faculty must now do is an uncompensated task that requires additional hours from the 168 hours all humans have within a 7-day week and requires faculty to add a minimum of an hour per learner for each assignment to go through the growing new needs of traditional reading, grading, mentoring, and motivating.

Student Faculty Relationship

The relationship between students and faculty cannot allow students to continue to use technology to cheat and still expect the sanctity of the student and professor relationship. Students sign integrity pledges with their college or university not to cheat, then cheat, and accuse faculty of wrongdoing when cheating is discovered (Borgos et al., 2023, p. 365).

The End Game: The End of the Educational Promise?

As a result of a student's earned (or as we posit, potentially unearned) credentials, they graduate and apply for a job and the Dewey (1897) and Seltzer-Kelley (2008) promises become irrelevant. Stanny and Urbanski (2022) found that "policy actors" were, as we coin them, disruptors to the traditional mindset of educators in favor of policies that led to the litigation factor that faculty must now contend with, the eduparanoia factor. Eduparanoia is evident in the resumes and curriculum vitae of graduates who purchase a service to enhance, embellish, and sometimes lie to impress potential employers (Bixler, 2019). Bixler (2019) warned that discovering falsehoods on resumes often results in rejection. An unintended consequence is an institution's and faculty's reputation because their names on theses and dissertations (Escandon-Barbosa et al., 2023). There are human resource department (HRD) employees tasked solely with checking the credentials of institutions named in an applicant's documents submitted for employment (Brunner, n.d.). The result of an embellished, enhanced, and or falsehood by applicants is that once hired or on paid probation that leads to full employment, end in termination of employment. Businesses include a "temp-to-hire option" for candidates to demonstrate the skills listed in their application documents. The degree of falsehoods then leads

to, in some cases, litigation that reflects poorly on the institution and, more often, individual faculty members.

Cheating on an employment application is not limited to alleged wasted or broken promises or dreams of what a learner expects with a master's or doctorate. Cheating also denigrates the degrees of graduates from the same institution as a cheater and who earned their credentials without cheating. Thus, the doors to our judicial system open. Apprenticeships and temp-to-hire positions have always held the promise of discovering a good fit between applicant and employer with the understanding that the applicant had well-earned employment document statements and credentials. The employer confidence is jeopardized with the advent of cheating ease and eduparanoia faculty. The outcome of a degree is to game's rules have always been to demonstrate skills. A former professor to one of us suggested that students would not want to end up on a gurney in an emergency room, wondering if the hospitalist in charge of whether we would live or die cheated on an exam. Leaving any part of our life to a cheater is not an option.

Conclusion

The educational mindset is transforming within higher education, notably at the master's and doctoral level for learners and faculty. What was considered a transformational experience in pursuit of a degree, has evolved into a transactional business exchange. In the past, educators were responsible for their teaching skills, where educational learning outcomes were the prime focus. Instead, the educator's mindset has evolved into a litigation mindset born from apprehension and paranoia of being sued. The purpose of our chapter is to share the importance of what continues to evolve in higher education. We prefer and want to educate within a refractive thinking mindset, and not within a mindset of litigation.

THOUGHTS FROM THE ACADEMIC ENTREPRENEUR

The Problem to be Solved:

- Evolution from an educational mindset to a litigation one.

The Goals:

- Understanding how to prepare for teaching in higher education when the focus is faculty as cyber security police.

The Questions to Ask:

- Educate or litigate?
- Faculty professor or customer service agent?

Today's Business Application:

- Recognize the evolution of the pursuit of higher education as a transformational opportunity to a transactional business exchange.
- Recognize the need of additional time spent by faculty in documentation of all aspects of the faculty and student relationship in anticipation and preparation of potential future litigation.
- Recognize the misplaced expectation that earning academic credentials displaces academic learning as priority focus.
- Recognize the influence on business owners when hiring graduates to confirm skillset demonstration indicated on employment documents.

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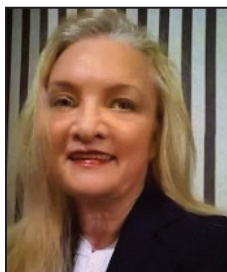
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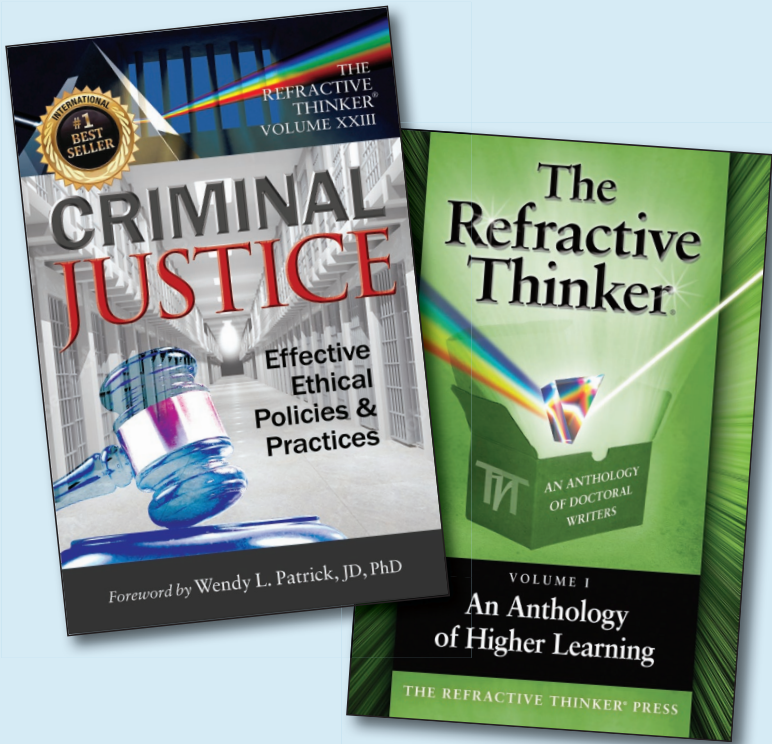
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Known globally for her writings on leadership and failure, as well as critical and refractive thinking, she has been published more than 57 times to include her favorite, Best Seller: *Failure Has No Alibi*. Additional published works include her dissertation: *Strategic Decision Making in Organizational Performance*, her first children's book: *Two Babies in a Manager*, as well as *Journey Outside the Golden Palace*, *The Consumer Learner*, *Technology That Tutors*, *Effective Study Skills*, *The Dissertation Toolbox*, International Best Seller: *The Expert Success Solution*, and contributions to the award winning series: *The Refractive Thinker®: Anthology of Doctoral Learners, Volumes I–XXIII*.

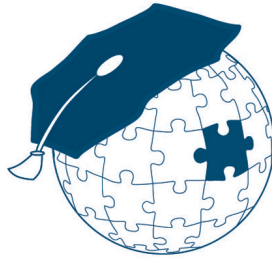
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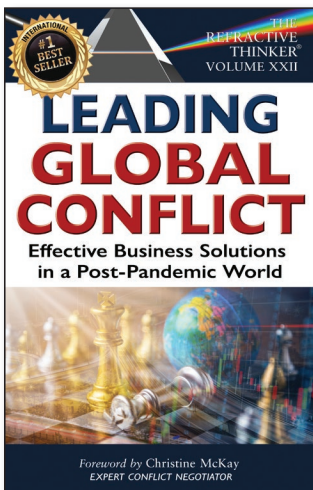
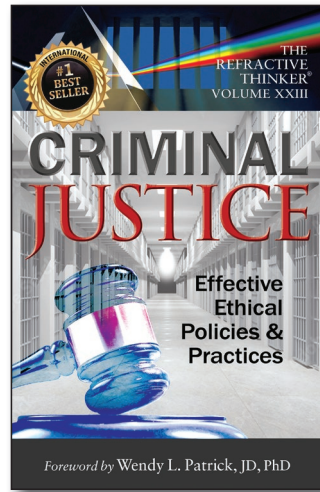
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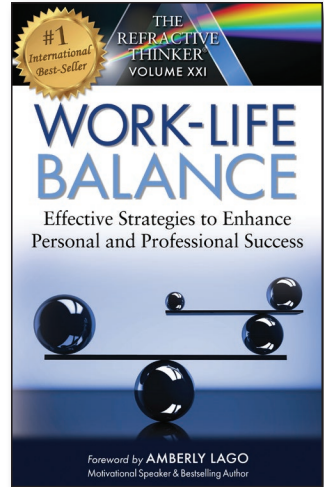
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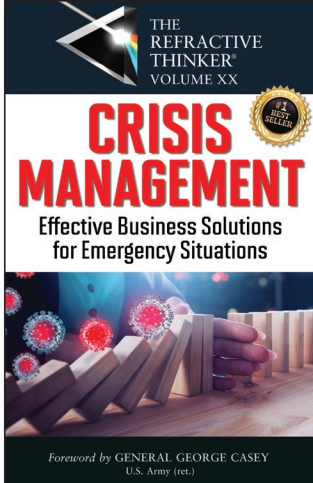
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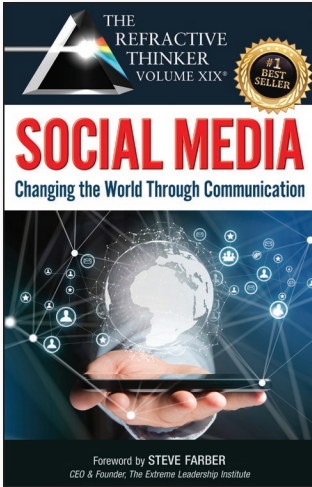
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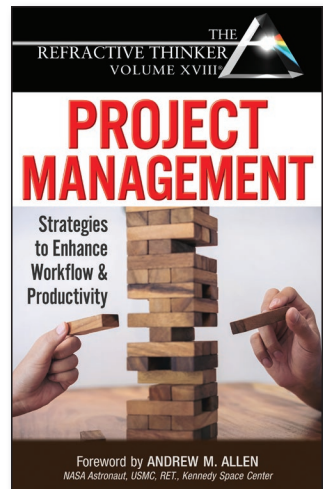
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