UNIVERSITY OF CALIFORNIA, MERCED

Evaluating Attempts at the Implementation of Restorative Justice in Three Alternative Education High Schools.

A dissertation submitted in partial satisfaction of the requirements for the degree Doctor of Philosophy

in

Psychological Sciences

by

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The dissertation of Paul Carroll is approved, and it is acceptable in quality and form for publication on microfilm and electronically.

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2017

This dissertation is dedicated to all those who made it possible, as well as to anyone who has been harmed by injustice, and to anyone trying to make a change. *You can do it.*

… and to my two cats, Simba and Southpaw, for giving me a reason to get up in the morning. (They need wet foods!).

Table of Contents

List of Tables

List of Figures

Acknowledgments

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I would also like to thank the many friends, collaborators, and professional contacts who helped me along the way – too many to name them all – but especially my lab mates Chris, Kyle, and Arturo, who made the lab interesting, and the outstanding RA's Martha and Leslie, who got things done. I want to thank some of my phenomenal community partners, including Holly Newlon, Carrie Harkreader, and Dennis Haines, as well as my guide in community research, Steve Roussos. I am indebted most of all to my good friends who have kept me sane, if not occasionally in good spirits, especially Cyprian, Orion, and Kirstyn, and to all those whom I have failed to mention, but are nonetheless greatly appreciated.

I would finally like to express my appreciation for my family, including my parents, Bill and Mary, for doing a great job raising five children, and for supporting each of us in different ways into adulthood. For my brother Pat, who made an investment in me when it was still questionable. For my sister Theresa, who was there when I needed her, more than once. For my sister Alisa who also keeps me sane and laughing, and for my brother Nick, who paved the way for all of us. I love and appreciate you all.

Curriculum Vita

EDUCATION

University of California, Santa Cruz
B.A. in Literature **2007**

University of California, Merced **2011-Present**
PhD Psychology, Health Emphasis; GPA 3.94
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TEACHING EXPERIENCE

UC Merced, Merced, CA
TA- PSY 015 – Research Methods in Psychology **2013 (Fall)**
TA- PSY 147 – Health Psychology **2014(Spring)**
TA- PSY 158 – Positive Psychology **2014(Fall)**
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Instructor – PSY 015 – Research Methods in Psychology **2015 (Sum)**
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Central California Women's Facility, Chowchilla, CA
Co-Instructor – Introduction to Psychology **2014**

Developed overall class format, created lectures and experiential activities, and taught weekly class in the facility. This was a volunteer position in the Nation's largest women's prison.

Valley Community Schools, Merced, CA **2014-2015**
Facilitator – Restorative Practices Professional Learning Group.
Developed and facilitated approximately fifteen experiential training sessions in restorative practices for teachers and staff at three community school campuses.

Valley Community Schools – Atwater, CA
Co-Facilitator – "Understanding Me" After School Program **2015-2016**
Developed overall class format, created lessons and experiential activities, and co-taught three approximately 12-week series of programs.

Center for Engaged Teaching and Learning **2014-2016**
Teaching Matters Certificate: Developing Teaching Strategies
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RESEARCH EXPERIENCE

Principal Investigator -- *Evaluation of Restorative Practices and Milieu*. **2016-present**
This is the focus of my dissertation, as well as a continuation of an ongoing CBPR project that began with me acting as a community researcher, before becoming the focus of my dissertation. In this project, I am examining a variety of data sources collected by myself and my community partners, to evaluate the effects an attempted transition to restorative practices is having on students and staff.

Investigator – *Evaluation of ACE Overcomers Program; PI: Linda Cameron* **2013 – 2016**
As the graduate level investigator on this project, I assisted with study design and IRB application, creating and formatting surveys, attending programs, and oversaw and helped coordinate undergraduate assistants. The ACE Overcomers program is a 12-week program aimed at helping adult participants overcome the longer term effects of Adverse Childhood Experiences.

Lead Researcher -- Evaluation and Organizational Assessment of STRIVE Program **2012-2014**
This was a CBPR project working for the Alliance for Community Research and Development, in collaboration with a community partner, the Merced County Office of Education, to develop research questions and methods surrounding the evaluation of a

whole school initiative. Over a two year period, this work involved multiple meetings with MCOE leadership staff, conducting literature review and developing staff and student surveys, analyzing quantitative and qualitative data, leading a team of paid and unpaid assistants, and preparing written reports and oral presentations for MCOE.

Co-Principal Investigator – Evaluation of the effectiveness of positive discipline parenting classes. **2011 – 2014**
This study is a community based participatory research study, with a local nonprofit organization. As principal investigator, I have done literature review, met with community partners, created surveys, lead a team of research assistants, recruited participants, conducted interviews, performed data analysis, and obtained UC based and community based funding. This study has resulted in a manuscript in preparation.

Principal Investigator – *Positive discipline parenting scale validation study (UCM13-0070)* **2013 – 2014**
This was a small internet based validation study, for which we designed and carried out data collection and analysis. This study resulted in a publication in the Journal of Individual Psychology.

Graduate Student Researcher – *Advisor: Paul Brown* **2013**
Worked on a number of projects doing literature review and data analysis, including collaborative work with UCSF Fresno related to remote physician access, and with data from national association of county and community health organizations (NACCHO), related to budgets and services.

Co-Principal Investigator – *Evaluation of the Building Healthy Life Skills program. PI: Linda Cameron* **2013-2014**
As the co-PI on this project, I assisted with study design and IRB application, creating and formatting surveys, attending programs, and oversaw and helped coordinate undergraduate assistants. Unfortunately this project was curtailed due to logistical challenges, highlighting the difficulty of community engaged research projects.

PUBLICATIONS

Carroll, P. & Hamilton, W. (2016). Positive Discipline Parenting Scale: Reliability and Validity of a Measure. *Journal of Individual Psychology 72(1),* p. 60-74.

Barnert, E., Abrams, L., Maxson, C., Gase, L., Soung, P., **Carroll, P.,** Bath, E. (2017) Setting a minimum age for juvenile justice jurisdiction in California. *International Journal of Prisoner Health*, *13(1)*, p. 49 - 56

Carroll, P. & Brown, P. (In Preparation). The Effectiveness of Positive Discipline Parenting Workshops on Parental Attitude and Behavior.

Carroll, P. (In Preparation). Evaluating the theory and practice of restorative justice in schools: a systematic review.

Linda, C., **Carroll, P.,** & Hamilton, W. (2016). *Evaluation of the ACE Overcomers Program: A technical report***.** University of California, Merced.

Linda, C., **Carroll, P.,** & Hamilton, W. (In Preparation). *Evaluation of the ACE Overcomers Program***.** Merced, CA

UC Criminal Justice & Health Consortium: Juvenile Justice & Health Working Group. (2016). *Setting a minimum age of Juvenile Justice Jurisdiction in California.* Circulated draft of a Policy Brief. (www.ucjusticehealth.com)

Carroll, P. & Mello, D. (2015) *Assessing a new Psychological Methods Supplemental Session.* A signature assignment for the Center for Engaged Teaching and Learning, Certification in Undergraduate Learning Outcomes Assessment, Pedagogy and Program Planning. CETL, UC Merced, CA. (http://crte.ucmerced.edu/ta-services/collaborative-projects/certificate-assessment)

PRESENTATIONS

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Carroll, P. (2014, November). *Restorative justice in alternative education*. Invited talk given at the Robert Ford Excellence in Health Yosemite Retreat, Wawona, Yosemite National Park, California.

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SERVICE

Public Relations and Community Outreach Officer, Graduate Student Association, 2015-2016
Member, UC Criminal Justice and Health Consortium, 2015-2016
Member, Capital and Physical Planning Committee, 2012-2016
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LANGUAGES

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MEMBERSHIPS

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Abstract of the Dissertation

The concept of integrating restorative justice into schools is an idea that is gaining in popularity and implementation attempts. Many institutions are turning to this approach when their traditional discipline policies are seen as failing, or in response to external legislative pressure. However not all programs with the words "restorative justice" in them are created equal, and not all such programs can be said to result in "restorativeness." In this dissertation, two sequential phases of attempted implementation of restorative justice elements were examined, in three alternative education high-schools. Both theoretical and practical outcomes were assessed. The first effort mainly consisted of an in-school-suspension classroom and a staff-student mediation process, as well as a new school posture and training. The second effort consisted of minor modifications to the staff-student mediation process, and attempted skills and ethos training in basic restorative practices, including affective statements, restorative questions, and circles. Four years of data on suspensions and suspensions incidents were collected and analyzed, as well as three years' worth of staff and student surveys, and a sample from two consecutive years of discipline referral forms used in a staff-student mediation process. The data was then analyzed using a combination of ARIMA modeling for time series data, ANOVA, and T-Tests. The findings provide some mixed support for both phases of intervention but more strongly for the second phase, including an observed reduction in suspensions and suspension incidents—but not a hoped for improvement in teacher-student relationships. Further, a process change in the language of the main discipline referral form used in the staff-student mediation process provides some insight into the power of language to impact engagement in the process. Specifically, the form was changed to include a set of restorative questions instead of the previous set of questions, which coincided with greater engagement on the part of staff and students. These and several more nuanced results are discussed in relation to the theoretical ideals of restorative justice or restorative practices in a school setting, and where the efforts went well or could have been improved. Future directions for research and implementation efforts are highlighted.

Chapter 1: Overall Introduction

1.1 An overview of the problem of traditional discipline

The idea of implementing restorative justice in schools is a concept that is gaining a lot of momentum, particularly among schools that are struggling. For many teachers or schools, the reason to begin trying restorative justice comes when the traditional system is seen as failing –specifically when it is seen as failing to control student behavior, since the traditional approach to student discipline is about social control, rather than social engagement (Varnham, 2005; Morrison, 2006; Vaandering, 2011). For others, restorative justice is seen as a vehicle that can enhance accountability in young people, whereas exclusionary interventions largely fail to produce this result (Calhoun & Daniels, 2008). When traditional disciplinary practices fail to hold students accountable or control behavior effectively, the schools sometimes begin to look at alternative practices, like restorative justice (Lane, 2005). In other cases, successful smaller-scale pilots have led to district-wide resolutions to adopt restorative justice practices (Davis, 2014), or even larger national attempts at implementation (Varnham, 2005; McCluskey et al., 2008) Yet these top-down directives to implement restorative justice can struggle to be implemented effectively, when situated within a culture of habitual enforcement (McCluskey et al., 2008). It is therefore worth exploring both what is wrong with traditional punitive practices in schools, but perhaps as importantly, what is at the core of their philosophy that conflicts with attempts at implementing restorative practices.

At the core of what is wrong with traditional punitive practices is that they are harmful, and often ineffective. While the aim is to bring about compliance, punitive practices can actually generate defiance, undermining capacity and willingness to cooperate (Morrison & Vandering, 2012). The problem comes from damage to the relationship, and eventually alienation. "Coercion produces alienated bonds, which if reinforced by continuous coercive relationships, produce chronic involvement in serious delinquent behavior." (Colvin, 2000, p. 16). In the meantime, harm is often being done to those punished, in the form of stigmatizing shame, diminished self-respect and self-worth. Stigmatizing shame is particularly harmful as it conflates the person and the action, condemning both (Braithwaite, 1989).

Another problem with traditional responses to conflict are that they mostly ignore the harm that has been done, either to a victim, to the community, or to an "offender" themselves (Fields, 2003; Reyneke, 2011). Every incident of conflict or breach of trust has the capacity to affect more than even the few people involved, and traditional punitive approaches focus only retribution for the offender. Even at a school implementing restorative conferences, one teacher who broke up a fight but was not included in a restorative conference said, "I've never had to put my hands on a student," and that, "It's not the relationship I ever want to have with a student. And I'm angry that no one noticed that I'm having a hard time with this. No one ever asked if I was OK. And just so you know, I'm not." (Frey, Fisher & Smith, 2013, p.56). This statement highlights the need for schools to continue to examine their practices as they consider who are the stakeholders in any particular incident, while serving as a contrast with a traditional

response to a behavioral incident, which would never have even considered the effects on a staff member.

A third major problem with traditional punitive policies, and in particular so-called zero-tolerance policies, is that they are huge contributors to the school-to-prison pipeline, which disproportionately impacts young minorities and minority communities (Gonzalez, 2012; Davis, 2014; Center for Civil Rights Remedies, 2013). This is especially disturbing in the United States, where zero-tolerance policies have become the most broadly implemented discipline policy, despite evidence that suspensions are not effective at extinguishing challenging behavior or teaching proactive alternatives (Sharkey & Fenning, 2012; Suvall, 2009). On the contrary, evidence suggests they may have the opposite effect of increasing undesirable behavior and decreasing school safety (Skiba & Rausch, 2006). Furthermore, in addition to being ineffective, exclusionary discipline policies restrict student opportunities for positive socialization and can reduce feeling of school connectedness (American Psychological Association Zero Tolerance Task Force, 2008). They are associated with an increased risk of dropout, academic disengagement, and can precede serious delinquency in minority children, who also tend to get harsher punishments even after controlling for behavior. (Center for Civil Rights Remedies, 2013). The extended consequences of these policies often include vast hidden costs to the society that policymakers rarely consider, including a substantial economic burden (Marchbanks, et al., 2013). There are therefore a large number of arguments for reforming traditional discipline policies-- from the perspective of student and teacher well-being, social welfare, social equality, economics, and effective discipline and conflict management.

Perhaps the biggest thing wrong with traditional methods though, is that they may be based on faulty reasoning about human behavior. Traditional discipline policies are essentially based on the idea that external control enforces behavior through reward and punishment (MacReady, 2009). In this theory of behavior, students are rational actors who uniformly respond to codes of conduct and rules, enforced by rewards and punishment. Yet this notion ignores most scientific understanding of how individuals, groups, and societies function (Morrison & Vaandering, 2012). A much more supported theory in regards to rule-breaking is that individual behavior is motivated by people wishing to seek approval from those people who matter most to them, and to avoid resentment and disappointment of those who matter most to them (Braithwaite, 1989). Within this theoretical perspective, relationships between people become centrally important, and healthy prosocial relationships are the most effective means of deterring undesirable behavior, not punishment. When we understand human motivation in this way (to avoid shame, more-so than to avoid punishment), it seems only prudent to align our intentions with policies and practices that will further those intentions. A well-implemented restorative justice approach is one such way to align policies and practices with our good intentions.

1.2 – An Overview of Restorative Justice in Schools

The concept of restorative justice in schools carries a heavy burden of hope. Proponents believe that it is capable of completely transforming existing approaches to relationship and behavior management (Hopkins, 2002). It is expected to develop positive relationships within the school setting and the larger community, while resolving conflicts peacefully (Myers & Evans, 2012). The hope for restorative justice includes improving relationships not only between and among students, but also teachers, schools, and entire communities (Evans, Lester, & Anfara, 2013). It is seen as an opportunity for learning social responsibility in both reactive and proactive ways, to the ultimate benefit of society as a whole (MacReady, 2009). Meanwhile, those concerned with actual implementation of these practices frequently tout reductions in suspensions and behavioral incidents as the most studied outcome (e.g. IIRP, 2009) leading to the implied expectation that implementing restorative justice will lead to these results. Yet along with this hope and expectation come great challenges, not the least of which is establishing clarity of the concept itself.

What is meant by the words *restorative justice*? What about restorative *discipline*, or restorative *practices*, or a restorative approach? What do these concepts mean in a theory and in practice—and which of them should we even use, to describe what we are trying to get across? When we say restorative justice, are we talking about a set of values and principles, or a set of processes, when the words have been used to describe both (Morrison & Ahmed, 2006)? Are we talking about an alternative tool within traditional justice practices, or a fundamental departure and paradigm shift from a traditional ethos? Much has been written that addresses these questions, and there are many different answers to them. Yet perhaps it is possible to adopt a broad perspective that takes into account the progression of ideas over time, and arrive at a coherent conceptual clarity. Perhaps there are emerging areas of agreement in both theoretical concept and in implementation that can guide our understanding.

The challenge of defining what restorative justice (RJ) is or is not, is that the concept is still evolving among those who use it in different ways, and there is not yet any consensus (Fields, 2003; Reyneke, 2011). Some of the fault-lines of confusion center on whether RJ should be understood as reactive or proactive, as a process or as a philosophy, or as alternative tools or an alternative paradigm—wholly apart from traditional methods of school discipline. When examined mainly as a reactive process, the goal is generally understood to be redressing or repairing harm, including harm to relationships, victims, and even offenders (Drewery, 2004). Somewhat more broadly, the goals are "designed to repair the harm to the victim and the school, protect the school community, and build peer and intergenerational relationships through mutual respect and fairness." (Zaslow, 2010, p. 59). Whether this requires a fundamental departure from the old way of doing things, or it is simply a new tool in one's tool box, depends on who you ask.

For example, much of the writing aimed at practice and implementation is quick to position RJ as an alternative to, but within the realm of traditional behavioral control

methods, and not replacing them. (Karp & Breslin, 2001; Chmelynski, 2005; Ashworth et al., 2008; Frey et al., 2013). This can be seen clearly in writings about early adopters of RJ—or what they considered RJ—in descriptions such as the following: "the embrace of restorative measures was not directed at replacing traditional means of discipline but to provide an additional resource for schools to handle their own internal problems" (Minnesota Department of Children, Families, and Learning, 1996, p.3, as cited in Karp & Breslin, 2001). The same authors later go on to mention that, "the four Minnesota districts that have thus far embraced restorative justice as an alternative means of control are no different than traditional schools…" (Karp & Breslin, 2001, p. 258). This statement is illustrative both for its characterization of RJ as an alternative to traditional practices, and the un-challenged assumption that it serves as a "means of control." With this framework of control assumed, RJ is necessarily situated as simply an alternative process within the same overarching and traditional paradigm.

Yet others argue that a restorative approach requires a true paradigm shift, where restorative principles are valued over and above, or even diametrically opposed to traditional ideals of punishment and compliance (Morrison, Blood, & Thorsborne, 2005; Walgrave, 2006; Mirsky, 2007; Holm, 2012). At the core of this alternative paradigm is seeing things through a focus on relationships, rather than rules. Bob Costello, former IIRP director of training states, "Restorative practices are not new 'tools for your toolbox,' but represent a fundamental change in the nature of relationships in schools. It is the relationships, not specific strategies, that bring about meaningful change." (Mirsky, 2007, p. 6). This shift in thinking necessitates a shift in responses to undesirable behavior, and what constitutes undesirable behavior. "Restorative practices focus our attention on the quality of relationships between all members of the school community. Hence, harmful behavior reflects harm to relationships." (Morrison, 2005, p. 339) The goal of restorative justice, therefore, is to build and to restore the relationship between individuals, and make things right (Dunlap, 2013). In other words restorative justice "uniquely emphasizes social engagement over social control." (Morrison & Vaandering, 2012, p. 138). Seen this way, RJ is not at all about an alternative means of control, but an alternative approach to relationships and relating. In this way it is seen as a paradigm shift, and one that requires a willingness to disturb the traditional institutional dynamic of schools (Morrison & Vaandering, 2012). Such a shift is not easily manifested, however.

Even as the years have passed, the focus on RJ as a reactive concept, and a primarily process-driven concept, has remained entrenched. This can be seen in the descriptions given to RJ in article after article, such as this, "Restorative justice' – an alternative method from the field of criminology […] is a systemic response to wrongdoing…" (Chmelynski, 2005, p. 17). This common type of introduction generally frames RJ as a *process* that is in *reaction* to something, and evidence that it is understood as an alternative rather than a fundamental departure can be seen in the statements of those responsible for implementing it, such as this, "having an alternative that doesn't throw away the regular system, but adds to it, really helps." (Chmelynski, 2005, p. 18). This characterization as an alternative process, but not supplanting the traditional power-structure, is probably a reaction to the deep roots of that traditional power structure, and the fact that many people do not see anything wrong with the traditional philosophy of

punishment, and in fact support it as necessary. For example even among authors who are writing about the benefits of restorative group conferences, you can find declarations such as this, "If large groups of young people are to live and work together day by day, a well-founded punishment policy is indispensable within the broader framework of school rules and regulations." (Burssens & Vettenburg, 2006, p. 6). Within such a framework, it makes sense to see restorative justice in only limited terms of applicability.

Perhaps for schools and teachers just beginning on the road toward restorative practices, seeing RJ as an alternative and complimentary approach is the least threatening way to begin incorporating them. Teachers and administrators may need this step in order to "move from known and familiar practice to what is possible to know and do, in a process of scaffolded learning." (Macready, 2009, p. 217). There is some evidence this is a helpful approach, in that districts that incorporate restorative justice within their traditional discipline matrix face decreased resistance during the initial phases of implementation (Gonzalez, 2012). Thus, understanding of the concepts and potential of restorative justice necessarily begin within reach of those people and institutions implementing them— but these initial efforts are usually a long ways away from what is possible. The greatest potential for restorative practices probably lies in achieving a cultural paradigm shift to the fuller philosophy and values of the restorative approach, and enacting greater social engagement through relationships. In other words, the shift to restorative practices *is* ultimately a paradigm shift, but it can still be usefully applied as smaller steps within a traditional paradigm.

In terms of what kinds of steps can be taken to enact the ideals of restorative justice, whether in an old paradigm or a new one, there are a few authors and books on the subject that lay out some guidelines. In *The little book of restorative justice,* Zehr (2002) spells out some widely agreed upon principles of restorative justice, which are:

1) Focus on *harms* and consequent needs.
2) Addresses *obligations* resulting from those harms.
3) Uses *inclusive, collaborative* processes.
4) *Involves* those with a legitimate *stake* in the situation.
5) Seeks to *put right* the wrongs. (Zehr, 2002)

These principles are mainly applicable to RJ as a reactive process, reacting to some type of harm that has occurred. They spring from understanding RJ in a criminal justice context, and are most appropriate for thinking about specific processes like the restorative group conference. Each principle is important to the success of such a process, and they are a good place to start. As the scope of practice widens from this narrow focus into a more holistic approach, however, other principles have been proposed and adopted. In *The little book of restorative discipline in schools,* Amstutz and Mullet (2005) propose a set of principles that are similar, but more holistic and broadly applicable in a school setting. These principles are that restorative discipline:

1) Acknowledges that relationships are central to building community.
2) Builds *systems* that address misbehavior and harm in a way that strengthens relationships.

3) Focuses on the harm done rather than only on rule-breaking.
4) Gives voice to the person harmed.
5) Engages in collaborative problem-solving.
6) Empowers change and growth.
7) Enhances responsibility. (Amstutz & Mullet, 2005)

While some of these principles are shared with restorative justice in a narrow context, such as the focus on harm done and collaborative processes, others reflect the charge of schools as teaching institutions—such as empowering change and growth, and enhancing responsibility. With that understanding, restorative principles are not just about repairing harm, but using inevitable conflicts as part of a continuous learning process that teaches empathy, accountability, and responsibility. Still, the way many practitioners apply these principles is missing at least half of the picture. In regards to common RJ practices, Brenda Morrison writes, "these practices, while extremely effective in their response to wrongdoing, are inherently reactive. What has more recently emerged is the recognition that restorative practice also needs to be proactive, immersing the school community in a pedagogy that values relationships and a curriculum that values social and emotional learning." (Morrison et al., 2005, p.338). This understanding does indeed seem to be gaining widespread support, at least in the theoretical literature.

The concept that is gaining the most widespread recognition among RJ practitioners within schools, is acknowledging the central importance of relationships in influencing behavior and building community—which is something with widespread emerging agreement (i.e. Hopkins, 2002; Chmelynski, 2005; Coatzee, 2005; MacReady, 2009; Drewery & Kescskemeti, 2010). This agreement on the importance of relationships within the restorative justice literature coincides with an understanding of the importance of relationships in education. Indeed, "it is well understood in Education circles that the quality of the teacher-student relationship is a primary determinant of the success of students' learning" (Drewery & Kecskemeti, 2010, p.103). Therefore a focus on improving them with restorative practices has the potential to impact not just behavioral or social-emotional outcomes, but achievement outcomes as well.

Those who advocate a proactive approach tend to share this understanding, but in some cases add to it, making the critical point that sometimes a school community can be critically lacking in a sense of belonging and inclusiveness to begin with (Haney, Thomas, & Vaughn, 2011). They observe that "no restorative process can 're'integrate a victim or offender back into the classroom culture of which s/he *never* felt a part," (Haney et al., 2011, p. 56), which highlights the need for a proactive component to the RJ concept, especially in transitional ages or transitional school settings. When RJ is conceptualized with this proactive component, its added goals are broadly—to *build* relationships, trust, sense of belonging and community – as well as to repair those things when they become strained. Therefore that which does a good job of building relationships, trust, belonging, and community, is more likely to be a good restorative justice model, in theory.

As far as what skills and processes should be used to build relationships, trust, belonging, and community – there are a few well-known and many less well-known processes. In *The Restorative Practices Handbook*, the authors describe the importance of several actions or processes, including using affective statements and affective questions, many different circle processes, small impromptu conferences, and formal restorative conferences (Costello, Wachtel & Wachtel, 2009). The authors soundly advocate a more proactive approach, which is perhaps related to their choice of the word *practices* rather than discipline or justice. In their closely related manual on circle processes, the same authors write, "Eighty percent of circles should be proactive. That means using circles to be collaborative, to engage students and to get their input and opinions on things." (Costello, Wachtel & Wachtel, 2010, p.47). In justifying the importance of the circle process in a proactive capacity, others write:

> "The restorative practices process is built on a foundation of communication. Students who do not spend time communicating regularly with one another in their classes are not suddenly going to be able to do so when emotions are high. Classroom circles are low-stakes conversations that give every student a voice and pave the way when more in on the line in the future." (Frey et al.,2013).

This line of reasoning recognizes that a relationship with trust and communication needs to be established before it can be used to restore harm—and one of the ways to do that is through circle processes. Such circles can take the form of anything from describing ones plans for the weekend, to discussing content in a class, to discussions of more sensitive topics (either reactively or proactively). There is a risk in using them only when there is a problem (reactively), in that students may begin to assume that any time they are asked to form a circle, someone is in trouble (Frey et al., 2013). Indeed, this is the same risk that most restorative processes face, if they are only used punitively.

In contrast to some of the lesser-known proactive restorative practices, if there is a most widely known reactive process, it is probably the process of conflict mediation (Von der Embse & Levine, 2009) or more formally as a restorative group conference (McGrath, 2002; Burssens & Vettenburg, 2006; Hanhan, 2013). Much has been written about such conferences, including step-by-step guides to implementation (McGrath, 2002), detailed qualitative studies (Burssens & Vettenburg, 2006), and useful evaluations of their effects (Calhoun & Pelech, 2010). Generally, they are understood as a response to a behavioral incident that allow all parties to speak, are as inclusive as possible, and seek to repair harm. Some emphasize the importance of the process being voluntary, and including supporters for both victims and offenders (Burssens & Vettenburg, 2006; Wearmouth & Berryman, 2012). Many follow a script, such as the questioning protocol developed by the IIRP (Costello et al., 2009), or the framework developed in New Zealand by the Restorative Practices Development Team (2003). These scripts may differ, but they all include the opportunity for all sides to describe what happened, what effect it has had, and work collaboratively on a solution. The restorative group conference may end in a written agreement (Frey, Fisher & Smith, 2013), or in a ceremony like sharing a prayer or breaking of bread (McGrath, 2002; Wearmouth, Mckinney & Glynn, 2007), and depending on the circumstances, may involve a follow-

up or review. This process is indeed widely known and considered to be a restorative practice –although there are many others that are less emphasized, as well as skills and competencies required to do any of the processes well.

Moving along the continuum toward less formal practices, there are many other processes that have been described as restorative practices, including but not limited to peer/accountability boards, peer mediation, group meetings, circles, impromptu-conferences, affective questions or curiosity questions, and affective language or restorative language (Kane, 2007; Costello et al., 2009; Pavelka, 2013; Mirksy & Korr, 2014). Many authors and school staff have expressed the importance of these less-formal practices in the overall success of a program. In an evaluation of a large scale implementation in Scottish schools, "school staff often echoed the views of LA key informants that a low-key, preventative approach was preferred where possible." (Kane, et. al., 2007, p.99) Others describe a positive benefit, or "turning a corner" when they began to incorporate regular use of circle processes, including both with students and with staff (Boulton & Mirsky, 2006; Reistenberg, 2007). As noted earlier, the circle process is probably the most widely known and implemented of the less formal processes, and almost as much has been written about them as restorative conferences—including guides to implementation (Costello et al., 2010), qualitative studies about the process (Kaveney & Drewery, 2011) and extensive evaluations (Grossi & Santos, 2012). Like other processes, there are different ways of doing circles, including sequential go-arounds, non-sequential circles, and "fishbowl" circles which use an inner and an outer circle. (Costello et al., 2010). Each of these has an intention behind it, and is appropriate for different purposes.

In contrast to the large body of books and academic literature around the theory and practice of implementing restorative justice in schools, there has been much less written when it comes to empirical evaluation of its implementation – particularly involving quantitative as opposed to qualitative data. Only a few such primary studies were found in a review of the literature, and they vary in how restorative justice / practices have been conceptualized and implemented, as well as what outcomes were of primary interest to the researchers. Table 1.1 presents information on some these scarce articles, including what components or practices have been emphasized in these individual articles, as well as what outcomes were emphasized as being of primary importance, and what findings were reported. As reported in intervention articles, the two most widely implemented main components are probably restorative group conferences and circles, although many other informal and semi-restorative elements were mentioned as well. Articles varied in what outcomes they measured or focused on, with the main quantitative data usually being suspensions or referrals, and sometimes reports of bullying-- while several studies relied primarily on qualitative data to base their conclusions. There was also a wide variety in the success of implementation efforts, which probably has to do with the wide variety of components used, and varying amounts of transferred understanding of key restorative concepts. This variety is something that makes summarization difficult, probably renders any attempt to meta-analyze such findings to be inappropriate at this time.

Table 1.1. Summary of Articles on Implementing Restorative Justice in Schools

Authors (Year)	Main Components	Main Outcomes	Findings
Osborn (2003) (DISSERTATION)	Affective statements and questions, semi-formal conferences, talking circles.	Success of experiential staff trainings (implementation related). Qualitative.	Training in restorative practices improves educators abilities when taught using support and modeling (experiential learning) of praxis.
Bursens & Vettenberg (2006)	Restorative Group Conferences	Participant satisfaction (victims, offenders, and supporters)	Preference for restorative conference over traditional approach.
Kane et al. (2007)	Widely varied among 18 sites; no clear directives of restorative processes	Disciplinary Exclusions and Qualitative Interviews	Mixed and widely varied findings
McCluskey (2010)	Restorative ethos building, circles, curriculum focus on relationships and conflict resolution, mediation, and conferences.	Qualitative—individual experience.	Qualitative only – but seems to support effective resolution to conflicts & improved school environment.
Rasumussen (2011) (DISSERTATION)	Affective statements and questions, peacemaking circles, conferences	Success of implementation – qualitative ethnography.	Significant challenges with implementation, running up against entrenched power-imbalances in policy and praxis.
Wong et al. (2011)	Mediation services, and many non RJ, behavioral supports	Bullying (self-reported), social-emotional well-being	Some decreased bullying and increased SE well-being. Small to moderate effects.

Authors (Year)	Main Components	Main Outcomes	Findings
Gonzalez (2012)	Many formal and informal practices: Mediation, proactive circles, restorative conferences. Sound theoretical understanding.	Suspensions, Expulsions, Referrals, Tickets, Arrests, Attendance, Failing Grades, etc.	Widespread positive findings: reduced suspensions, referrals, failing grades, etc. Increased attendance. Large effects.
Grossi & Mendes dos Santos (2012)	Circle Processes (reactive & proactive)	Bullying behavior (self-report, peer-report).	Cross-sectional and descriptive findings only.
Kaveney (2012) (THESIS)	Classroom meetings (not circles), discursive inquiry. ”Reflection room.” Restorative in name.	Suspensions, referrals, and qualitative data from staff.	Minor / No effects on suspensions and referrals. No widespread uptake of practice.
Hanhan (2013)	Restorative Conferences / Family Group Conferences	Bullying (ostensibly), and participant satisfaction.	Omitted quantitative analysis. Students satisfied with process.

One article which describes an implementation effort which was probably the most complete in terms of agreement with theoretical principles, and in practices implemented, is Thalia Gonzalez (2012) article describing a whole-school implementation in a Denver high school, which achieved many measures of success. In addition to being a whole-school implementation effort, the intervention used a range of formal to informal processes including mediation, conferences, circles, and many more—and was immersed in theoretical understanding of restorative concepts at a grassroots level. In contrast, other interventions described as restorative justice contained few explicitly restorative elements, were voluntary and dispersed in their adoption by staff, and often completely ignored by many frontline staff, and did not demonstrate any quantitatively measured success (e.g. Kaveney, 2012). This wide degree of variability in the thin literature on implementation probably represents a gap between theory and practice, where the advanced practitioners understand theory well but are not conducting implementation studies – and the newcomers to the world of RJ frequently implement what they consider to be RJ, with wide variability of theoretical understanding. This is compounded by the difficulty in pinning down the concept of restorative justice itself, or restorative practices, discipline, or a restorative approach—which can be many things.

Although studies on implantation remain thin, theoretical thinking about restorative practices are converging on some best practices. It is important to understand that any single process is not necessarily the best practice of restorative justice though—or at least not the most promising practice. Instead, implementing a range of informal to formal processes is probably the best approach, and is in line with what many experts recommend. Morrison (2007) suggests a three-tier pyramid of practices, as do McCluskey and colleagues (2008), as well as Meyer and Evans (2012). Such a three-tiered framework of responses also echoes thinking in the public health model, where disease prevention efforts may be aimed at the primary level of prevention, secondary levels, and tertiary level. (Rodman, 2007). In the restorative justice context, these three tiers of practices begin with whole-school efforts to build community (for all), followed by a second tier of re-affirming/repairing relationships when difficulties arise (for some), followed by a third tier aimed at repairing harm when it occurs (for a few). Based on extensive literature review, there seems to be an emerging agreement that this is the most promising application of restorative justice in schools-- to use a range of informal to formal practices, implemented using a whole-school approach, and using a tiered range of responses based on need.

Of course, as noted earlier, it is the processes involved in RJ that often receive the most attention, as they can be integrated within a traditional punitive paradigm without disturbing the ethos too much—but the skills required to do it well go less emphasized. One author that does a good job of describing these skills writes, "participants learn the skills of remaining impartial and non-judgmental, respecting the perspectives of all involved, developing rapport, actively and empathically listening, creative questioning, empowerment, compassion, and patience." (Gonzalez, 2012, p.302). All of these skills are quite important for both facilitators and ultimately participants in a restorative justice process. Perhaps an even more foundational skill concerns the power of language, and the competency at speaking respectfully. (Drewery, 2004, Drewery & Kesckemeti, 2010). One author notes that, "Speaking respectfully does not cost much and it can be extremely effective in producing desirable outcomes. However, it is not as straightforward as it sounds." (Drewery, 2004, p.339). In cultivating all of the skills required for restorative communication, it is probably important to grasp and apply the understanding that, "not only what we say, but how we say it, have consequences for the kind of relationship, and the kind of identity, that is called into being." (Drewery & Kesckemeti, 2010, p.110). This is the theoretical underpinning for important skills such as distancing and using externalizing language to describe problem behavior, rather than internalizing language which can be met with resistance or cause stigmatizing shame. This ability to speak mindfully and respectfully is both simple in concept and complex in execution, particularly in social environments with entrenched power imbalances.

So what are we to make of these differing views about what restorative justice is, what processes it involves, whether it is reactive or proactive, and what is most important to its implementation? As far as the practice of restorative justice in schools goes, it seems that the most promising implementation of RJ in schools is as one that includes *both reactive and proactive* practices (Morrison et al., 2005; Elliot and Gordon, 2005), and these practices necessarily require *both* a *philosophy* and a *process* (Reimer, 2011) as

well as a set of skills (Hopkins, 2002; Drewery, 2004) to be maximally effective. Such processes, skills, and philosophy should be built around the central concept of *working with* people rather than *to* or *for* them, and this concept should extend to the practice of implementation (Costello et al., 2009). Restorative programs should have as their aim the reparation of harm, the building and strengthening of relationships, and the reform of harmful systems and policies. Wherever possible, restorative justice or practices should be implemented as a whole-school approach, and many experts recommend adopting a three-tiered pyramid of practices. (Morrison, 2007; McCluskey, et. al., 2008; Myers & Evans, 2012). Finally, while the greatest potential of restorative justice is ultimately a true paradigm shift, it seems entirely reasonable to begin where one is at, and not seek to supplant or overthrow existing punitive systems right away, although the greatest potential for restorative practices may be in doing so.

1.3 The present study of three alternative education high schools

With this background in mind, the present dissertation attempted to investigate the effects of not one, but two sequential phases of attempted implementation of restorative justice, in three alternative education high schools. The first phase was modeled on a program called Urban Essentials 101 (Lockett, 2006), and involved all staff being trained by the author of the program, who was also eventually hired as a principal of one of the sites, on the second year. After his departure following that second year, the school leadership requested that I work with them to make changes to the program and continue to develop it in a restorative direction, which I did for one year—and consider a separate phase of implementation. Both phases should be understood as *restorative-like* practices, lying somewhere on the continuum between traditional behavioral control methods and restorative justice. Furthermore changes are not easy to make in the culture of a school community, so even the best intentions or training may not translate to actual changes in the way things are done – but this should be considered as part of the efficacy of an intervention. It is not enough to have even the best theoretical ideas – those ideas have to be understood, adopted, and maintained by front-line staff if there is to be any change. This is something that I understand well, and therefore comprised the foundation of my entire approach in the second phase. An essential element that must be understood about this project is that it is an example of community based participatory research (CBPR), in partnership with Valley Community Schools (VCS) of Merced County Office of Education (MCOE), Career and Alternative Education. In the process of CBPR, a researcher works in collaboration with a community partner to develop research questions that are interesting to both parties (theoretical as well as practical), as well as come up with the research design and what types of measurement will be employed to answer the research questions (Heron & Reason, 2006). This is often describe as "research with" rather than "research on" people, and the study design emerges based on the interaction between what is ideal and what is feasible. The sacrifice of such an approach is that the researcher must give up some control over what can be measured and how well, and consequently what relationships can be examined. The benefit of such an approach is that the insight gained through the collaboration may result in more meaningful question asking and measurement strategies, the results produced may be more directly useful to ongoing efforts by the partner organization, and the conclusions

drawn may be more meaningful to similar organizations and policy groups, as they are grounded in real world realities.

The data that was gathered for this dissertation comes from three sources—surveys given to students and staff attending or working at one of three campuses (Site A, Site B, or Site C), the aggregated suspension data from these three sites, and a sample of some of the forms used in the main disciplinary process at these sites, the staff-student "mediation" process. These schools are considered the "last stop" for students in the county, and many have been expelled from other high schools or middle schools. Besides expulsion, other reasons for being referred to the community school include students who have a suspended expulsion from another school, who are on some form of probation, who are credit deficient, or (occasionally) volunteer transfers. The age range of this student population is from 13 to 19 years old; the schools serve primarily high school aged youth up to age 19, but also include some middle school aged youth as young as 13.

The implementation efforts that were attempted initially began in response to some internal and external forces, including the perception of too many students being suspended out of school. Assessing themselves internally, the schools found in January of 2012 that there was minimal interacting between students and staff, that limited relationships existed, that was a lack of consistent discipline procedures and structures, and that written policies were not prominently displayed. (Carroll & Harkreader, 2014). They further found that not one student said they did their best in school and very few said it was challenging, and none had anything positive to say about their school besides getting out early. This internal assessment prompted the institutional leadership to seek a change. In addition, a couple of external realities were forcing a change, including two major pieces of enacted legislation in California. One, AB 1729, put pressure on schools to use alternative methods of correction before a student is suspended or expelled; this allowed for a range of alternative methods, including participation in a restorative justice program of some kind. Another enacted piece of legislation, AB 2242, prohibited extended suspensions or recommending expulsions due to disrupting school activities or otherwise willfully defying school officials, which constituted the largest cause for these recommendations, generally speaking.

Seeking a means to comply with this external legislation, and improve their internal dynamics, leadership of the three schools sought to implement what they considered a restorative justice model. In their efforts to do so, they hired someone with experience conducting victim-offender reconciliation conferences in a criminal justice setting, and who also had a book and a program (Lockett, 2006), to train their staff. There was a period of training and collaboration between school staff and school leadership, and from this collaboration a set of processes and a unified posture emerged, which was called STRIVE. The letters in the word STRIVE stand for Safety, Trust, Respect, Inspiration, Vision, and Encouragement, which staff agreed were an important foundation to their program. In addition to this posture, two main processes were enacted – which were an in-school suspension classroom, and a staff-student "mediation" process which was supposed to occur between a teacher and a student whenever there was a

disciplinary event which would cause the student to be sent out. I use the word "mediation" in quotation marks here because these conferences were almost exclusively one-on-one meetings between the two parties that had experienced a conflict, and did not involve any kind of neutral third party, which would generally not be considered mediation elsewhere. Along with the STRIVE posture and a small amount of training in the Urban Essentials 101 concepts (Lockett, 2006), these elements formed the bulk of what could be considered the first attempt at a restorative justice-like program.

Despite the linguistic confusion over the word "mediation," it should be noted that many of the senior staff members at these schools and in positions of leadership within the institutions had a relatively good understanding of the core philosophy of restorative justice. In lots of informal communications as well as formal presentations on their program, staff in leadership roles demonstrated a high level of understanding and agreement between what they considered to be restorative justice, and what leaders in the field would consider it to be, in theory. Nevertheless in the process of codifying it into policies and procedures, and in trying to get teachers and staff to follow those procedures in their own classrooms, there may have been a fair amount lost. For example the Behavioral Intervention Plan which was put into place called for a series of escalating consequences for disruptive behavior, including one, then three, then seven additional periods in the in-school suspension classroom for problem behavior. These escalated consequences did not reset until the next quarter, and a student could be assigned up to five days in the in-school suspension classroom, so it would be possible to accumulate a lot of in-school suspension time for relatively mild disruptive behavior. Such a policy might generally be considered a highly punitive and traditional element, as opposed to a restorative one, as was eventually acknowledged by school leadership.

As mentioned before, this was the first of two phases of efforts – and the bulk of the first phase was implemented between the 2011-2012 and 2012-2013 school year. Over the next two years, principal leadership changed once at one of the school sites (Site B), and changed twice at another of the school sites (Site C), including hiring the author of the program who had previously trained staff, to serve as principal of the site in 2013-2014, before being replaced the next year. Thus, the period of time from Fall 2012 to Spring 2014 can be considered a two year phase of the attempted implementation, with the previous year serving as a baseline (where data is available), and the next year serving as a second phase of implementation (Figure 1.1). Following this first period, the school leadership requested that I work with them to make changes to the program and continue to develop it in a restorative direction, which I did through a combination of making some changes to the form used in the staff-student mediation process (discussed more in Chapter 4), and a series of professional trainings which we called professional learning groups. In these trainings I attempted to teach the rudimentary basics of the skills and competencies of restorative practices to staff members, based on training which I had received from the International Institute of Restorative Practices, and my own expertise and experience. The behavioral skills which I attempted to impart to staff members included such essential elements as using affective statements and questions, asking restorative questions, and conducting proactive circles.

It is probably worth noting that a large part of the foundation to my approach in teaching these skills came from my experience with Positive Discipline (Nelson, 2006), in which I have also been trained as a certified parenting instructor. Positive Discipline is an ethos and a program which shares a lot of overlapping philosophical understandings with restorative justice, and is one of the few references in the single page reference section of *The Restorative Practices Handbook* (Costello et. al., 2009), for example. In addition to sharing many of the same principles, Positive Discipline firmly advocates for the use of experiential learning in the trainings which it conducts, and has organically generated a wide range of experiential activities for teaching the concepts and principles which it advocates. In attempting to teach the basics of restorative practices to staff members who were not entirely sold on them, I borrowed heavily from the experiential activities that I knew from Positive Discipline, and adapted them to teach restorative practices. This type of use of experiential learning techniques to teach the praxis of restorative justice is further supported by an in-depth dissertation on the subject, which is worth a complete read for those who are seeking to teach in this manner (Osborn, 2003). In all, I facilitated a total of fifteen trainings across the three school sites, adapted to individual staff needs and concerns, in two hour after school blocks.

Timeline of Intervention Phases

Year	2011-2012	2012-2013	2013-2014	2014-2015
Attempted Intervention		Urban Essentials 101 Training (Phase 1)		Facilitated Restorative PLG Training (Phase 2)

Figure 1.1: Timeline of Intervention Phases

There are therefore two overlapping, but arguably distinct phases of this implementation, which it is possible to ask a number of questions about with the data that exists. The first phase is the effort which was primarily based on the Urban Essentials 101 Program (Lockett, 2006), the training from its author, and the adoption of the in-school suspension classroom, the staff-student mediation process, and the STRIVE posture. If these manipulations had any effect on staff or student variables which were measured by surveys, there should hopefully be an improvement over the course of the intervention period. It will also be possible to examine a limited number of outcomes that were available pre-implementation, such as suspensions and suspension incidents, and compare them to the suspensions observed during the phase 1 period, to test the efficacy of the original program on these outcomes. The second phase then builds on the first in some ways, but in some ways pivots away from the philosophy and practices of the first attempt, including making changes to the language used in the staff-student mediation process (form), and in attempting to teach some of the core values of restorative practices to frontline staff, who may or may not have ever been taught them, or fully embraced or adopted them in the first place. If this effort was related to any improvement in outcomes for staff or students, or for overall suspensions, then it should be possible to test this possibility by comparing these variables before and after my

involvement. If such improvements are observed, it can lend support for these limited interventions, although it is not possible to tell precisely what element contributed to any observed change.

Lastly, the specific change in the language of the form used for staff-student mediation processes presented a unique opportunity to peer into the heart of a central process in the overall approach, and examine what role restorative language may play in that process. The specific questions used were modeled very closely on what others have put forward as model restorative questions (Mirsky, 2011), but there has not actually been much deliberate research into how effective these specific questions are, versus others. Since other elements of the schools disciplinary policy remained relatively stable across this time, and new students were constantly fluctuating into and out of the schools, their responses to these collected forms can give us a relatively clean look at how the questions themselves can shape students engagement with the process – and to an extent even staff engagement with the process, which is something which I will explore in Chapter 4. This is not to say that the results observed here are the final word on the matter, but they may begin to unpack the importance of language itself, relative to the way in which it is used and the other processes which support it.

In summary, the timing and frequency that this data was being collected limits the possibilities of design to a few kinds of quasi-experimental designs, such as time series designs, or year over year analysis of variance, but there is still a wealth of data collected here which it is possible to answer a number of questions from. Furthermore, the collaborative nature of the research partnership helped insure that the questions asked and answered were directly relevant to the schools themselves, and hopefully to other schools or restorative justice practitioners. Indeed, much of the results presented here have already been used to drive further changes and developments, which are beyond the scope of this dissertation – but that is one way to tell if the evaluation has been useful. Because of the relative dearth of independent evaluative research on such efforts, hopefully the results themselves will also be useful to our broader understanding of attempts at implementation of restorative justice, and this dissertation aims contribute to that knowledge.

CBPR Timeline

To elaborate more on the community based participatory research process that took place, I will outline a timeline of steps and events that took place, for the benefit of future researchers. As previously mentioned, this dissertation became a study of two separate phases of attempted implementation of restorative justice, based on how it developed. Before any outside researchers ever became involved, the school district had conducted their own internal review of their situation and had decided to implement a restorative-like program, had obtained funding to do so, and had begun implementation of their first phase, in the 2012-2013 school year. During the spring of that year, I met the assistant superintendent overseeing the three schools in question, at a local conference which was organized by the Resource Center for Community Engaged Scholarship at UC Merced. This conference had the express purpose of bringing community members and

scholars together to form community engaged research projects, which there was a great interest in among the local community. During this initial meeting, the assistant superintendent expressed an interest in a research partnership to evaluate their efforts, and I expressed an interest in partnering with them.

After the initial meeting, a series of meetings took place between initially myself and assistant superintendent, and then later myself, the assistant superintendent, and the principals of all three school sites. The purpose of these meetings was to determine a scope of investigation, and collaboratively arrive at what questions would be asked and how, to answer questions of theoretical and practical importance. With my expertise as a researcher, I guided the community partners toward the use of a mixed-methods approach, with survey questions which could be both quantified to track progress toward the goals they identified as being important, and qualitative questions which would help them to directly utilize feedback from their staff and make improvements. For constructs which they intended to measure using staff and student surveys, I helped guide them toward questions which could be combined into scale measures and yield somewhat more reliable results across the observations period. I also consulted during this period with an expert non-profit in community engaged research, and facilitated a partnership between them and the county office of education, to support the schools evaluation efforts.

Following these initial meetings, the schools had a survey for staff and for students which they administered before the end of the 2013 school year and for the next two years, with only minor changes. Acting as an independent community researcher, I helped the schools interpret the data which they gathered, to spot trends, and to make sense of the data. This mostly took place by email and a small number of meetings between the assistant superintendent and myself, but also involved all three principals in at least one more "sense-making" meeting. After this initial flurry of activity, my involvement in the schools activities was minimal, but my interest in restorative justice grew and I became trained in basic restorative practices through the International Institute of Restorative Practices, as well as a volunteer youth leadership trainer for some of the students at the three schools. After a second year of data collection took place, I again assisted in interpreting the data and engaged in collaborative sense-making with the assistant superintendent and the principals, some of whom were changing at this time. It was clear at this time that the data was not overly favorable of a significant positive effect taking place, which could be observed.

It was around this time that the assistant superintendent and I came up with a plan by which I would attempt to assist the schools in making some changes to their program, and to teach some basic restorative practices to staff, which they may not have been too familiar with. Principals were asked for their input on some potential changes, including changes to the main discipline referral form and other ideas, and during that meeting I expressed that it was important to involve all of the staff in any decision making, rather than just administrators, going forward. Even if I, or us collectively, thought we had the best ideas, I expressed that the process of involving all of the staff members in joint decision making and listening to their ideas and concerns, would theoretically result in greater uptake and involvement by staff members. Consequently, a staff meeting was set

up for all interested staff members, who would be paid to attend and discuss the state of the ongoing program as well as provide feedback on it, and any potential changes. I did not attend this meeting however, and had no say in the outcome, which was perhaps less than ideal in a true collaborative project. It was because of this type of compromise, for example, that the word "mediation" was kept in the discipline referral form, despite their being no mediation taking place. In retrospect, similar decision making meetings should have probably been expanded to include parents of attending children and perhaps students themselves, but I had nowhere near the power to make that happen.

In any case, some changes to the discipline referral form were adopted and we set up some initial training periods which we agreed to call professional learning groups, during paid time which was set aside for professional development. It was at this time that my involvement really shifted from the role of a community researcher, helping out the schools in their evaluation efforts as a side project – to a much more involved role in shaping the content of the intervention. Somewhat after I began facilitating professional development for staff, I determined that I was so heavily involved that I would make this project the subject of my dissertation, which made sense since I had at least somewhat of a role in shaping the intervention. As I facilitated trainings in the basics of restorative practices, including affective statements, restorative questions, and circle processes, I also conducted evaluation of those sessions and attempted to recruit staff members to co-teach central concepts, when possible. It was my opinion that each of these training sessions be evaluated on their own right, and that staff be asked about their usefulness and whether they should continue at all, as well as what worked or could be improved, and so I conducted such evaluation. Fortunately most staff agreed that they were useful and that they should continue, and so we continued them, but I had been prepared to discontinue the trainings completely if that was not the case. I considered such asking to be respectful of the teachers and staff's time, and another way of making the new approach more of a collaborative approach, as opposed to a top-down approach.

Although it was a collaborative process, throughout the process the county office of education has retained the control and ownership of its own data, which it also collected internally. All of the analysis that I present here can therefore be considered secondary data analysis in a sense, although I had some input into some of the design of the measures and collection of the data. Although I collected some data myself on my intervention, this was done solely for praxis improvement purposes, and not as part of a formal academic research effort, and so it is not presented here. All of the data which was collected and reported on students was aggregated and / or anonymous, or anonymized, before being analyzed, including surveys and mediation process records. This makes year over year within-subjects analysis impossible, but helps protect student and staff confidentiality. Permission to make use of this data for this dissertation was obtained from the assistant superintendent of career and alternative education within the county, as well as approved by the University of California's internal review board. We therefore turn now to the questions of interest to this dissertation, broken down by the outcome that was being measured, beginning with the effects of the two phases of implementation on student suspensions.

Chapter 2: Effects on Suspensions

When it comes to studying restorative justice / practices in school settings, one of the largest gaps is between what might be considered outcomes or goals emphasized in theory, and outcomes measured in practice. In practice, the most common outcome that seems to be measured is behavioral incidents or suspensions – although in theory these outcomes are seldom mentioned as either goals or necessary outcomes. Nonetheless, those concerned with actual implementation of these practices frequently tout reduction in suspensions and behavioral incidents as the most studied outcome (Gonzalez, 2012), leading to the implied expectation that implementing restorative justice will lead to these results. Perhaps because of these expectations, it seems common to judge the success or failure of a program based on its effect upon suspensions or behavioral incidents—making this a reasonable starting place for an evaluation-- although these outcomes may not tell the whole story. This section of the dissertation will therefore focus on evaluating the effects of two different phases of attempted implementation of restorative justice / practices, at three alternative education schools, on suspensions and suspension incidents.

It is important to understand that each phase as an *attempt at implementation* rather than an implementation of a concept, and also that each concept can at best be considered a *restorative-like* model, rather than a restorative justice model. The reason for emphasizing this is that the concept and even the language around the concept of restorative justice / discipline / practices, is understood to mean different things by different camps of people. Critics have correctly pointed out that the concept is ill-defined and there is no consensus on how it should be applied (Daly, 2000; as cited in Fields, 2003), while others share this concern, but describe the concept as still evolving (Reyneke, 2011). Therefore it is important to understand any evaluation of a program that may or may not contain restorative elements as a test of a *restorative-like* model, rather than a test of restorative justice, broadly defined. Similarly, an attempt at implementation must be understood as an attempt, rather than an implementation—recognizing that in this particular context, the implementation can be a field of study in itself. Articles that focus on restorative justice implementation frequently raise concerns about whether restorative practices might just still be about compliance (McCluskey, et. al., 2011), and the difficulty of overcoming the inertia of ingrained attitudes about punishment (Karp & Breslin, 2001; Fields, 2003). Therefore it is important to consider both the concepts that were intended to be implemented, and the success of the attempt at implementation, when evaluation such models.

This evaluation is focused on two different attempts at implementing restorative-like models, in three alternative education high schools, in two sequential phases. The first phase began in the 2012-2013 school year, and was modeled on a program called Urban Essentials 101 (Lockett, 2006) and involved all staff being trained by the author of the program, who was also eventually hired as a principal of one of the sites, on the second year. The most significant processes that were put into place were the introduction of an in-school suspension classroom, a disciplinary referral form which both students and teachers were supposed to fill out, and a meeting between the teacher and student that was supposed to occur following any incident. The behavioral skills that

were emphasized in training staff included setting a professional tone and posture, keeping a routine and involving students in tasks, recognizing student achievements and treating students with respect, and keeping ones classroom organized and clean. This training was delivered largely in two full-day seminars prior to the beginning of the school year, and was essentially a top-down, mandated implementation.

The second phase of implementation began in 2014-2015 school year, and was delivered by myself in the form of a small series of professional learning groups / facilitated trainings, in two hour blocks or less, for all staff at each at each individual site. The most significant change in process that was put in place was a change in the language of the disciplinary referral form, which was adopted on my recommendations after any interested staff had the opportunity to meet and discuss this and other issues over the summer (with paid time). The behavioral skills that were emphasized in training were based on a small number of what some consider the essential elements of restorative practices, and included experiential training on affective statements, restorative questions, and pro-active circles. This training was delivered largely without any mandated expectation that any of the skills or strategies would be applied, made an effort to self-evaluate and adapt to individual staff needs and concerns, and was delivered no more frequently than once a month in two-hour (paid) after school blocks. A total of fifteen such trainings were facilitated, across all three school sites, mainly in the fall of 2014.

It is impossible to say definitely that either model is or is not restorative justice, although it may be possible to compare them against different standards of what restorative justice should be. Broadly speaking, both phases of implementation fall far short of what would be considered an ideal whole-school implementation attempt. The first phase, however, seems to contain very little of what the literature typically identifies as restorative justice skills or processes—with the closest analogue being the individual conferences that are supposed to take place between students and staff, though without any of the behavioral skills training to make those conferences a success (and without a neutral mediator as well). Lacking most of these elements, the bulk of the intervention seems to fall on this quasi-mediation approach, and the in-school suspension classroom. Given these limitations in both concept and implementation, a modest or temporary effect on suspensions was hypothesized. The second phase of attempted implementation was similarly limited in scope, but intentionally contained training in at least a few more of the skills and processes typically identified as restorative skills and processes, and modified the language of the discipline referral form to be based on restorative questions. How the implementation was attempted was also based on the restorative practice of working "with" people to as opposed to for them, or doing to them—which is considered by some to be an essential element of how to manage change toward a restorative model (Costello, Wachtel & Wachtel, 2009). Given these modest improvements, a slightly larger or more lasting effect on suspensions was hypothesized for the second phase.

2.2. Method

For this analysis, suspension data was structured as a quarterly rate, which was then analyzed as a time-series. The goal of this analysis was to examine two interruption

points in the time-series of suspension rates to determine if they coincide with changes in the slope or intercept of those suspension rates. There were a total of 16 time points available for analysis, comprising a four year period of observation (4 quarters of observation, per year). The first interruption was the introduction of the Urban Essentials 101 Program and the associated in-school-suspension classroom, which occurred between 2011-2012 and 2012-2013 (See Figure 2.1). The second interruption was the introduction of facilitated restorative professional learning groups and associated changes to the primary discipline referral form, which occurred between 2013-2014 and 2014-2015. In order to avoid conflating any two of these potentially important events within one analysis, the analysis was separated into two phases. In phase 1 of the analysis, the final year of observations were omitted, resulting in a comparison across just one interruption / IV, and allowing tests of hypotheses related to that IV. In phase 2, the first year of observations were omitted, resulting in a comparison across just the second interruption / IV. Thus, a total of only 12 observations were used for either analysis, where the period of time from 2012-2014 acted as the intervention period for the first analysis, and the baseline period for the second.

Timeline of Events, Interruptions, and Periods of Analysis

Year	2011-2012				2012-2013				2013-2014				2014-2015			
Phase 1 Analysis	1	2	3	4	5 X	6 X	7 X	8 X	9 X	10 X	11 X	12 X	--	--	--	--
Interruption / Intervention			Urban Essentials 101 Training (Phase 1)								Facilitated Restorative PLG Training (Phase 2)					
Phase 2 Analysis	--	--	--	--	1	2	3	4	5	6	7	8	9 X	10 X	11 X	12 X

Figure 2.1: Timeline of Events, Interruptions, and Periods of Analysis.

Data / Participants

The data gathered for these analyses were initially collected by three separate community school sites, which were then aggregated and shared for the purposes of this research. These three school sites represent community schools serving 6th through 12th grade students (although mostly 9th through 12th grade), in the central valley region of California. As the data is aggregated, very little can be said about the demographic makeup of the students at each site, however the students are generally recognized as high-risk and high-needs, with the majority of students being on formal juvenile probation and the vast majority qualifying for free or reduced price lunch. Overall, the total cumulative unduplicated enrollment across all three sites began at 1189 in the 2011-2012 school year, and dropped steadily to 690 in the 2014-2015 school year. It should be noted that this number represents unduplicated enrollment at three community school facilities which are, by their nature, transitionary for many students. Students are

constantly transferring in from feeder schools, transferring back out, moving, dropping out, and graduating on their own timeline. Consequently average daily attendance is significantly lower than this number, although it was not tracked or reported in aggregate. A more detailed breakdown of the student population is available from the survey portion of this dissertation, while the present section only examines aggregate suspension rates. This analysis of aggregated and unidentifiable data was approved by the UC Merced Institutional Review Board.

Measures

As a matter of routine data collection, each site collected data on unduplicated cumulative enrollment, cumulative home suspension incidents, cumulative full-day-home suspensions, cumulative partial-day home suspensions, as well as cumulative in-school-suspension periods once that became an option. From these cumulative counts, which were reported quarterly, it was possible to compute a quarterly non-duplicated count of each variable by simply subtracting the previous quarters cumulative count from the current cumulative count, beginning each academic year. This yielded 16 separate observations for each variable, in a time-series. To enable a meaningful comparison across time, a *total full-day-equivalent* suspension rate was created by weighting full-day-home suspensions by a factor of 1, partial-day home suspensions by a factor of 0.5 (counting each partial day as half a day on average), and in-school suspension periods by a factor of 1/7 (there being 7 periods in the day at these schools) – and dividing the whole numerator by the total unduplicated enrollment at the site. This can be considered the main outcome variable, however additional variables were computed which may be of additional practical importance. A *home-only* full-day-equivalent suspension rate was calculated by only including full-day home and partial-day home suspensions, but not in-school suspensions, while an *in-school-only* full-day-equivalent suspension rate was calculated that only took those into account. Finally, a rate of suspension *incidents* was calculated using that variable over the total unduplicated enrollment. To further collapse this data into concise and usable form, sums across all sites were computed to allow for a single, main analysis—while the separate school sites could be examined individually for exploratory analysis.

Analysis

For the analysis of these data, a combination of visual analysis and quantitative analysis using ARIMA modeling was performed. ARIMA modeling is a statistical comparison of time trends before and after an intervention, accounting for autocorrelation of observations. The decision to use this type of modeling was based on a review of appropriate techniques for different study designs put out by the Cochrane Review Group on Effective Practices and Organization of Care (EPOC, 2015), and closely followed an online tutorial put out by the group (EPOC, 2013), using a non-seasonal autoregressive coefficient of 1. Time-point, a dummy coded intervention variable, and an interaction variable where included as predictors, and intercepts were centered on interpretable time points as described by EPOC (2013). Furthermore, it was hypothesized that most rate variables would have a seasonal effect of increasing across the academic year as actual

attendance increased (as students were being referred out of feeder schools), so the quarter of each academic year was coded and included as an additional predictor variable, where it improved model fit and predicted the outcome at $p < .10$ (two-tailed).

Three main hypotheses were examined for the phase 1 analyses, all concerning suspension rates. First, the *total* full-day-equivalent suspension rate was tested for a change in slope at the intervention point, or an immediate (3 month) or sustained (1 year) change in predicted intercept. Next, the *home-only* full-day-equivalent suspension rate was tested for these possible changes. Finally, the rate of suspension *incidents* was tested for these possible changes. Based on the limited structure of the phase 1 intervention, I hypothesized a one-time change in intercept but not slope of the *total* and *home-only* full-day-equivalent suspension rate – but no changes in any other slope or intercept.

Next, the same three hypotheses were tested in phase 2 analyses of the second intervention point, as well as a fourth hypothesis, that of an expected change in the *in-school-only* full-day-equivalent suspension rate. This fourth hypothesis is able to be tested in phase 2 analyses but not phase 1 analyses, because the variable did not exist in the baseline period of phase 1. Based on the more theoretically grounded structure of the phase 2 intervention, I hypothesized changes in both the slope and intercept of all four variable rates, at the intervention point and beyond out to one year. Following these main analyses, the observations were separated by contributing school site and re-analyzed by site using the same procedures, which can be considered exploratory.

2.3. Results

The first phase of the analysis examined the first three years, or twelve observations, for potential changes to suspension rates coinciding with the introduction of the Urban Essentials 101 training and an in-school suspension classroom. First, the total full-day-equivalent (FDE) suspension rate was examined. Visual analysis did not reveal any decrease coinciding with the intervention (between time-points 4 and 5), and did not appear to show any major change in slope (Figure 2.2). ARIMA modeling fit the data relatively well ($R^2 = .886$), and also did not show any significant change in slope of the suspension rate, nor significant effect at the 3-month or 12-month level. Although there was a marginally significant increase at the 3-month level, the directional hypothesis was in the opposite direction, so this must be considered non-significant. A summary of these and other phase 1 results is presented in Table 2.1.

Next, the *home-only* FDE suspension rate was examined. Visual analysis revealed what appeared to be a sizeable drop in this rate after the intervention period, but did not appear to show any major change in slope (Figure 2.3). ARIMA modeling achieved modest fit ($R^2 = .706$), and also did not show any significant change in slope of the rate, but did show a significant decrease at the 3-month and 12-month period—considering the directional hypothesis (Table 2.1).

Finally, the rate of suspension incidents was examined. Visual analysis revealed the clearest evidence of a seasonal escalation effect, but no clear indication of a decrease or change in slope associated with the intervention (Figure 2.4). ARIMA modeling again

achieved modest fit (R^2 = .665), and showed a significant seasonal escalation effect, but no significant change in slope or intercept at either centered time point, although there was near-significant increase at the 3-month period (Table 2.1).

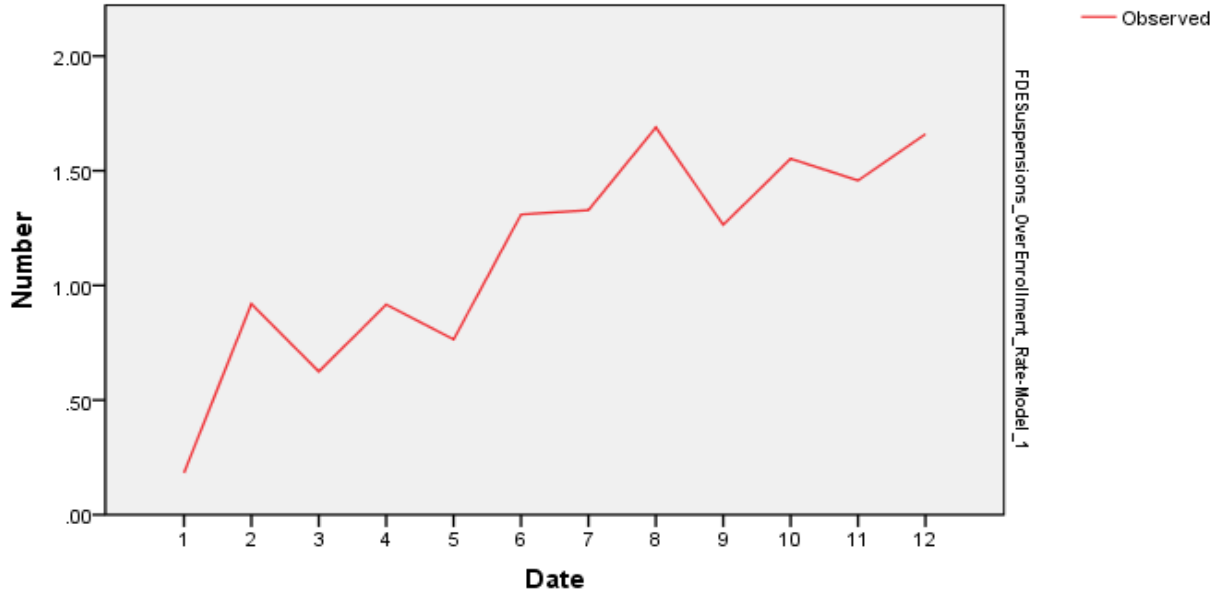

Figure 2.2: Total full-day-equivalent suspension rate per quarter, 2011-2014.

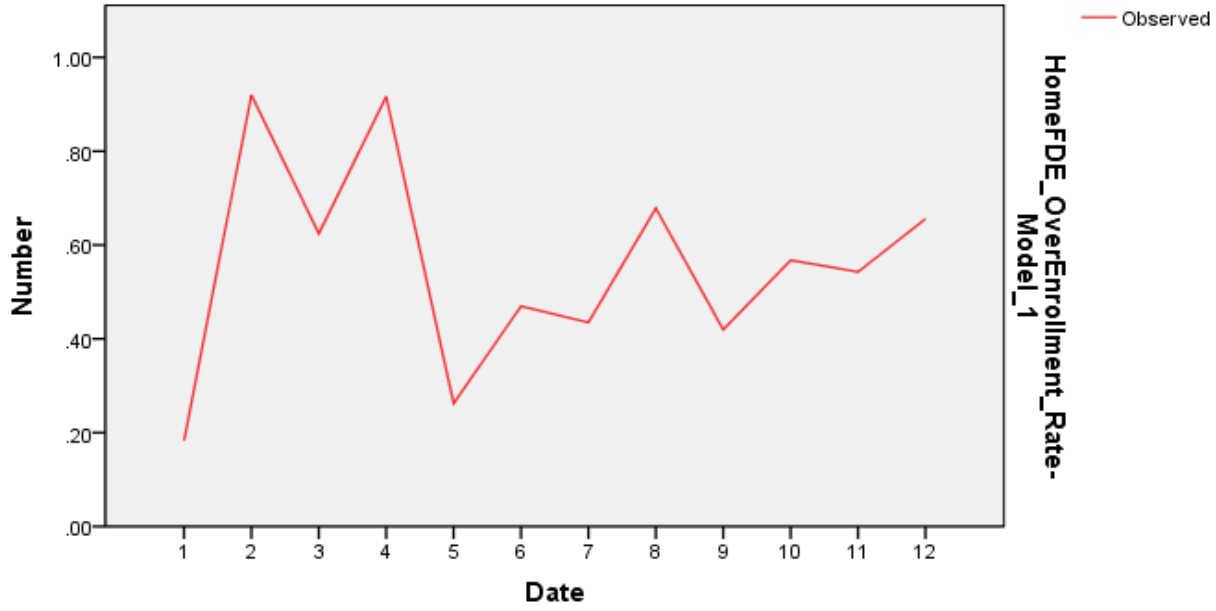

Figure 2.3: Home-only full-day-equivalent suspension rate per quarter, 2011-2014

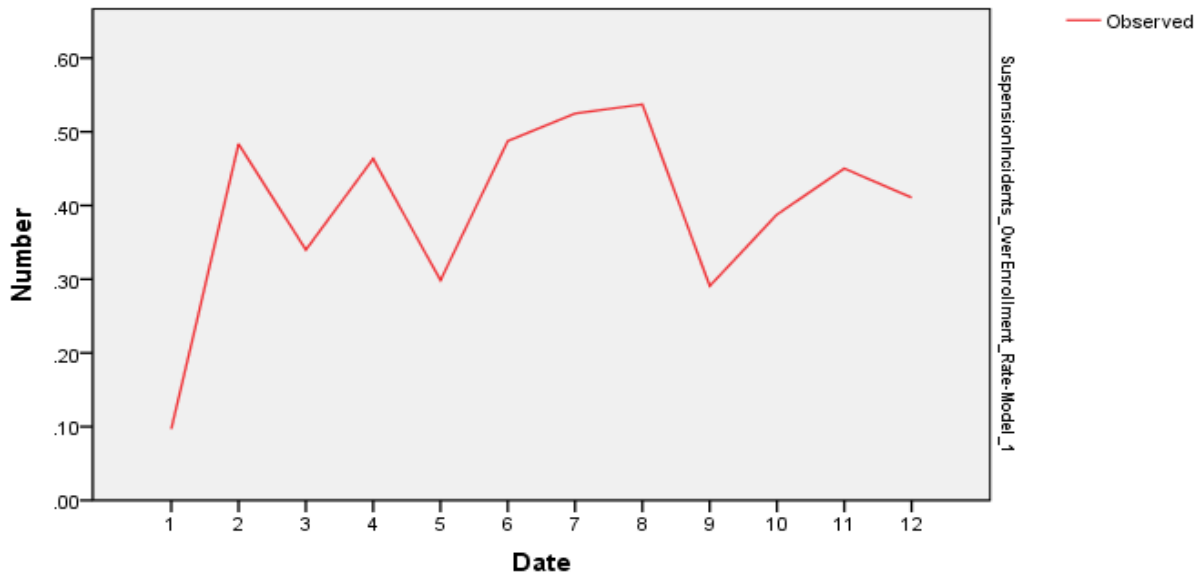

Figure 2.4: Rate of suspension incidents per quarter, 2011-2014

Table 2.1: Phase 1 ARIMA model parameter estimates

	Initial Time Trend Estimate (Sig.)	Seasonal Trend Estimate (Sig.)	Interaction Estimate[1] (Sig.)	3-Month Effect[2] (Sig.)	12-Month Effect[3] (Sig.)
Total F.D.E. Suspension Rate	-.016 (.852)	.117† (.081)	.070 (.404)	.572† (.067)	.782 (.144)
Home-Only F.D.E. Suspension Rate	.055 (.194)	.053† (.080)	-.032 (.405)	-.404* (.012)	-.499† (.055)
Suspension *Incidents* Rate	-.030 (.334)	.081** (.006)	.011 (.694)	.213† (.052)	.246 (.178)

[1] Change in slope of the rate between the baseline trend estimate, and post interruption estimate.
[2] Change in intercept of the rate centered on the first time point after interruption (3 month)
[3] Change in intercept of the rate centered on the fourth time point after interruption (12 month)
† Significant at $p < .10$, or $p < .05$ one-tailed.
* Significant at $p < .05$
** Significant at $p < .01$

The second phase of the analysis examined the latter three years, or twelve observations, for potential changes to suspension rates coinciding with the occurrence of facilitated restorative professional learning groups and associated changes to the primary discipline referral form, which occurred between 2013-2014 and 2014-2015. First, the total full-day-equivalent (FDE) suspension rate was examined. Visual analysis appeared to reveal a large decrease coinciding with the intervention (between time-points 8 and 9), as well as a possible change in slope (Figure 2.5). ARIMA modeling fit the data very well (R^2 = .914), and also showed a significant change in slope of the suspension rate, a large significant decrease in the rate at 3-months, and a larger significant decrease at 12-months. A summary of these results are presented in Table 2.2.

Next, the *home-only* FDE suspension rate was examined, for this time period. Visual analysis revealed clear evidence of a seasonal escalation effect, as well what might be considered a drop in the rate following the intervention period, but no clear change in slope (Figure 2.6). ARIMA modeling achieved good model fit (R^2 = .884), and showed a significant decrease in the rate at the 3-month and 12-month period, as well as a significant baseline trend and seasonal effect, but no significant change in slope at the interruption (Table 2.2).

Next, the rate of suspension incidents was examined, for this time period. Visual analysis again confirmed clear evidence of a seasonal escalation effect, and appeared to show a decrease in the rate following the intervention period, but no clear change in slope (Figure 2.7). ARIMA modeling achieved good model fit (R^2 = .854), and demonstrated the significant seasonal escalation effect, as well as a significant decrease in slope, and a significant decrease in the rate of incidents by the 12-month period (consistent with the directional hypothesis) (Table 2.2).

Finally, the *in-school* FDE suspension rate was examined, which was not possible to examine for the phase 1 analysis. Visual analysis revealed a clear indication of a large decrease in the rate associated with the intervention, as well as a possible decrease in slope (Figure 2.8). ARIMA modeling achieved excellent model fit (R^2 = .941), and showed a significant decrease in slope, a significant decrease at 3-months, and a very large and significant decrease in the rate at 12-months (Table 2.2).

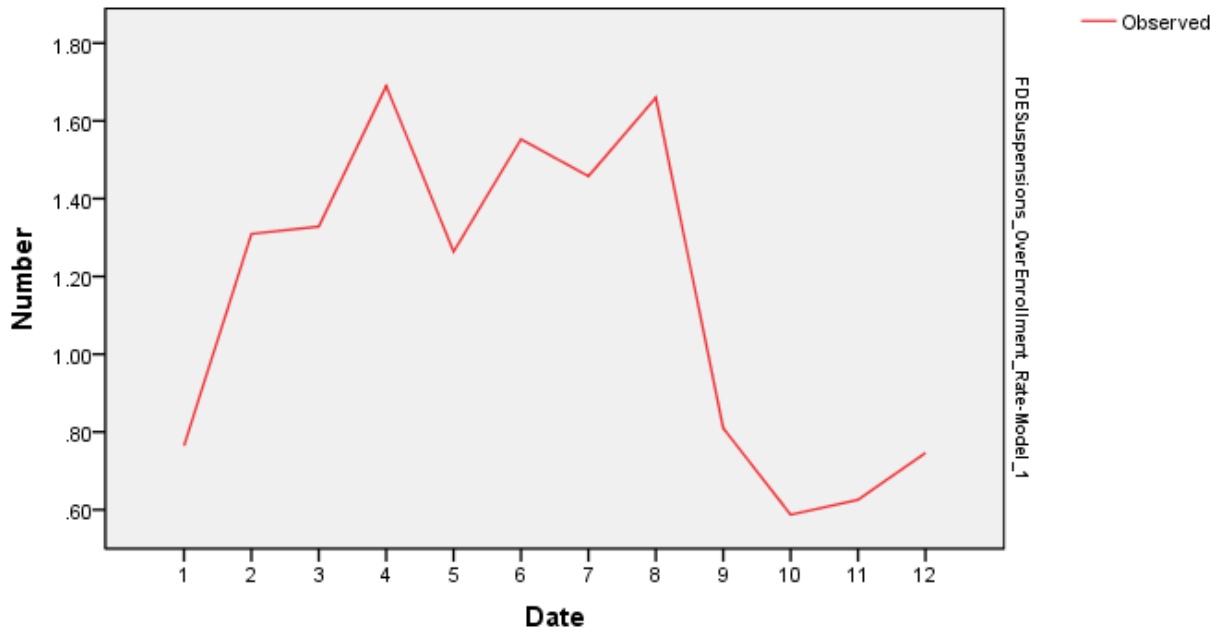

Figure 2.5: Total full-day-equivalent suspension rate per quarter, 2012-2015.

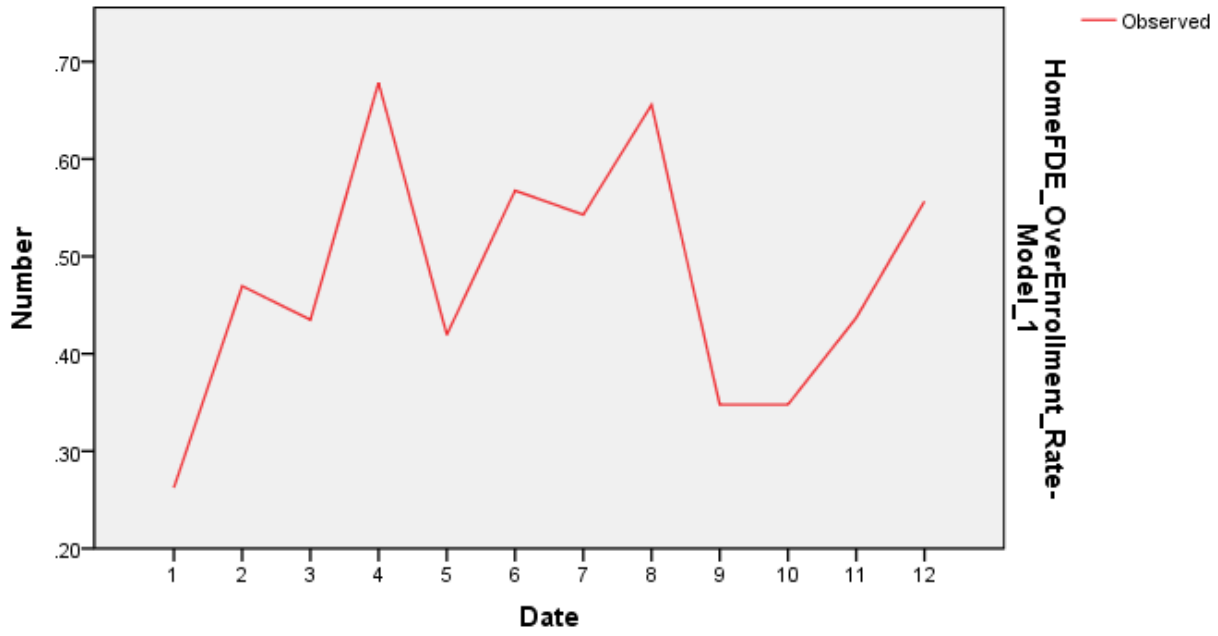

Figure 2.6: Home-only full-day-equivalent suspension rate per quarter, 2012-2015

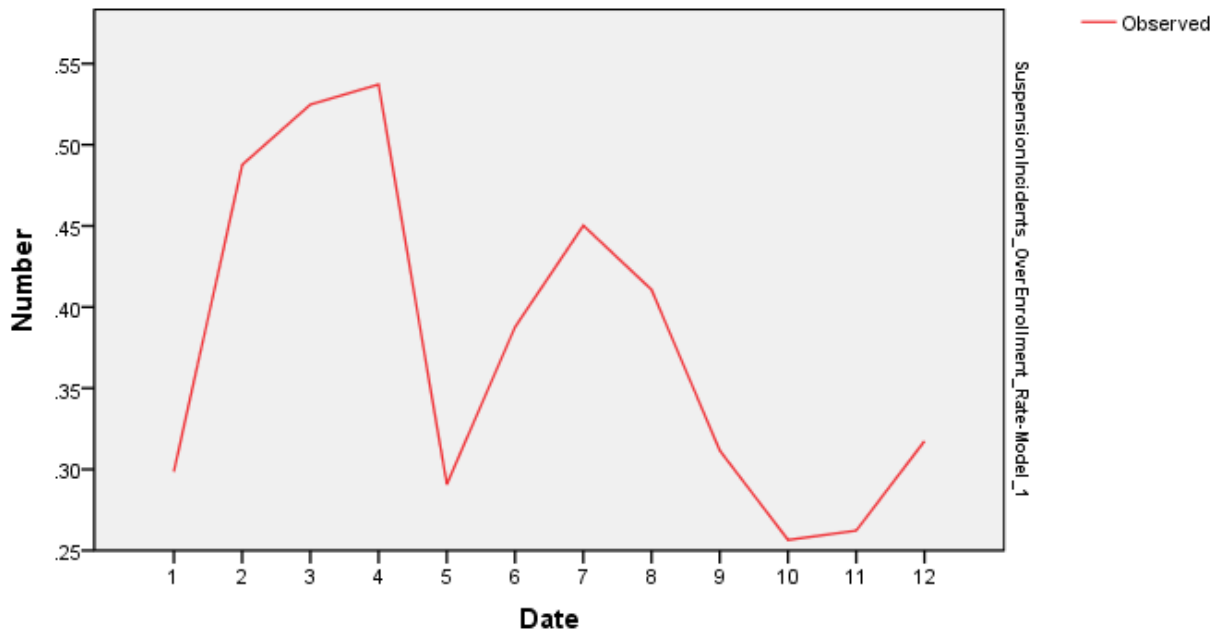

Figure 2.7: Rate of suspension incidents per quarter, 2012-2015

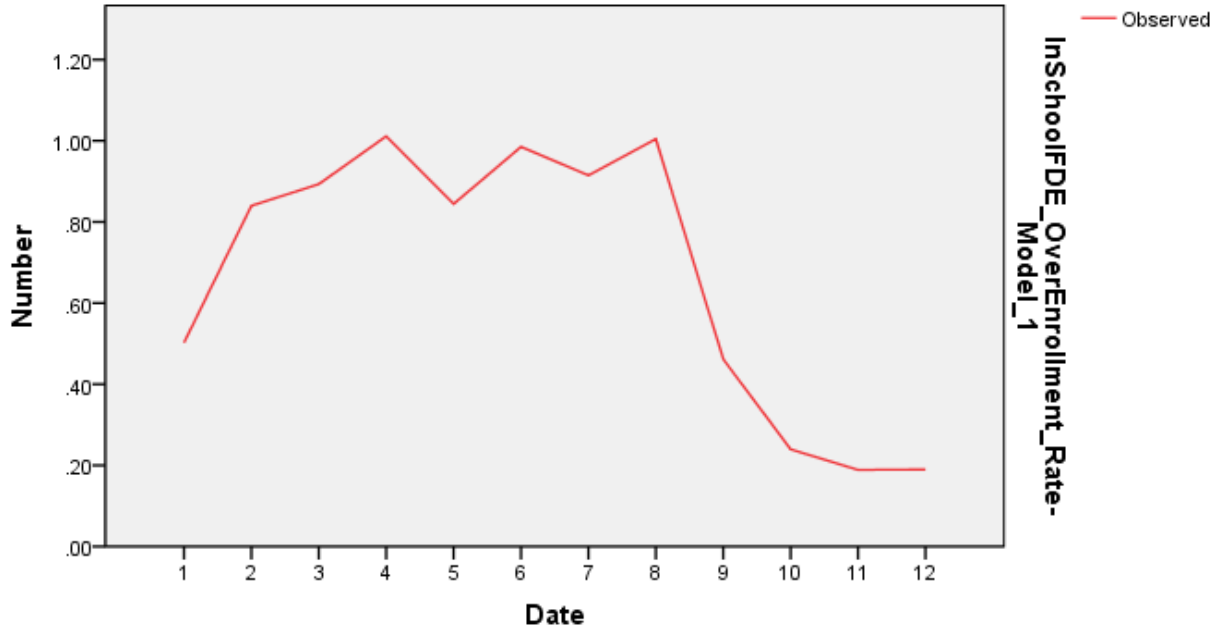

Figure 2.8: In-school full-day-equivalent suspension rate per quarter, 2012-2015.

Table 2.2: Phase 2 ARIMA model parameter estimates

	Initial Time Trend Estimate (Sig.)	Seasonal Trend Estimate (Sig.)	Interaction Estimate[1] (Sig.)	3-Month Effect[2] (Sig.)	12-Month Effect[3] (Sig.)
Total F.D.E. Suspension Rate	.054* (.041)	.122† (.062)	-.181* (.044)	-.773** (.006)	-1.317*** (.000)
Home-Only F.D.E. Suspensions	.024* (.010)	.056* (.017)	-.007 (.765)	-.226** (.008)	-.247** (.004)
Suspension *Incidents*	-.020* (.016)	.078** (.002)	-.050† (.057)	.041 (.475)	-.110† (.075)
In-School F.D.E. Suspensions Rate	.031 (.101)	.065 (.133)	-.176* (.015)	-.544** (.008)	-1.072*** (.000)

[1] Change in slope of the rate between the baseline trend estimate, and post interruption estimate.
[2] Change in intercept of the rate centered on the first time point after interruption (3 month)
[3] Change in intercept of the rate centered on the fourth time point after interruption (12 month)
† Significant at $p < .10$, or $p < .05$ one-tailed.
* Significant at $p < .05$
** Significant at $p < .01$
*** Significant at $p < .001$

Exploratory Results

Following the main analyses, the observations were separated by contributing school site and re-analyzed by site using the same procedures, which can be considered exploratory. Although it would be possible to re-run the analysis for every calculated variable, for utility of interpretation only the results for what can be considered the main outcome variable, the full-day-equivalent suspension rate, are presented. A visual analysis of the complete time-series appeared to reveal a generally steady increase across the first three years of observation, showing no effect or a possible increase in conjunction with the first intervention, but what appears to be a clear decrease and a change in slope in conjunction with the second intervention (Figure 9). ARIMA modeling varied in fit by phase and site (R^2 = .610 - .947), and largely confirmed the lack of anticipated effect associated with the first interruption, with the exception of one site which experienced a significant increase in slope and sizeable increase in rate at both the

3-month and 12-month post-intervention period—all contrary to the intended effect (site C). In contrast, the second interruption was associated with predicted changes in slope of the time-series (decreases) across all three sites, two out of three being significant in line with the directional hypothesis. Furthermore, two of the three sites experienced very large and significant intercept effects at both 3-month and 12-month post-intervention time points, and the third site experienced a non-significant drop by the 12-month time point. A summary of these results are presented in Table 3.

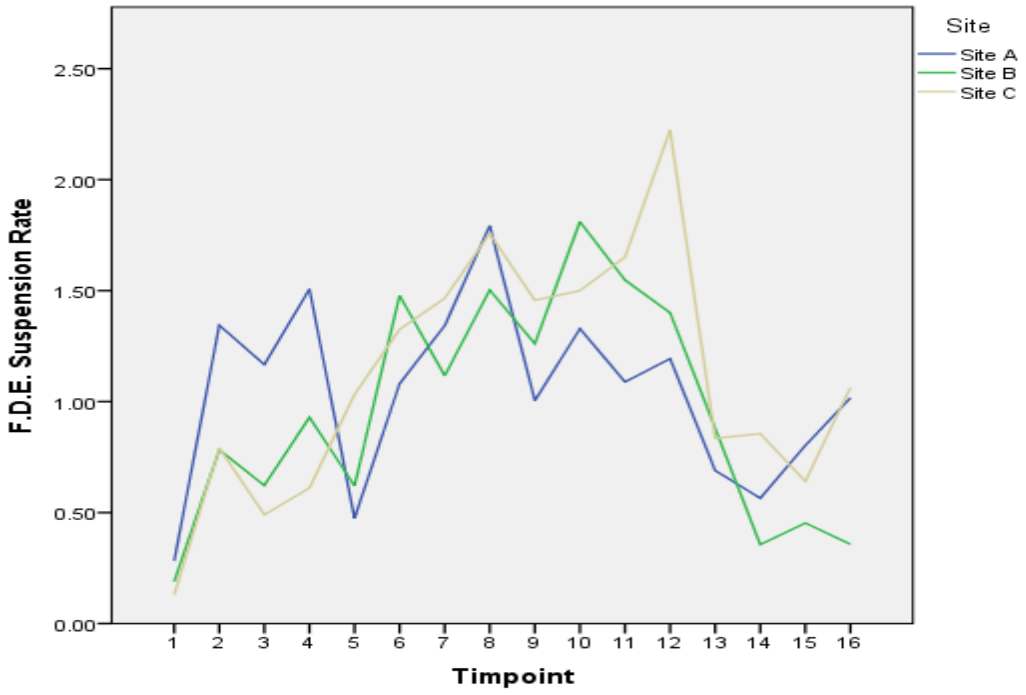

*Figure 2.9***:** Total full-day-equivalent suspension rate per quarter, by site, 2012-2015.

Table 2.3: ARIMA model parameter estimates for F.D.E. suspension rates, by site.

		Initial Time Trend Estimate (Sig.)	Seasonal Trend Estimate (Sig.)	Interaction Estimate[1] (Sig.)	3-Month Effect[2] (Sig.)	12-Month Effect[3] (Sig.)
Phase 1	Site A	.119	.232	-.124	-.192	-.564
		(.595)	(.132)	(.550)	(.792)	(.655)
	Site B	.123	-.015	-.033	.126	.028
		(.298)	(.840)	(.758)	(.718)	(.965)
	Site C	-.112	.161**	.181*	1.038**	1.580**
		(.115)	(.008)	(.020)	(.001)	(.004)
Phase 2	Site A	-.013	.252*	-.164	.083	-.410
		(.892)	(.047)	(.396)	(.896)	(.626)
	Site B	.088**	-.030	-.164†	-1.190**	-1.681***
		(.009)	(.634)	(.095)	(.001)	(.000)
	Site C	.071**	.168*	-.240*	-.778**	-1.497***
		(.007)	(.018)	(.016)	(.007)	(.000)

[1] Change in slope of the rate between the baseline trend estimate, and post interruption estimate.
[2] Change in intercept of the rate centered on the first time point after interruption (3 month)
[3] Change in intercept of the rate centered on the fourth time point after interruption (12 month)
† Significant at $p < .10$, or $p < .05$ one-tailed.
* Significant at $p < .05$
** Significant at $p < .01$
*** Significant at $p < .001$

2.4. Discussion

Results from the first phase of the analysis are mixed when it comes to the effectiveness of the Urban Essentials 101 program at reducing school suspensions. While the introduction of the program was associated with a significant reduction in *home* suspensions at 3 months and one year out, this reduction is largely offset by an incalculable increase in *in-school* suspension—which is incalculable because the category did not exist prior to implementation. In other words it appears that many students were now simply being sent into an in-school-suspension classroom, as opposed to sending them home, without necessarily any other effect. When the full-day-equivalent rate includes those suspended in-school as well as out-of-school, there is instead a sizeable, though non-significant ($p = .067$) increase in the rate. Similarly, the rate of suspension incidents also showed an immediate increase that is just outside the range of statistical significance ($p = .052$), although it is troubling. Instead of providing a wider base of support for the beneficence of the program, these latter results raise the

specter of possibility that some aspect of the program, or its implementation, may even be counter-productive.

Results from the second phase of the analysis are more consistently supportive of a positive effect. The introduction of a small number of restorative practices, taught in short duration facilitated learning groups, was associated with significant immediate reductions in three of the four rates examined (home, in-school, and FDE suspension rates, all p's < .01), and significant year-out reductions in all four of the rates examined (home, in-school, FDE, and incident rates, all p's < .05). To interpret those reductions as percentages, the relative 3-month effect on full-day-equivalent suspensions is an estimated 51% decrease, and the relative 12-month effect is an estimated 66% decrease. For home suspensions, there is a relative 3-month effect estimate of a 44% decrease, and a relative 12-month effect estimate of a 32% decrease, while the relative effect estimates for in-school suspensions are a 58% decrease and a staggering 88% decrease, respectively—almost eliminating the need for the in-school suspension classroom. Furthermore, there were significant negative changes observed in the slope (time trend) of three out of four time-series (in-school, FDE, and incident rates), in the direction hypothesized. These observations would seem to support the hypothesis that introducing restorative practices, at least when well implemented, can have not only short-term or one-off effects, but potentially sustained effects or alter the trajectory of suspension rates. Theoretically, these effects are thought to be achieved by repairing or restoring relationships between students and adults within a school, such that less frequent or less severe rule-breaking occurs—and when it does, corrective action can become more effective.

If there are productive elements to either approach, one assumes they are the result of both the concept of the approach, and its successful implementation. In the case of the first approach (phase 1 analysis), the observed reductions in home suspensions can probably be explained most parsimoniously by the addition of in-school suspension classrooms, which were implemented without question. In the case of the second approach, the observed reductions in multiple examined rates (including both in-school, and home suspension rates), as well as the negative changes in slope of multiple trends, must either be explained by the combination of the approach and its implementation, or some unobserved third variable(s). Ignoring for now the third-variable possibility, some possible elements that may have helped this approach succeed is a substantial shift toward a "working with" approach when it comes to implementation (Costello, Wachtel & Wachtel, 2009). Staff engagement was solicited from the very first learning group, and skills such as affective statements, restorative questions, and proactive circles were taught in an experiential manner so as to influence teacher's implicit attitudes about the usefulness of the practices – while no explicit mandates were made with respect to using any of these practices. The actual content taught was fairly limited in scope, and included only the aforementioned trainings, and changes in the main disciplinary form to include restorative questions, which were also carried out with staff input into the process. There are many more common restorative practices that could have been implemented and implemented more extensively – but these modest practices seemed to be associated with a substantial positive effect.

In contrast to a positive effect, if there are counter-productive elements that are associated with an approach, such as possible increases in the rate of incidents or FDE suspensions associated with the first approach, then it is not possible to attribute them definitely to either the content of the program, or to its implementation. In other words the content could be great but the implementation may have failed, or vice versa. In this case, the implementation attempt seemed to be very "top-down" driven, which some experts warn are less likely to achieve effective and meaningful change, based on the external pressure not being internalized by an organization's staff (Costello, Wachtel & Wachtel, 2009). It is possible that this top-down approach met with active resistance, which undermined its potential. An argument could also be made that the model and intentions of the program itself were not sufficiently restorative or beneficial, exactly as implemented. For instance the option of an in-school suspension classroom as an acceptable option for removing disruptive students may have given teachers a "restorative stick" to punish students with. The forced conference (not voluntary) between the two parties, combined with lack of focus on the philosophy and skills required to conduct them, and the lack of any true mediator, may have worked to exacerbate relational tensions between students and teachers as the year wears on. This could lead to increases in suspension incidents in the short term, as well as an increase over the academic year—which is consistent with short term rate changes observed, and the seasonal pattern observed.

In any case, with the analysis of any time-series data such as this it is important to keep in mind possible alternative explanations, which could be any historical confound that was changing at around the same time as the changes in question. For example two out of the three schools under observation experienced leadership changes during the observation period, with one school's principal changing twice in that period. It is plausible that changing leadership within a school could positively or negatively impact suspension rates. Similarly, all three schools in question experienced steadily declining enrollment across the observation period, resulting in a potentially changing student population, as well as a changing staff population. It is possible that as fewer students were being referred to these alternative schools each year, those who were being referred were becoming more and more behaviorally challenging – which one might presume would drive suspension rates higher. However even if this is this case, the effect should be partially captured in the initial time trend estimate, and is presumably working in the opposite direction to the negative changes observed in phase two. A potentially more plausible alternative explanation might be a changing teacher population, which could result from certain teachers leaving or being laid off as each schools funding shrank. Depending on the quality of the teachers being let go or leaving, and how much they affect overall suspension rates, then the shifting population of staff at any given school could positively or negatively impact the rates. In this analysis, these possibilities were not examined in detail – however in order to explain the observed effects, there would have to be a substantial coinciding change in staff.

A few limitations of this analysis are that there are relatively few data points in each time series, meaning that small or moderate sized effects were unlikely to be detected, and the estimates of any effect sizes are imprecise. Furthermore, as with any

statistical model, the model specified in these analyses is likely to contain a certain amount of misspecification, and it is possible that another model might fit the data more precisely, enabling better estimates of effects. Fortunately, the visual analysis of the time-series is unaffected by the chosen statistical model, and some of the effects can be plainly observed visually. Aside from analytical limitations, another limitation to this study is that it is not possible to draw far reaching implications about the effectiveness of restorative justice as a whole, from either of these approaches. The reason for that is that even with the second approach, there was only a very limited implementation of restorative practices – while with the first approach, there was even less and possibly no implementation of restorative practices, depending on how you define them. Therefore whatever conclusions can be drawn from either study, they must be drawn in this context.

Future research should continue to evaluate the effects of attempts at implementation of restorative justice within school settings, while doing a better job of categorizing and reporting what active elements are included in the intervention, as well as the implementation strategy. Practitioners and administrators should take warning to avoid implementing "restorative-in-name-only" programs, and consider consulting with an established authority on what elements are commonly considered to be restorative practices (IIRP, 2011). Similarly, the implementation strategy of any attempted intervention should be more carefully scrutinized and reported, with an eye toward how collaborative versus "top-down" the implementation attempt is. Perhaps some future research effort can attempt to categorize the existing efforts that have been evaluated, by some rubric of restorative elements as well as implementation strategies, and attempt to determine which elements are the most useful ingredients of a program, and which strategies are the most effective at implementing that program. If theory is to be believed, than one would expect that the most collaborative "working with" approaches would be the most successful at implementation (Costello, Wachtel & Wachtel, 2009), although it remains to be seen what specific restorative practices are the most useful, and for what outcomes. A great deal more research will be needed to shed some light on these and other important questions.

Chapter 3: Staff and Student Surveys

When it comes to applying restorative justice in school settings, the non-scientific articles and books on the subject have blossomed (Evans, Lester, & Anfara, 2013), while evaluation efforts have been scarcer. Some have noted that "as the multiplicity of restorative justice innovations has grown, at systemic and grassroots levels, theoretical and evidence-based research has fallen behind." (Morrison & Ahmed, 2006, p. 214). Indeed, that is still the case almost ten years later, even as restorative justice has grown from a fringe idea to a much more mainstream concept. Most frequently, school districts and individual schools attempt to implement *restorative-like* programs—with little or no evidence of their effectiveness, and little or no research to evaluate their success. Most of these projects are small scale independent efforts with limited scope of practice, and most of the literature that exists on these efforts comes almost exclusively from individual institutions that have been successful and want to showcase their own success (i.e. Boulton & Mirski, 2006; Mirsky & Wachtel, 2007; Frey, Fisher & Smith, 2013), which raises the possibility of publication bias. Because of the relative dearth of independent evaluative research, many questions remain to be answered on both the theoretical and practical level, relating to individual *restorative-like* programs. Chief among them are questions relating to the effects of such programs on social-relational variables, such as school climate and teacher-student relationships, as well as implementation questions relating to the specific elements of the initiative. In this section, we will look beyond the most commonly reported outcome of behavioral incidents / suspensions, and examine a snapshot of such social-relational and implementation variables, in one particular effort by three alternative education schools, over a three year period.

The importance of such variables, particularly teacher-student relationships, as desired outcomes of restorative practices is widely recognized and emphasized in theory. There is widespread agreement that restorative practices in school settings should place a central emphasis on the role of relationships, and are hypothesized to improve them. (Hopkins, 2002; Chmelynski, 2005; Coatzee, 2005; MacReady, 2009; Drewery & Kescskemeti, 2010). In light of this, it seems eminently reasonable to measure such relationships through a quantifiable scale, and that is what this analysis attempts. Moreover, the secondary goal that is often sought or promised as a result of restorative justice initiatives, is an improved school climate, including both the institutional need for a safe and orderly environment, and the individual need for dignity and respect (Reyneke, 2011). Therefore this study attempts to measure the school climate, both through staff and student perceptions, and including elements of interest to the schools.

Of further but often neglected importance is the need for evaluation of the *process* as well as the outcomes of implementing restorative justice-- a topic which is discussed by many authors (Elliot and Gordon, 2005). This is an important point, in that there are many different ways to attempt to implement RJ, and not all of them are successful. (Gonzalez, 2012). Consequently this study includes an attempt to evaluate the perceptions of helpfulness of two key components of the initiative – the main discipline referral or "mediation" form, and the in-school-suspension-classroom – as well as the overall use of both such components, whether the process was correctly followed for

students, and overall institutional support for the program as a whole. These variables were all measured, as well as several additional qualitative and unreported variables, in an effort to engage in cooperative inquiry that is beneficial to all involved.

In the context of this intervention, the purpose of conducting these assessments was both to inform the wider field of practitioners, and to gain a snapshot that could be immediately put to use by the implementing institutions. As is often pointed out in the literature, there is a great need for both academic and education professionals to engage in cooperative inquiry, and to merge action and research in a way that is "seeing the whole," and allowing learned insights to lead to appropriate action (Reason & Bradbury, 2006). This is in sharp contrast to traditional academic paradigm of fragmentation through specialization, and the dichotomizing of action and research. It is also in contrast to educational paradigm that is primarily focused on action—on teaching—and not necessarily research. Yet to attempt to implement restorative practices is essentially a large-scale *experiment*, and self-assessment of this process is essential for the process itself to be successful, and maintain momentum (Costello, Wachtel & Wachtel, 2009). Therefore the insights from this assessment have already been put to use to inform the newest iterations of the program, but will hopefully also serve to inform the wider field.

The specific hypotheses tested by this study relate to whether various survey variables measured in school staff or in students, change from year to year. Since the intervention actually began on the same year as data collection, and data collection occurred during the spring – an improvement from year 1 to year 2 could not be interpreted as a "pre" to "post" intervention improvement, but could nevertheless be interpreted as a good sign that things were improving in conjunction with the implementation effort. Between year 2 and 3, some major changes were made to the main "mediation" form, or VSSMP, so it would seem reasonable to interpret large changes in the perceptions of this form as being causally related to these changes. Some limited restorative practices training was also carried out with staff during this time, which are at least theoretically linked to improved relationships and school climate, so changes to those variables at this time could be interpreted as support for that training. Any or no changes remain open to several interpretations though, as we will explore more in the discussion.

3.2. Method

Procedure

For this analysis, survey data was collected from both staff and students at three school sites, in the spring of 2013, 2014, and 2015. Surveys were collected online through Survey Monkey, with time and space provided for students and staff to complete the survey on school computers and during the school day. The process of designing the survey was carried out in a collaborative fashion as part of a CBPR effort, although the final decision making for survey content, as well as the responsibility to collect the data, and ownership of the data, all belonged to the county office of education. As such, the degree of researcher control over variable measurement and data collection was limited, and some notable issues may be present in the data. For example both 2013 and 2014

surveys were collected in the month of May, just before school got out for summer, while the 2015 survey was collected in the month of March. Similarly, total student participants by school site vary widely across years, suggesting the possibility of incomplete sampling at some school sites, for the some of the years. With these limitations in mind, the goal of this analysis is to examine staff and student perceptions of the helpfulness of various processes, the campus climate, and student-teacher relationships, across the three-year observation period. Two of these years coincided with the implementation of the Urban Essentials 101 program, so improvements during this time-period would suggest a positive effect from that program – while the third year coincided with a second implementation effort, so improvements in the final year would suggest a positive effect from those efforts. While MCOE retains ownership of all data, permission to conduct secondary analysis of the data was obtained from the county office of education, and approved by the UC Merced Internal Review Board.

Participants

Participants in this study was intended to consist of all staff and all students, at three alternative education community schools (grades 6-12), across a three year period. These schools serve a high-risk population of mostly high school aged students, but some middle school students – many of whom are on some form of probation, who are credit deficient, and who have been expelled or have suspended expulsions from other schools (Source, credit ReCCES presentation). For reasons which may be relevant to this analysis, total enrollment across school sites dropped each year of observation – and with the drop in enrollment, total staff across sites dropped each year as well. Thus, the total *N* for staff was 59 for 2013, 43 for 2014, and 39 for 2015, while the total *N* for students was 356 for 2013, 205 for 2014, and 193 for 2015. For staff, the only demographic information collected by survey was whether or not the staff member was certificated (as a teacher), and what site they primarily worked at – the results of which can be seen in Table 1.

As you can see, only one site (Site A) appeared to gain staff year over year – although it's possible that this is instead showing incomplete sampling on the earliest year. Meanwhile site C appears to show a substantial decrease in classified staff from 2013 to 2014, and then a rebound in 2015 – which seems like it is almost certainly incomplete sampling in 2014, rather than such a dramatic decrease. Thus we must be careful in not over-interpreting any potential results, in this context—although the aggregated data of staff at all three sites should hopefully be more reliable than any individual site.

Table 3.1: Staff membership across all sites.

What site location do you work at most?			Year			Total
			2013	2014	2015	
Site A	Are you a certificated or classified staff member?	Classified	5	9	7	21
		Certificated	6	8	7	21
	Total		11	17	14	42
Site B	Are you a certificated or classified staff member?	Classified	5	5	4	14
		Certificated	14	11	9	34
	Total		19	16	13	48
Site C	Are you a certificated or classified staff member?	Classified	14	2	7	23
		Certificated	15	8	5	28
	Total		29	10	12	51
Total	Are you a certificated or classified staff member?	Classified	24	16	18	58
		Certificated	35	27	21	83
	Total		59	43	39	141

Table 3.2: Student demographic information		Year	
		2013	2014
What grade are you in now?	6th	6 (1.7%)	4 (2.0%)
	7th	8 (2.3%)	13 (6.4%)
	8th	20 (5.7%)	24 (11.8%)
	9th	35 (10.0%)	29 (14.3%)
	10th	94 (26.9%)	60 (29.6%)
	11th	97 (27.8%)	42 (20.7%)
	12th	89 (25.5%)	31 (15.3%)
	Total:	349	203
Are you male or female?	Female	128 (36.8%)	56 (28.1%)
	Male	220 (63.2%)	143 (71.9%)
	Total:	348	199
What is your race or ethnicity? (please pick the race or ethnicity you identify with most	Hispanic	241 (69.9%)	129 (63.9%)
	White	41 (11.9%)	25 (12.4%)
	African American	21 (6.1%)	22 (10.9%)
	Asian	3 (0.9%)	3 (1.5%)
	Pacific Islander	8 (2.3%)	4 (2.0%)
	Native American	7 (2.0%)	5 (2.5%)
	Other	24 (7.0%)	14 (6.9%)
	Total:	345	202

Students who were surveyed likewise displayed an overall drop in numbers each year, with some possible sampling anomalies as well. Some demographic information was collected in 2013 and 2014, which consisted of grade level, gender, and ethnicity (Table 2), while the school site attended and length of attendance was collected for all three years (Table 3). Demographic data is presented as aggregated across all three sites. From the two years available, it appears that ethnicity of the students is relatively consistent with a majority being Hispanic, while there may be a slight shift toward somewhat younger, and more male, students (Table 2). This may simply be natural variance, or it may reflect a gradual change in criteria by which students are referred to the community schools from their primary institutions.

Table 3.3: Student attendance information across sites.

What site are you attending?			Year			Total
			2013	2014	2015	
Site A	How long have you been attending this site?	Began current semester	50(44%)	11(31%)	19(37%)	80
		Began last semester	30(26%)	9(26%)	14(27%)	53
		Began before last semester	34(30%)	15(43%)	19(37%)	68
	Total		114	35	52	201
Site B	How long have you been attending this site?	Began current semester	49(29%)	28(36%)	26(27%)	103
		Began last semester	48(29%)	26(36%)	36(37%)	110
		Began before last semester	70(42%)	24(31%)	36(37%)	130
	Total		167	78	98	343
Site C	How long have you been attending this site?	Began current semester	12(22%)	47(54%)	19(49%)	78
		Began last semester	25(46%)	22(25%)	15(38%)	62
		Began before last semester	17(31%)	18(21%)	5(13%)	40
	Total		54	87	39	180
Total	How long have you been attending this site?	Began current semester	111(33%)	86(43%)	64(34%)	261
		Began last semester	103(31%)	57(29%)	65(34%)	225
		Began before last semester	121(36%)	57(29%)	60(32%)	238
	Total		335	200	189	724

As for attendance information, attendance declined at all three sites across the three-year period, but there was some sizeable fluctuation on certain years, for certain sites (Table 3). Overall, approximately one third of students began attending in the semester surveyed, one third began in the previous semester, and around one third began in the year prior to that or earlier. This pattern showed some variance though, particularly for site C, which achieved a makeup of more than half (54%) new students, in the second year. Whether this fluctuation is due to irregular sampling, or fluctuating referral criteria, it is not possible to tell. In either case, the changing demographic or

attendance makeup of the student population may contribute to possible changes in the survey responses, so we should be careful not to over-interpret any observed differences, particularly at the individual site level. But with that said, the aggregated student and staff data may provide some insight into what changes in perception, if any, took place during this time.

Measures

A large variety of measures were employed in the surveys, both for students and for staff. These measures mostly consisted of purpose-built measures of constructs that were meaningful to the implementation sites, although one previously published measure was included for students –an inventory of teacher-student relationships (Murray & Zvoch, 2010). Measures were developed in collaboration between the researcher and the school leadership, although the researcher made efforts to communicate the importance of multiple item scales of a single construct – resulting in several scaled measures of relevant constructs. Further, these scales were examined using factor analysis, and by examining factor loadings and eigenvalues, with a small number of bad items being dropped. These analyses were performed using the first year worth and largest N of participants. In the interest of brevity, these analyses are omitted, and only scale reliability coefficients (alpha) are reported here. The appendix contains a full version of the surveys that were used for staff (Appendix A), and for students (Appendix B).

For staff, year 1 and 2 contained an 8-item measure of classroom climate – specifically those attributes emphasized by the Urban Essentials 101 program (Lockett, 2006). This scale had good internal consistency (Cronbach's alpha = .834, n = 46), but was discontinued after year 1 and 2, while all other measures were included at all three time-points. Another 3-item scale attempted to measure staff perceptions of student behavioral conflicts (example item: "How would you rate student behavior this year," with response options: Poor / Fair / Average / Good / Excellent). This scale had good internal consistency (alpha = .816, n = 51). A summary of these and all other measures, as well as sample item for each measure, is shown in Table 3.4.

Several additional scales were used to measure constructs that directly pertained to the program evaluation efforts – specifically the helpfulness of the use of the "Valley Staff-Student Mediation Form" (or VSSMP), the helpfulness of the use of the In-School Suspension Classroom (or ISSC), and staff perceptions of overall support for the program (called STRIVE) within their school site. All scales were rated on a 5-point Likert scale (from Strongly Disagree to Strongly Agree). Regarding the use of the VSSMP, staff were asked both about their direct experience and perception of helpfulness of the VSSMP (5 items, alpha = .855, n = 24), and about the perception of the helpfulness of the VSSMP within their whole campus (4 items, alpha = .648, n = 26). Regarding the ISSC, staff were also asked about their direct experience with the ISSC (3 items, alpha = .797, n = 22), as well as their perception of its helpfulness within their whole campus (4 items, alpha = .750, n = 44). Finally, staff were asked about their perception of support for the STRIVE program as a whole on their campus (5 items, alpha = .915, n = 43). In addition

to these scale variables, there were a few more categorical variables measured, and three qualitative questions, which go beyond the scope of this analysis.

For students, year 1 and 2 also contained a measure of school climate, with those specific attributes emphasized by the UE101 program (12 items, alpha = .946, *n* = 287). This measure was also discontinued after year 1 and 2, while all other measures were included at all three time-points. Another scale was designed to measure school climate from the perspective of those attributes emphasized by STRIVE – safety, trust, respect, integrity, vision, and encouragement. (6-items, Response Options: Never / Sometimes / Always; alpha = .893, *n* = 305). Students were additionally asked about their direct experience with the VSSMP and their perception of its helpfulness (5-items, alpha = .661, *n* = 71) as well as their perception of the helpfulness of the VSSMP within their whole campus (4-items, alpha = .714, *n* = 75). They were also asked about their direct experience with the ISSC (5 items, alpha = .681, *n* = 119), as well as their perception of its helpfulness within their whole campus (4 items, alpha = .606, *n* = 124).

Finally, students were given a 17 item inventory of teacher student relationships, or IT-SR (Murray & Zvoch, 2010), which contains three sub-domains of Communication (8 items, alpha = .926, *n* = 280), Trust (5 items, alpha = .903, *n* = 291), and Alienation (4 items, alpha = .810, *n* = 299). As could be expected, this previously validated measure had much better internal consistency in each of its sub-domains, while the collaboratively crafted measures had generally lower internal consistency, but were nevertheless considered. In addition to these scale variables, dichotomous variables were created for whether or not each student had any direct experience with the VSSMP or ISSC, so that the prevalence could be compared—and in doing so one final variable emerged, which was that of the process not being followed. In theory, any student who had direct experience being sent to the ISSC should also have direct experience with the VSSMP—however this was noted to not be the case for many students, at least in their self-reporting. Therefore when this combination occurred (ISSC experience but no VSSMP experience), the case was coded as "process not followed," a dichotomous variable (see Table 3.4, for summary).

Table 3.4: Staff and Student Measures

Staff Measures				
Variable:	# Items	Example item	α	N*
Classroom Climate (UE 101 Emphasis)	8	"In my classroom, there is a normal routine or schedule"	.834	46
Behavioral Conflicts	3	"How would you rate student behavior this year?"	.816	51
VSSMP – Helpful – Direct Experience	5	"I felt we were able to resolve the problem fairly	.855	24
VSSMP – Helpful – Indirect Experience	4	"the VSSMP is helpful for resolving problems,"	.648	26
ISSC – Helpful – Direct Experience	3	"I felt it was unhelpful or ineffective" (Reversed)	.797	22
ISSC – Helpful – Overall Campus	4	"The ISSC is helpful for maintaining classroom discipline,"	.750	44
Campus Support for STRIVE	5	"At my campus, the teachers and staff as supportive of STRIVE,"	.915	43
Student Measures				
Variable:	# Items	Example item	α	N*
School Climate (UE101 Emphasis)	12	"In my classes, the room is clean and free of graffiti,"	.946	287
School Climate (STRIVE posture)	6	"this past year […] did you feel safe on campus?"	.893	305
VSSMP – Helpful – Direct Experience	5	"I felt we were able to resolve the problem fairly,"	.661	71
VSSMP – Helpful – Indirect Experience	4	"VSSMP is helpful for resolving problems,"	.714	75
ISSC – Helpful – Direct Experience	5	"The ISSC is just another form of punishment," (Reversed)	.681	119
ISSC – Helpful – Indirect Experience	4	"The ISSC is helpful for maintaining classroom discipline,"	.606	124
IT-SR - Communication	8	"I tell my teachers about my problems and troubles"	.926	280
IT-SR - Trust	5	"I trust my teachers"	.903	291
IT-SR - Alienation	4	"I feel that no one understands me"	.810	299
VSSMP Experience	1	- Coded 1 if student claims VSSMP experience.	NA	NA
ISSC Experience	1	- Coded 1 if student claims ISSC experience.	NA	NA
"Process Not Followed"	1	- Coded 1 if student claims ISSC experience but not VSSMP experience.	NA	NA

* N used to calculate Cronbach's alpha, drawn from the first sample.

Analysis

For all analysis, cases were first examined for signs of rote responding, flagged when it appeared this was the case, and then excluded from the analysis if so. Rote responding was defined as answering every question in a scale in the same valence (either agree / strongly agree, or disagree / strongly disagree), while failing to reverse the valence a reverse coded item. For staff responses this resulted in $n = 8$ responses being excluded (5.7%), out of $N = 141$ total. For student responses this resulted in $n = 32$ responses being excluded (4.2%) out of $N = 754$ total. Following this simple data cleaning procedure, all variables of interest were analyzed using one-way analysis of variance, using year as the factoring variable with either two or three levels. To limit excess Type I error, Tukey's honestly significant difference post-hoc tests were conducted only on variables which had a significant ANOVA result, with a significance level set at $p < .05$. For the three dichotomous student variables, specific differences by year were analyzed using binary logistic regression. Following these analyses, an initially unplanned correlational analysis was run between the derived variable for "Process Not Followed" and school climate, trust, communication, and alienation. All analyses were performed using SPSS version 24.

It is acknowledged that due to the persistence of many staff members and some students, the data is not truly independent between years. However, ethical constraints necessitated that the surveys be collected anonymously each year, so is not possible to match the responses by staff members or by students, rendering the current approach the best approach under the circumstances. We can therefore attempt to glean some idea of whether significant changes took place, either in conjunction with the first implementation effort, or the second—but we should remain cautious in interpreting any results, particularly for staff responses, for these reasons and those previously described.

3.3. Results

One-way analysis of variance was performed for each of the seven staff variables, resulting in three significant effects, and one notable non-significant effect. Staff perceptions of the helpfulness of the VSSMP was significantly variant across years, both for direct experience ($F(2,61) = 6.131$, $p = .004$), and for indirect experience ($F(2,63) = 4.732$, $p = .012$). Staff perceptions of the helpfulness of the ISSC was significantly variant across years for those with direct experience with it ($F(2,62) = 5.203$, $p = .008$), while it was notably but non-significantly variant among all staff members ($F(2,109) = 2.932$, $p = .058$). In all cases, post-hoc comparisons revealed significant mean differences between year 1 (2013) and year 3 (2015), including a decrease in perceptions of the helpfulness of the VSSMP from direct experience (Mean diff. = -.690, S.E. = .198), a decrease in the perception of the helpfulness of the VSSMP from indirect experience (Mean diff. = -.716, S.E. = .235), and a decrease in the perception of the helpfulness of the ISSC from direct experience (Mean diff. = -.621, S.E. = .195). A descriptive summary of every variable, by year, is shown in Table 3.5. No other significant differences were observed between years, for any other staff variables.

Table 3.5: Variable means and standard deviations by year

Staff Variables:	Year 1 (*M*, *SD*)	*N*	Year 2 (*M*, *SD*)	*N*	Year 3 (*M*, *SD*)	*N*
Classroom Climate (UE 101 Emphasis)	4.22 (.573)	42	4.11 (.750)	33	NA	--
Perception of Behavioral Conflicts	3.47 (.857)	46	3.48 (.666)	40	3.44 (.690)	36
VSSMP – Helpful – Direct Experience*	4.06 (.647) [1]	24	3.82 (.606)	21	3.37 (.684) [1]	19
VSSMP – Helpful – Indirect Experience*	3.91 (.636) [1]	26	3.70 (.761)	21	3.20 (.960) [1]	19
ISSC – Helpful – Direct Experience*	4.08 (.666) [1]	22	3.86 (.512)	21	3.45 (.739) [1]	22
ISSC – Helpful – Overall Campus	3.96 (.697)	44	3.64 (.746)	35	3.64 (.593)	33
Campus Support for STRIVE	3.88 (1.02)	43	3.93 (.793)	36	3.98 (.724)	33
Student Variables	Year 1 (*M*, *SD*)	*N*	Year 2 (*M*, *SD*)	*N*	Year 3 (*M*, *SD*)	*N*
School Climate (UE101 Emphasis)	3.32 (.914)	287	3.28 (.755)	171	NA	--
School Climate (STRIVE posture)	2.16 (.594)	305	2.18 (5.34)	188	2.29 (.519)	174
VSSMP – Helpful – Direct Experience	2.73 (.702)	71	2.94 (.782)	66	2.99 (.805)	65
VSSMP – Helpful – Indirect Experience	2.54 (.873)	75	2.67 (.828)	65	2.86 (.906)	67
ISSC – Helpful – Direct Experience	2.81 (.760)	119	2.75 (.778)	90	2.80 (.698)	100
ISSC – Helpful – Indirect Experience	2.64 (.793)	124	2.74 (.760)	92	2.84 (.789)	102
IT-SR – Communication	2.11 (.846)	280	2.01 (.735)	166	2.03 (.808)	162
IT-SR - Trust	2.62 (.889)	291	2.49 (.811)	165	2.54 (.846)	164
IT-SR - Alienation	2.04 (.852)	299	1.94 (.765)	170	2.16 (.855)	168
VSSMP Experience*	0.23	338	0.33	200	0.36	184
ISSC Experience*	0.37	338	0.47	200	0.58	184
Process Not Followed*	0.18	338	0.20	200	0.30	184

[1] Year 1 and 3 significantly different, in post-hoc Tukey's HSD test.

* Significantly different across years, using either ANOVA or logistic regression.

One-way ANOVA was then performed for each of the twelve student variables, resulting in significant effects only for students experience with the VSSMP ($F(2,719) = 6.154$, $p = .002$), experience with the ISSC ($F(2,719) = 11.172$, $p < .001$), and for the process not being followed ($F(2,719) = 5.197$, $p = .006$). No other significant differences were observed between years for any other variable – notably including the inventory of teacher student relationships. These tests were followed with individual binary logistic regressions, for the dichotomous variables.

All three of the variables which showed significant ANOVA differences also showed significant omnibus tests using binary logistic regression, including VSSMP experience ($\chi^2(2, N = 722) = 12.151$, $p = .002$), ISSC experience ($\chi^2(2, N = 722) = 21.762$, $p < .001$), and process not being followed ($\chi^2(2, N = 722) = 10.289$, $p = .006$). The reference category was then varied to test and report odds ratios between year 1 and 2, year 1 and 3, and year 2 and 3, which are reported in Table 3.6. All three of these variables were observed to increase each year (Table 3.5) and increase significantly between year 1 and 3, by anywhere from 91% to 135% (Table 3.6). In addition, there were significant increases in VSSMP experience coming between year 1 and 2, while ISSC experience significantly increased steadily between years 1 and 2 and years 2 and 3, leading to a significant increase in the process not being followed between years 2 and 3.

Table 3.6: Logistic Regressions Predicting Student Variables from Year

Variable	Contrast**	B	Wald χ^2	*P*	Odds Ratio
VSSMP Experience	Year 1 to 2	.496	6.258	.012*	1.64
	Year 2 to 3	.151	0.493	.483	1.16
	Year 1 to 3	.646	10.41	.001*	1.91
ISSC Experience	Year 1 to 2	.446	6.056	.014*	1.56
	Year 2 to 3	.407	3.912	.048*	1.50
	Year 1 to 3	.852	20.77	.000*	2.35
Process Not Followed	Year 1 to 2	.127	0.314	.575	1.14
	Year 2 to 3	.534	4.983	.026*	1.71
	Year 1 to 3	.661	9.502	.002*	1.94

* Significant at $p < .05$

** Using earliest year as the reference category, holding other dummy variables constant.

Following these planned analysis, a correlational analysis was conducted to determine if the derived variable of the process not being followed was related to school climate or teacher-student relationships, using a directional hypothesis. From this analysis it was determined that the process not being followed was indeed negatively related to perception of school climate ($r = -.084$, $p = .035$), to trust ($r = -.126$, $p = .001$), and to communication ($r = -.096$, $p = .009$), but not to alienation ($r = .031$, $p = .220$) or the STRIVE-based measure of school climate ($r = -.042$, $p = .140$). It is not known what effect this may have had on the larger pattern of results.

3.4. Discussion

The first question that must be seriously considered regarding these results, particularly for staff, is whether or not there is any actual change in any construct – or if there are simply changes in sampling. As you will recall from the participants section, the total number of staff members surveyed decreased from $N = 59$ in the first year, to $N = 43$ the second year, to $N = 39$ in the third year, and with substantial site variation along the way. Not only that, but for staff the only variables found to significantly differ across years were those with the lowest *n*, which were measured from a subsample of the already small population (see Table 5). With such a small subsample, any change in personnel from one year to the next could potentially make a sizeable difference in the mean and variance of the measured variable—as opposed to the construct it is supposed to represent. Such an interpretation is made more plausible by understanding the context, where in these schools as enrollment declined staffing levels were also forced to decline, and the decision about who would be let go or reassigned was most likely based on seniority. The more senior level staff could easily and plausibly be different in their perception of school climate, discipline, and helpfulness of the various processes, than their younger counterparts – leading to the appearance of a change in these constructs as the younger staff members left. Therefore even though it would appear that staff members perceptions of the helpfulness of the VSSMP and the ISSC processes declined, we should be careful in interpreting these results.

If we do assume that the observed results for staff are meaningful, though, there are at least two possible interpretations. One interpretation is that when the VSSMP form was changed between year 2 and 3, it made it *actually less helpful* at resolving problems, building stronger relationships, and helping staff and students to see each other's point of view (The qualities it was measured by; see Appendix A). Another possibility is that it made it *no less helpful* or *more helpful* at these things, but some staff members perceived it as threatening their power or requiring them to do more work, and so rated it as less helpful, in a form of participant reactance. This interpretation would be more consistent with the sizeable and significant reductions in in-school-suspension periods observed during this period—which could have been achieved by even a portion of the staff using the new VSSMP more effectively, even while others rated it as less helpful. Similarly, the perception of the helpfulness of the ISSC also appeared to decline between the first and third year, which could also reflect that it had become *less helpful*, or simply that perceptions of its helpfulness had declined. It should be noted that an in-school suspension classroom is not even typically considered an element of restorative justice, by most accounts – so it is further possible that as staff became trained in more fundamental restorative practices that they saw the ISSC as less helpful, and indeed a punitive process. In any case, there were no major substantive changes made to the ISSC during this period (although there would be in the year immediately following), so the change in perception of its usefulness seems to be most likely the result of either changing sampling, participant reactivity, or possibly a decline in following the process.

As for the student responses, possibly irregular sampling is also a concern with these responses (see Table 3.3), as well as sizeable amounts of missing data among the

various measures (see Table 3.5) – but since there were very few significant differences anyway, we needn't worry about whether such irregularities biased results towards significance. If anything, sampling irregularities and missing data may have contributed toward null findings where perhaps there really was a change; or in other words a type II error. In any case, a much greater *N* in the aggregated student responses likely makes these analyses somewhat more reliable, and in the case of the only variables which were significantly different across years, these variables had no missing data among them. This was because those particular questions contained skip logic and were therefore forced response items in the original surveys, so every student completed them. Furthermore, these variables were derived from students recalled experience, rather than their subjective ratings of a construct, so they are more likely to be reliable in this regard.

As for the students experience with the VSSMP and the ISSC, the results showed a significant increase in experience with the VSSMP between year 1 and 2, but not between year 2 and 3, while experience with the ISSC increased significantly between both years. By the third year, about 58% of students reported experience being sent to the ISSC, while only about a third of them (36%) reported experience with the VSSMP, two processes which should have been hand-in-hand according to the school's initial implementation plan. According to how things were supposed to happen, a student could be given a VSSMP form but not sent out, or he/she could be given a VSSMP form AND sent out, but they weren't supposed to be simply sent out, without a form (much less any kind of mediation or face-to-face resolution, which was also supposed to occur.) From the discrepancy in these variables it became clear that there was clear evidence of the process not being followed, at least in some cases – and moreover, that the frequency of the process not being followed was significantly increasing in the final year of observation. Since the VSSMP form and its associated face-to-face meeting could probably be considered the main *restorative-like* process of the intervention, and since an in-school suspension classroom is not generally considered a restorative process or even a restorative-like process, the shift toward using the latter as a stand-alone tool could probably be considered a substantial failure of implementation, in this instance. This failure may or may not have contributed to the lack of positive results in the domains of school climate or teacher-student relationships, although it is difficult to know. While unplanned initially, a simple correlational analysis was then carried out which confirmed a hypothesized negative relationship between the process not being followed and school climate, trust, and communication – which may partially explain the lack of improvement in these areas in the latter year. Simply put, you can't blame a particular process for failing to improve relationships, if it is not occurring.

As for those other measured variables of school climate and teacher-student relationships, the results indeed show no significant changes, and appear instead to support the observation that "many programs that self-identify as restorative do not result in 'restorativeness." (Pavelka, 2013, p.17). However it is important to remember that a difficult implementation or a failure provides just as much opportunity to learn as a success, especially if that information is reported instead of forgotten. Furthermore, evaluation and reflection on the process of implementation is as important as any final outcomes that are studied – and in this case we were able to learn that the process was not

being implemented well. In addition, we learned that changes to the VSSMP form were significant as perceived by both staff, and probably students. For staff, ratings of helpfulness decreased, while for students the opposite pattern of increasing ratings of helpfulness, although non-significant, was observed (Table 3.5). Whether this actually means that the form was less helpful is difficult to discern, particularly in the context of it being imperfectly utilized and the hard data associated with in-school-suspension use decreasing substantially. Hopefully the final section of this dissertation can unpack this element a little further.

Overall then, the strength of this portion of the study is that it goes beyond the most typically reported outcomes of behavioral incidents, and attempts to explore social-relational and process-oriented variables from both students and staff perspective. A substantial limitation of the study is the irregular sampling method and the inconsistent or partially failed implementation – which were both beyond the researcher's control, and indeed may be beyond administrative control in some cases. Future research should continue to incorporate variables of theoretical importance such as relationship measures, as well as process-oriented measures, into evaluation efforts. Where possible, collaborative researchers should perhaps use those efforts to intervene and attempt to correct any failures of implementation, should they occur. More importantly though, future implementation efforts should seek to avoid imposing top-down directives such as was done in this instance with the initial creation of both the VSSMP and ISSC process, since these directives can fall short of success. As leaders in the field have pointed out, "the top-down method has traditionally been the approach to change in many organizational structures, but we argue that it fails to achieve change that is effective, meaningful and enduring. Like punishment, changes imposed by pressure alone work only when those in authority are watching, but they are not internalized by the organization's staff." (Costello, Wachtel & Wachtel, 2009, p.). This lack of internalization seems to have been the case in this intervention, where a sizeable implementation gap appears to have grown over time… although it's worth repeating that this process failure may not have actually grown so much as always been present in a certain amount of abstaining staff, and simply become more visible as less senior staff were reassigned. This was certainly observed through firsthand experience, in at least some of the senior staff.

Despite these overall disappointing results, however, the silver lining of this story may be that additional changes to the program were carried out following this collaborative research process – including dismantling the overtly punitive ISSC and replacing it with a room staffed by crisis counselors, as well as abandoning the VSSMP form altogether and aiming to conduct more face-to-face conferences. Whether these changes were associated with any positive improvements is beyond the scope of this research, but hopefully the process itself was beneficial to the schools during the time it was conducted, and may be beneficial to others to read about. At the end of the day, research collaborations are short lived, and "ultimately […] the school can and must solve its own problems." (Costello, Wachtel & Wachtel, 2009, p. 84). Hopefully, the schools under consideration continue to make new strides toward doing so.

Chapter 4: Staff-Student Mediation Process

Most attempts at implementing restorative justice come in the form of a single process or set of processes. If success is achieved, then that process is thought to be effective; and if not, then it must be ineffective—or so the easiest interpretation goes. Yet astute scholars have pointed out that RJ is most usefully understood as both a *philosophy* and a process (Reimer, 2011), with both being indispensable to a successful implementation. Others have gone farther to conceptualize the concept as a pyramid with a philosophy or ethos on the bottom, supporting a *set of skills*, which then support a set of processes (Hopkins, 2002). So in that expanded representation, if success is achieved should we attribute it to the process that was implemented, the skills that were cultivated, or the proper ethos which was understood and adopted? Or conversely, if success is not achieved, than which element is to be blamed? In practice, very little attention has been paid to these questions, and even less research has been directed toward them. In this section however, we have the opportunity to examine at least one such process in closer detail – namely the adoption and use of restorative questions (Mirsky, 2011) on a discipline referral form, as opposed to originally conceived questions meant to accomplish a similar purpose. This change was implemented in the third year of an ongoing attempt to adopt a more restorative posture, and put into place before even a few modest skill training workshops in the same year, so this study is a relatively clean look at some of the changes associated with adopting this type of process on its own.

The nature of the changes that were made focused on the power of language to shape an interaction. Of a set of four prompts that were originally included on the discipline referral form, only the first remained unchanged—a prompt to explain what happened. The original form then invited the student to list any questions they might have, which was changed to a prompt asking the students to elaborate on "what were you feeling or thinking about at the time?" This is a question that allows the student to feel heard (acknowledgement), while having the opportunity to explain themselves—which is a good way to engage students who may be hesitant to talk about how a situation started and escalated, but are not shy to tell the reasons for acting the way they did, since they are looking to justify their actions (Ashworth et. al., 2008). It is also an essential element of a restorative framework, which understands behavior in a social context rather than in isolation (Morrison & Vandering, 2012). Finally, it moves thinking on the behavior toward a preventative understanding, in terms of identifying antecedent conditions to a behavior. For reference, both versions of the form are described in Methods and the Appendix.

The next substantive change made was to replace two redundant questions that asked about how things could be made right / as right as possible in the future, with questions asking "Whom do you think has been affected? In what way?" and "What do you think you need to do to make things right?" The first question is one that frames a behavior in terms of its harm to relationships or people, as opposed to a violation of rule or law—which is an essential aspect of restorative framework (Amstutz & Mullet, 2005; Reimer, 2011). It is also very near to one of the "questions that can make things right" recommended by the International Institute of Restorative Practices (Mirsky, 2011), with

the exception of omitting the words "by your actions," in order to facilitate a less blameful posture in a catch-all form. The latter question is comparable to and condensed from two questions in the original form, but with added emphasis on what actions the individual can take ("what do *you* think *you* need to do…"). It is also one of the restorative questions recommended by IIRP (Mirsky, 2011).

Two of the three prompts on the staff side of the form were also altered, while one remained substantially the same (an "in response," prompt). The original form then prompted the staff member to delegate that making things right "will require the following measures," and that their "future expectations were as follows," – which were replaced with the questions: "What effect has this situation had on you and others?" and "What do you think needs to happen to make things right?" The first of these questions is a question that frames the behavior in terms of its harm to relationships or people ("what effect has this situation had…"), as opposed to a violation of rule or law—which is more in line with a restorative framework (Amstutz & Mullet, 2005; Reimer, 2011). Having teachers think and respond along these lines may also elicit empathy from a student, who may not have been aware of the effect of his/her actions. It could also conceivably elicit reflection by the staff member, who may find they are simply enforcing rules for enforcement sake, rather than thinking in terms of harm done. The last new question ("What do you think needs to happen to make things right?") is comparable to the two questions in the previous version, but condensed and also having a subtly different posture, which is less authoritarian and more collaborative. The wording "what do you think needs to happen" is framed as one voice among two and invites cooperation, as opposed to "will require" and "are as follows" which is directive and demands compliance. The importance of this distinction between a directive / authoritarian / "to" approach, and a collaborative / authoritative / "with" approach are widely acknowledged by many authors (Steinberg, 2001; Zehr, 2002; Amstutz and Mullet, 2005; Mirsky, 2011; Wachtel, 2012).

These changes in the language of one form represent a rare opportunity to examine a specific restorative practice: the use of restorative questions – without it being confounded with a widespread initial implementation effort. Although there were some small efforts toward cultivating the skills required for restorative communication, these efforts started well after the changes in the form, which can be considered mostly a process change. In examining the effects of this process change, it is important to still grasp and retain the understanding that, "not only what we say, but how we say it, have consequences for the kind of relationship, and the kind of identity, that is called into being." (Drewery & Kesckemeti, 2010, p.110). Indeed, there are several important skills related to how we say something, such as distancing, using externalizing language rather than internalizing language, and speaking respectfully, which were not taught in conjunction with this process change. The aim of this study, therefore, is not to validate or invalidate the usefulness of restorative questions when used under optimum conditions and competencies. Rather it is an attempt to look at what difference, if any, is made by the process of asking restorative questions as opposed to different ones, on a form that served the same function in both versions.

The research questions that might be answered by this study are, broadly speaking, whether staff or student engagement with the questions is changed, whether the amount of respectful "tone" or attempts at problem solving is changed, or whether the change in the process corresponds to a greater or worse fidelity to implementing the process. Generally speaking, the changes in the process were hypothesized to improve engagement, problem solving, and program fidelity, although whether they are capable of doing so is an open question. As other articles focused on RJ implementation have observed, whatever the processes that are adopted there is great danger of co-optation by the dominant punitive paradigm, and substantial difficulty of overcoming the inertia of ingrained attitudes about punishment (Karp & Breslin, 2001; Fields, 2013). Thus, it was not known whether changes in the language of the process could cause staff to adopt a more restorative posture, or if they would solicit greater engagement from students, without accompanying changes in ethos and skills in the staff. This research offers a glimpse into unpacking that relationship, in the context of three alternative education high schools.

4.2. Method

Procedure

Beginning in the Fall of 2012, a specific discipline referral form and process was implemented in the three school sites under study. This form and process was called the "Valley Staff-Student Mediation Process" (VSSMP), and involved a two-sided form which would be given to a student who was being disciplined. One side contained questions directed toward the student, including "*In your own words, explain what happened*," "*List any questions you may have about the conflict / incident,*" "*What would make things right again?*" and "*If things were made as right as possible, how will you deal with this person or situation in the future?*" (Appendix A). At some point following the incident, the teacher or staff member who had given the form was supposed to fill out the other side of it, as well as meet with the student face to face. The staff side included the prompts, "*In reply to your correspondence:*" "*Making things right again will require the following measures:*" and "*My future expectations are as follows.*" (Appendix A). After two years of using this form and following an initial evaluation, consultation with researchers, and stakeholder meetings with staff, several substantive changes were made to the form beginning in Fall of 2014. The questions directed toward the student were changed to resemble restorative questions, including "*In your own words, explain what happened*," "*What were you feeling or thinking about at the time?*" "*Whom do you think has been affected? In what way?*" and "*What do you think you need to do to make things right?*" (Appendix B). The staff side was changed to the prompts "*In response…*" "*What affect has this situation had on you and others?*" and "*What do you think needs to happen to make things right?*" (Appendix B). This second version of the form (still called the VSSMP) was used for another year before being abandoned altogether.

Out of the two years the schools used the VSSMP-version1, approximately half a year's worth of forms were collected internally from each site, in the Fall/Winter of 2013. Following the substantive changes to the form in Fall of 2014, approximately half a

year's worth of forms were again collected internally by the schools. Principals at each school site collected the forms and sent them in hard copy to the main administrative office, where copies were made and given to myself. I personally blacked out the names of every student in the forms, before they were coded by research assistants. The assistant superintendent of career and alternative education gave approval for this study to take place, an MOU was drafted and signed, and the UC Merced IRB also reviewed and approved of the research.

Participants / Data:

The data for this study come from a total of 1056 VSSMP forms collected in Fall 2013, and another 1087 forms collected in Fall 2014, for a total *N* of 2143 – however this total was trimmed for meaningful comparisons. The initial collection effort was done without any concrete cutoff of dates in terms of what was collected, while the latter collection effort was contained mostly to Fall 2014. Therefore in order to make the two groups comparable, incidents before the first day of Fall semester (August 19th in year 1 or August 18th in year 2), or after December 31st of each year, were trimmed from the analysis. This resulted in a removal of $n = 129$ cases (12.2%) from the first year, and $n = 10$ cases (0.9%) from the second year, making a final total of $N = 2004$. All subsequent statistics come from this trimmed sample.

Within the sample, each form represents a disciplinary interaction between one student and one staff member. After blacking out all student names, all of the forms were coded by a pair of coders, and a portion of those were later recoded independently by the primary researcher to check reliability. The only participant level information available was the name of the referring staff member and the school site (Site A, B, or C). There were a total of 11 staff members submitting forms in 2013, and 14 staff members submitting forms in 2014, not counting those with a single form (i.e. a substitute); and of those staff members, 9 were matched across years and used for analysis of staff-side questions (more on this in the analysis section). When examining just the matched staff members, there were $n = 773$ from 2013 and $n = 792$ forms from 2014. When including forms from all staff members, the total number of forms per school site, by year, is displayed in Table 1.

Table 4.1: Number of VSSMP forms per site, by year.

School Site	2013 (*n*, %)	2014 (*n*, %)	Total
Site A	211 (22.8%)	297 (27.6%)	508 (25.3%)
Site B	211 (22.8%)	175 (16.2%)	386 (19.3%)
Site C	505 (54.5%)	605 (56.2%)	1110 (55.4%)
Total	927 (100%)	1077 (100%)	2004 (100%)

Measures

A total of 17 variables were coded from each form, following a coding manual developed by the primary researcher (Appendix G). A random subsample of 10% of the total sample ($n = 199$) was re-coded by the primary researcher, to compute Cohen's

kappa for each nominal measure, and Pearson correlations for each continuous measure, which are reported for each study variable in Table 2. Discrepancies were not resolved, as the separate codings took place months apart. Of the 17 variables coded, 7 were administrative variables, including the school site, the teacher, the student (blacked out and replaced by an ID code), the class period, the date the incident occurred and the date it was resolved, and whether more discussion was needed. These variables were examined but not reported here. Of the remaining study variables, four were process oriented, including whether both the student and teacher filled out the form (defined as writing what happened and at least one other section), and whether both the student and teacher signed the form. Five were substantive variables, including two student variables and three staff member variables. For both students and the staff member, a variable called "Engagement" was operationalized as the total number of words written down in the main blocks of questions. For students, a "Problem Solving" variable which was operationalized as one of three possible responses to the question "What would make things right?" Possible responses were defined as writing nothing (0), saying to not do the behavior or giving a rote response (1), or giving a novel response (2). This categorical variable was used to create a dichotomous variable for novel responses. For teachers, the overall tone of the response was coded as neutral or *traditional*, overtly *restorative*, or overtly *punitive*, using a coding matrix (see coding manual, Appendix G). This categorical variable was then used to create two dichotomous variables, for restorative tone and for punitive tone. Teacher "Problem Solving" was also operationalized based on their response to the "What would make things right" question, as neutral or *traditional*, *restorative*, or *punitive* – using a similar coding matrix (Appendix G). This was then used to create two dichotomous variables for restorative problem solving and punitive problem solving.

Table 4.2: Reliability Coefficients for Coded Variables

Categorical Variable	Cohen's Kappa	Sig.
1. Student Filled Out Form	.954	.000
2. Teacher Filled Out Form	.930	.000
3. Student Signed Form	.951	.000
4. Teacher Signed Form	.940	.000
5. "Student Problem Solving"	.577	.000
-5a. "Student Problem Solving" – Novel Responses	.287	.000
6. "Teacher Problem Solving"	.645	.000
-6a. "Teacher Problem Solving" – Restorative	.496	.000
-6b. "Teacher Problem Solving" – Punitive	.308	.000
7. "Teacher Overall Tone"	.442	.000
-7a. "Teacher Overall Tone" – Restorative	.490	.000
-7b. "Teacher Overall Tone" – Punitive	.389	.000
8. Type of Incident	.720	.000
Continuous Variable	**Correlation**	**Sig.**
"Student Engagement"	.990	.000
"Teacher Engagement"	.998	.000

N = 199 for these analysis

Of these variables, the four process-oriented measures and the two continuous variables were all highly reliable. The three substantive variables were somewhat mixed, with the "student problem solving" (k = .577) and "teacher problem solving" (k = .645) variable having moderate to good agreement, while "teacher overall tone" (k = .442) had only moderate agreement (Landis & Koch, 1977). This problem of low reliability probably comes both from the difficulty of rating such a highly subjective item, and the fact that upon closer inspection a vast majority of the responses seemed to fall within a traditional or punitive tone—which was perhaps hard to distinguish between in this population. Consequently the Cohen's kappa for these original staff variables was relatively moderate, while the dichotomous sub-variables which distinguished between punitive and other types of responding were worse, having less than fair agreement (Landis & Koch, 1977). The dichotomous measure of student novel problem solving responses also had less than fair reliability (k < .4). Consequently, none of the dichotomous sub-variables ("student novel problem solving", "teacher punitive problem solving", or "teacher punitive tone") which obtained less than moderate inter-rater agreement (k < .4) should be considered reliable – although their descriptive results are included in the interest of completeness.

Lastly, one descriptive variable was coded, which was the type of incident that occurred, out of 14 categories. This variable had good inter-rater agreement (k = .720), despite the large number of potential categories. Initially, there was also a thought of examining whether specific types of incidents which involved a student-student conflict, such as fighting, would change between the two years – but these incidents occurred with such infrequency that the analysis was not worth pursuing. Instead, descriptive statistics regarding the types of incidents are reported in the results section, and discussed in the discussion section.

Analysis

The research questions of interest to this particular study were generally the following four questions. 1) What sort of incidents are occurring and at what frequency? 2) Are the forms being used / filled out as intended, and does it change from year to year? 3) Does student engagement and problem solving increase, year over year? 4) Does teacher engagement, restorative tone, or restorative problem solving increase, year over year? In order to answer the first question, some simple descriptive statistics were computed on that variable, separated by year. To answer all of the rest of the questions, the sample was first trimmed to create a comparable sample for both years (as described in the participants section) – then independent sample t-tests were conducted to compare the two continuous variables, teacher and student engagement, between years—while chi-square tests were performed on all categorical variables. For the variables that measured teacher engagement, tone, and problem solving, the sample was further trimmed to just those staff members that were present in both years data collection (n = 9 staff members, n = 1,565 total responses), in order to isolate any changes that were potentially related to the change in the form. All analyses were performed using SPSS.

4.3. Results

The type of incidents, and the total frequency of each reported category (for both years), is shown in Table 3. The largest single category is "classroom disruptive behavior," at roughly 55.8 percent of all incidents, followed by profane language (11.6%), insubordination (11%), electronic device usage (8%), truancy (4.2%), and dress code violations (2.5%). The rest of the types of incidents, which might be considered more serious – and may involve harm to another or potential harm to another, accounted for about 7 percent of all incidents. In terms of year over year comparison, a graph showing the frequency of incidents by year (computed on the trimmed sample), is shown in Figure 4.1. The largest apparent change is an increase in incidents coded as insubordination – although it is possible that this is simply coding variability, as this was one of the hardest categories to definitively code.

Next, independent samples t-tests were conducted to compare teacher and student engagement, and chi-square tests were performed on all other categorical variables.. A table of these results is shown in Table 4.3. Out of the four process-oriented variables, students filling out the form increased significantly (χ^2 (1, N = 2004) = 53.5, $p < .001$) , to a near 100% completion rate; however teachers filling out the form did not change, nor did whether or not each party signed the form – an indicator that some kind of meeting took place. Of the two substantive student variables, there was a significant increase in student engagement (t (1911.24) = 11.242, $p < .001$), and a significant change in student problem solving (χ^2 (2, N = 2004) = 21.28, $p < .001$), which appeared to be driven by an increase in novel responses, although this variable was insufficiently reliable.. Of the substantive staff variables, there was a significant increase in teacher engagement (t (1286.45) = 4.652, $p < .001$), as well as a change in "teacher problem solving" (χ^2 (3, N = 1565) = 17.11, $p < .001$), which appeared to be related to an increase in restorative problem solving(χ^2 (1, N = 1565) = 7.18, $p = .007$), but no other significant changes.

Table 4.3. Type and Frequency of Incidents (All)

Type of Incident	Frequency	Percent	Cumulative Percent
Classroom Disruptive Behavior	1193	55.8	55.8
Electronic Device Use	171	8.0	63.8
Truancy	89	4.2	67.9
Dress Code Violation	54	2.5	70.5
Insubordination	236	11.0	81.5
Profane / Abusive Language	249	11.6	93.1
Harassment / Bullying	45	2.1	95.2
Vandalism	21	1.0	96.2
Gang Behavior	30	1.4	97.6
Fighting, w/out Injury	38	1.8	99.4
Assault with Injury / Sexual Assault	8	.4	99.8
Stealing	3	.1	99.9
Possession of Alcohol / Tobacco / Drugs	2	.1	100.0
Total	2139	100.0	55.8

Table 4.4: Chi-Square Test and Independent T-Test Results for Coded Variables

	Year				
Measure Of:	2013	2014	*t*	*Df*	Sig.
Engagement – Student *	21.21 (15.387)	30.64 (21.681)	11.242	1911.14	.000
Engagement – Teacher *	33.97 (23.917)	39.59 (19.828)	4.652	1286.45	.000
	Year				
Measure Of:	2013	2014	χ^2	Phi	Sig.
Filled Out – Student *	91.6%	98.5%	53.497	.163	.000
Filled Out – Teacher	87.1%	85.3%	1.241	-.025	.264
Signed – Student	82.9%	81.7%	.516	-.016	.473
Signed – Teacher	84.2%	84.2%	0.000	0.000	.991
"Student Problem Solving"*	--	--	21.281	.103	.000
"Student Problem Solving" – Novel Response*†	4.2%	8.2%	13.790	.083	.000
"Teacher Problem Solving"	--	--	17.113	.105	.001
"Teacher Problem Solving" – Restorative *	1.4%	3.5%	7.183	.068	.007
"Teacher Problem Solving" – Punitive†	2.6%	2.5%	0.006	-.002	.938
"Teacher Overall Tone"	--	--	2.440	.013	.885
Overall Tone – Teacher – Restorative	1.3%	1.4%	0.037	.005	.847
Overall Tone – Teacher – Punitive†	6.3%	6.9%	0.202	.011	.653

* Significant at $p < .01$

† These variables had less than fair inter-rater kappa coefficients, and should be cautiously interpreted

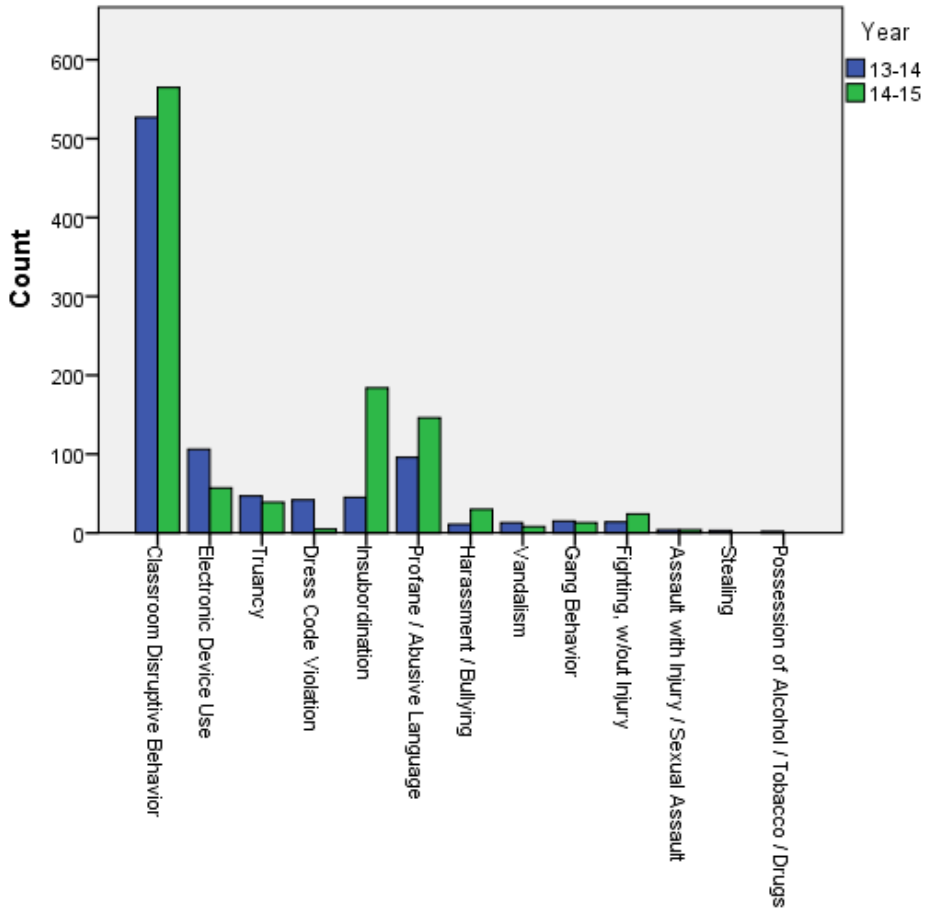

Figure 4.1: Type of Incident, by Year

4.4. Discussion

The first and perhaps most relevant finding to this specific context, was that the type of incidents being documented were almost entirely related to classroom disruption or rule enforcement, and not involving direct harm. Although one could argue that classroom disruption still involves indirect harm, such as harm to the other students ability to learn or to the teachers ability to teach, there is no clear *person harmed* in the majority of the cases. Consequently the resulting conflict is framed as a traditional conflict between the teacher and the student, and the mis-named "mediation" form has little power to enact the theoretical goals of restorative justice. Instead of being used for serious incidents or interpersonal conflicts, students were frequently sent out and given the form for things like not doing their work, putting their head down, not following a classroom rule, or squeaking their shoes on the floor – actions which it is hard to imagine might have otherwise resulted in a suspension. Whereas a conflict between two students might be appropriately handled by this process, with the teacher as mediator, the way the VSSMP was used in this context may not have been the best tool for the job. This sentiment was reflected in informal communications with staff, several of whom felt the VSSMP was overused for every situation where the real goal was simply to remove the student from the classroom.

A second and probably related finding was that the forms were not always being used as intended. This study found a moderate number of instances where the forms were not being filled out by one party or the other (mostly staff), or being signed by one or both parties (which is a loose indicator of a meeting having taken place). This varied by staff member, with many staff members diligently filling out almost every form, and others who routinely left their side blank. Keep in mind that these are the forms that were at least partially filled out and collected – whereas we know from the previous section that there are a lot of students who report experience with the ISSC but not the VSSMP at all. So that means that even when staff members use the form for disciplinary issues, which is not always, they do not always fill it out or meet with students. To be fair to the staff members, it seems like it was probably not a good tool for the situations they were attempting to use it for, so perhaps it their abandoning its use was ultimately more helpful, or at least no less helpful.

There did appear to be some evidence that the changes to the language of the form made a positive impact though, in several variables. For one thing the change to a set of restorative questions corresponded to a significant increase in the number of students filling out the form, which could be interpreted as evidence that the form was asking better questions and inviting the student to tell the reasons for acting the way they did. Interestingly it had just about no impact on staff rates of completion. There was also a significant increase in the amount of words which both students and staff wrote in response to the same number of prompts, although there was a larger increase for students. This can be interpreted in the same way: as evidence of greater engagement with the process, possibly as a result of the form asking better questions which invite more participation. This greater engagement is a *potentially* greater opportunity to build or repair relationships, but it would depend on the competencies of those involved. Last

but not least, there was some evidence of increased novel responding (students) or restorative type responding (staff) to the question of what can be done to make it right, which can be thought of as either problem solving or at least attempted engagement by both parties, depending on what comes of it. All of that being said, these improvements are all still related only to a language change in a *process*, and cannot guarantee that the process is carried out with respect or fairness, or that a positive result comes of it. As one author writes, "the processes and approaches are the most public face of restorative justice," but "these interventions require certain skills on the part of the facilitators or mediators," (Hopkins, 2002, p. 144). She writes that, "these skills are informed by an intention, namely the importance of the underlying ethos that encompasses the values of respect, openness, empowerment, inclusion, tolerance, integrity and congruence." (Hopkins, 2002, p. 145). In the case of this intervention, there may or may not have been enough done to simultaneously build these values and ethos.

Some variables that did not change, such as the average overall tone of staff responses, or the frequency of their punitive responding, may help us understand the broader picture. In the case of the overall tone of staff responding, it was overwhelmingly coded as either punitive or traditional in tone, and did not change between years. Indeed, it seemed to fall so much farther onto the punitive side of things that it was difficult to code, and the reliability of these measures was low. Many teachers seemed to adopt some level of rote responding in their responses to the form, and only occasionally did a staff member display greater variability outside of their usual range of tone. For example one teacher wrote this response to a student, "I don't care to hear it and if it is repeated again I will ask that you are suspended for a much longer period of time!" which was coded as a punitive tone. However the same teacher responding to the same student in the same month wrote, "You are a good reader and very smart. You need to set a good example in the classroom for your brother and your younger classmates," which was coded as a restorative tone. From this we can observe that at least some staff members clearly had the ability to respond in a restorative tone if they chose to, but had perhaps not internalized the ethos and philosophy of why they should care to.

Another change which was observed, however, was a qualitative change in the content of the responses – which was not the main focus of this analysis but is nevertheless worth mentioning. There seemed to be a shift in the students responses to all of the questions, but in particular the "what do you think you need to do to make things right" question, as opposed to the "what would make things right again" question. The emphasis on the individual seemed to provoke both a certain amount of responsibility taking on the part of the student, including many voluntary apologies, and also a certain amount of pushback to the notion that the onus was on them – including asking for the teacher or someone else to apologize to them. On the staff side as well, there were some noteworthy qualitative changes which would be easy to overlook. Perhaps most notably, the staff response to the question "what effect has this situation had on you and others?" forced a response that framed the negative behavior in terms of its impact on others, and as an interpersonal conflict more than just rule-breaking (when the staff followed the prompt at least, and even if it had an adversarial tone). These exchanges may have helped facilitate perspective-taking and understanding in the

student, which may have helped them stop some of their patterns of disruptive behavior, or at least consider the impact of that behavior and weigh it against how much they valued their relationship with the teacher.

Overall then, it seemed that the change in the process of the VSSMP to adopt a set of restorative questions had a positive impact and even more potential for positive impact, but could not supplant the need for effective ethos and skills training in staff. It becomes apparent in reading the literature and thinking about the concepts, that whether RJ is conceptualized as a process or a philosophy, it really necessarily depends on both. In this case the emphasis was on a specific process. When a process is applied without a substantial adoption of its supporting philosophy, however, it is at risk of being co-opted or largely ineffective. For instance qualitative research conducted on fourteen implementation sites in Scotland, "raised a number of issues about whether restorative practice might just still be about compliance," (McCluskey, et. al., 2008, p. 415). These authors write that, "[Restorative practices], when conceptualized as it was in some schools as "*just another tool in the tool-box"* (and when the toolbox also contains disciplinary practices that emphasize compliance and punishment), seemed to offer limited scope to transform school ethos." (McCluskey, et. al., p. 414). The results here seem to mimic and support those, and other articles which have raised similar concerns about the danger of co-optation by the dominant punitive paradigm (i.e. Karp & Breslin, 2001; Fields, 2013). In this implementation attempt there were some in-roads made, but it's probably safe to say there was not a large philosophical transformation, and the process attempts at restorative practices remained largely about compliance.

The largest obstacle which remains to be overcome then, when attempting to implement a restorative justice-like program, is doing enough to understand and grow the ethos within a particular institution. The focus of some future research efforts should be on determining how best to accomplish this. A reasonable hypothesis which has been put forward on this issue, is the need to manage change with a working "with" approach, as opposed to a top-down "to" or "for" approach (Wachtel, Costello & Wachtel, 2009). Another good idea is the concept of using experiential methods for professional development, as much as possible (Osborn, 2003). Such practices as learning through modeling, role-playing, debriefing, and so on allow individuals to construct *knowing* through direct face-to-face encounters and through empathy and resonance—which is internalized in a way that subjective social learning is not (Heron & Reason, 2006). It seems critical to explore what are the most effective ways to implement and manage change toward a restorative ethos, and future research should consider these questions seriously. More so than any research on the *potential* that restorative justice can have for transforming schools, or on any specific *process*, such as the change studied here – research is needed on understanding how to build and transform ethos, including learning from the numerous attempts that struggle or fail to do so. This should be the major focus of future research.

Part 5: Conclusion

With the many major problems associated with traditional disciplinary policy in schools, more and more institutions are looking into adopting alternatives. It is becoming widely known that relying on traditional punitive discipline disproportionately impacts young minorities and minority communities, and is contributing to the school-to-prison pipeline. (Gonzalez, 2012; Davis, 2014; Center for Civil Rights Remedies, 2013). It is further becoming apparent that exclusionary discipline policies may be harming children by reducing their feeling of school connectedness, and restricting their opportunities for positive socialization. (American Psychological Association Zero Tolerance Task Force, 2008). The long term consequences of these policies often include vast hidden costs to the society, including a substantial economic burden (Marchbanks et al., 2013). Therefore it seems prudent to consider alternatives to the traditional methods, and many schools and school administrators are looking to restorative justice as an alternative—but not all efforts with the words "restorative justice" in them are created equal, and implementing even the best ideas may be half the battle.

It is clear from many articles written on the subject that a transition to restorative practices takes time to cultivate, and neither the potential nor the challenge should be underestimated. With perhaps as much experience as anyone in implementing whole school transformations, IIRP authors write, "Every instance of restorative practices implementation of which we are aware, including our own CSF Buxmont schools, has proved to be a challenging learning process for all involved. The most restorative school in the world should still seek to refine its practices and find ways to be yet more restorative and less punitive." (Costello, Wachtel & Wachtel, 2009, p. 97) It is therefore worth considering the effort towards implementing restorative practices as a process in and of itself—not as simply a change to be made like changing a department head. In writing about the challenge of culture change, Morrison, Blood, and Thorsborne (2005) suggest a three to five year timeframe for implementation. Others suggest that it may take longer, and major change may take as much as 5-10 years to become embedded, if at all (McCluskey, et. al., 2008b). While this may seem like an unusually long time frame for schools accustomed to short-term initiatives and short notice funding bids, it may hopefully be encouraging to those who are committed to cultivating this difficult cultural change, and finding progress slower than expected.

The implementation efforts that this dissertation set out to study probably fell somewhere between the range of completely traditional discipline policy, and an ideal restorative justice program. Furthermore, the implementation efforts probably fell somewhere between a total success and a total failure. In breaking down the various results, it is clear that there were some positive changes associated with at least some of the implementation efforts, particularly for suspensions in the second phase – but there were also some null results in several other domains, and possibly even some negative changes as a result of some implementation efforts. In viewing these results, it is tempting to ascribe causality to the phase of implementation associated with the positive or negative results, but we must remember that there are a lot of confounds and artifacts present in these data. At its onset, this dissertation set out to test two overlapping but

distinct approaches, and to take a deeper look at the language of one process in particular, but all of these things cannot be separated as neatly as we would like. Where the initial phase of intervention seemed to largely fail to reduce school suspensions except in one category, for example, it is possible that it may have succeeded more with a different staff or in a different institution. Similarly, while the second phase did appear to coincide with some more positive effects, it is possible that these effects would not have been achieved absent the initial period of capacity building and struggle.

With that being said, the most concrete data collected in this study – the suspension incidents, days, and periods, provided only limited support for the effectiveness of the first intervention effort. The initial effort which was based on the Urban Essentials 101 program and included the STRIVE posture, the in-school suspension classroom, and the staff-student mediation process, *was* associated with a reduction in out-of-school suspensions, but was also associated with some dangerously close to significant increases in suspension incidents and full-day-equivalent suspensions. On careful examination, the reductions in out-of-school suspensions seemed to be mainly driven by the large increase in in-school suspensions, which more than offset the reductions in out-of-school suspensions. In other words, it seemed like the main effect was achieved by kicking students out of one classroom and into another, rather than achieving some kind of cultural change that resulted in less conflict. Although this reduction in out-of-school suspensions is an important finding for schools that are concerned about this metric, the result seems most likely to be driven by the in-school suspension classroom—which is still primarily a punitive element.

The second phase of implementation, on the other hand, was much more broadly supported by the data on suspension incidents and days. The large visually apparent drop in full-day-equivalent suspensions (Figure 2.5) combined with the statistical analysis which showed a significant reduction at 3 months and 12 months as well as a negative change in the slope of the rate, provides evidence that something was changing for the better during this period. The significant reduction in the rate of suspension incidents at 12-months, as well as the negative change in the slope of that rate also provide support that something positive was occurring during this period, which resulted in lesser teacher-student conflict and the need for suspending students. Taken together, these findings may be considered some promising support for the concept of teaching core restorative practices through experiential learning groups, including affective statements, restorative questions, and basic circle processes. Of course it is not possible to know whether teaching these elements specifically made the difference, or if it was something else like the change in the staff-student mediation process, or perhaps a different factor entirely, but the results are certainly more promising than if there had been no effect.

As far as a hoped for improvement in teacher-student relationships as a result of either phase of intervention, the results collected her show no such finding. There were no significant changes to any of the measured teacher-student relationship variables, across three years of data collection. Although we should be careful not to over-interpret a null result, these findings would seem to suggest that whatever positive changes were taking place as far as suspension were concerned, they were not primarily driven by an

improvement in teacher-student relationships, overall. Another plausible interpretation, however, might be that *some* teacher-student relationships were improving, particularly between students and the restorative practices adopters, but the measurement of teacher-student relationships was not sensitive enough to capture this variance. This seems plausible for at least two reasons, which are 1) the scale intended to measure teacher-student relationships referred to all of the student's teachers collectively, which would not allow them to parse out those with whom they had a good relationship from the bad, and 2) the four point response scale for this measure may not have been sensitive enough to detect subtle changes. This is definitely an area which will require future research, perhaps by having students rate their teachers separately rather than as a whole.

The only variables which were measured by surveys that *did* change were those related to the staff perceptions of the helpfulness of the mediation process and in-school suspension classroom, and the students reported involvement in both of those processes. These results appear to show a substantial decrease in staff perceptions of the usefulness of both the VSSMP and the ISSC, even while their use of both of these processes steadily increased – including a gap between the two which demonstrated the process was not being followed correctly, which also increased. There could be a number of explanations for these findings, but one plausible interpretation might be that the two processes were indeed decreasing in their helpfulness, while at the same time staff felt compelled to increase their use of both processes to deal with disruptive behavior. Another plausible interpretation is that as staff members increased their use of both processes to deal with more and more disruptive behavior, including for relatively minor behaviors like not doing one's work or putting one's head down – and even then adhered to both processes less and less over time – that the helpfulness of these processes decreased in response. This interpretation seems plausible in light of the fact that the one-on-one conferencing, even with restorative question asking, is designed as a third-tier approach to handling serious incidents which have resulted in harm being done, and is probably not that helpful at disciplining students who are tired or simply not doing their work. Furthermore, even if this type of conferencing could be beneficial, it is difficult to see how it could achieve this benefit for the around 30% of the students reported no experience with it by the third year, even while they were being sent out to the ISSC.

Whatever we make of the survey results that were collected here though, it is probably worth reiterating that the sampling contained some irregularities and concerns, particularly for staff. In light of these sampling concerns and very small *N* for staff responses, we probably shouldn't weight the two significant findings from this sample too much, in our overall picture of things. For the students responding, there were also some sampling concerns, but a much larger *N* makes it more reasonable to trust the only significant findings, which were increasing use of the VSSMP and ISSC, and increasing evidence of the process not being followed. Therefore it seems like the most pertinent finding from this data, over the period of observation, was that the schools steadily increased their use of the tools at their disposal for disciplining students, and got farther and farther away from adherence to the original process as they did so.

As far as those processes go, our examination into a sample of over two thousand discipline referral forms provides a rare and information rich snapshot of what was going on in these schools, both before and after language change was made to the forms. The first major finding from this examination was that a vast majority of the incidents which were generating the forms were related to classroom disruption or rule enforcement, and not involving direct harm between individuals. This pattern did not change with the second phase of implementation, and is significant in that it forces us to ask, are these the type of incidents which are meant to be resolved with this type of conference? It is possible that they are not, and might be better addressed by some secondary or even primary tiered interventions. For example there were 171 incidents which were coded as electronic device use—mainly cell phone use – which *is* a constant problem with these students. In my own work with these same challenging students (separate from and beyond the timeframe of this dissertation), I approached the problem by showing a video which lead into a circle discussion where we discussed the use and overuse of cell phones during our meeting time, as well as establishing some agreed upon guidelines for when they could be used without disrespect, and the consequences for using them other times (which the students came up with). I would consider this a primary level preventative action, which along with a few minor secondary interventions resulted in never having to send a student out for this behavior. It is possible that a primary preventative approach like this would have been better suited for many of the problems which were being handled with in-school-suspension and conferencing.

The other major findings from this examination concerned the changes made in the language of the staff-student mediation process form, and whether they would be associated with any changes in responding. The evidence collected did demonstrate significant increases in several variables between the two samples, including both staff and student engagement, as measured by the number of words written in response to the same number of prompts, and in both staff and student problem solving (for staff in what was coded as restorative problem solving). Students filling out the completed form also significantly increased. These changes provide some support for the importance of language itself in restorative conferencing (Drewery, 2004), and specifically for the use of restorative questions, as developed by the IIRP (Mirsky, 2011). Nonetheless these positive results should still be considered in context, and specifically in this context where the overall tone of responding remained overwhelmingly punitive or traditional, and the types of incidents which were being referred remained what they were. The change to restorative questions seemed to coincident with greater engagement on both sides, but that greater engagement should be interpreted only as a *potentially* greater opportunity to build or repair relationships, but it still depends on the competencies and actions of those involved. It may be that the greatest potential of adopting such questions could only be achieved in a context of a greater restorative ethos all around, as well as greater competencies in conducting conferences, and for more appropriate incidents involving harm between parties.

Overall, there were some positive results from both phases of attempted implementation, but neither provided all of the results that were hoped for, such as improved teacher-student relationships. This mixture of positive and negative results

highlights both the promise and the challenge of implementing restorative justice in schools. We know that in certain circumstances it can work very well (Mirsky & Wachtel, 2007), and that it is possible to implement in ways that are successful at achieving significant improvements (IIRP, 2009; Gonzalez, 2012), but we also know that this is not always the case (Kaveney, 2013), and that "many programs that self-identify as restorative do not result in 'restorativeness" (Pavelka, 2013, p.17). What we still need to learn are exactly what differences separate a successful RJ program from an unsuccessful one—which may yield different answers depending on the setting we are examining. In this setting, the initial implementation effort included extensive re-structuring and staff training, but resulted in only limited success. In the second implementation effort, there was much less re-structuring and only limited staff training, which resulted in slightly more success, but still not enough to substantially transform the school climate.

In considering both approaches honestly, one must consider the possibility that the first effort may have been too much of a "top-down" approach, and included too much focus on processes related to rules being broken, rather than a focus on relationships. Even though the importance of relationships may have been understood by institutional leadership, as well as the general philosophy of restorative justice, the efforts to enact the new approach may not have done enough to transfer that understanding to frontline staff. The second phase of implementation, on the other hand, concentrated its effort on trying to cultivate the ethos and skills of basic restorative practices in staff, but may have been too minimal and un-sustained to make a sizeable impact. Similarly, without any kind of "top-down" directive to implement any of the practices which were taught, such as using circle processes proactively, staff may have opted to adopt very little of what they were exposed to. Lacking any kind of accompanying change or re-structuring of discipline processes, there may not have been enough impetus for staff to substantially change the way they did things.

To synthesize things, it should be possible to learn a few lessons for the next attempt at implementing restorative justice in a school setting, both from the current observations and from the wider literature. From a review of the literature, it would appear that some of the most promising elements of what the ethos of RJ should be, include a focus on relationships as centrally important, an awareness of harm done rather than rules broken, a collaborative "with" approach, and an emphasis on growth, empowerment, problem-solving, and reparation (Zehr, 2002; Amstutz & Mullet, 2005; Morrison, 2005). In addition to this ethos, restorative practices may work best when they also involve the cultivation of appropriate skills, which support a range of restorative processes to be maximally effective (Hopkins, 2002; Drewery, 2004). The present implementation efforts were lacking in many of these areas, so they probably could have been improved in this way. Furthermore, some experts argue that experiential activities and active learning strategies should be employed in both training and continued professional development (Osborn, 2004; Costello et al., 2009), which was something that *was* implemented in the second phase of the present effort, but may or may or may not have been in a sufficient amount. Future implementation efforts should probably incorporate this strategy, while future research should study it in more of a systematic way.

Finally, several experts argue that the most promising applications of RJ in a school setting should use a range of informal to formal practices, implemented using a whole-school approach, and using a three tiered range of practices (Morrison, 2007; McCluskey et al., 2008; Myers & Evans, 2012). This three-tiered range of practices was also lacking in the present implementation effort, which could have probably been improved in this way. Of course these recommendations could be interpreted as testable hypotheses, though, and not necessarily fact—and future research should consider different possibilities and test them systematically. For example perhaps a two-tiered approach is all that is necessary, or perhaps it depends on the context and the student population in question. In any case, while it is unlikely that all of these hypotheses will be tested directly in a single study, the accumulation of research evidence over time should help us determine which of these recommendations are sound, or how they should be amended. Those who have a directive to conduct research as opposed to mainly provide educational services, should continue to push for these answers.

In the meantime, for those leaders and institutions that are considering or just starting out on the road toward restorative justice / restorative practices, the best course of action is probably to familiarize yourself as much as possible with best practices and other attempts, before you begin your own. Once you begin though, consider the process of implementation to be an experiment, and expect to encounter adversity along the way, which must be overcome with collaborative problem solving. Whatever approach is taken, the following seems like useful advice: "A place to begin may be to assess what restorative components are already being used. 'Start with what you do and do it better' should be the mantra. Start with the belief that when we celebrate what's right, we will have the energy, creativity, and inspiration to work at changing what is wrong." (Amstutz & Mullet, 2005, p. 79). Thus, the concepts and potential of restorative justice must necessarily begin within reach of those people and institutions implementing them—while the greatest potential still lies in achieving a cultural paradigm shift to the fuller philosophy and values of the restorative approach. In other words, the shift to restorative practices *is* ultimately a paradigm shift, but there is still plenty of potential for smaller improvements along the way, such as those observed in this current dissertation.

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Appendix

Appendix A:

STRIVE POST STAFF SURVEY SPRING 2015

1. What site location do you work at most?		
Answer Options	**Response Percent**	**Response Count**
Atwater		
Los Banos		
Merced		
	answered question	
	skipped question	

2. Are you a certificated or classified staff member?		
Answer Options	**Response Percent**	**Response Count**
Certificated Classroom Teacher		
Certificated IS Teacher		
Classified		
	answered question	
	skipped question	

3. On a scale ranging from 1-5, with 1 being poor and 5 being excellent, how would you rate student behavior this year?

Answer Options	1-Poor	2-Fair	3-Average	4-Good	5-Excellent	Rating Average	Respon Coun
						answered question	
						skipped question	

4. On a scale ranging from 1-5, with 1 being poor and 5 being excellent, how would you rate the student discipline process this year?

Answer Options	1-Poor	2-Fair	3-Average	4-Good	5-Excellent	Rating Average	Respon Coun
						answered question	
						skipped question	

5. On a scale ranging from 1-5, with 1 being not at all positive and 5 being extremely positive, how would you rate your student relationships this year?

Answer Options	1-Not at all positive	2-Slightly positive	3-Moderately positive	4-Very positive	5-Extremely positive	Rating Average	Respon Coun
						answered question	
						skipped question	

6. From the choices below, fill in the blank within the sentence that best describes your outlook on student relationships. "I believe building relationships with stude is _____ important to their success."

Answer Options	not at all	slightly	somewhat	very	extremely	Rating Average	Respon Coun
						answered question	
						skipped question	

7. Have you had any experience this year with the Valley Staff Student Mediation Process (VSSMP)?		
Answer Options	Response Percent	Response Count
1- none at all 2- not directly 3- yes, some directly 4- yes, a lot directly		
	answered question	
	skipped question	

8. Is this because:		
Answer Options	Response Percent	Response Count
There haven't been any problems. You dealt with them in another way. Please describe.		
	answered question	
	skipped question	

Number	Response Date	You dealt with them in another way. Please describe.	Categories

9. Thinking of your direct personal experience using the VSSMP, on average, please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- I felt that it helped me recognize the student's point of view. - I felt that it helped the student recognize my point of view. - I felt we were able to resolve the problem fairly. - I felt that I built a stronger relationship with the students because of it. - I felt that it was unhelpful or ineffective.						
					answered question	
					skipped question	

10. Thinking of the VSSMP within your whole campus, please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- The VSSMP is helpful for resolving problems. - The VSSMP is helpful for maintaining classroom discipline. - The VSSMP is cumbersome or takes too much time. - The VSSMP is just another form of punishment.						
					answered question	
					skipped question	

11. Have you had any experience this year referring students to the In School Suspension Classroom (ISSC)?

Answer Options	Response Percent	Response Count
1- none at all 2- not directly 3- yes, some directly 4- yes, a lot directly		

answered question	
skipped question	

12. Is this because there haven't been any problems that would warrant it, or you dealt with them in another way?

Answer Options	Response Percent	Response Count
I haven't had any problems that would warrant it		
I dealt with them in another way. Please describe.		
answered question		
skipped question		

Number	Response Date	I dealt with them in another way. Please describe.	Categories

13. Thinking of your direct personal experience using the ISSC process, on average, please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- I felt we were able to resolve the problem fairly.						
- I felt that I built a stronger relationship with the students because of it.						
- I felt that it was unhelpful or ineffective.						
					answered question	
					skipped question	

14. Thinking of the ISSC within your whole campus, please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- The ISSC is helpful for resolving problems. - The ISSC is helpful for maintaining classroom discipline. - The ISSC is cumbersome or takes too much time. - The ISSC is just another form of punishment.						
					answered question	
					skipped question	

15. We want to ask you about how satisfied you are with the support you receive implementing restorative practices (STRIVE). Please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- At my campus, the administration is supportive of STRIVE. - At my campus, the teachers and staff are supportive of STRIVE. - At my campus, the overall mood is enthusiastic about STRIVE. - At my campus, the overall mood is skeptical or unenthusiastic about STRIVE. - I feel satisfied with the direction STRIVE is going.						
					answered question	
					skipped question	

16. Thinking of the whole STRIVE program and your experience with it, please tell us in as much detail as you'd like:

Answer Options	Response Percent	Response Count
What works? What doesn't work? What would you change, eliminate, or add to the program?		

Appendix B:

STRIVE POST STUDENT SURVEY SPRING 2015

1. What site are you attending?		
Answer Options	**Response Percent**	**Response Count**
[Site A]		
[Site B]		
[Site C]		
answered question		
skipped question		

2. How long have you been attending this site?		
Answer Options	**Response Percent**	**Response Count**
(began current semester- Spring 2015)		
(began last semester- Fall 2014)		
(began attending before last semester)		
answered question		
skipped question		

3. This past year, on a scale of Never-Sometimes-Always, did you:					
Answer Options	**Never**	**Sometimes**	**Always**	**Rating Average**	**Response Count**
Feel safe on campus?					
Trust our staff?					

Feel respected by staff?	
Feel inspired by our staff?	
Feel that our staff had a goal, or vision, in mind for you to succeed?	
Feel encouraged by our staff?	
answered question	
skipped question	

4. When you started at VCS, did someone explain to you:

Answer Options	No	Yes	Rating Average	Response Count
What STRIVE is all about?				
The school rules?				
The Behavior Intervention Plan (BIP)?				
The In School Suspension Classroom (ISSC)?				
The Valley Staff Student Mediation Process (VSSMP)?				
answered question				
skipped question				

5. Have you had any direct or indirect experience this year with the VSSMP (Valley Staff Student Mediation Process)?

Answer Options	Response Percent	Response Count
1- none at all		
2- not personally, but friends have		
3- yes, I have had some direct experience		
4- yes, I have had a lot of direct experience		
answered question		
skipped question		

6. Is this because there haven't been any problems, or your teacher dealt with them in another way?		
Answer Options	Response Percent	Response Count
I haven't had any problems The teacher dealt with them in another way		
answered question		
skipped question		

7. Please rate whether you agree or disagree with each statement regarding the VSSMP.						
Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- VSSMP is helpful for resolving problems - VSSMP is helpful for maintaining classroom discipline - VSSMP is a waste of time - VSSMP is just another form of punishment						
answered question						
skipped question						

8. Thinking of your direct personal experience with the VSSMP, on average, please rate whether you agree or disagree with each statement						
Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Response Count
- I felt that it helped me recognize the staff member's point of view. - I felt that it helped the staff member recognize my point of view. - I felt we were able to resolve the problem fairly. - I felt that I built a stronger relationship with teachers/staff because of it. - I felt that it was a one-sided form of punishment.						
answered question						

skipped question	

9. Have you had any direct or indirect experience this year with ISSC (the In School Suspension Classroom) ?

Answer Options	Response Percent	Response Count
1- none at all 2- not personally, but friends have 3- yes, I have had some direct experience 4- yes, I have had a lot of direct experience		
answered question		
skipped question		

10. Is this because there haven't been any problems, or your teacher dealt with them in another way?

Answer Options	Response Percent	Response Count
I haven't had any problems. My teacher dealt with them in another way.		
answered question		
skipped question		

11. Thinking of your direct personal experience with the ISSC process, on average, please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Rating Average	Resp Co
- I felt that it helped me recognize the staff member's point of view. - I felt that it helped the staff member recognize my point of view. - I felt we were able to resolve the problem fairly.							

- I felt that I built a stronger relationship with teachers/staff because of it. - I felt that it was a one-sided form of punishment.	
answered question	
skipped question	

12. Please rate whether you agree or disagree with each statement.

Answer Options	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree	Rating Average	Resp Co
- The ISSC is helpful for resolving problems. - The ISSC is helpful for maintaining classroom discipline. - The ISSC is a waste of time. - The ISSC is just another form of punishment.							
answered question							
skipped question							

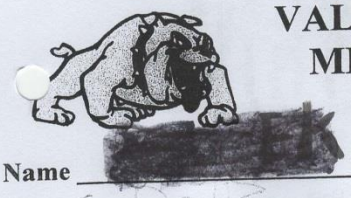
13. Finally, we'd like to ask you some questions about your teachers overall. Please indicate how often each statement about your teachers is true for you.

Answer Options	almost never or never true	sometimes true	often true	almost always or always true	Response Count
- My teachers respect my feelings. - I feel my teachers are successful as teachers. - My teachers accept me as I am. - My teachers can tell when something is upsetting me. - I get upset easily at school. - I get upset a lot more than my teachers know about. - My teachers trust my judgment. - My teachers help me understand myself better. - I tell my teachers about my problems and troubles. - My teachers encourage me to talk about my problems and difficulties.					

- My teachers understand me. - When I am angry, my teachers try to be understanding. - I trust my teachers. - My teachers don't understand what I'm going through. - I count on teachers when I need to get something off my chest. - I feel that no one understands me. - If my teachers know something is bothering me, they ask me about it.	
	answered question
	skipped question

Appendix C:

VSSMP
VALLEY STAFF-STUDENT MEDIATION PROCESS



STRIVE
SAFE • TRUST • RESPECT • INSPIRATION • VISION • ENCOURAGEMENT

Name _____ ID# _____

Date _____ Period _____

Staff: _____

Send student back this period?

Check one: Yes ☐ No ☐

In your own words, explain what happened

List any questions that you may have about the conflict/incident.
(Remember, questions begin with **W**ho, **W**hat, **W**hen, **W**here, **W**hy, **H**ow, **D**id and other interrogatories.)

2.	3.
	4.

What would make things right again?

If things are made as right as possible, how will you deal with this person or situation in the future?

Administrator/Staff Notes:

VSSMP Form E-2

Appendix D:

VSSMP
Staff Response and Resolution Sheet

STRIVE
SAFE • TRUST • RESPECT • INSPIRATION • VISION • ENCOURAGEMENT

Responder _____ Date _____

Student _____ Incident Date _____

In reply to your correspondence:

Facts (what happened, response to questions, etc.):

Making things right again will require the following measures:

My future expectations are as follows:

Is more discussion needed? **Yes** ☐ **No** ☐

(If additional support is needed, the process will be transferred to the designated administrator.)

If all positions are now clarified, please endorse below.

Signatures and Celebration of Agreement

_____ Date _____

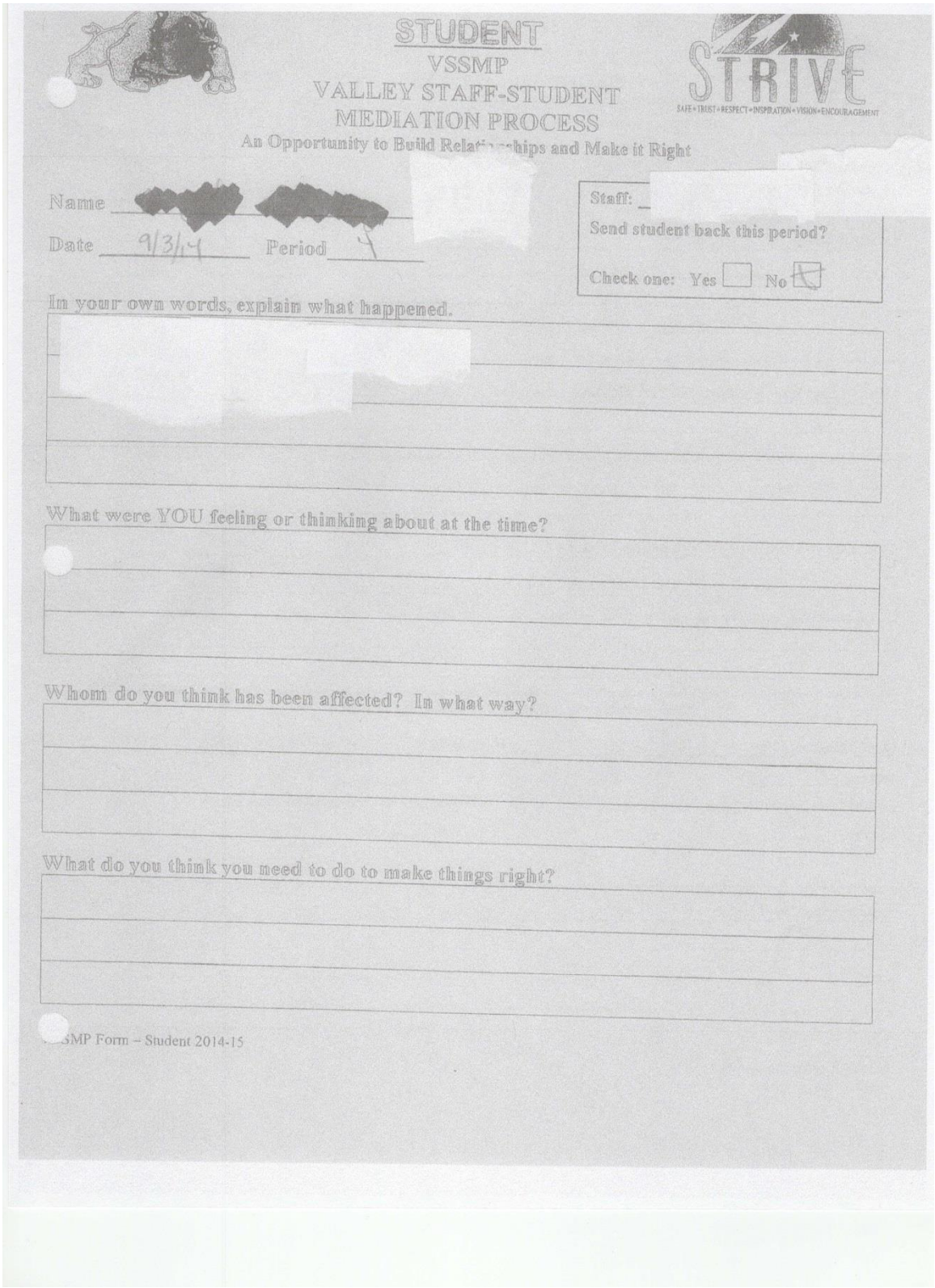
_____ Date _____

Witness _____ Date _____

Witness _____ Date _____

VSSMP Form F

Appendix E:



STUDENT

VSSMP

VALLEY STAFF-STUDENT MEDIATION PROCESS

An Opportunity to Build Relationships and Make it Right

STRIVE

SAFE • TRUST • RESPECT • INSPIRATION • VISION • ENCOURAGEMENT

Name [redacted]

Date 9/3/14 Period 4

Staff: [redacted]

Send student back this period?

Check one: Yes ☐ No ☒

In your own words, explain what happened.

[redacted]

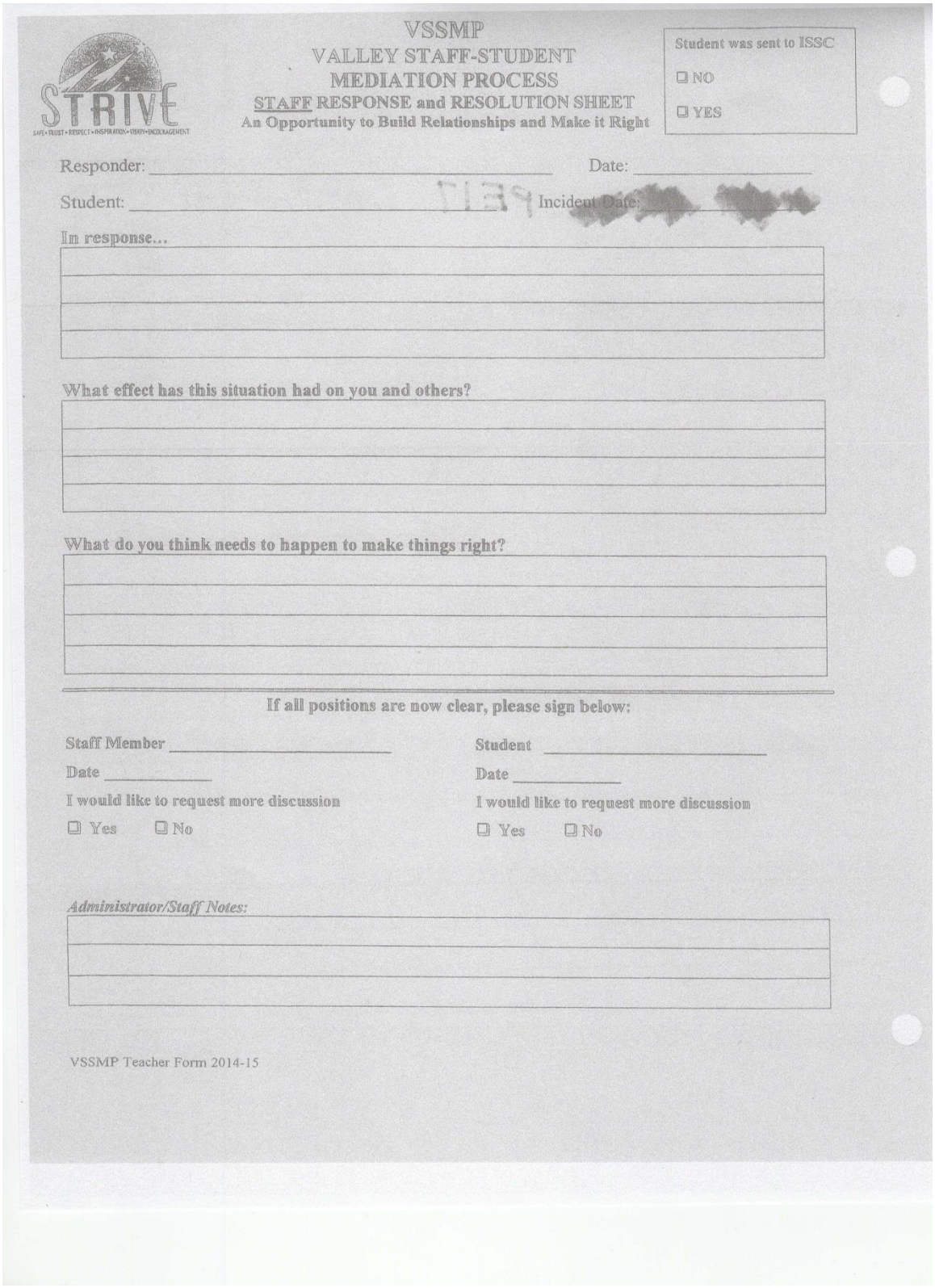
What were YOU feeling or thinking about at the time?

Whom do you think has been affected? In what way?

What do you think you need to do to make things right?

SMP Form – Student 2014-15

Appendix F:



VSSMP
VALLEY STAFF-STUDENT
MEDIATION PROCESS
STAFF RESPONSE and RESOLUTION SHEET
An Opportunity to Build Relationships and Make it Right

Student was sent to ISSC
☐ NO
☐ YES

Responder: _____ Date: _____

Student: _____ Incident Date: _____

In response...

What effect has this situation had on you and others?

What do you think needs to happen to make things right?

If all positions are now clear, please sign below:

Staff Member _____ Student _____

Date _____ Date _____

I would like to request more discussion
☐ Yes ☐ No

I would like to request more discussion
☐ Yes ☐ No

Administrator/Staff Notes:

VSSMP Teacher Form 2014-15

Appendix G:

VSSMP Coding Manual

1. School (Merced / Atwater / Los Banos)

2. Teacher (Teacher Last Name)

3. Student (Use code written next to blacked out name)

4. Class Period

5. Date, Incident (MM/DD/YY, use teacher side if possible—if not, use student side date)

6. Date, Resolved (MM/DD/YY, teacher side top line)

7. Whether the student filled it out (0 = no / 1 = yes, including what happened and at least one other section).

8. Whether the teacher filled it out (0 = no / 1 = yes, including what happened and at least one other section).

9. Type of incident (Response Options Below. *Use best option.*)

    1- Classroom Disruptive Behavior (such as talking) that fits under no other category.

    2- Electronic Device Use, Unauthorized (such as cell phone)

    3- Truancy / Ditching Class (skipping class, being somewhere without a pass, etc).

    4- Dress Code Violation (unless explicitly gang related, then code as gang behavior)

    5- Insubordination / Defiance (refusal to follow commands, not necessarily failure to inhibit behavior.)

    6- Inappropriate / Profane / Abusive Language (if toward an individual, code as #7)

    7- Harassment / Bullying (including insulting another student or the teacher).

    8- Vandalism (including tagging or defacing property)

9- Gang Behavior (any mention of the word “gang,” or clearly gang related, use this)

10- Fighting, non-serious or without injury (including verbal fighting)

11- Assault with Injury / Sexual Assault.

12- Stealing

13- Possession of Alcohol / Tobacco / Drugs

14- Possession of a Weapon

10. Student Side: Count number of words written in all text responses (From “in your own words…” to “…make things right?”)

11. Student Side: “What would make things right” (0 = nothing or blank (including “IDK”) / 1 = not do the behavior OR rote response / 2 = some other suggestion)

12. Teacher Side: Count the number of words written in all text responses (From “In response…” to “… make things right?”

13. Teacher Side: To the best of your ability, rate the overall tone of the teacher’s response.* (0 = blank, rote response, or generally neutral or traditional tone / 1 = responds in a restorative tone / 2 = responds in an adversarial or punitive tone)

14. Teacher Side: “What would make things right”: (0 = not filled out/ rote response / or simple “not do the behavior” type response / 1 = restorative action / 2 = punitive action / 3 = demand apology) **

15. More discussion needed (0 = no / 1 = yes / blank = no response)

16. Student Signed (0 = no / 1 = yes)

17. Teacher Signed (0 = no / 1 = yes)

* Criteria for Restorative Tone / Punitive Tone are the following. This is by nature a subjective category but use your best judgment.

Neutral / Traditional Tone	Restorative Tone	Punitive Tone
Behavior is described in neutral terms / objectively.	**Misbehavior defined as harm (emotional/ mental/physical) done to one person/group by another.**	**Misbehavior defined as breaking school rules or letting the school down.**
Focus on what happened alone – not on problem-solving, nor adding blame.	**Focus on problem-solving by expressing feelings and needs and exploring how to address problems in the future.**	**Focus is on what happened and establishing blame or guilt.**
	Conflict/wrongdoing recognized as interpersonal conflicts with opportunity for learning.	**Conflict/wrongdoing represented as impersonal and abstract; individual versus school.**
Ignores student opinion / no engagement with student opinion	**Validate student opinion – express understanding.**	**Invalidate student opinion – directly contradict them.**
	Express encouragement (i.e. "I know he can do better")	**Focus on blame or guilt—no encouragement.**

** Criteria for a Restorative Action / Punitive Action are actions are the following. This is by nature a subjective category but use your best judgment. For very short answers that could be interpreted as "do not do the behavior," use code #0. For rote responses that seem to be used for every student or nearly every student, also use code #0, even if the response includes "mediation." Reserve 1, 2, and 3 for actions you believe a second coder would agree are restorative, punitive, or demand an apology. "Demand Apology" is telling the student to apologize.

Restorative Action	Punitive Action
Focus on problem-solving by expressing feelings and needs and exploring how to address problems in the future.	**Focus is on what happened and establishing blame or guilt.**
Accountability defined as understanding impact of actions, taking responsibility for choices, and suggesting ways to repair harm.	**Accountability defined in terms of receiving punishment.**
Conflict/wrongdoing recognized as interpersonal conflicts with opportunity for learning.	**Conflict/wrongdoing represented as impersonal and abstract; individual versus school.**
Invite cooperation or problem-solving suggestions. Invite to mediation.	**Impose punishment on the student (clean, stay after, etc)**
Focus on repair of social injury/damage. Offer encouragement / praise.	**One social injury compounded by another (i.e. adding shame or blame)**
Staff member offers a concession, or to change his/her own behavior to help problem.	**Student demanded to make greater/unrelated change—or threatened with future punishment.**