

MIRROR, MIRROR... WHO IS THE FAIREST OF
THEM ALL? BEYOND ZERO TOLERANCE:
TEACHERS' PERSPECTIVES
OF RESTORATIVE
JUSTICE

by

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LIST OF ABBREVIATIONS

Abbreviation	Description
AP	Assistant Principal
AYP	Adequate Yearly Progress
BARJ	Balance and Restorative Justice
BIP	Behavior Improvement Plan
CASEL	Collaborative for Academic, Social, and Emotional Learning
CET	Critical Education Theory
CIP	Campus Improvement Plan
CNA	Comprehensive Needs Assessment
CT	Critical Theory
DAEP	Disciplinary Alternative Education Program
ELL	English Language Learner
ESEA	Elementary and Secondary Education Act
ESSA	Every Student Succeeds Act
IDEA	Individuals with Disabilities Education Act
IDEIA	Individuals with Disabilities Education Improvement Act
IEP	Individualized Education Plan
IRJ&RD	Institute for Restorative Justice and Restorative Dialogue
LEA	Local Educational Agency

LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer, and/or Intersex
LULAC	League of United Latin American Citizens
MTSS	Multi-Tiered Support System
NCLB	No Child Left Behind
NEDRP	National Educators for Restorative Practices
PBIS	Positive Behavioral Interventions and Supports
PBMAS	Performance-Based Monitoring Analysis System
RJ	Restorative Justice
RtI	Response to Intervention
SEA	State Educational Agency
SEL	Social and Emotional Learning
SES	Socioeconomic Status
SPED	Special Education
SWPBIS	School-Wide Positive Behavior Interventions and Supports
TEXRP	Texas Educators for Restorative Practices

ABSTRACT

The phenomenon of overrepresentation is defined as a specific racial/ethnic group being disproportionately represented in comparison to their overall presence in the general population. As such, there is an overrepresentation in discipline referrals and suspensions documented specifically with students of color, lower SES students, students who identify as LGBTQI, and students with disabilities in public K-12 schools. For a growing number of students the enforcement of zero tolerance policies, which operate on a punitive continuum, often leads to removing youth either temporarily or permanently from school. As such, zero tolerance practices marginalize young people and push them toward a greater probability of delinquency and crime; they in effect form a school-to-prison pipeline. To stop fueling the pipeline with young cohorts of students, a restorative justice (RJ) approach to traditional discipline is implemented. However, sometimes even after RJ program implementation, these students continue to be disciplined more often than their White peers. Even after controlling for gender, socioeconomic status (SES), and ability, disproportionality for students of color continues. Hence, educator racism and bias are cited as causes (Alexander, 2010; Civil Rights Project, 2000; Cross, 2001; Elgart, 2016; Equal Justice Society, 2016; Hines-Datiri & Carter Andrews, 2017; Irving & Hudley, 2005; Kendall, 2006; Monroe, 2005; Noguera, 2003; Skiba, Simmons, Ritter, Gibb, Rausch, Cuadrado, & Chung, 2008; Tate, 1997; Vavrus & Cole, 2002; Wadhwa, 2016).

The findings of this study indicate that a RJ approach to discipline is successful in

lowering teacher-written referrals and improving school climate and attendance rates. Participants described their school system, which was in the third year of RJ implementation school wide, as successful when RJ approaches to discipline were utilized, but very challenging and needing improvement. Teacher participants demonstrated an understanding that building relationships was paramount in improving students' attitude toward school when improved behavior and attendance was the goal. While there was some participant hesitation to conduct higher tertiary level mediation circles, all participants did attempt to use social and emotional learning (SEL) strategies and RJ circles in the classroom, but mainly at the Tier 1 level. All teacher participants advocated using RJ methods of discipline to ensure a safe learning environment and believed RJ approaches were more racially/ethnically equitable than exclusionary discipline and improved school climate. White privilege, racism and bias were noted as being part of what makes up the decision to discipline; thus, as evidenced by the findings, there is a need for implicit race/ethnicity and bias training, which needs to accompany RJ training.

Keywords: education; school discipline; school-to-prison pipeline; crime; discipline gap; disproportionate discipline patterns; educational policy; restorative practices; zero tolerance; exclusionary discipline; and race/ethnicity

I. INTRODUCTION

“Education, then, beyond all other devices of human origin, is the great equalizer of the conditions of men, — the balance-wheel of the social machinery.”

-- Horace Mann, 1848

Driven by personal experience as a White, middle-class teacher, I found myself inadequately prepared in dealing with the daily issues of classroom discipline. All the tools taught to me during undergraduate studies did little to prepare me for the reality of disciplining young adults in a classroom setting. Early in my high school English teaching career at an urban, inner-city, predominately student of color campus, assault charges were filed against a male freshman student of color for aggressively pushing me in the classroom. I was seven months pregnant at the time. The student was handcuffed and arrested in class by a school resource officer (SRO) and escorted off campus in a police car.

Shortly after the traumatic classroom incident, I received a summons to appear in court to testify against this student. I was mortified, but I soon discovered, because of student gang affiliation, being summoned into court to testify against a student was all too common among my colleagues at that campus. However, as the court date approached, I suffered gut wrenching anxiety so I did not appear for the scheduled hearing. My principal called me into her office to clarify why I no-showed. I explained, that in good conscience, I could not testify against the student for an outburst, even though it risked my safety and that of my unborn child. I reiterated that I did not know the student was going to be arrested when I pushed the emergency call button for classroom support; in fact, I just needed the situation deescalated, but the opposite

happened. I truly felt there had to be a better solution to the problem than juvenile placement and removal from school. Much to my relief, I was supported instead of ostracized for that decision.

Apparently, the district had just received their Performance-Based Monitoring Analysis System (PBMAS) discipline data validation report from the state education agency and changes were coming. Due to increasing suspension, expulsion, and juvenile justice system referral rates district wide, a comprehensive needs assessment (CNA) was completed at our school and our campus improvement plan (CIP) included the introduction of school wide positive behavior interventions and supports (SWPBIS), along with the introduction of a social and emotional learning (SEL) curriculum. The first goal of our CIP was to lower our inequitable discipline referrals and suspensions by providing high quality and ongoing professional development to teachers and staff. It was in this context that I attended my first professional development training on restorative practices where I learned the power of restorative interventions to help create a positive school climate. This was also when I became more self-aware of my lack of appropriately utilizing a culturally responsive pedagogy, and identified misconceptions, biases, and gaps in my understanding.

Being a logical person, after learning about the detrimental effects of adversarial discipline patterns and understanding my role in the problem, I pondered what was preventing restorative justice practices from being implemented at more schools. My interest in this topic stems directly from my personal experiences in working with students and my first-hand knowledge of how ineffective exclusionary punitive methods are in dealing with unwanted behavior.

Incarceration Nation

The United States is dubiously nicknamed the Incarceration Nation because while we have 5% of the world's population, we incarcerate 25% of the world's prisoners, which is approximately 2.4 million people (Enns, 2016). Our incarceration rates are reprehensible. Not only do we incarcerate our citizens more than any other nation on Earth; we have some of the longest sentences and tolerate shocking racial disparities (Enns, 2016). Our country's get-tough-on crime stance, coupled with zero tolerance policies introduced in the 1970s, have flooded our communities' jails and prisons with mainly poor people of color (Peak, 2015). Young African American and Hispanic men have experienced the most racial and ethnic disparities (See Table 1). In fact, the National Research Council (2014) supports that claim; one out of every three men of color, that is Black and Hispanic men, ages 18-35, is involved in the United States' criminal justice system.

Table 1. Race/Ethnicity of Incarcerated Populations in United States.			
Race/Ethnicity	% of United States Population	% of United States incarcerated population	National incarceration rate per 100,000
White	64%	39%	450 per 100,000
Hispanic	16%	19%	831 per 100,000
Black	13%	40%	2,306 per 100,000
Source: Data were taken from the United States Census Bureau of Justice Statistics, 2010.			

As evidenced by Table 1, while Whites comprise roughly two-thirds of the population, they are drastically unrepresented in overall incarceration rates.

Comparatively, Blacks comprise slightly over one-tenth of the population, yet they

represent almost one-half of the United States' incarcerated. The phenomenon of disproportionality continues, the Black and Hispanic population combined represent roughly one-third of the United States' population, however their combined incarceration rate is nearly two-thirds. Blumstein's (1982) article, "On the Racial Disproportionality of United States' Prison Populations" explains what this means,

Thus, the race-specific incarceration rates are grossly disproportionate.... This disproportionality has been a source of major concern, largely because it suggests the possibility of gross injustice in the criminal justice system (p. 1259).

Introduction of Zero Tolerance Policy

Originating in the 1970s, the federal government created zero tolerance policies for use in the criminal justice system to curb rising crime rates; but they especially targeted substance use and distribution (Skiba & Peterson, 1999) after President Richard Nixon declared the "War on Drugs" in 1971 to combat the public nuisance of substance abuse (Musto & Kersmeyer, 2002). Initially, the idea behind zero tolerance policies was to appear tough on crime; sending the strong message that behaviors detrimental to society would not be tolerated (Weiman & Weiss, 2009). Punishment for criminal activity, even minor, resulted in steep minimum sentences that were mandatory and predetermined for specific offenses, subsequently taking away a judge's ability to review each transgression individually (Porter, 2015; Alexander, 2010).

In 1982, capitalizing on the public fear of a rising crime rate, President Ronald Reagan called for a new war on drugs when he addressed the nation, "Many of you have written to me how afraid you are to walk the streets alone at night. We must make America safe again.... We live in the midst of a crime epidemic ... [because] violent

crime rose by nearly 60 percent” (Jewkes & Linnemann, 2018, p. 50). In his address, Reagan challenged the nation to support his war on crime by calling for tough mandatory jail sentences and minimum federal sentencing for drug trafficking (Jewkes & Linnemann, 2018). Additionally, he asked for revision of the exclusionary rule and for the allowance of police officers to act in good faith stating, “this is the rule that can force a judge to throw out of court on the basis of a small technicality an entire case” (Chemerinsky, 2010, p. 155).

Flaming the fear, President Reagan declared, “It’s time to get these hardened criminals off the street and into jail” (Jewkes & Linnemann, 2018, p. 50). As such, there were few permissible rules that restrained police from escalating the war on drugs which resulted in tripling the drug arrest rate between 1980 and 2005 (Alexander, 2010). While racial/ethnic groups use and distribute drugs “at remarkably similar rates,” the number of people of color incarcerated for drug violations “dwarfs the rate of Whites” (Alexander, 2010, pg. 96). Alexander explains, “The dirty little secret of policing is that the Supreme Court has actually granted the police license to discriminate” (p. 128). So began the second wave of massive incarceration in our nation due to zero tolerance policy.

Interestingly, prior to President Reagan’s call to arms against raging crime, due to drug trafficking from Cuba and Mexico, the public did not consider drugs the most pressing issue our society was encountering (Beckett, 1997). In fact, a public opinion survey issued in 1986 found only two percent of the public thought drug trafficking was most detrimental to our society’s future (Roberts, Stalans, Indermaour, & Hough, 2003). However, only two years after Reagan’s public outcry, public opinion had shifted and the majority of Americans were convinced drug abuse was the number one cause of violent

crime and death in our country (Roberts et al., 2003). Drug related incarcerations exponentially rose with the onset of zero tolerance policies the 1980s (Alexander, 2010).

The media helped publicize the drug epidemic and by the 21st century over 2 million people were incarcerated. In some states, it was estimated that up to 90% of those incarcerated were Black or Hispanic (Alexander, 2010). This fact led some to believe that the real agenda behind the War on Drugs was to mass incarcerate people of color to keep them in an inferior position (Alexander, 2010). Alexander (2010) states in her book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* that the United States' criminal justice system is built on "social control unparalleled in world history" (p. 8). She contends that our country's pomposity for colorblindness is camouflaging a new racial caste system because the incarcerated, even after release, become under caste as "a stigmatized racial group locked into an inferior position by law and custom" (Alexander, 2010, p. 12).

The Rise of the School-to-Prison Pipeline

Logically one would argue the role and purpose of prisons and schools are not remotely related. However, there has been an unsettling partnership between school systems and the judicial system (Peak, 2015; Porter, 2015). Now, discipline in the education system mirrors the adult criminal justice system that is riddled with racial and ethnic disparity (Hetey & Eberhardt, 2014). Alexander (2010) identifies this selection of people and students of color in incarceration as the rebirth of "Jim Crow," which was a system of segregation laws designed to discriminate against African Americans (p. 35). Just like the United States penial system, based mostly on punitive design has ineffectively addressed disproportionality in incarceration, so too has the United States

educational system failed in equitable discipline of today's youth (United States Office of the Surgeon General, 2001).

When Congress passed the Drug-Free Schools and Campuses Act in 1989, zero tolerance policies transcended the criminal justice system and gained momentum in the educational setting because now it became criminal to use, possess, or distribute illegal drugs and alcohol on school grounds (Kafka, 2011). Schools quickly established zero tolerance policies that required schools to establish strict guidelines for enforcement and punishment, or risk losing valuable federal funding (Kafka, 2011).

Congress enacted the Gun-Free Schools Act in 1994, which encouraged each state to introduce their own strict zero tolerance policies regarding weapons on school campuses. Each local education agency (LEA) was required to suspend any student found in violation for not less than one year (Kafka, 2011). This law was the catalyst for schools in adopting zero tolerance policies, which impose mandated out-of-school suspension or expulsion, for an assortment of behaviors ranging from possession of a weapon or illegal drugs to fighting and bullying (Skiba & Peterson, 1999).

Zero tolerance policies are “disciplinary policies that are intended primarily as a method of sending a message that certain behaviors will not be tolerated by punishing all offenses severely, no matter how minor” (Skiba & Peterson 1999, p. 373). This theory parallels the “Broken Windows” theory of policing which contends that “disorder and crime are usually inextricably linked, in a kind of developmental sequence” (Wilson & Kelling, 1982, p. 31). Wilson and Kelling (1982) contend that minor law violations if tolerated, such as allowing someone who has broken a window to go unpunished, will result in more crime. However, Kafka (2011) counters that “while rhetoric in support of

zero tolerance policies may seem convincing, studies...find that zero tolerance policies have enormous costs for the individuals they punish” (Kafka, 2011, p. 3).

Rowley and Wright (2011) contend that suspensions and expulsions are in fact counter-productive and can, in fact, cause negative effects. Taking a student out of the classroom means there is a loss of instructional time. This loss of learning results in a downward spiral starting with poor academic success, followed by frustration and negative attitudes toward school, and eventually increased dropout rates (Farmer, 1996; Skiba & Peterson, 1999). Additionally, removal from the classroom contributes to increased truancy and delinquent behavior away from school because when students are not in school, they tend to be unaccompanied and not supervised allowing time and space for legal violations to occur (Foney & Cunningham, 2002). Accordingly, students “excluded from school are less likely to complete their high school education and more likely to become involved in the juvenile justice system” (Kafka, 2011, p. 126).

A study by Balfanz, Byrnes and Fox (2014) claims students expelled from school are more likely to be arrested when compared to students who are not excluded from the learning environment. In essence, current zero tolerance policies, introduced initially to keep schools safe, have in effect disproportionately pushed out students from learning institutes into the criminal justice system by criminalizing minor student disciplinary infractions at school (Children’s Defense Fund, 1975). More troubling however, is the constant funneling of students into this pipeline is not random; the school-to-prison pipeline disproportionately impacts people of color and males (Peak, 2015).

Senator Richard Durbin, in a federal hearing stated, “For many young people, our schools are increasingly a gateway to the criminal justice system; this phenomenon is a

consequence of a culture of zero tolerance” (Elias, 2013, p. 39). To illustrate this point, let me share the story of Alexa Gonzalez; a twelve-year old girl from New York who was arrested at school for doodling on her desk (Gora, 2015). Instead of her teacher issuing a detention and having Gonzalez clean the desk, because of zero tolerance policies against property defamation, i.e., vandalism, she was handcuffed by police in class and escorted off campus in front of the entire school.

While you may think this traumatizing story is an exceptional example of zero tolerance policy being interpreted and enforced overzealously, unfortunately this is not the case. Gora (2015) provides story after story of bizarre incidents in which children are forcibly removed from the learning environment because of what most would perceive as minor infractions, or even just child-like behavior. In one example, a ten-year old boy and his ten-year old playmate were both suspended from school for five days after being deemed dangerous and a potential threat to others after using their fingers to make imaginary guns while playing at recess (Gora, 2015).

In a second example, a Hispanic elementary boy’s seemingly innocent act of chewing his Pop-Tart to resemble a gun was perceived as a threat and he was suspended and from a Maryland elementary school (Gora, 2015). In yet another example, a nine-year old African American boy was suspended for two days for sexual harassment after a substitute teacher heard him suggestively comment to a friend that his teacher was “fine” (Gora, 2015). Lastly, during an end of year school prank, seven 11th grade boys were arrested on campus and charged with assault and battery for throwing water balloons (Dolan, 2013). Every one of these situations represents a missed opportunity for schools

to build supporting relationships and bolster school climate simply because they asserted punitive exclusionary discipline as mandated by zero tolerance policies (Zehr, 2002).

The School-to-Prison Pipeline and Race

The interest in the relationship between race, school suspensions and future incarceration continue to gain notoriety; media and literature has dubbed this phenomenon the school-to-prison pipeline (Peak, 2015). Because zero tolerance policies have played a major role in increased suspensions and expulsions (Weissman, Wolf, Sowards, Abate, Weinberg, & Marthis, 2005), they have been linked to grade retention, dropping out of school, and recidivism (Skiba, Eckes, & Brown, 2009; Sullivan & Morgan, 2010). Paradoxically, the very policy that was created to provide educational opportunities, via a safe learning environment, is now largely responsible for limiting opportunities for students of color (Berlak, 2001).

An even more apparent consequence of zero tolerance policy is its direct connection to the worsened racial gap in school discipline (Bennett & Harris, 1982; Roch, Pitts, & Navarro, 2010; Solari & Balshaw, 2007; Welch & Payne, 2010). Gregory and Mosely (2004) contend that the discipline gap widened due to a “disproportionate increase of school suspensions and expulsions for Black and Latinx youth following the policies’ enactment” (p. 2-3). Noguera (2007) states, “There is now a broad consensus that our nation’s high schools are not adequately serving the needs of students or society, and that they are in need of substantial reform” (p. 205). Contemporary scholars of education recognize persistent issues of inequity in schools along racial lines “and a wide and seemingly intractable achievement gap that corresponds disturbingly and predictably to the race and class backgrounds of students” (Noguera, 2007, p. 205).

According to Noguera (2007), “The modern high school was inspired by a *factory model* of education, in which hierarchical management structures, a burdensome and inchoate bureaucratic division of labor, and a control system governed by bells and arcane rules and procedures” (p. 206). With students of color being excessively and inequitably targeted by this mandate, it has been said that racism lies just beneath the surface of many decisions based on the zero tolerance philosophy (Cross, 2001; Hines-Datiri & Carter Andrews, 2017). The Civil Rights Project conducted at Harvard University (2000) scrutinized the disproportional impact of zero tolerance policies and the “take no prisoners” philosophy of discipline (p. 14). The study found that “racial disparities in the application of school disciplinary policies have long-been documented” and that schools that adopted such policies exhibited great disparity regarding the discipline gap between White students and their student peers of color (The Civil Rights Project, 2000, p.18). There is even literature that argues zero tolerance policies were especially enacted in schools enrolling high numbers of students of color because of pervasive public fear for overt violence, especially in urban areas (Newman, Fox, Harding, Mehta, & Roth, 2004).

The Restorative Justice Mindset

Teachers are plagued with successfully navigating the complex social issues of bullying, homelessness, abuse, and neglect (Morrison, 2006). However, the number one reason educators give for leaving the profession has to deal with student misbehavior; a discouraging 45% chose to leave teaching because of student discipline (Bushaw & Gallup, 2008). Despite a lot of effort, schools are still challenged with how to discipline effectively (Losen, 2014). In effect, schools are overwhelmed in their responsibility to

provide a safe campus and have demonstrated they are ill equipped in dealing with the extreme acts of violence, suicide, and cyber bullying which occur daily (Morrison, 2006). As a result, schools enforce zero tolerance policies to address discipline and thus students are removed and pushed out from school by exclusionary punishment even though research by Choi, Green and Gilbert (2011) suggest these kinds of punitive measures do nothing to reduce recidivism or decrease violence in youth.

Fortunately, the education system is actively pursuing alternative methods from over-policing and over-disciplining in dealing with acts of violence perpetrated on our campuses (Morrison, 2006). Monitoring behavior and applying behavioral reinforcements is effective in improving student conduct in school (Miller, Brehm, & Whitehouse, 1998). In fact, the United States Department of Health and Human Services (2001) has emphasized using a proactive disciplinary approach to improve school climate and accordingly said, “effective school-based programs direly need to focus on (a) increasing positive student behavior through monitoring and rewards, (b) teaching social/life skills, and (c) utilizing non-punitive methods of control” (pp. 701-702).

One potential solution for schools to reduce referrals and suspensions, and effectively improve their campus culture, starts with innovative thinking through a restorative justice philosophy lens (Amstutz & Mullet, 2005; Zehr, 1985). Restorative justice is a framework that embraces the concept of problem solving through “peaceful and non-punitive approaches for addressing harm” (Zehr, 2002, p.1). Zehr (2002) explains that restorative justice is “a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible” (p. 37). Amstutz and

Mullet (2005) explain that restorative justice promotes “values and principles that use inclusive, collaborative approaches for being in community... particularly [for] those who have been marginalized, oppressed, or harmed” (p. 15). However, restorative discipline, restorative justice, restorative practice and other similar terms are often used interchangeably as they all are part of restorative theory, which is a philosophy of conflict resolution that emphasizes repairing any harm in the community caused by criminal or unwanted behavior (Amstutz & Mullet, 2005).

Even though restorative justice practices originated in New Zealand from the Aboriginal view of justice of the Maori population and are echoed in other indigenous cultures as well (Bishop & Glenn, 1999), it is mostly associated with the criminal justice system (Sherman & Strang, 2007). More recently, schools have adopted restorative practices to lower referral and suspension rates of students and help combat glaring racial inequities brought about by zero tolerance policies (Losen, 2014). However, Wadhwa (2016) notes in her book *Restorative Justice in Urban Schools: Disrupting the School to Prison Pipeline* that researchers have not generally focused on the relationship between school disciplinary policies and race. Wadhwa (2016) claims, “They are largely mute on the broader context of racialized disciplinary practices- that is, the disproportionately high rates of suspension and expulsion of non-White students” (p. 13). She points out the obvious hypocrisy that because “the majority of teachers are White and female, and the majority of students suspended are of color [and] male...the implementation of restorative justice may necessitate an examination of race and gender” (Wadhwa, 2016, p. 14).

Restorative interventions offer an alternative to authoritarian punitive discipline methods that rely on punishing the offender (Zaslow, 2009). Such restorative interventions include restorative conversations, peer mediation, circles, restorative group meetings, and formal restorative conferences (Macready, 2009). By the inclusive act of administrators, teachers, and students discussing inappropriate behaviors and agreeing on a course of action that meets everyone's needs, participants are given an active voice and personal agency (Varnham, 2004).

This act of reparative dialogue leads to a restored sense of community which has a direct impact on improving school climate (Grossi & Santos, 2012), decreasing discipline referrals (McCluskey, 2008), and increasing student empathy and emotional intelligence (Choi et al., 2011). Lustick (2016) further explains that restorative justice program models have been adapted to not only include the critical reflection piece, but to address the power structure piece as well. Lustick shared,

Knight and Wadhwa (2014) proposed a model of what they call critical restorative justice- practices through which students not only reflect on their behavior but also recognize the connection between their behaviors; their classroom community; and the larger system in which they are situated (p. 51).

As mentioned, alternative preventative curriculum frameworks are frequently used in conjunction with the restorative justice program. Many campuses trying to combat exclusionary discipline, to help resolve conflicts, and to curb student misconduct, have aligned the tenets of Positive Behavior Interventions and Supports (PBIS) and Social and Emotional Learning (SEL) into their restorative justice processes and curriculum (Carr,

Dunlap, Horner, Koegel, Turnbull, Sailor, 2002; Lewis, Powers, Kelk, & Newcomer, 2002).

PBIS was established by the Office of Special Education Programs, via the Individuals with Disabilities Education Act (IDEA) of 1997, as a response to intervention (RtI) tool to assist in reducing special education discipline referrals and suspensions (Simonsen et al., 2008). Schools that fully implement PBIS school-wide experience learning environments that more engaging, responsive, preventive, and productive (Flannery et al., 2003). Schools that properly implement PBIS have documented a 20%-60% decrease in behavior referrals and suspensions (Curtis, Van Horne, Robertson, & Karvonen, 2010). Additionally, PBIS directly addresses classroom management issues including improving attendance rates and decreasing tardies (Sugai & Horner, 2002). Most importantly, PBIS maximizes academic engagement and achievement for all students by using data in providing behavior and academic interventions and supports (Flannery et al., 2003). PBIS is a tertiary system of supports that range from Tier 1 supports to Tier 3 supports.

Tier 1 is considered primary prevention, which offers behavioral supports to all students in all school and classroom settings (Simonsen et al., 2008). Since Tier 1 supports can be utilized for all students and in all settings, both in and out of the classroom they are considered universal interventions (Simonsen et al., 2008). Tier 1 interventions include, but are not limited to, collectively created class behavior contracts, movement breaks, clearly posted expectations with posted consequences, praise and reward system of classroom management, and organizational strategies such as daily planners and color coded discipline levels that are easily viewable (Simonsen et al.,

2008). When implemented accurately, 80-90% of students will positively respond to this primary tier intervention without further support or intervention (Horner, 2007).

Tier 2 is secondary prevention utilized for students that are at-risk of academic failure, exhibiting moderate disciplinary problems, exhibiting frequent absenteeism (Bevans, Bradshaw, Miech, & Leaf, 2007), or performing low on standardized test scores (Simonsen et al., 2008). This second tier supports the 10-20% of students that did not respond well to Tier 1 intervention and thus require additional behavioral supports to be successful in school (Horner, 2007). Tier 2 interventions include, but are not limited to, individualized behavioral contracts, behavior intervention plans, mentoring, peer tutoring, structured breaks, non-verbal cues and signals, reward systems, and self-monitoring protocols (Simonsen et al., 2008).

Tier 3 provides intensive interventions and supports for individual students that are identified as being at high-risk of quitting school, becoming homeless, incarcerated, or for overtly dangerous disciplinary problems (Simonsen et al., 2008). Tertiary 3 interventions are highly individualized and reserved for the 1-5% of students that did not respond well to either Tier 1 or Tier 2 interventions and whose behavior poses a risk to themselves or others (Horner, 2007). Tier 3 interventions include, but are not limited to, counselor referrals, daily check in check out procedures, daily behavior contracts that must be signed each period, one location for instruction allowing no passing time, and seclusion and restraint if necessary (Simonsen et al., 2008).

As PBIS is often used to help lower discipline referrals, a curriculum incorporating Social and Emotional Learning (SEL) assists in accomplishing this task (Goleman, 1998). SEL offers a preventative systemic framework that enhances a

student's ability to effectively deal with daily tasks and challenges which results in fewer discipline issues (Zeidner, Roberts, & Matthews, 2002). Goleman (1998) contends that while academics and intelligence testing have prevailed in United States' schools, educators have neglected to teach students emotional intelligence skills such as empathy, responsibility, decision-making, and anger management. SEL utilizes a whole community and whole school approach that embed SEL learning strategies of self-awareness, self-management, responsible decision making, social awareness and relationship skills directly into the classroom curriculum and instruction.

The SEL construct uses the tenants of Waters and Sroufe's (1983) work which describes highly effective people who have mastered the skills needed in order "to generate and coordinate flexible, adaptive responses to demands and to generate and capitalize on opportunities in the environment" (p. 80). The strength of SEL relies on a student's ability to identify their emotions, their self-perception, their strengths and their weaknesses (Bear & Watkins, 2006). By teaching relationship skills, self-management and social awareness students recognize and regulate their emotions and behaviors more effectively resulting in less emotional distress and thus, fewer referrals due to inappropriate behavior (Knight & Wadhwa, 2014). The ability of a student to accurately recognize one's emotions leads to higher self-efficacy and self-discipline (Hawkins, Smith, & Catalano, 2004; Zins, Weissberg, Wang, & Walberg, 2004).

As mentioned, restorative justice practices "emphasize a fair and collective process, featuring nurturing, growth, and communal empathy and resilience over exploitations and imposed control" (Guckenburg, Hurley, Persson, Fronius, & Petrosino, 2016, p. 6). Working from a whole-school model, restorative practices allow students

opportunities to take responsibility for their actions by building strong relationships with all stakeholders (Zaslow, 2009).

This process is guided by relationship building and is tertiary-based. At the primary tier, all students are exposed to a curriculum in social and emotional learning which promotes ethical principles for problem solving and conflict resolution (Morrison & Vaandering, 2012). At the secondary tier, small group and individual conferences, with an emphasis on repairing relationships address targeted behaviors that disrupt the learning environment directly in the classroom (Blood & Thorsborne, 2005). The tertiary level is reserved for 1-5% of the student population who has egregious behavior causing significant harm to the community and its members (Blood & Thorsborne, 2005).

Restorative interventions are critical at this juncture and involve peer mediation and formal restorative conferencing (Morrison & Vaandering, 2012). In conclusion, restorative justice programs, often implemented with PBIS and a SEL curriculum, utilize a multi-tiered system of supports which result in improved school climate, student attendance rates, and lower discipline referral and suspension rates; thus curbing students from entering the school-to-prison pipeline (Carr et al., 2002).

Statement of the Problem

Disciplinary issues are a huge concern for educators because they disrupt a productive learning environment (Public Agenda, 2004). Obviously, educators must enforce proper discipline to keep a safe learning environment and to help sustain a positive school climate and healthy culture (Sugai & Horner, 2002). However, in an alarming report by the United States Office of the Surgeon General (2001), by the tender age of 17, up to 40% of male youth and up to 30% of female youth have committed a

violent offense. In dealing with student discipline, administrators frequently use exclusionary punitive methods in the form of suspensions (Browne-Dianis, 2011). Students dismissed or suspended from school perform lower on assessments and have an increased risk of dropping out of school (Skiba & Peterson, 1999). There is also a correlation between the number of referrals a student receives and their potential to be introduced into the criminal justice system (Peak, 2015; Porter, 2015). A study by Balfanz and colleagues (2014) claims that students removed from the school settings for discipline are more likely to be arrested.

Restorative practices (Zehr, 2002), utilizing a multi-tiered system of support (MTSS) model such as PBIS or SEL are successful in lowering discipline referrals, suspensions, and expulsions on campuses (Amstutz & Muttlet, 2005; Nelson, Benner, Lane, & Smith, 2004). In short, teachers who implement restorative justice processes have better relations with their students and thus issue fewer referrals, which of course results in fewer suspensions or expulsions (Gregory, Clawson, Davis, & Gerewitz, 2016). Restorative justice practices are an alternative to punitive discipline methods that address disproportionality by helping build positive student-teacher relationships through communication and community building (Gregory et al., 2016). Initial findings suggest restorative justice programs are successful in lowering referral and suspension rates (Karp & Breslin, 2001) and increase positive school climate (Grossi & Santos, 2012).

However, while restorative justice does lower discipline referral and suspension rates (Skiba, Trachok, Chung, Baker, Sheya, & Hughes, 2013), it is not a fix-all solution in addressing all discipline issues (Gregory et al., 2016). As with any systemic program, restorative processes do not work 100% of the time, especially in cases of violent assault

(McCluskey, 2008). Bazemore (1999) points out that, in general, people are supportive of the restorative justice model; however, they become very hesitant to apply the practice when a serious crime has occurred (Reeves, 1989). Additionally, Lustick (2017b) contends that while restorative practices reduce overall school suspension and referral rates, “Suspension rates for students of color are higher than for White students, even in schools that utilize alternatives to suspension like restorative practices” (p. 1).

Vincent and Tobin (2010) highlight that after restorative practices are implemented, the majority of decreases in school suspensions occur mainly for White students. Subsequent studies support this finding and show that students of color at campuses that employ restorative practices are still more likely to be suspended (Vincent, Randall, Cartledge, Tobin, & Swain-Bradway, 2011). This reoccurring phenomenon of racial disproportionality after restorative justice implementation is confounding. Research to date is narrow in scope, but the consensus is that teachers decide which students are considered a discipline problem and thus their implicit worldviews or theories regarding race and culture come into play (Gregory & Mosely, 2004; Lustick, 2017a).

Research Questions

To explore the experiences of secondary teachers, the following research questions guided the study: What are teachers’ experiences with implementing restorative justice processes in a school with established restorative justice programs?

Sub-questions:

1. What are the perceived strengths and limitations of restorative processes?

2. What are teacher perceptions of why schools using restorative processes might still display disproportionality in discipline?

Theoretical Framework

Grant and Osanloo (2014) define a theoretical framework as “the foundation from which all knowledge is constructed (metaphorically and literally) for a research study” (p. 12). In my research, I specifically relied on the tenets of critical education theory (CET) to “see pervasive inequalities and injustices in everyday social relationships and arrangements” as it pertains to discipline in public schools (Freeman & Vasconcelos, 2010, p. 7). Evolving from the discipline of critical theory, critical education theory examines how political ideology molds education by preserving existing privileged power structures (Giroux, 2010). CET is critical about the history, the development and practice of education and contends that the educational system is designed by the ideologies and power structures that evolved from capitalism with a nefarious purpose to benefit those already in power (Kincheloe & McLaren, 2002). Originating from a Marxist point of view (Marx, 1963; Marx, 1972), critical education theory strives for social transformation and promotes an ideology that education should be used for attaining social, cultural, and economic equity (Kincheloe & Steinberg, 2008). The historical foundation of CET and its application in this study is further discussed in Chapter 2.

Purpose of the Study

The purpose of this case study was to investigate teachers’ perceptions of the strengths and limitations of using restorative practice based programs in secondary schools, as well as unpack teachers’ understanding of disproportionality in discipline

after restorative program implementation. By using a case study approach, I captured a reflexive understanding of restorative justice implementation by exploring perceptions, judgments, and feelings via teacher interviews and observations. Through this research I assessed teachers' views about using restorative practices by identifying strengths, possible limitations that prevent schools from implementing restorative based programs, and teacher perceptions of why continued disproportionality might still exist in discipline after applied restorative interventions.

Methodology

A descriptive case study approach was used to explore the shared experiences of teachers utilizing restorative justice processes in public schools (Yin, 2003). The primary methods for data collection included a pre-interview questionnaire, an individual interview, a shadow-observation, my researcher journal, and follow-up interviews as needed for clarification and/or expansion. The goal of my case study was not to just understand the phenomenon of disparate discipline and the predictable trajectory of students of color into the school-to-prison pipeline; it was also about analyzing teachers' perceptions of the power dynamics of disparate discipline in order to incite change in our educational discipline paradigm (Kincheloe & McLaren, 2002).

To accomplish this, I studied the conscious experience of teachers in their "everyday life and social actions" (Schram, 2003, p. 71) by conducting semi-structured interviews on a purposeful criterion-based snowball sample (Creswell, 2014). Four teacher participants who met the pre-established criteria were selected. All four teachers had at least one full year of classroom experience utilizing a RJ framework in a district that was in at least the third year of implementation after adopting RJ. It was important

that first year teachers were not selected as participants because they might have lacked the practice, coaching and experience it takes to master a set of skills for RJ implementation. Additionally, these teachers may not feel adequately prepared to give their view of best practices because they are in the learning phase themselves. Furthermore, selected teachers had first-hand experience with issuing classroom discipline referrals while implementing district-mandated restorative justice practices.

The district site was selected on criterion-based sampling (Creswell, 2014). The selected district had established RJ practices; this meant the district had adopted and trained staff in restorative justice philosophy and practices for at least two consecutive years and was able to demonstrate program outcomes. The reasoning behind this delimitation was because it takes time to garner buy-in and adequately train staff for any district-wide initiative (Fallon, O’Keeffe, & Sugai, 2012). Thus, districts piloting the program or with first-year RJ implementation may have teachers that do not fully understand or have not yet embraced the pedagogy.

To gather participant data, teachers completed a pre-interview questionnaire regarding pertinent demographic information such as their racial background/ethnicity, gender, years of experience, certification area and specialties, highest education level received, and their number of years working in a district that utilized RJ processes. To capture additional descriptive qualitative data, I shadowed the four interview participants for 90 minutes, which was one full class period, to conduct teacher-student frequency observations (Maxwell, 2013). I specifically observed teacher/student interactions in regards to restorative interventions including, but not limited to, relationship building, conflict prevention, restorative language and inquiry, mediation, and problem solving

(See Appendix H). Additionally, I captured field notes in my researcher's journal during and immediately after observations which helped make meaning of observed data (Gibbs, 2008). Finally, teachers were asked to participate in a 35-45 minute follow-up interview, in person or by phone, to discuss the observation, their previous responses, plus anything else that needed additional clarity. Implementation of methods in this study is further examined in Chapter 3.

Significance of the Study

This research adds to the growing literature on restorative justice practices in secondary public schools. The findings of this study support school improvement efforts in providing a more equitable discipline framework for all students than the traditional punitive discipline framework. Findings also inform district and campus leadership in developing highly effective professional development for teachers and staff in restorative processes and practices implementation. Furthermore, the study provides needed data to increase institutional awareness of teachers' everyday use of RJ.

Definitions of Key Terms

For the purpose of the research, certain terminology was utilized in order to provide a contextual understanding of the study. The definitions used for the following study are:

Achievement Gap: The disparity in academic performance between students of color and their peers (Rowley & Wright, 2011) or between low-income students and their peers (Paige & Witty, 2010). Academic performance is measured by standardized-test scores, course selection, and graduation rates. There is a performance gap in which students of

color perform substantially lower than their White peers in achievement measures (George, 2015; Gregory, Skiba, & Noguera, 2010).

Adversarial Discipline Patterns: Adversarial discipline occurs when punitive disciplinary procedures are targeted at student behavior instead of restorative practices (Porter, 2015). The phenomenon of adversarial discipline patterns emerge when a student population is overrepresented in discipline statistics.

At Risk: Students who are at high risk of failing academically or dropping out of school. Homelessness, incarceration, learning disabilities, low test scores and disciplinary problems are all considered circumstances that can hinder their academic success (The United States Department of Commerce, Bureau of the Census, 1997).

Critical Education Theory (CET): A social theory used in education that critically examines social equities with the goal of improving the human condition (Marcuse, 1964). Critical thinking to Benesch (1993) “is a search for the social, historical and political roots of conventional knowledge and an orientation to transform learning and society” (p. 546).

Culturally Responsive Discipline: According to Sheets and Gay (1996) it is the ability of educators “to understand the cultural heritages of different ethnic groups, how they sanction behavior and celebrate accomplishments, and their rules of decorum, deference, and etiquette” (p. 92).

Disciplinary Alternative Education Programs (DAEP): Educational placement for students who have been removed from the traditional school setting due to weapons, drugs, acts of violence, or at the administrator’s discretion for repeated disruptive

behavior, disrespect, truancy, etc. in the regular school setting (Booker & Mitchell, 2011).

Discipline Gap: Students of color and students with disabilities who receive discipline referrals and harsher consequences at a disproportionate rate when compared to their White peers (Skiba, Horner, Chung, Rausch, May, & Tobin, 2011; Townsend, 2000; Welch, & Payne, 2010).

Established Restorative Justice: Refers to the amount of time RJ has been adopted and practiced and the ability of demonstrating program achievement through restorative justice practices that have resulted in fewer classroom disruptions and/or reductions in the number of suspensions and expulsions. This refers to either teachers with at least one year of full-time classroom experience utilizing a RJ framework or a district that has adopted and trained staff utilizing the RJ framework for a minimum of two years. Therefore, an established district utilizing RJ must be in, or past, the third year of adopting the framework. For this study, piloting districts and districts in first year implementation, which occurs during the second year after the pilot, were not considered established in RJ processes.

Exclusionary Discipline: Any disciplinary sanction on a student that results in removal from the original school environment and placement in an alternative educational facility (Noltemeyer & Mcloughlin, 2010).

Exclusionary Strategy: A strategic plan, devised by schools and school districts, to use student suspensions and/or expulsions to exclude low-performing students from taking state mandated high stakes tests, as a means of meeting adequate yearly progress (AYP) (Ryan, 2006).

Hegemony: The *American Heritage Dictionary of the English Language* online defines hegemony as “the predominance of one state or social group over others” (“Hegemony”, 2019).

Lock Out: The lack of access to a quality education often faced by student of color and low income students (Gregory et al., 2010)

Opportunity Gap: The unequal or inequitable distribution of resources and opportunities (The Glossary of Education Reform, 2014). The opportunity gap is a reframing of the achievement gap; they are often used interchangeably (Ladson-Billings, 2006).

Overrepresentation: This phenomenon occurs when a “specific racial or ethnic group is overrepresented in numbers in comparison to their representation in the general population” (Christenson, 2012, p. 1).

Peer Mediation: The act of “utilizing student peers to facilitate dialogue or restorative justice practices between students to address an issue and come to a solution to avoid future conflict” (Guckenburg et al., 2016, p. 40).

Persons [students] of color: A person who is not White or of European parentage (Oxford Living Dictionary, 2018); peoples of African, Latino/Hispanic, Native American, Asian or Pacific Island descent, and its intent is to be inclusive. Note: Certain racial/ethnic identity terms are used interchangeably; For example, Hispanic and Latinx, or Black and African American.

Positive Behavioral Intervention and Supports (PBIS): A proactive approach established by the Office of Special Education Programs, US Department of Education to give schools capacity-building information and technical assistance for identifying,

adapting, and sustaining effective school-wide disciplinary practices (Sugai & Simonsen, 2012).

Pushout: Harsh discipline policies that push students out of school with excessive use of exclusionary discipline such as school suspension and expulsion (Gregory et al., 2010).

Restorative Circle: A restorative circle is “a facilitated meeting that allows students and others to come together for problem solving, resolving disciplinary issues, receiving content instructions, and discussing concerns” (Guckenburg et al., 2016, p. 40).

Restorative Conference: It is “a facilitated meeting between wrongdoer and person harmed, which may include teachers and parents, to discuss the situation, harm, and solutions” (Guckenburg et al., 2016, p. 40).

Restorative Justice (RJ): According to Guckenburg and colleagues (2016),

RJ is a broad term that encompasses a growing social movement to institutionalize peaceful and non-punitive approaches for addressing harm, responding to violations of legal and human rights, and problem solving (Guckenburg et al., 2016, p. 1).

Restorative Practices: A proactive approach of achieving social discipline through restoring relationships (Van Ness & Strong, 2015). Restorative justice is the discipline model used in both the criminal justice and educational setting to lower disproportionality (Zehr, 2002).

School-to-Prison Pipeline: The policies and practices that remove students from the school environment and, in effect, push them out and into the criminal justice systems (Kim, Losen, & Hewitt, 2010). Factors involved with the school-to-prison pipeline include inadequate access to quality schools, disparate discipline practices, disciplinary

alternative school settings and criminal justice system involvement (Peak, 2015; Porter, 2015).

Social and Emotional Learning (SEL): The Collaborative for Academic, Social, and Emotional Learning (CASEL) defines SEL as,

The process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions (CASEL, 2005).

Zero Tolerance: Policies originally introduced to school districts as solution to ensuring safe campuses as it relates to weapons, drugs and violent acts on school grounds (Skiba & Peterson, 1999).

Organization of the Dissertation

My dissertation is divided into five distinct chapters. Chapter 1 introduces the multifaceted context of my study which include: the state of the current soaring prison population in the United States, current zero tolerance policy, racial and ethnical disproportionality in discipline, the phenomena of the school-to-prison pipeline, the restorative justice mindset, the problem statement, research questions, framework, the significance and purpose of the research, methodology, definitions of key terms, and the organization of the study.

Chapter 2 is the culmination of my comprehensive literature review starting with the historical context of public schooling in America. This general history is relevant because it highlights the roots of institutionalized racism within the public school setting

(Alexander, 2010). Next, I explain current zero tolerance policies and their contribution to the school-to-prison pipeline by explaining who is in the pipeline, how we continually keep fueling the pipeline, and suggestions on breaking the pipeline. Afterward, I introduce proactive and preventative approaches utilizing restorative justice theory. Then, I discuss the power educators have as institutional leaders, in keeping students from entering the school-to-prison pipeline trajectory. Finally, Chapter 2 closes with a highlight of my use of a critical theory in education framework.

Chapter 3 discusses the methodological approach to validate the reasoning behind selecting a qualitative descriptive case study. The analytical paradigm informs the reader about the study's epistemological views and research design. This chapter outlines my research strategy, the research method, the research approach, methods of data collection, participant selection measures, instruments, materials, procedures, and types of data analysis.

Chapter 4 starts with participant profiles which illuminate the participants' personalities as well as their discipline pedagogy. This is followed by the findings of my study, which are based on data collected from questionnaires, observations, interviews, and internal documentation that were coded in Nvivo, a qualitative software analysis program. The data were analyzed and synthesized and the findings are clearly defined as themes; the five themes in my study, in order of most referenced include: 1) improvements needed; 2) climate and community building; 3) mindset; 4) critical consciousness and; 5) responsiveness to organizational culture.

Chapter 5 offers further discussion of the research findings and highlights implications the study may have. The chapter starts with a very brief overview of the

study, including the research questions, framework, and methodology used. This is followed by key findings that are directly tied to the literature and my research questions. Next, implications for my research related to theory, practice, and policy are discussed. The chapter concludes with recommendations for future research.

II. LITERATURE REVIEW

“Jails and prisons are the complement of schools; so many less as you have of the latter, so many more must you have of the former.” – Horace Mann, 1881

Introduction

School discipline is a vital part in any K-12 school institution, predominantly as a tool for classroom management. With induction of zero tolerance policies in the 1970s, school discipline practices have led to pushing out disruptive students from the educational environment, resulting in a loss of instructional time, which may exacerbate opportunity gaps, which are also known as achievement gaps (George, 2015; Gregory et al., 2010). Concerns regarding the inequities of the discipline consequences in respect to student ethnicity/race (Gregory et al., 2010) and gender (Curtiss & Slate, 2015) have been raised. In the article “Restorative Justice or Restoring Order? Restorative School Discipline Practices in Urban Public Schools,” Lustick (2017b) claims, “the leading contributing factor to the achievement gap is the persistent racial discipline gap” (p. 2).

Through her research Christenson (2012) identified “two explanations as to why students of color are overrepresented in school disciplinary actions” (p. 13). The first explanation is Gordon, Gordon, and Nembhard’s (1994) differential involvement thesis which contends “that racial minorities are simply involved more in misconduct” (p.13). The second explanation, which counters the differential involvement thesis, is the discrimination thesis (Rossell & Hawley, 1981) which suggests “overrepresentation is due to cultural misunderstanding that leads to a disproportionate number of referrals (p.13).

Eitle and Eitle (2004) suggested the discrimination thesis is valid claiming, “The imbalance is a form of discrimination directed toward Blacks” (p. 270). Monroe (2005)

calls discipline in schools “an uneven hand, implying that African American males are oftentimes targeted for disciplinary action in the greatest numbers” (Monroe, 2005, p. 46). As stated, through this research I analytically explored teachers’ understandings as to why adversarial discipline patterns continued to occur for students of color in education, even after implementation of restorative justice practices in some cases (Anyon, Gregory, Stone, Farrar, Jenson, McQueen, Downing, Greer, & Simmons, 2016; Lustick, 2017b; Vincent, Swain-Bradway, Tobin, & May, 2011).

This chapter examines the existing literature that ungirds this study and helps explain how schools function, by design, using mechanisms to control and segregate student populations. This chapter details how issues of race, class, and privilege have created systemic inequalities in curriculum, pedagogy, resource allocation, and policy in the education system (Kincheloe & Steinberg, 1997), which favors the dominant class. To do this, I systematically reviewed the literature on the following databases: ERIC, SAGE, ProQuest, and EBSCOHost. The following keywords and terms were searched on the database platforms: education, school discipline, school-to-prison pipeline, crime, disproportionate discipline patterns, discipline gap, school resource officers, policy, restorative justice, zero tolerance, exclusionary discipline, and race/ethnicity.

The culmination of the review of the literature resulted in thematic sections related to (a) the historical context of public schooling in America; (b) the discipline gap and its role in the school-to-prison pipeline; (c) the phenomena of interest: what is the school-to-prison pipeline; (d) restorative justice theory- a proactive and preventative approach; and I the role of teacher leadership in breaking the pipeline trajectory. The

chapter concludes with an in-depth discussion of how my theoretical framework is applied in this study.

The Historical Context of Public Schooling in America

Historically public schools have been a mechanism of segregation and involuntary assimilation (Feagin, 2000) designed to systemically control and categorizes students according to the needs of those in power (Ladson-Billings, 1998; Tate, 1997). Because of segregation and disenfranchisement laws, people of color were continuously exploited by embedded biases and inequities of power that has spawned institutional oppression in America (Seabrook & Wyatt-Nichol, 2016; Tate, 1997). Beginning with the birth of the United States, laws were specifically created to codify a system of racial division between the dominant class and people of color (Klarman, 2004; Packard, 2002). To help understand the hidden privilege the dominant class possess, it is necessary to examine the superiority exerted over other races and ethnicities throughout history that has led to the institutionalized racism of our education system in the name of American assimilation (Kendall, 2006; Tate, 1997).

Conformity to rules, regulations, and language have been strongly encouraged by policy makers who believe, erroneously, immersion into the values of the dominant American class is rational and patriotic (Baron, 1990). For example, the South Carolina Act of 1740 prohibited slaves the right to learn to read or write (McCord, 1840). Another such law was the Naturalization Act of 1790, which allowed only “free White persons” of “good moral character” the right to citizenship (Bolger, 2013). Trying to further racial/ethnic immersion, the Official English Movement of 1795 declared English the official language of the commonwealth and enacted laws that made it illegal to speak

languages other than English in United States public schools (Baron, 1990; Gonzalez, 2001; McFadden, 1983; Tatalovich, 1995).

Policies and laws usurped lands from the Native Americans and Mexicans forcing entire groups of people to assimilate into Anglo-American culture. The Federal government, starting in 1838, forcibly removed Native American students from their homes and forced them into boarding schools because, “Indian cultural patterns were vastly different from those of Whites...Indian life, it was argued, constituted a lower order of human society...[they] were savages” (Adams, 1995, pp. 5-6).

At the end of the Mexican-American war (1848), with the Treaty of Guadalupe-Hidalgo, the Texas-Mexico border was established at the Rio Grande and the United States. Mexico conceded over 40% of their territory; which included the land that is now the states of California, Arizona, Utah, Nevada, Colorado, New Mexico and Texas (Wheelan, 2007). Subsequently, vast amounts of people were coerced into learning and speaking English because the use of any other languages was outlawed (Baron, 1990; Gonzalez, 2001; McFadden, 1983; Tatalovich, 1995).

Even recently, anti-immigrant sentiment has spawned a fearful mean-spirit toward immigrants. The government’s threat to repeal the Deferred Action for Childhood Arrivals (DACA) has left Dreamers, children under the age of sixteen brought to this country without documentation, fearful of being deported as illegals (Pope, 2016). Additionally, policies that call for closing the borders and travel bans, have stigmatized populations from Asia, Mexico, South America and the Middle East out of fear they may corrupt and distort the national identity of the American population (Minh-ha, 2010). The culminating effect of these actions has forced other cultures to assimilate to Anglo

ideals including language, religious beliefs, customs, rules of etiquette and values (Gordon, 1964).

This assimilation was intensely enforced by the institutionalization of schools, which commenced when the first public American-European school opened its doors in 1647 in the Massachusetts Bay Colony. The main purpose of this one-room schoolhouse was teaching reading, with the main expectation that students would learn how to read the Bible. This act declared protestant Christianity the dominant religion and set the precedent for the future (Applied Research Center, 2006). This one room schoolhouse also generally taught the values of American citizenship, along with writing and arithmetic (Watson, 2008). Up to this point, a formal classical studies education was only reserved for wealthy White men at expensive private institutions (Watson, 2008).

By 1779, a two-tiered educational system was proposed by Thomas Jefferson in which students were tracked as laborers or learners (Applied Research Center, 2006). The majority of students were tracked as laborers, but a few select students, usually White males, were able to move from lower to upper class by becoming learner tracked (Applied Research Center, 2006). However, as America grew, wealthy White landowners mandated the need for schools to teach obedience and discipline (Applied Research Center, 2006). The New York Public School Society founded a new educational model in 1805, with the goal of “civilizing” poor immigrants so they became obedient workers who were not tempted to destroy the fabric of society by revolting against the upper class (Applied Research Center, 2006).

Education reformers, Horace Mann from Massachusetts led the call for universal free education for every American child (Watson, 2008). Based on the Prussian model of

schooling, Mann developed a system of professional teachers that shared the philosophy that all students were entitled to a common curriculum (Peterson, 2010). The common-school movement began, and by 1870, children in the United States were provided free compulsory elementary education (Watson, 2008). By 1910, because of compulsory schooling laws that required attendance until age 14, nearly 70% of the United States' students were attending school (Graham, 1974). However, this education was not fundamentally common or equal for all children depending on their race and ethnicity (Gregory et al., 2010).

In the 20th century, Dewey (1916) argued the purpose of an education was to learn how to live pragmatically and immediately in the current environment. Dewey promoted a progressive education, a democratic education, that not only taught students content knowledge, but also provided students the ability to use their skills to promote the greater good (Reese, 2001). Dewey insisted schooling was a means to raise social consciousness and would allow the educated person to incite change and social reform (Dewey, 1897). However, with the onset of the industrial revolution, once again wealthy White business owners dictated the need for school reform in order to prepare individuals for job placement in a new and changing workplace (Applied Research Center, 2006; Cohen & Mohl, 1979). Thus, the "Gary Plan," a progressive education work-study model was adopted by most metropolitan schools (Cohen & Mohl, 1979). In addition to academics, students were introduced to vocational educational programs including wood shop, machine shop, nature studies, gym, outdoor facilities, typing, and secretarial skills (Cohen & Mohl, 1979). Tracking students became even more prominent with the advent of such vocational programs; however, this model was popular with American citizens

because it offered earning incentives upon completion and thus, was immensely effective in increasing efficiency in manufacturing through division of labor roles (Cohen & Mohl, 1979).

Yet while progressive education was being urged for some students, other policies were still reflective of both *de jure* and *de facto* segregation, based on race, nativity, and language. *Meyer v. State of Nebraska* (1923) is one example of how the American school system openly discriminated against its inhabitants via foreign language prohibition at public and private schools (Del, 2003). Robert Meyer, a teacher in Nebraska used a German bible as a text for reading. The state charged him under the Siman Act (1919) for violating the language law and he was convicted (Del, 2003). Meyer appealed the decision claiming his liberty and the rights of parents, which are protected by the Fourteenth Amendment, were violated (U. S. Const. art. I, § I, amend. XIV); in a seven to two decision, the Supreme Court upheld the language law and the conviction.

The language law statute was enacted to keep English as the first language of all children educated in this country (Crawford, 2000). In an address to the nation President Theodore Roosevelt (1926) said,

We have room for but one language in this country and that is the English language, for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house (p.554).

This anti-foreigner sentiment or fear of unraveling American nationalization was prevalent and is also evidenced in the *San Antonio Independent School District v. Rodriguez* (1973), the *Lau vs. Nichols* (1974) and the *Castaneda vs. Pickard* (1981) cases. *Lau vs. Nichols* (1974) established,

School districts in this country are now required to take the necessary actions in order to provide students who do not speak English as their first language the ability to overcome the educational barriers associated with not being able to properly comprehend what is being taught to them (*Lau vs. Nichols*, 1974, p.1). Accordingly, the 1968 Bilingual Education Act reformed bilingual education programs by establishing legal guidelines; thus, these landmark cases helped English language learner (ELL) program reform (Crawford, 2000; Gonzalez, 2001). Now school districts must not only provide ELL programs that are pedagogically sound, but faculty and staff need to be sufficiently trained in plan implementation and evaluation (Levy, 1984). However, unfortunately still today, even with these educational reforms, the consensus is that English mostly, if not only, is spoken in the educational setting (Schmidt, 2000).

The number of legal cases addressing discrimination and racism is abundant, and the marginalization of communities of color within the education system came to a head during the Civil Rights Movement. Even though *Brown v. Board of Education* (1954) is heralded as the legal case to end segregation in public schools, there were many years of legal battles by communities of color demanding equity in education. One such case occurred in Del Rio, Texas. Alvarez Salvaterra was forced to sue his district to receive equitable resources in education for the “West End” campus which was delegated a “Mexican only” vocational agricultural building (*Independent School District v. Salvaterra*, 1930).

Another case occurred in Lemon Grove, California. Roberto Alvarez challenged his school board’s attempt to build a separate school to segregate 75 students of Mexican

descent from their affluent White peers (*Alvarez v. Lemon Grove School District*, 1931). Another case involved Sylvia Mendez, a nine year old Mexican-American who was not allowed to attend a California public school that was labeled for “Whites only.” It was successfully argued that segregation at school resulted in an inferiority complex for Mexican-Americans and undermined their ability to become productive American citizens. This case challenged segregation and the district was ordered to cease and desist in the “discriminatory practices against the pupils of Mexican descent in the public schools” (*Mendez v. Westminster*, 1946). The *Mendez* case prompted the League of United Latin American Citizens (LULAC) to challenge the inequities of the Texas public school system in *Delgado v. Bastrop Independent School District* (1948).

The *Brown v. Board of Education* (1954) legal decision requiring schools to provide an equal educational opportunity for all students brought about needed change regarding race, equality, and inclusion in law and public policy (Skiba et al., 2013). The Supreme Court wrote, “We conclude, unanimously, that in the field of public education the doctrine of ‘separate but equal’ has no place; Separate educational facilities are inherently unequal” (*Brown v. Board of Education*, 1954, p. 495). Thus, public sentiment began to shift and the nation took on the development of a social and moral responsibility that all citizens are equal and that separate educational facilities, segregated by race, were unconstitutional (Watson, 2008).

Brown v. Board of Education (1954) was followed with subsequent legislation aimed at creating more equitable schools; President Lyndon B. Johnson introduced the Elementary and Secondary Education Act (ESEA) in 1965 which designated federal funding for low achieving, low-income schools that were established as Title I campuses.

A district and/or a campus could qualify as Title I depending on the amount of students that qualified for government assistance and the states' cost of educating each child. The United States' Department of Education (2001) declared the Title I funding "is to ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education and reach, at minimum, proficiency on challenging state academic achievement standards and state academic assessments" (Title I, Sec.1001).

In 1975, the Education of Handicapped Children Act was introduced but was later reformed into the Individuals with Disabilities Education Improvement Act (IDEIA, 2004). Restructuring the ESEA, President George Bush presented The No Child Left Behind (NCLB) Act (2001) which was school reform based on Title I provisions (Carmichael, 1997). Accordingly, "The No Child Left Behind Act (NCLB, 2001) established requirements that address the need to ensure that all students in the United States are provided equal educational opportunities" (Bartell, Bieda, Putnam, Bradfield, Dominguez, 2015, p. 20). Funding was distributed to each state education agency (SEA). It was then the responsibility of each state educational agency to dispense funds to their local education agency (LEA) in order to combat the deficiencies of schools and school districts with a high percentage of economically disadvantaged students, students with disabilities, and ELL students (Abedi, 2004; Carmichael, 1997). NCLB supported standards-based education reform that required states to measure individual outcomes via standardized assessments in various grade levels in order to determine AYP (Rhodes, 2012).

However, at this time in United States' history there was also a huge increase in immigration with over five million ELLs, speaking over 460 different languages, seeking

an education (Census Bureau, 1995; Kindler, 2002; Pedraza & Rumbaut, 1996). Yet, the standardized assessments mandated by NCLB were developed for native English speakers and not ELLs (Crawford, 2004). The National Center for Educational Statistics (2017) claims, on average, ELLs performed up to 40% lower than their English-speaking peers. This is a strong indication that these assessments do not measure content knowledge but language acquisition (Abedi, 2004). In essence, ELL students were coerced into taking a language proficiency exam (Menken, 2008).

Ironically, while NCLB (2002) was established to bring about equity in education, it disproportionately left behind ELLs. With these glaring achievement gaps exposed, NCLB, originally ESEA, was revised once again in 2015 under President Obama resulting in the Every Student Succeeds Act (ESSA). ESSA was designed to provide opportunities that are more equitable for students by requiring consistent statewide exit and entrance procedures for ELLs, by providing separate funding dedicated to ELLs, and by fair accountability allowing time for ELLs to learn English (Darrow, 2016; Hirschfeld-Davis, 2015).

This history of our educational system is paramount in understanding the current predispositions, prejudices, and inequities faced by many in the United States today. The educational system is fraught with institutionalized racism and unparalleled language, class, gender, learning ability, and sexual orientation inequity that have been supported with biased laws that uphold the power structure of the governing upper class (Kendall, 2006; Tate, 1997). In short, our system has not fully integrated the ideals presented by *Brown v. Board of Education* (1954). Even with attempts to include those marginalized, Blacks, Hispanics and Native Americans are still performing lower academically than

their White peers (Blanchett, 2010; Losen & Orfield, 2002). Ladson-Billings reframes the concept of this achievement gap to fairly represent what it is, an opportunity gap in access to quality schools and the resources needed for academic success (2006).

Although the longstanding opportunity gap between White and Black children remains in education, it has declined over the past fifty years (Reardon, 2011). Some would argue our educational system never had the capability to be inclusive for all children because issues of race, class, and privilege are incorporated into the backbone of the United States (Tate, 1997). Subsequently, one can argue that the role of a 21st century education is to recognize and value democratic principles that demand equitability for all regardless of ethnicity, gender, or class (Waite, 2010). *The American Heritage Dictionary of the English Language* online defines hegemony as “the predominance of one state or social group over others” (“Hegemony”, 2019). To Gramsci (1971) hegemony is achieved through consciousness, knowledge and ideology; the goal for freedom is to create a new hegemony utilizing civil capacities to challenge the status quo and offer a new way of doing things. Thus, as a nation we need to challenge the status quo and critically examine our laws and policies that enhance the privileges of the dominant power structures because we still have class, racial, ethnic, gender, learning ability, and language opportunity gaps in our education system (Berlak, 2001; Gregory et al., 2010; Ladson-Billings, 2006).

Discipline Gap and its Role in the School-to-Prison Pipeline

Since the 1990s, scholars have focused mainly on the educational experiences of African American males in the area of adversarial school discipline (Bennett & Harris, 1982; Hines-Datiri, 2015; Roch et al., 2010; Welch & Payne, 2010). These scholarly

investigations have focused on the overrepresentation of African American males who receive the majority of disciplinary infractions within K-12 schools (Tapia, Alarid, & Hutcherson, 2015; Townsend, 2000). Not only are African American males more likely to be suspended than their White peers for the same infractions, but they are also suspended more for minor infractions that are deemed disrespectful (Gordon, Della-Piana, & Keleher, 2000; Losen, 2012). Lewis, Butler, Bonner III and Joubert (2010) said,

Paradoxically, the research literature underscores the fact that African American males are no more likely than their racial and ethnic peers to be discipline problems in the classroom; however, many schools and school districts, particularly in urban environments, continue to mete out harsher discipline punishments to this cohort (p. 8).

Unfortunately, African American females also fall prey to exclusionary discipline practices in school more often than White and Latinx/Hispanic females (Blake, Butler, Lewis, & Darensbourg, 2011; Skiba et al., 2011). Shockingly, African American females experience more exclusionary discipline patterns in elementary, middle and high school than White males. At the elementary school level, 4% of Black females were suspended compared to 3% for White males (Raffaele-Mendez & Knoff, 2003). At the middle school level, 32% of Black females were suspended compared to 25% of White males (Raffaele-Mendez & Knoff, 2003). By high school, the trend continues with 21% of Black females being suspended compared to only 19% for White males (Raffaele-Mendez & Knoff, 2003).

While Hispanic females receive less exclusionary discipline than Black females, Latinx/Hispanic students are also marginalized in the education system (Skiba et al., 2011; Vavrus & Cole, 2002). The Center for Juvenile Justice Reform (2010) claims Latinx/Hispanic students tend to be overrepresented in certain infraction types including truancy, disruption and noncompliance compared to their White peers. These punitive discipline measures have directly led to disparities within the justice system because Hispanic students are three times more likely to be ordered to court than White students and African American students are four times more likely to be ordered to court than White students (Poe-Yamagata & Jones, 2000).

Phenomena of Interest: The School-to-Prison Pipeline

As previously mentioned, the school-to-prison pipeline phenomenon pushes the most vulnerable kids out of the classrooms and into prison (Peak, 2015). The pipeline “has become the lens in which researchers look at the factors contributing to racial disproportionality in criminal activity” (Christenson, 2012, p. 1). According to Loafman and Little (2014) race affects a person’s chances of being charged with a crime. Therefore, selection for the school-to-prison pipeline is not random in terms of intent (Loafman & Little, 2014). Not only does the school-to-prison pipeline disproportionately impact students of color, it also impacts students living in poverty, students with disabilities (Osher, Quinn, Poirier, & Rutherford, 2003) and students who identify as lesbian, gay, bisexual, transgender, queer, and/or intersex (LGBTQI) (Brown, 2007; Palmer, & Greytak, 2017; Vallas, 2009). Additionally, police presences on campuses, paired with zero tolerance policies, accompanied by automatic disciplinary actions continually fuel the pipeline (Peak, 2015).

The school-to-prison pipeline began to form in the 1980s and 1990s when zero-tolerance policies were presented to battle the national climate that public schools were unsafe, violent and disorderly (Porter, 2015). By the mid-90s, schools had adopted zero tolerance to discipline by mandating stiff pre-set punishments for weapons and drug use, possession, or distribution on campus (Porter, 2015). However, in part because of media fearmongering, schools became overzealous and began enacting zero tolerance for all sort of misbehaviors not related to weapons or drugs (Peak, 2015). In 1996, John DeIulio, a Princeton criminologist and political scientist, fueled the fear by warning against “superpredators,” which specifically targeted Black adolescent boys as becoming sociopathic due to poverty and the lack of male role models in the home. The calamitous warning states,

America is now home to thickening ranks of juvenile ‘superpredators’ — radically impulsive, brutally remorseless youngsters, including ever more pre-teenage boys, who murder, assault, rape, rob, burglarize, deal deadly drugs, join gun-toting gangs and create serious communal disorders. They do not fear the stigma of arrest, the pains of imprisonment or the pangs of conscience ... (Bennett et al., 1996, p. 27).

Additionally, DeIulio (1996) predicted the number of such boys would exponentially increase, estimating that 270,000 additional “superpredators” would exist among the general population by the year 2010. This exacerbated the public’s fear of juvenile crime and the symbolic attitude of the unhinged teen of color changed for the worse and suddenly our schools needed protection from the very students the system served (Bennett, DeIulio, & Walters, 1996). It is worth noting however, that DeIulio’s

notion has been debunked (Zimring, 1998). Later Dilulio regretted having made this specious prediction because it was used to set policies that have caused such disproportionate levels of incarceration and discipline, stating to the *New York Times*, “If I knew then what I know now, I would have shouted for prevention of crimes” (Becker, 2001).

Some blame teachers for pushing students out of the classroom claiming that because of No Child Left Behind (NCLB, 2001) policies, they purposely remove those who fail academic benchmarks, which students of color historically perform lower on when compared to their White peers (Grossman, 2004). It is argued that guided by the need to meet AYP, these lower performing students were, in effect, purposefully removed from campus under the guise of disciplinary infraction issues by their teachers and administrators (Thomas, 2005). Yet, some blame the school-to-prison pipeline on overzealous policing efforts that employ zero tolerance discipline with impunity (Nolan, 2011; Peak, 2015). Whatever the cause, it is disturbingly transforming young cohorts of people into criminals (Schept, Wall, & Brisman, 2015).

Christenson (2012) contends that not only race/ethnicity but also socioeconomic status plays a role in pipeline selection. She said, “This pipeline illustrates the disparity that occurs between racial minorities and White children” (p.1). Referencing Wald and Losen’s study (2003), she further explained how the pipeline was continually fed by poor children of color. She continued,

Essentially, this pipeline suggests that racial minority students are disproportionately exposed to impoverished conditions which are often associated with a lack of resources, which leads to poor success in school, which leads to

disciplinary action or juvenile criminal activity, which worsens their academic successes, which leads to a life of perpetuated poverty, which is so often times associated with criminal activity and imprisonment (p. 1).

While scholars contend that socioeconomic status may affect students' chances of ending up in prison (Gregory et al., 2010), others claim that the school-to prison pipeline is blatantly driven by racism and bias (Elgart, 2016). As discussed previously, the discrimination thesis is based on discrimination against students, which may be intentional or due to a lack of cultural proficiency or knowledge (Eitle & Eitle, 2004; Rossell & Hawley, 1981). Elgart (2016) claims that "implicit bias, the use of broad discretion in school discipline, racial anxiety and trauma, and lack of diversity and cultural sensitivity among teachers and administrators" all play a role into the disproportionate suspension of students of color, students with disabilities, and LGBTQI youth (p. 1). A report released by the Equal Justice Society (2016) mirrors the thought, "These devastating statistics can be traced to the explicit and implicit biases of school administrators, teachers, and other decision-makers in the education system, as well as structural racism and inequality" (p. 3).

Unfortunately, the discrimination thesis is supported by data; Black students receive more disciplinary referrals than White or Hispanic students, but Hispanic students receive more referrals than White students (Monroe, 2005; Skiba, Simmons, Ritter, Gibb, Rausch, Cuadrado, & Chung, 2008). Additionally, students of color receive more disciplinary referrals for less serious offenses than White students (Monroe, 2005). For example, African American students are more likely to get referred to the office for being disrespectful or making verbal threats, Latinx/Hispanic students are more likely to get

referred to the office for truancy, absenteeism or insubordination (Center for Juvenile Justice Reform, 2010), while White students are more likely to be referred, more objectively, for tobacco use and vandalism (Skiba, 2000; Vavrus & Cole, 2002).

In summary, regardless of how they get there, when children are pushed out of school for disciplinary issues, they tend to perform lower academically, have a greater chance of disengagement within the school community, and eventually drop out of school (Losen & Orfield, 2002; Porter, 2015). One reason is because once in the criminal justice system, students are not academically monitored (Leone & Weinberg, 2012), which is required by No Child Left Behind Act in traditional K-12 schooling (NCLB, 2001). According to the United States Department of Education and the United States Department of Justice (2014), only 35 states, or 70%, monitor student academic achievement in juvenile or criminal justice centers. Wald and Losen (2003) present data that retrospectively supports the difficulty of school re-entry claiming 68% of state prisoners had not finished high school and 75% of youth sentenced into adult prisons had not completed the tenth grade. Thus, traditional school re-entry is very challenging for students who have been in the criminal justice system.

Who is in the Pipeline?

Race/ethnicity is the most statistically significant predictor of discipline overrepresentation; African-American, American Indian, and Hispanic students receive disciplinary referrals more often than their White peers (Berlak, 2001; Gray et al., 2015; Skiba et al., 2008). These cohorts also receive more disciplinary punishment for infractions that are more subjective in interpretation by administration and their teachers (Nichols, 2004; Skiba, 2000; Taylor & Foster, 1986). This is obviously where

implications for training and structural reform in restorative justice need to be explored so all staff not only understand, but are using culturally responsive teaching and discipline strategies within the school environment (Guerra & Nelson, 2010).

Gender is the next most statistically significant predictor of disciplinary action taken in American schools; males in general are more likely to be harshly punished and pushed out from school than females (Raffaele-Mendez & Knoff, 2003). According to the United States Department of Education Office for Civil Rights (2014), boys are referred for disciplinary issues more often than girls which results in more disciplinary action. Thus, males receive more suspensions, expulsions, and disciplinary alternative education program placements than females.

As previously mentioned, male students of color are the most adversely affected by zero tolerance policies and are statistically overrepresented in the school-to-prison pipeline (Peak, 2015; Porter, 2015). The United States Department of Education Office of Civil Rights (2014) claim that 70% of all students arrested at school are Black or Hispanic males. However, children living in poverty, children with disabilities and students who identify as lesbian, gay, bisexual, transgender, queer, and/or intersex (LGBTQI) are also disproportionately represented in the school-to-prison pipeline (Brown, 2007; Osher et al., 2003; Palmer, & Greytak, 2017; Skiba et al., 2008).

A student's socioeconomic status (SES) is another significant predictor of disciplinary action taken at school (Christenson, 2012). A student's SES is determined by their families' qualification in federal assistance programs such as free and reduced lunches. Scholarly investigations have shown that poverty adversely affects student academic success (Gregory et al., 2010). Students from low income families are more

likely to be suspended and for longer durations of time than middle and upper class students, regardless of their race/ethnicity, English language proficiency or sexual orientation (Sullivan & Morgan, 2010; Texas Appleseed, 2007).

Program placement is another significant predictor of disciplinary action taken at school (Christenson 2012). At one end of the spectrum, students in advanced placement courses receive less disciplinary referrals than those placed in on level coursework; however, there is a significant lack of low income students and African American and Latinx/Hispanic student representation in advance coursework in traditional K-12 schools (Barnard-Brak, McGaha-Garnett, & Burley, 2011). At the other end of the spectrum, The National Center for Education Statistics (2017) and the Office of Civil Rights (2014) has spotlighted overrepresentation of students placed in special education programs because of certain disabilities including mental retardation and social and emotional learning disabilities in the school-to-prison pipeline (Ferri & Connor, 2005; Losen & Gillespie, 2012; Snyder & Dillow, 2013; Texas Appleseed, 2007). The Center for Civil Rights (2014) further highlighted the significant disproportionality in reporting that 20% of African American students are labeled and tracked in special education programs, yet the group comprises only 14% of the American population (Balfanz et al., 2014). Moreover, the pattern remains the same for additional ethnic/racial groups including Native American and Latinx/Hispanic students (Donovan & Cross, 2002).

Lesbian, gay, bisexual, transgender, queer, and/or intersex (LGBTQI) students are another marginalized group disproportionately represented in school discipline and the school-to-prison pipeline (Palmer & Greytak, 2017; Snap & Russell, 2016). Victimization of individuals in this group has resulted in negative outcomes including

depression, suicidal tendencies, truancy, and poor academic performance (Kosciw, Greytak, Giga, Villenas, & Danischewski, 2016). Discriminatory policies and practices, whether intentional or not, mean LGBTQI students are more often victimized at school and thus avoid the school environment exasperating the lower achievement gap (Bellinger, Darcangelo, Horn, Meiners, & Schriber, 2016). Equally troubling, LGBTQI students are as much as 3 times likely to be involved in punitive school discipline practices, including higher suspension rates, being arrested, and convicted in court than their heterosexual peers (Himmelstein & Bruckner, 2011). In the United States, LGBTQI youth account for 7% of the school population, yet account for 15% in the juvenile justice system (Irvine, 2010). Some argue this phenomenon is in part due to the social biases in laws and policies in which LGBTQI students are perceived as breaking acceptable societal sexual norms (Wilson, Cooper, Katanis, & Nezhad, 2014); this overrepresentation provides more evidence in support of the discrimination thesis (Rossell & Hawley, 1981).

Fueling the Pipeline

Out of a public concern for school safety, suspensions have been used with increasing regularity by administrators to maintain a positive educational climate (Peak, 2015). However, this is very counter-productive because removal from the educational environment has been linked to lower student achievement (Katsiyannis, Antonis, Thompson, Barrett, & Kingree, 2013); and while the administrator sees suspension as a punishment for negative behavior, a suspension to some students is deemed a reward because they are no longer required to sit in class (Mallet, 2014). Not to mention, as

previously stated, suspensions do little in altering student behavior in which they were assigned (Choi, Green and Gilbert, 2011).

Mental health issues. Schools are facing the challenges of educating students with diagnosed mental health issues; the most disruptive to the learning environment are students identified with emotional and behavioral disorders (Jansen & Van der Merwe, 2015). In the United States, as many as 1 out of 10 adolescents deal with a mental illness that considerably impairs their capacity to perform on a daily basis (Bulanda, Bruhn, Byro-Johnson, & Zentmyer, 2014). Scholarly investigations found that students who have emotional and behavioral mental health disabilities are at higher risk of disciplinary action; plus, the discipline is more severe and is set for longer periods of time (Losen & Gillespie, 2012; Rast, Roux, Shattuck, 2016). As discussed, program tracking is a statistically significant predictor of school disciplinary practices citing that special education students are more likely to be suspended and are removed from the classroom more often than their regular education peers (Fabelo, Thompson, Plotkin, Carmichael, Marchbanks, & Booth, 2011).

Employment of police officers. Kafka (2011) contends that zero tolerance policies moved “control over discipline away from teachers and principals” and now instead rely in part, “on non-instructional staff like security guards and police officers to enforce centralized policies” (p. 18). In most public schools, police commonly known as school resource officers now patrol campus grounds (Martinez-Prather, McKenna, & Bowman, 2016). In fact, because of federal funding, fully deputized police officers are often employed in urban schools to help ease widespread fear of school violence and promote a sense of safety (Kafka, 2011). Thus, school hallways are now patrolled by

police who are engaging in law enforcement procedures and tactics to handle disciplinary problems which result in more arrests and citations (Mallet, 2014; Payne & Welch, 2010).

Adding to the codification of zero tolerance policies is the fact that schools are now “required, and often federally funded, to provide professional security” (Lustick, 2017b, p. 300). According to a United States Department of Education National Center for Educational Statistics (2011), the number of school resource officers rose 38% since 2007 (Gray, Lewis, & Ralph, 2015). In the United States, 43% of all public schools utilized the services of a school resource officer; including 63% in middle schools and 64% in high schools (Gray et al., 2015). While the presence of armed police at school presents the illusion of safety, the presence of school resource officers, which are municipal police, can elevate typical teenage behavior leading to more arrests and citations (Schept et al., 2015). Simply, district and school policies that encourage police involvement continually supply the school-to-prison pipeline with students whose behavior has been deemed criminal (Schept et al., 2015).

Breaking the Pipeline

Drawing upon disciplinary data from the United States Department of Education Office of Civil Rights (2014), race, gender, poverty, academic tracking and sexual orientation affect a student’s chances of entering the school-to-prison pipeline (Gray et al., 2015). Results from the literature clearly show that males, as compared to females, Black, American Indian and Latinx/Hispanic students, compared to White students, low socio-economic students as compared to affluent students, and students who identify as LGBTQI are all disproportionately represented in the pipeline (Peak, 2015; Porter, 2015).

In order to combat adversarial discipline patterns that funnel students toward the school-to-prison pipeline, campuses and districts have started to shift their discipline paradigm away from exclusionary practices towards a restorative mindset (Amstutz & Mullet, 2005; Brathwaite, 1996; Zehr, 2002). Amstutz and Mullet (2005) defined a restorative mindset as promoting “values and principles that use inclusive, collaborative approaches for being in a community...that are healing rather than alienating or coercive” (p. 15). They continued, “Restorative discipline in schools is not simply about new programs...it is about providing a framework” and a way of looking “at existing policies and practices and discern how to replace those that have not worked” (Amstutz & Mullet, 2005, p. 17).

Considering student diversity in the United States has increased, the racial/ethnic makeup of the teaching profession does not reflect the changing demographics, with an astounding 80% of American educators classified as White (See Table 2).

Table 2. Distribution of Teachers by Race/Ethnicity in United States.	
Race/Ethnicity	% of Teachers by Race/Ethnicity
White, Non-Hispanic	80%
Hispanic	9%
Black	7%
Asian	2%
Two or more races, non-Hispanic	1%
Source: Data were taken from the National Center for Education Statistics, 2017, p. 7.	

Thus, staff training in culturally responsive pedagogy becomes paramount in addressing the inequalities that have existed in American schools since their conception (Nelson & Guerra, 2014). This is very significant as Okonofua and Eberhardt (2015) stated, “Racial stereotypes can lead teachers to escalate their negative responses to students...and race can influence how perceivers interpret a specific behavior” (p. 617). Okonofua and Eberhardt (2015) contend this is not the result of teachers intentionally targeting students of color, but is due to implicit bias.

However, implicit bias does not only affect White teachers and staff; a recent study discovered that both Black and White educators showed signs of implicit bias when governing discipline (Gilliam, Maupin, Reyes, Accavitti, & Shic, 2016). Thus, allowing staff time to reflect on cultural tendencies in education and different philosophies and practices of behavior management creates an opening to practice participatory democracy by “reconstructing the perspective of deviance” (Furlong, 1991, p. 295). This differs greatly from traditional schooling and the homogenizing that American schools historically intended. When teachers recognize the inequities between race, gender, and socio-economic status within discipline practices and take a less punitive approach, they are critically thinking and actively challenging the status quo of traditional discipline that disproportionately targets cohorts of students (Amstutz & Mullet, 2005; Dewey, 1916; Zehr, 2002).

Restorative Justice Theory

In schools, students are constantly in conflict with one another; this conflict is part of being a member of society. However, in dealing with conflict, districts have begun to recognize that zero tolerance policies have, in effect, been pushing out students with no

evidence it positively influences school climate or safety (Losen, 2014; Skiba et al., 2013). Additionally, districts recognize there is racial/ethnic disparity in which students are punished and the severity of the punishment (Skiba, Michael, Nardo, & Peterson, 2002). Districts have also recently correlated higher youth arrest rates with integrating police in schools, which plays a role in fueling the school-to-prison pipeline (Petrosino, Guckenbury, & Fronius, 2012).

Preventative approaches have been proven useful in combating misconduct in schools (Flannery et al., 2003; Pace, Boykins, & Davis, 2014). The United States Department of Education Office of Civil Rights (2014) published a resource guide for educators to help improve school climate and discipline. The guide talks about the difference between effect and intent regarding race, specifically and emphasizes utilizing a proactive disciplinary approach for students promoting social and emotional learning, prioritizing the use of prevention strategies, such as tiered supports, and by providing regular training to all school personnel (United States Department of Education Office of Civil Rights, 2014).

However, when facing conflict, educators tend to fall back on exclusionary discipline, which rarely affords the opportunity to reflect and thus, learn from the situation (Brown, 2007; Children's Defense Fund, 1975). Ironically, even though conflict is viewed as necessary, inevitable, and invaluable for legitimizing the possibility of democracy itself (Rousseau, 2005), many schools still use institutional policies which employ authoritative approaches to dole out exclusionary discipline. Morrison and Vaandering (2012) view these policies as reactive and unyielding and meant only to "reinforce social control and education as compliance" (p. 145).

With evidence of a school-to-prison pipeline and the discipline gap (Bennett & Harris, 1982; Hines-Datiri, 2015; Roch et al., 2010; Welch & Payne, 2010), the Federal Department of Education, along with the Department of Justice (2014), mandated public schools reduce their suspension rates, especially for disproportionately affected students of color and students with disabilities. This has caused school administrators to proactively seek solutions and alternatives to suspensions as a primary form of discipline for student misconduct (Brown, 2007; Farmer, 1996). Districts and campuses are challenging the authoritative discipline mindset, which is well established in most traditional K-12 schools, by embracing the restorative justice (RJ) mindset (Van Ness & Strong, 2015).

In direct contrast to authoritative discipline, restorative justice is structured to create a climate that addresses power structures and their imbalance, which helps shape discipline (Morrison & Vaandering, 2012). Practices and programs reflecting restorative tenants value repairing the harm committed by an individual through cooperative processes involving all stakeholders (Zehr, 2002). Through the processes of peer mediation, conferencing and community building circles, positive relationships are built on healing and restoring harms done to members of the community (Zehr, 2002). By stakeholders meeting together to tell their narrative of how the offense affected them, an understanding of the harm caused by the crime takes place and allows those affected to make amends that the offender accomplishes to make things right again (Van Ness & Strong, 2015). Often times, making amends includes a sincere apology, steps to ensure changed behavior, and restitution (Zehr, 2002). This process emphasizes the harm done to the community rather than focusing on the act of deviance itself. Another key aspect

of restorative justice, which is absent from punitive discipline, is the reintegration of both the victim and offender into the community (Van Ness & Strong, 2015; Zehr, 2002).

For effective restorative program implementation, educator preparation is paramount (Lustick, 2017a). Schools are required to adapt a whole-school approach to discipline and teachers must adopt and enforce a set of standards that meet their goals (Zehr, 2002). This is challenging because restorative processes are not completely effective in every situation, especially for difficult cases (McCluskey, 2008). This is where teacher and staff training in restorative justice processes are going to be tested. However, critics of restorative justice in school contexts contend that the district cost to benefit ratio is challenged because individual teacher and staff training is extremely costly and time-consuming, especially in the formative years of restorative justice program implementation (McCluskey, 2008). Thus, funding highlights one of the biggest issues with implementing a restorative justice program because extra staffing of full time employees, such as restorative justice facilitators/trainers, coordinators, specialists, and classroom lead teachers, may be required thus escalating the cost (Sumner, Silverman, & Frampton, 2010).

Implementation of restorative justice practices requires a mindset shift (Dweck, 2008), which can be challenging because it requires a commitment to change (McCluskey, 2008). Teachers and school personnel must truly pledge themselves as agents of change (Fullan, 2003) by shifting their school discipline pedagogy from a punitive paradigm to a restorative paradigm (Amstutz & Mullet, 2005). Fullan (1993) offers valuable insight into the interrelatedness of the various aspects of the change process stating there is a tendency for behavior to change well before beliefs change.

Thus, a person's actions can erroneously mask their beliefs (Fullan, 1993). Therefore, if an educator is only acting as if they support restorative justice practices because it is a school reform initiative, but do not truly believe in the foundational tenets, then racial disparity in discipline will continue in their environment (Vincent et al., 2011).

As with any new program, transitional tensions will arise (Fullan, 2003). RJ implementation not only requires extensive training and additional personnel, it also requires flexibility of scheduling and spaces within the school to engage in restorative practices (McCluskey, 2008). Thus, staff buy-in poses another limitation of effective restorative justice implementation (Guckenburg et al., 2016). This can be especially problematic because the effects of restorative practices are not immediately noticed; the initiative commonly takes three to five years to execute effectively (Gonzalez, 2012). Change is not immediate and sustainability becomes challenging. One reason is because of the gradual nature of RJ change might make it hard to achieve and maintain teacher buy in because teachers might get discouraged when things do not immediately change, and therefore give up (Gregory, 2016). In addition, teachers' commitment to change wanes when they have negative experiences with RJ processes (Gregory, 2016).

Despite noted challenges, restorative justice is gaining popularity within schools given the potential and documented positive outcomes; yet fully integrated programs are still at their early stages of implementation (Guckenburg, et al., 2016). However, districts have successfully created proactive RJ programs (Ashley & Burke, 2009). One success story comes from Oakland, California. In 2005, a principal was seeking an alternative to the traditional discipline policies that were adversely affecting students and the campus culture, so the district started a pilot restorative justice program (Sumner et al., 2010).

Restorative justice practices were taught to teachers and staff and an inclusive framework of discipline was adopted the first year. Whole-school implementation began the second year, in which all seventh and eighth grade students completed a restorative justice elective course and participated in some type of restorative circles (Sumner et al., 2010). By the end of this second year, expulsions decreased and the suspension rates decreased 87% (Sumner et al., 2010). Since the pilot was so successful in curbing exclusionary discipline patterns, Oakland Unified School District adopted a restorative justice framework in lieu of the previously established zero tolerance discipline approach (Sumner et al., 2010).

San Francisco's success story began in 2009. In response to race/ethnic disproportionality of African American students in discipline and a 152% increase in suspensions and expulsions district wide, the school board endorsed a "cultural shift" in approaching discipline (Gonzalez, 2012, p. 306). Subsequently, the San Francisco Unified School District implemented a RJ approach and provided professional development, presentations, and workshops to all middle and high school principals, along with other community organizations, and teachers and staff at fifteen select campuses that exhibited adversarial discipline patterns (Gonzalez, 2012). This action triggered a community wide discussion about how to appropriately and fairly handle student misbehavior, and within two years expulsions and suspensions were cut in half (Gonzalez, 2012).

Success stories are not just specific to the West coast of the United States. Pennsylvania implemented the Balance and Restorative Justice (BARJ) model for their community that reduced discipline alternative education program (DAEP) placement by

58% (McCold, 2002). In a follow up study, McCold (2008) found that after two years of RJ implementation, the effects were sustained and noted a 50% reduction in referrals overall. Another success comes from Denver, Colorado; the district experienced a 44% reduction in suspensions after implementing restorative justice circles and conferencing (Baker, 2009). A Philadelphia school reported a 52% decrease in violent incidents the first year of restorative justice implementation, followed by an additional 40% decrease in violent incidents the second year of RJ implementation (Lewis, 2009). The success stories continue throughout Texas (Armour, 2013), Indiana (Skiba, 2000), and Minnesota (McMorris, Beckman, Shea, Baumgartner & Eggert 2013; Riestenberg, 2003); all of which have implemented some type of restorative justice model fruitfully within their school districts.

One word of caution however, even when implemented appropriately, restorative practices can still produce similar discipline gaps for students of color, especially Black male students, when compared to White students (Gregory et al., 2016). Guckenburg and colleagues (2016) highlighted this point when they said, “RJ led to reductions in the racial discipline gap, but that disparate discipline patterns were not completely removed” (p.17). Anyon and colleagues (2016) mirror similar findings in their research, stating that even though Black students participate more often in restorative interventions than any other cohort of students, they continue to be suspended from school at higher rates.

Vincent and colleagues (2011) stress that unless we challenge the biases and institutional forces behind the sequestering of students of color in our schools; we will not necessarily change racial disproportionality in school discipline rates (Vincent et al., 2011). Stevenson (2008) extends this critique stating “racial stereotyping influences

perception, judgment, and decision making” of teachers (p. 355). This is significant because according to the United States Center for Educational Statistics (2012), K-12 teachers are predominately White. In essence, if the cause of adversarial discipline patterns in schools stems from racial biases, then no matter what preventative or proactive discipline practices are utilized, there will be continual racial disproportionality in discipline (Vincent et al., 2011).

However limited, scholars have recently attempted to identify reasons why the same pattern of racial inequality is replicated even after restorative programs have been implemented (Anyon et al., 2016). Some scholars cite insufficient funding (Jain, Bassey, Brown, Kalra, 2014; McCluskey, 2008), others cite a lack of staff buy-in (Guckenburg, et al., 2016), and others cite a lack of educator preparation (Lustick, 2017a) as reasons for the racial discipline gap disparity.

The Role of Teacher Leadership in Breaking Pipeline

Obviously, effective teachers make a difference in addressing the discipline gap (Pace et al., 2014). In essence, strong teacher advocacy for social justice and equity is crucial (Galloway & Ishimaru, 2015). A teacher that purposely fosters positive behavior through culturally responsive pedagogy, recognition, and rewards can influence the discipline statistics on their campus (Pace et al., 2014). Teachers can reject punitive discipline practices to divert the school-to-prison pipeline by increasing their use of restorative practices (Amstutz & Mullet, 2005) and by implementing multiple tiered system of support (MTSS) model, such as positive behavior interventions and supports and/or social and emotional learning within the classroom (Guckenburg, Hurley, Persson, Fronius, & Petrosino, 2015; Porter, 2015).

Teachers have the largest role to play in the support of their students. Accordingly Reeves (2009) shared, “of all the variables that influence student achievement, the two that have the most profound influence are teacher quality and leadership quality” (p. 67). Tarpey and Poultney’s (2015) research supports this and claims that teacher leadership effects account for up to one fourth of total school-level effects, both directly and indirectly. Guerra and Nelson (2009) assert that effective change should not only focus on behaviors, but on beliefs as well. Teachers, as school leaders, can change the campus climate by identifying those in the school that have additive beliefs, cultural knowledge, and passion to lead the change in deficit thinking (Guerra & Nelson, 2009; Galloway & Ishimaru, 2015).

Critical Theory in Education

For this study, Critical Education Theory (CET) is described as utilizing the tenants of critical theory but applying them in the educational arena (Giroux, 1983; McLaren, 1994). According to Giroux (1992), to be critical thinkers in education we “should explore how pedagogy functions as a cultural practice to produce rather than merely transmit knowledge within the asymmetrical relations of power that structure teacher-student relations” (p. 98). Critical pedagogy can be traced to at least two genealogical roots: the Frankfurt School and the scholarly work of Paulo Freire (Giroux, 1992). It has since been further developed by critical theorists working across a spectrum of fields in education including teaching (Henricksen & Morgan, 1990; Weiler & Mitchell, 1992), teacher education (Sprague, 1992), curriculum (Giroux, Penna, & Pinar, 1981), and discipline (Blake et al., 2011; Peak, 2015; Porter, 2015; Townsend, 2000).

Critical theory (CT) has historically distinguished itself from the positivist paradigm by attempting to address issues of oppression (Horkheimer, 1976).

Jürgen Habermas, Max Horkheimer, and Theodor Adorno, sociologists at the University of Frankfurt in Germany, developed critical theory (CT) in an attempt to explain why Marxism did not illicit social change (Kincheloe & McLaren, 2002). This group of scholars became known as the Frankfurt School of critical theorists. According to Horkheimer and Adorno (1972), any theory becomes critical when humans seek “emancipation from slavery” and emerge as a “liberating influence” for oppressed people (p. 246). In regards to human emancipation Bohman (2016) said,

It follows from Horkheimer's definition that a critical theory is adequate only if it meets three criteria: it must be explanatory, practical, and normative, all at the same time. That is, it must explain what is wrong with current social reality, identify the actors to change it, and provide both clear norms for criticism and achievable practical goals for social transformation (p. 4).

Freire (1998) in *Pedagogy of Freedom: Ethics, Democracy, and Civic Courage* reasoned “oppressed people needed to develop a critical consciousness that would enable them to denounce dehumanizing social structures and announce social transformation” (p. 242). Freire speaks of his belief in the “universal human ethic” where teachers should guide students into humanizing the marginalized (Freire, 1998, p. 122). Freire calls to action all educators to be this voice for the marginalized by teaching their students ways of “becoming critically conscious” (Freire, 1998, p. 66). In this section, I will explain how I applied the tenants of critical education theory in my study by analyzing the

educational false consciousness, hegemony, and social emancipation (Horkheimer, 1976).

The first central tenant of critical education theory is the belief that “modern societies perpetuate oppressive structures by promoting one dominate way of thinking” (Freeman & Vasconcelos, 2010, p. 9). Essentially, groups of people “have internalized the values, beliefs, and even world views of their oppressors ... [And] willingly cooperate with those who oppress them in maintaining those social practices that result in their oppression” (Fay, 1987, p. 107). In reality, the oppressed have believed a false consciousness (Freire, 1993). It is through this critical lens in which I started my research arguing that there are historical implications in the United States education system that creates systems of oppression (Tate, 1997).

Second, central to my study is Antonio Gramsci’s (1971) notion of hegemony and the belief that some groups have more power and privilege than others. In essence, “all of us are hegemonized as our field of knowledge and understanding is structured by limited exposure to competing definitions” (Kincheloe & McLaren, 2002, p. 95). For example language is hegemonized creating an uneven advantage in American culture for privileged Whites verses people of color (Guajardo, Guajardo, & Casperalta, 2008). In this study the discipline gap was explored as hegemonic, in that even after changing from a punitive discipline framework to a restorative discipline framework, there are sometimes still overrepresentation of students of color and other cohorts of students in discipline (Anyon et al., 2016; Gregory et al., 2016; Vincent & Tobin, 2010).

Finally, the goal of critical education theory is emancipation of the oppressed (Freire, 1993). In contrast to positivist theory research that seeks to merely understand,

critical education theory challenges the power of current ideas and seeks to change the situation (Weber, 1905). As Rush (2004) states, “Critical [education] theory is a way to instigate social change by providing knowledge of the forces of social inequality that can, in turn, inform political action aimed at emancipation” (p. 10). In order to reach emancipation, Freire (1993) encouraged people to develop a critical consciousness. According to Freeman and Vasconcelos (2010), “Developing critical consciousness entails assessing the system of social institutions and traditions that create and maintain conditions of oppression, while also recognizing one’s role in the system” (p. 13). In this study, authoritative discipline standards were scrutinized and challenged and an alternative restorative mindset to discipline was presented as a means for the oppressed to achieve some liberation.

In summary, CET attempts to change the way people view the world and how their own lives and views affect others (Kincheloe & McLaren, 2002). Understanding the relationships among school balances of power, identity, and structure are fundamental in recognizing “there are multiple forms of power including racial, gender, and sexual axes of domination” (Kincheloe & McLaren, p. 91). Schools are pertinent institutions designed to educate. However, within this institution lies an organizational structure built on power axes (Bolman & Deal, 2013). Freire’s belief in teachers to make a difference by being a “committed presence in the world” is powerful because of the fact that teachers are framing our future one student, one group, and one class at a time (Freire, 1998, p. 110). Freire’s claim that all learners are teachers and all teachers are learners in the process of critical thinking is in direct contrast to the heavy-handed authoritative discipline model most districts use to dole out punishment for behavior today. The idea

that the teacher is the master and the student is the novice, only there to learn from the master, is dated. This model of learning needs replacing immediately by a system “that allows for the questioning of democracy and autonomy” (Freire, 1998, p. 21).

III. METHODOLOGY

“Let us not be content to wait and see what will happen, but give us the determination to make the right things happen” – Horace Mann, 1881

Introduction

When one is trying to capture expressive information that cannot be accurately conveyed through a quantitative methodological approach in the form of numbers, a qualitative approach to research is best (Creswell, 2014). Qualitative research is engineered to answer *how*, *what*, and/or *why* to generate, identify, or describe meaning to a phenomenon (Denzin & Lincoln, 2011). The following are the primary research question and sub-questions investigated: What are teachers’ experiences with implementing restorative justice processes in a school with established restorative justice programs?

Sub questions:

1. What are the perceived strengths and limitations of restorative processes?
2. What are teacher perceptions of why schools using restorative processes might still display disproportionality in discipline?

This chapter describes the processes and methods selected to explore and assess teachers’ experiences and views about using restorative practices by identifying strengths, as well as possible limitations that prevent schools from implementing restorative based programs, and teacher perceptions of continued disproportionality in discipline. To capitalize on the scope and depth of this selected methodology, this chapter is organized into six distinct sections: 1) analytical paradigm, 2) research design, 3) site and participant selection, 4) data collection and analysis, 5) validity, trustworthiness, and credibility, and 6) limitations and delimitations.

Analytical Paradigm

This study was designed to investigate teacher's perceptions of using restorative practice based programs in secondary public schools. When designing my research, I first had to consider which analytical paradigm most reflected my own way of knowing. According to Creswell and Miller (2000), the "researchers' paradigm assumptions or worldviews also shape their selection of procedures" (p. 125). Accordingly, I had to decide upon implementing a positivist, constructivist, or critical approach to my research (Guba & Lincoln, 1994). The following section briefly explains the guiding assumptions of each paradigm and why I ultimately chose a critical approach to my qualitative study.

Knowledge in the positivist paradigm is very robust, scientific and objective in identifying causes and testing hypotheses (Comte, 2009). Positivist researchers, mostly natural scientists, believe the universe is unchanging and therefore, there is one universal truth (Merriam, 2009). Positivists treat the natural and social world as the same by using hard data that can be empirically measured, thus eliminating bias (Ayer, 1959). It is the researcher's job, using the scientific method, to interpret the meaning of the numbers (Comte, 2009). Durkheim (2009), operating under a positivist paradigm, claims people are shaped by society and that people's actions are based on institutionalized norms. In positivist, or scientific, research there is an external reality, a need to collect facts via quantitative methods including experiments and surveys (Durkheim, 2009).

The constructivist paradigm, also known as interpretivism or anti-positivism, challenged this belief and offered an opposing view. In direct contrast to positivism, knowledge in interpretivism is subjective (Weber, 1968). Thus, reality is constructed and meaning has action that relies on interpretation (Crotty, 1998). It is the researcher's job

to interpret the meaning of this social action by framing words (Creswell, 2014).

Constructivist researchers treat the social world differently from the natural world and therefore, “claims that there is no universal truth because the world is socially constructed” (Lu, 2013, p. 84). In constructivist research, there is a need to explore, explain and understand reality in relative truths via qualitative methods including questionnaires, interviews, observations, and documents (Maxwell, 2013).

The third paradigm operates from a critical perspective (Denzin & Lincoln, 1994). This paradigm is similar to the interpretivist paradigm but goes one-step further by analyzing the hidden power structures that permeate within society. Just like interpretivism, knowledge is subjective but also inherently political (Guba & Lincoln, 1994). Creswell and Miller (2000) claim that “as a challenge and critique of the modern state, the critical perspective holds that researchers should uncover the hidden assumptions about how narrative accounts are constructed, read, and interpreted” (p. 126). In this paradigm, reality exists and has been created by directed social bias and historically situated structures which greatly affect a person’s position in society (Guba & Lincoln, 1994). While employing the tenets of constructivism, a qualitative methodological study from a critical perspective was chosen for three specific reasons.

First, Nkwi, Nyamongo, and Ryan (2001) suggest “qualitative research is best utilized when data do not indicate ordinal values” (p. 1). Schwandt (2001) further defines qualitative research as text data rather than numerical data. Obviously, data for this study were subjective; meaning it was personal, involving emotion and bias and was not bound to measurable hard statistics and numbers.

Second, Denzin and Lincoln (2011) claim data collection for qualitative research should be done “in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meaning people bring to them” (p. 4). In order to unpack and understand the complexity of teacher experiences with RJ processes, I examined the human experience in the environmental context of a school and not in an artificial environment.

Third, I interacted closely with respondents in order to gain in depth insights into their lives allowing for *verstehen*, a way of seeing the world through the eyes of the actors doing the acting (Weber, 1968). According to Merriam (2009), “Qualitative researchers are interested in understanding the meaning people have constructed, that is, how people make sense of their world and the experiences they have in the world” (p. 13). Quantitative methodology directly contradicted this approach; preferring the researcher remained detached from the respondents as an impartial observer (Durkheim, 2009).

In summary, the primary goal of this study was to not only get teacher’s descriptions of RJ in school, but also to understand their beliefs as to why disproportionate discipline may still exist after RJ implementation. It is through a critical lens that my study explored possible inequities in discipline power structures in the educational setting.

Research Design

As previously mentioned, this study used a qualitative approach. Qualitative inquiry and research design is most often used in the disciplines of anthropology, psychology, sociology, political science, and literature to research culture, behavior, and

lived experiences (Creswell, 1998). In this section, I briefly justify why a case study approach was selected.

Dul and Hak (2008) state, “A case study is a study in which a) one case or a small number of cases in their real life context are selected, and b) scores obtained from these cases are analyzed in a qualitative manner” (p. 4). According to Yin (2009), a case study is “an empirical inquiry about a contemporary phenomenon” (p. 18). The case is the core stage of inquiry. Yin (2009) categorizes three types of case studies: exploratory, explanatory, and descriptive. The exploratory case study is used to define questions and hypotheses for a further piece of research, such as a large-scale survey (Yin, 2009). The explanatory case study explores cause-effect relationships, and tries to explain how events happen (Yin, 2009). The descriptive case study is used to describe a particular phenomenon within its context and is often used to expand on a particular theme uncovered by a survey.

Additionally, Yin (2009) has established basic conditions of when case study usage is appropriate (Yin, 2009). Baxter and Jack (2008) explain,

So when should you use a case study approach? According to Yin (2003) a case study design should be considered when: (a) the focus of the study is to answer “how” and “why” questions; (b) you cannot manipulate the behavior of those involved in the study; (c) you want to cover contextual conditions because you believe they are relevant to the phenomenon under study; or (d) the boundaries are not clear between the phenomenon and context (p. 545).

Yin (2009) articulated that a case study requires very clear units of analysis that can be easily compared across cases. The unit of analysis could vary from an individual, family,

group, institution, community or other social unit, or an event (Yin, 2009). The first step is to define the “case,” or main unit of analysis to use in this study. Baxter and Jack (2008) contend that while it may be appropriate to focus on a single case study, focusing on multiple units allows for stronger analysis. Therefore, a single-case design, embedded with multiple units of analysis, was chosen as the best fit for this study.

Thus, this study was designed smaller in scope to analyze data from multiple sub units on one campus; it was not a multiple case study designed to analyze data from multiple sub units on multiple campuses (Yin, 2009). The selected campus represented the single case study and each teacher participant represented a sub unit, or single unit of analysis that was embedded within the case. This was done in part because there is no one set protocol on how implementation should happen making it difficult to compare teacher’s implementation of RJ processes across campuses and especially across districts.

Site and Participant Selection

Site Selection

Maxwell (2013) contends that purposeful sampling in qualitative research is the ability to achieve representativeness of a particular setting, person, or activity by deliberate selection in order “to provide information that is particularly relevant” to the study (Maxwell, 2013, p. 97). To accomplish this, a list of sites was established by researching schools that subscribed to The Institute for Restorative Justice and Restorative Dialogue (IRJ&RD) or had trained and certified staff in restorative practices via the National Educators for Restorative Practices (NEDRP) or the Texas Educators for Restorative Practices (TEXRP).

After securing IRB approval from Texas State University, an application for school district IRB approval was submitted. Upon receiving school district IRB approval, I emailed the principals of each potential site to introduce myself, present the purpose of my study, and disclose the criteria for their participation (See Appendix A). Principals were asked to reply, by email, if they were interested in participating. I did not receive a response within five business days, so I called each principal to personalize the invitation and asked to schedule a meeting. Next, I visited with each principal on campus that agreed to a meeting. Site selection occurred on a first-in, first-choice basis. Then, the principal was notified of my final decision, their interest for participation was confirmed via email (See Appendix B), and all necessary district and school signature requirements were completed prior to conducting the study.

The selected school site for this study was a traditional 9-12 secondary campus from a suburban PreK-12 district in a Southern state that served over 8,800 students (See Table 3). The selected campus was called Ronald High School (RHS) and was located within Ronald Independent School District (RISD). Please note names have been changed to preserve anonymity.

Table 3. State, District, and School Site Student Demographics.								
Name Alias	Total Student Enrollment	% Asian	% African American	% White	% Hispanic/ Latinx	% Free and Reduced Lunch	% English Language Learners	% At Risk
State	5,343,834	4.2	12.6	28.1	52.4	59.0	18.9	50.3
RISD	8,834	3.5	20.8	7.8	65.2	76.6	38.3	73.9
RHS	1,814	1.5	25.6	5.7	65.2	71.9	19.1	63.6
Source: Data were taken from RISD 2016-2017 Academic Performance Reports.								

RISD was rapidly growing and diverse in terms of race/ethnicity and SES (See Table 3). The area incorporated approximately 100 square miles and spanned across a portion of one large city and two suburban communities. The metropolitan area was the fastest growing in the state and deemed one of the most expensive because of an affordable housing crisis. While the area was originally developed during the cotton industry boom in the 1880s, today many high-tech companies have established headquarters within the district's boundaries. There was great juxtaposition within the district between the modern high tech industry and the traditional agriculturally based industries in which the area was founded. For example, one suburb of approximately 8,600 residents was agriculturally based and known nationwide for their pork products; while the other fast growing suburb of approximately 5,100 residents served as a hub for high tech companies. Therefore, there was a unique blend of students that brought experiences from any combination of urban and suburban environments and socioeconomic statuses.

As evidenced in Table 3, RISD predominantly served Hispanic/Latinx and African American students (n=86%), while the state predominantly served White and Hispanic/Latinx students (n=81%). RISD was comprised of less than 10% White students (n=8%), While White students comprised roughly a quarter of the state's student population (n=28%). The African American student population for RHS (n=26%) was double that of the state's African American student population (n=13%). The state, district, and high school all served a majority of Hispanic/Latinx students; however, RHS served significantly less Asian students (n=2%) than the district and state (n=4%).

Over three-quarters of RISD students were economically disadvantaged as noted by the number of students on free and reduced lunch (n=77%); similarly, the majority of students at RHS were economically disadvantaged (n=72%). The district had a notably high rate of English language learners (n=38%) when compared to the state and school (n=19%). While half of the state's students were considered at risk (n=50%), nearly three-quarters of the district's students were considered at risk (n=74%).

At the time of the study, the governing education board had assigned RISD the accountability rating of “Met Standard” on their Academic Performance Report. However, the District Improvement Plan (DIP) identified several district performance objectives; one of which stated that student performance needed to improve in conflict resolution, violence reduction on campuses, and discipline management for all student populations. Table 4 displays students with disciplinary placements by state, district and campus for five academic school years starting in 2012 and ending in 2017.

Table 4. State, District, and School Site Disciplinary Placements.					
Name Alias	% Students w/Disciplinary Placements 2015-2016 Yr.: 16-17	% Students w/Disciplinary Placements 2014-2015 Yr.: 15-16	% Students w/Disciplinary Placements 2013-2014 Yr.: 14-15	% Students w/Disciplinary Placements 2012-2013 Yr. 13-14	% Students w/Disciplinary Placements 2011-2012 Yr.: 12-13
State	1.4	1.4	1.5	1.6	1.7
RISD	2.6	2.0	2.2	2.4	2.5
RHS	6.7	4.6	3.9	5.5	5.7
Source: Data were taken from RISD Academic Performance Reports 2012-2017.					

In order to lower student disciplinary placements district wide, but especially at the RHS where disciplinary placements (n=6%) were three times higher than the state

average (n=2%), in 2013, RISD initiated implementation of Positive Behavioral Interventions and Supports (PBIS) district wide and trained all teachers and staff members. Faculty members are expected to model and reward positive behavior (Flannery, Fenning, Kato, and Bohanon, 2013). It has also become a requirement to teach what behavior is acceptable and what it looks like in specific locations, such as the classroom, computer lab, library, cafeteria, bus loop, gym, stadium, etc. Teachers meet every other day in a Professional Learning Community (PLC) that occurs during a common planning period where PBIS standards are aligned and incorporated into/with lesson plans. Teachers are expected to plan, collaborate, and fully understand the PBIS pedagogy. As mentioned in Chapter 2, PBIS is “a research-based program designed to identify individual student and school-wide behavior problems, teach explicitly behavior expectations... to improve student behavior” (Dodge, 2011, p. 68). Figure 1 is a photo of the campus’ PBIS poster.

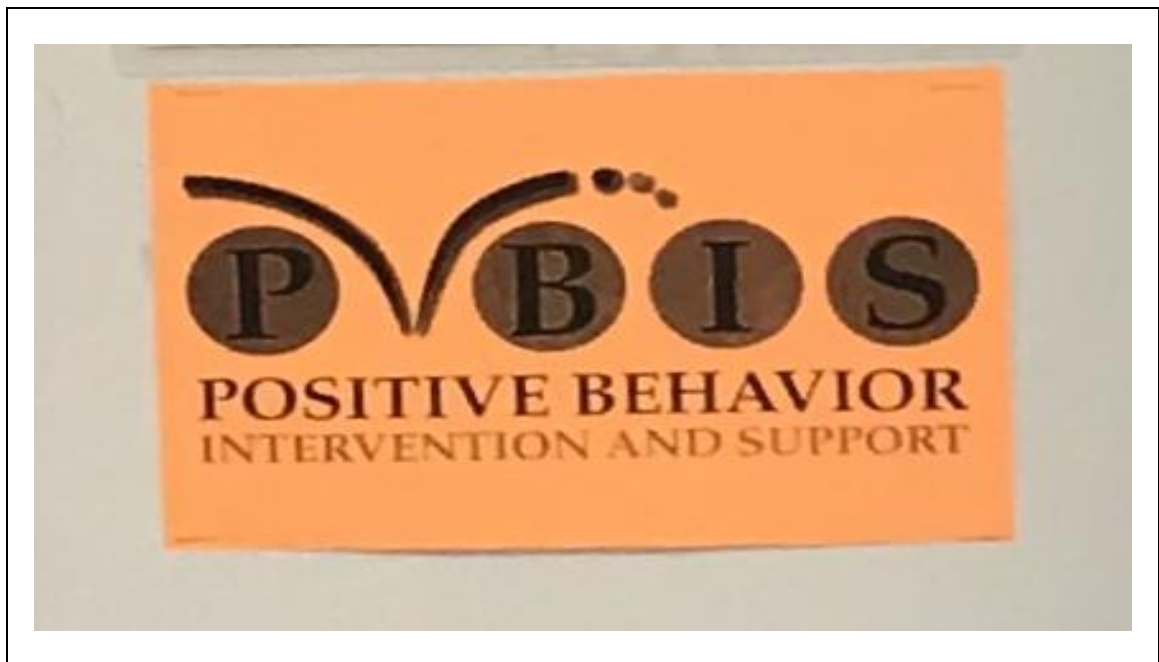


Figure 1. PBIS Poster on Ronald High School Campus. This PBIS poster is displayed throughout campus and by PBIS committee members’ doorways.

RISD and RHS both slightly improved with first year PBIS implementation in 2014 (See Table 4). However, in 2015, there was a significant improvement for the high school's disciplinary placements (n=4%) after the second year of PBIS implementation; the campus had lowered its disciplinary placements by one-third (See Table 4). Unfortunately the trend of lowering disciplinary placements at RHS and district wide did not continue and by 2017, the high school's disciplinary placement (n=7%) was five times higher than the state average (n=1%). At the time of this study, RHS was in its sixth year of PBIS implementation and all study participants were members of the campus PBIS Leadership Team. (See Chapter 2 for details about PBIS).

With RHS's disciplinary placement (n=6%) more than three times the state average (n=2%) in 2014, and more than twice (n=4%) the state average (n=2%) in 2015, in 2016 the district adopted Life Anew Restorative Justice for its traditional high school, its technical high school, and its disciplinary alternative education program (DAEP) campus to prevent students from entering the juvenile justice system. After first year implementation of Life Anew, the RISD experienced minimal improvement (n=.2%) and RHS did not yield positive results at all; in fact, disciplinary placements rose by one-third that year (See Table 4).

When this study was conducted, RHS was in its third year of Life Anew Restorative Justice implementation. With first and second year implementation of the initiative, all RHS teachers received a full day of training given by Life Anew consultants during PD days at the start of the school year. However, in its third year of implementation, the campus used a process known as "turn-keying," which is where campus administrators or teacher leaders receive training in restorative practices and then

return and train their staff/colleagues (McGrath & Baron, 1998). All four participants had received Life Anew training on campus and two of the four participants in this study received additional training during the summer of 2018 in Life Anew Restorative Justice.

Not only had RISD conducted training to implement PBIS district wide and Life Anew schoolwide for selected campuses, the district additionally trained all teachers in *Capturing Kids' Hearts*. In fact, all study participants referenced at least one of these initiatives. Figure 2 is a *Capturing Kids' Hearts* bulletin board observed at the study cite.

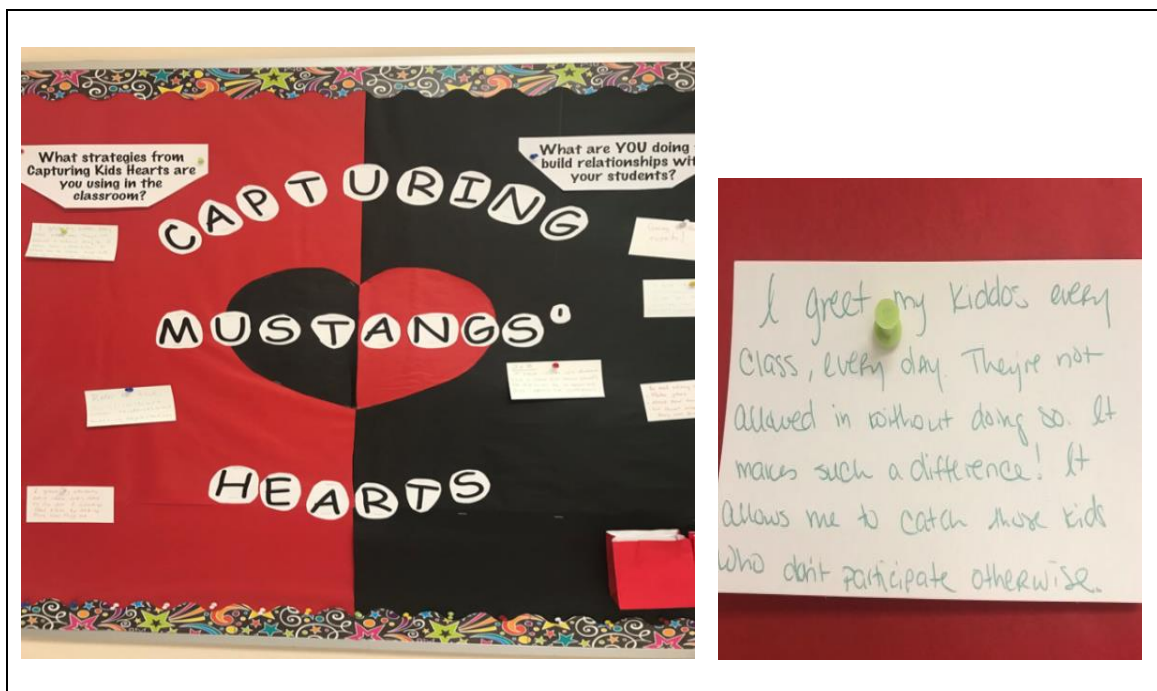


Figure 2. Bulletin Board Referencing *Capturing Kids' Hearts* Training. This photo of a bulletin board that plays off the *Capturing Kids' Hearts*' slogan is located in the staff workroom at RHS. Teachers posted their responses on index cards. One teacher response is enlarged so it can be read.

As mentioned in Chapter 2, *Capturing Kids' Hearts* is a development initiative that trains educational staff in specific social and emotional learning strategies that help build and foster a positive school climate by relationship building between staff and students (Flippen, 2018). As mentioned previously, an increase in school climate results in

numerous positive outcomes (Grossi & Santos, 2012). Hence, RISD instituted the initiative to decrease discipline referrals, increase student achievement, attendance and graduation rates (Flippen, 2018).

Participant Selection

After acquiring district IRB approval and principal approval, I met with the principal at RHS a second time. At this time, the principal provided a list of potential teacher participants. In an email, I introduced myself to the participant pool and gave the purpose of my study and disclosed the criteria for their participation (See Appendix C).

Similar to how the site was purposely selected; four teacher participants were purposefully selected by criterion (Maxwell, 2013; Patton, 2002). To ensure participant understanding of RJ processes and implementation, participants needed at least one year of full-time teaching experience (Creswell & Plano Clark, 2011). To address the research questions regarding discipline, participants must have had first-hand experience with classroom discipline issues while RJ programs were in place. To inform the study, participants must have been trained in RJ processes and experience implementing RJ processes.

Heterogeneity in qualitative research refers to the purposeful sampling technique for selecting heterogeneous, or diverse, participants (Creswell & Plano Clark, 2011). To account for the small sample size of interview participants and for heterogeneity, I utilized maximum variation sampling (Crotty, 1998). For maximum variation, I selected a diverse group of four teachers across multiple disciplines and content areas from among those teachers who meet the criteria and were interested in participating (See Table 5).

After teacher participant selection, they were notified via email of my decision and confirmed their interest to participate (See Appendix D). In this confirmation email, I attached the consent form to participate in research (See Appendix E) and the pre-interview questionnaire (See Appendix F). Accordingly, the interview protocol (See Appendix G), the shadow observation protocol (See Appendix H), and the follow-up interview protocol (See Appendix I) were made available to participants upon request.

For reporting purposes, and to safeguard participants' anonymity, each participant was given the option to self-select a pseudonym or one was assigned. The study's participants included Naca Mars, Melinda Martin, Stephan Peterson and Rebecca Sutton. Table 5 displays the teacher demographic data that included their race/ethnicity, gender, age, highest degree earned, area of certification, and years of teaching and RJ experience for each participant as self-identified on their pre-interview questionnaire.

Table 5. Demographic Breakdown of Teacher Participants.							
Name Pseudonym	Race/Ethnicity	Gender	Age	Highest Degree Earned	Area of State Certification	Teaching Years of Experience	RJ Years of Experience
Mars	White, Hispanic/Latinx	Female	29	BA	Math	3 years	3 years
Martin	White	Female	35	BA	LOTE	5 years	3 years
Sutton	African American, Hispanic/Latinx	Female	31	BA	LOTE	2 years in state + 2 years out of state	2 years
Peterson	African American	Male	43	BA	Math/SPED	3 years	3 years
Source: Data were taken from pre-interview questionnaire.							

The teacher participant's racial/ethnic makeup was diverse and they ranged in age from 29-43 years old; three were female and one was male. All participants had earned a

Bachelor's degree and were deemed highly qualified educators by the State Board of Education since they were all state certified in their area(s) of teaching. Two participants had three years of teaching experience, one had four years of teaching experience and one had five years of teaching experience. All participants had two to three years of experience with restorative justice in schools. While only one participant was certified in Special Education (SPED), all participants described having served SPED students in their roles as teachers.

The racial/ethnic makeup of the teacher participants was representative of the district's overall diversity in teacher race/ethnicity (See Table 6). Table 6 displays 2016-2017 teacher demographic data for the state, the district, and the school.

Table 6. State, District, and School Site Teacher Demographics.						
Name Alias	% Minority Staff	% Asian	% African American	% White	% Latinx/ Hispanic	% Two or More Races
State	49.1	1.5	10.2	59.8	26.6	1.1
RISD	60.1	2.3	16.6	46.7	32.1	1.0
RHS	47.1	3.5	14.4	52.6	26.9	1.8
Source: Data were taken from RISD 2016-2017 Academic Performance Reports.						

While the district does display more diversity than the state in the number of teachers of color they employ, it is noteworthy that while the majority of RISD's students are Hispanic/Latinx (n=65%), the majority of the RHS's teachers are White (n=53%). The offset of teachers of color to students of color is further illustrated by the fact that White students makeup a small percentage (n=5%) of the campus population, while African

American students comprise over a quarter of the student population at RHS (n=26%); yet there are far fewer African American teachers (n=14%) than White teachers (n=53%) at RHS.

Data Collection

Based on Yin's work (2003), Baxter and Jack (2008) state, "A hallmark of case study research is the use of multiple sources, a strategy which also enhances data credibility (p. 554). Accordingly, multiple forms of data were collected to answer my research questions that included individual interviews, participant shadow observations, a researcher journal, and follow-up interviews to clarify gathered data. I collected data between September and November 2018.

Interviews

Bevan (2014) asserts, "A researcher is free to structure his or her interview in a way that enables a thorough investigation" (p. 138). Accordingly, an individual semi-structured interview design was used to allow flexibility and fluidity in pursuing points of interest as they developed and helped in assessing the participants' clarity of thoughts (Miles & Huberman, 1994). The semi-structured interviews allowed participants to develop rapport through storytelling in a more relaxed atmosphere than structured interviewing would have allowed (Saunders, Lewis, & Thornhill, 2009).

When selecting the interview questions, Giorgi (1997) said, "[interview] questions are generally broad and open ended so that the subject has sufficient opportunity to express his or her view point extensively" (p. 245). Accordingly, interviews in this study were guided by a list of flexible questions (See Appendix G) and a list of probing questions (See Appendix I). In conducting the interviews, Rubin and

Rubin's (2005) guiding themes of understanding culture were internalized by understanding that I was not a neutral actor, but a participant in the interview process and that the purpose of the interview was to hear and understand what interviewees thought and give them a public voice. The initial interview, which was conducted on RHS campus, lasted approximately 45-60 minutes (See Appendix G). The second, follow-up interviews were conducted on campus and by phone and lasted approximately 35-45 minutes (See Appendix I). Both interviews were audio recorded on an iPhone 8 and a digital audio recorder for subsequent transcription.

Participant Observation

Roller and Lavrakas (2015) contend “that the purpose of qualitative research is to celebrate the moment, the case in a single point in time, or the life story- and the intricacies revealed from that moment” (p. 2). Accordingly, participant observation, a method of data collection, allows for better understanding by capturing the context within which participants interact within that moment (Creswell, 1998). Fetterman (1998) clarifies, “participant observation combines participation in the lives of the people being studied with maintenance of a professional distance that allows adequate observation and recording of data” (p. 35). To collect data and observe RJ in action, I utilized an observation guide (See Appendix H) to observe and list the interactions, processes, and/or behaviors of teacher participants in the school environment (Roller & Lavrakas, 2015).

Researcher Journal

Journal writing to Janesick (1998) is “a type of connoisseurship by which individuals become connoisseurs of their own thinking and reflection patterns and indeed their own understanding of their work” (p. 3). I used a researcher journal as a tool of

critical reflection during this study. My researcher journal added depth to the research by allowing for critical reflection on both the research process and my role in the process. Additionally, my researcher journal was used to document steps taken during the research process and captured observations, artifacts, thoughts, and questions that arose during participant interviews and shadow observations.

In addition to introspective reflections, my researcher journal included field notes and analytic memos. The field notes offered a rich and textured description of what was observed (Patton, 2002). These personal notes, which were written during and immediately after interviews and observations, helped describe people, events, and dialogues observed while at RHS (Gibbs, 2008). The descriptive field notes were helpful in allowing me to return later to better understand the context, the setting, and what occurred (Patton, 2002).

Schatzman and Strauss (1973) contend that research requires, “recording tactics that will provide him [or her] with an ongoing, developmental dialogue between his [or her] role as discoverer and as social analyst” (p. 9). Accordingly, memos, or written records of analysis, helped me achieve this task by linking concrete data or raw evidence to abstract, theoretical thinking. I utilized analytic memo writing to document the decision making processes of research design and to reflect on data and the coding process. These personal, reflective memos will not be published in the study mainly because their primary purpose was to identify what worked well and what needed improving.

Data Confidentiality

Numerous steps were conscientiously taken to preserve participants' anonymity and ensure data confidentiality. First, to protect their confidentiality, participants were given the opportunity to choose a pseudonym, or code name. Interview transcripts and audio recordings were labeled using this code name. All identifiable research data, including signed consent forms, digital audio files, transcripts, observations, field notes, and analytic memos are stored on a password-protected computer, of which only I have access. Any hard copies of research data gathered are kept in a locked file cabinet at my residence. After being stored for three years, these data will then be destroyed.

Data Analysis

Procedures

Yin (2003) notes that during the data analysis phase the importance of having previously identified and then continually returning to any propositions because a proposition, or a set of propositions, guide the researcher in looking for relevant evidence. Baxter and Jack (2008) contend, "Propositions may come from the literature, personal/professional experience, theories, and/or generalizations based on empirical data" (p. 551). As such, one potential proposition was that the phenomenon of disparate discipline in public schools occurs because of systematic oppression and actions based on the ideology of the dominate group (Kincheloe & McLaren, 2002). Additionally, a second potential proposition was that disparities persist in school discipline that disproportionately affects students of color, along with other cohorts of students (Peak, 2015; Porter, 2015; Townsend, 2000). Finally, a third potential proposition was that teachers, by developing a comprehensive model of culturally responsive pedagogy for discipline, can lower the number of students referred for disciplinary action while

creating a community network of support (Ladson-Billings, 1998; Townsend, 2000) and by following RJ practices (Amstutz & Mullet, 2005; Zehr, 2002).

Data analysis is a cyclical process in qualitative research that starts casually during interviews and observations and continues through transcription; all the while, recurring themes, patterns, and categories were identified (Bhattacharya, 2017). Data preparation and analysis begins with a first tier of coding. Gibbs (2007) further clarifies,

Coding is how you define what the data you are analyzing are about. It involves identifying and recording one or more passages of text or other data items such as the parts of pictures that, in some sense, exemplify the same theoretical or descriptive data. Usually, several passages are identified and they are then linked with a name for that idea- the code (p. 39).

It is crucial that while getting to know the data, it is organized effectively (Baxter & Jack, 2008). The use of a database increases reliability of the case study because raw data sources can be tracked and organized allowing for independent inspection (Baxter & Jack, 2008). Accordingly, Nvivo software was used to help ensure transparency in the analysis process. Nvivo software helped me manage, explore, and find patterns in the data. First, to assist with evaluating and interpreting the social phenomena of teachers' experiences with restorative justice, transcribed interview documents, observational field notes and the researcher's journal were imported into Nvivo software. Once imported, the data were explored through the critical ideological lens for common threads and coded for commonalities (Merriam, 1998). For this study, an open coding procedure was utilized to create initial codes (Saldaña, 2009; Strauss & Corbin, 1990).

Codes are descriptive and/or analytical themes or topics found in source material and were used as units of observation and as the basis for comparison (Bhattacharya, 2017). Within Nvivo software, codes are renamed nodes. In the software, material was gathered and coded in one place, which once organized allowed for patterns and ideas to be identified via themes. After revisiting initial coding and analyzing within a theme and between themes, loose lists of categories and sub-categories were identified (Bhattacharya, 2017; Hatch, 2002; Lichtman, 2012). The initial list was modified based on additional reading as categories and sub-categories converged (Lichtman, 2012). This labor-intensive process was continued until new themes and categories ceased to be identified (Bhattacharya, 2017) and saturation of the data were established (Glaser & Strauss, 1967; Saldaña, 2009). Once themes were identified and defined, the data were reviewed to ascertain connections and patterns within and between each (Bhattacharya, 2017). The case analysis data were interpreted and synthesized (Taylor-Powell & Renner, 2003) and the final step in the process of this embedded, single-case study was explaining the thematic findings (See Chapter 4).

Validation Strategies

Scholarly research design, whether quantitative or qualitative, strives for reliable and valid and consistent outcomes (Merriam, 2016). To establish reliability or validity, research data must be considered sound, replicable, and accurate (Bhattacharya, 2017). However, reliability and validity mean very different things depending on research design. In quantitative research, data that exhibit consistency, as demonstrated by the researcher's capability of replicating previous findings is considered reliable (Merriam, 2016). In qualitative research, data that are representative of capturing the full picture of

constructs under investigation is considered valid (Merriam, 2016). Trustworthiness of the analysis refers to the quality of data analysis in a qualitative study and is used to evaluate validity (Lincoln & Guba, 1985). Lincoln and Guba (1985) queried, “How can an inquirer persuade his or her audiences that the findings of an inquiry are worth paying attention to, worth taking account of?” (p. 290). To ensure validity and reduce researcher bias, the techniques of triangulation, saturation, positionality, reflexivity, member checking, and peer review were each utilized in this study.

Triangulation

Triangulation is an internal validation method that uses data from multiple methods or data sources and helps establish validity through the convergence of these different sources (Patton, 1990). Critical theoretical approaches often use methods of dialogue to gather evidence; thus, participant interviewing and various forms of observation are often used which can be compared and contrasted for validity (Horkheimer, 1976). Participant interviews, observations, and my researcher journal all added needed layers for triangulation of data. By utilizing direct interaction with individuals, interviews, and observations, the information gathered for this study was richer and allowed for deeper insight (Guber, 2011).

Saturation

According to According to Glaser and Strauss (1967), validity occurs in qualitative research when saturation of data is obtained and further explains,

The criterion for judging when to stop sampling the different groups pertinent to a category is the category’s theoretical saturation. Saturation means that no additional data are being found whereby the researcher can

develop properties of the category. As he sees similar instances over and over again, the researcher becomes empirically confident that a category is saturated (p. 61).

As such, the technique of data saturation was utilized to help validate my study's findings. The saturation point was attained when no new themes were identified in the data and thus "the criterion for discontinuing data collection and/or analysis" was recognized (Saunders, Sim, Kingstone, Baker, Waterfield, Bartlam, Burroughs, Jinks, 2017, p. 1). Data was coded 8 times until the data saturation point was reached and the data codebook was established.

Positionality

Creswell (2014) claims, "All writing is *positioned* and within a stance. How we write is a reflection of our own interpretation based on the cultural, social, gender, class, and personal politics that we bring to research" (p. 215). My positionality as an educated White-American female unescapably predisposed my interpretation of the data (Creswell, 2008). It was necessary for me to acknowledge this positionality because I benefit from class and racial/ethnic privilege as it relates to critical theory (Tate, 1997). Additionally, my positionality with disparate school discipline is shared as a White-female educator who doled out exclusionary discipline practice on a male student of color (See Chapter 1).

Reflexivity

Reflexivity is the act of purposefully reflecting on the context of knowledge construction throughout the duration of the research process (Koch & Harrington, 1998). Creswell (2014) explained that the "reflexivity-writer is conscious of the biases, values,

and experiences that he/she brings to a qualitative research study” (p. 216). As an experienced secondary teacher, I have many positive and a few negative experiences with discipline and knowledge of how RJ processes can offset the discipline gap (Townsend, 2000). Therefore, it was imperative to disclose my experiences and biases related to school discipline and restorative justice processes and implementation. Reflexivity occurred continuously via bracketing throughout the research process to help suspend personal judgement and instead focus on unpacking the phenomenon (Creswell, 2014; Husserl, 1970).

Member Checking

Member checking is a method that involves sharing data, interpretations, and conclusions with participants to allow for clarification of their intentions and error correction (Thomas & Magilvy, 2011). During interviews the technique of member checking was employed by repeating and/or paraphrasing evidence to participants in order to determine data collection accuracy. Additionally, to establish more credibility, I conducted a 35-45 minute follow-up interview, in person or by phone, which allowed participants to critically analyze and verify that interpretations reflected were what they reported in their interview. The goal of this process was to provide trustworthy and credible findings (Denzin & Lincoln, 2011) which Creswell and Miller (2000) define “as how accurately the account represents participants’ realities of the social phenomena” (p. 124).

Peer Review

A peer review is done externally and adds to trustworthiness and validity of the research process (Creswell, 2014; Lincoln & Guba, 1985). A peer reviewer is someone

“who keeps the researcher honest, [and] asks hard questions about methods, meanings, and interpretations” (Creswell, 2013, p. 251). It is suggested that a peer reviewer be someone that understands epistemology and methodology, but is not directly connected to the study (Lincoln & Guba, 1985). As such, my dissertation chair served as one of my peer reviewers by continuously providing constructive feedback to advance my work. Additionally, a former colleague and friend, who self-identifies as African-American and holds a PhD in Criminal Justice, also served as a peer reviewer. Their perspectives added trustworthiness to this study and increased the validity of findings (Bhattacharya, 2017).

Limitations

Limitations of this research lay directly within the novelty of the topic. Because implementations of restorative justice practices in schools are in their initial stages, simply there are not a large number of school campuses that focus on restorative justice to have stability of the findings (Van Ness & Strong, 2015). Additionally, this study was limited to four participants, which may not provide an accurate example of teachers’ experiences with implementing RJ processes. Since RISD and RHS had higher proportions of students of color than the White student population, data may be skewed showing higher referrals for students of color proportionally when compared to White students. While saturation of these data occurred, data saturation of the topic was affected by the small sample size (Saldaña, 2009). The researcher’s choice of a small sample size was influenced by salient factors that included limited time, budget and participants’ availability (Bonde, 2013). Furthermore, discussing one’s personal experiences with student discipline, with the intersectionality of race, made some participants uncomfortable, thus inhibiting their willingness to go into elicited detail.

Delimitations

In order to narrow the scope of this research, delimitations were specifically established (Creswell, 2012). The first delimitation was to narrow the focus to include experiences from just secondary educators, meaning they taught in grades 6-12, and not in grades K-5. I specifically chose secondary education because disciplinary infractions are at their highest in secondary school compared to elementary school (Losen, 2014). Additionally, this study was specifically designed for teachers only and did not address the personal experiences of RJ from the perspective of administrators, support staff, students, or parents as it made the study too broad in scope.

Conclusion

This chapter reviewed and outlined the methods used in conducting this study. First, it began with the research question and sub-questions that guided this study. Next, a discussion of and rational for using qualitative data to direct the study was explained, followed by an explanation of the epistemological stance using a critical interpretivist paradigm. A brief description of a case study was provided as the research design along with a discussion of the use of semi-structured interviews, observations and researcher journal that were the basis of data collection. The researcher then outlined the process of site selection and securing participants. Next, an in-depth explanation of the data analysis was provided for the reader to understand the process that was taken to develop common themes. Lastly, research bias and trustworthiness processes were explained to ensure full credibility of the conclusion of data analysis.

IV. FINDINGS

This chapter introduces the school site and the four participants of my study along with thematic findings of teachers' perceptions of restorative processes within the school. The main purpose of this case study (Denzin & Lincoln, 2011) was to investigate teachers' experiences with implementing restorative justice processes in a school with established restorative justice programs. Additionally, this case study examined (a) teachers' perceived strengths of using restorative practice based programs in schools; (b) teachers' perceived limitations of using restorative practice based programs in schools, and (c) teachers' understanding of disproportionality in discipline after restorative program implementation in schools.

The study findings in this chapter are based on analysis of the following data sources: school district data, demographic questionnaires, interviews, and observations that occurred in the building. Participant profiles are first presented here, to provide a more detailed account of each participant's background and relation/experience with RJ. Thereafter, themes that were salient across the four participants are provided that include: climate and community building, critical consciousness, responsiveness to organizational culture, mindset and improvements needed.

Participant Profiles

Naca Mars

Mars was a 29-year-old, self-identified Caucasian and Hispanic/Latinx female in her third year of teaching Algebra. She currently served as the AVID coordinator, a member of the PBIS leadership committee, and as a lead teacher who received additional training in Life Anew. She earned a bachelor's degree in Math and selected teaching as a

career “while taking classes at community college.” Mars recounted, “I found myself helping other students with their homework. One student suggested I should be a teacher. I realized then that I really enjoyed teaching others. This started me on my journey to be a teacher.”

The first time I met with Mars was to conduct the interview during which she shared her educational and disciplinary philosophies. Mars stated, “A successful teacher is able to build relationships with their students...and connect on a personal as well as academic level.” When asked to define RJ Mars said, “Restorative justice is just like having a common goal; coming together and having conversations to fix problems... kind of restoring that relationship. So it’s [RJ] all about relationships and how we interact.” Mars explained why she preferred RJ to punitive discipline, “Not just in school, but in life, you need restorative practices. We have conflict with coworkers, with friends, family members. Punitive is just teaching our students like one way to do things. It’s not really teaching them to communicate.” Mars further articulated,

It [RJ] is designed to help; designed to stop that process. Stop the school-to-prison pipeline. I think it’s where we’re at and we need to stop that.... So I think restorative practices is a good idea in theory to help make communication better between students and to really help give those students support that need it.

The second time I met with Mars was to conduct the shadow observation. As the bell rang and I entered Mars’ classroom, the song “Happy” by Pharrell Williams was playing welcoming students created a fun and joyful learning climate. As I sat in Naca Mars’ classroom, I noticed an inspirational quote positioned directly above her door for all to see (See Figure 3).

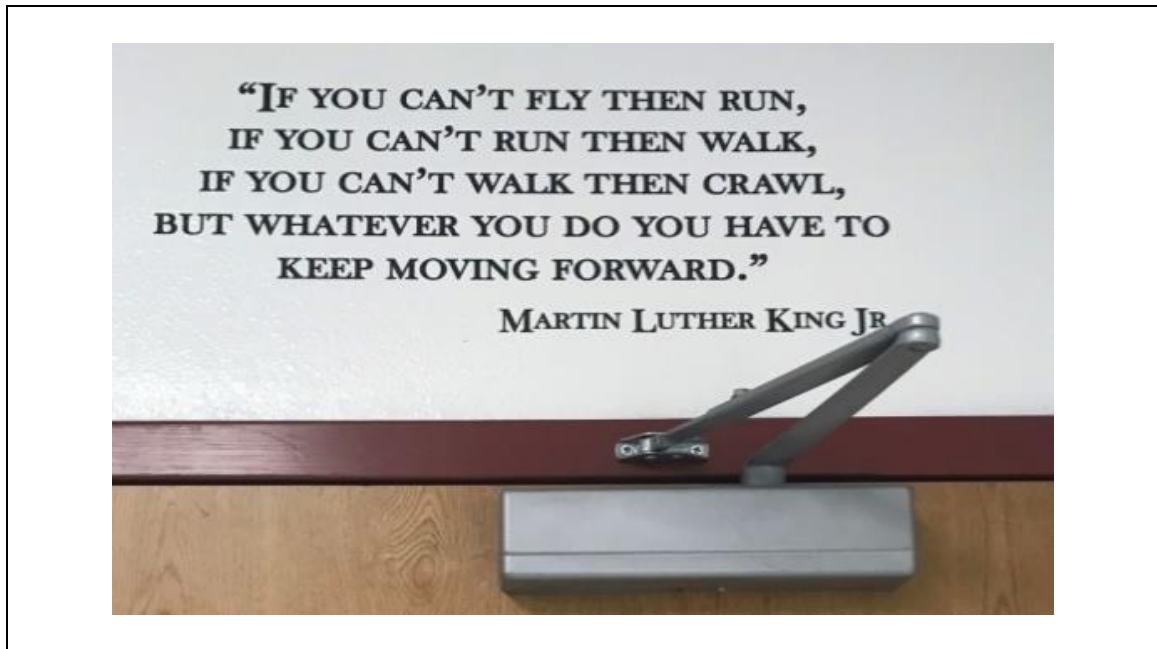


Figure 3. Inspirational Quote by Martin Luther King, Jr. The quote first appears in the book of Isaiah, but Dr. Martin Luther King, Jr. recited the quote during a speech given at a Spelman College rally in which he encouraged African Americans to stand up for their rights as American citizens.

The Martin Luther King, Jr. (1960) poster said, “If you can’t fly then run, if you can’t run then walk, if you can’t walk then crawl, but whatever you do you have to keep moving.” The quote eloquently captured how Mars defined success as a teacher. She shared,

I feel success when I see a student understand something they have been struggling with. I feel successful when I can make connections with students that others have given up on. I feel successful when I can make a student’s day. I feel successful when a student who has not done work in the past, starts working because of the relationship I have built with him/her. I feel successful when I can help my students think about different perspectives.

Melinda Martin

Martin was a 35-year-old, self-identified Caucasian female in her fourth year of teaching Spanish and she currently served as a member of the PBIS leadership committee and as a lead teacher who received additional training in Life Anew. She earned a bachelor's degree in multiple-disciplinary studies and stated she selected teaching as a career because "growing up, teachers had a huge influence on my life." Martin recounted, "I always wanted to do something meaningful where I felt like I was helping others."

The first time I met Martin was to conduct the interview where she identified student success as "growth, either academically or socially and emotionally." She further explained that she purposefully incorporated social and emotional learning into classroom instruction because she understood the importance of creating a safe space for her students would have on their discipline. She stated, "Restorative justice, to me, is being able to solve or even prevent problems with students by building a community and creating a space where students feel like they can be listened to." She passionately continued to explain her discipline philosophy, "For me, it's about a lot of unconditional love. It's like no matter what you do, there's always going to be another chance for you to make a better choice."

The second time I met with Martin was to conduct the shadow observation. Upon entering her room, I immediately noticed the non-traditional desk arrangement. Martin demonstrated that her teaching philosophy was rooted in student centered learning as evidenced by the organization of student desks in her classroom environment which are set in clusters (See Figure 4). This type of grouped seating structure is student centered

in design; it fosters student communication, student interaction and community building skills (Rosenfeld, Lambert & Black, 1985).

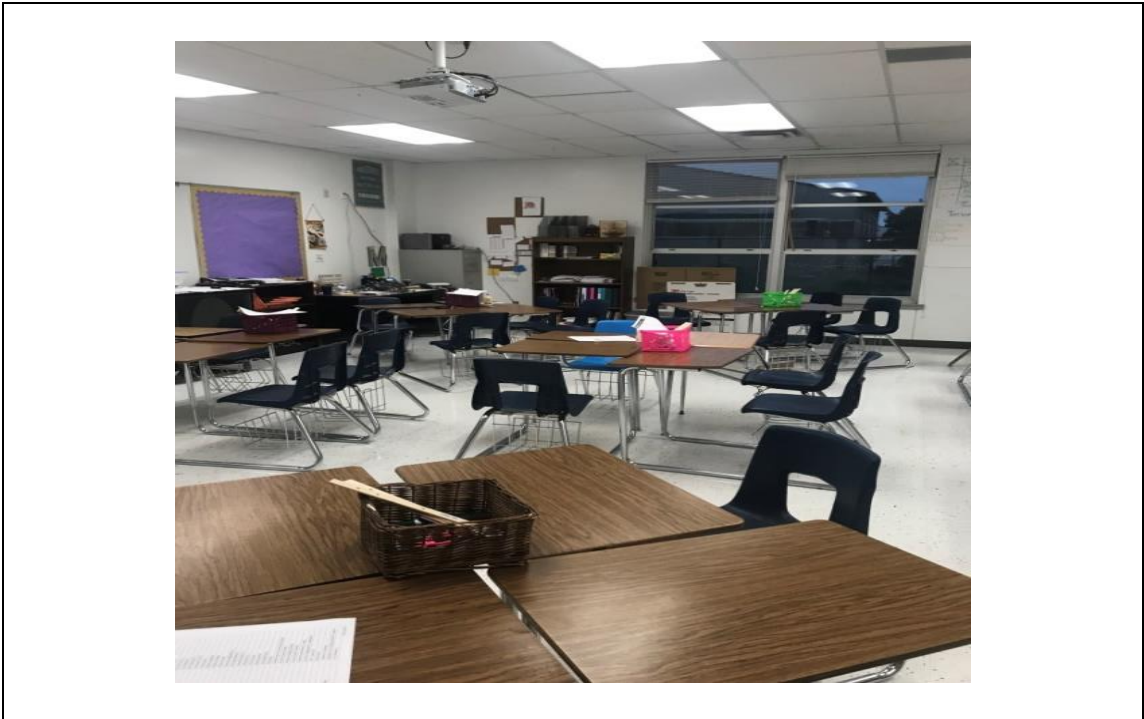


Figure 4. Clustered Learning Centers. This is a photo of clustered learning centers in Martin’s classroom located within RHS.

Stephan Peterson

Peterson was a 43-year-old, self-identified African American male in his third year of teaching Algebra and Special Education and served as a member of the PBIS leadership committee. He earned a bachelor’s degree in Engineering and Math and explained, “This is my second career. Well, third actually. I needed a change, so I did alternative certification.” Peterson identified successful teaching as, “If I know more today than I did yesterday, and students not only knowing the content, but being able to demonstrate mastery in real world applications.”

The first time I met Stephan Peterson was during the interview in which he articulated his educational philosophy in regards to discipline, “You’re always forgiving,

forgiving, forgiving. You're always turning the other cheek so to speak... as much as they upset you, you're trying to find a way; you're trying to find a way."

The second time I met with Peterson was to conduct the classroom observation. I was struck by the sterile starkness of his classroom. Beside behavior contracts and Algebraic equations, in fact, there was nothing posted on the walls at all; they were bare except for one lone poster on the back of his classroom door (See Figure 5).

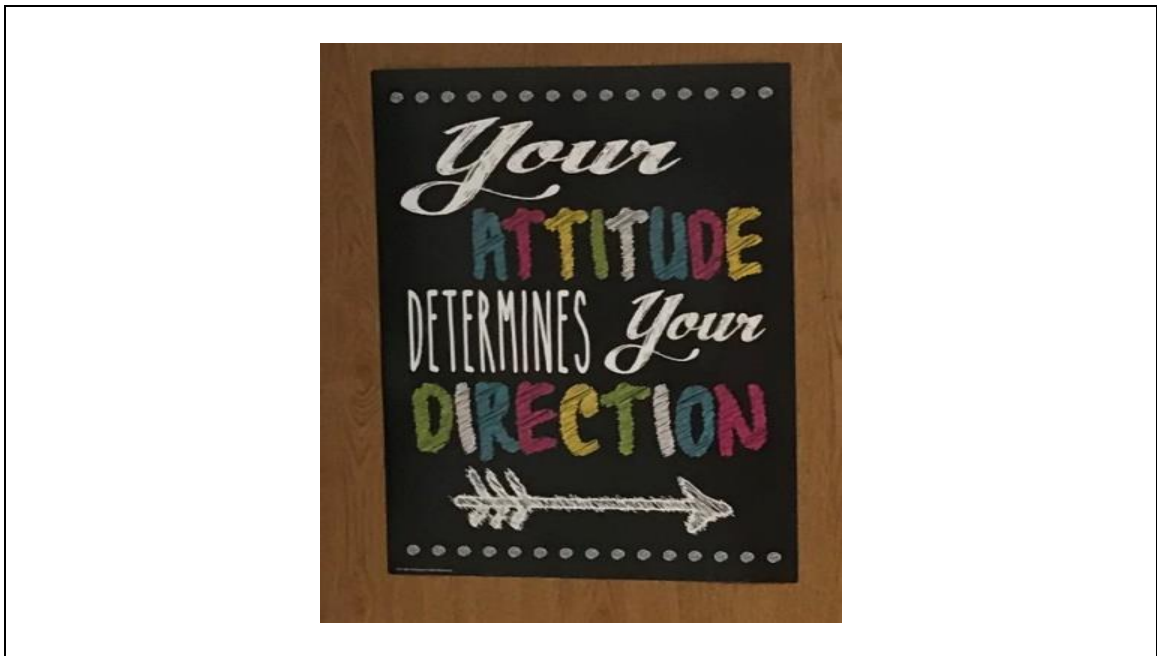


Figure 5. *Your Attitude Determines Your Direction* Poster. This photo is of a poster located behind the door in Stephan Peterson's classroom located within RHS.

This learning environment felt more collegiate than secondary and was in such direct contrast to the other participant's rooms, that in the follow-up interview I asked why he had selected a minimalist approach to his classroom décor. He coyly replied, "It's not part of my Algebra 1 curriculum."

Rebecca Sutton

Sutton was a 31-year-old, self-identified African American and Hispanic/Latinx female in her fourth year of teaching Spanish and she currently served as LOTE

department head, a member of the PBIS leadership committee, and as the director of the teacher mentor program for novice teachers. Sutton identified her passion for teaching early, in fact while in high school. She stated on the pre-interview questionnaire, “I originally had my heart set on journalism and film editing, but I quickly realized I had no passion for it.” She continued, “In high school, I was pretty good at explaining concepts, so I realized teaching was for me.” In pursuit of her dreams, she went to college and earned a bachelor’s degree in multi-disciplinary studies with a minor in Spanish. Sutton passionately wrote on the pre-interview questionnaire, “I understood that teaching gave me meaning and purpose. I worked in schools in college and I easily built relationships with students. I fell in love with teaching and there’s no going back.”

The first time I met with Sutton was for the interview in which she suggested success in teaching “comes in many forms.” She further explained that while teacher success is often mostly judged by students’ weighted grades and standardized test scores, “it’s also so much more than that.” She added,

Success is getting that one student who sleeps every day and doesn’t participate to sit up one day and actually volunteer an answer. Success also means getting that one student, who skips classes all day to attend yours, and gasp, isn’t entirely bored the whole class period. It’s when your students feel comfortable enough to joke with you in class and also stay engaged in the lesson. Success is never having been cussed out by a student. Success is also having other teachers listen to you and try your research-based strategies.

While in Sutton’s classroom for our second meeting in which I was conducting the shadow observation, I noticed a framed picture of a quote poignantly placed right by

the board at the front of the room so every person could see and read (See Figure 6). The framed quote by Rita R. Pierson said, “Every child deserves a champion; an adult who will never give up on them, who understands the power of connection and insists that they become the best that they can possibly be. Be the champion...” (TED Talk, 2013).

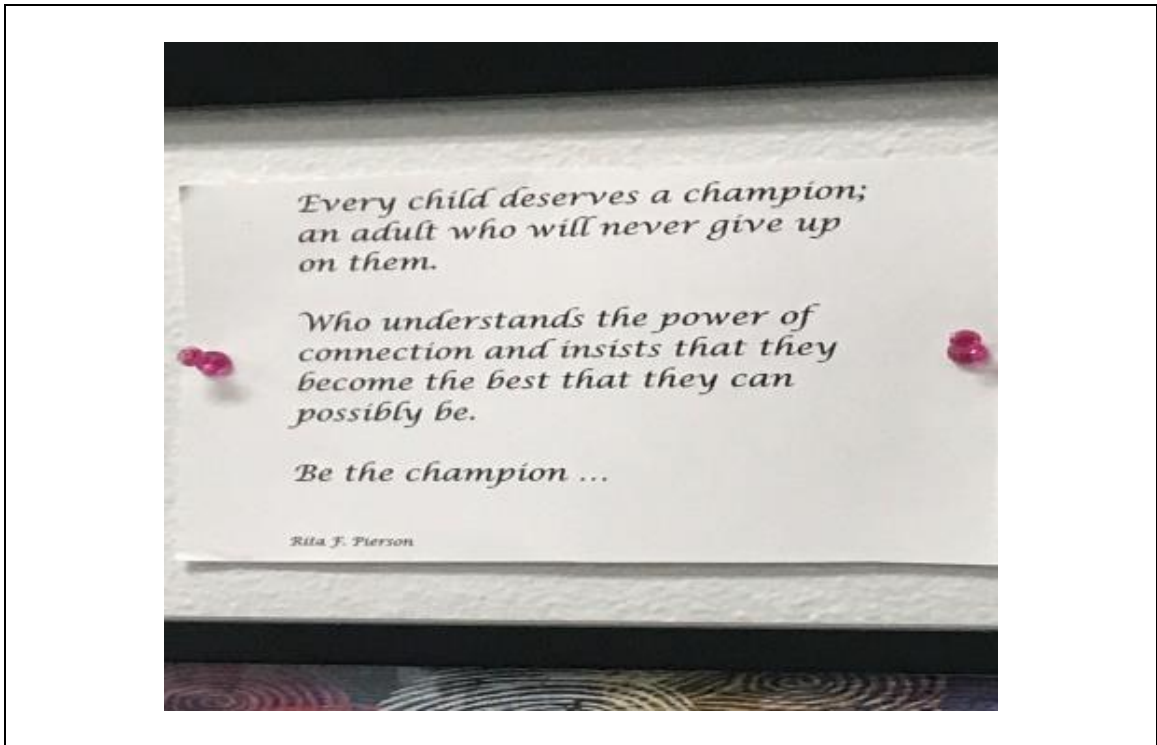


Figure 6. Inspirational Quote by Rita R. Pierson. This quote comes from a TED Talk given by Rita R. Pierson in 2013 titled *Every Kid Needs a Champion*.

In Martin’s follow-up interview, when asked why the quote was placed so strategically, Sutton claimed the quote served as a personal daily affirmation to never give up on any child, regardless of the challenges they presented. She also claimed the frame was purposely placed around the quote so students focused on the words and understood she was their adult champion in the form of a teacher.

Themes

The purpose of this case study was to investigate teachers’ perceptions of the strengths and limitations of using restorative practice based programs in schools, as well

as unpack teachers' understanding of why disproportionality might still exist in discipline even after restorative program implementation. This study examined the experiences of four teacher participants; all of which shared their perspectives and experiences on RJ and possible factors that might influence disproportionality in discipline in the school setting. While organizing, synthesizing and looking for patterns in the data, common themes were identified (Bhattacharya, 2017). The identified themes are labeled: climate and community building, critical consciousness, responsiveness to organizational culture, mindset, and improvements needed (See Figure 7).

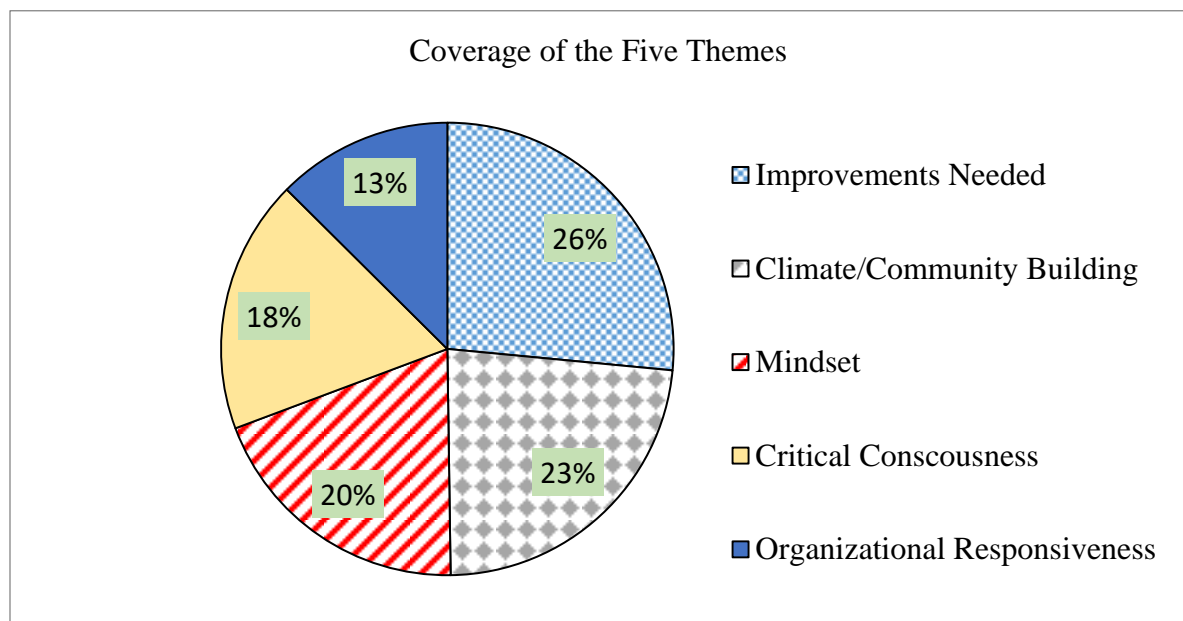


Figure 7. Coverage of the Five Themes.

It is important to note that each of the five themes also had categories within each as well, and within some categories, there are also sub-categories. Even though the themes are reported separately and may appear unconnected, there is significant thematic cross-over. Each theme is discussed in this chapter. Of the five themes that compose the case study, participants varied on the amount of information contributed to each (See Figure 8). For example, some participants discussed mainly two or three themes; while

other participants contributed almost equally to each of the five themes. When compared and contrasted hierarchically, Peterson is the only participant to not have referenced the improvements needed theme the most of the five themes. In fact, Peterson referenced the responsiveness to organizational culture theme most often and the other participants referenced responsiveness to organizational culture the least. Martin referenced in the climate and community building theme the most, while Sutton nearly referenced all themes equally. In the following section, each theme will be identified and explained with supporting quotes integrated.

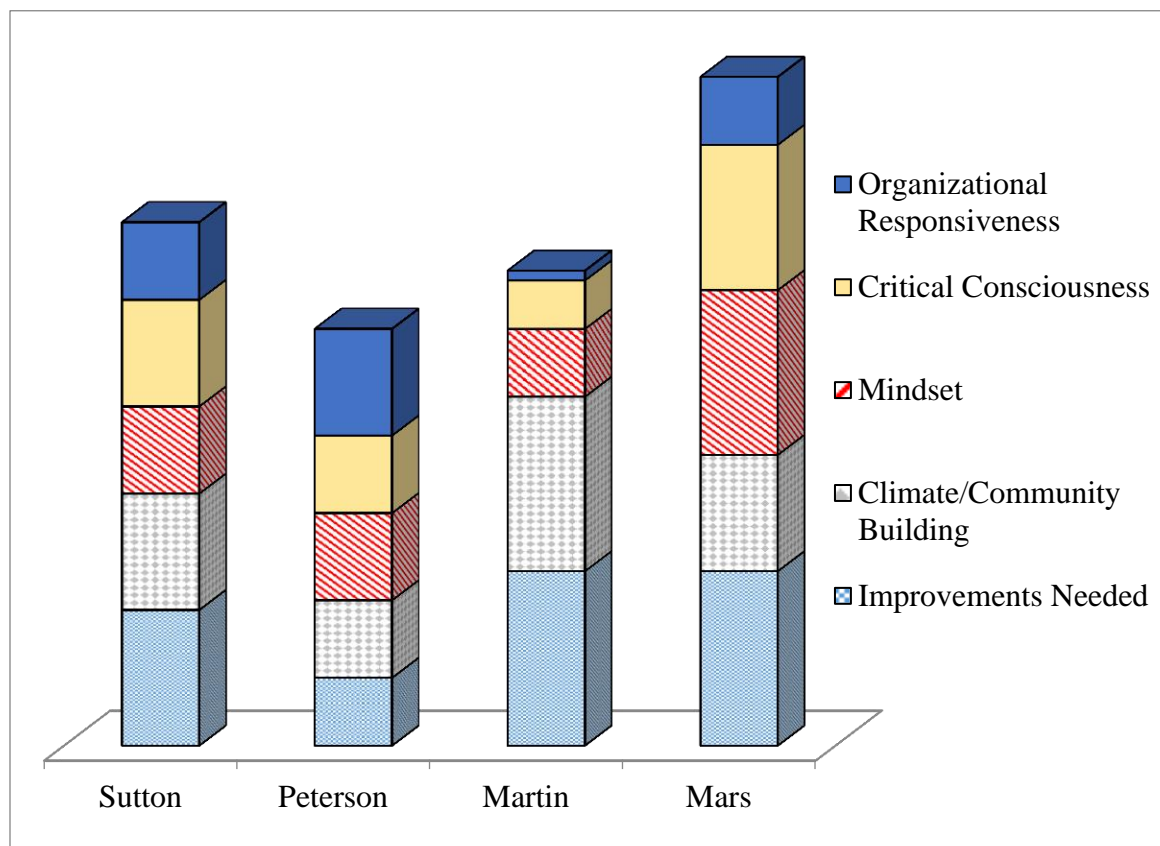


Figure 8. Coverage of the Five Themes Compared by Participants.

Improvements Needed

The first common theme from this study is that restorative justice implementation, as a system, is in need of improvement; as it was referenced most by participants

collectively (See Figure 7 and Figure 8). Items coded within this theme referenced what teacher participants reasoned was in need of improvement regarding RJ processes and/or procedures and implementation. Data coded in this theme is broken into three categories: challenges, ambiguity and professional development (See Figure 9).

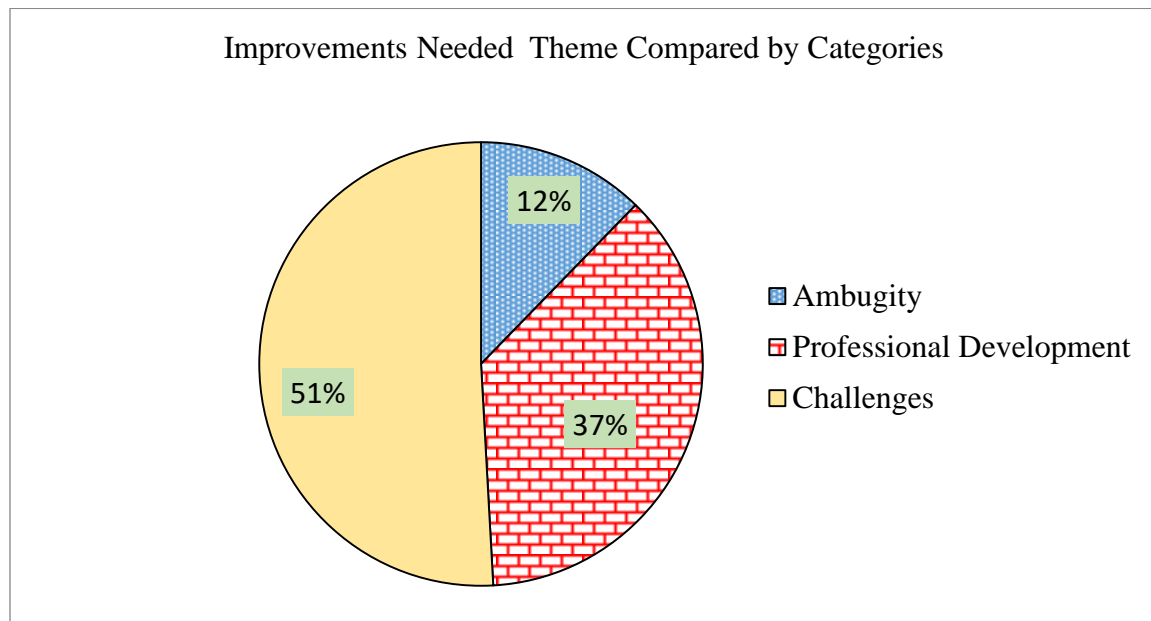


Figure 9. Improvements Needed Theme Compared by Categories.

As evidenced by Figure 9, the improvements needed categories were compared by number of coding references and calculated in percentages. Challenges were the most coded category ($n=29$), followed by the need for professional development ($n=21$), and lastly participants cited ambiguity within the system ($n=7$). Next, the improvements needed categories were compared by the participants' number of coding references (See Figure 10). Martin and Mars had the most number of coded references in the improvements needed theme ($n=18$), followed by Sutton ($n=14$) and Peterson ($n=7$). All participants referenced the challenges category most often. Sutton was the only study participant to not have an ambiguity reference coded within the improvements needed

theme. In the following section each category will be explained.

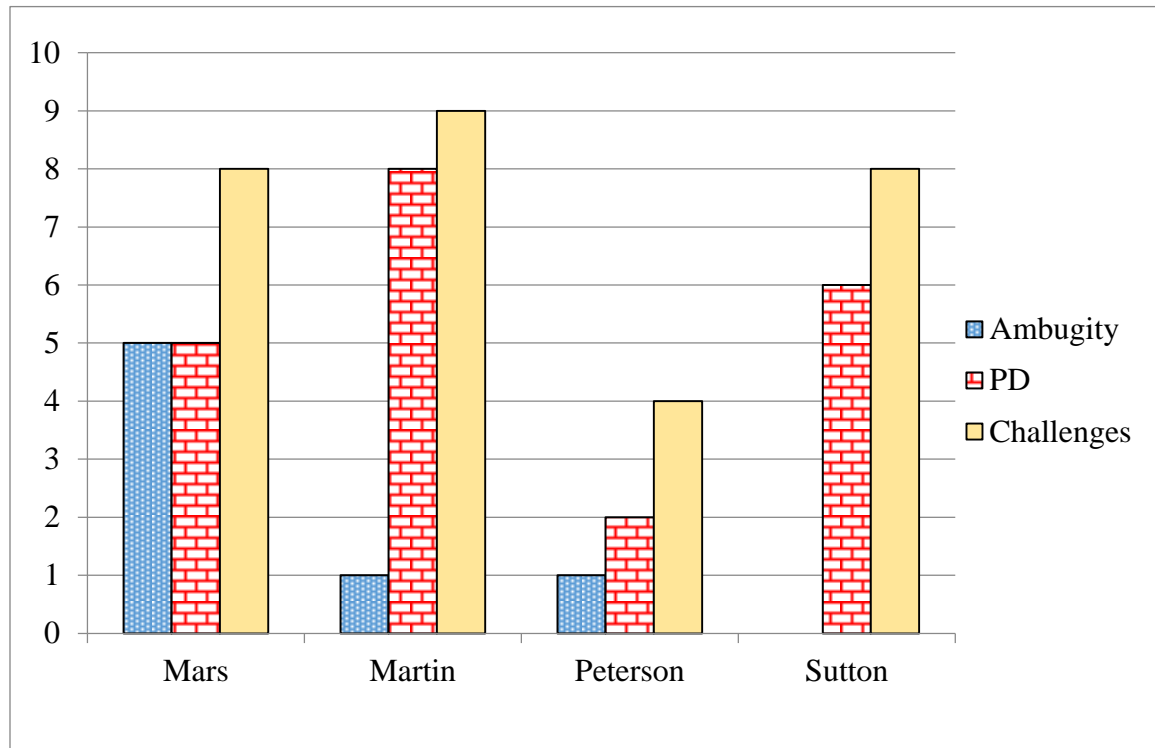


Figure 10. Improvements Needed Categories Compared by Participants.

Challenges. Challenges were the most referenced category by teacher participants in the improvements needed theme and included references that addressed a misalignment between RJ pedagogy and practice, a lack of teacher/staff buy-in, time allocation within the schedule and space allocation within the building. In capturing participant experiences with RJ on a secondary campus, it was palpably clear RHS teachers experienced significant challenges. Martin stated, “There is so much of it. There’s just so much going on that it is hard to focus on one thing.”

Misalignment. For successful integration of any initiative, it is important to align pedagogy and practice (Kidde & Alfred, 2011). However participants referenced evidence to the contrary. Mars said, “There’s been a disconnect in RJ. I think we need to implement it [RJ], but my experience with it has not been good.” Mars shared, “So our

superintendent was on campus and he's saw a student and was like, 'Why are you out of dress code?' He didn't say hi or anything else, so it has to start at the top."

Further demonstrating a misalignment between the pedagogy Life Anew posits and actual practice within RISD Martin stated, "We have been told that we can request that someone come in and help us facilitate a circle. I asked and they were like, 'Okay cool, we'll send someone over.' No one showed up.... There is some sort of missed connection." This misalignment invalidates Life Anew's commitment in which the restorative center is utilized as a resource for teachers. By design, RJ coordinators are assigned to facilitate circles via the restorative center and this, unfortunately, did not happen.

While Sutton praised leadership for taking a RJ approach, she also referenced a misalignment between practice and pedagogy. She said,

I think the district realizes the needs that it has, especially for our population; and I think they're trying. There are just things not implemented as well as they could be and we don't have buy-in from everyone.

Sutton continued, "I just had a meeting with the restorative practices people...and we noticed that there was some misconnection." She added, "One of the interesting things that the leaders told us was that a student has actually requested a circle, and it was a teacher that refused to take part." Sutton explained her concern, "How are we going to preach all this stuff if you're not going to be a part of it as well?"

Teacher and staff buy-in. Teacher and staff buy-in is paramount to any successfully sustained RJ initiative (Kidde & Alfred, 2011). While all four participants supported the use of RJ as the first approach to discipline at the district and campus level,

there was a cited lack of teacher buy-in to RJ at RHS. As evidenced by Martin, “We have a lot of teachers who’ve been here for a very long time who have either gotten comfortable, or they’ve been with the district so long that they’re not as optimistic towards change.” She further explained, “Some teachers are jaded...and they don’t think the problems [with discipline] will ever be resolved.... They’re like, why? Why even bother?” Martin continued explaining her reasoning behind the lack of teacher buy-in, “And then maybe others are just skeptical about it [RJ] because it [RJ] seems cheesy.

While Sutton explained the campus’ commitment to developing a strong climate and community “by rewarding more of the good than paying attention to the bad,” she shared that not all teachers “can wrap their heads around that.” She explained, “The problem is there have been a few teachers who try to implement restorative practices” and have not witnessed positive outcomes. In example she cited, “Students would be kicked out of class and they’d be led back in, right back in without any consequences. And so the teacher’s like, ‘What is happening?’” Sutton explained that after unsuccessful attempts at RJ mediation, “A lot of them [teachers] feel like it’s a way for students to get away with bad behavior...we’re just going to kumbaya and then you’re going to come right back in.”

Sutton ardently defended RJ implementation, “[that] is not the concept at all, but because they’re either not being a part of those circles or they’re not a part of the conversation, they miss out on what it really is.” Sutton lamented, “And so it’s [RJ] got that bad reputation on our campus, so a lot of them [teachers] are like, ‘I’m going to pass.’”

Sutton also identified a problem with teacher buy-in and support of RJ discipline on her campus as “a lack of awareness for our Black and Latino babies and how their culture does not align with traditional ways of schooling- both in instruction and in discipline.” She explained, “some veteran teachers just want to teach...like this guy [teacher]...he doesn’t want to invest the time in building true relationships. He wants to use the time in class for instruction and not in *getting to know you* stuff.” Sutton confessed that classroom instruction took priority to relationship building at times because, “That seems like wasted time and fluff to some.” However, Sutton passionately argued, “But that is what’s needed- the time invested up front will pay off later.”

Time and space allocation. As with any initiative, spatial design is important (Kidde & Alfred, 2011). The need to structure more time into the daily and weekly schedule in order to accommodate circles was referenced. Martin said, “I don’t have enough time if it comes down to it, if it comes down to do I make sure that this student receives a consequence that they deserve for the way that they acted.” Mars mirrored the sentiment of needing built-in time to the schedule, “I think some of our teachers feel like restorative practices takes too much time. Being in a tested subject, it’s hard sometimes to stop and want to do a circle.”

Additionally, the lack of a shared space and the need for an allocated location within the building in which circles could be facilitated was referenced. Sutton shared, “Our program is in [the] beginning stages; because the space, you know, they realize, oh, we really need a space to be able to do this stuff.” She continued, “It [RJ] starts with a conversation. But in the classroom, sometimes there is no space for those conversations. And so the easiest thing to do is to just discipline the child.” Sutton reasoned, “It’s like,

no, at that point that would be a great time to send them to like the restorative practices room and hold a circle and get to the bottom of things.”

Professional Development (PD). To increase sustainability, it is recommended that teachers, administration and staff are trained in specific RJ techniques (Mayworm, Sharkey, Hunnicutt & Scheidel, 2016). As previously mentioned, while all participants had received RJ Life Anew training on campus, only two participants had received additional Life Anew training via a workshop. The 12 hour workshop style training occurred over two days at a local university. The Life Anew participants completed five courses over the two day training: Circles 101- Building Circles, Circles 102 – Circles of Support and Accountability, Circles 103 – Family Group Conference, Circles 104 – Conflict Mediation Circles and Process 201 – Restorative Processes Whole School Approach. Additionally Life Anew participants learned cultural proficiency tools and the importance of engaging the community. With skills learned from the Life Anew workshop, these study participants led two campus PD sessions at RHS; one on the importance of the whole school approach and the second demonstrated how to conduct different types of circles.

None the less, all four participants referenced a need for improvement in regards to their PD in RJ. Participants cited a general lack of PD in RJ practice and cited the need to improve internal PD. Finally, participants cited a need for additional or desired PD that might result in the improvement of RJ implementation on their campus.

Lack of PD. A lack of PD in RJ practice and even in philosophy was referenced. Sutton stated, “One of the problems that I feel with this district is that we’re not given time to do PD.” In addition to time allocation, Martin referenced a lack of basic

understanding of the RJ initiative. She stated, “There’s not like a *why*. There’s not enough of the *why*; like ‘Why are we doing this?’ How can this be beneficial to us?’ It’s just like, ‘Hey, let’s do this, go, let’s do this, this can be good.’” She continued, “I wish that we had more solid data on this and we might, I’d like to be able to look at it.”

Sutton mirrored Martin’s thoughts regarding a lack of pedagogy training at RHS. She stated,

So I feel like we need more diversity training and more theory because the problem is we keep giving these teachers all these tools like, oh yeah, *Capturing Kids’ Hearts*, but we’re not really fully making sure that teachers understand like the whole theory and the why because of it. If you just hand them a tool, like you’re going to do it up until the point you’re like wait I don’t really know what this is for and you just throw it out the door.

Mars further illustrated the lack of training in pedagogy by arguing the need to improve PD in social justice issues. She stated, “I think [we need] more professional development about actually our students’ culture and racism. Like we say we know what it [racism] is, but like let’s stop, be true to ourselves, and talk about white privilege.”

Mars continued, “I know they [teachers] don’t all understand why RJ is being implemented. They don’t understand their true role as a teacher or they don’t understand the backgrounds of our students.”

Mars continued, “That’s why I go back to the training... I constantly reflect after every time I am in a classroom. I think the reflection piece needs to be more heavily implemented.” She continued to share why more PD was important to assist in teacher growth at RHS. She said,

I think more training definitely for everyone needs to happen. I think teachers, number one, before we can make a change with our students, our teachers need to change.

Internal PD. A need to improve internal PD currently offered by the district was referenced. Participants suggested internal PD should be mandatory and more frequently offered. Martin shared her frustration, “It [PD] was done with the intent in mind of training teachers; although it was just kind of thrown together, like it wasn’t prioritized.” Sutton mirrored the sentiment that PD in RJ needed to be prioritized, “I feel like we really need to dedicate some time to it. Like we just do a Saturday training here, 45 minutes there and we’re not really giving it the full time that it deserves.”

Sutton shared her desire for internal PD to be mandatory instead of optional. She stated, “We have a special program called Life Anew. We had one in the middle of the school year last year and we had one over the summer during our PD days, but it was not mandatory for our campus. That was a problem; we had like five teachers show up.”

Desired PD. A need for different approaches to PD was referenced by participants. References coded in this sub-category include examples of what’s not happening but could. Martin articulated a need to observe a model campus in which RJ was successfully integrated, “I need to be immersed in it and I need to see it working and observe it in order to understand how it works. I asked them what schools we could go observe where it’s actually like integrated into the culture of the school.” Mars referenced the same issue, “Actually seeing this [RJ] in practice, not just the video, but like seeing how a circle can work or seeing how positive behavior works...more training would help guide that.”

Peterson also shared the need for more training in circle facilitation, “I think the training is adequate if I’m not the party that I want the students to open up to and about. If it’s about other students, then I can lead it, but a lot of times it’s, it’s about the broken relationship between me and the students. So it’s hard for me to conduct a circle like that.”

Ambiguity. References coded for ambiguity dealt with the participants desire to eliminate, or at least reduce, discipline standard/expectation inconsistencies and procedural/process inconsistencies. While trying to capture participants’ experiences with ambiguity within processes related to RJ, it became evident teachers at RHS experienced significant challenges. Mars stated, “We have not had consistency in RJ on this campus.” Mars elaborated, “The main challenge is it’s not consistent...there’s no consistency in procedures and no consistency in discipline. And so I think students feel that, we feel that.”

Inconsistency in discipline standards. Realizing the cause and effect relationship created by a lack of shared expectations in discipline procedures Mars asserted, “So students are not going to be happy if there’s chaos; there’s chaos at home, there’s chaos at school...they [students] are going to act out.” In asking how discipline was inconsistent she offered, “It changes. I feel like it constantly changes. It depends on the AP [assistant principal], what their pet peeves are, what they do, who’s on campus.” In asking why it mattered who was on campus she replied, “When we have district people on campus, we give more discipline actions out.”

Mars offered one example of inconsistent discipline standards which possibly contributed to disproportionality in discipline at RHS. Mars stated, “My pet peeve is the

dress code...our priorities are wrong and we are quick to judge students; we look at challenges with students of color as bigger deals than we do with students of non-color.” She explained, “I have two students right here; and this student is White and this student is African American. They both have baggy pants on and they both have wife beaters.” However she continued, “This one [African American] might be checked for drugs before this one [White].” She continued, “That is White privileges.” Exasperated Mars claimed, “That’s the way it works and it shouldn’t.” Figure 11 is a photo of the campus’ dress code which Mars referred.



Figure 11. Ronald High School Dress Code Poster. This photo of the dress code poster is strategically placed in classrooms, hallways, the library, the café, outside by the front entrance, by the bus loop and in the main office.

Inconsistency in procedures/processes. Just like Mars, Martin expressed a desire for improving RJ implementation citing, “the more challenging part is making sure that it [RJ] is proactive instead of a reactive program, and right now it’s mainly a reactive program.” She continued, “A lot of it is ineffective procedures and a lack of follow through, like consistency in the implementation of those procedures.” She elaborated,

There have definitely been occasions where I’ve tried to set up a restorative circle for a broken relationship with a student; But that system...it’s not effective right now. Either they’re too busy, or they don’t have the resources, or it’s just not done. There’s like some sort of like missed bounds, like a missed connection.

Mars mirrored the sentiment and added, “We haven’t had a consistency in restorative justice on this campus. There are broken systems which give teachers less faith in the system.” For example she shared, “If we need to request a circle, we do have a google form to fill out. At the beginning of the year, it was not working. So when I requested circles, it never happened!” She continued, “No one else said anything; the principal wouldn’t talk to me about it. Like there was no resolution ever. And so processes are broken.” Mars further lamented her concern, “I mean I believe in it [RJ] but it’s like if I didn’t, wasn’t so passionate about it, and this happened to another teacher, I could see where the disconnect would be, like it’s a waste of time.”

Ironically, Peterson did not follow the established processes for requesting a circle online via a Google document and experienced success in scheduling a circle. Regarding the process for RJ implementation Peterson commented, “I think there is one at this school, but that’s now how I went through it. I had a talk with the principal...then I can’t

remember how we got it or what exactly transpired, but it was set up for the next time we'd meet together as a class."

Climate and Community Building

Another theme that was identified in this study is that participants highly valued their school community, supported social and emotional learning, and purposefully built healthy relationships that assisted in lowering school discipline referrals. Climate and community building was the second most referenced theme in this study (See Figure 7 and Figure 8). Items coded in this theme were references related to building school climate and/or building relationships within the school community to improve school climate. School climate referred to the attitudes and feelings created by the school's environment. Climate can be described by what it feels like to participate within the organization and is based on perceptions. You feel the climate of the school when you come in the door; you feel it all around (Trice & Beyer, 1993). School climate changes and according to the National School Climate Council (2007) "is based on patterns of people's experiences of school life and reflects norms, goals, values, interpersonal relationships, teaching and learning processes, and organizational structures" (p. 4).

Coulston and Smith (2013) explain that school climate is "the holistic context of the life, vigor, and quality of the social connectedness, physical elements, and supportive practices that nurture inclusion and safeness" (p. 1). For this study, the climate and community building theme was broken into two categories. The first category was labeled relationship building and the second category was labeled social and emotional learning (See Figure 12).

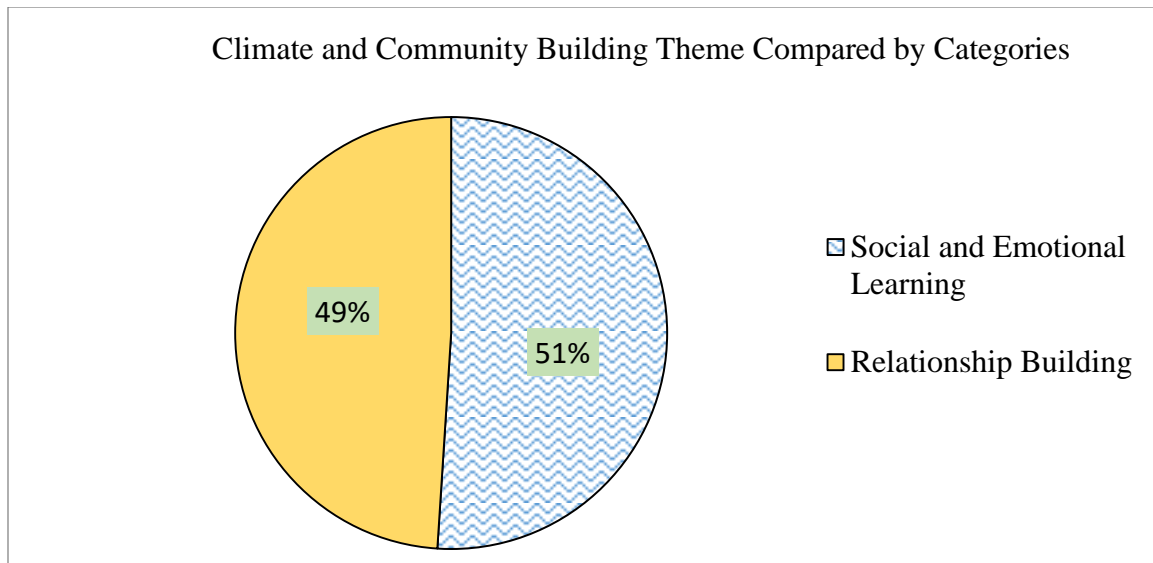


Figure 12. Climate and Community Building Theme Compared by Categories.

As evidenced by Figure 12, the climate and community building categories were compared by number of coding references. Overall participants contributed almost equally across both categories. Participants referenced social and emotional learning (n=25) just slightly more often than relationship building (n=24). Next, the climate and community building categories were compared by participants' number of coding references (See Figure 13). In comparing participant's total number of references, Martin contributed the most to the theme of climate and community building (n=18), followed by Sutton (n=12), then Mars (n=11). Peterson contributed the fewest references in the climate and community theme (n=8). Martin and Peterson both gave equal number of responses in each category. Sutton referenced SEL more than relationship building; while Mars referenced relationship building more than SEL. In the following section each category will be explained.

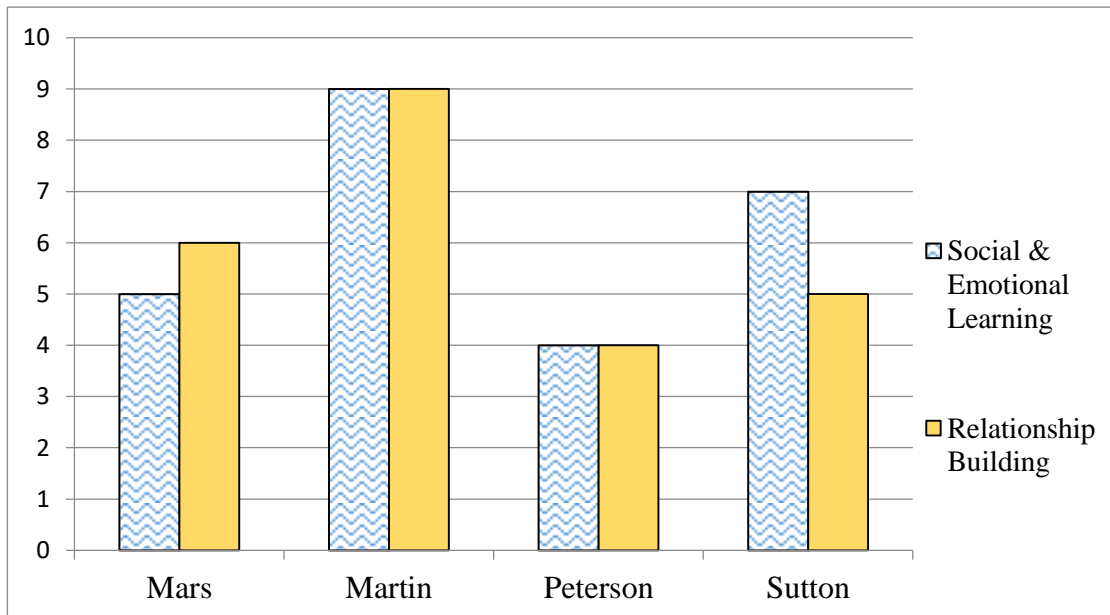


Figure 13. Climate and Community Building Categories Compared by Participants.

Social and emotional learning. Items coded in SEL referenced examples of teachers’ use of strategies that facilitated “student self-awareness, self-management, social awareness, relationship skills, and responsible decision making” (CASEL, 2017; Osher, Coggshall, Colombi, Woodruff, Francois & Osher, 2012). A large meta-analysis study of over 270,000 students aged 5-18 found that SEL interventions improved student attitudes and academic performance (Durlak, Weissberg, Dymnicki, Taylor, and Schellinger, 2011). Durlak and colleagues (2011) contend that when students participate in SEL programs they acquire the knowledge needed to regulate their emotions and exhibit more prosocial behaviors on campus, thus fostering a safe and secure learning environment (Durlak, et al., 2011). Accordingly, SEL is embedded in the district’s strategic plan and faculty and staff has been trained in *Capturing Kids’ Hearts*; a framework used by RISD for SEL implementation. Each participant demonstrated use of

SEL strategies within their classroom discipline procedures and/or instructional strategies.

Martin employed social and emotional learning (SEL) techniques as evidenced by her use of student's identifying their emotional state of mind intermittently via a tool called the Mood Meter (See Figure 14).

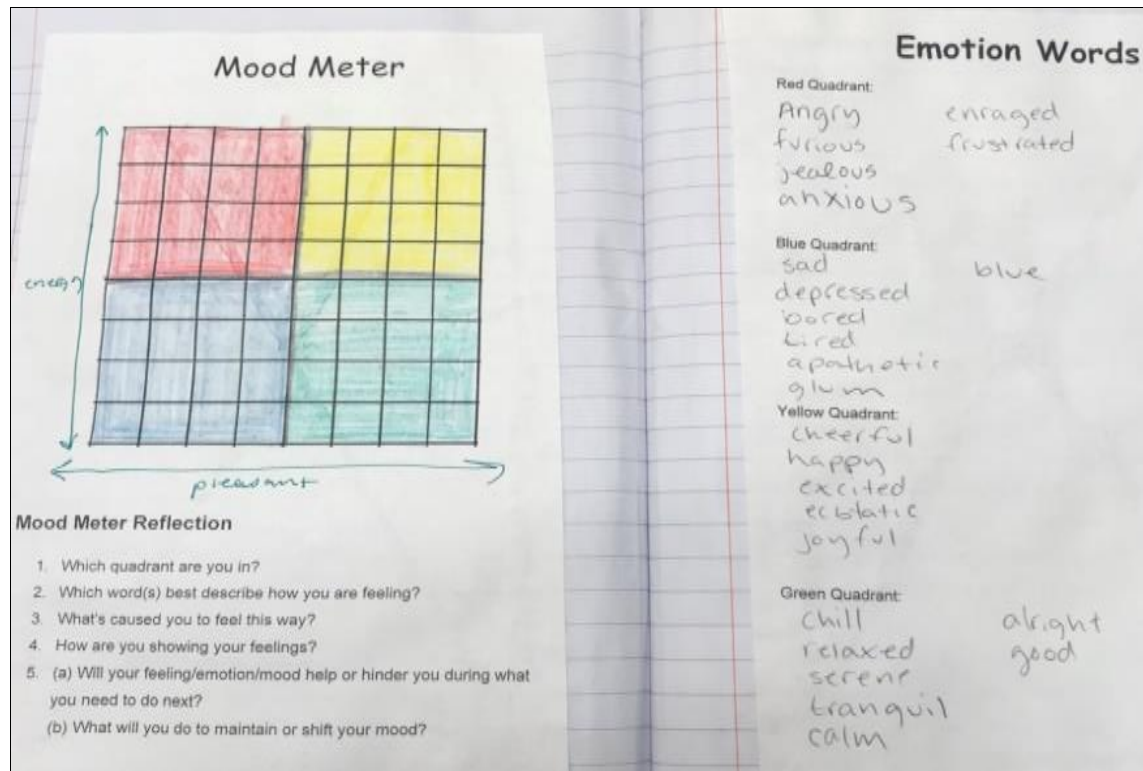


Figure 14. Martin's Mood Meter. This is a photo of Martin's Mood Meter located in each student's Spanish notebook. Students are frequently encouraged to refer to their Mood Meter to verify that they are in the best possible emotional state for productive learning.

Martin shared, "I use a tool called the Mood Meter to help students identify their emotions and then figure out, is this [emotion] going to help in what I need to do, or is this [emotion] going to hinder me from what I need to do?" As a tool for discipline she said, "I try to use it in a proactive way for winning their trust." She added, "The best place for learning is to actually be in the green quadrant, to be low energy, pleasant

emotion: chill, relaxed, serene, tranquil, calm, that sort of stuff.” She explained the Mood Meter’s usefulness in the classroom, “By having them acknowledge their own emotion, they can be like, ‘Man, I’m really tired right now. What do I need to do in order to shift this to a more pleasant emotion? Maybe I need to go splash water on my face.’”

As discussed, all participants attended *Capturing Kids’ Hearts* training to improve the school’s climate. All participants referenced how they established a positive classroom climate through behavioral social contracts, a technique learned from *Capturing Kids’ Hearts* PD (See Figure 15).

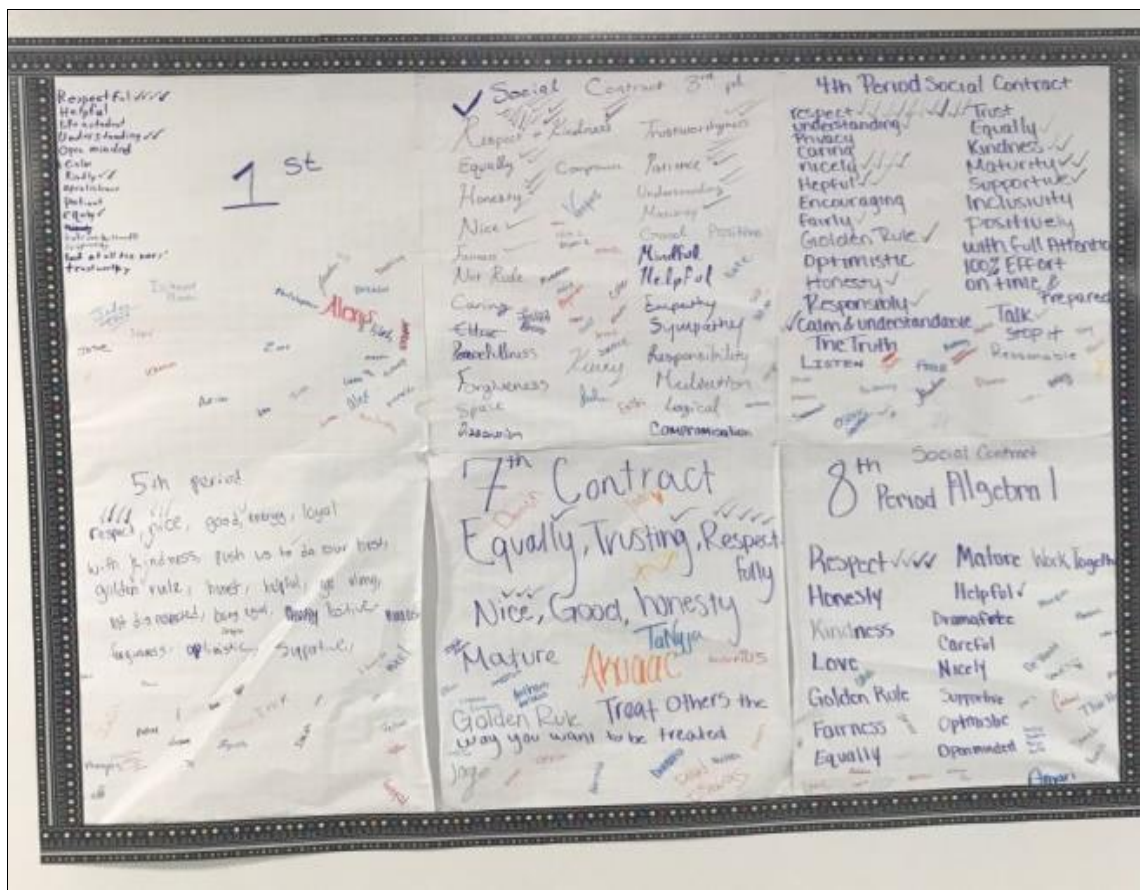


Figure 15. Peterson’s Bulletin Board of Social Contracts. This photo of the social contracts, created by class period, is posted on Peterson’s wall. The wall is evidence of the social contract created collectively with students that help create a safe and respectful learning environment based on discussion of the four questions posed by *Capturing Kids’ Hearts* training (Flippen, 2018).

Peterson shared how norms and rules were established in his Algebra class,

It was about phrasing these four questions and that's how we started. We came up with that wall (See Figure 15). First question was, 'How do you want to be treated by the teacher?' And so they got to start the first talk about themselves. Then it was, 'How do you want to be treated by each other?' And then the third question was, well, 'How do you think the teacher wants to be treated?' And that was a great way to start the discussion and focusing on them. And the last thing was 'How do you want to handle conflicts?'

Sutton also referenced using social contracts and the four questions posed in *Capturing Kids' Hearts* PD to create a safe and respectful learning environment. She stated, "We built our social contracts together... you know, we'd sit together for a class period and we decide what are the rules you want to have in this classroom." She continued to explain the process,

We answered those four questions: How do you want to be treated by others? How do you want the teacher to be treated? How do you think she wants to be treated? And the other one was how do you want to treat each other as you're handling conflict? And based off of those four questions we created this big list of values and what to do so that way they [students] get that buy-in and they feel like there is a process.

Martin connected the importance of how a social contract helps improve relationships, thus enhancing school climate while building the classroom community. She stated,

That's where the social contract comes in. I think that is also another tool that's very much based off of building relationships with students and creating a community within the classroom where everybody knows each other and we've all agreed on how we're going to treat each other.

Mars too utilized the social contract and referenced the importance of building relationships within the classroom in order to establish an inclusive culture. She stated, We have our social contract up. I think students need to know that you care about them before anything else; before any learning can happen. And so the whole first week we build relationships, we do games, we talk like it's all about coming together as a class and creating a culture where we can be open and honest, but where we respect each other. And so I really try to set up that culture of my classroom where it's a family.

Each study participant promoted the use of social contracts to purposefully set norms and rules within the classroom, thus giving students an active voice in the decision making process. Additionally, each participant was observed in their classroom environment for one full 90 minute period in order to document their use of disciplinary techniques. While the observation checklist was designed to provide evidence of teacher's use of RJ strategies in the classroom, the checklist also provided evidence of teacher participants' emotional awareness and use of SEL strategies. Please note, during the initial shadow observation items were coded in the protocol checklist via Talley marks in the "Yes" column. During analysis, the Talley marks were converted for each participant into their numerical equivalency and then combined into one table. Table 7

demonstrated the results of the observation protocol checklist for RJ in school context used to identify classroom behavior of the instructor.

Table 7. Observation Protocol Checklist for RJ in School Context.				
Indicator of RJ	Yes	Yes	Yes	Yes
	Mars	Martin	Peterson	Sutton
1. The language in the discipline policy supports RJ dialogue	1	1	1	1
2. Clear rules for behavioral norms are established	3	6	5	4
3. Teacher encouraged students to solve own conflict	5	4	8	5
4. Teacher's use of language was natural, clear, and jargon-free	2	3	5	3
5. Teacher refrained from judgmental interventions/statements	8	2	5	3
6. Teacher showed respect to all students	4	3	15	6
7. Teacher intervened to ensure students were respectful	7	7	7	9
8. Teacher attends to disruptions quickly and firmly	8	10	18	10
9. Teacher held wrongdoers accountable	3	7	8	8
10. Teacher values each student's perspective	3	1	7	4
11. Teacher overlooks inconsequential behavior	7	22	21	19
12. Teacher gave opportunity for all students to participate	2	2	15	4
13. Teacher gave appropriate attention to all students	3	4	10	5
14. Teacher managed any difficulties appropriately	7	3	15	8
15. Teacher appeared aware of his or her own emotions	2	2	10	3
16. Teacher de-escalated incidents	5	5	18	10
17. Teacher uses restorative approaches in their interactions	3	7	15	4
18. Teacher keeps adequate records of their use of RJ	0	0	1	0
19. Teacher demonstrated awareness of cultural differences	5	3	5	5
20. Teacher uses restorative dialogue with students/personnel	4	4	19	3
Source: Direct classroom observation notes of participants				

In comparing participants observed behavior during classroom instruction, Peterson notably had higher numbers in the “Yes” column in comparison to other study participants; however, it is important to note that Peterson’s class was the only inclusion class of the four participants observed (See Table 7). An inclusion class is identified by having children identified as having special needs included in the general education environment, allowing instruction to be given in the least restrictive manner as appropriate (Cushner, McClelland, & Safford, 2012). If there are a significant number of special needs students in the inclusion class with an individual education plan (IEP), especially a behavior intervention plan (BIP), then oftentimes there is a special education inclusion teacher also assigned to the classroom (Ross-Hill, 2009). This was the case with Peterson; there was a special education-inclusion teacher present during the observation.

In analyzing the observation protocol checklist for RJ in school context, Peterson scored significantly higher on question numbers: 6, 8, 12, 13, 14, 15, 16, 17, and 20. For example, #6 states, *teacher showed respect to all students*. During instruction, some students started to complain about the amount of time it was taking others to complete an Algebra equation. Peterson modeled RJ dialogue and stated, “Respect those students who don’t know this.” While pointing to the behavioral contracts on the back wall he stated, “Respectful looks like begin on task and engaged.” Instead of directly instructing the students on inappropriate behavior, this quick whole-class reference to set expectations allowed students to self-correct their behavior; and in fact, two students were encouraged to assist others in solving the problem.

Many examples could be given, but for the sake of space, I'll share just one more; #16 states, *teacher de-escalated incidents*. Peterson continuously de-escalated classroom disruptions like a firefighter extinguishing small brush fires. He artfully used humor and conversation to re-direct unwanted behavior. Two male students started verbally fighting, "Just do it! I dare you! Just try it; just try it. I'll [explicative] mess you up [explicative]." Peterson loudly interjected, "Simon didn't say." The students, at first not understanding, were so caught off guard by the teacher's reaction, they started laughing. Come to find out, one student simply needed a writing utensil and tried to take the other student's extra pencil. This disruption could have resulted in a referral if the teacher had followed zero-tolerance policies because of the threat of physical assault. Instead, a conversation occurred and the cause of the fight was discovered and resolved and the injured party received an apology from the aggressor. By closely analyzing data collected via the observation tool, it is evident all participants utilized RJ and other discipline interventions frequently (See Table 7).

Relationship building. Items coded in this category referenced the importance of relationship building or were examples of relationship building between teachers, students and parents which helped in building a positive school climate. NSCC reported, "A positive school climate...creates a sense of belonging" (Hughes & Pickeral, 2013, p.1). All participants referenced the connection between building relationships between teacher and students as a way to build community interconnectedness and increase school climate.

Accordingly, Sutton stated, "Relationship building... that's the key to everything." She further explained how a positive teacher/student relationship positively

affected student behavior. She alleged, “If they respect you as a person and they know that you have their back in a sense, like they're less willing to misbehave because they don't want to disappoint you.” She concluded, “You know, yes, we’re here to learn, but we can also be like a community.”

Martin connected RJ pedagogy to the importance of positive relationship building. She stated, “Restorative justice to me is being able to solve or even prevent problems with students by building a community and creating a space where students feel like they can be listened to.” Martin provided an example of how she developed relationships within her classroom. She shared, “Relationship building is ...creating a community within the classroom where everybody knows each other's names and we've all agreed on how we're going to treat each other.”

Mars too shared her opinion on the importance of building strong student/teacher relationships. She stated, “I think students need to know that you care about them before anything else; before any learning can happen.” She shared how she developed rapport with her students,

And so we build relationships, we do games, we talk; like it's all about coming together as a class and creating a culture where we can be open and honest, but where we respect each other. And so I really try to set up that culture of my classroom where it's a family.

Peterson too shared his thoughts on the importance of relationship building to foster community building. He said, “Our communities in school... it’s all a learning process, but it’s a nice way to start the discussion and focusing on them.” He expressed how building rapport with students helped in his classroom. Peterson shared, “The most

challenging discipline issue as they show up in my class are just disrespect; the adult/child relationship is fractured.” He continued, “So you get students in here who don’t know what a good adult/child relationship is supposed to look like; they can’t model it.” In dealing with this discipline challenge he explained, “I could make assumptions that they didn’t have any healthy models in their life, but won’t; [instead] I’m constantly trying to reinforce simple things about how you interact with adults.” He concluded, “But of course it’s all a learning process and sometimes they get back at me, you know, they say, ‘Peterson you’re not being calm dealing with the conflict.’ Then I say, ‘Yeah, but you’re not being respectful.’”

While all participants made references to relationship building between teachers and students, in contrast, only two participants referenced relationship building between teachers and parents. Martin shared, “I tried to build relationships with my students and if I do get into a place where I have to call home, or if I contact home in any way, then I try to follow it up with a positive contact.” She provided an example situation, “I’ll tell the student, ‘like, hey, I had to call your mom last time, but I would love to call her at the end of today and tell her how awesome and how productive and how hardworking you are.’ And then I’ll call home.” The only other participant that referenced making parental contact was Mars. She shared, “I’ve called home for students walking out of class because that’s a safety issue.”

Mindset

Another significant theme identified in this study is the concept of a person’s mindset; it was the third theme mostly covered by participants collectively (See Figure 7 and Figure 8). A mindset is a belief system; a person’s way of viewing the world which

influences their decision making processes (Dweck, 2008). For this study, the mindset theme was divided into three categories: change mindset, growth versus fixed mindset, and the restorative mindset (See Figure 16).

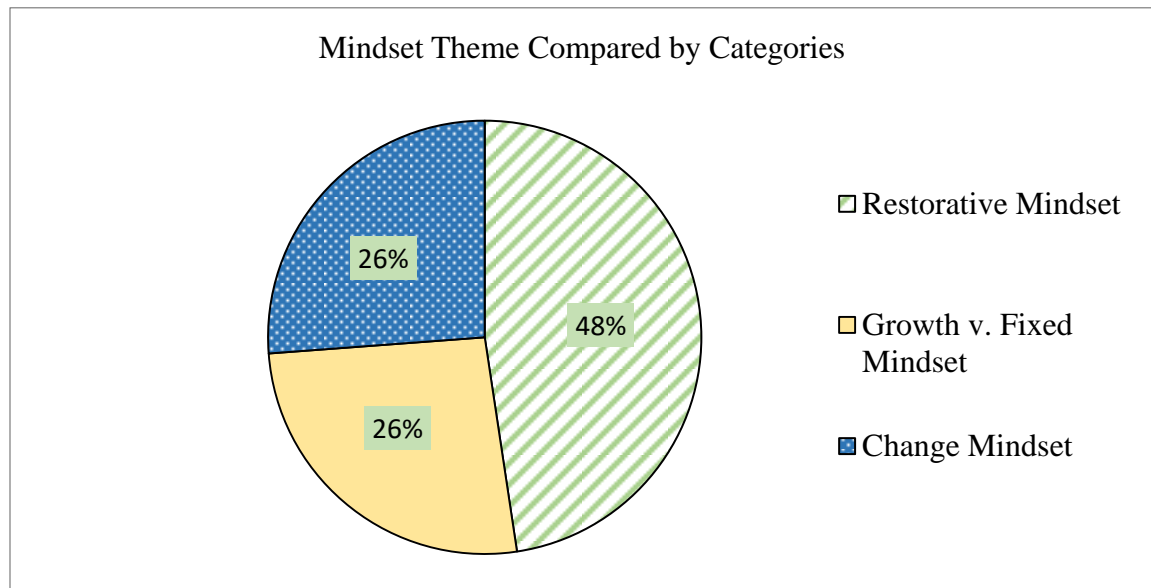


Figure 16. Mindset Theme Compared by Categories.

As evidenced by Figure 16, the mindset categories were compared by the number of coding references of all participants. Overall participants referenced the restorative mindset (n=20) the most. The change mindset (n=11) and the growth versus a fixed mindset (n=11) were equally referenced by all participants. Next, the mindset categories were compared by participants' number of coding references (See Figure 17). In comparing participant's total number of references, Mars contributed the most to the mindset theme (n=17), followed by Sutton (n=9) and Peterson (n=9). Martin (n=7) contributed the fewest references coded in the mindset theme (n=9). All participants referenced the restorative mindset most. While making fewer references, Peterson mirrored Mars' number of coding references by category; while Martin and Sutton mirror

each other's number of coding references by category. Each category will be explained in the next section.

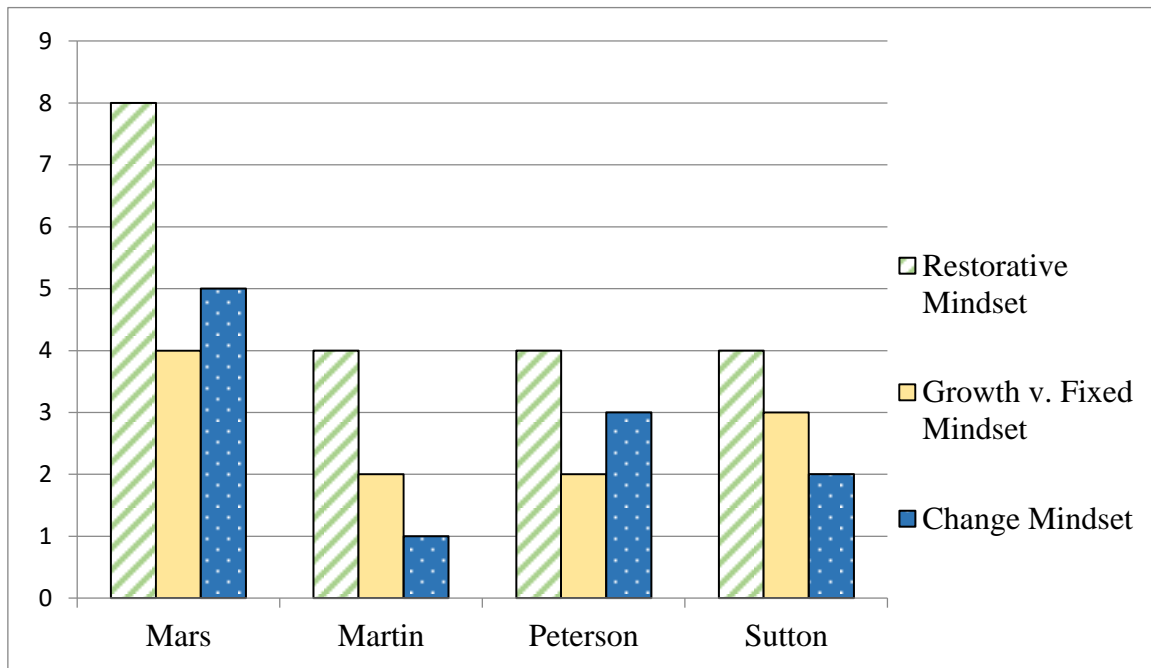


Figure 17. Mindset Categories Compared by Participants.

Restorative mindset. As discussed in Chapter 1, restorative justice in the school setting embraces the concept of handling conflict through non-punitive approaches and challenges the status quo authoritative mindset to discipline (Amstutz & Mullet, 2005; Zehr & Mika, 1998). Accordingly, a restorative mindset is rooted in the idea that RJ offers a more equitable approach than punitive discipline (Zaslow, 2009). Items coded in this category referenced participants' mindset being restorative, as evidenced by restorative conversations and inquiry.

In articulating what a restorative mindset meant to him, Peterson stated, "What comes to mind mainly is that you're trying to get people back in, you're trying to restore people. It's not trying to punish them, exclude them; you're trying to get them back into the whole." Peterson continued, "Restorative justice, I think, it's the same mindset with

teaching. It's just that these are children and you're always opening the door." In exemplum Peterson said,

It means the reflex is to include them.... Restorative [mindset] tells me that, you know; let's find some way to get that person back in class in which is a really hard thing to do. You really want to exclude those people from the environment, but restorative tells us to give them a chance.

Peterson concluded, "So that's the big part- justice. There's equity. It's not about people who are abusing the situation, the environment; that they don't keep on getting second chances, but there was some type of justice- with them being included."

Sutton said she supported a restorative approach to discipline because "it takes into account the actual student as a human being, as a person." Sutton further clarified why a restorative approach was a better alternative than an authoritative approach to discipline. She shared, "It means taking each child into account and not just putting some blatant consequence thinking that that's gonna solve the issue when you're not even addressing the actual issue as to why they're misbehaving." Sutton provided an example,

If you're trying to, okay, this student is skipping class all the time, we're just going to send you to detention and then ISS and then suspend you. Okay. That's the consequence. But the whole reason their being [given] consequences is because they're not going to class. Why are we not trying to figure out why they're not going to class? Are they being bullied by another student in the classroom? Do they have a certain situation with that particular teacher? Are they not interested in the class? Are they not academically high enough to be able to do the work in

that class and so they're avoiding it? And instead we just give them what they want. It's like, okay, we're taking him out of class. That doesn't work.

Mars too shared how handling conflict was best accomplished by exhibiting a restorative mindset which valued having conversations. She shared, “Restorative justice is just like having a common goal; coming together and having conversations, I would say [to] fix problems.” In understanding how restorative conversations help build relationships, Mars shared, “[If] students are having issues- kind of coming together and having them talk about it and kind of restoring that relationship. So it's all about relationships and how we interact.”

Mars provided a personal success story of a young man who benefited from her restorative mindset and adapted by demonstrating more positive behavior in the learning environment. She shared,

I had a student last year that I was like, wow, what's going on? First semester, amazing student; he was a leader in my class. From there he went downhill and he was cussing all the time, wouldn't do work, just belligerent basically. I went to an AP about it. ‘Hey, what can we do for the student?’ Referred him to our CIS-communities in school, talked to restorative practices, talked to APs, and called him. Anything I could do is shine to the roof, ‘This student is going to wind up in jail or dead if we don't do anything! We need to intercept, like he's went off the rails!’

After utilizing RJ practices and building a relationship with this young man Mars shared the impact this had on his behavior,

This year I can see a change in him and it's amazing. I love it! He'll come in, he'll say hi. Yeah, he'll cuss a few times. I don't even have the student now, but he comes and sees me all the time, you know, and I allow that because he's different than he was last year, and I know some of those behaviors aren't great, but he's so much better than last year.

Growth versus fixed mindset. An individual can exhibit a fixed or growth mindset. A fixed mindset is characterized by people who believe intelligence, personality, and character is determined at birth meaning one's life potential is innate (Dweck, 2008). In contrast, a growth mindset is characterized by people who believe intelligence, personality, and character can be constantly evolving and further developed. Thus, one's life prospects are enigmatic because potential is changeable (Dweck, 2008).

In applying this concept in the educational setting, an individual with a fixed mindset will exhibit a static belief system and be less open to systemic change and especially pedagogical change (Dweck, 2008). They will teach their content but reject new ideas and be reluctant to change. Whereas an individual with a growth mindset will be willing to develop critical thinking skills in order to assess the situation. These individuals will never stop growing and learning, asking questions, and reflecting. All participants exhibited growth mindsets; however, two participants referenced evidence of fixed mindsets.

Sutton referenced a fixed mindset being exhibited by some teachers at RHS. She stated, "There's a lot of teachers who do a great job, but we still have a lot of closed minded teachers who don't believe and they're like, 'Just let me teach my content. I

don't want to build relationships. That's bogus!' And I'm like, 'No, you need this- trust me.'"

Unfortunately, Mars too expressed her concern that others on campus exhibit a fixed mindset. She shared, "I think that has to do with understanding yourself as a teacher and being self-reflective." She passionately continued, "I don't think some of our teachers reflect; they're just here, I hate to say, to collect a paycheck. She shared, "All of them [teachers] don't want to change or don't have a change mindset, or a social justice background or restorative justice mindset." She continued, "Some of our teachers feel like restorative practices takes too much time; some teachers think it's a waste of time." When asked to clarify why she felt this she responded, "We have teachers who are set in their ways and they will not do it. They don't care. It's, you know, education as we had 50, 60 years ago when we had white students in rows, and they said, 'yes ma'am. No ma'am.'"

While participants referenced their concern regarding teachers exhibiting a fixed mindset and not wanting to except change in the discipline philosophy or practice, not a single participant referenced students' continuing to exhibit a fixed mindset after RJ practices or implementation.

Change mindset. Change is a process, not an event and schools must address the process of change for innovations to be successful (Guskey, 2007). The change mindset is rooted in the knowledge that change has a natural progression that resulted from training and required altering habits and identity (Kezar, 2001). Items coded in the change mindset category referenced teacher participants' knowledge of change being a process or participants modeling or demonstrating a need for change.

People differ in their readiness to accept change; some adapt quickly while others take much longer (Rogers, 1995). While all participants exhibited a change mindset, three of the four participants referenced teachers' differing levels of change acceptance. For example Martin shared, "Definitely some teachers are reluctant to change." She continued, "We have a lot of teachers who've been here for a very long time who have either gotten comfortable or they've been with the district so long that they're not as optimistic towards change as some people who are fresh to the teaching career or fresh to the school district."

Peterson shared his understanding that change is a process that deals with complex problems and is full of uncertainty (Fullan, 2010). He shared, "Restorative justice is not going to solve something completely. It's going to make a difference. So if people think it's [discipline issues] going to be solved, I don't understand that mindset. Is it a significant improvement? If it's a significant improvement, then it's worth it."

Sutton described RJ as "not necessarily always looking for the punitive consequences to everything." However she also shared some reluctance for others to accept the discipline paradigm shift from punitive discipline to a restorative discipline approach. She shared, "I know this is a change in mindset for a lot of teachers." She continued, "It probably means you might have to have some difficult conversations...and I feel that is a lot of work and I think that's why we're not doing as good of a job as we could be doing."

While some participants addressed the change mindset regarding teachers, Mars shared a story about how using restorative practices and relationship building techniques helped a student change their mindset about attending class. Mars shared,

So I have a student who never comes to class ever, ever. And there's a lot of things going on in her personal life. So when I see her, like, 'Hi, how are you doing?' You know, and sometimes she looks at me and just like turns tail and runs. But then she started opening up to me like, 'What's going on?' And now, she'll come to class. I don't ever say anything about her grade anymore or anything else. I just welcome her, 'I've missed you.' And that's where we're at.

Critical Consciousness

Another significant theme identified in this study reveals that participants not only understand, but demonstrate critical consciousness in the disciplinary process; it is the fourth theme covered by participants (See Figure 7 and Figure 8). To Freire (1998), the construct of critical consciousness is the process of a person employing critical thinking skills in order to make meaning of their situation. Critical thinking requires one to be skeptical regarding information and knowledge that presents as reality because thinking can be clouded by bias and prejudice (Perkins & Zimmerman, 1995). Accordingly, critical consciousness is demonstrated through anti-oppressive action which can occur through personal development or at the community level by becoming a voice for the marginalized (Freire, 1998). The critical consciousness theme was divided into two categories. The first category was labeled awareness of cause and effect of relationships and the second category was labeled cultural awareness of racial/ethnic biases (See Figure 18).

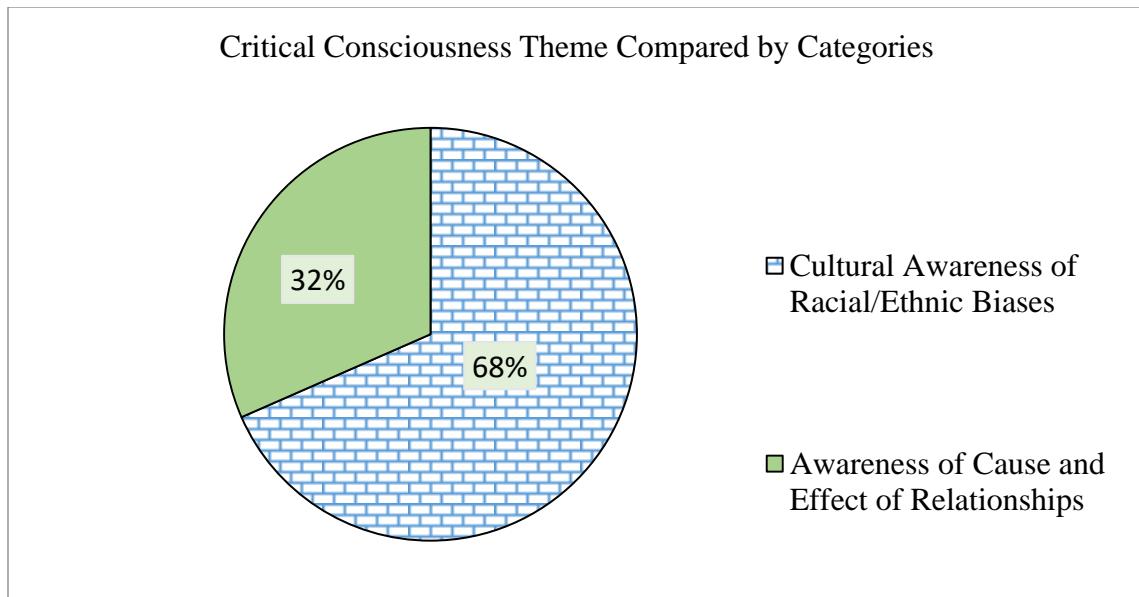


Figure 18. Critical Consciousness Theme Compared by Categories.

As evidenced by Figure 18, the critical consciousness categories were compared by the number of coding references and overwhelming participants referenced cultural awareness of racial/ethnic biases ($n=26$). This was followed by awareness of cause and effect in relationships ($n=12$). Next, the critical consciousness categories were compared by participants' number of coding references (See Figure 19). Mars led the group of participants in the number of references coded in the critical consciousness theme ($n=14$), followed by Sutton ($n=11$) and then Peterson ($n=8$). Martin had the least number of coded references in the critical consciousness theme ($n=6$). Participants referenced cultural awareness of racial/ethnic biases ($n=26$) more often than an awareness of cause and effect relationships in power structures ($n=12$). Each category will be explained in the next section.

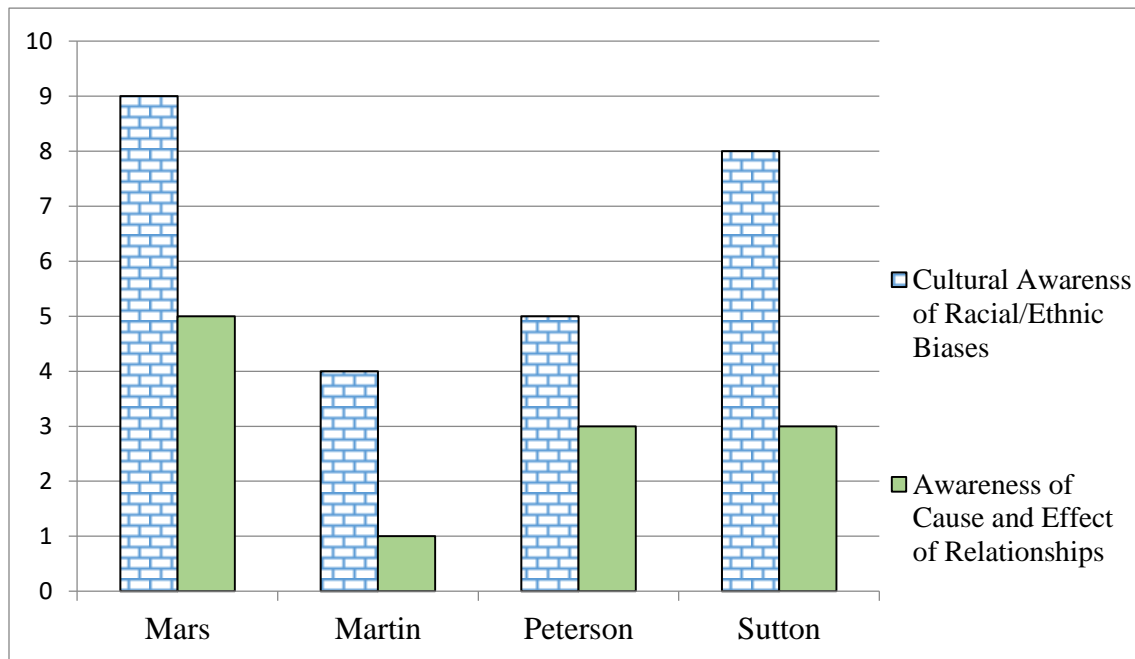


Figure 19. Critical Consciousness Categories Compared by Participants.

Cultural awareness of racial/ethnic biases. Freire contended that people are essentially “unfinished” and in a state of “becoming” critically conscious as they develop a deeper understanding of how power structures can be oppressive (Freire, 1998, p. 66). Cultural awareness was defined as participants being consciously aware of the similarities and differences between cultural groups and that some groups have more power than others (Freire, 1998). All participants exhibited cultural awareness of racial/ethnic biases, but all participants also declared that not all teachers at RHS shared the same cultural awareness of their racial/ethnic understanding.

Mars shared, “There are some people who are biased, but I think other people don’t understand their biases.” Mars further elaborated, “So they might not realize if they’re unintentionally disciplining a student of color versus another student, you know, doing the same activity.” For example she cited, “If an African American student is

being loud, teachers may get onto them more than a Caucasian student....so some teachers don't look at behavior the same way based on race."

Sutton too referenced that some teachers at RHS were not culturally aware that individuals from different cultures have differing behavioral norms and rule expectations (Ladson-Billings, 1998). She said,

I think it boils down to not knowing the differences between cultures and just not being aware that what might seem disrespectful to you and in your home isn't what's disrespectful to them. For example, one of the things that Black babies tend to do is like they'll yell out in the middle of class. Well if you go to a Black church, that's what they do. Like it's not, they're not trying to be disrespectful. Like that's how you engage. Whereas in a more predominantly White classroom, you expect everybody to raise their hand, take their turn. And that's not like, that's not how it works at home for Blacks.

Martin also referenced a lack of cultural awareness of some teachers in regards to expectations that are not culturally sensitive. She shared, "It's a lack of awareness for our Black and Latino babies and how their culture does not align with the traditional way of schooling- both in instruction and in discipline." She continued, "We definitely have some teachers who are White or Caucasian, they're not aware of their bias, when they should be." For example she cited, "I've definitely heard some teachers make comments, and you just look at them and you're like, you should know better if you're teaching here. You really should know better!" She unrelentingly shared, "I want to say [they're] racist, but I think that inevitably, like even myself, I'll realize that I have racial biases sometimes and I try to catch them. But I am afraid because... they can't admit it."

Awareness of cause/effect relationships. Items coded in this category referenced not only participants' cultural awareness of racial biases, but also their understanding that there is cause and effect relationships involved in power structures, and that those power structures play a role in discipline (Wadhwa, 2016). All four participants demonstrated or referenced knowledge regarding disproportionality in discipline. Showing understanding of the cause and effect relationship of power structures Mars said, "I don't think some of our teachers have been educated...some just are ignorant in the fact that they don't understand." She added, "They come from different backgrounds from what our students come from, or they come from different situations."

Mars continued to discuss the importance in understanding power structures by expressing the need to "talk about White privilege." Mars even offered a definition, "White privilege is having a step up unearned...it is all the things that are given to you or you have access to that other people don't based on their color." She eloquently expressed intersects of racial biases and discipline, "Students of color are more disciplined than other students and that's just because of biases, because of their color they're treated differently."

Peterson explained the negative effect of lacking understanding of cultural differences in regards to classroom discipline. He said, "You have so many different cultures here; people you know, you need to understand cultures in order to relate to them." Peterson referenced a concern that some teachers lacked cultural understanding. He shared, "We have language barriers, we have cultural barriers; we have a lot of teachers who don't understand the backgrounds of these students."

After a pause Peterson said, “There’s still a difference between representations of who is being punished even after implementation of restorative justice.” He wryly added, “Cultural bias always plays a role.” In further explanation he said, “Bias is a preference. It’s based on knowledge and you always react to your knowledge and preference.” He said, “So you know, you naturally relate to some people, who know who are like you, and so you’ll listen to them, you hear them out. Whereas other people, you don’t know them, their culture, so you just say, okay, you’re going to get what you got.”

Peterson continued to explain how awareness of racial/ethnic bias was beneficial. He shared, “You can counteract it. You can catch yourself, you can pay attention, and you can educate yourself so you know more about cultures.” But he warned, “You can, you can act against it [cultural bias], but it’s always going to be there.”

Martin further explained that power structures, which are built on racial biases, lead to disproportionality in discipline at RHS. She shared, “I think that we disproportionately punish the African American male population on this campus in comparison to the other populations.” When asked why she thought this occurred she replied, “Maybe it’s an expectation from some people that they’re going to act out more. So when they do act out, they [teachers] are more harsh with the punishment.”

Sutton demonstrated critical consciousness by understanding that cultural/ethnic biases perpetuate current power structures. She stated, “Race affects one’s beliefs to education and how students are to conduct themselves on campus.” She added, “There’s just so much lack of cultural knowledge and diversity.” She continued, “There’s a lot of teachers who don’t understand the culture their students have, and it’s very different from the one they have.” Sutton shared an experience with a colleague,

I know one very well meaning teacher, like I love her. She's great at what she does, but sometimes there's a lot of like Whiteness that plays into her classroom; like she'll correct students' English. I'm just like, we're not in an interview, they're not having to write, they're not presenting something. Why do they have to speak Standard English when you clearly understood, 'I ain't got a pencil.' Like why do you need to correct that?

Responsiveness to Organizational Culture

The final significant theme identified in this study was that participants were responsive to the campus' desire to improve school culture and climate by implementing RJ, PBIS and SEL. Responsiveness to organizational culture was the fifth and least covered theme by participants collectively (See Figure 7 and Figure 8). Brown (1998) explains, "Organizational culture refers to the pattern of beliefs, values and learned ways of coping with experience... and tend to be manifested in the behaviors of its members" (p. 9). According to Schein (1992),

Organizational culture is the pattern of basic assumptions that a given group has invented, discovered or developed in learning to cope with its problems of external adaptation and internal integration, and that have worked well enough to be considered valid (p. 299).

Items coded in this theme related to participants' demonstrated responsiveness to organizational culture via reinforcement mechanisms of deliberate role modeling, teaching, and coaching which align with the established culture of RHS (Schein, 1992). The responsiveness to organizational culture theme was divided into three categories:

teachable moments, dealing with race/ethnicity in school, and awareness of RJ limitations (See Figure 20).

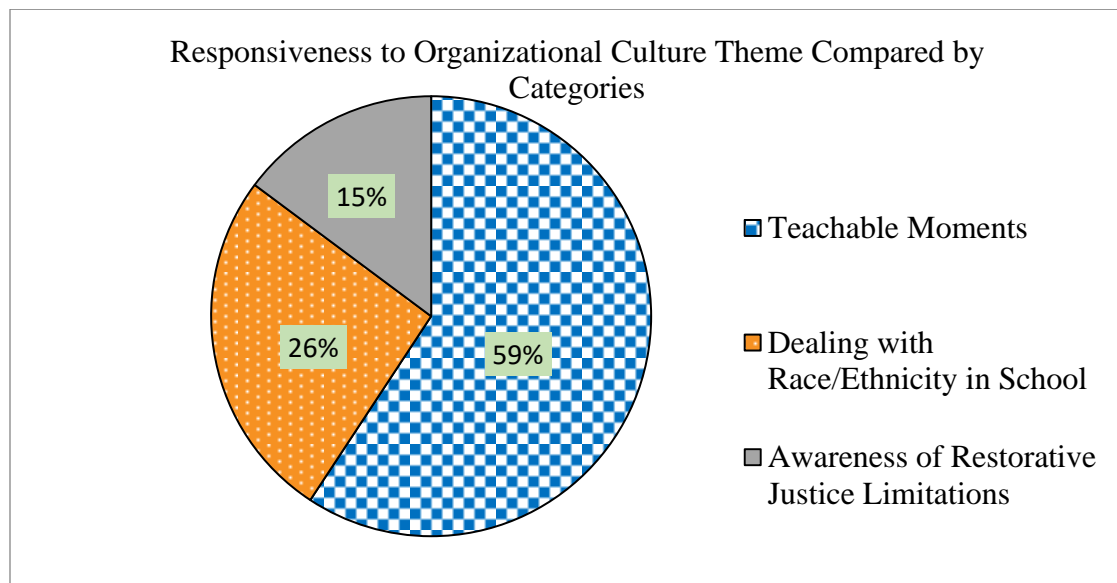


Figure 20. Responsiveness to Organizational Culture Theme Compared by Categories.

As evidenced by Figure 20, the responsiveness to organizational culture categories were compared by number of coding references in percentages for all participants and teachable moments were overwhelming referenced the most (n=16). This was followed by dealing with race/ethnicity in school (n=7) and an awareness of the limits of RJ (n=4) was referenced least.

Next, the responsiveness to organizational culture categories were compared by participants' number of coding references (See Figure 21). Peterson had the most number of coded references of all participants (n=10) in the responsiveness organizational culture theme, followed by Sutton (n=8), Mars (n=7) and then Martin (n=1). All participants referenced dealing with race/ethnicity in school. Even though the teachable moment's category was only referenced by three of the four participants, it was the most referenced of the three categories (n=16). Only one participant referenced an

awareness of restorative justice limitations. Each category will be explained in the following section.

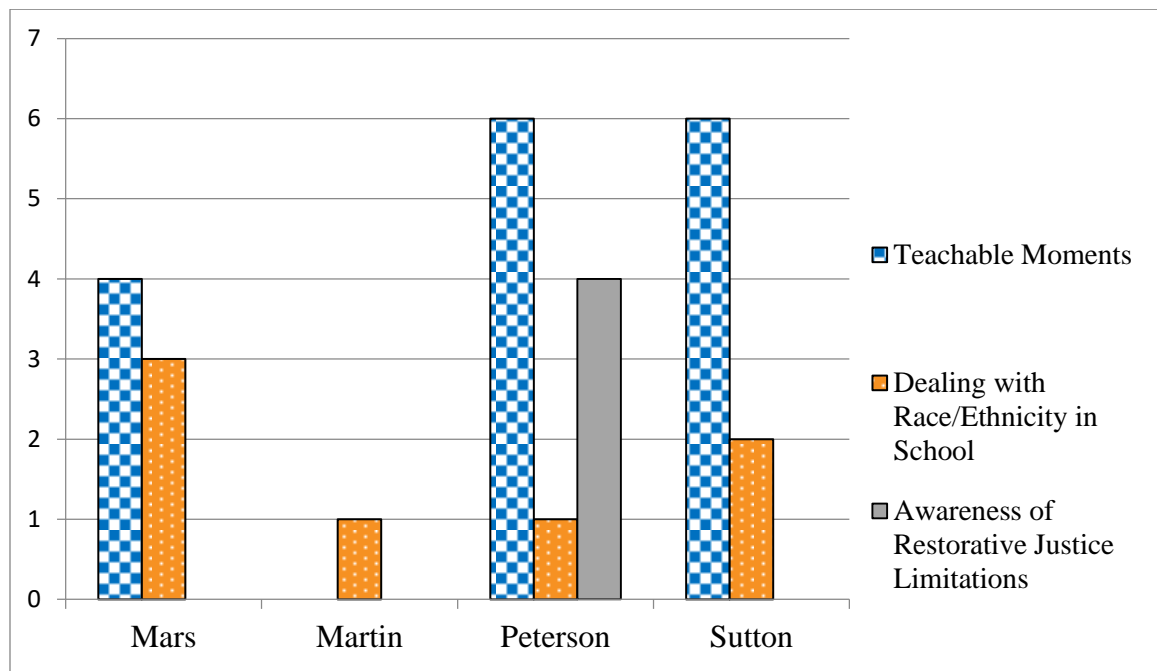


Figure 21. Responsiveness to Organizational Culture Categories Compared by Participants.

Teachable moments. The teachable moment's category was defined as teachers demonstrating responsiveness to organizational culture via a teachable moment by performing mediation with students in the form of a Tier 1 or Tier 2 level mediation circle with students. When each study participant's number of references in the responsiveness to organizational culture theme was compared, the majority of participants demonstrated or referenced teachable moments in accordance with the campus' RJ discipline philosophy to mediate conflict (See Figure 21). Sutton and Mars both referenced community building circles, a Tier 1 mediation; while Peterson was the only participant that referenced personally conducting restorative circles, a Tier 2 mediation, to handle conflict.

In conducting community building circles in the classroom Sutton shared, “I’m totally for it. I’ve held one circle in my classroom and I’m thinking as soon as we come back from break, I mean I need to do a few in some of my classes.” While Mars shared, “So I have... a welcome back circle where we got together and I had just a quick check in circle.”

Peterson shared an experience with being part of a restorative circle, a Tier 2 intervention used to solve on-going conflict. He shared, “Yes. We’ve done a circle in my classroom.” He further explained, “It was to open up the communication in a class that had just been going crazy.” When asked if the circle was successful, Peterson responded, “It was a good experience, it was a needed experience.”

Martin was the only participant who referenced not conducting any Tier 2 circles in the classroom despite having received additional Life Anew training. Martin explained, “I’ve led like three circles with staff members, but I’m still very hesitant to try it in the classroom because I feel like if done in the wrong way, it can be incredibly harmful instead of helpful.”

Dealing with race/ethnicity in school. The dealing with race in school category was defined by teachers making decisions and taking action based on their critical consciousness and understanding that racial/ethnic power systems exist in education. All participants referenced responsiveness to organizational culture in dealing with race in school. Responsiveness to organizational culture, in this context, is the educator’s ability to understand that race/ethnicity effects people’s behavior, including their own, and they apply that knowledge. Other examples of responsiveness to organizational culture involve understanding how race/ethnicity plays a role in disproportionality, bias, and

power structures. For example Martin said, “I think that we disproportionately punish the African American male population on this campus in comparison to the other populations...so, I don’t.”

Mars too demonstrated responsiveness to organizational culture as she voiced a call to action for teachers at RHS in dealing with power structures built on race. She decreed, “Let’s stop and take, be true to ourselves, talk about White privilege and all this other stuff that’s really important to make a teacher a better teacher.” She concluded, “So the incentive obviously is to have a better classroom... and I don’t think all teachers get that connection; that one helps the other.”

Peterson too exhibited responsiveness to organizational culture in dealing with race issues that presented themselves in the classroom. He shared that as an African-American he has directly faced racism at RHS,

I’ve had the most atrocious things happen here. I mean, you hear it, you hear students use the ‘n’ word and I’ve had students use it directly towards me in- with vitriol and as much force as possible. And restorative tells me that you know, okay; let’s find some way to get that person back in class.

Sutton also demonstrated responsiveness to organizational culture in dealing with issues of race as it pertained to discipline and building relationships. Sutton said, “So it’s not just handing out consequences and being punitive. [That] just does not work, especially for babies of color who that relationship means everything to them.” Sutton provided an example of how she fostered student/teacher relationships by honoring cultural relevancy. She shared,

And I am trying to make things relevant.... We just had indigenous day... so we listened to Tupac and talked about Tupac, which is definitely somebody they listen to. So it's like, you know, not trying to teach in a vacuum because life doesn't happen in a vacuum.

Awareness of RJ limitations. The awareness of RJ limitations category is defined as awareness that RJ is simply one initiative, one program, used to combat unequitable discipline patterns. In understanding his perceptions of why disproportionality may still exist even after RJ implementation, Peterson illustrated an awareness of the limits of RJ. He postulated, "So there's still a difference between representations of who is being punished even after they implemented the implementation of restorative justice." He stated, "You have different tools and use them in different situations. There's not one that's perfect for anything." He passionately continued to explain his metaphor,

Restorative justice is not going to solve something completely. It's going to make a difference.... Why would I think it's going to...? Tools don't solve problems completely. This tool solves problems partially. You know, most things need multiple tools and even then it's never going to get down to three percent salt.

V. DISCUSSION AND IMPLICATIONS

Overview of the Study

This research examines the experiences and perspectives of four secondary teachers that have firsthand experience implementing RJ practices at a campus with an established RJ program. Working from a constructivist paradigm (Crotty, 1998; Creswell, 2014) with critical theory framework concentration (Denzin & Lincoln, 1994), this study explores how zero tolerance policies, in the educational setting, are not only partially responsible for the loss of educational opportunities (Townsend, 2000), but how they could very well be the source of academic failure for historically marginalized groups of students (Gregory et al., 2010). The purpose of this qualitative case study was to investigate teachers' perceptions of the strengths and limitations of using restorative practice based programs in schools, as well as unpack teachers' perception of why disproportionality might still exist in discipline even after restorative program implementation. Thus, secondary teacher's voices were illuminated, as they are notably underrepresented in the existing literature through the examination of experiences of teachers using restorative justice at the secondary level (Lustick, 2017a).

Critical theory in education evolves from a Marxist point of view and interrogates the social, cultural, political and economic context that shapes education as a way of maintaining existing systems of privilege and social control which serves the dominant cultural interests (Kincheloe & McLaren, 2002). Due to inequitable discipline practices, increasing suspension rates, and the rising number of incarcerated juveniles there is a growing interest in school programs using restorative justice (RJ) practices (Wilson, 2010). Implemented multi-tiered support systems (MTSS) such as PBIS and SEL help

address student misbehavior (Sugai & Horner, 2002), while restorative justice (RJ) offers an alternative to suspension and expulsion (Henderson & Buchanan, 2013). However, even with district and campus wide training aimed at reducing the need for suspension, most educators continue to implement exclusionary punitive discipline measures under zero tolerance policies (Stinchcomb, Bazemore, & Riestenberg, 2006).

Cavanaugh's (2009) research findings claim educators who received restorative justice professional development still opt for exclusionary discipline because their discipline pedagogy is rooted in "post 9/11 era mentality...based on punishment, adversarial relationships...racism and privilege" (p. 66). This hegemonic following by educators, who do the majority of disciplining, means that disproportionality in discipline will continue because attitudes did not change even after being presented an alternative philosophy rooted in RJ (Lustick, 2017a). Therefore this research study was driven by the need to examine why this may be occurring from the teacher's point of view.

To explore the experiences of these secondary teachers, the following research questions guided the study:

1. What are teachers' experiences with implementing restorative justice processes in a school with established restorative justice programs?

Sub questions:

- a. What are the perceived strengths and limitations of restorative processes?
- b. What are teacher perceptions of why schools using restorative processes might still display disproportionality in discipline?

In the following section, the methods for data collection are briefly discussed. As previously mentioned in Chapter 3, purposeful criterion-based sampling (Maxwell, 2013)

was conducted to deliberately select the site for this study. The pre-established criteria selection for the site included being: 1) located in Texas; 2) a public institution for education; 3) a secondary grade 6-12 site; and 4) established in RJ practices for a minimum of two years, including training staff in restorative justice philosophy and practices and being capable of demonstrating program outcomes. In the same fashion, a snowball sampling (Maxwell, 2013; Patton, 2002) of four study participants were purposefully selected based on pre-established criterion which included having: 1) at least one full year of teaching experience; 2) a full-time secondary (grades 6-12) teaching position assignment; 3) employment in a district that has adopted and implemented a restorative justice philosophy program to discipline for a minimum of two years and is currently at least in the third year of implementation; 4) formal training in RJ philosophy, practices, and procedures; and 5) experience with issuing classroom discipline referrals while implementing RJ processes and practices.

Once selected, the four teacher participants were given informed consent which described the study's purpose and background, the procedures, involvement of their participation, and any known risks, inconveniences or discomforts they may have while participating (See Appendix E). Once their informed consent was signed and returned, each participant completed a pre-interview questionnaire that collected applicable demographic information including their racial background/ethnicity, gender, years of experience, certification area and specialties, highest education level received, and their number of years working in a district that utilized RJ processes (See Appendix F).

Shadow observations were conducted in the participants' classrooms for 90 minutes, a full instructional period. Data were captured in my researcher's journal and

via a pre-established observation protocol tool (See Appendix H). Semi-structured participant interviews were done individually on site and lasted approximately 45-60 minutes (See Appendix G). Follow-up interviews were conducted on site and by phone and lasted approximately 30-45 minutes (See Appendix I). All interviews were audio-recorded on an iPhone 8 with participant permission and later transcribed.

As mentioned in Chapter 3, member checking (Creswell, 2009) was utilized to ensure validity; each participant was given their transcribed interview and asked to verify the content for accuracy. Once transcriptions were verified for accuracy, initial coding of data began. Open coding was conducted on the very first round of transcription reading to identify emergent themes applicable to the critical theoretical framework. The second round involved close reading in order to identify recurrent themes using the critical framework; categories and subcategories were identified and defined after a peer review was conducted (Lincoln & Guba, 1985). An analysis codebook was created in Nvivo, an analysis software program for qualitative data, after these initial coding of transcriptions. Data were coded and participant quotes were interwoven to provide descriptive textual evidence of identified themes (Creswell, 1998). After analyzing textual descriptions of the identified themes coded within Nvivo, the findings were presented and a member check was again conducted with participants; each received the results of the study and was given the opportunity to make sure their experiences were interpreted correctly and justly captured and represented. In summary, to examine the research questions, four teacher participants shared their experiences and interpretations of using a restorative justice framework to discipline, not in lieu of, but within a traditional discipline framework.

In the following section of this chapter the key findings, which resulted from critically analyzing, synthesizing, and organizing the data gathered from the questionnaires, participant interviews, observations, my researcher's journal and literature are shared. The implications of this study with regards to research, policy, and practice are then addressed. The chapter closes with recommendations for future research.

Key Findings

As previously mentioned in Chapter 4, five themes were identified in this study and include: 1) improvements needed; 2) climate and community building; 3) mindset; 4) critical consciousness and; 5) responsiveness to organizational culture. Analysis of these five themes, using a critical theory framework, resulted in six significant discoveries. They are presented in no particular order of importance. The six key findings include: 1) the power of privileged structures; 2) the power of life-worlds; 3) the power of critical reflection; 4) the power of relationship building; 5) the power of voice and; 6) the power of the abundant community. How the six key findings were identified from thematic analysis is illustrated first (See Figure 22- Figure 27). Subsequently each key finding is described in detail.

Key Finding #1: The Power of Privileged Structures

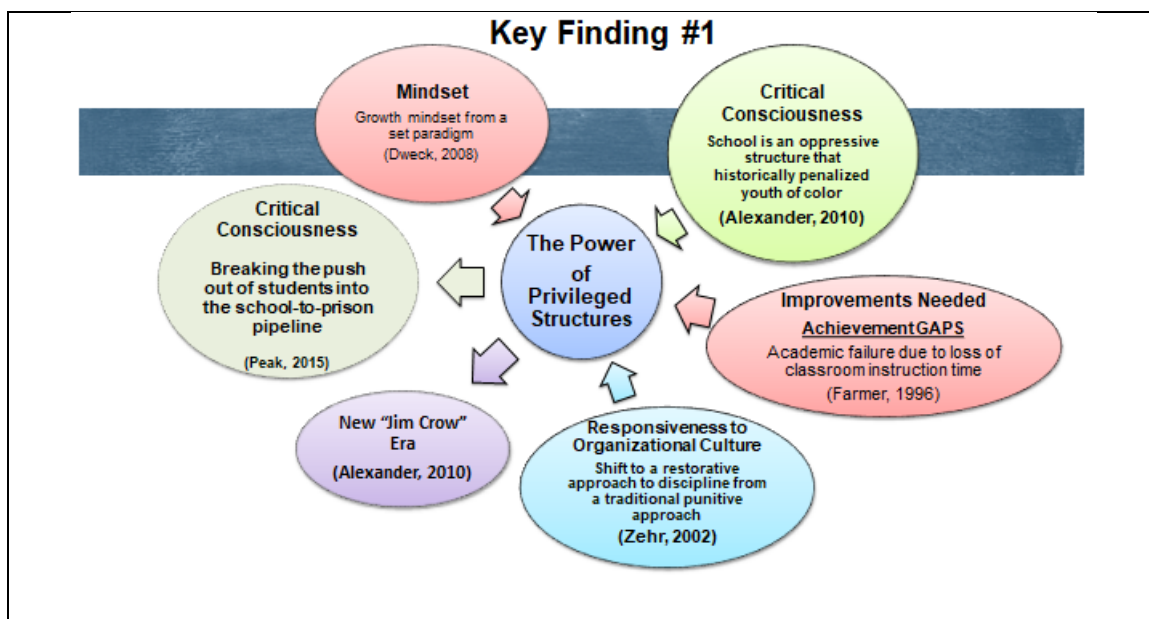


Figure 22. Thematic Contribution to Key Finding #1: The Power of Privileged Structures.

Traditional K-12 schools still function under the oppressive structure that historically penalized poor youth of color in a system designed to optimize the experiences of White affluent students (Alexander, 2010; Hines-Datiri & Carter-Andrews, 2017). The societal power of education, captured by Horace Mann’s often used descriptor of education in 1848 as “the great equalizer” (Cremin, 1957) is contrasted by a complex history and current existence of educational struggle reflective of systemic imbalance and inequities based on poverty and race (Gregory et al., 2010; Skiba et al., 2002). So in essence, the privileged power structure of removing people of color from society has prevailed in both the criminal justice and educational system under the guise of zero tolerance policies that hold different racial/ethnic groups to varying standards (Hines-Datiri & Carter-Andrews, 2017; Packard, 2002).

In the United States, zero tolerance policies result in the removal of many people of color, especially males, from their standing in society (Alexander, 2010; Choi et al.,

2011). Sadly, the school system, as an organizational construct, still resembles the classist structure of helping some groups while adversely affecting other groups' life chances (Anyon et al., 2016; Skiba et al., 2010). This is institutionalized oppression constructed by the privileged group to remain in power; The New Jim Crow phenomenon simply replaces an old power structure built on racial inequality and segregation (Alexander, 2010; Packard, 2002). Participants also make the connection of privileged power structures at play in education citing White privilege as one reason there is still disproportionately for students of color for the number of suspensions compared to their White peers, even after RJ implementation (Lustick, 2017b).

Teacher participants, who were trained in RJ techniques and work at a school that is in its third year of implementation, shared their experiences in which zero tolerance policy enforcement in the educational system result in the loss of opportunity for many young cohorts of people, but especially for people of color (Peak, 2015). Instead of continuing to discipline the same way over and over, and getting the same bad results, teacher participants share how they have instead shifted to a RJ approach in the classroom. It is with this insight that their struggle within the power structure to change discipline pedagogy is witnessed. While it is normal for some to resist change (Rogers, 1995), teacher participants describe a school system in which some members of the community do not understand the RJ ideology and have really challenged implementation due to a fixed mindset (Dweck, 2008).

Key Finding #2: The Power of Life-worlds

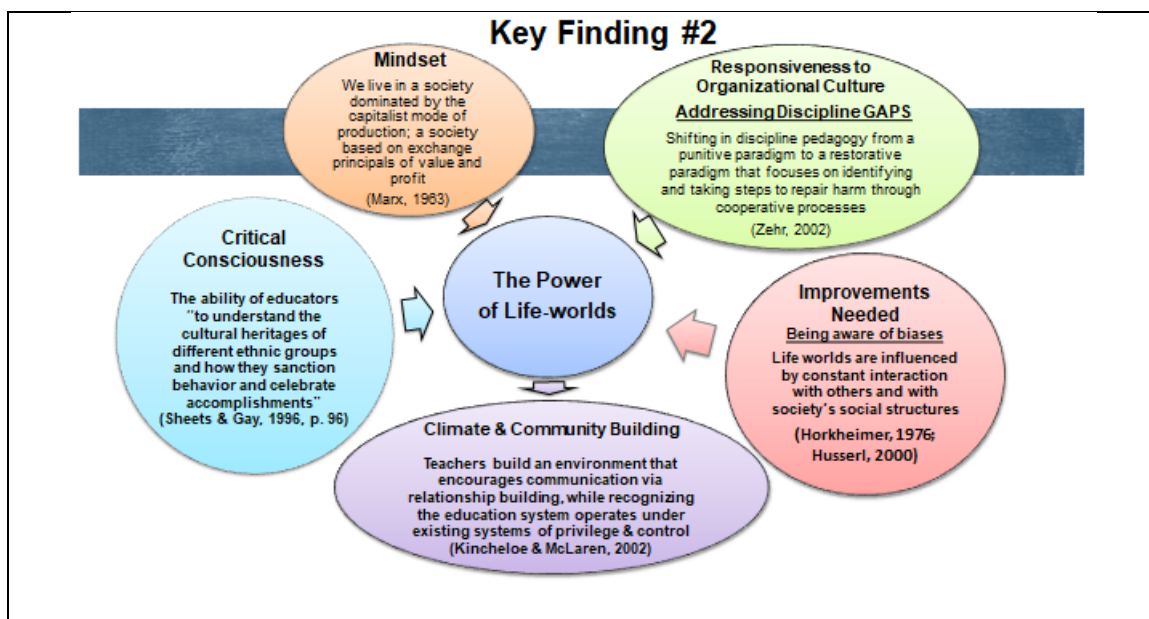


Figure 23. Thematic Contribution to Key Finding #2: The Power of Life-worlds.

Merriam-Webster.com (2019) defines a life-world as “the sum total of physical surroundings and everyday experiences that make up an individual's world.” Husserl (2000) argued that an individual’s life-world is influenced by constant interaction with others and with society’s social structures. Based on these personal experiences and interaction within these social structures, people develop preferences and normalize their behavior accordingly (Husserl, 2000). These preferences are bias and prejudice based on our life-world experiences.

Ladson-Billings (2006) was correct when she reframed the achievement gap as an opportunity gap. The *Collins English Dictionary, Digital Edition* (2012) defines the Sapir-Whorf hypothesis as “the theory that human languages determine the structure of the real world as perceived by human beings, rather than vice versa, and that this structure is different and incommensurable from one language to another.” Language is a factor that affects our life-world. Gordon (2005) said, “Briefly stated the Sapir-Whorf hypothesis holds that the language a person speaks influences how he or she perceives the

world” and that people do not understand the nuances of other cultures’ languages (p. 289). This really is unsettling because of the English only, or English first position taken in the United States and how we gage student success and achievement by a standardized test which is not only written, but constructed in the Anglo-European life-world. It seems almost absurd when people talk about the achievement gap; how can we standardize and assess a system when the student participants do not have fair and equitable opportunities to succeed?

While each individual harnesses biases and prejudices based on these experiences and interactions, it is the lack of awareness of how these tendencies play a role in our decision making that really pose a problem in our educational system (Perkins & Zimmerman, 1995). Teacher participants describe a campus climate of discrimination against students based on explicit or implicit biases and prejudices. Some participants even suggest it is because of structural racism. Data from the study validates this research in that explicit and implicit bias, prejudice and racism is real and definitely impacts how educators discipline (Lustick, 2017a). Simply put, people act in accordance to their life-world experiences (Horkheimer & Adorno, 1972) and in order to counter the innate tendency to react accordingly, one must become culturally responsive (Sheets & Gay, 1996). For educators to use culturally responsive teaching and discipline methods they must “understand the cultural heritages of different ethnic groups, how they sanction behavior and celebrate accomplishments, deference, and etiquette” (Sheets & Gay, 1996, p. 92). Data collected in this study adds stability to those findings in that teachers are familiar with their racial/ethnic behavioral norms and expectations, but had to learn how other racial/ethnic groups interacted and learned.

Key Finding #3: The Power of Critical Reflection

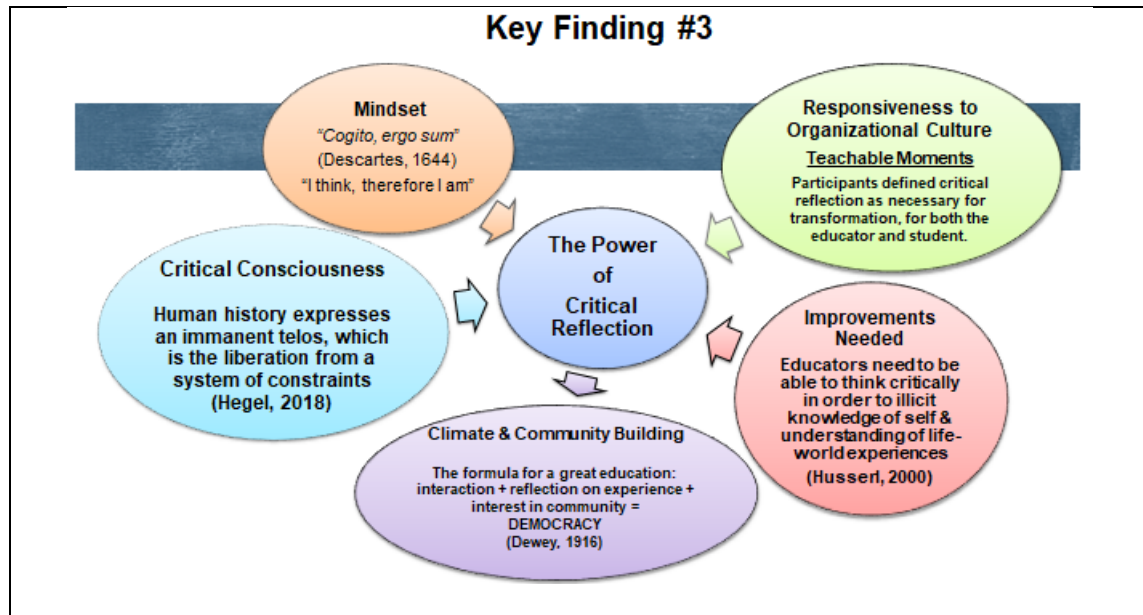


Figure 24. Thematic Contribution to Key Finding #3: The Power of Critical Reflection.

It is important to be critical of the world we exist in everyday and not just blindly accept the current systems simple because they are already there. The Latin philosopher René Descartes (1644) famously stated, “*Cogito, ergo sum*” which translated means “I think, therefore I am” (p. 65). There is great power in being able to think critically in order to illicit knowledge of self and understanding of your life-world experiences (Husserl, 2000). In *Phenomenology of the Spirt*, Hegel (2018) introduced the belief that human history expresses an immanent telos, which is the liberation of individual and species from a system of constraints. For liberation from these constraints, Hegel examined sources of deception, illusion, and distortion the mind goes through on the journey to absolute idealism, which he classified as knowledge (Hegel, 2018).

The nature of knowledge is learner centered in that knowledge is derived from personal meanings acquired through sensory experiences and gives the individual the

ability to actualize oneself (Schiro, 2012). The source of knowledge is the individuals' personal creative response to these experiences; while the knowledge derives its authority from the meaning it has to the possessor (Cooper & White, 2004). As such, an individual needs to critically reflect on these experiences to make meaning since the knowledge of most worth is the inner meaning of oneself and of their world that comes from their direct experience in the world and their personal response to such experiences (Dewey, 1916).

Dewey presented in his work *Democracy and Education* (1916) that schools in a civil society should advocate for needed reconstruction for citizens to become thinkers so they can help society. Dewey's formula for a great education was student interaction, plus reflection on experience, plus interest in community equals democracy (Dewey, 1916). This formula for democracy directly relates to Freire's book *Pedagogy of the Oppressed* (1998) in which he presented the idea of education as a political action.

As such, participants too believed emancipation from a classist, sexist and racist power structures occurs by teaching about oppressed people with the purpose being the people's liberation. Data clearly defines critical reflection as necessary for transformation, for both the educator and for the student. Data also highlighted that with such powerful structures in place, it takes time for people to begin critiquing and questioning the purpose of why such privileged structures exist and dominate the current way of doing things and start re-thinking their usefulness (Fallon et al., 2012).

Key Finding #4: The Power of Relationship Building

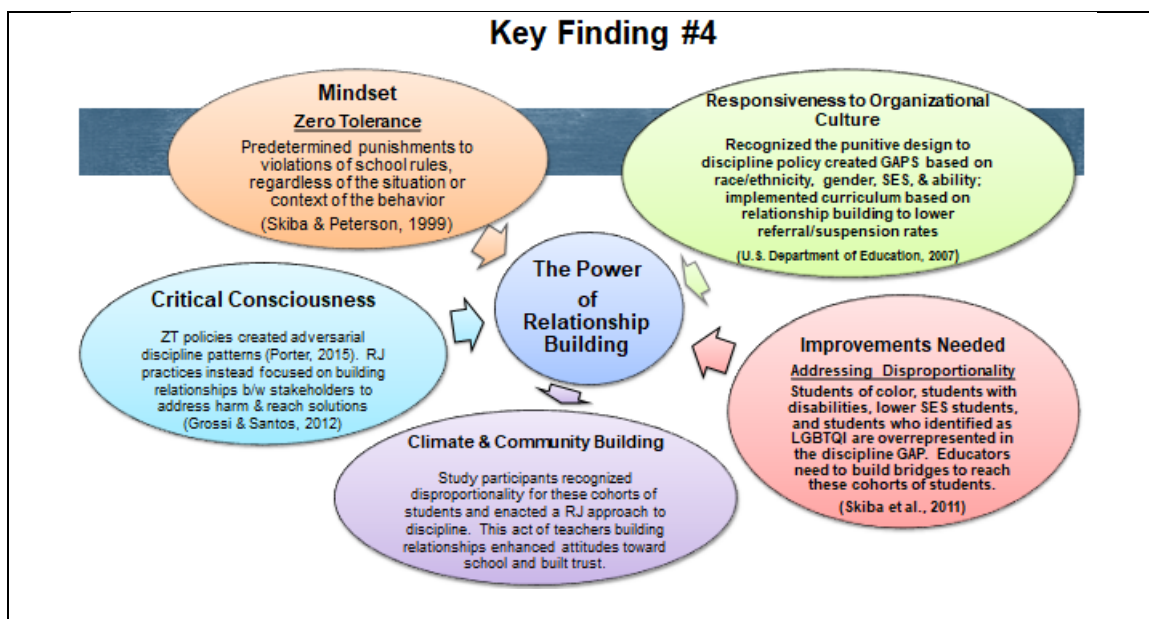


Figure 25. Thematic Contribution to Key Finding #4: The Power of Relationship Building.

It is not argued, discipline in education is a real problem; almost half of all teachers who leave the profession cite student discipline as the main reason why (Bushaw & Gallup, 2008). In historical context, zero tolerance policies were enacted to curb violent student misbehavior and provide a safe learning environment (Skiba & Peterson, 1999). However, after implementation of zero tolerance policies that mandated student removal from the learning environment, adversarial discipline patterns emerged as cohorts of students were overrepresented in discipline statistics (Porter, 2015).

Students of color, students with disabilities, lower SES students and students who identified as lesbian, gay, bisexual, transgender, queer, and/or intersex (LGBTQI) are all overrepresented in this discipline gap, but they also receive harsher consequences at a disproportionate rate under the authoritative framework (Skiba et al., 2011). In addressing the disparity issues, the United States Department of Education (2007) suggested that programs which utilized MTSS models, such as PBIS and SEL programs,

and emphasized relationship building between teachers and students through purposefully designed lessons and discipline strategies be implemented along with RJ discipline policies to decrease discipline disproportionality (Weissberg et al., 2004).

Some districts, including the one in this study, recognized the problem of disproportionality for these cohorts of students and enacted a proactive approach to discipline based on restorative justice (Grossi & Santos, 2012). This restorative approach to discipline was initially successful at RHS when implemented as an alternative framework to the authoritative discipline framework in reducing the number of referrals and suspensions issued for student behavior (See Table 4). All teacher participants shared experiences of relationship building improving student attitudes and resulting in fewer violent discipline behaviors; all of which ultimately resulted in an improved classroom climate (Gregory et al., 2016).

Through this act of teachers building relationships with their students that students started to trust an adult in the educational setting which enhanced their attitudes toward school (Gregory et al., 2016). More importantly, however, because of the power of relationship building these students are no longer being pushed out of RHS by punitive disciplinary action (Losen & Orfield, 2002; Porter, 2015).

Key Finding #5: The Power of Voice

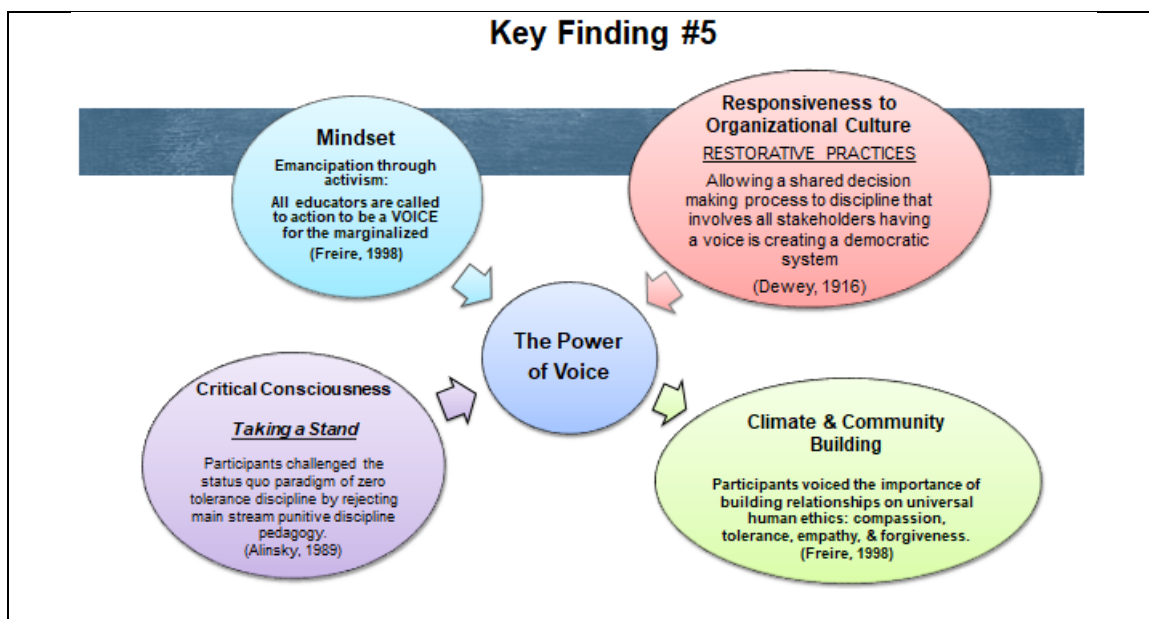


Figure 26. Thematic Contribution to Key Finding #5: The Power of Voice.

It takes only one voice to make a difference in a child's life, but together a lot of voices can make the difference for entire generations of students. While reflecting on how to disrupt the school-to-prison pipeline, I am reminded of Saul Alinsky's book *Rules for Radicals* (1989) in which he outlines our country's classist society of the haves, the haves some, and the haves nothing. Alinsky (1989) accuses the wealthy as having all the power, but goes a step further blaming them for the cyclical inequality of the rest. He argues that if the haves some and the haves nothing, would organize, stand-up, and rebel against the status quo then the power distribution would equalize.

This study supports the finding that educators are standing up and making a difference in changing inequitable discipline patterns for cohorts of marginalized students by rebelling against main stream discipline pedagogy. Instead, participants describe a restorative discipline pedagogy in which students participated in circles and/or conferences to discuss the harm committed to the community and how amends could be made to put things right (Amstutz & Mullet, 2005). This act of shared decision making

allowed all stakeholders a voice, not only to the harmed, but to the offender as well since a mutually agreed upon solution had to be reached and completed for trust to be restored (Zehr, 2002).

All learners are teachers, and all teachers are learners in the process of knowledge acquisition (Freire, 1998). This directly relates to Freire's (1998) work in which he shared in the idea of emancipation through activism. Freire's book, *Pedagogy of the Oppressed*, is a call to action for all educators to be a voice for the marginalized. Freire's work contends that people are essentially "unfinished" and in a state of "becoming" critically conscious" (Freire, 1998, p. 66). This really resonates with me, as well as to participants in the study, who actively question democracy and autonomy. Data from this study supports the research that teachers should use their voice to guide students into humanizing the marginalized by recognizing there is a "universal human ethic" (Freire, 1998, p. 21). This process of emancipation through voice makes room for students to explore their own epistemological views while on their journey for becoming more fully developed as a human.

Key Finding #6: The Power of the Abundant Community

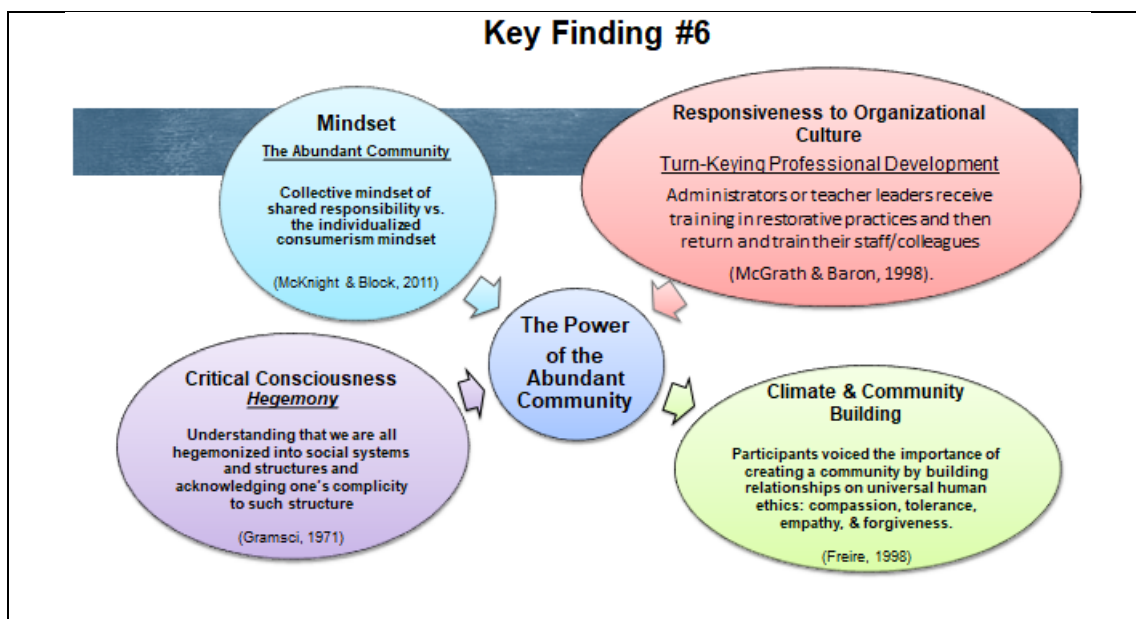


Figure 27. Thematic Contribution to Key Finding #6: The Power of the Abundant Community.

A society run by all, for all, is a utopian idea tackled. Many customs, values, and ideals were brought across the ocean; especially the idea of free market capitalism. In the New World, a man could become anything he wanted as long as he was willing to work hard, get educated, and play the game of consumerism. For many White men this plan worked magnificently; but what about the marginalized whom the system was working against? What about now? How do we balance the power?

Participants suggest an educator's critical pedagogy should take as its mission the transformation of education in order to bring about greater social equity and justice, both in the classroom and out. Marcuse (1964) linked critical theory to consumerism and a conviction that happiness can be attained through transformation of the material conditions of existence. As such, the study lends to the belief that educators should not blindly have an acceptance of privileged hierarchy structures and of the status quo. To educate critically, educators should question authority, be critically reflective, weigh

evidence and not blindly trust propaganda. Additionally, educations should dialogue across differences and work collaboratively for common goals.

The Abundant Community, by McKnight and Block (2011), shares insight on how to sustain a healthy, viable community based on shared responsibility of its citizens and directly compares the collective mindset to the over-indulgent and ultra-privileged American consumerism mindset. Gramsci's (1971) concept of hegemony described how the state and ruling capitalist class – the bourgeoisie – used cultural institutions to maintain power in capitalist societies. He warned us to not become complicit and consent to being homogenized by capitalism. Instead, Gramsci (1971) urged the ruling class, the proles, to construct a counter-hegemonic bloc and restructure how society functions by offering ideological leadership.

By being in a capitalist society, hegemonized thinking continually drives us into purchasing more of the goods and services offered to us as if it is going to somehow make us happier and more satisfied (Gramsci, 1971). This unfortunately includes for profit police officers, jails and prisons which is the American way; not to mention, the free enterprise market involved in profiting on standardized testing. Fortunately, this study has ignited a desire to learn more about how we can all be agents of change by defying the ruling consumer society by not immediately supporting the employment of outsiders in district and on campus, but instead maybe using community members or educators as professionals. For example, RHS used trained teachers as RJ circle trainers instead of expensive Life Anew consultants in their back to school PD; which was an excellent use of resources. By applying the same tenants of shared responsibility in order to create a vibrant community to the educational setting, one can see how collectively

every stakeholder in the educational system has the potential to contribute in the lives of American youth and not continuously fuel the school-to-prison pipeline.

Implications for Research, Practice, and Policy

Based on the results of this study, the following section provides the implications for future research, practice, and policy. Implications for future research are rooted in critical theory application; implications for future practice are rooted in the change cycle and readiness of implementation. Implications for future policy are entrenched in the awareness that secondary campuses are tasked with lowering discipline disproportionately by the Department of Education (2007).

Implications for Research

This study uniquely contributes to the literature in critical theory as used in education. The study suggests that systems of power and privilege play an integral role in the United States educational system and that some laws, including zero-tolerance policy, whether intentionally or not, support some while disadvantaging others. This research is important in further establishing why the school-to-prison pipeline phenomenon is predictable in that even after school wide RJ implementation disproportionately continues. This research highlights the fact that all educators need to recognize and understand biases inherent in discipline; thus educators must critically examine and actively explore how the educational system, as a construct, is capable of great inequity in regard to race/ethnicity, gender, SES, learning disabilities, and those that identify as LGBTQI. Thus, future research can focus on critical reflection applications for educator bias, or racist thinking, that occurs while disciplining.

Implications for Practice

This research can directly influence educational practice if the key findings are acknowledged and addressed. This study's findings clearly outline a slow acceptance, turnaround time-table that is fraught with challenges starting with understanding *why*; why use a RJ framework to discipline? However, just understanding RJ discipline pedagogy and practices is not enough; the findings reiterate that for long term sustainably to occur, it is not just about changing behaviors and practices, it is also about changing thinking. Even though participants in this study were trained in restorative practices and demonstrated a commitment to program implementation, they even focused a lot on changing student behaviors without interrogating the system and teacher practice.

This study's findings also highlight that there is an ebb and flow to staff buy-in and implementation that is greatly affected by program and procedural successes and failures. Additionally, leaderships' attitudes toward program implementation also affect staff buy-in and sustainability (Sergiovanni, 1992). Goodwill and good intentions is not enough to bring forth change; leadership "should [have] the knowledge, skills and dispositions to lead others to effect real change" (Hlinka, Mayo, Mobelini, Stephenson, & Young, 2009, p. 1). Accordingly, "Successful leaders must be able to view situations through a variety of frames, shifting as needed to respond to each new situation [and]... it is especially important to possess the knowledge and skills to view the actions and responses of others from multiple perspectives" (Hlinka et al., 2009, p. 14). Therefore, in professional development secondary school leaders need to first explain to their staff the reasoning behind the decision to use an alternative discipline framework citing specific literature and pertinent quantitative data reports of experienced disproportionality. School leaders' should then train their staff in the fluidity of the change process,

especially as it pertains to RJ pedagogy and practice , noting that highs and lows are expected and part of the experience (Bolman & Deal, 2013).

This study's findings identify a need for a readiness to change process to be developed among stakeholders prior to restorative practices implementation. People differ in their readiness to accept change. Some adapt quickly, others take much longer. Change is a process and not an event made by individuals first, then institutions. Initiating change is a highly personal experience and by adapting an organizational change readiness assessment, leaders can predict the interrelatedness of the change process made by individuals first, then institutionally (Fullan, 1990). However, there is a tendency for behavior to change before beliefs (Kotter & Cohen, 2002). As such, no innovation, however effective, can succeed unless schools accommodate for and address the process of change.

This study's findings identify a need for more inclusion of parents and community members in this effort to close the discipline gaps. By definition, a democracy is a government by the people; a form of government in which the supreme power is vested in the people and exercised directly by them in a way in which the majority's decisions are upheld, while the minority's rights are preserved (Waite, 2010). Accordingly, democratic education promotes and facilitates a voice and choice in policies, practices, and procedures for everyone. Democracies do not work to ensure that each and every member has the same voice; however, it is their duty to ensure that everyone has an equal voice. Starrat (2010) describes democracy as "a form of living together as equals under the law, citizens with moral bonds to one another, yet each free to pursue their own

interests” (p. 334). Therefore, it is essential to a democracy that all voices be heard and considered as equal and valuable.

This study’s findings identify some deficits in teacher and educational leadership preparatory coursework, especially in bias and race/ethnicity training and in transformative learning based on reflective thinking to aid in decision making. In effect, educators and educational leaders need to further develop skills to aid in identifying alternative agendas and the ability to interpret highly complex issues from different perspectives (Bolman & Deal, 2013). Goho and Webb (2003) articulated this concept via a metaphor for shaping a piece of clay, “Master potters begin with a preconceived strategy but respond to changes in their ideas as the pot unfolds and takes shape” (p. 378). Since each person already has an established mental model they are typically not even aware of, it makes changing mindsets very difficult (Bolman & Deal, 2013). Highly effective teaching and leadership requires multi-frame thinking, but this is challenging and often counterintuitive because it requires the capacity to think about things in different ways. Thus, individuals who can deliberately, or non-consciously, move from frame to frame, or mental model, can reframe a situation and better understand how to maneuver through complex situations (Bolman & Deal, 2013).

This study’s findings reiterate the importance of establishing and maintaining good work relationships as key to establishing a positive workplace climate. Educational leaders can encourage the development of positive relationships by having a strong mission statement and an upbeat team-based environment. A school’s vision and mission is directly affected by leadership (Glickman, Gordon & Ross-Gordon, 2010). The mission statement should clearly outline the purpose of the campus by discussing how the

mission statement fits with personal values and roles in the school. Thus, every employee has ownership. To solidify the positive workplace environment, regular staff meetings should highlight recent campus activities as well as how employees are working toward and upholding the school's mission. Workplace relationships can also be strengthened by setting clear expectations, practicing constant communication and offering timely responses to both positive workplace behavior and employee issues or concerns (Glickman, Gordon & Ross-Gordon, 2010).

Implications for Policy

This study can help redefine the purpose of school discipline in our country to include new standards of success and how they are to be measured. The United States Department of Education (2007) has established policy that educational institutions are responsible for lowering disproportionality for marginalized groups or risk losing federal funding. As mentioned in Chapter 4, one of the critical findings this study provided was that when a RJ framework was utilized with MTSS models, such as PBIS and SEL programs, school climate was improved by relationship building between teachers and students (See Table 7). Additionally, this study provided evidence that when educators purposefully design lessons to teach emotional awareness and discipline strategies to self-regulate and communicate openly, trust is built and discipline issues are lowered. Therefore, educational policy should be established that specifically supports the use of a restorative justice approach to discipline that also incorporates bias and anti-racism training to decrease discipline disproportionality in public K-12 schools.

Recommendations for Future Research

This qualitative case study was designed to examine the experiences and perspectives of secondary teachers who utilize a RJ philosophy to discipline. The research identified strengths and weaknesses of RJ implementation, from the educator's point of view, as well as examined their perspectives as to why disproportionality may still exist even after RJ training. In the research process, other themes, although not directly related to the critical theory framework as used in this study, were identified and are deserving of further research. To add to this body of research, I make the following four recommendations for areas in need of further investigation.

For my first recommendation, an outcome-based longitudinal case study needs to be conducted that examines successfully implemented RJ programs that have accomplished sustainability. The criterion for successful implementation and sustainability needs to be well established and identified via a vigorous design. The outcomes, especially the common success factors can be used to create a model for use in elementary and secondary level education.

My second recommendation is to design a study to examine the level of RJ readiness of implementation. This idea of stakeholders being in different states of readiness to implement, or even accept, an opposing pedagogical viewpoint to discipline was emergent in this study. Research could further examine what *readiness* looks like at different acceptance stages, for different stakeholders such as students, teachers, administrators, counselors, parents, SROs, and police officers. Additionally, further research should identify the factors to be met for successful RJ implementation, including what development strategies work best to move an identified stakeholder into the next readiness stage.

My third recommendation for future research is to design more ethnographic studies. There is a need to further illuminate the voices of the shared experiences involved in RJ processes and who can speak to its outcomes. There are countless stories that need to be told from differing points of view.

My fourth and final recommendation, which I strongly suggest needs to be further investigated, is to design a study from a critical race theory framework that closely examines the effects on the ‘discipline moment’ by identifying exactly what happens in the heat of the moment in discipline after RJ training (Vavrus & Cole, 2002). This further research will help validate or contradict research that suggests racism and bias play a major role in the choice of discipline action taken by the educator (Skiba et al., 2011; Vavrus & Cole, 2002). Further research into how educator’s discipline can help establish curriculum standards that need to include directly teaching strategies regarding racism and targeting bias in higher education for teacher preparedness.

APPENDIX SECTION

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APPENDIX A: SITE SELECTION RECRUITMENT LETTER

To: Principal Name: name@xyzisd.net
From: Shari Knippa: slk84@txstate.edu
Subject: Research Site Participation Invitation

This email message is an approved request for participation in research that has been approved by the Texas State Institutional Review Board (IRB).

Dear (Principal Name),

I hope you are doing well and having a great summer. My name is Shari Knippa, and I am a doctoral student at Texas State University in San Marcos. I am currently working on my doctoral dissertation, which seeks to investigate and understand teachers' experiences with implementing restorative justice processes in a school with established restorative justice programs. You are specifically being asked to participate because your campus matches the specific criteria for this study.

In order to participate in my study, you must answer "yes" to the following questions:

1. Is your campus located in Texas?
2. Is your campus a public school from an independent/consolidated school district or a public charter school?
3. Is your campus a secondary education campus? (any grades ranging from 6-12)
4. Does your campus utilize a restorative justice framework in hopes of reducing exclusionary discipline?
5. Has your campus been utilizing a restorative justice framework for at least 2 years?

Deciding to participate in my study is voluntary, and you may elect to discontinue your involvement at any time, without any negative consequences.

There is little to no risk identified for participating in this study. In speaking about their experiences, participants may become uncomfortable with sharing such experiences. If that should happen, each participant may choose not to answer any of the questions that make them feel uncomfortable. Each participant will still be allowed to take part in the study. Each participant will also have the ability to withdraw from the study at any time without consequence.

It is my expectation that reflecting on their restorative practice will make teachers more aware of and appreciative of the unique work they do for their school. School pride may increase as participants are empowered to provide advice and information to future educators and other schools. Lastly, opportunities for growth may surface that your school can then use to improve its practice.

If you volunteer your campus to participate in this research, you will allow me to recruit four teacher participants during the 2018 fall semester. Research will be conducted between August and September 2018. Teacher participants will receive a \$10 gift card for their time and will participate in the following:

- A 10-minute pre-interview questionnaire

- One 45-60 minute, audio-recorded interview about discipline and restorative justice
- One 2-hour classroom observation
- One 30-45 minute follow-up interview to discuss observation and previous responses

To participate in this research or ask questions about this research please contact me at Shari Knippa, (512) 944-2837 or by email at slk84@txstate.edu.

This project 5652 was approved by the Texas State IRB on July 4, 2018. Pertinent questions or concerns about the research, research participants' rights, and/or research-related injuries to participants should be directed to the IRB chair, Dr. Denise Gobert 512-716-2652; dgobert@txstate.edu or to Monica Gonzales, IRB Regulatory Manager 512-245-2334; meg201@txstate.edu.

Best,

Shari Knippa, M.Ed.
Doctoral Student, School Improvement
Texas State University

APPENDIX B: SITE SELECTION LETTER

To: Principal Name: name@xyzisd.net
From: Shari Knippa: slk84@txstate.edu
Subject: Site Participation Confirmation

This email message is an approved request for participation in research that has been approved or declared exempt by the Texas State Institutional Review Board (IRB).

Dear (Principal Name),

I trust you are well. Thank you for your response and for indicating your interest in participating in my study. I am writing to notify you that your campus has been selected as the site for my research. As a reminder, the purpose of my study is to investigate and understand teachers' perspective of and experiences with implementing restorative justice processes in a school with established restorative justice programs for at least two years. The intent of this research is to understand teachers' views and experiences of restorative justice implementation in school.

Thank you again for your interest; I look forward to hearing from you soon so we can coordinate the best strategy for teacher participant recruitment. If you need to ask questions about this research please contact me at Shari Knippa, (512) 944-2837 or by email at slk84@txstate.edu.

This project 5652 was approved by the Texas State IRB on July 4, 2018. Pertinent questions or concerns about the research, research participants' rights, and/or research-related injuries to participants should be directed to the IRB chair, Dr. Denise Gobert 512-716-2652; dgobert@txstate.edu or to Monica Gonzales, IRB Regulatory Manager 512-245-2334; meg201@txstate.edu.

Best,

Shari Knippa, M.Ed.
Doctoral Student, School Improvement
Texas State University

APPENDIX C: TEACHER RECRUITMENT LETTER

To: Teacher Name: name@xyzisd.net
From: Shari Knippa: slk84@txstate.edu
Subject: Teacher Participation Invitation

This email message is an approved request for participation in research that has been approved by the Texas State Institutional Review Board (IRB).

Dear (Teacher Name),

I hope you are doing well and having a great beginning of the semester. My name is Shari Knippa, and I am a doctoral student at Texas State University in San Marcos. I am currently working on my doctoral dissertation, which focuses on teachers' perspective of and experiences with restorative justice processes and implementation in a school with established restorative justice programs.

You are specifically being asked to participate because you match the specific criteria for this study. In order to participate in my study, you must answer "yes" to the following questions:

1. Have you been teaching full-time more than one year?
2. Do you have experience with issuing classroom discipline referrals?
3. Do you have knowledge of restorative justice processes?
4. Do you have experience implementing restorative justice processes?

Deciding to participate in my study is voluntary, and you may elect to discontinue your involvement at any time, without any negative consequences.

There is little to no risk identified for participating in this study. In speaking about your experiences, you may become uncomfortable with sharing such experiences. If that should happen, you may choose not to answer any of the questions that make you feel uncomfortable. You will still be allowed to take part in the study. You will also have the ability to withdraw from the study at any time without consequence.

It is my expectation that reflecting on your restorative practice will make you more aware of and appreciative of the unique work you do for your school. School pride may increase as you become empowered by providing advice and information to future educators and other schools. Lastly, opportunities for growth may surface that your school can then use to improve its practice.

If you volunteer to participate in this research, you will receive a \$10 gift card for your time and will participate in the following:

- A 10-minute pre-interview questionnaire
- One 45-60 minute, audio-recorded interview about discipline and restorative justice
- One 2-hour classroom observation
- One 30-45 minute follow-up interview to discuss observation and previous responses

To participate in this research or ask questions about this research please contact me at Shari Knippa, (512) 944-2837 or by email at slk84@txstate.edu.

This project 5652 approved by the Texas State IRB on July 4, 2018. Pertinent questions or concerns about the research, research participants' rights, and/or research-related injuries to participants should be directed to the IRB chair, Dr. Denise Gobert 512-716-2652; dgobert@txstate.edu or to Monica Gonzales, IRB Regulatory Manager 512-245-2334; meg201@txstate.edu.

Best,

Shari Knippa, M.Ed.
Doctoral Student, School Improvement
Texas State University

APPENDIX D: TEACHER PARTICIPANT LETTER

To: Teacher Name: name@xyzisd.net
From: Shari Knippa: slk84@txstate.edu
Subject: Research Participation Confirmation

This email message is an approved request for participation in research that has been approved by the Texas State Institutional Review Board (IRB).

Dear (Teacher Name),

I trust you are well. Thank you for your response and for indicating your interest in participating in my study. I am writing to notify you that you have been selected as a participant for my research. As a reminder, the purpose of my study is to investigate and understand teachers' perspectives of and experiences with implementing restorative justice processes in a school with established restorative justice programs.

I would like to schedule a one-on-one interview with you on campus. The interview will last approximately 45-60 minutes. You may complete the pre-interview questionnaire prior to, or at the time of interview. Please give me three times you are available.

In addition, there are two attachments for you to review prior to our first meeting.

- The first attachment is the consent form for this study. Please read carefully. You will be asked to sign and date a hardcopy of the *Informed Consent* during our first visit. You will receive a copy.
- The second attachment is the pre-interview questionnaire. This short form asks for your background information. All of your responses to the questionnaire will be kept confidential.

If you need to ask questions about this research, please contact me at Shari Knippa, (512) 944-2837 or by email at slk84@txstate.edu.

This project 5652 approved by the Texas State IRB on July 4, 2018. Pertinent questions or concerns about the research, research participants' rights, and/or research-related injuries to participants should be directed to the IRB chair, Dr. Denise Gobert 512-716-2652; dgobert@txstate.edu or to Monica Gonzales, IRB Regulatory Manager 512-245-2334; meg201@txstate.edu.

Thank you again for your interest. I look forward to hearing from you soon so we can coordinate our interview.

Best,

Shari Knippa, M.Ed.
Doctoral Student, School Improvement
Texas State University

APPENDIX E: INFORMED CONSENT



INFORMED CONSENT

Study Title: Mirror, Mirror...Who is the Fairest of Them All? – Beyond Zero Tolerance: Teachers' Perspectives of Restorative Justice	
Principal Investigator: Shari Knippa	Supervisory Professor: Melissa Martinez
Email: slk84@txstate.edu	Email: mm224@txstate.edu
Phone: (512) 944-2937	Phone: (512) 245-4587

This consent form will give you the information you will need to understand why this research study is being done and why you are being invited to participate. It will also describe what you will need to do to participate as well as any known risks, inconveniences or discomforts that you may have while participating. We encourage you to ask questions at any time. If you decide to participate, you will be asked to sign this form and it will be a record of your agreement to participate. You will be given a copy of this form to keep.

PURPOSE AND BACKGROUND

You are invited to participate in a research study to learn more about your perspective and experiences with discipline practices at your school. The information gathered will be used to assess teachers' views about using restorative justice practices by identifying strengths, possible limitations that prevent schools from implementing restorative based programs, and teacher perceptions of continued disproportionality in discipline. You are being asked to participate because you have at least one year of full-time teaching experience, you have experience with issuing classroom discipline referrals, you have knowledge of restorative justice processes, and you have experience implementing restorative justice at your school.

PROCEDURES

If you agree to be in this study, you will participate in the following:

- A 10-minute pre-interview questionnaire
- One 45-60 minute, audio-recorded interview about discipline and restorative justice
- One 2-hour classroom observation
- One 30-45 minute follow-up interview to discuss observation and previous responses

I will set up a time to meet with you at your campus. You will first complete the pre-interview questionnaire and then participate in the interview for a total of 55-75 minutes of

participation. The interview will be audio-recorded with your permission and I may take notes as well. Next, I will set up a two-hour block to observe you on campus in your classroom; I will be taking notes during the observation. Finally, a 30-45 minute follow-up interview will be scheduled to discuss the observation and expand or clarify your previous responses in the initial interview.

RISKS/DISCOMFORTS

The pre-interview questionnaire will include a section requesting demographic information. The combined answers to these questions may make an individual person identifiable. I will make every effort to protect participants' confidentiality. However, if you are uncomfortable answering any of these questions, you may leave them blank.

In the event that some of the survey or interview questions make you uncomfortable or upset, you are always free to decline to answer or to stop your participation at any time. Should you feel discomfort after participating and you are a Texas State University student, you may contact the Capital Area Counseling for counseling services at list (512)302-1000. They are located on 2824 Real Street, Austin, Texas, 78722.

BENEFITS/ALTERNATIVES

There will be no direct benefit to you from participating in this study. However, the information that you provide will provide valuable information to principals, teachers and researchers who are trying to make their schools more fair and safe for students.

EXTENT OF CONFIDENTIALITY

Reasonable efforts will be made to keep the personal information in your research record private and confidential. Any identifiable information obtained in connection with this study will remain confidential and will be disclosed only with your permission or as required by law. Only the researcher and the Texas State University Office of Research Compliance (ORC) may access the data. The ORC monitors research studies to protect the rights and welfare of research participants.

Your name will not be used in any written reports or publications that result from this research. Data will be kept for three years (per federal regulations) after the study is completed and then destroyed.

PAYMENT/COMPENSATION

You will receive a gift card in the amount of \$10.00.

PARTICIPATION IS VOLUNTARY

Participation in this study is voluntary. You do not have to be in this study if you do not want to. You may also refuse to answer any questions you do not want to answer. If you volunteer to be in this study, you may withdraw from it at any time without consequences of any kind or loss of benefits to which you are otherwise entitled.

QUESTIONS

If you have any questions or concerns about your participation in this study, you may contact the Principal Investigator, Shari Knippa: by phone at (512) 944-2837 or by email at

slk84@txstate.edu.

The project was approved by the Texas State IRB on July 4, 2018. Pertinent questions or concerns about the research, research participants' rights, and/or research-related injuries to participants should be directed to the IRB Chair, Dr. Denise Gobert 512-716-2652 – (dgobert@txstate.edu) or to Monica Gonzales, IRB Regulatory Manager 512-245-2334 - (meg201@txstate.edu).

DOCUMENTATION OF CONSENT

I have read this form and decided that I will participate in the project described above. Its general purposes, the particulars of involvement and possible risks have been explained to my satisfaction. I understand I can withdraw at any time.

Your participation in this research project may be recorded using audio recording devices. Recordings will assist with accurately documenting your responses. You have the right to refuse the audio recording. Please select one of the following options:

I consent to audio recording: Yes ___ No ___

_____ Printed Name of Study Participant	_____ Signature of Study Participant	_____ Date
_____ Signature of Person Obtaining Consent		_____ Date

IRB approved application # 5652

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Version # 1



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APPENDIX F: PRE-INTERVIEW QUESTIONNAIRE

1. Pseudonym/Code Name: _____

2. Demographical information:

<p>I identify my ethnicity as: (Select all that apply)</p> <p><input type="checkbox"/> Asian</p> <p><input type="checkbox"/> Black or African</p> <p><input type="checkbox"/> Caucasian</p> <p><input type="checkbox"/> Hispanic/Latinx</p> <p><input type="checkbox"/> Native American/Indigenous</p> <p><input type="checkbox"/> Pacific Islander</p> <p><input type="checkbox"/> Prefer not to answer</p> <p><input type="checkbox"/> Other _____</p>	<p>I identify my gender as:</p> <p>_____</p>
--	--

3. How many years of teaching experience do you have (including this academic year)?

<input type="checkbox"/> 1-2 years <input type="checkbox"/> 3-5 years <input type="checkbox"/> 6-10 years <input type="checkbox"/> 11-15 years <input type="checkbox"/> 16-20 years <input type="checkbox"/> 20 years+
--

4. What is the highest level of formal education that you have completed?

<input type="checkbox"/> Bachelor degree <input type="checkbox"/> Master's degree <input type="checkbox"/> Doctorate degree

5. Area(s) of certification: (Select all that apply)

<input type="checkbox"/> General Education <input type="checkbox"/> Special Education <input type="checkbox"/> English as a Second Language (ESL) <input type="checkbox"/> Bilingual Education <input type="checkbox"/> Gifted and Talented (GATE) <input type="checkbox"/> Other (Please list) _____	<input type="checkbox"/> English/Reading <input type="checkbox"/> History/Government <input type="checkbox"/> Science <input type="checkbox"/> Math <input type="checkbox"/> Technology <input type="checkbox"/> Elective
--	--

6. How many years of experience do you have with restorative justice processes/implementation (including this academic year)?

<input type="checkbox"/> 1-2 years <input type="checkbox"/> 3-5 years <input type="checkbox"/> 6-10 years <input type="checkbox"/> 11-15 years <input type="checkbox"/> 16-20 years <input type="checkbox"/> 20 years+
--

7. My preference for a \$10.00 gift card would be to:
☐ Starbucks
☐ Target
☐ Walmart

Open-Ended Questions:

8. How did you select teaching as a career?

9. What defines success for you as a teacher?

10. What does your school do to prevent student misbehavior?

APPENDIX G: INTERVIEW PROTOCOL

You are being asked to participate in a qualitative research project that seeks to investigate and understand teachers' experiences with implementing restorative justice processes in a school with established restorative justice programs. You are specifically being asked to participate because you match the specific criteria for this study. The intent of this research is to understand your views and experiences of restorative justice implementation in school and your perceptions of why schools using restorative processes still display disproportionality in discipline.

You will participate in an interview lasting for approximately 45-60 minutes. Interviews will be audio-recorded with your permission. Your participation is voluntary and as such, you may withdraw from the study at any time without prejudice. You will be asked to respond to the following questions:

1. Can you first tell me about your role on campus and how long you have been here?
2. What does using a restorative justice framework to discipline mean to you?
 - Follow-up: What is your definition of restorative justice?
 - Follow-up: Why do you think RJ is a better approach than punitive discipline?
 - Follow-up: What does having RJ mindset mean to you?
3. Why do you think students of color are disproportionately represented in discipline?
 - Follow-up: Why do you think African American students are suspended more often than any other group of their peers?
 - Follow-up: Why do you think Latino students are suspended more often than their White peers?
4. What are some challenges you perceive at your school in terms of discipline in general?
 - Follow-up: Is a particular group causing the majority of discipline problems?
 - Follow-up: If so, why do you think this is happening? Is it cultural?
5. Are there ever situations in which you believe a student should be removed from the classroom or the school?
 - Follow-up: What constitutes a student being placed in ISS?
 - Follow-up: Do you have a personal experience? Can you give an example?
 - Follow-up: What constitutes a student being arrested and removed from school?
6. What are some of the systems you have in place for restorative practices here?
 - Follow-up: What is the discipline policy here?
 - Follow-up: Do you know how these systems came to exist?
 - Follow-up: Which systems work best for you?
7. When did restorative justice programs begin on your campus?

- Follow-up: To your understanding, how did your school go about adopting a RJ program/ framework?
8. How were you trained as a teacher in restorative justice?
 - Follow-up: What specific PD in RJ did you receive?
 - Follow-up: Do you hold any RJ certifications?
 - Follow-up: When was RJ training conducted? When should it be conducted?
 - Follow-up: Do you feel adequately trained in RJ? Why/why not?
 - Follow-up: What future training would benefit you most? Why?
 - Follow-up: Have you received non-beneficial RJ training? Can you explain?
 9. Do you have any personal experiences or examples of trying restorative justice processes that were difficult or were successful that you want to share?
 - Follow-up: Can you give a specific experience or example of a success story?
 - Follow-up: Can you give a specific experience or example of a challenge?
 10. Regarding school culture and RJ discipline, what do you do that works that can be transferable to other teachers to improve RJ practices in the rest of the school?
 - Follow-up: How do you develop outstanding rapport with students?
 - Follow-up: How do you conduct circles? (vulnerability, accountably, re-entry)
 - Follow-up: How do you negotiate contracts?
 - Follow-up: How do you involve parents in the RJ process?
 11. What do you find is most challenging about RJ implementation?
 - Follow-up: Do you have enough time for RJ processes?
 - Follow-up: Do you have adequate training?
 - Follow-up: Do you have teacher buy-in?
 - Follow-up: Do you have community support?
 12. RJ processes lower the number of students of color disproportionately represented in discipline. However, the discipline gap may not dissipate even at schools with RJ programs. Why do you think the discipline gap continues, even after RJ implementation?
 - Follow-up: Does cultural bias play a role?
 - Follow-up: Does SES play a role?
 - Follow-up: Does race play a role?

APPENDIX H: OBSERVATION PROTOCOL

NOTE: Observation protocols are especially relevant to understanding classroom behavior of instructors and the effects on student behavior and learning. Some items may not apply.

Implementation Checklist for Restorative Justice in School Context			
Indicator of RJ	Yes, it is evident	No, it is lacking	Observer Notes Evidence
1. The language in the discipline policy indicates room for restorative approaches to discipline.			
2. Teacher and students establish clear rules for learning and behavior; norms are established.			
3. Teacher encouraged students to find their own solutions to conflict.			
4. Teacher's use of language was natural, clear, and jargon-free.			
5. Teacher refrained from judgmental interventions and statements.			
6. Teacher showed respect to all students.			
7. Teacher intervened when necessary to ensure students were respectful to each other.			
8. Teacher attends to disruptions quickly and firmly.			
9. Teacher held wrongdoers accountable without making them feel bad about themselves.			
10. Teacher values each student's perspective.			
11. Teacher overlooks inconsequential behavior.			
12. Teacher gave opportunity for all students to participate.			
13. Teacher gave appropriate attention to all students, even the quiet and well behaved.			
14. Teacher managed any difficulties appropriately.			
15. Teacher appeared aware of his or her own emotions.			
16. Teacher de-escalated incidents.			
17. Teacher uses restorative approaches in their interactions with others.			
18. Teacher keeps adequate records of their use of restorative practice			
19. Teacher demonstrated awareness of cultural differences between students (i.e.-by grouping)			
20. Teacher uses restorative dialogue with students and other school personnel.			

APPENDIX H: OBSERVATION PROTOCOL (Continued).

Observation of Restorative Justice in Action	
The teacher uses several techniques, such as social approval, contingent activities, and consequences to maintain appropriate student behavior.	
What teacher says:	What teacher does:
Evidence of Restorative Justice action:	Effects of Restorative Justice:

APPENDIX I: FOLLOW-UP INTERVIEW PROTOCOL

Thank you for taking the time to talk with me about your experiences with restorative justice processes and implementation. Your commitment to cultivating a safe and nurturing school environment is evident. At this time, I need to schedule a follow-up interview to answer any questions that have been unclear or not been answered from your previous interview and/or observation. You may contact me via email at slk84@txstate.edu or by phone at (512) 944-2837 to schedule a follow-up interview. The follow-up interview may be held on or off campus; whichever is most convenient for you.

You will participate in a follow-up interview lasting for approximately 30-45 minutes. Interviews will be audio-recorded with your permission. Your participation is voluntary and as such, you may withdraw from the study at any time without prejudice. You will be asked to respond to the following questions:

1. Do you have any questions regarding your initial interview?
 - Would you like to add anything that did not come-up in our initial interview?
 - You said _____; can you clarify what you meant by _____?
2. Do you have any questions regarding the observation?
 - Can you identify any specific examples of RJ in action during your observation?
 - I noticed _____; can you clarify why you _____?
3. Compare the beliefs you expressed in the first interview with your practices in the observation.
 - Do you feel your actions and beliefs of RJ align?
 - Are your behaviors congruent with your beliefs of restorative justice?
4. What do you think motivates educators in public schools to implement restorative practices?
 - What motivates you to continue using RJ in school?
 - What is the biggest obstacle you feel you face in implementing RJ?

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