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# Restorative Injustice: A Study of Failed Implementation of Restorative Practices at an Urban High School

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RESTORATIVE INJUSTICE:

A STUDY OF FAILED IMPLEMENTATION OF RESTORATIVE PRACTICES AT

AN URBAN HIGH SCHOOL

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A Dissertation

Presented to

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by

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## Abstract

The restorative justice process utilizes various intervention strategies created by indigenous tribes throughout the world, as an alternative to procedural justice (Zehr, 2002). In modern education, restorative justice was incorporated into the public-school system, where it has evolved into a preemptive measure to combat punitive discipline policies that is often seen as both racially insensitive and detrimental to the learning of students.

The purpose of this study was to examine the implementation process of a school based restorative justice program at an urban high school and focused on how these interventions were implemented, what resources were allocated, and how it was embedded within the school culture. A qualitative approach was chosen because the restorative justice process contains multiple variables, such as perceptions, feelings, ideas, personal ideology, and cultural factors. The sampling plan consisted of interviews, and field notes collected from a Colorado high school that was at the beginning stages of implementing a restorative justice program. Data was analyzed through the lenses of the district-based success criteria created by Anyon (2016) and Howard Zehr's (2002) conceptual pillars of restorative justice (Zehr, 2002).

Findings indicated that implementation of restorative practices at the school site was procedural and technical rather than rooted in the theory and philosophical tenets of restorative justice. Several themes also emerged from the analysis of implementation,

such as restorative practices seen as disciplinary tool by administration, the isolated and variable implementation of the process, and role specific ownership of the process. Recommendations for school administration and district employees are presented in this study to assist them in ways to improve their current implementation of restorative practices.

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Finally, to Susan Korach.  Words can't describe the appreciation I have for you and the hours you've spent helping me cross the finish line.  Your dedication made me feel as if I was your only student, and without your guidance, this work would have never been possible.

## Table of Contents

## List of Figures

**Chapter One: Introduction**

**Overview**

Restorative justice is a process of rehabilitation that is used as an alternative to procedural justice. It is a form of social justice, that addresses the needs of the individual by restoring the harm done to a victim or community, and is based on the ideals that promote healing, relationship building, and restoration between victims and offenders, benefitting all who participate in the process (Gavrielides & Artinopoulou, 2014, Kurki, 2000, Gerkin, 2009). Its philosophy, rituals, and practices stretch back thousands of years throughout various regions and cultures, such as, the indigenous people of Africa, Native Americans and the Aboriginal people of Australia and New Zealand (Zehr, 2002). Although the terminology might have changed over the centuries, the concepts are still the same. One concept comes from the teachings of Aristotle. Aristotle identified two types of justices, natural justice and common law justice. Natural justice (or natural law) is an instinctual part of human nature that deals with morality, while common law justice is a set of rules or guidelines created through a judicial process. Although Aristotle believed that natural justice is universal, and legislated justice can vary, he felt that restorative justice was an amalgam of the two. He also believed that by merging the two, with respect and lenience, one could create the type of change that would lead to an equitable form of social justice (Peters, 2004). The philosophy of restorative justice

1

reflects the moral value of believing that those affected by harm can establish true accountability by working collaboratively to repair it (Kidde & Alfred, 2011).

**Background**

The philosophy that led to the creation of restorative justice surfaced in the United States in the 1970s as a grass roots movement to address minor legal infractions for those who felt disenfranchised by the criminal justice system (Gavrielides, 2014, Zeher, 2002). It was later supported by individuals in academia who challenged traditional punitive measures and the belief that it was a necessary part of the justice system (Wenzel, Okimoto, Feather, & Platow, 2008). It wasn't until the mid-1990s that the movement toward restorative justice gained traction as an alternative to the existing criminal justice model in both North America and abroad. By the end of the first decade of the new millennium, restorative justice became increasingly popular in education and evolved into a practice commonly known as "restorative practices."

**Restorative justice in education.**

Traditionally, the US educational system has relied on procedural justice practices and discipline ladders. The problem with the use of these disciplinary practices is that they have often been used as a reactionary response to an incident, rather than used to generate positive outcomes. With traditional punishment, consequences are selected based on the severity of the infraction without any meaningful connection between the offense and the punishment (Amstutz & Mullet, 2014, Cicek, 2012). Amstutz & Mullet (2014) explain that research shows how suspensions resulting from harsh discipline policies are not making schools safer. They state that these same policies fail to creative the positive behavior school officials desire in students. As with criminal proceedings, a

student offender receives a consequence typically having no part in the ruling process. However, the philosophy of learning and engagement used during the restorative justice process allows the offender to become part of their own sentencing by working with other stakeholders to determine a proper and fair consequence (Zehr, 2002). Cicek (2012) adds that a combination of interchangeable intervention strategies and the inclusion of all stakeholders in the restorative justice process, will allow greater flexibility when implementing disciplinary procedures. Restorative justice provides an opportunity to help all parties who are in violation of the student code of conduct to learn from their experience and reduce recidivism. Cicek (2012) agrees by stating that this focus on learning and engagement has led to studies into how restorative based interventions can be implemented in schools as a means of reducing both behavioral and attendance issues.

Restorative justice practices have been enthusiastically adopted by American public schools through the implementation of restorative based interventions that are not just used as an alternative to punitive discipline, but also to teach students conflict resolution skills (Davis, 2013). This is due to the similarity restorative practices have with other programs that teach individuals social skills, conflict resolution strategies, and coping tools (McCluskey, Lloyd, Kane, Stead, Riddell, & Weedon, 2008). Zehr (2002) identifies three essential concepts that are the foundation of the restorative justice theory process: *harms and needs*, *obligations*, and *engagement*. By focusing on the *harm* done by the offender and the *needs* of the victim, the process can facilitate repairing the damage caused by an incident while simultaneously offering closure for the victim. The *obligation* is the accountability piece that is placed on the offender, allowing them to understand how their actions impacted the victim and the community around them.

3

*Engagement* requires all stakeholders to be part of the restorative justice process. Restorative justice addresses these three concepts to create a healing and transformative process that places decisions and consequences into the hands of those most impacted (Sharpe, 1998).

**Implementation of restorative practices in schools.**

To counter the negative impact of punitive discipline and zero tolerance policies, school based restorative interventions have increasingly emerged as a disciplinary alternative in public schools since 2007 (González, 2012). Restorative practices currently used in education differs from restorative justice used in the criminal justice system in that restorative practices involves having the entire school community work exclusively with student offenders (McCluskey, et. al., 2008, Hopkins, 2004).

In 2006, an urban district in a Western state received over one-million dollars in state grants to pilot restorative practices programs in several middle and high schools. Shortly after, the district expanded the program to include four additional schools (Denver School-Based Restorative Practices Partnership, 2017). This led to the revision Policy JK-R in 2008 that allowed the use of restorative justice as part of school discipline practices, and juvenile justice reform. In 2013, HB13-1254 was passed and signed into law, which created four restorative justice pilot projects along with a means to fund them, a database, expansion of the Restorative Justice Council, and clarification of previous bills. This would help reduce juvenile recidivism and curb the school-prison pipeline (Division of Criminal Justice & Restorative Justice Coordinating Council, 2016). By 2017 the district had seen a reduction in suspensions and expulsions within those schools (Ray, 2017).

According to Blood & Thorsborne (2005) and the Denver School-Based Restorative Practices Partnership (2017), it takes about three to five years to fully implement a restorative culture in schools, with the first year of implementation as the most critical. The Denver School-Based Restorative Practices Partnership, released *Taking restorative practices school-wide: Insights from three schools in Denver.* This implementation guide was based on the findings from Anyon's (2016) case study of implementation in Denver Public schools. The research report and implementation guide identified four criteria for successful school-wide implementation of restorative practices: *Principal Vision and Commitment* – It is up to school leadership to communicate the expectation of what the school envisions as restorative practices. *Staff Buy-In* - School leadership needs to involve staff in the developing restorative practices early on in order to assess the willingness to transform school culture. *Professional Development* – Continuous professional development needs to be provided for all staff. *Full Time RP Coordinator* – A major component to the success of a restorative practice program, a full-time RP coordinator, trained in restorative strategies needs to be on staff to help alleviate the workload of administration. These criteria reflect critical components of successful implementation and research suggests that an underlying social justice framework is also necessary (Sharpe, 1998).

**Statement of the Problem**

Research seems to indicate that restorative justice interventions used in schools are mainly implemented as an alternative to the consequences of punitive discipline, such as, disciplinary referrals, suspensions and expulsions (Schiff, 2013). Colorado and Denver Public Schools have made considerable investment into restorative practices,

based on the idea that restorative justice is not just an alternative to traditional discipline, it requires a philosophical shift toward a growth mindset with goals that reflects the philosophy behind restorative justice principles. Implementation frameworks identify the components needed to launch school-wide restorative practices, but an examination of the implementation process itself will guide us in understanding the symbiosis between these components and the philosophical foundation of restorative justice.

**Research question.**

Restorative justice is not just another phase of how schools deal with discipline, it is a tradition that has deep philosophical roots. The question is, does the implementation of these practices within education reflect those traditions? Is there a balance between the harms and needs base on its implementation, or are restorative practices mainly used as a "quick fix" that deals with discipline in the moment? The purpose of this study was to explore the implementation of restorative practices in a high school that exists within a district that has embraced restorative justice practices. The following research questions guided this study: "How does a high school implement restorative practices within a supportive policy context?" And, "How does the implementation of restorative justice practices reflect Zehr's (2002) conceptual pillars of restorative justice?"

**Conceptual framework.**

The components of the implementation of a restorative culture identified by Dr. Anyon's (2016) research provide a framework to explore early implementation of restorative justice. This study explored the implementation of restorative practices at a high school within a district that supports restorative justice with professional development and staffing. The implementation of restorative practices was analyzed

through the lenses of district-based success criteria (Anyon, 2016) and Zehr's (2002) conceptual pillars of restorative justice.  The following conceptual framework serves as the foundation of this study:



*Figure 1.1.* Conceptual Framework

**Definition of Key Terminology**

**Restorative justice.**

Restorative justice is a philosophy that reflects the idea that victims and offenders can work collectively with community and family members in creating an equitable form of justice for all parties involved (Rodriguez, 2007).  Restorative justice is also used as an encompassing term regarding school practices that utilize restorative based methods as part of their disciplinary policy (Gerkin, 2009).  Zehr (2002) believes that the principles of restorative justice can provide a conceptual framework for addressing concerns within the practice of conflict resolution.  Zehr (2002) adds that since most conflicts arise due to

a sense of injustice, restorative justice offers interventions that promote peace building between individuals.  Further, the restorative justice process enables students to become civic-minded and proactive, rather than standing by and allowing that harm to continue (Kidde, & Alfred, 2011).

### Restorative circles.

Restorative circles stem from the Native American practice where the community brings victims and offenders together in the spirit of reconciliation (Mirsky, 2004). Amstutz & Mullet (2014) add that other indigenous groups also required that the circle process include other members of their community.  Amstutz & Mullet (2014) explain that the modern equivalent consists of a meeting made up of all stakeholders with the goal of finding a satisfactory outcome for all involved.  A mediator is present to facilitate the circle.  Their role as "Circle Keeper" is to maintain order and clarification.  Amstutz & Mullet (2014) explain that circles are an orderly process of communication designed for individuals to reflect and listen.  This process is helpful because it also addresses underlining issue that might shed light as to why the incident happened in the first place. Often, the circle can be used as a means of determining consequences, followed by a commitment to adhere to the decision from all parties and compliance from the offender (PFI Centre for Justice and Reconciliation, 2014).

### Restorative conferencing.

Conferencing is a form of intervention commonly used in the criminal justice process that involves a face-to-face meeting between victim and offender.  Amstutz & Mullet (2014) explain that conferencing provides the opportunity for victim and offender to express their thoughts and feelings about the incident and mutually agree on the next

step toward a proactive solution.  Conferencing is a voluntary process that includes

emotional support for both sides during the discussion (PFI Centre for Justice and

Reconciliation, 2014).

**Victim-offender mediation.**

Victim offender mediation is a facilitated process that brings victims and

offenders together safely to allow the victim the opportunity to tell their side of the story

by asking the offender questions, explore restitution options, and help build an

understanding of the incident (Amstutz, 2009, PFI Centre for Justice and Reconciliation,

2014).  Amstutz (2009) adds that, at the same time, the process offers offenders the

chance to discuss what happened, take responsibility, and understand how their actions

impacted both the victim and the community.

**Chapter Two: Literature Review**

Various types of literature pertaining to the history, practices, and implementation of restorative justice in education has been reviewed. Literature on race, gender, learning disabilities, and socio-economic status were also examined in order to understand how students who are marginalized are impacted by stringent disciplinary policies. Research into this area is important to not only study how restorative based interventions effects individuals across multiple demographics, but to understand the methods schools used to create and maintain a successful restorative justice program. An examination of restorative justice policy, research practice context in Colorado was also examined.

**History of Restorative Justice**

Restorative justice is an ancient philosophy, whose concepts and practices have been used by various cultures for thousands of years. Fronius, Persson, Guckenburg, Hurley & Petrosino (2016), Hall (2007), and Kidde & Alfred (2011) note that these cultures explored meaningful alternatives that focused on accountability and healing in a profound way than simply imposing punishment. Rodriguez (2007) documented that the thought of a victim meeting with their offender and work constructively with other members of the community offers a fair and balanced approach to the dispensing of justice.

During the 1970's restorative justice began to emerge within the United States as a grassroots movement, supported by those in academia who challenged the notion of punitive justice and championed by those who felt that the criminal justice system

disenfranchised specific groups (Gavrielides, 2014, Wenzel, Okimoto, Feather, & Platow, 2008). Howard Zehr (1990), the "grandfather" of modern restorative justice, recognized restorative justice as an alternative to the current practices of criminal justice.

**Restorative Justice Practices**

A term used interchangeably with restorative justice is "restorative practice" (Zehr, 2002). The interventions used in both processes are very similar since restorative practice interventions are based on restorative justice ideals. Like restorative justice, restorative practices are based on a philosophy of reparation that promotes accountability for one's actions and reparation of harm (Schiff, 2013). Many of the principles of restorative justice are also compatible with existing school programs that provide behavioral support and teach coping skills to students (Riestenberg, 2006). Through the restorative justice process, students learn how the impact of their actions, how to manage detrimental behaviors, and accept accountability. Zehr (2002) states that restorative practices used in schools are compatible to restorative justice methods, as long as the interventions used are able to meet the needs of each situation. Kidde & Alfred (2011) add that when restorative practices are properly incorporated within the school culture, there is an improvement in school safety, the fostering of strong relationships and require fewer disciplinary actions.

Zehr (2002) believes that the tenets of restorative justice, such as, the addressing of harms and needs, obligations, and engagement can provide an effective framework for dealing with conflict. Further, the skills acquired through the restorative justice process enables students to become socially conscience (Kidde, & Alfred, 2011). Ted Wachtel (2013) is the president and founder of the International Institute for Restorative Practices,

a graduate school based in Bethlehem, Pennsylvania, whose mission is dedicated to the expansion of the field of restorative practice. Wachtel (2013) views restorative justice as more of a reactive tactic that is used only after a violation has already been committed, whereas restorative practice utilizes interventions before any infractions occur. Wachtel (2013) also believes that the implementation of restorative practices has led to a significant reduction of youth offenses and improve attitudes among youths. The three primary intervention techniques used in both restorative justice and restorative practices are victim-offender mediation, restorative circles, and restorative conferencing. All three serve a unique purpose, and are vital components to the overall process.

**Victim-offender mediation.**

Victim-Offender Mediation (VOM) is the most widely used restorative interventions in North America (Dignan, 2005). According to Dignan (2005) there are five principal goals of victim-offender mediation. They are:

1. promote and support healing for the victim

2. offender accountability

3. empowerment for both parties

4. an understanding of the impact of the offense by the offender

5. a mutual agreement by both parties on how to heal the harm done by the offender (Dignan, 2005)

Victim-Offender Mediation is used in situations when two individuals are involved in bullying, fighting, harassment, or assault. Bazemore & Umbreit (2001) describe victim-offender mediation as a process used to support the healing of victims and provide closure through a safely mediated environment. Curtis-Fawley & Daly

12

(2005) explain how one of the goals of restorative justice is to allow the victim to use the

victim-offender mediation process to confront the offender and express how their actions

impacted them.  By sharing their perspective of the incident, the process helps to alleviate

any fear or anger the victim might have toward the offender.  Van Ness & Strong (2002)

state that victims feel the need to be vindicated in order to regain control of their lives.

The Victim-Offender Mediation process gives victims the ability to meet with their

offender to address the harm done to them, while simultaneously allowing the offender to

understand how their actions affects others (Bazemore & Umbreit, 2001).

Denver Public Schools implemented a variation of victim-offender mediation

under the category "Restorative Intervention" (Baker, 2009).   This proactive intervention

strategy is used in response to incidents, such as, conflict between two or more students,

before it escalates into a punishable offence.  The idea behind this type of intervention is

to teach students how to problem solve, with the goal of preventing them from resorting

to inappropriate behavior when triggered (Baker, 2009).  Baker explains that there are

three steps to the restorative intervention process that include:

1.  identification of the infraction

2.  problem solving

3.  developing alternatives to dealing with the issue in the future (Baker,

    2009)

**Restorative circles**.

Restorative circles are used to address underlining issue that might shed light as to

why the incident occurred.  The circle process has multiple functions and can be used as

an intervention, relationship building, managing conflict, or as an icebreaker before a

group activity. As an intervention, restorative circles help individuals express their concerns in a constructive, organized manner, and in some cases, the circle is also responsible for handing down sentencing (PFI Centre for Justice and Reconciliation, 2014).

**Restorative conferencing**.

Conferencing is a voluntary intervention that involves a facilitated face-to-face meeting between the victim and offender that usually results in reconciliation in some form, or the reintegration of the offender back into the community. The PFI Centre for Justice and Reconciliation (2014) states that although the purpose of restorative conferencing is to express concerns about the offender's behavior, a level of respect should be maintained while in the process reintegration.

**Five R's of restorative justice.**

The 5R Framework is the brainchild of Dr. Beverly Title, a pioneer in the field of restorative justice, and one of the guiding tenets for restorative justice practices in Colorado. The 5R Framework sums up the restorative justice process in five words: *Relationships, Respect, Responsibility, Repair, and Reintegration* (Title, 2007).

- relationships are about mending broken relationships, either with and individual or the community.
- respect the thoughts and feelings of everyone involved in the process, including the offender.
- Responsibility, accountability and ownership of one's actions as a contribution to the retribution of harm.

- repair the harm, whether to a person or community, is part of the restorative process.

- reintegration means that the offender is valued as a member of the community and understands that their offense, although unacceptable, is not a cause for isolation or alienation (Title, 2007).

Sherman & Strang (2007) claim that many school-based discipline problems are usually addressed through the use of restorative interventions. However, restorative practices should not just be limited to disciplinary actions but can also be expanded upon to be used in other forms of social interactions. This is largely due to the adaptability of restorative interventions as compared to traditional disciplinary measures (Bergseth & Bouffard, 2012). When implemented along with the 5R's framework, victim-offender mediation, restorative circles, and restorative conferencing, can be utilized by schools as a productive means of conflict resolution rather than reverting to traditional punitive measures.

**School Discipline**

Currently, disciplinary measures are used in schools to address various types of behaviors that usually coincide with the severity of the infraction. Traditional consequences for school infractions vary from school detention, Saturday school (detention), in-school suspension, out of school suspension, and in some cases, expulsion (Cicek, 2012). Costenbader & Markson (1998) explain that suspensions are used as both a behavioral consequence, and to isolate the offending student through suspension to protect the staff and students from further abuse. Skiba (2002) adds that suspensions have become the most widely used disciplinary action in public schools, and with the

implementation of zero tolerance policies, school districts have expanded their reasons

for suspension to include, drug and alcohol possession, fighting, and offenses that occur

off school property.  Amstutz & Mullet (2014) believe that the consequences associated

with strict discipline policies fail to change bad behavior because the lack of meaning

behind the punishment.

Baker (1999) and Fine (1986) reported that students who suffer from feelings of

alienation and disenfranchisement from an unwelcoming school environment usually are

ones with the highest rate of academic failure.  Shinn, Ramsey, Walker, Stieber & O'Neill

(1987) reported that students who exhibit bad behaviors are the first to be referred for

detention or suspension and are among the last to be mainstreamed back into the

classroom.  Baker (1999) and Fraser & Walberg (1991) did extensive research on

classroom climate and concluded that there is a correlation between increased student

motivation and engagement and a positive classroom environment.  Baker's (1999)

findings also indicate that the psychological impact of a teacher's expectation as early as

third grade has a lasting effect on a child's self-esteem.  Winfield (1986) adds that the

classroom environment is a reflection of the teacher's personal belief, and that a teacher's

expectations of students' performance may vary as a function of students' race or social

class.  Goor, Schwenn, & Boyer (1997) concur with Winfield by adding that a person's

belief system can influence their perception of the world, thus guiding their behavior.

Winfield (1986) states that teachers who have a preconceived idea of what achievement-

oriented behavior should look like, will only reinforce that behavior with a specific group

of students.  This will have a negative impact on the student who the teacher feels doesn't

necessarily exhibit those behaviors.  An example would be a teacher who harbors a

notion about a particular student that they deem undesirable in their class, and openly

scorns them about their behavior or low performance.  The student, in turn, may react

negatively toward the teacher and reinforce the stereotype already perceived in that

teacher's mind.

DiCintio and Gee (1999) in their study concluded that students who were

identified as being in danger of academic failure were found to have the capacity to learn,

but were often viewed by adults as being unmotivated, defiant, or having a negative

attitude.  Based on their research, Keating, Tomishima, Foster, and Alessandri (2002) add

that studies conducted on juvenile delinquency suggest that youths develop delinquent

behavior because they cannot identify with appropriate adult role models.  Students shape

their beliefs on their perception of the world because they only notice what makes sense

to them (Goor, Schwenn and Boyer, 1997).  Amstutz & Mullet (2014) and DiCintio and

Gee (1999) add that students need to feel accepted, and the key to unlocking motivation

is to foster a self-regulating learning environment where student's thoughts and opinions

matter.  Stearns & Glennie (2006) refer to other factors that cause students to become

discouraged from continuing with their education as "push-out theory."  An example of

push-out theory would include schools whose policies impose isolational consequences,

such as suspension, for minor offenses and then require that the student make up missing

work. Zero-tolerance is another example of push-out theory.

**Zero-tolerance.**

The term zero-tolerance stemmed from the federal drug enforcement policies of

the 1980s (Skiba & Peterson, 1999) and with the ever-increasing violence as depicted on

the evening news, it was a matter of time before school officials were forced by parents

and politicians to create similar policy within their district.  Zero-tolerance as it pertains to school policies are designed to promote school safety, with proponents believing that, as long as schools are clear when outlining consequences, minor and major offenses should receive the same treatment (Sellors, 2015).  However, Skiba & Peterson (1999) believe that researchers have found little evidence to support the theory that zero-tolerance policies increase school safety and improved student behavior.  They argue that consequences resulting from stringent disciplinary policies have the reverse effect on students and view zero-tolerance policies as "the dark side."  Skiba & Peterson (1999) also claim that despite decades of implementing zero-tolerance policies, there is little data to support the idea that zero-tolerance works.  Skiba & Peterson (1999) and Stearns & Glennie (2006) conclude that rigidity of policies, such as, zero-tolerance does not differentiate between minor and severe infractions causing advocacy groups to force school officials to explore alternative means of enforcing discipline.

According to the American Psychological Association Zero Tolerance Task Force (2008) the increase of violence in public schools, has made it more and more difficult for school officials maintain safety while ensuring a child's right to an education.  The American Psychological Association Zero Tolerance Task Force (2008) adds that although the creation of zero-tolerance policies is intended to put the safety of children first, its conflict with current theories on child development has actually impacted students negatively due to its conflict with current concepts about adolescent brain development.  In response, the American Psychological Association (2008) created a zero-tolerance task force to examine the effectiveness of zero-tolerance policies in school.  The task force examined six positions that zero-tolerance policies adopt and

address each one in order to determine whether or not they are truly as effective as policymakers believe them to be.

The task force determined that zero-tolerance policies are not compatible with school discipline, nor does the consequence of isolation act as a deterrent for bad behavior (American Psychological Association Zero Tolerance Task Force, 2008). The task force also examined other factors such as the impact that zero-tolerance policies have on minority students and students with disabilities. Through the examination of literature in the field of social psychology, the task force found that zero-tolerance policies created an inconsistent enforcement of discipline among students of color. These same findings also indicate that students with emotional disabilities were also impacted by zero-tolerance policies due to the denial of special education services and instructional time (American Psychological Association Zero Tolerance Task Force, 2008).

The task force went on to investigate the effect of zero-tolerance policies have on the psychological development of different age groups. By examining evidence from research on adolescent development and its relation to school discipline, they determined that psychological immaturity is a contributing factor in how students relate to school. This led to the conclusion that as children progress through the different stages of maturity, it becomes unrealistic to believe that schools can consistently enforce zero-tolerance policies across multiple grade levels.

The task force also suggested that the enforcement of zero-tolerance policies have resulted in schools saturating the juvenile justice system, as more students are referred to juvenile court. They believed that the over usage of the court system can cause a severe financial burden on school and community resources. They add that zero-

tolerance policies could also perpetuate mental health problems for students due the stigma of suspension and expulsion. This could lead to feelings of alienation, anxiety, and rejection, further draining district mental health resources. Also, children who are normally compliant could find themselves facing criminal charges, a tarnished academic record, or the loss of a potential scholarship due to an infraction that was considered a minor offense in the past. As a result of their findings, the task force suggested alternatives to zero-tolerance policies such as, restorative justice, programs that focus on anti-bullying, and conducting a threat assessment prior to imposing any disciplinary action (American Psychological Association Zero Tolerance Task Force, 2008).

As a reaction to the 1999 shootings in Littleton, Colorado, zero-tolerance policies were implemented to ensure that any sort of physical or violent threat be punishable by automatic suspension or expulsion (Skiba & Peterson, 1999). Such policies have disenfranchised demographic subgroups of students, including racial minorities and students with special needs. Skiba, Michael, Nardo & Peterson (2002) cite a report published by the Children's Defense Fund (1975) indicating the existence of disproportionate treatment between Whites and minority students when it comes to administering school discipline. The Children's Defense Fund also reported that out of all ethnic groups, African American students received twice the rate of suspensions and two and three times more suspensions than that of White students (Skiba, Michael, Nardo & Peterson, 2002).

Punitive disciplinary policies have also caused major conflicts between school districts and the parents of special needs children, and although parents have tried to sue school districts in an attempt to demonstrate the inequitable treatment of their children

resulting from these policies, they have often lost in court (Skiba & Peterson, 1999, 2000).  Skiba & Peterson, (2000) contend that disciplinary policies are only effective if the consequences teach students how to curb their tendency toward violence through the use of problem-solving skills.  They also found that the correlation between behaviors that lead to minor classroom disruptions and school violence can be deterred with alternate disciplinary strategies.  They report that most cases of school disciplinary problems were not the result of extreme violent acts or drug related incidents, but were the result of insubordination, bullying, rumors, and sexual harassment.

Skiba & Peterson (2000) suggest that while more effective behavior strategies exist, they are not being implemented properly in schools.  They state that most zero-tolerance policies are symbolic in nature and are put in place to give administrators and parents peace of mind.  These researchers believe that the early implementation of intervention strategies dedicated to promoting positive social behavior are more effective than just punishing a student for breaking the rules.

Standing, Fearon, & Dee (2012) created an action research study in response to the high level of expulsion rates for boys within secondary schools in the United Kingdom.  The purpose was to determine if restorative justice practices would help change student behavior and lead to a culture of responsibility.  Their study followed one individual subject, age 13 -14, who exhibited high-risk tendencies toward drug and alcohol abuse, crime and other anti-social behaviors.  Over a six-month period, data was gathered in the form of classroom observations and written feedback from both the subject and school staff.  The authors noticed that the student began to improve academically and socially, influenced by the relationships forged between him and those

teachers who were willing to utilize the restorative justice techniques used for this study. Unfortunately, the student was expelled from school due to an altercation with another student and was not allowed to reconcile with the victim through a mediation process. Separation from the school community also dissolved the relationships this student created with his teachers, further hindering his progress.

With the advent of social media, a new trend has become a major concern, cyberbullying. Cyberbullying can be a deeply traumatic experience resulting in serious psychological harm to the victim (Gillespie, 2006). Cyberbullying can take on many forms, including defamation of character on social media postings, releasing personal information online, attacking one's sexual orientation, trolling, and the release of explicit photographs. In the past decade, there have been multiple instances where cyberbullying ended in suicide. Cases, such as Megan Meier (2006), Jessica Logan (2008), Tyler Clement (2010), and Amanda Todd (2012) have led to zero-tolerance legislation designed to ensure that cyber harassment be punishable in the same manner as physical harassment (NoBullying.com, 2014). Colorado revised statute § 18-9-111 (2012) makes it a misdemeanor to harass an individual through any form of communication including social media, and can lead up to a one year sentence in jail, and/or a fine of $1,000. Colorado also requires schools to adopt these policies into their own disciplinary policies (C.R.S. 22-32-109.1, 2014).

**Restorative Justice in Education**

Wright, John, Livingstone, Shepherd, & Duku (2007) conducted research on antisocial behavior in adolescence and the ramifications it has on their learning. They studied existing research on antisocial behavior interventions and discovered that not

only do such interventions successfully alter bad behavior in students, they also create positive outcomes when these students reach adulthood. Kellam, Ling, Merisca, Brown, & Ialongo (1998), also concluded that positive interventions have the greatest impact on students who exhibit the most aggressive behavior. For their study, Wright, Livingstone, Shepherd, & Duku (2007) chose to examine interventions that focused on elementary school students rather than secondary school students. The authors' rationale for choosing elementary students was due to the acceptance that early interventions had a greater impact on young children leading to more positive outcomes (Wright, John, Livingstone, Shepherd, & Duku, 2007).

Hawkins & Weis (1985) found that a major indicator of success of any school-based intervention program is that the students feel protected in their school environment. This sense of protection not only applies to physical safety, but protection from being judged or ostracized. This can be accomplished by fostering a culture of inclusion for those students who suffer from social anxiety or exhibit antisocial behavior. Kagan (1990) believes that a primary factor of academic disengagement is the disconnect a student has between the culture of the school and their own culture, especially in communities with a large minority population. Kagan (1990) offers evidence that a student's aversion to school and dropping out is a product of the school, rather than the individual's mindset. Jain, Bassey, Brown, & Kalra (2014) suggests that if implemented properly, restorative practices have a positive effect on minority groups, such as African Americans when it comes to changing behavior, reducing suspensions, and increasing academic achievement.

According to Kagan (1990) at-risk students tend to suffer from what is referred to as the "School Effect." Students who experience this phenomenon have low educational aspirations, low self-esteem, and poor coping skills. This combined with a negative attitude toward school, a history of academic failure, and truancy often leads to even more severe behaviors as they progress into adulthood. Wright, et. al (2007) and Wehlage & Rutter (1986) assert that dropping out of school is a product of student disengagement resulting from classroom alienation and teacher bias. Kagan (1990) citing Edmonds' (1986) research into effective schools, proposes that with the right interventions in place, the school can create a productive learning environment that may have a greater impact in helping at-risk students than a single individual, such as a teacher or school counselor.

Kagan and Edmonds' findings are reinforced by Laursen & Birmingham (2003), who conducted an ethnographic study of 23 students. They found that the strongest contributing factor in dealing successfully with at-risk students was the protective relationship developed between those students and adults. Laursen & Birmingham (2003) state that these relationships were successful because they exhibited characteristics of trust, attention, empathy, viability, affirmation, respect, and virtue between students and adults. The seven characteristics that were identified by Laursen & Birmingham (2003) are also components of the restorative justice process.

With evidence supporting strong student/adult relationships as a contributing factor in at-risk student success, it is logical to examine how teachers and school leaders deal with these students. Often a teacher's personal bias can creep into the classroom and influence how a student perceives school. Winfield (1986) states that research has shown

24

that a student's race and social class directly influences teacher expectations of student performance. Winfield (1986) claims that teachers who demonstrated such bias tend to reinforce achievement-orientated behavior among White students or students who exhibit middle-class behaviors. Winfield also found that teachers who believe that at-risk students are unable to learn often recommended them for special education programs.

At the onset of most teacher preparation programs, candidates are instilled with the educational philosophy of creating and maintaining classroom expectations. These expectations set up the initial classroom learning environment and are based on the personal beliefs of the individual teacher. If these beliefs differ from that of the student, it can greatly affect a student's attitude toward learning. Winfield (1986) indicates that a teacher's belief influences the manner of how they instruct at-risk students. Sometimes a student might not assimilate into the classroom culture or exhibit the behavior favored by their teacher, causing that teacher to shift the responsibility for their instruction onto others. An example would be a general education teacher referring to an IEP student in their classroom as "the SPED department's kid." Ogbu (1978) states that minority students and students of lower socio-economic status who exhibit characteristics that differ from their teachers often clash with the established school culture. Winfield (1986) suggests that further investigation into the relationship between school policies and teacher practices can lead to discovering ways to reduce generalization of curriculum and improve student-teacher relationships.

**Implementation of Restorative Practices in Colorado**

In the early 2000's, Denver Public Schools (DPS) began to feel pressure from racial justice activist's, such as Padres & Jóvenes Unidos, regarding the

disproportionality of the district's discipline policies (Cash & Kim, 2018).  According to

Cash & Kim (2018), over 11,000 students were placed on out of school suspension, in a

district consisting of around 72,000 students at that time.  This led to DPS to reform their

discipline policy through a revision of policy JK-R (Denver Plan Working Group, 2007).

JK-R was adopted to help enact new school policies that would pave the way for

discipline reform that moved away from zero-tolerance.  JK-R outlined equitable and

consistent discipline procedures designed to align with current school policy, as well as,

federal, state, and local statutes and ordinances (Denver Plan Working Group, 2007).

This allowed Denver Public Schools to explore alternate avenues that would help reduce

the number of suspensions and expulsions.

In 2014, Denver Public Schools, the University of Denver, Denver Classroom

Teachers Association, and Padres & Jóvenes Unidos created the Collaborative on Racial

Disparities and Discipline.  This group met monthly to gather and review data that

addressed racial disparities in schools, and help support the continuation of district wide

restorative practices (Cash & Kim, 2018).  In 2015, the Collaborative on Racial

Disparities and Discipline evolved into the Denver School-Based Restorative Practice

Partnership.

Anyon (2016), conducted a study of how three schools in Denver successfully

implement restorative practices in their buildings.  Using qualitative data in the form of

interviews and staff focus groups, Anyon (2016) was able to identify four important

strategies that led to the success of the three school's restorative practice programs.

These strategies consisted of a strong vision and commitment on the part of the principal,

staff buy-in of the program, professional development that is dedicated to restorative

practices, and the hiring of a full-time restorative practice coordinator to alleviate some of the burden from administrators. Out of the four strategies listed, Anyon (2016) discovered that subjects from all three schools thought that a principal's vision and commitment to restorative practices was a crucial component in building a successful school based restorative justice program.

In 2017, the Denver School-Based Restorative Practices Partnership (2017), released a guide for educators, families, and community members that outlined the implementation of restorative practices in schools through a set of researched based benchmarks created from Dr. Anyon's work. The implementation guide laid out the frame work for incorporating restorative practices into a school over a two-year period. The guide covered the purpose of restorative practices, its uses, roles of staff and administration, data collection, interview questions for potential restorative practices coordinators, and problem solving for implementation.

**Evaluation of Restorative Justice**

There has been a vast amount of research into the effectiveness of restorative justice programs, in both schools and the criminal justice system. Bergseth & Bouffard (2013) conducted a meta-analysis examining the success that restorative justice programs have on juvenile offenders by examining how various types of restorative justice programs were effective when applied to specific offenses. Bergseth & Bouffard (2013) used a series of separate Cox regression analyses to examine 352 subjects enrolled in a restorative justice program. The Cox model is a survival analysis tool used to examine the effect that multiple variables have on a subject over the course of time (Walters, 1999). The sample consisted of various groups who were referred to the program for

misdemeanor offenses.  Many of these subjects were young White urban males, who had different offense histories or no prior criminal records (Bergseth & Bouffard, 2013).

The findings indicate that the severity of the offense, as well as the age, gender, criminal history, and character of the offender, were all contributing factors to the outcome of the program.  Such factors can be conceived as indicators of increased risk, and thus may moderate the effectiveness of restorative justice programming (Bergseth & Bouffard, 2013).  Kurki (2000) added that the effectiveness or ineffectiveness of a restorative justice program was determined by the methodology and selection of candidates.  However, Bergseth & Bouffard's research (2013) found that youths referred to a restorative justice program had a lower recidivism rate over youths who were processed through the juvenile court system.  The Cox model used to review the data, revealed that participants, who were referred to a restorative justice program for crimes such as property damage, assault, and public disorder, had a longer survival time (Bergseth & Bouffard, 2013).  Levin (2006) and Hall (2007) both agree that implementing a balanced restorative justice model can produce a more harmonious environment for all stakeholders, while at the same time adding an increased value to existing intervention programs, such as group counseling, life skills training, and family therapy.  Hall (2007) suggested that a contributing factor in reducing recidivism in the juvenile justice system is the sense of community forged by the relationships of those programs.

Rodriguez (2007) conducted a study examining a restorative justice program implemented in Maricopa County, Arizona to determine if this particular program reduced recidivism within the county's juvenile justice system.  She found that there are

multiple challenges to determine whether or not restorative justice programs reduce recidivism. One factor is that certain characteristics of the juvenile offender may significantly influence selection into a restorative justice program. Variables including poverty, parental neglect, and offender attitude can also affect the outcome of the program. Rodriguez (2007) suggests that a major strength of any restorative justice program, is the ability for the offender to accept responsibility for their actions. However, Daly (2008) believes that this step of self-admission was a significant flaw in the restorative justice process.

When collecting data from the Maricopa County (AZ) juvenile online tracking system database, Rodriguez (2007) found that 60% of the juveniles referred into this program were predominantly White males, averaging in age of 14 years, with a small proportion of them being Hispanic and African-American. Rodriguez also noted that 62% of the offenders came from poverty. At the completion of Rodriguez's 24-month study, results showed that this particular restorative justice program had a slightly lower rate of recidivism than offenders in the comparison group, as well as lower rates of recidivism for participants with one or less prior offenses. The researcher recognized several limitations to the study, one being that most participants were male. This finding raises a question about how the same program would have an impact on female participants. Another limitation was that this study relied solely on recidivism as an indicator and it did not determine if the program acted as an intervention that altered the participant's behavior. Rodriguez (2007) concluded that future studies should focus on race, gender, and socioeconomic status as key factors in determining the success or failure of different restorative justice programs (Rodriguez, 2007). One contributing

factor to criticism is that most research conducted in the area of restorative justice, restorative practices, and restorative interventions, focus primarily on rehabilitation of the offender, or specific factors that contribute to the success of the program, with few studies focusing on the victim.

**Victimization**

Victimization doesn't necessarily pertain to someone who was victimized by another individual, it can also pertain to an offender who feels victimized by authority, such as teachers, administration, school resource officers, security, or school policy. Often the offender will feel singled out and begin to question the nature of their punishment, thus blaming the enforcer rather than taking responsibility for their own misconduct.  There is a need for the offender to feel justified for their actions that will often manifest in a non-remorseful response, which can become problematic when defining a victim (Daly, 2008 and Dignan, 2005).  If an offender's actions are the direct result of feelings of victimization, it now becomes a matter of perspective.  It becomes a question of how victims should be dealt with when implementing restorative based interventions (Dignan 2005).

The negative affect of punitive discipline can lead to victimization due to feelings of resentment toward an administrator or staff member.  Amstutz & Mullet (2014) claim that the unintended consequences of stringent disciplinary policies are often the negative reactionary response from students.  Burnett & Thorsborne (2015) claim that dismissing the feelings of an individual will often lead to alienation and additional behavior problems.  They go on to list some approaches used in restorative justice, such as an

empathic approach, that would acknowledge the thoughts and feelings of the individual, rather than just disregarding them.

Curtis-Fawley & Daly (2005) claim that one of the positive aspects of restorative justice interventions, such as victim-offender mediation, is that it is a means of validating the victim's experience, especially in cases where the victim feels to be at fault for the violent act. Umbreit (2002) confirms this by stating that victim involvement in the restorative justice process is one of the major benefits of participating in restorative justice interventions. Since restorative justice relies on the need for a healthy social and emotional group dynamic, various types of victim-offender communication can be used to develop a solution that will lead to the victim feeling a sense that true justice is being dispensed, leading to outcomes that satisfies all parties (Standing, Fearon, & Dee, 2012, Van Camp & Wemmers, 2013, Standing, Fearon, & Dee, 2012).

Van Camp & Wemmers (2013) conducted an interview of 34 victim participants of a restorative victim-offender mediation. This mediation emphasized the facilitation of participation and communication between all stakeholders and included elements related to both restorative procedure and outcome (Van Camp & Wemmers, 2013). Feedback from participants reported that the inclusion of peer mentors and mediation facilitators were a great resource, with nine subjects reporting that the facilitator was instrumental in helping them through the restorative process (Van Camp & Wemmers, 2013). Van Camp & Wemmers (2013) also discovered that victim proactively involved in the restorative process had a higher rate of satisfaction, compared to those involved in a traditional juvenile procedural process. Out of the 34 subjects, 21 wanted to have their offender acknowledge what they did and claim responsibility for the harm inflicted upon them

31

(Van Camp, & Wemmers, 2013).  Van Camp, & Wemmers (2013) also stated that the restorative justice process was found to be more flexible and adaptive over the strict time constraints of the procedural justice model.  However, Amstutz (2009) cautions that the decision for a victim to enter a victim-offender mediation should be a non-coerced choice to participate.  Umbreit (2002) added that the victim should always be given the choice whether or not to participate in the mediation, and should never feel pressured to do so.  Although the Victim Offender Mediation process is a constructive means of communication, the caveat of having this type of intervention, is the fact that you are placing two or more emotionally charged individuals in a position that can escalate into a potentially hostile situation.

**Social Factors: Race, Gender, Disability, and Socio-Economic Status**

While most literature on restorative justice focuses mostly on male offenders, there is little research that attends to gender in restorative justice proceedings creating a gap in the empirical knowledge of gender and its relation to restorative justice (Daly, 2008).  Daly (2008) has conducted extensive research on the role that gender plays in the restorative justice process, examining how differences in gender impacts the outcome of offender-victim mediation.  Daly (2008) found that in cases of girl-on-girl assaults, the offender typically admits to committing the offense, but only as an act of retaliation provoked by the actions of others.  This phenomenon of victimization among offenders seems to occur more with girls than with boys.  Retaliation happens when nonviolent acts such as teasing, name calling, and the spreading of rumors become so unbearable that the victim becomes the offender as an act of self-defense.  Daly (2008) identified several

emotional triggers that precipitate girl-on-girl violence, such as, gossiping, teasing, body shaming, and relationships with boys.

Although these situations are not unique to girls, Daly (2008) found that boys were more willing to take responsibility and admit to the offense, even if the offender was provoked by the victim. Since a crucial part of the restorative method is for the offender to take responsibility for their actions, girls that showed no remorse were less likely to find closure from the process (Daly, 2008). Daly (2008) adds that the current literature does not take into account the context of the offense prior to conferencing, thus leading the offender to minimalize their actions. Busch (2002) stresses that the restorative justice process should take into account any history of domestic and sexual violence that offender might have suffered prior to their actions. Daly (2008) also found that female offenders have difficulty opening up during conferences due to a higher percentage of childhood traumas as compared to their male counterparts. Daly (2008) examined three specific cases of girl-on-girl violence, and in all three cases the offender felt justified for her actions due to a sense of honor. In all cases, the offender felt the need to protect either her reputation (including sexual rumors), holding onto her boyfriend, or defending her family.

Gavrielides (2014) studied racial inequalities in the criminal justice system and found little empirical evidence that includes race as a factor in the restorative justice process and stresses the concern that institutions implementing restorative justice programs tend to disregard race all together. This study claims that the racial disconnect is largely due to the imbalance between predominately White facilitators and predominately racial minority participants. Gavrielides (2014) believes that if this

concern is not dealt with, the program will fail unless restorative justice mediators receive cultural responsiveness training. Gavrielides (2014) and Zehr (1990) have both noted the racial disparities in the court and prison system, declaring the inconsistencies within the system to be a major obstacle for the modern restorative justice process. Gavrielides (2014) points out that the restorative justice process relies heavily on a process that requires the offender to relinquish their power during the mediation process in order to build a shared trust among those involved. Gavrielides (2014) claims that if the offender is racially different than the victim, a lack of cultural proficiency may influence the outcome.

In a brief to the National Center on Secondary Education and Transition, Pam Stenhjem (2005) suggested that school officials consider the race, cultural background and disability of the child when incorporating restorative methods as part of school disciplinary measures. Part of the process is to ensure a safe and trusting environment for both the victim and offender. However, if the offender believes that the odds are stacked against them, they may put little effort into resolving the conflict between them and their victim. Empirical evidence indicates that when behavioral misconduct is dealt with harshly, it reinforces the student's bias against school (Skiba, 2002). Restorative justice programs not only reduce the number of student suspensions and expulsions, but the relationships forged between students and the adult community helps prevent the perpetuation of the school to prison pipeline.

Skiba (2002) believes that a balance can be achieved between providing learning-disabled students with a free and appropriate education (FAPE) and the contradictory nature of extreme measures outlined by current school disciplinary policies. This study

finds that although school suspensions are the most widely used disciplinary tactics, there is no evidence that suspensions or expulsions change the behavior of difficult students, and the implementation of more effective alternatives such as restorative justice has had a greater effect on reducing behavior problems among students with special needs. Skiba (2002) defends his position that disciplinary removal from school is ineffective by citing research from federally sponsored panels on school violence. He suggests that true preventative measures come from creating a positive school culture, identification of at-risk students, and implementing responsive interventions strategies, such as restorative practices (Skiba, 2002). Work in developmental pathways to delinquency prevention shows that initial behavioral problems are often followed by progressively more serious behavior and adjustment problems in adulthood (Baker, Sigmon, & Nugent, 2001). Amstutz & Mullet (2014) add that excluding students from school seems to be a precursor to academic failure, which leads to dropping out, and in some cases, entering the juvenile justice system (Amstutz, & Mullet, 2005).

In 1976, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) awarded a research grant to the Association for Children with Learning Disabilities (ACLD) to conduct a remediation program designed to study data that will aid in the reduction of delinquency of teenagers who were identified as learning disabled (Keilitz & Dunivant, 1986). The National Center for State Courts (NCSC) received a second grant to conduct a longitudinal study which focused on the relationship between youths identified as learning disabled and juvenile delinquency. This grant also allocated funding for NCSC to evaluate the effectiveness of the ACLD remediation program. Before this study was conducted, this area was virtually unexplored, providing scant

evidence of the potential causal factors in the link between learning disabled students and delinquency (Waldie & Spreen, 1993).  Leone, Zaremba, Chapin, & Iseli (1995) report that it's not uncommon for law enforcement and court officials to misinterpret some behaviors exhibited by youths identified with learning disabilities, emotional disturbance, or mental retardation as being defiant or anti-social.

**Human rights, race, and culture.**

A major concern about current school disciplinary policies is how it disenfranchises students by race, sex, or exhibiting a lack of consideration for their culture.  The social justice philosophy, known as, Critical Race Theory (CRT) explores the idea that racial disparities have existed in all aspects of the White dominated culture of America since the country's inception.  CRT proposes that the current culture has disenfranchised people of color in major institutions, such as the criminal justice system and education (DeCuir, & Dixson, 2004).  Vargas (2003) suggests that racism is much more prevalent in America than people think, because it exists mainly at an unconscious level.  This has allowed racism to seep into various American institutions, culture, and even in concepts of identity, such as commercialism and social expectations.  Lynn & Parker (2006) claim that because racism is so entrenched into American society, it can often go unnoticed to those who are immersed in White culture.

Although Critical Race Theory (CRT) began to gain momentum in the mid-90s, its origins began in the 1970's, with Critical Race Studies (CRS) and were expanded on by the works of legal scholars Derrick Bell, Alan Freeman, and Richard Delgado (DeCuir, & Dixson, 2004).  Since the 1990's, scholars have used the transdisciplinary significance of CRT to help analyze the experiences of minority populations and apply

36

that information to other fields such as health and education (Ledesma, & Calderón, 2015, and Lynn & Parker, 2006).  A major concern for CRT scholars is the inadvertent way racism has become intergraded into the education system through the use of school policy and curriculum.  Many have concluded that the incorporation of racial bias into traditional school discipline policies, has led to an imbalance in way discipline is dispensed, leading to an increase in criminalizing minority students for inconsequential infractions (American Civil Liberties Union, 2015).  Extreme measures such as zero-tolerance policies have created unforeseen problems, raising critical inequitable treatment of specific demographic sub-groups in schools where zero-tolerance policies are more likely to target them (Verdugo, 2002).  By examining the restorative justice process through a CRT lens, it will be possible to determine if the practices used take into account the racial and cultural background of the students involved.

Moore & Mitchell (2009) believe that restorative justice practices are more than just a form of rehabilitation for juvenile offenders.  They theorize that the process can be applied on an international level to secure the human rights of children globally.  They assert that a human rights-based approach to restorative justice will strengthen international mandates that are already in place.  Moore & Mitchell (2009) also claim that the same principles used in restorative justice practices are aligned with the democratic practices in international law and can be merged to correspond with the standards outlined in the 1989 United Nations Convention on the Rights of the Child (UN General Assembly, 1989).  Moore & Mitchell (2009) praise the resolution as a means of ensuring the rights of all children internationally but contend that it does not explicitly insure the rights of children who are currently incarcerated for criminal offenses.  They cite multiple

37

sources as evidence that the addition of restorative justice principles to current

international law will guarantee that the rights of children will be upheld.  By comparing

specific articles from the United Nations resolution to applicable restorative justice

techniques, Moore & Mitchell (2009) have created a goal for participating nations to

overcome the bureaucratic obstacles of their own juvenile judicial system that will

impede the progress of this movement.

While researchers have identified opportunities for improvement within the

restorative justice process, the majority of literature reviewed in this chapter indicates

that these programs are increasingly successful as an alternative to less effective punitive

disciplinary policies.  Disproportionality of school and district discipline policies has led

to discipline reform that allowed school districts to enact policies that moved away from

zero-tolerance and pave the way for equitable and consistent discipline

procedures designed to align with current school policies.  This allowed schools to

explore alternate avenues that would help reduce the number of suspensions and

expulsions and opened the door for research on the successful implementation of

restorative practices in schools.  This research led to the creation of frameworks that

outlined the implementation of such practices that have been adopted by a majority of

school districts around the country.

Although there are many important variables to take into consideration, such as

race, gender, student disability, and socioeconomic background, the data gathered across

more than 35 years in both, the criminal justice system and school settings, repeatedly

demonstrate that when restorative justice programs are properly implemented, they have

a positive effect on helping students who have a history of disciplinary problems and recidivism, as compared to stringent discipline policies.

**Chapter Three: Methodology**

**Overview**

The restorative justice process grew from the criminal justice system as an alternative to the current form of judicial rehabilitation strategies. Restorative justice practices used in criminal justice places an emphasis on repairing the harm caused by criminal behavior, and through non-traditional means, providing reconciliation between the victim and offender (Hall, 2007). Since then it has been incorporated into the U.S. education system, where it has evolved into a preemptive measure used to reduce the number of suspensions and expulsions, as well as, redirect negative behaviors of students. The philosophy behind restorative justice is to have an equitable form of accountability and rehabilitation for both offender and victim through a cooperative process between all stakeholders (PFI Centre for Justice and Reconciliation, 2015).

This study examined the implementation process of restorative practices in one urban high school in a state and district that support restorative practices. This study does not focus on the specific restorative justice interventions used in the school, but rather what happened during the school's first year of school-wide implementation through the lens of Anyon's (2016) criteria, what resources are allocated, and how implementation aligned to Zehr's (2002) pillars of restorative justice. The questions "How does a high school implement restorative practices within a supportive policy context?" And "How does the implementation of restorative justice practices reflect Zehr's (2002) conceptual

pillars of restorative justice?" guided this study. This study explored how this school moved away from an espoused commitment and implementation of restorative practices. The findings from this research may help school leadership gain greater insight into how to improve the implementation or creation of a restorative justice program or aid the restorative practice coordinator in the implementation and enrichment of their current restorative practices.

**Rationale**

Since the goal of this study is to describe implementation of a school based restorative justice program, a qualitative approach was utilized. Creswell (1994) describes qualitative research as an inductive model of thinking where the researcher formulates a theory after they have completed the data collection and analysis phase of the study. The exploratory nature of qualitative research is ideal because it uses real-world observations to give the researcher meaningful insight into a topic that quantitative research cannot provide (Marshall & Rossman, 1999, and Harris 2014). The use of a qualitative method to gather data is essential to this study because it deals with individual's experience, perceptions and judgement. Through qualitative research, a general understanding can be obtained from observations of implementation, administrative actions, staff buy-in, and interviews to illustrate how school leadership implements a district-based model of restorative practices into their building and how their vision and commitment creates an effective and sustainable program.

Astalin (2013) Becker, Dawson, Devine, Hannum, Hill, Leydens, Matuskevich, Traver, & Palmquist (2015) explain that the flexibility of qualitative research allows the researcher to utilize other research methods, such as a case study, to provide a

comprehensive view of a specific phenomenon.  Benbasat, Goldstein, & Mead (1987)

Patton (1990) and Maxfield & Babbie (2008) describe the case study method as a process

that focuses on different variables, such as, perceptions, feelings, ideals, philosophy, and

culture when examining a specific phenomenon in its natural setting.  Reid (1996) Berg

(1998) and Sale, Lohfeld, & Brazil (2002) add that the conclusions made from the

information accumulated during a qualitative study can provide important information

that adds a uniqueness to the research that cannot be captured by simply processing data

through a computer.

**Conceptual Framework**

The conceptual framework used for this study was based on the four components

of successful implementation of restorative practices within a school district as outlined

in Anyon's (2016) report, *Taking Restorative Practices School-Wide: Insights from Three*

*Schools in Denver*.  These four components are:  Principal Vision and Commitment, Staff

Buy-In, Professional Development, and Full Time RP Coordinator.  The framework

guided data collection and the creation of interview questions.  The data was analyzed

through the lens of the philosophical tenets of restorative justice:  addressing the harms

and needs of both victim and offender, accountability, building relationships, repairing

the harm, and reintegration back into the community.  This conceptual framework

provided a research-based definition of implementation to guide data collection of

restorative practices and philosophical tenets to provide an analytical frame to explore the

relationship between implementation and the purpose of restorative practice.

**Site and Sample**

The case for this study was a public, non-charter, Title 1 secondary school that is situated in a large urban school district in central Colorado. The school serves a large diverse population of over 1,200 students and offers multiple support classes for English Language Learners, intervention programs that support the general education population, and center-based programs that support students with special needs (Colorado Department of Education, 2018). The student body consisted of a minority population of 88 percent, with 53 percent comprising of male students and 47 percent comprising of female students. The student-teacher ratio averaged 17:1, with a free and reduce lunch rate of 75 percent (U.S. News and World Report, 2018).

The criteria of the study required a school that promoted the use of restorative practices and evidence of a school-wide restorative justice program. The selected school was in the first year of a school-wide implementation of restorative practices. The school had utilized restorative practices in a limited capacity for five years and had recently hired a restorative practice coordinator. The school met the criteria of having a large and diverse student population, a Dean of Students with five years' experience with restorative practices, and a restorative practice coordinator for school-wide implementation. I served as both the researcher and as a teacher leader in the school. This role allowed me to work closely with administration and gave me unrestricted access to be a participant observer of the school-wide implementation of restorative practices.

**Researcher Background and Bias**

During the year of the study, I was a first-year teacher leader with 15 years' experience teaching students with mild to moderate and emotional disabilities. I had five years of experience in restorative justice, that included research and training in restorative justice practices, restorative circles, and the creation and implementation of a restorative justice program in another high school. I also had experience in training staff in restorative practices at both the secondary and elementary level. As previously mentioned, I was hired as a teacher leader for the special education department at the study site. This position allowed me to conduct classroom observations daily, sit in on administrative meetings, work closely with the professional development team, and attend district level trainings. I had access to information and daily interactions that would normally not be available if I simply studied the site as an outside observer. However, the immersion of the researcher as a participant observer brought bias to the data gathering process. To minimize researcher bias, the conceptual framework, rather than the researchers' experiences, served as a guide for the document analysis and interviews. The field notes are presented as a personal narrative to explicitly identify that they emanate from the researcher's perspective.

**Data Collection**

To gather sufficient data regarding the implementation of the restorative justice process, multiple sources of data were gathered, including field notes, documentation of policy, professional development materials, and one-on-one interviews with school leadership. The rationale for examining multiple forms of data was to triangulate the findings and minimize research bias.

**Field notes.**

My experience in implementing and researching restorative practices gave me the expertise to identify and document both enacted, and missed opportunities to enact, restorative practices. I kept a journal that recorded dates, events and dialogue pertaining to restorative practices. The events included staff trainings, weekly professional development meetings, discussions with staff and school leadership, feedback sessions, district training, and professional learning community meetings. I documented in the journal interactions with staff, administration, and observations of school functions as they occurred. Observations of professional development trainings were documented on a weekly basis and professional learning community meetings were documented twice a week. Additional school or district trainings were required throughout the school year and were also documented during attendance. Field notes were free scripted, considering all observations made during the study. When disseminating the information for coding I separated the data into two groupings, *what was said* and *what was observed*. The data was then coded in in accordance to the categories based on the conceptual framework, and prepared for theming.

I then turned these field notes into a personal narrative to explicitly situate them as my perceptions of events and dialogue related to restorative practices. Smith & Noble (2014) note that there are times during the analyzation process, where the researcher might overlook data that is inconsistent with their personal beliefs, in favor of data that confirms their hypotheses or personal experiences. To avoid biases that are often associated with qualitative research, data from field notes were triangulated with other data sources, such as interviews and documents.

**Document review.**

Additional information was gathered from other data sources that included, district policy, staff handbook, school improvement plan, and district handbook. These documents were selected and reviewed to examine the policy that shapes the implementation of restorative practices, as well as, the specific guidelines that the school needed to adhere to during the beginning stages of implementation. The documents included district policy and disciplinary practices that focused on the types of intervention strategies and consequences to minimize out-of-school suspensions and expulsions. The school's improvement plan outlined specific goals designed to increase student achievement and reduce truancy. The faculty handbook that was created specifically for this school was examined because an administrator mentioned during an interview that restorative practices would be "embedded" in the new faculty handbook. Finally, since the district is a stanch supporter of restorative practices, the district handbook was also examined for any references to restorative practices. For the process to maintain validity, procedures used during the document analysis preserved a high level of objectivity and sensitivity in order for the results to be credible (Bowen, 2009).

**Interviews**.

Interviews provide a direct approach to gathering detailed oriented data regarding a particular experience (Barrett & Twycross, 2018). The reason behind deciding to conduct interviews solely with school leadership, was to gain an understanding about principal vision and commitment through the lens of the leadership team. Six interviews occurred over the course of the study: The Dean of Students, the Multi-Tiered System of

46

Supports (MTSS) coordinator, Restorative Practice Coordinator, and two assistant
principals.

To understand how administration incorporated restorative practices into the
school's culture, 35-45 minute one-on-one interviews were conducted that focused on the
procedures used during the process, as well as, attitude toward the process itself. The
following figure provides more context about each interviewee:

| Number | Current Role at School | Experience with restorative practices | Interview Length |
|--------|------------------------|---------------------------------------|------------------|
| #1 | Student discipline, restorative practice, Multi-Tiered Support, security, administrative duties | 5+ years | 40 minutes |
| #2 | Department leader, peer coach, teacher, Multi-Tiered Support | 4+ years | 40 minutes |
| #3 | Student discipline, restorative practices, security | 0 years | 35 minutes |
| #4 | Special Education, Career Pathways, ELL, Multi-Tiered Support, administrative duties | 0 years | 30 minutes |
| #5 | School leader, teacher coach, Multi-Tiered Support, administrative duties | 8+ years | 45 minutes |
| #6 | Student discipline, athletics, Multi-Tiered Support, administrative duties | 2 Years | 45 minutes |

*Figure 3.1.* Interviewee Background

The interview protocol was aligned to the four categories based on the conceptual
framework. To develop the interview protocol, staff buy-in and professional
development were combined into one category and each question fit into the remaining
three categories. The interviews could not be audio recorded per the district, so all

interviews were documented through hand written notes.  The researcher verbally shared

the responses back to the interviewee to obtain member checking.

| Principal Vision and Commitment | Staff Buy-In PD Time | Full Time RP Coordinator |
|---|---|---|
| What does restorative justice look like in your school? | Briefly describe some of the norms used during the intervention process. | What level of student participation have you seen during the intervention process? |
| What resources have you allocated to implementing restorative justice practices in your school? | What steps does your school take during the restorative justice process to ensure equity between victim and offender? | Since you've implemented restorative practices at your school, what type of changes have you seen in student behavior? |
| What protocol does your school use to refer a student for a restorative justice intervention? | What role does your staff play in the restorative justice process at your school? | What is the benefit of restorative justice over procedural justice? |
| What are the most common restorative justice intervention strategies that you use in your school? | How much professional development time does your school devote to restorative justice? | What improvements do you think can be made to the restorative justice process at your school? |

*Figure 3.2.* Interview Question Alignment with Conceptual Framework

**Data Analysis**

A case study method was chosen because the research question was exploring the

"how" of a high school's implementation process of restorative practices and "how" it

aligns with both Zehr's (2002) conceptual pillars of restorative justice and Anyon's

(2016) criteria of successful implementation of restorative practices.  Saldaña (2013)

explains that coding in qualitative research organizes the data set in a specific manner so that the researcher can categorizes the information for the purpose of pattern detection or other analytical methods.  Various coding methods can be used when conducting qualitative research.  Since this study used an illustrative case study to focus on the implementation process within a working context, the data analysis process utilized three coding techniques that corresponded with the study's conceptual framework.

**Descriptive coding.**

Descriptive coding is often used as a first step in data analysis because it assigns basic labels to data to catalogue their contents (Saldaña, 2013).  Because observational data and artifacts in the form of field notes and policy documents was collected over a period of several months, descriptive coding was used during the first cycle of coding.

**Values coding.**

Values Coding is an effective tool for qualitative research when coding data that reflects a subject's values, culture, beliefs, and perspectives (Saldaña, 2013).  Values coding was used in this study when coding transcribed interview notes, to capture and label the type of qualitative data that Saldaña (2013) described.  Values coding was also used and in the dissemination of data gathered in the field notes, to code comments, interactions, trainings and conversations with conducted with staff.

**Narrative coding.**

Narrative Coding is used for understanding the actions of the human experience found within stories or personal narratives (Saldaña, 2013).  Narrative coding and values coding were both used for coding the narrative that was created from the field notes.

All three coding techniques were used in conjunction to explore how intrapersonal and interpersonal participant experiences contributed to the implementation process. Once coding was complete, *Theming* was used to identify specific behaviors, beliefs, ideals and attitudes revolving around restorative practices. Saldaña (2013) explains that theming data can be used for all qualitative studies to create an encompassing theme that blends various themes together into a master narrative.

**Categories and Themes**

The first step in the analysis process was to review the data using descriptive coding. As patterns emerged, the researcher began clustering the data into three categories. These categories were:

- Purpose and Desired Outcomes – The purpose restorative practices serve in the building and what the school wishes to accomplish through its use.

- Process and Practice – The methods and procedures that the school uses in restorative implementation and how it is sustained within the building.

- Ownership – The roles faculty members play in implementing restorative practices.

Once categories were created, they were color coded to aid in the next step of the process. This next step consisted of narrative coding and values coding. These two coding methods were used for both the narrative and interviews to search for experiences, attitudes, conversations, interactions with staff, and school culture.

After coding was completed, the process of theming the data began. During this phase, the data was analyzed to identify specific themes in the form of behaviors, beliefs, ideals, and attitudes. These themes were then placed in each category where they were

further examined to determine if they adhered or aligned with the philosophical tenets of restorative justice and Anyon's (2016) criteria for successful restorative practice implementation.

**Ethics and Security**

Although the goal of any research is to make generalized conclusions, ethical concerns must be taken into consideration to guarantee the confidentiality of the subject, and to prevent any harm that can occur during the research process (Orb, Eisenhauer, & Wynaden, 2001). Unintended ethical issues can arise when analyzing data, especially if the information can be damaging if made public. Personal information, opinions, and unpopular beliefs can impact the respondent adversely if the researcher does not ensure proper security measures during the collection and analysis portion of the study. Flick (2008) also stresses that while collecting data, the researcher should be aware of any unforeseen influence they might have on the subjects.

    **Ethics.**

As investigators in the field of social science, we have an obligation to maintain the highest ethical standards. Subjects who agree to participate in a study have entrusted us with some of their most personal information, cherished memories, secrets, and personal ideology, therefore making us stewards of their experiences. Information disclosed during the course of this study could lead to repercussions that were unforeseen during the creation of the investigation. Maxfield & Babbie (2008) warns that the researcher should keep in mind that all research runs some risk of harming other people in some way, and must be aware of any collateral effects that might occur. That is why

careful consideration to prevent any type of harm to the subjects became a top priority for this study.

**Security.**

Every precaution was taken to ensure the security and confidentiality of all collected data, including participant's identities. All digital data was password-protected and placed on an encrypted, password-protected external hard drive. The encryption software used to protect the external hard drive utilizes over 300,000 iterations of the password-based key derivation function and cryptographic hash function algorithm, making it 300 times harder to hack than previous encryption software (Idrassi, 2015).

The external hard drive could only be accessed by a single laptop computer with a secure login that only the principal investigator of this study had access to. The computer was only used to access the external hard drive and was not used to store or transfer secured files. For precautionary reasons, the computer was also locked in a fireproof safe when not in use. Interview notes and the external hard drive was also stored in a locked fireproof safe where only the principal investigator of this study had access.

Three years after the completion of this study, all data will be deleted and destroyed. Hardcopies of data including, interview notes, observation notes, and informed consent forms will be shredded. All digitized data stored on the external hard drive will be deleted using the *Secure Empty Trash* feature. This file deletion utility follows the same protocols as the U.S. Department of Defense pattern of overwriting data. Data is overwritten seven times, and once completed, the files cannot be retrieved (Eckel, 2011). After all digital files are deleted the external hard drive will be erased and re-formatted for additional security.

**Chapter Four: Findings**

**Overview**

This study was designed to examine restorative practice implementation and the alignment with the philosophical tenets of restorative justice in a high school that resides in a district that has embraced restorative practices. Although there are policies, procedures, and resources that are available through the district, restorative practices are not mandated. Implementation, training and funding are the sole responsibility of the school. The research data gathered was coded and analyzed through a conceptual framework that was based on a combination of both the successful implementation criteria od restorative practices and the basic philosophical tenets of restorative justice. This chapter presents the findings of this study organized by the type of data collected: researcher personal narrative, document review and interviews.

**Researcher Personal Narrative**

During this research, field notes were taken in order to document how the building incorporated restorative practices as part of its culture. I as the researcher, collected field notes of events and issues related to restorative practices throughout the school year. These field notes documented a wide range of school-based interactions with administration and staff, including professional development, training in restorative practices, department meetings, meetings with administration, and district training. School activities and interactions were free scripted and recorded on a semi-daily basis,

where observations of professional development and Professional Learning Community (PLC) trainings were documented as they occurred, three days a week.

The field notes were then transcribed and coded using a combination of narrative coding and values coding to identify specific words and phrases pulled from the transcribed field notes. These codes were then used to identify patterns that were categorized through the conceptual framework, along with similar patterns found in the other coded datasets.

**Narrative.**

Before students returned to school, the entire teaching staff had an off-site meeting for training, with two hours of this training devoted to restorative practices. The training was conducted by the district restorative practice coordinator, who gave an overview of the process and introduced the school's new restorative practice coordinator. During this training, teachers asked questions about restorative practice interventions. Once school began, the focus of teacher meetings and professional development shifted to teacher effectiveness and instruction rather than restorative practices.

My role as Senior Team Lead included running the Special Education department, as well as, conducting professional development, observing, evaluating, and coaching teachers. I also taught two English lab classes and two SAT preparation courses. Upon my hiring, I had mentioned to the assistant principal that I planned on incorporating the game of chess as part of the SAT prep class. She liked the idea and gave me permission to order chess sets for my classroom. One of my colleagues heard about my plan and gave me a binder that contained a district sanctioned curriculum that was backed by research, on how to implement chess in school to help raise student achievement. After

reviewing the curriculum, I discovered a way to incorporate chess into both the SAT curriculum and as part of my classroom restorative practices as well.

Within the first few weeks of the new semester, I started the process of integrating chess into the curriculum. As part of the restorative practices I used in my classroom, I explained to the students that the skills learned in chess can be transferred to real life. I explained that chess teaches patience, forward thinking, accountability, and that every action has a consequence, including how losing is a learning experience. The students were intrigued and asked to learn more about the game. This soon led to students requesting to play chess during lunch.

Shortly into the semester, the newly hired restorative practice coordinator decided to leave and take a position elsewhere. During the weekly professional development meeting, the Dean of Students went over behavior expectations with the staff, but there was no mention on the departure of the restorative practice coordinator or who would replace him. Instead, the administrative team stressed that home visits and phone calls to parents would be the most productive way to deal with student discipline. The school had recently received funding for teachers to conduct compensated home visits with parents and guardians. These visits were to help foster a relationship between the school and community. Although community building is part of the restorative justice model, there were no strategies given on how restorative justice practices can be incorporated into these home visits. The principal shared that he was in the process of hiring a new restorative practice coordinator.

A few days later, during our special education meeting on discipline, I inquired about the restorative practice coordinator position. Since the position was still opened, I

offered to help either facilitate a staff training or conduct a professional development in restorative justice. I was informed that I should focus on teaching my classes and the teaching expectations within the teacher evaluation framework.

In early October, the Multi-Tiered Support System (MTSS) Coordinator sent out an email stating that he has been working with administration and district partners, to design a professional development on October 11th aimed at creating a restorative Multi-Tiered Support System that works for students and staff. The email included a link to a survey for staff to fill out to help in the development of that system. The next day, the MTSS Coordinator sent out another email stating that less than half of the staff had completed the survey. He added that he was "working hard to include all staff voices into some of the work the leadership team has been doing," and that "the team wanted to design systems and supports with the staff's needs in mind." He went on to explain that the data collected will be used "to guide improvements in relation to students' academic and behavioral growth."

A few days later, the MTSS Coordinator approached me and told me that he had interviewed two students as part of incorporating student voices into the October 11th professional development training. He said that these two students were identified as "difficult" by other teachers. However, these students mentioned me as a teacher who treated them respectfully. We talked about how I use restorative justice in the classroom to build relationships and how chess can be used as part of that relationship piece.

During the October 11th professional development meeting, the MTSS coordinator gave a presentation on restorative justice and restorative practices. His presentation gave the background of restorative practices, its purpose, and how the

56

district uses RJ in other schools. It ended with a future goal of incorporating restorative practices into the building. The question and answer portion of the presentation led to a discussion of how restorative justice should look in the building and that it was not a quick fix.

A week later, the Dean of Instruction conducted a partial observation of one of my SAT prep classes. This was the first time my integration of chess and restorative practices was observed. Feedback I received included, "you're teaching too much critical thinking, and need to work on test taking strategies." I explained the rationale behind incorporating the game into the lesson, that included citing research into critical thinking skills and common core standards that the district used to develop its own chess club curriculum. I continued that it was also part of the restorative practices used in the classroom. The next day the assistant principal told me to stop using chess as part of my instruction and comply with the decision to teach test taking strategies.

After the staff returned from Thanksgiving break, the Dean of Instruction and the administrative intern, conducted a professional development training that outlined what the Multi-Tiered Support System rollout would look like in the spring. The Multi-Tiered Support System coordinator was not part of the professional development and there was no mention of incorporating restorative practices with the rollout.

A few days later, I met with the principal to receive his signature for the district's approval to conduct a student survey. During the meeting, I asked if a restorative practice coordinator had been hired. He told me that they were in the process of hiring one of the security guards for the position, and that he would begin in January. I offered

support if the new restorative practice coordinator needed help with implementing interventions. The principal told me that he would let me know.

Two weeks later, I was observed for a full evaluation. During the feedback session, I was told that I received high scores on the teacher evaluation framework in all areas of the "Positive Classroom Climate" section of the framework. The Dean of Instruction complemented me on relationship building. I reiterated that it was due to the restorative practices I use in the classroom. Shortly after, I was told that I would no longer be teaching SAT prep in the spring, and instead, teach a reading intervention class.

Upon returning from winter break, I met with the teacher assigned to the Affective Needs Center. I had coached this teacher first semester and knew that her classroom management skills were not strong. This was her first time teaching students with Serious Emotional Disabilities in a center based program and I offered to model some restorative interventions in her classroom. I explained that students with affective needs, need strong social and emotional support and restorative practices would be beneficial to her center. She said that she would get back to me about it. Two weeks later, an incident occurred in her class where a student was triggered and kicked a window, breaking it. The next day, I offered to help her manage student behavior in her classroom. She said she would let me know.

A month had gone by and I had to stop playing chess during lunch with the students from the fall SAT prep class, because the IEP paperwork took precedence. However, a student from the fall semester, stopped by and told me that he wrote a personal essay on how teaching him chess during our lunch time games changed his life. In the essay, he described how he was facing jail time for robbery and that by using what

he learned in chess, he understood how every decision had a positive or negative consequence.

That same week during professional development, the Dean of Students and the new School Resource Officer (SRO) addressed student behavior issues with the staff. They admitted that the school was "losing control of the students." The dean also mentioned that the district does not want suspensions, in or out of school. The new SRO said that he was dedicated to maintaining student discipline at the school. However, there was no mention of restorative practices, nor was the recently hired restorative practice coordinator called up to speak to the staff. Neither the principal or assistant principal in charge of discipline were in attendance of this meeting.

During the special education professional learning community meeting, a teacher was complaining about student discipline. She explained that she approached an unknown student wandering in the hall. When she asked the student who they were and where were they going, the student cursed at her and walked away. The assistant principal in charge of discipline immediately responded by asking her if she had contacted the parent, or if she documented the incident. The teacher replied that this was some random student wandering in the hall with no identification. The administrator told all in attendance that this was the reason why we call home and do home visits, and moved on from the conversation.

A week later, I attended the English department's weekly professional learning community meeting, where we had a district presenter talk to us regarding student engagement. The presenter asked several teachers to explain some of the methods they use in class to keep students engaged. I spoke about some of the restorative based

methods used in my classroom. The presenter was familiar with restorative practices and expanded on them with specific techniques of his own. One teacher responded interest in this practice, but she was worried that it might not be seen positively on teacher evaluation. Restorative practices are embedded in the teacher evaluation framework, but it is not explicit.

Before spring break there was an incident that required the school to go on lockdown. Administration began to enforce an already existing policy that required students to wear their school identification badges at all times. After spring break, the school ID policy was in effect, but inconsistent. The Restorative Practice Coordinator told me during an interview that he expected some resistance from the students, but he was working on it. Shortly after, I stopped by the lunch detention room while he was supervising students. In this detention room, I observed no interactions between adults and students. Students were eating and playing on their cell phones.

A week later, during a district initiated professional development meeting on crisis management, a teacher asked the facilitator if there were any funding set aside to provide staff training in restorative practices. The instructor replied that the district doesn't provide funding for restorative practices. That was a building issue. The teacher then asked if anyone knew where the principal was, so she could ask him about funding. No one knew.

The next day, the MTSS coordinator reached out to me via email and asked to have a conversation regarding restorative justice. The email read:

*Thank you for stepping out as a leader and a resource for everyone at yesterday's*

*training. I've known you and I were similar, but I did not know the extent of the expertise*

*and passion you had for restorative practices. I need your help!*

*I was wondering if you have any free time today or tomorrow to chat with me about some*

*2018-19 planning stuff with regard to MTSS, restorative practices, culture, behavior etc.*

*I will have some very specific questions and will not take up much of your time.*

*Do you have 30min to spare sometime soon?*

The next day, I met with him to discuss restorative practices. We sat down for
about a half hour where he talked about what restorative justice looks like to him and
how he'd like to implement it within the building. This included making restorative
justice part of the school's culture and the need to devote more professional development
to restorative practices. He then expressed his concern about the lack of support in both
discipline and restorative practices. This led to the idea of how he wanted to merge
restorative practices with MTSS in the fall and use that to help teachers learn more about
implementing restorative practices in their classroom and asked if I would be willing to
help him. I mentioned the previous Professional Learning Committee meeting where
teachers expressed their concerns that implementing restorative practices in the classroom
would affect their teacher evaluations. He stated there is an alignment between
restorative practices and the area of "Positive Classroom Climate" on the teacher
evaluation framework. He also stated that he used restorative practices while coaching
teachers and asked if I would be willing to observe his class and provide feedback on his
implementation of restorative practices in his classroom. We agreed to make future
contact regarding the observation.

A few days later, I approached the school social worker, who works primarily with the affective needs students and asked if she would be willing to be interviewed for my study. She declined claiming restorative practices are not incorporated into the Affective Needs Center's curriculum, and she has not participated in a restorative intervention at the school. Shortly after, I was approached in the hall by the teacher who inquired about funding for training in restorative practices at the crisis management meeting. She asked if I could conduct a mini training with some of the other English teachers in restorative justice interventions. She explained that she understood how the interventions worked but was not sure how to incorporate them into the classroom. A meeting was set for the last day of school. However, no one showed up for the training.

After summer break, teachers returned in preparation for the new school year. The day began with a presentation on the new restorative practice policy that was going to be implemented by administration. One of the assistant principals moved on to another school and a new assistant principal was hired to handle discipline. She began the presentation with a discipline referral protocol that required teachers to conduct "restorative conversations" with students before referring them to administration. These conversations ranged from redirecting a student in class, to taking them into the hall to speak with them about their behavior. No other interventions were mentioned. She then referenced a referral flowchart that teachers must follow before writing a student discipline referral. The presentation was followed by a quick review of the new faculty handbook that was written by administration.

After the presentation, the new assistant principal and I spoke about this study and my experience in restorative justice. She expressed interest in the idea of collaborating

with the restorative practice coordinator in a mentor capacity.  When I inquired if the school was in the process of hiring a second Restorative Practice Coordinator, she told me that administration decided not to hire an additional coordinator and instead, focus on training the one they already have.

At the end of the week, I participated in a district wide restorative justice webinar on restorative justice implementation at the school district level.  The webinar was a presentation of the history of the implementation of restorative practices within the district, and next steps the district plans on making in restorative justice.  It was informative for teachers who were unfamiliar of restorative practices but offered very little insight into conducting specific interventions.  Information about the webinar was not shared with the staff.  The assistant principal felt that the Restorative Practice Coordinator should be the only one to view it.

**Document Review**

Documents were gathered to examine policy and disciplinary practices that focused on strategies and consequences intended to minimize suspensions and expulsions.  This included goals listed in the school's improvement plan, references to restorative practices in the faculty handbook, indicators found in the teacher evaluation protocols that align with restorative practices, and references to restorative practices in the district sanctioned faculty handbook.

The only school wide dissemination of information pertaining to restorative practices, was the referral flowchart that was presented at the beginning of the year training.  The flow chart listed four steps a teacher must follow before a referral is to be sent to the discipline team.  The team consisted of the Dean of Students, the assistant

principal in charge of discipline, and the Restorative Practice Coordinator. Restorative

justice is mentioned in the box of suggested interventions, but there are no specifics to

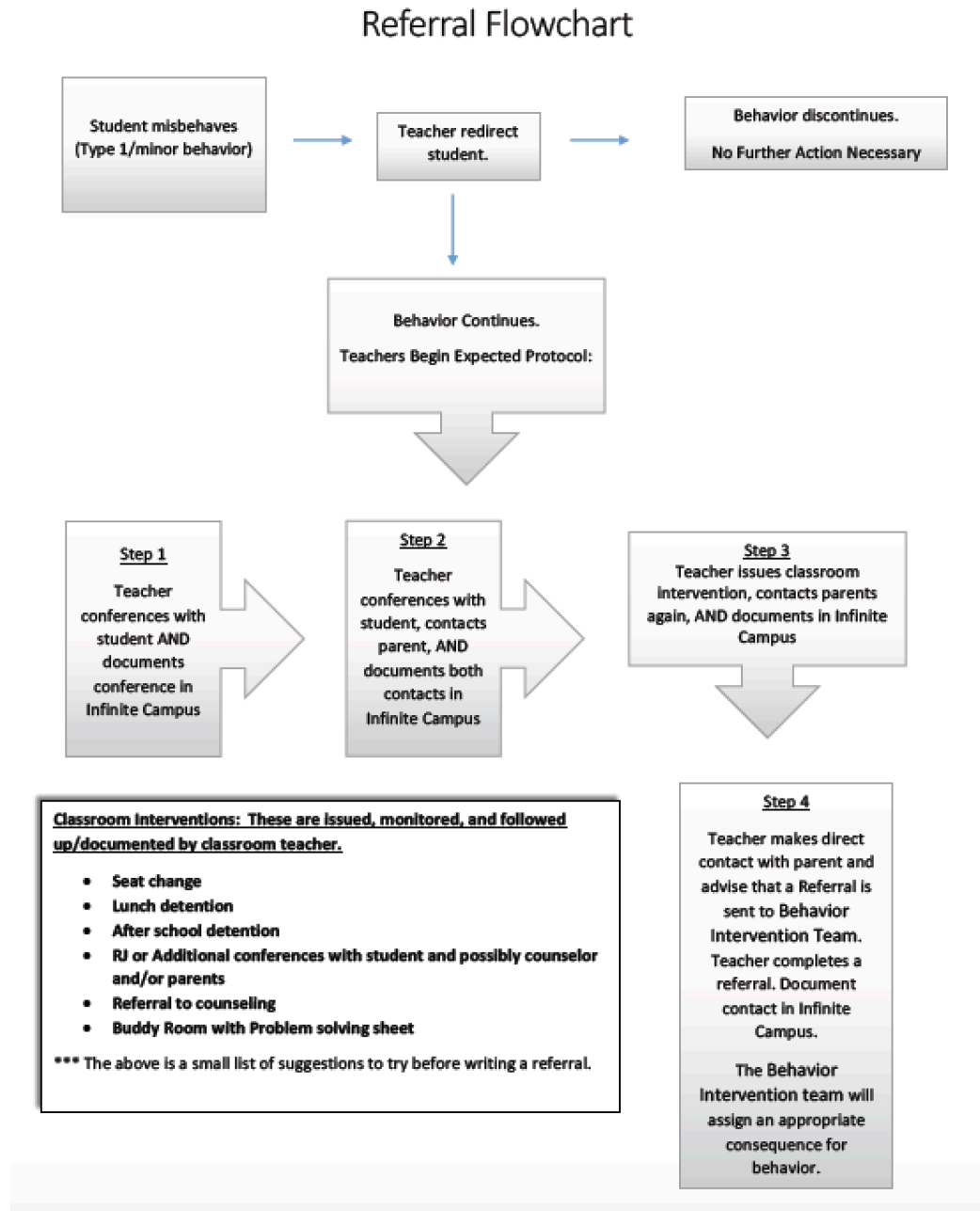what those interventions were.



*Figure 4.1*. Referral Flow Chart (Denver Public Schools, p.71)

**Interviews**

Along with field notes, interviews were conducted with administration and staff members who were in leadership positions. The purpose of the interviews was to understand how restorative practices were implemented in the building from the perspective of the individuals who were responsible of the implementation process, especially how principal vision and commitment was taken from theory to practice. The interviewing process began at the beginning of the second semester. This was to allow time for the new restorative practice coordinator to acclimate to his position and allow school leadership to refine their restorative practice methods and adjust accordingly.

Six interviews, ranging from 35-45 minutes were conducted using interview questions that were created using the four components of successful implementation, Principal Vision and Commitment, Staff Buy-In, Professional Development, and Full Time RP Coordinator. Each interviewee was chosen because of their involvement with either discipline, teacher effectiveness, interventions, school culture, special education, and school operations. Unfortunately, the principal was unavailable for an interview. The following table identifies the interviewees roles and years of experience with restorative practices:

| Number | Current Role at School | Experience with restorative practices | Interview Length |
|--------|------------------------|----------------------------------------|------------------|
| #1 | Student discipline, restorative practice, Multi-Tiered Support, security, administrative duties | 5+ years | 40 minutes |
| #2 | Department leader, peer coach, teacher, Multi-Tiered Support | 4+ years | 40 minutes |

| #3 | Student discipline, restorative practices, security | 0 years | 35 minutes |
|---|---|---|---|
| #4 | Special Education, Career Pathways, ELL, Multi-Tiered Support, administrative duties | 0 years | 30 minutes |
| #5 | School leader, teacher coach, Multi-Tiered Support, administrative duties | 8+ years | 45 minutes |
| #6 | Student discipline, athletics, Multi-Tiered Support, administrative duties | 2 Years | 45 minutes |

*Figure 4.2.* Interviewee Background

**Interview #1.**

The first interview was with a school leader who had the most experience using restorative practices with students. Interviewee #1 stated that they and another individual had previously used restorative practices in an informal way for over five years prior to the arrival of the new administration. This second individual no longer worked at the school, but they both developed a system of using restorative type interventions without the support of a restorative practice coordinator. Interviewee #1 did not go into great detail about the previous system but explained how they used to conduct peer mediations. This included a set of "ground rules" that students needed to follow during the mediation process. These rules included: no threats or insults toward each other, no physical aggression, blaming, or interruptions. Every student had a voice and a say in their consequences. Once both parties reconciled, they were given a form to fill out that was kept as a record of the intervention.

Interviewee #1 admitted that they had no formal training in restorative justice, only knowledge of the process obtained through reading Zehr's books and articles on the

66

subject.  When asked "What does restorative justice look like in your building?"

Interviewee #1 replied "Restorative justice consists of conversations between students

and staff and is designed to get students and staff to cooperate."  When asked "how?"

Interviewee #1 explained that they mostly use peer mediation and "restorative

conversations" with students.  These conversations were often done in the moment when

a discipline problem occurred or when a student was sent out of class.  Interviewee #1

stated that he preferred restorative conversations because it consisted of questions that

measured the feelings of the student and gave the student the opportunity to tell their side

of the story.

When asked to expand upon restorative conversations, Interviewee #1's

description of the intervention made it seem more of an encompassing term for any

conversation that occurred with a student after a discipline infraction.  For example, if a

student was removed from class, the initial meeting between administration and the

student to find out what happened would be considered a "restorative conversation."  If

two students had a conflict, the peer mediation intervention would be considered a

"restorative conversation."  If a teacher speaks with a disruptive student in the hall, it

would be considered a "restorative conversation."

During the interview, Interviewee #1 openly expressed frustration of the current

approach to discipline.  He felt that misplaced priorities, the absence of a school culture,

and lack of administrative involvement in the intervention process was part of the reason

for the rise of negative behaviors with students.  When asked if there were any positive

changes in student behavior since the implementation of restorative practices,

Interviewee #1 responded, "The first few years there was a significant drop in

suspensions and expulsions, however it has gone up in the last two years because of lack of support from this administration.  They're (administration) more concerned with (the teacher evaluation framework) than with anything else."  Interviewee #1 explained that teachers needed to take ownership of the process, but it was the fault of the administration for not supporting them through professional development that focused on restorative practices.

**Interview #2.**

Interviewee #2 was new to the building as a school leader, but had some experiences using restorative practices at their previous school.  Interviewee #2 expressed passion for restorative justice and took it upon himself to implement restorative practices in his own classroom.  He did this because he felt that although the building had a restorative justice coordinator, restorative practices were "minimally used schoolwide" and "needed a better system in place."  "The process is not implemented properly schoolwide," he stated.  "I implemented it personally and I've seen a drop in negative behavior and restore relationships between students and teachers."  When asked what type of interventions he used, Interviewee #2 stated that he used "conversations in class and outside of class to support staff members.  I've also facilitated conversations (with students) by request of the teachers."  Interviewee #2 stated that each conversation was usually "one-on-one in the moment" and were "individually based on the escalation of the situation."  Interviewee #2 would often use positive framing, tone, and reflection to create a safe environment for the student.  This supports Hawkins & Weis' (1985) belief that the student's comfort and security is a primary factor in the success of an intervention program.

Interviewee #2 went on to say that most of the staff were unaware of what restorative practices looked like and claimed that this was due to the fact that there were "No protocols currently in place" and that "teachers would reach out to the MTSS team when in need of an intervention." "We had only had two professional developments dedicated to restorative justice. One time with the district Restorative Practices Coordinator when the staff returned from summer break, and during afterschool professional development." He went on to say, "One professional development was ineffective. We also hired a restorative practice coordinator who had no training or experience conducting restorative interventions. We need more leadership buy-in, and more administration participation. We also need school wide training in restorative practices so staff can learn how to align restorative justice practices to the teacher evaluation protocols." Interviewee #2 was much more optimistic than Interviewee #1 when it came to administration's future involvement and mentioned that they were willing to help administration implement restorative practices. He also asked if he could use the findings of this study to aid him with teacher coaching in restorative practices.

**Interview #3.**

Interviewee #3 was familiar with the student body from a previous role that helped establish strong relationships with most students in the building. Although Interviewee #3 had no experience or formal training in restorative practices when hired, administration felt that his previous experience and relationships with students would be an asset to the discipline team. However, this new role was completely unfamiliar to Interviewee #3. This meant that he had to work closely with members of the discipline team to learn restorative interventions. Interviewee #3 stated that despite this, he was

excited about the new position and was willing to immerse himself in the process of restorative practices.

"Interventions are not forced upon the students." Interviewee #3 stated: "Both parties have to agree to participate. There is no procedure for the referral process. I usually get emails from teachers and about 50% of the referrals I get come from the counselors." Interviewee #3 was asked about the type of interventions they used. "I do a lot of mediations, usually between teachers and students or peer to peer mediations. If the incident involves an argument that is going to escalate into a fight, I usually work with each person individually, then one-on-one or as a group. I usually wait a day apart for students to calm down." Interviewee #3 was an advocate of restorative conversations because he felt it promoted equity. Interviewee #3 spoke about how, "Kids just want to be heard and respected." He also believed that restorative conversations reveled the underlining cause of a conflict. "Sometimes the restorative conversations can get both students and adults to open up and show respect to each other." Interviewee #3 found restorative conversations to be the most effective intervention used when dealing with conflict and was often seen in the halls caring a copy of *The Little Book of Restorative Justice*, as a reference for conducting restorative conversations.

A follow-up question was asked about consequences. Interviewee #3 explained that students are given the opportunity to take ownership for their actions and to reflect on what they could have done differently. Students are then required to pick from a list of consequences that are presented to them. Some of these consequences involved trash duty, cleaning up classrooms, or other forms of menial labor. Interviewee #3 added that interventions for boys differ dramatically for girls. Interviewee #3 stated that girls don't

take accountability as quickly as boys do and often close themselves off from conversations. This comment is reinforced by the research done by Daly (2008) who stated that female offenders needed justification for their actions, as opposed to boys, who are more willing to take responsibility and admit to their transgressions. Bergseth & Bouffard (2013) also found that gender was a contributing factor to the effectiveness of restorative practices.

**Interview #4.**

Interviewee #4 had been in her current leadership role for two years, where she oversaw multiple programs within the building. These programs included working directly with students identified as having a Serious Emotional Disability, as well as, discipline, and mentoring the Restorative Practice Coordinator. This gave Interviewee #4 a unique perspective on restorative practices within the building. Due to Interviewee #4's busy schedule, the interview was conducted during the last day of the school year and had to be squeezed into the only timeslot available. Although this interview was scheduled ahead of time, Interviewee #4 still had to multitask during our conversation. There were times when Interviewee #4 did not even look up from her computer while answering some of the questions.

After we settled in, Interviewee #4 was asked to describe what restorative justice looks like in the building. "Right now, it's in the beginning stages. We are constantly putting out fires. Because we have one person implementing restorative interventions for the entire building, most of their job consisted of them doing immediate responses in the classroom. Next year we would want this program to be more preventative." A follow-up question was asked to describe what can be done to make the program more

71

"preventative." Interviewee #4 replied, "Next year we plan on training staff on restorative interventions, such as conversations, building trust, and relationships with students." Interviewee #4 continued, "Next year we plan on providing support during PLC time, embed restorative practices in the teacher handbook, and send the Restorative Practice Coordinator to (another) high school to observe their program. Right now, the Restorative Practice Coordinator doesn't have the data he needs, because of lack of supervision. We also want to collect data on incoming students from middle school. We need a shared calendar. We need to build capacity based on behavioral data. We need to support new teachers by observing classes that implement restorative practices. We need to keep an eye on teachers who have a lot of referrals and help them implement restorative practices in their classroom."

Interviewee #4 continued, "We only have one person who still needs additional training in restorative justice (referring to the Restorative Practice Coordinator) and we need to have two people taking on the role of Restorative Practice Coordinator next year." Interviewee #4 went on to explain that the Restorative Practice Coordinator had a caseload of 30 students and received little support from one of the administrators during the semester. Interviewee #4 stated that she and others had to step in to offer "guidance and support." However, when asked about the protocols and norms followed during the intervention process, Interviewee #4 stated, "I am not aware of any norms that are in use. I have not participated in the restorative justice program. I only sat in on one intervention, but I did not facilitate it." This was followed-up with a question inquiring if they were aware of any specific interventions used. Interviewee #4 replied, "Right now, we just do restorative conversations with students and teachers. There are no other

interventions that are in use."  Although Interviewee #4 was a school leader and a supporter of restorative justice, she had no experience in the process and knew little about how the school implemented it within the building.

**Interview #5.**

Interviewee #5 worked closely with administration in an instructional capacity. He had over eight years' experience conducting classroom observations, both in his current role, and at a previous school.  Interviewee #5 also expressed frustration with administration.  "Leadership knows the importance of restorative justice but lacks the knowledge on how to manage those resources.  An example was the hiring of the Restorative Practice Coordinator without knowing what he was doing.  He had no one to report to, and no training in restorative practices."  Interviewee #5 went on to say that, "Administration viewed resources as two dimensional.  Other resources that administration didn't recognize was time and interpersonal relationships."

Interviewee #5 felt that the way restorative practices were conducted in the building was not "pure restorative justice."  He felt that teachers had some awareness about the process but did not know how to conduct restorative practice-based conversations.  This reinforced the theme of restorative practices as being role centered. "It was done haphazardly with no resources other than hiring the restorative practice coordinator."  Interviewee #5 understood the power of building strong relationships through restorative practices and had taken it upon himself to use restorative practices with students outside of a classroom setting.  When asked about type of changes seen in student behavior since they personally implemented restorative practices in the classroom, Interviewee #5 replied, "I don't know the system that the restorative practice

73

coordinator used, but I myself sat down in six restorative conversations and I've seen positive behavior and less negative behavior in class." When asked the type of interventions that Interviewee #5 used, he responded, "Restorative conversations."

Since Interviewee #5 felt that the way restorative practices were conducted in the building was not a true form of the process, he was asked what improvements can be made to the restorative justice process at the school. "A better referral process… staff culture initiative... resources to change the culture of the school… training for the Restorative Practice Coordinator and take something off of his plate. Originally the Restorative Practice Coordinator was a security guard and administration had him in sort of a hybrid role. Perhaps if they took the security part off his plate, he would've had more time to devote to restorative practices." Interviewee #5 also had extensive knowledge of the teacher evaluation framework. He explained how certain indicators aligned with restorative practices. "Teachers that were evaluated as "approaching" could have used restorative practices in their classroom as a means to bring their scores up through student engagement." The indicators that Interviewee #5 was referring to deal with positive classroom culture, environment, and equity and effective classroom management in the form of behavioral expectations.

**Interview #6.**

Interviewee #6 had previously been in a leadership position at the school site for two years, with duties that include, overseeing several departments, discipline, mentoring the Restorative Practice Coordinator, and athletics. Interviewee #6 explained that prior to the beginning of the school year, an increase in funding allowed administration to hire a restorative practice coordinator. However, the principal decided to set $35,000 aside

toward professional development that focused primarily on teacher effectiveness. "Restorative practices weren't a strong priority. Administration was more concerned with mastery of instruction and of the teaching craft." Interviewee #6's only involvement with restorative practice interventions was mainly implemented with athletes. "I was only involved with interventions involving athletes, which consisted mostly of peer mediation." Interviewee #6 felt that the philosophy of restorative practices helped teach sportsmanship, respect, and integrity and believed that by instilling the core values and utilizing the conflict solving strategies of restorative justice into student athletes, they would become better players. "Kids became self-reflective and self-aware of triggers. When conducting interventions with my athletes, I remind them that we are all gentleman and need to show true sportsmanship." Interviewee #6 went on to state, "There was an incident (at another high school) and our athletes. When I spoke to them about what had happened, I did it in a way as to protect their dignity. I never wanted to embarrass them." Interviewee #6 then gave an example of the type of norms they used during the intervention, "I would first listen with the intent to understand the situation. I always use positive intent and presumed positive outcomes." Interviewee #6 found a high level of participation in restorative justice interventions with student athletes.

When asked to describe the role that the staff plays in the restorative justice process, Interviewee #6 replied, "Teachers had different roles throughout the building. I would say six to seven teachers had a victim mentality. However, most teachers created a positive classroom environment, but restorative practices are not embedded in the classroom. Most teachers need to restructure their behavior management." Interviewee #6 was then asked if he had observed any teachers demonstrating restorative practices in

75

the classroom. "I remember one social studies teacher incorporate RJ in her classroom. She understood the student's situation and she used a calm demeanor when dealing with behavioral problems."

When asked about the protocols that administration and the Restorative Practice Coordinator used for interventions, Interviewee #6 replied, "The Restorative Practice Coordinator was a former security guard at the school. He already had data on high risk students and became proactive to help them with restorative practice interventions. There were roughly 25 boys and six girls that were identified as high risk. The Restorative Practice Coordinator had data in the form of grades and attendance. He also kept track of student interventions in a notebook log."

The interview was concluded with Interviewee #6 being asked if there were any concerns about the program he might have had and how can it be improved. "It was at the very early stages. We had a Restorative Practice Coordinator and the staff was informed that there were some restorative practices going on in the building, but we only had two professional development put in place." Interviewee #6 commented, "A higher level of expertise is needed in leadership. Leadership needs to have a fundamental understanding of what restorative justice is, and a need to increase their knowledge of it." When asked about how restorative practices was incorporated into the school culture, Interviewee #6 replied, "It was not integrated within the school culture and so it did not become part of the culture."

**Interview Summary**

These interviews provided a unique insight into the perception of how restorative practices were implemented within the building from a leadership perspective. The

following table organizes the interview respondents' statements to the implementation

criteria created by Anyon (2016) that was incorporated into the conceptual framework of

the study.

| Restorative Practices Criteria (Anyon, 2016) | Interview Responses |
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| Principal Vision and Commitment | "The first few years there was a significant drop in suspensions and expulsions, however it is gone up in the last two years because of lack of support from administration. They're more concerned with (teacher evaluation framework) than with anything else." (Interviewee #1)<br><br>"It doesn't" (Interviewee #1 when asked, How does the school incorporate restorative practices into the school culture?)<br><br>"Restorative justice consists of conversations between students and staff and is designed to get students and staff to cooperate." (Interviewee #1)<br><br>"It (restorative practices) is minimally used schoolwide. We need to have a better system in place." (Interviewee #2)<br><br>"It's (restorative practices) different from person to person. Some students might need mediation, some might need a restorative conversation. I often use mediation to ensure an equal playing field between teachers and students." (Interviewee #3)<br><br>"Right now, it's (restorative practices) in the beginning stages. We are constantly putting out fires. Because we have one person implementing restorative interventions for the entire building. Most of their job consist of them doing immediate responses in the classroom. Next year we would want this program to be more preventative." (Interviewee #4)<br><br>"I am not aware of any norms that are in use. I have not participated in the restorative justice program. I only sat in on one intervention, but I did not facilitate it." (Interviewee #4)<br><br>"Leadership knows the importance of restorative justice, but lacks the knowledge on how to manage those resources. An example was the hiring of the restorative practice coordinator without knowing what he was doing. He had no one to report to, and no training in restorative practices." (Interviewee #5)<br><br>"It (implementation) was done haphazardly with no resources other than hiring the restorative practice coordinator." (Interviewee #5)<br><br>"A higher level of expertise is needed in leadership. Leadership needs to have a fundamental understanding of what restorative justice is, and a need to increase their knowledge of it." (Interviewee #6)<br><br>"It (restorative practices) involves conflict solving strategies that are put in place." (Interviewee #6)<br><br>"It (restorative practices) was not integrated within the school culture and so it did not become part of the culture." (Interviewee #6)<br><br>"Procedural is mechanical. Restorative practice step-by-step where the individual comes first. Of course, there are always consequences, however the consequences are adapted to fit the infraction." (Interviewee #6) |

| Staff Buy-in | "The school should take a look at MTSS and look at it in a way to incorporate it into the current intervention system, and have teachers take ownership of restorative practices in their classroom." (Interviewee #1) |
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| | "Just me, the new restorative practice coordinator, and the MTSS coordinator." (Interviewee #1) |
| | "Time is the best resource used. I usually see 10 kids per week, mostly individual kids that are usually pulled out of class for meetings. After they accept responsibility, they're returned to class. Sometimes I see kids two times per week for direct interventions." (Interviewee #1) |
| | "It's more impactful if restorative practices are done and in formal way, in order to help students, take accountability, rather than the way procedural justice is used." (Interviewee #1) |
| | "We need more leadership buy-in, and more administration participation. We also need school wide training in restorative practices so staff can learn how to align restorative justice practices to (teacher evaluation framework)." (Interviewee #2) |
| | "Restorative justice fits the student population at this school by removing the racial inequity that procedural justice has." (Interviewee #2) |
| | "The process is not implemented properly schoolwide. I implement it personally and I've seen a drop in negative behavior and restore relationships between students and teachers." (Interviewee #2) |
| | "90% of staff are unaware of what restorative justice practices looks like in the classroom." (There was also a reference to a specific senior team lead that uses restorative practices as part of their coaching style). (Interviewee #2) |
| | "We need to get everyone on board. Some teachers do not agree with this process. I think if we get most of the staff on board it would be successful." (Interviewee #3) |
| | "Staff send referrals when requesting an intervention. A couple of times some teachers were involved during the restorative justice conversation I had with students." (Interviewee #3) |
| | "Educating the teacher and student. This is something that can be used in life. We need to educate students on how to communicate with others. Teachers lack of communication with students is also an obstacle." (Interviewee #4) |
| | "In the one intervention I sat in on, the student listened, but did not want to resolve the situation." (Interviewee #4) |
| | "It is not pure restorative justice. Teachers have some awareness about the process, but do not know how to conduct restorative practice-based conversations." (Interviewee #5) |
| | "Students were involved as well as the teachers, except for one intervention. The student was on board, but the teacher wasn't." (Interviewee #5) |
| | "Teachers had different roles throughout the building. I would say six to seven teachers had a victim mentality. However, most teachers created a positive classroom environment, but restorative practices are not embedded in the classroom. Most teachers need to restructure their behavior management." (Interviewee #6) |
| | "I remember one social studies teacher incorporate RJ in her classroom. She understood the student's situation and she used a calm demeanor when dealing with behavioral problems." (Interviewee #6) |
| | "I was only involved with interventions involving athletes, which consisted mostly of peer mediation." (Interviewee #6) |

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| Professional Development | "Only one professional development, which was ineffective. We also hired a restorative practice coordinator who had no training or experience conducting restorative interventions." (Interviewee #2)<br><br>"We only have one person who still needs additional training and restorative justice. It needs to be imbedded school wide and we need to have two people taking on the role of restorative practice coordinators next year." (Interviewee #4)<br><br>"Next year we plan on training staff on restorative interventions, such as conversations, building trust, and relationships with students." (Interviewee #4)<br><br>"We need a shared calendar. We need to build capacity based on behavioral data. We need to support new teachers by observing classes that implement restorative practices. We need to keep an eye on teachers who have a lot of referrals and help them implement restorative practices in their classroom. Right now, the restorative practice coordinator doesn't have the data they need because of lack of supervision." (Interviewee #4)<br><br>"It (implementation) was at the very early stages. We had a restorative practice coordinator and staff was informed that there were some restorative practices going on in the building, but we only had two professional development put in place." (Interviewee #4)<br><br>"The restorative practice coordinator has a caseload of 30 students. Some changes have occurred but not much. It needs to be embedded in the PLC and teacher handbook." (Interviewee #4)<br><br>"Educating the teacher and student. This is something that can be used in life. We need to educate students on how to communicate with others. Teachers lack of communication with students is also an obstacle." (Interviewee #4)<br><br>"Administration viewed resources as two dimensional. Other resources that administration didn't recognize was time and interpersonal relationships." (Interviewee #5)<br><br>"There are parts of restorative practices throughout the (teacher evaluation framework), especially (specific indicators). Teachers that were evaluated as "approaching" could have used restorative practices in their classroom as a means to bring their scores up through student engagement." (Interviewee #5)<br><br>"Changes in the budget allowed for the hiring of restorative practice coordinator. $35,000 was allocated toward professional development time to help teachers with best practice." (Interviewee #6)<br><br>"Zero" (Interviewee #1 in response to how much professional development was devoted to restorative practices?)<br><br>"We have only had two professional developments dedicated to restorative justice. One time with (the district Restorative Practices Coordinator) when the staff returned from summer break, and one time during afterschool professional development." (Interviewee #2)<br><br>"Not very much. The MTSS coordinator and I are planning on working on professional development next school year." (Interviewee #3)<br><br>"Next year we plan on providing support during PLC time, imbed restorative practices in the teacher handbook, and send the restorative practice coordinator to North high school to observe their program. We also want to collect data on incoming students from middle school." (Interviewee #4)<br><br>"Only two. The trauma training that we had in the spring could have led to restorative practice training." (Interviewee #5) |

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| | "Just the two trainings. Restorative practices weren't a strong priority. Administration was more concerned with mastery of instruction and of the teaching craft." (Interviewee #6) |
| Full-time Restorative Practices Coordinator | "Teachers will ask for restorative interventions. It will be used with fighting between students or if a student reenters the school after suspension, but there is no formal referral protocol." (Interviewee #1)

"No protocols are currently in place. Usually teachers reach out to us when in need of an intervention. I am aware that there were a couple of restorative circles that were used by teachers back in the fall." (Interviewee #2)

"One on one in the moment. Conversations in class and outside of class to support staff members. I've also facilitated conversations by request of the teachers." (Interviewee #2)

"Every conversation is individually based on the escalation of the situation. I often use positive framing, which includes tone and reflection. Or use the same norms for students and teachers. Honesty." (Interviewee #2)

"It was about 50-50. Boys take just one intervention per incident to resolve a conflict. However, girls averaged 2 to 3 interventions per incident, usually involving an incident with the same teacher or the same peer." (Interviewee #2)

"Interventions are not forced upon the students. Both parties have to agree to participate. There is no procedure for the referral process. I usually get emails from teachers and about 50% of the referrals I get from the counselors." (Interviewee #3)

"In cases of fighting, the students come up with a consensus and tells each side of the story during the mediation process." (Interviewee #3)

"Boy and girl interventions differ dramatically. Girls don't take accountability as quickly as boys do." (Interviewee #3)

"The process is totally voluntary. 50/50 participation. Sometimes the restorative conversations can get both students and adults to open up and show respect to each other. The kids just want to be heard and respected." (Interviewee #3)

"Right now, we do not have any protocols in place." (Interviewee #4)

"I know that the restorative practice coordinator received little support from one of the administrators last semester and others stepped in to offer guidance to the restorative practice coordinator." (Interviewee #4)

"Right now, we just do restorative justice conversations with students and teachers. There are no other interventions that are in use." (Interviewee #4)

"Don't know the system that the restorative practice coordinator used. I myself sat down in six restorative conversations." (Interviewee #5)

"As problems came up, I took it upon myself to conduct the interventions." (Interviewee #5)

"The norms I used were less formal. We had pre-conferences with both parties will add them to tell their side of the story this was to promote positive outcomes at the pre-conference." (Interviewee #5)

"A better referral process. Staff culture initiative. Resources to change the culture of the school. Training for the restorative practice coordinator and take something off of his plate. Originally the restorative practice coordinator was a security guard and administration had him in sort of a hybrid role. Perhaps if they took the security part off his plate, he would've had more time to devote to restorative practices." (Interviewee #5) |

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| | "The restorative practice coordinator was a former security guard at the school. He already had data on high risk students and became proactive to help them with restorative practice interventions. They were roughly 25 boys and six girls that were identified as high-risk. The restorative justice coordinator had data in the form of grades and attendance. He also kept track of student interventions in a notebook log." (Interviewee #6) |
| Other comments regarding restorative practices at the school | "Sometimes we get full engagement. Sometimes the kids will say what you want to hear. Sometimes the kids will shut down all together." (Interviewee #1)<br><br>"100% of students when the process is facilitated by an adult. I have had students on occasion personally request restorative interventions." (Interviewee #2)<br><br>"When I meet with students individually I asked him to take ownership and not to blame others. I give them a choice to what they can do differently. Some of the consequences students agree upon are trash duty, helping clean up dirty classrooms I give them choices. I don't give them in school suspension." (Interviewee #3)<br><br>"I did some pre-conferences with the teacher and try not to get bogged down with *he said, she said.*" (Interviewee #5)<br><br>"Most students were invested in the process. Especially the athletes." (Interviewee #6)<br><br>"Only (conduct interventions with) the athletes." (Interviewee #6)<br><br>"I would first listen with the intent understand the situation. I always use positive intent and presumed positive outcomes. Solution oriented conflict resolution was the model that I use when conversing with parents and kids." (Interviewee #6)<br><br>"When I conducted restorative practices, I used a timer to honor every voice in the room. Everyone received their fair share of speaking. When conducting interventions with my athletes, I remind them that we are all gentleman and need to show true sportsmanship." (Interviewee #6) |

*Figure 4.3.* Interview Summary

**Interview Analyses**

After a close examination of the data, a consistent pattern began to develop that illustrated a disconnect between the commitment and intentions of school-wide implementation and the actual implementation of restorative practice at the school site. The following section summarizes the findings related to the alignment of the practice at the school to the four criteria of successful school-wide implementation of restorative practices: principal vision and commitment, staff buy-in, professional development and restorative practices coordinator.

**Principal vision and commitment**.

A key factor that was missing from the school's restorative justice program was clear vision and support from the administration to make restorative practices embedded in the culture of the school. Administration had little involvement with the restorative process and left the logistics to others with no support. Administration placed an emphasis on the teacher evaluation framework, but there was no evidence of integration of its indicators into restorative practices. This made restorative practices become more related to discipline and not a part of the instructional practices of teachers. "We need more leadership buy-in, and more administration participation. We also need school wide training in restorative practices so staff can learn how to align restorative justice practices to (teacher evaluation framework)" (Interviewee #2). Administrators also missed multiple opportunities to utilize staff members who had experience in restorative justice to aid in the implementation of the program.

**Staff buy-in.**

Due to the lack of professional development devoted to restorative practices, teachers had sporadic knowledge of restorative justice and did not know how to implement practices into their own classroom. Some teachers who were not aware of how to align restorative practices with the indicators found in teacher evaluation framework, did not use restorative practices at all. Also, there was no intervention referral process in place for staff to seek support. When asked about a referral protocol, a staff member stated that "No protocols are currently in place. Usually teachers reach out to us when in need of an intervention. I am aware that there were a couple of restorative circles that were used by teachers back in the fall" (Interviewee #2).

A critical staff member, the school social worker, did not use restorative practices while working with at-risk students and had not participated in any restorative interventions in the building. Due to the inconsistency of implementation, some staff members, familiar with restorative practices, took it upon themselves to incorporate restorative interventions into their classroom culture, feedback sessions and coaching. The incorporation of chess along with a tight integration between the critical thinking involved in the game with restorative practices is an example of what teachers might do if they had "buy-in" to the benefits of restorative practices. However, lack of administrative support, training, clarification from leadership, and the prioritization of the teacher evaluation framework, lead to isolated implementation and reduced teacher buy-in.

**Professional development.**

In order to ensure staff buy-in, the need for meaningful and continuous professional development in restorative justice needed to be present. However, administration's priorities were focused more on allocating resources toward improving teacher effectiveness over training the staff and the Restorative Practice Coordinator in restorative justice. The only professional development in restorative practices consisted of two official trainings. One was conducted by the district restorative justice coordinator on the first day back from summer break, and the second was conducted in mid-fall by the Multi-Tiered Support System Coordinator. Both trainings explained restorative justice theory, its history, its philosophy, and an explanation of the interventions. The difference with the fall training was that it was to be a primer for the

83

Multi-Tiered Support System roll out during the year.  This roll out was eventually pushed to the following year.

There was a district implemented training on trauma conducted in the spring that touched briefly on restorative justice, but as Interviewee #5 explained, "the trauma training that we had in the spring could have led to restorative practice training." Training regarding the teacher evaluation framework took precedence during professional development and Professional Learning Communities, leaving restorative practices with little resources to build a solid foundation with the staff.  That same staff member also commented that "administration viewed resources as two dimensional. Other resources that administration didn't recognize was time and interpersonal relationships" (Interviewee #5).  Teachers were also concerned that the implementation of restorative practices would negatively affect their evaluation scores.

**Full time restorative practice coordinator.**

For five years prior to the arrival of the new administration, two Deans of Students explored the use of restorative practices.  However, neither of them had any formal training in the process, and because of this, they had to rely on publications and consultations from the district to learn how to implement restorative interventions.  At the beginning of the 2017-2018 year, the school had in its budget the funds to hire a full-time Restorative Practice Coordinator that would run the interventions.  The original Restorative Practice Coordinator that was hired, quit at the beginning of the school year, and a replacement was not hired until the end of first semester.  The new Restorative Practice Coordinator had no previous experience or training in restorative justice and received little support from administration.  The new Restorative Practice Coordinator

was originally a security guard at the school and when administration hired him, they

placed him in a hybrid role of security guard/ Restorative Practice Coordinator. Having

to perform multiple roles restricted his function as a full-time restorative practice

coordinator.

**Themes**

Evidence collected through document analysis, field notes, and interviews show

an emergence of three themes that characterized the implementation of restorative

practices at the high school in this study: *restorative practices as disciplinary tool;*

*isolated and variable implementation; and role specific ownership*. The following

chapter presents these themes and the connection to Zehr's (2002) philosophical tenets of

restorative justice.

## Chapter Five: Discussion

The previous chapter presented the findings and an analysis through Anyon's (2016) criteria of successful implementation. On the surface, the school that was the site for this study had elements of Anyon's (2016) criteria, but the data indicate that successful implementation is much more complex. Additionally, if restorative practices were being implemented in alignment with Zehr's (2002) conceptual pillars, the themes that emerged would be aligned to how the restorative practices were impacting harms and needs, obligations and engagement. The themes that emerged from an analysis of implementation - restorative practices as disciplinary tool, isolated and variable implementation, and role specific ownership, indicate that implementation was procedural and technical rather than rooted in the theory and philosophical tenets of restorative justice.

### Restorative Practices as a Discipline Tool

When asked what restorative practices looked like in the building, responses showed a pattern which indicated that the process was more of a reactive measure than a strategy used for teaching students about actions-consequences and accountability. This was also a common theme pulled from the field notes. Administration did not have specific protocols set in place and only intervened when an incident occurred. Interviewee #4 stated that, "We are constantly putting out fires. Most of their (Restorative Practice Coordinator) job consist of conducting immediate responses in the

classroom." Interviewee #4 went on to state that, "We need to build capacity based on behavioral data." Interviewee #6, viewed restorative practices as a "conflict solving strategy", while Interviewee #1 saw it as "Conversations between students and staff, designed to get students to cooperate." Interviewee #1 added that, "It will be used with fighting between students or if a student reenters the school after suspension." This form of intervention was considered "restorative conversations," and was the most widely used intervention by those interviewed. However, each interviewee viewed restorative conversations differently. Some considered a conversation of inquiry as a restorative conversation, while others used the term to substitute for "restorative conferencing." Staff who simply asked a student a question about an incident, whether it was a question as to why a student was kicked out of class, talking back to a teacher, or arguing with a peer, the questioning process itself was considered a restorative intervention. This improper use of terminology and uncertainty of the intervention's purpose showed a lack of knowledge in the process. This was due to the absence of formal training in restorative justice, which was a constant concern of the interviewees.

The theme of restorative practices serving as a reactive measure rather than a learning strategy was consistent across all data sources. This conceptualization of restorative practices indicated that it is a replacement for disciplinary practices. If restorative practices are viewed as tools, then things like conflict resolution and conversations become negotiations and events rather than learning opportunities. Section Two of JK-R outlined specific and consistent interventions that emphasizes on offender accountability, how their actions affected others, a focus on the reparation of harm, and how to repair it (Denver Working Group, 2007). Except for working with student

87

athletes, the purpose of restoration did not emerge from any of the other interviews.  In

fact, only using interventions that promote restoration solely with student athletes, does

not ensure equity among the entire student body.

**Isolated and Variable Implementation**

Conflicting views of restorative justice, and little dedication to resources, showed

a pattern of inconsistency in the implementation.  Respondents often cited cases of

minimum training for staff in restorative practices.  Only two trainings were conducted

throughout the entire year, with Interviewee #2 referring to them as "ineffective."

Several respondents directly stated the lack of buy-in from administration, with

implementation done "Haphazardly with no resources other than hiring the restorative

practice coordinator" (Interviewee #5).  Interviewee #6 explained that "Restorative

practices weren't a strong priority.  Administration was more concerned with mastery of

instruction and of the teaching craft."  Interviewee #1 commented that, "The first few

years there was a significant drop in suspensions and expulsions, however it is gone up in

the last two years because of lack of support from administration.  They're more

concerned with (teacher evaluation framework) than with anything else."  "We need

more leadership buy-in, and more administration participation."  Interviewee #2 stated,

"We also need school wide training in restorative practices so staff can learn how to align

restorative justice practices to (teacher evaluation framework)."  Interviewee #2 went on

to point out that "90% of staff are unaware of what restorative justice practices looks like

in the classroom."  Interviewee #5 added, "It is not pure restorative justice.  Teachers

have some awareness about the process, but do not know how to conduct restorative

practice-based conversations."  Interviewee #2 admitted to taking it upon himself to learn

about restorative justice from others and stated that "The process is not implemented properly schoolwide. I implemented it personally and I've seen a drop in negative behavior and restore relationships between students and teachers."

In addition to a lack of consistency, interviewees perceived that restorative process and practices were events separate from the core instructional work of the school. The school's focus was on teacher effectiveness and student achievement, not restorative practices. However, research has shown that restorative practices play an intricate part in student achievement. Anyon (2017) states that not only does restorative practices improve school climate, reduces behavior problems, and reduces racial disparities in school discipline, but increases academic achievement as well. Anyon (2017) also gives an example in her study of how one school, residing within the same district as the site school, had shown an increase in student achievement over the course of four years due to the implementation of restorative justice practices. Laursen & Birmingham (2003) presents evidence that supports how strong relationships forged by students and adults to be a contributing factor in at-risk student success. Instructional leaders have stated that this relationship piece is part of the teacher evaluation framework, but administration's lack of knowledge of restorative justice hindered their ability to see it.

**Role Specific Ownership**

Another theme that corroborated with those found in the field notes and interviews, was about who really owned responsibility for restorative practices. The field notes indicated that restorative practices were role specific and the interviews yielded a similar finding. When interviewees were asked, *what role does your staff play in the restorative justice process,* one respondent stated that it was "Just me, the new restorative

89

practice coordinator, and the MTSS coordinator." Teacher involvement with restorative practice was minimum, with a respondent observing that "most teachers created a positive classroom environment, but restorative practices are not embedded in the classroom" (Interviewee #6). This same interviewee admitted that "I was only involved with interventions involving athletes."

The goals listed in the school's Unified Improvement Plan (UIP) stated that the school would use a tiered model of implementation to address problem behavior with early intervening services (Colorado Department of Education, 2018). The UIP goals place accountability of chronic absenteeism on the teachers and administrators, not the student (Colorado Department of Education, 2018). Specific duties fell upon the Dean of Students, counselors, the social worker, school nurse, school psychologist, attendance secretary, and family liaisons to target at-risk students who were in need interventions. The UIP also guarantees continuous professional development to support the needs of the school's minority population, with parent and family engagement built into each of the three major improvement strategies (Colorado Department of Education, 2018). However, there were no specifics as to how these trainings would be conducted, or who was responsible. The language in the UIP did not explicitly reflect restorative practices as part of the improvement plan. There was no mention of restorative practices in the school's tiered behavior model. It didn't specify what that behavior model looked like, and all accountability for absenteeism fell upon the faculty.

Interviewees expressed concern that administration needed to have a "Fundamental understanding of what restorative justice is, and a need to increase their knowledge of it" (Interviewee #6). The Restorative Practice Coordinator who was hired

mid-year was a former security guard at the school with no formal training before and after his hire. Several respondents also mentioned that after switching roles administration had the Restorative Practice Coordinator in hybrid role of both Restorative Practice Coordinator and security, supervising detention and other punitive actions. Interviewees stated that the Restorative Practice Coordinator had a "lack of supervision" and still needs "additional training in restorative justice." Anyon (2016) explicitly stated that the role of the Restorative Practice Coordinator must be a full-time commitment.

In addition to limited ownership across the school, community involvement was never mentioned during the interviews. Bazemore, (2005) stated that a community's participation in the restorative justice process is a contributing factor to the success of a restorative justice program. Field notes recorded a strong emphasis on home visits and phone calls to parents as part of the school's obligation to a grant, but this was never incorporated into the program itself.

**School Implementation and the Philosophical Tenets of Restorative Justice**

The basic philosophical tenets of restorative justice lie within its purpose of restoring the harm to a victim or community through social justice values that foster healing, equity, and the rebuilding of relationships. The three essential concepts that is the bedrock of restorative justice are: *harms and needs*, *obligations*, and *engagement*. When focusing on the *harm* and the *needs*, the process can effectively repair the damage cause by the infraction and offer closure for those victimized. The *obligation* places accountability on the offender and allows them to understand the impact their actions had on the victim and the community. *Engagement* requires all stakeholders to be part of the restorative justice process, this includes community engagement. The tenets of

restorative justice inspire greater school and community involvement with the goal of becoming a healing and transformative method that places significant decisions into the hands of those most affected by the offense (Sharpe, 1998, Hopkins, 2004).

Evidence showed that the school's current restorative justice program did not align with Zehr's concepts. The *harms and needs* of the students were not addressed, because the interventions used by leadership were geared more toward behavior modification and redirection, with restorative justice happening as a by-product. Student conflicts were handled mainly through, what leadership referred to as, "restorative conversations" with students. Interviewee #1 explained that "Restorative justice consists of conversations between students and staff and is designed to get students and staff to cooperate." They went on to explain that during such conversations, students had the opportunity to tell adults their side of the story. These conversations were usually reactive, conducted in the moment, and was the primary intervention used by the school. When a student was found loitering in the halls, or if a student became disruptive in class, they are usually "Pulled out of class for meetings. After they accept responsibility, they're returned to class" (Interviewee#1). This was more of a cool down method rather than a restorative intervention. Accepting responsibility and understanding how your actions affected the classroom environment are not the same.

Students who broke the rules (offenders) never met the *obligation* piece, because the interventions used by administration never taught the students the understanding of accountability. Interviewee #3 stated that participation in restorative interventions was voluntary, yet there were no uniformed set of protocols or formal referral system that made the student aware that participation in the intervention was voluntary or of any

92

alternatives for not participating.  Consequences were handed out by administration, with

little or no input from the student, other than a choice of what the consequences should

be.  Interviewee #3 commented that "Some of the consequences students agree upon are

trash duty and helping clean up dirty classrooms."  Leadership maintained a punitive

mindset and misunderstood the purpose of consequences.  This goes back to that

accountability piece.  Giving the student a choice of a consequence, and the

understanding of the "why" behind the need for a consequence, are two completely

different concepts.  The school's version of consequences placed more emphasis on

discipline policy rather than addressing the harm or the student's needs.  This contradicts

Amstutz & Mullet's (2014) belief that the consequences associated with discipline need

to have meaning.

 The program was never integrated into the culture. *Engagement* requires all

stakeholders to be part of the restorative justice process.  In this case, engagement

between faculty, staff, community, and student body was almost nonexistent.  Parental

visits were an expectation as an event and not connected to restorative practices.

Parental visits were part of the district's Parent Teacher Home Visit (PTHV) Program, a

separate program that was run by a site coordinator who had no interaction with the

discipline team.  Since the PTHV Program already existed at the school, it was "thrown

in" as another potential intervention piece.  Lack of resources, training and

administration engagement was not just observed and documented by this researcher,

but reiterated by the majority of members of school leadership during the interview

process.  Several respondents commented that restorative practices were never truly

intergraded into the school's culture.

**Conclusions**

The reoccurring themes found in this study illustrate how restorative practices and interventions were implemented haphazardly without a deep understanding about the purpose and philosophy behind the approach. Leadership devoted some resources to the process as evidenced by the hiring of a Restorative Justice Coordinator, but the principal was not personally engaged in the process. Administration seemed to possess a reactive mindset, fueled by low test scores and behavioral issues. Leadership seemed to prioritize resources toward teacher effectiveness and use restorative based interventions to quell bad behavior. Interventions at the site school were conducted spontaneously, at the moment of the infraction. There was no formal training, no preparation time, and no official protocols in place when conducting interventions.

The primary intervention used was "restorative conversations," a broad term used by administration to describe a conversation of inquiry. After an incident, an administrator would conduct a conversation with a student to inquire what had happened and send them back to class. It was then counted as an intervention. Conversations of inquiry are primarily used during a pre-conference meeting to gather information prior to conducting the actual intervention, not used as an intervention itself. Instead, of addressing infractions as cooperative learning opportunities, the school removed responsibility from the student and placed it onto its staff. Administration offered little guidance and support to the staff, which led to individuals attempt to implement restorative practices on their own. This created scattered islands of implementation, with no one of authority championing the process. The principal made restorative practices

94

"role specific." Interviewee #5 stated that "Leadership knows the importance of restorative justice but lacks the knowledge on how to manage those resources."

An important resource that administration failed to utilize was human capital. There were several faculty members who had extensive knowledge in restorative justice and could have assisted the principal in implementing a restorative culture. Unfortunately, their voices were largely ignored by administration. The school in this study had the funding and the resources, but more importantly, they had individuals who were devoted to their students and were willing to put in the time and effort to make the program succeed. Teachers wanted to know more about restorative justice, but received no support from both administration or the district. This caused them to actively sort out information on their own.

There was also a misconception among administration and staff that restorative justice is about discipline. By looking at it through a disciplinary lens, the process becomes a behavior modification tool. Anyon's (2016) research reinforces this idea by stating that current discipline policies fail to change student behavior. There is no punitive thinking in restorative justice, every incident is considered a learned experience and consequences are part of that experience. Zehr's tenets focus on repairing the harm through a growth mindset. This is what Hansberry (2016) calls "character education." Character education teaches a student social-emotional skills that foster healing and forgiveness for the victim, while at the same time building self-improvement and self-regulation through accountability and ownership for the offender. Students at the school site were never explicitly taught these skills or shown how their actions effect the school

95

community.  Student accountability was not addressed because administration's reactive

mindset.  As Interviewee #4 stated, "We are constantly putting out fires."

**Recommendations for Implementation Criteria**

Anyon (2016) explains that a principal's vision and commitment to the

philosophy of restorative justice and the process is a factor to the success of a restorative

practice program.  However, Anyon (2016) also states that a principal doesn't necessarily

have to be involved in using restorative approaches themselves.  The findings in this

study indicate that the absence of the principal from participating in restorative practices

had a profound impact on program implementation.  To build a successful restorative

culture, all stakeholders need to turn to leadership to be inspired.  The principal cannot

mandate expectations and then exempt themselves from participating.  This will only

give the impression to the stakeholders that the principal doesn't truly believe in the

process that they're implementing.  This was evident with leadership at the research site.

McCluskey, et. al., (2008) stated that restorative practices were most effective when there

was a visible commitment, enthusiasm, and more importantly, modeling by school

leadership.  That means coaching and consultation is not enough.  The principal has to

lead by example and demonstrate through modeling that this process will be successful.

Anyon (2016) states that staff buy-in and ongoing professional development are

an essential part to the success of a restorative justice program.  However, professional

development needs to shift away from changing undesirable behavior and focus more on

character building.  Anyon (2016) cites examples of school trainings that focus on how

administration can work within the existing disciplinary policy of the district and alter

student behavior to conform to the current school culture.  This association between

restorative justice and discipline might make it more difficult for restorative practices to be used in a more integrated way of connecting school culture and relationships with instruction.

Anyon (2016) states in her research that a Restorative Practice Coordinator is an intricate part of the success of a restorative justice program. This might be an essential first step to monitor and support implementation; however, if restorative practices are properly incorporated into a school's culture, there may not be a need for a Restorative Practice Coordinator. Proper implementation means everyone is trained in the philosophy of restorative justice and can conduct interventions. Proper implementation is facilitated by the entire school.

Anyon (2016) goes on to explain that the function of a Restorative Practice Coordinator is to develop positive relationships with students, teachers and families. This duty is nothing new to teachers, administrators, and staff, nor does it require a specific skill set to execute. Relationship building with students is a basic part of the education profession. In her research, Anyon (2016) quotes a social worker who explains how relationship building is "labor intensive" and having a Restorative Practice Coordinator will alleviate some of the responsibilities from administration and mental health staff. Again, some of this support may be necessary in the initial stages of implementation, but if restorative practices are seen as labor intensive, or a burden, then the process will not be sustained.

Anyon (2016) states that facilitating conferences and mediations is the responsibility of the Restorative Practice Coordinator. If restorative practices are properly implemented with a fully trained staff, then conferences and mediations could

be conducted by any staff member in the building.  The caveat of assigning responsibility to a single individual, is that it opens the door to making restorative practices role specific.  This prevents ownership of the process, because the rest of the staff will rely on a single person to conduct interventions.

**Implications**

A true restorative justice model has the school incorporating these practices into all aspects of the school's culture, including teacher mentoring, observations, and the curriculum.  Restorative justice is trans-disciplinary, meaning that its concepts are all encompassing in creating a well-rounded curriculum that promotes skills that can be transferred to real life.  However, the research site approached restorative practices through two lenses, "How do we fix our current discipline problem?" and, "How do we show that we are addressing our disciplinary problems?"

Both the school and the district saw restorative practices as a tool to counter traditional discipline policies, rather than a means to help students find purpose and meaning in school.  Training in restorative practices must be on-going and implemented with fidelity, with administration devoting the necessary resources toward restorative practices.  The school site had a weekly time set aside for professional development throughout the entire school year and had an opportunity to use several of those times to train staff in restorative practices.  A small number of teachers who had extensive knowledge of restorative practices should have been utilized in some capacity during Professional Learning Community time and mentoring.

Restorative practices should look at the content of a person's character and acknowledge that one's race and culture is a source of empowerment.  "Restorative

justice fits the student population at this school by removing the racial inequity that procedural justice has" (Interviewee #2). One of the reasons why current restorative practices did not translate well to the student population at the school site is because administration used restorative practices to target students, deemed "at-risk." This mindset treated theses students as separate entities, isolating them from the rest of the school as evidenced by the existence of a lunch detention room and the Affected Needs Center. Even student athletes were treated differently than the rest of the population. "I was only involved with interventions involving athletes, which consisted mostly of peer mediation" (Interviewee #6). Student's racial background became irrelevant, because of the new labels, such has "at-risk students", "IEP students", or "student athletes" that was imposed on them by the school.

However, the true inequity was evident by how the school treated students that are compliant to the rules and considered "model students" and how they treated students that are considered "troublemakers." The need to increase student achievement superseded the need to create a positive school culture, creating a mindset that caused administration to focus solely on discipline and academic success. This was evident at the site school, where the majority of the student population was Black and Hispanic, and the entire administrative team and Restorative Practice Coordinator was Hispanic, yet students were still segregated, not by race, but by behavior and academic standing. Proper implementation of restorative practices should encompass all students regardless of academic and behavioral standing. This unified idea can then be incorporated into classrooms, halls, cafeteria, and interaction between students and custodial staff. This shared vision should be so ingrained as part of the school's commitment to restorative

justice, that if an administrator has to ask the teacher if they tried various behavioral techniques, then the vision was not properly integrated into the school culture.

Bazemore (2001) stated that children born in urban neighborhoods in the 1950's and 60's were often supervised by adults in the neighborhood other than their parents. Bazemore explains that, neighbors, church officials, law enforcement, and schools would resolve disputes peaceably and dole out consequences for minor infractions without involving the juvenile justice system. I can relate to this growing up in Brooklyn. My friends and I would play various street games throughout our neighborhood for hours. Every city block was its own separate community where everyone looked out for each other. All of the adults used to either sit outside on lawn chairs or would rest their arms on a pillow while looking out their windows. Every adult knew each other's children and could redirect any child who misbehaved. We knew the names of the police officers patrolling the neighborhood and even developed a relationship with the mailman. If a stranger where to approach any of us, the adults were there to ensure our safety. The culture that existed was symbiotic and there was no need for an assigned individual to regulate the children. It works the same way as a family. If a person has a strong bond with their family, and disappoint them in some way, that person feels terrible. That's because the values they instilled in that person let them know that they broke a sacred covenant.

Restorative justice is far from a perfect system. However, if properly implemented it can create a transformative culture within the school. School based restorative practices is a process that depends on the relationship of the school and community to teach accountability (de Beus & Rodriguez, 2007). That is why restorative

100

practices in schools should be aligned with the philosophical tenets of restorative justice and integrated as part of the school's culture. The three essential concepts of Zehr's (2002) pillars: *harms and needs*, *obligations*, and *engagement*, must be embedded in the school's vision and mission, so that everyone will understand that they are part of a greater community and learn how to collaborate and resolve conflicts through self-regulation and the acceptance of responsibility.

The most important element that was missing from this school's program, was student involvement. Part of the philosophical tenets behind restorative justice, is the fact that all students are actively involved in the process. In the school's current implementation of restorative practices, students are not part of the process, they are only involved <u>with</u> the process itself. They are still considered separate entities and are not involved to the extent that the adults in the building are. Students are constantly reminded of school rules, but were never told about restorative practices or its purpose.

Restorative practices are about teachable moments that are used as opportunities to help students develop social skills that carry on, even after school is finished. Students at the school site were not taught about restorative justice or were even aware that they were participating in a restorative intervention. This is because administration doesn't know what a true restorative justice model looks like themselves. This causes the process to revert to procedural justice, where the student is passively involved. Interviewee #6 commented that, "Procedural justice is mechanical." The same was true for the program at this school. Administration followed a mechanical protocol, consisting of procedures and checklists that emphasized restorative practices as tools for solving discipline issues, rather than utilizing interventions to foster relationship building and self-reflection.

Instead of building upon small accomplishments, the short sightedness of prioritizing test taking strategies and the teacher evaluation framework ended student connections, such as, the incorporation of chess into the SAT prep class. Since most students often don't make the connections between school and real life, they see school as a building that you are required to attend, not a place that promotes success.

The school in this study missed an incredible opportunity to create a restorative justice program that would have transformed the school's culture for both teachers and students. Administration had the funding and the resources, but more importantly, they had individuals who were devoted to their students and were willing to voluntarily put in the time and effort to make the program succeed. Unfortunately, each building that incorporates restorative practice is its own little island, with no funding or oversite from the district. Just as each level of implementation within the school site was an island that lacked resources and support from administration.

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**Appendix**

Informed Consent Form


Dear School Administrator:

  You have been invited to participate in a research study that will examine how restorative justice interventions impact both the victim and the offender. Restorative justice (restorative practice) is a process that is used as an alternative to traditional discipline, such as detention, suspension or expulsion. These interventions might include participation in a talking circle, an adult facilitated mediation between students to help resolve a conflict, or a meeting with students, teachers, counselors, or other school staff to discuss any challenges a student might be facing with academic or attendance issues.

  You will be asked several questions regarding the restorative justice program at your school. The purpose of this interview is to gather information about what the restorative justice process looks like in your building, understand how your school conducts its restorative justice program, and to gather some insight about the program's effectiveness. Participation this study is voluntary and there is no compensation if you agree to participate. **If you do agree to participate, you are free to withdraw from this study at any time without negative consequences.**

**Project:** Restorative Justice Dissertation Research Project

**Purpose of study:** The purpose of this study is to examine the process in which a Colorado high school implements its restorative justice program.

**Procedures:** You will participate in a one-on-one interview where you will be asked a series of questions regarding the restorative justice program at your school. The interview will take 30 – 45 minutes of your time.

**Risks and/or Discomforts:** There are no known physical risks or physical discomfort associated with this study.

**Benefits:** The information acquired from this study may contribute in helping improve the restorative justice process at your school.

**Confidentiality:** This study is completely confidential. Your identity and responses will be kept confidential and will never be shared with other school or district administrators. Every precaution will be taken to ensure the security and confidentiality of all collected data.  All data will be placed on a secure, password-protected external drive, and at no time will any data be backed up on an independent server or "cloud" backup system. Hardcopies of data including, code key, interview notes, and informed consent forms will be shredded after completion of this study.

**If you have any additional questions, please feel free to contact the primary investigator, Paul Cama at 720-236-7283.**

**Consent:** You are voluntarily making a decision whether or not to participate in this research study. Your signature certifies that you have decided to participate and have read and understood the information presented. You will be given a copy of this consent form to keep.

I hereby consent to participate in this study.

Please select one:   Yes  ☐     No  ☐

_____  _____
Signature of Participant                                      Date

I understand that by signing this document I am voluntarily and knowingly giving informed consent to participate in this research study.

_____                                   _____
Initials of Participant                                      Date

_____  _____
Signature of Investigator                                    Date

Paul Cama
University of Denver Doctoral Student
720-236-7283