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Brian Agard  
*University of Central Florida*

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A STUDY OF THE INFLUENCE OF THE RESTORATIVE JUSTICE MODEL  
ON OUT-OF-SCHOOL SUSPENSIONS IN A LARGE URBAN SCHOOL DISTRICT

by

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A dissertation submitted in partial fulfillment of the requirements  
for the degree of Doctor of Education  
in the School of Teaching, Learning, and Leadership  
in the College of Education and Human Performance  
at the University of Central Florida  
Orlando, Florida

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2018

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## **ABSTRACT**

The purpose of this quantitative study was to investigate whether the Restorative Justice model influenced the number of days that students were suspended out-of-school or the number of out-of-school suspension incidents. In addition, the researcher analyzed whether the Restorative Justice model had different impacts for the subgroups of students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic) in an urban school district in Central Florida for the sixth-, seventh-, and eighth-grade students for the seven school years from 2010-2011 to 2016-2017. Primary data analysis strategies were descriptive statistics and visual analyses utilizing an interrupted time series design. The findings can be helpful in informing decision makers if the Restorative Justice model is having a positive influence on decreasing out-of-school suspension incidents and/or out-of-school suspension days.

## **ACKNOWLEDGMENTS**

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# CHAPTER 1 INTRODUCTION

## Introduction

Public Law 89-10, otherwise known as the Elementary and Secondary Education Act (ESEA) of 1965, was signed into law by President Lyndon B. Johnson on April 11, 1965. In 1965 when ESEA became federal law, there was shown to be a large achievement gap when students' test scores were disaggregated by race and poverty level. The objective of the ESEA was to reduce the achievement gap by setting high standards and making school districts accountable to measure the progress of students. The *Equality of Educational Opportunity Report* (1966), also known as the Coleman Report, was a product of the Civil Rights act of 1964. The Coleman Report documented the availability of equal educational opportunities in public schools for minority students both on a regional and national basis. It also reported on the degree of segregation of minority students and the relationship between students' achievement as measured by achievement tests and the kinds of schools they attended. According to Hanushek (2016), the achievement gap between low income students and minority students, as compared to their peers, has persisted in schools across the nation since the 1966 report despite federal, state, and local efforts to close the gap.

Goldberg and Harvey (1983) stated in their discussion of *A Nation at Risk* that in the United States, "The well-being of its people, the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people" (p. 7). Goldberg and Harvey asserted that "Our Nation is at risk. Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world" (p. 7). For over three decades, researchers

(Dalton, Ingels, & Fritch, 2015; Goldberg & Harvey, 1983;) have stressed that as technology and computers become more entrenched in the global economy, U. S. students must complete high school, so they can compete for careers in the science, technology, engineering, and technology (STEM) occupations. The people of the United States need to know that individuals in society who do not possess the levels of skill, literacy, and training essential to this new era will be effectively disenfranchised (Goldberg & Harvey, 1983, p. 9).

The reauthorization of the Elementary and Secondary Education Act (ESEA), Public Law 107-110 from the 107th Congress, the No Child Left Behind Act of 2001 (NCLB, 2001), was signed into law on Jan 8, 2002 by President George W. Bush. The NCLB's purpose was to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (NCLB, 2001).

The NCLB Act reinforced Title I accountability by mandating states to utilize a statewide accountability system for all public schools if the states wanted to receive federal funds (NCLB, 2001). Assessment outcomes were required to be disaggregated by race, ethnicity, exceptional student education status (ESE), English Learners (EL), and by socioeconomic status (SES) to confirm that no group was left behind. However, due to the "one size fits all" approach of the NCLB, many states and school districts did not have the flexibility to assess their students or implement programs using the specific method required by NCLB. President Barack Obama signed the *Every Student Succeeds Act* (ESSA) into law on December 10, 2015 in an effort to further reduce the achievement gap between minorities as compared to their peers.

The Whitehouse, Executive Office of the President (2015) issued the following statement: "By replacing NCLB with a more flexible law, we can continue and spread this kind of progress, while maintaining guardrails and protections for the most vulnerable students and

directing federal resources toward what works in helping all children learn” (p. 2). The U.S. Department of Education [USDOE] (2014) reported that the U.S. Secretary of Education, Arne Duncan, announced “guidance to states, school districts and schools to ensure that students have equal access to such educational resources so that they all have an equal opportunity to succeed in school, careers, and in life” (p. 2). The ESSA’s specified purpose has been to advance equity by funding states to target resources towards what works to help them, and their schools improve. The primary focus of the ESSA has been on the lowest-performing 5% of schools, high schools with high dropout rates, and schools where subgroups of students are struggling (Civil Rights Project, Harvard University, 2000). This wide achievement gap, historically displayed by ethnic and socioeconomic status (SES), has also resulted in wide disparities in high school on-time graduation rates. The Organization for Economic Cooperation and Development [OECD] (2015) reported that high school graduates live longer than non-high school graduates, are more involved in the community where they live, participate more in politics, commit fewer crimes, and rely less on social assistance.

According to the OECD (2015) the United States was once one of the leading nations both in high school and college graduation rates, but it has fallen to the bottom half of the OECD nations even though the United States has the second highest expenditure per student. The National Center for Education Statistics [NCES] (2017), reported that 83% of American public high school students graduated with a diploma in four years in 2014-2015. Both historically and currently, low graduation percentages have been a problem particularly severe among Black students, Hispanic students, English Learners (ELs), low SES students, and students with disabilities (U.S. Department of Education [USDOE], 2014). According to NCES (2017) the national graduation rates in 2014-2015, 88% of White students graduated on time compared with

75% of the Black students, 78% of the Hispanic students, 65% of students with disabilities, 64% of English Learners, and 76% of economically disadvantaged students.

In Florida, graduation rates were lower than the national rates for the same 2014-2015 time period: 82% of White students graduated on time compared with 68% of the Black students, 77% of the Hispanic students, 57% of students with disabilities, 59% of English Learners, and 70% of economically disadvantaged students (Florida Department of Education [FDOE], 2017).

National Education Association [NEA] (2015) emphasizes that “the tools and policies that school districts use should never disproportionately impact any group of students or shut the door of educational opportunity to students based on the color of their skin, the language they speak, their physical ability, or their sexual or gender orientation” (p. 2). Students who are suspended from school usually have the lowest academic performance and have the highest dropout rates (Losen & Skiba, 2010). The NEA (2016) further emphasized that the “school-to-prison pipeline” has been a direct result of institutional racism and intolerance and is both an education and social justice issue. The school-to-prison pipeline phrase is used when school districts suspend students or refer students to the criminal justice system (Children’s Defense Fund, 2009). School districts must find a better alternative than suspensions so that students learn from their mistakes and stay in school on-track to graduate (Rumberger & Losen, 2016; Skiba & Rausch, 2006).

Theoretically, the achievement gap can be reduced by eliminating or reducing the school discipline gap (Morris & Perry, 2016; Skiba & Noguera, 2010). Restorative Justice (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 (Fronius, Persson, Guckenbug, Hurley, & Petrosinno, 2016). Fronius et. al.,

(2016) also asserted that in the school setting, it often serves as an alternative to traditional discipline, particularly exclusionary disciplinary actions such as suspension or expulsion. RJ advocates frequently turn to restorative practices out of fear that suspensions and school expulsions are harmful outcomes for students (Losen & Martinez, 2013).

Attentive to this historical context, the researcher in the present study explored the implementation of restorative justice as a reform strategy to address issues associated with suspensions in a large urban school district. The school district which was the target in this dissertation had a 77.6% graduation rate in 2014-2015, but subgroup analysis showed a wide disparity in graduation attainment percentages based on ethnicity, ESE status, EL status, FRL status, and gender. For example, the 2014-15 White students' graduation rate was 87% as compared to 66% for Black students (21% gap), and 76% for Hispanic students (11% gap). The school district's administrators recognized there was also a significant gap in out-of-school suspension rates based on the same subgroups of ethnicity, ESE status, EL status, FRL status, and gender. Researchers have consistently shown that attendance, behavior, and academic performance are the strongest predictors of whether a student is on-track to graduate (Balfanz, Bridgeland, Bruce, & Fox, 2011). Understanding the abundant amount of research previously conducted (American Academy of Pediatrics, 2013; Losen & Skiba, 2010; Rumberger & Losen, 2013) on the correlation between out-of-school suspensions and low graduation rates, the school district developed a strategy to address the root cause of behavior issues. The school district began a district-wide middle school Restorative Justice model initiative in August 2015 as a primary strategy to reduce suspension rates and out-of-school suspension days.

### Problem Statement

The issue that was not yet sufficiently understood at the time of this study was the extent to which the Restorative Justice model influenced the number of times and/or the number of days students were suspended out-of-school. According to the National Education Association (2015), Florida rated as the state (of all 50 states) with the highest out-of-school suspension rate. The target school district, one of the largest in the country, comprehended the strong correlation between out-of-school suspensions and academic achievement based on research (American Academy of Pediatrics, 2013; Losen & Skiba, 2010). According to the USDOE (2016), the nation's four-year high school graduation rate for 2014–2015 was 82.3%. Florida had the ninth lowest graduation rate among all 50 states. Florida had a four-year graduation rate of 80.7% in the 2015-2016 school year (FDOE, 2017). Noltemeyer, Ward, and Mcloughlin (2015) conducted a meta-analysis using 34 studies and found a significant inverse relationship between suspensions and achievement, along with a significant positive relationship between suspensions and dropout. Daniel J. Losen, director of the Center for Civil Rights Remedies at UCLA (2016) stated “research also shows that reducing the racial discipline gap makes good economic sense and will reduce social costs that hit communities of color the hardest” (p. 1). Losen (2016) also asserted “School districts will increase graduation rates and generate billions of dollars in economic activity if they stop suspending so many students” (p. 2).

### Purpose

The purpose of this research study was to determine if there was an association between the restorative justice model and the rates of out-of-school suspension incidents and/or out-of-school suspension days for middle school students. In addition, this study was conducted to analyze whether the association between the Restorative Justice model and suspension rates



differed for the subgroups of students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic). The researcher investigated these issues within an urban school district in Central Florida for the Grades 6, 7, and 8 students for the 2010-2011 to 2016-2017 school years.

### Significance of the Study

This study was motivated by decades of research demonstrating a positive correlation between out-of-school suspensions and dropping out-of-school (American Civil Liberties Union [ACLU], 2012; USDOE, 2014; The Civil Rights Project, 2014). The results of this study have important implications beyond the K-12 school context, because students who drop out of high school have substantially lower average yearly earnings as well as a reduced life expectancy as compared to high school graduates (U.S. Census Bureau, 2016). In 2014, the median weekly earnings for those with a bachelor's degree or higher was \$1,193, compared to \$488 for those with less than a high school diploma; and high school graduates without any college earned \$668 per week in 2014 (U.S. Department of Labor, 2015). It is therefore essential that all students earn at least a high school diploma and become college and career ready to compete for jobs in careers that will provide enough income to sustain adequate living standards in future decades. When suspended, these students are at a significantly higher risk of falling behind academically, dropping out-of-school, and encountering the juvenile justice system (Morris & Perry, 2016; Skiba & Noguera, 2010). The potential for developing a better understanding of how restorative justice might reduce suspensions and improve life opportunities for students was the focus of this study.

## Definition of Terms

Achievement gap: The difference in the performance between subgroups (within a participating school and the statewide average performance of the State's highest achieving subgroups in reading/language arts and mathematics as measured by the state and national assessments (USDOE, 2012).

Dropout rate: The dropout rate represents the percentage of youth aged 16 and over who are not enrolled in school and have not earned either a high school diploma or an equivalency credential (NCES, 2014).

Early Warning Systems (EWS): School, school district, or state level data systems that can identify students who are off track so that appropriate interventions can be provided to the students. (American Institutes for Research, National High School Center, 2012).

English learner (EL): A person who is in the process of learning English and whose first language is not English and scores within the limited English proficient range as determined by the publisher's standards on a Department of Education approved aural and oral language proficiency test or scores below the English proficient level on a Department of Education approved assessment in listening and speaking, shall be classified as an English Language Learner (FDOE, 2017).

Free and Reduced Lunch (FRL) program: A federal school lunch program that is frequently utilized as a measure of poverty. Students qualify for free and reduced-price lunches if their household's income is no greater than 130% of the federal poverty guidelines. Students who qualify for free and reduced-price lunch are considered "low-income" in school enrollment counts. (Alliance for Excellence in Education, 2016).

Graduation Rate: In Florida, the percentage of students who graduated with a standard diploma within four years of their initial enrollment in ninth grade (FDOE, 2017).

School-to-prison pipeline: The policies and practices that are directly and indirectly pushing students of color out-of-school and on a pathway to prison, including, but not limited to: harsh school discipline policies that overuse suspension and expulsion, increased policing and surveillance that create prison-like environments in schools, overreliance on referrals to law enforcement and the juvenile justice system, and an alienating and punitive high-stakes testing-driven academic environment (NEA, 2016).

Socioeconomic status (SES): A measure of a person's economic and social position relative to others based on income, education, and occupation (NCES, 2014).

Transfer: A student who legitimately withdraws from one school and enrolls in another school, usually verified by a transcript request from the receiving school (FDOE, 2017).

Withdrawal codes: Codes that schools use to document why a student left that institution (FDOE, 2017).

Zero tolerance policies: School disciplinary policies that set predetermined consequences or punishments for specific offenses or rule infractions. Zero tolerance policies do not allow persons in positions of authority from exercising discretion or modifying punishments to fit individual circumstances (NEA, 2016).

### Literature Review/Conceptual Framework

This study's conceptual framework was based on literature and research indicating (a) that out-of-school suspensions have detrimental effects on students, (b) that suspensions (and their accompanying harmful effects) are experienced to different degrees and in diverse ways by various subgroups of students, and (c) that restorative justice offers potential for reducing suspensions. Based on the ALCU (2012) findings "students of color and students with disabilities tend to be most affected because of an overreliance on discriminatory punitive school discipline policies, lack of resources and training within schools" (p. 5). Researchers must use existing research to understand how the zero tolerance policies are negatively affecting the nation's most vulnerable students, many whom are students of color or students with disabilities (Columbi & Oshner, 2015; Losen & Martinez, 2013). According to the U.S. Department of Education Office for Civil Rights (2014), Black students have been suspended at a rate over three times greater than White students. Losen and Skibia (2010) reported that in a national sample of more than 9,000 middle schools, 28% of Black males, on average, were suspended at least once during a school year, nearly three times the rate for White males. The review of literature in this study focuses on quantitative studies to determine if underlying causes such as implicit or explicit biases have contributed to the disparities in suspensions of certain subgroups of students that lead to dropping out-of-school and a high probability of going to prison.

There is a body of well-documented research that a students' decisions to drop out-of-school are not sudden acts; rather, they are the result of a slow process of disengagement over a period of years with clear warning signs apparent well before students drop out of school (Balfanz et al., 2011). Numerous studies have indicated that even a single suspension is highly correlated with student academic failure. Researchers have consistently shown that attendance,

behavior, and course performance are the strongest predictors of whether a student is on-track to graduate (Balfanz, et al., 2011). The Florida Advisory Committee to the United States Commission on Civil Rights (2010) proclaimed that “Inadequate interventions and failed policies place students from vulnerable populations at greater risk of incarceration” (p. i). In addition, the zero tolerance policies of the past have led to an increase of suspensions and higher school dropout rates. The NEA (2015) asserted that, “These removals are invariably precipitated by formal school disciplinary action, such as a suspension or expulsion, which either directly or indirectly pushes these students permanently out-of-school and/or into the juvenile or criminal justice systems” (p. 1). Exclusionary discipline and ineffective instruction are school-based risk factors that contribute to school dropout (Florida Advisory Committee to the United States Commission on Civil Rights, 2010). Informed by research on the academic and behavioral predictors of dropping out (Allensworth, 2013; Balfanz & Byrnes, 2010), restorative justice practices have been viewed as a promising approach to reduce out-of-school suspensions to keep students in school.

As a response to student misbehavior, Restorative justice (RJ) seeks an understanding of what has occurred, the needs of those affected students, teachers, parents, and anyone else involved in the conflict - and ways to address the harm that was done (Morrison & Vaandering, 2012). Restorative justice is a process whereby the offender recognizes the harm that was caused and allows the offender an opportunity to repair the harm if the victim agrees to mediation. The principle premise of restorative justice is that if the offender takes ownership for the harm that has taken place and understands the pain inflicted on others, compassion and remorse can transform the offender’s behavior.

The literature review conducted for this study focused on suspension rates, zero tolerance policies, the school-to-prison pipeline, critical race theory, and the development of the restorative justice model.

### Research Questions

The following research questions served to guide the empirical investigation:

1. To what extent, if any, are out-of-school suspension incident rates associated with the implementation of a Restorative Justice (RJ) model?
  - A. What is the overall yearly trend in out-of-school suspension incident rate for the time frame from August 2010 to June 2017?
  - B. What difference, if any, exists between the out-of-school suspension incident rate before and after the RJ model was implemented?
  - C. What difference, if any, exists between the out-of-school suspension incident rate trend before and after the RJ model was implemented?
2. To what extent, if any, are the total number of out-of-school suspension days associated with the implementation of a Restorative Justice (RJ) model?
  - A. What is the overall yearly trend in out-of-school suspension days for the time frame from August 2010 to June 2017?
  - B. What difference, if any, exists between the average number of out-of-school suspension days before and after the RJ model was implemented?
  - C. What difference, if any, exists between the trend in the number of out-of-school suspension days before and after the RJ model was implemented?

3. What differences, if any, are observable across subgroups (based on ethnicity, socioeconomic status, exceptional student status, English Learner status, and gender) with respect to patterns of suspension rates/suspension days and the implementation of a Restorative Justice model.

## Methodology

### Research Design

The study was conducted using an interrupted time series (ITS) research design. Interrupted time series (ITS) analysis is a quasi-experimental design which is used to evaluate the longitudinal effects of interventions (BMJ, 2015). ITS was an appropriate design for this study because a large amount of archival data could be accessed and there were discrete time intervals and an exact time when the intervention was introduced. “In interrupted time series (ITS) studies, data are collected at multiple time points before and after an intervention to detect whether or not the intervention had a significantly greater effect than any underlying trend” (Cochrane Effective Practice and Organisation of Care, 2017, p. 1). Interrupted time series analysis and regression discontinuity designs are two of the most rigorous ways to evaluate policies with routinely collected data (Law, 2015).

### Participants

The study population of this research consisted of 39 traditional middle schools and 19 traditional high schools. This study was based in a large urban school district in Central Florida in one of the fastest growing counties in the country (U.S. Census Bureau, 2015). The school district had an enrollment of approximately 200,000 students, of which approximately 40,000 were middle school students from 39 traditional middle schools (FDOE, 2018). This study was

delimited to a single urban school district in Florida focusing on the full population of all students from the traditional middle schools and high schools in the school district. This study did not include students who attend virtual schools, alternative schools, home schools, or private schools because the data were not easily accessible. The 39 traditional middle schools had student populations ranging from 650 to 2,200 students with a median of approximately 1,050 students. There were 19 traditional high schools in this large urban school district with approximately 51,000 students. The 19 high schools had student populations ranging from 1,100 to 4,300 students with a median of approximately 2,700 students (FDOE, 2018).

### Variables

The two dependent variables were the total number of suspension incidents and the total number of suspension days aggregated at the school level or school district level and computed as ratios (e.g. the total number of suspension incidents per 100 students). For Research Question 3, these same dependent variables were disaggregated to the following subgroups: students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic). Ratios (number of suspensions per 100 students) were utilized to compare subgroups. The independent variable was the school year (2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, and 2016-2017).

### Instrumentation and Data Collection

Suspensions are recorded in the school district's student management system (SMS) with the teacher, dean, or administrator writing up a behavior report and the discipline clerk entering the referral in SMS. Level 1 and Level 2 referrals are usually for minor offenses and usually



result in an in-school suspension. More serious or repeated behavior infractions result in a level 3 or level 4 out-of-school suspensions. The school district maintains records of suspensions in the Enterprise Data Warehouse (EDW) by student name, student number, student ethnicity, EL status, ESE status, FRL status, school of enrollment, offense type, incident number, number of days suspended. Also recorded is the student information, infraction, date, type of offense, days suspended, reason for suspension, and a host of other information. The suspension data are stored online and are accessible for at least seven years. Ratios (number of suspensions per 100 students) and aggregate OSS day subtotal are utilized to allow for easy-to-comprehend comparisons.

In addition, determining the number of students suspended multiple times was also a measure of how effective the restorative justice model was in reducing recidivism. The data for the study were requested from school district's Office of Research, Accountability and Grants and the school district's Minority Achievement Office (MAO). The school data for the cohorts was furnished by the school district's Office of Research, Accountability and Grants and the MAO and included ethnicity, school of enrollment, gender, number of out-of-school suspensions, and number out-of-school suspension days. The Florida Department of Education was accessed to retrieve summary grade level and school district level data on enrollment, ethnicity, and gender data. Data did not include identifying information such as student name, student identification number, or student address.

### Data Analysis

The primary data analysis strategies were descriptive statistics and visual analysis. (Tufts, 2001). For Research Question 1, visual analysis was utilized to characterize the yearly overall

trend for out-of-school suspension (OSS) incident rates within the time frame. To answer sub-question a, data were graphed and interpreted to describe patterns and trends for OSS incident rates within the time frame 2010-2017. To answer sub-question b, descriptive statistics was utilized to compare the average of OSS incident rates before and after the RJ model. Results are presented in a Microsoft Excel table format to compare the means. To answer sub-question c, data were graphed and interpreted to describe patterns and trends for OSS incident rates within the time frames August 2010 to June 2015 (pre-RJ implementation) and August 2015 to June 2017 (post-RJ implementation).

For Research Question 2, visual analysis was utilized to characterize the overall yearly trend for number of OSS days for the time frame from August 2010 to June 2017. Data were graphed and interpreted to characterize the average OSS days before and after implementation of the RJ model. Descriptive statistics were used to compare the average of OSS days before and after the implementation of the RJ model. Results are presented in tabular form to compare the means. Visual analysis was used to compare trends for OSS days for years between August 2010 to June 2015 (pre-RJ implementation) and August 2015 to June 2017 (post-RJ implementation).

To answer Research Question 3, the previously described analyses were performed using subsets of the data aligned to the following student population: students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic).

### Delimitations

This study was delimited to a single urban school district in Florida, focusing on the full population of all students from the traditional middle and high schools in the school district. This

study did not include students that attended virtual schools, alternative schools, home schools, or private schools because the data were not easily accessible.

### Summary

The purpose of this research study was to determine if the restorative justice model interventions had an influence on decreasing out-of-school suspension incidents and/or out-of-school suspension days for middle school students. Numerous researchers have shown that zero tolerance policies have not made schools safer but instead have pushed students of color and students with disabilities out of school (Columbi & Oshner, 2015; Martinez, 2009; Morris, & Perry, 2016; National Association of School Psychologists, 2001). If the discipline gap is ignored, school leaders will likely be unable to close the achievement gap (Losen, Hodson, Keith II, Morrison, & Belway, 2015). Theoretically, the achievement gap can be reduced by eliminating or reducing the school discipline gap (Gregory, Skiba, & Noguera, 2010). This quantitative study was conducted to investigate whether the Restorative Justice model influenced the number of days that students were suspended out-of-school or the number of out-of-school suspension incidents. In addition, the researcher sought to analyze whether the Restorative Justice model had different impacts for the subgroups of students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic) in an urban school district in Central Florida for middle school students as well as high school students for the school years from 2010-2011 to 2016-2017.

## **CHAPTER 2 LITERATURE REVIEW**

### Introduction

On May 17, 1954, the Supreme Court in *Brown v. Board of Education of Topeka*, 347 U.S. 483 ruled that separate but equal public schools for Blacks and Whites were unconstitutional and a violation of the 14th Amendment. Chief Justice Earl Warren read the decision:

Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprive the children of the minority group of equal education opportunities? We believe it does. (National Archives Catalog, 1964, p. 2)

The legal victory in *Brown* did not transform the country overnight, and much work remained, but striking down segregation in the nation's public schools provided a major catalyst for the civil rights movement (NAACP Legal Defense Fund and Educational Fund, 2014). The *Brown v. Board of Education* ruling effectively ended legalization of segregated schools, but schools and society were still not integrated, and minorities were still treated unfairly. Ten years after *Brown v. Board of Education*, the Civil Rights Act of 1964 banned discrimination based on race, color, religion, gender, or national origin, mandated equal access to public facilities, employment, the right to vote, and enforced desegregation of schools (National Archives Catalog, 1954).

The Supreme Court's decision in *Brown v. Board of Education*, was the constitutional moment that compelled the country to reckon with its history and confront the unfulfilled promise of equality first articulated in our founding documents. (NAACP Legal Defense Fund, 2014, p. 1)

Public Law 89-10 which is known as the original Elementary and Secondary Education Act (ESEA) of 1965 was signed into law by President Lyndon B. Johnson on April 11, 1965. ESEA

was one of the first major educational policy in which the federal government was involved in funding, accountability, and curriculum development for public schools. Public Law 89-10, 1965 stated that “Congress hereby declares it to be policy of the United States to provide financial assistance to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs” (p. 27). Enacted at the height of the Civil Rights movement in 1965 as part of President Johnson’s War on Poverty, the ESEA was the cornerstone legislation for promoting educational equity (NAACP Legal Defense Fund, p. 2).

Thus, at the time of this study, legislation was in place to ensure that all children regardless of race, religion, gender, or sexual orientation were entitled to a quality education. Even though all children must have equal access to a high-quality education, many students were being suspended from school at such high rates that they are being excluded from the opportunity to learn. Morris and Perry (2016) stated that this indicated that overuse of exclusionary discipline may pose barriers in efforts to reduce racial inequalities in education. The consideration of school punishment also has added an important dimension to the argument that school-level processes help reproduce the racial achievement gap (Morris and Perry, 2016). In addition, the Civil Rights Project (2014) asserted that “Evidence shows that school suspensions adversely impact high school graduation rates and that the dropout rate would be much lower if there were fewer suspensions” (p. 1).

The review of the literature addresses seven pertinent themes derived from the extant literature: school discipline, suspension disparities, zero tolerance, critical race theory, the school-to-prison pipeline, alternatives to out-of-school suspensions, and restorative justice. The literature first focuses on school discipline and out-of-school suspension disparities. The second

section is used to review the historical background of zero tolerance policies and provides a linkage to critical race theory. The third section of the literature review concentrates on the school-to-prison pipeline and the effect this has on the nation's children. The fourth section briefly considers alternatives to out-of-school suspensions. The final section of the literature review is used to further explore alternatives to out-of-school suspension with an explicit focus on the restorative justice model.

### School Discipline

The primary mission of every school district is to ensure students learn within a safe environment (Columbi & Oshner, 2015). The school climate and classroom environment should be conducive to learning. It is vital for administrators and teachers to promote a classroom culture of respect and discipline to reduce misbehavior. When students misbehave and continuously interrupt and prevent other students from learning, exclusionary school disciplinary practices are necessary to improve the school climate (American Academy of Pediatrics, 2013). Students are routinely suspended for up to 10 days for non-violent acts such as cursing at an educator, skipping class, frequent talking during class, cellphone use, and violation of a dress code. In many schools and school districts, these disciplinary practices allow for simple infractions to escalate to out-of-school suspensions, causing students to be excluded from academic instruction (Civil Rights Project, 2014).

School districts must ensure that all students are safe by enforcing a code of conduct that creates a safe learning environment. Administrators must intervene with interventions when students continuously defy and break the school rules. This raises the question as to whether removing students from school helps or hurts the school climate. Some advocates of out-of-

school suspension believe that removing disruptive students from school will set an example and discourage other students from disobeying the school's code of conduct (American Psychological Association [APA], 2008). Evidenced-based research has indicated, however, that out-of-school suspensions have a negative impact on school climate and academic achievement (APA, 2008; Civil Rights Project, 2000; Losen, 2011). When middle school students are suspended from school, the first suspension usually has two primary outcomes. The first outcome is that suspended children are remorseful and feel that their negative behavior has let down their parents, teachers, and/or themselves. The other outcome is that suspended children do not fully comprehend the effects of their behavior infractions and may become part of the so called "cool crowd," continuing to break school rules. Furthermore, the American Academy of Pediatrics (2013) found that students who that are given multiple out-of-school suspensions are as much as 10 times more likely to drop out of high school than students who do not receive out-of-school suspensions. Society and educators' duties include teaching academics as well as assisting youth to become productive members of society.

Because the fundamental mission of school is to educate students, it is imperative to not allow negative behavior to interfere with this mission. School boards and school administrators must create and adopt codes of conduct and school safety policies that protect while still educating all children. When school boards create policy, they must balance the severity of the behavior infraction and the effect the punishment will have on the student. It is vital to implement policies that create a safe and nurturing learning environment while still enforcing school discipline. Removing students from school with out-of-school suspensions to set an example (i.e., deter misbehavior) has been found to be ineffective (American Academy of Pediatrics, 2008; Skiba & Rausch, 2006).

For the past three decades, the main strategy for managing student misbehavior involved utilizing punitive approaches such as zero tolerance (Skiba & Rausch, 2006). Several researchers have found that these policies have limited positive effects on discipline in the long term; they appear to do more harm than good (Civil Rights Project, 2014; Losen 2011; Martinez, 2009). For more than three decades, the use of out-of-school suspension has been employed as a punishment for school students who disobey school rules (APA, 2008). Middle school-aged children often have the most misbehaviors and rule-breaking. (American Academy of Pediatrics, 2013; Losen et al., 2010). Most adults understand that children, especially when undergoing puberty, defy authority and break rules. Administrators, teachers, and policy makers have an obligation to institute evidenced-based disciplinary strategies that allow students to learn from their mistakes. Out-of-school suspension is an extreme reaction when children do not follow the rules of the school's code of conduct. Unfortunately, sometimes teachers utilize out-of-school suspension to aid with classroom management and temporarily rid their classrooms of students who continuously interrupt their learning environment. Teachers and administrators' intention, in removing one or two disruptive students from class, to allow other students to make learning gains and achieve high academic achievement is not supported by research. Often students who are suspended out-of-school are left at home alone or can be found "hanging out" in the streets where they can associate with gang members and criminals (American Academy of Pediatrics, 2013). According to the American Academy of Pediatrics (2013), "Out-of-school suspension and expulsion have short and long-term consequences that are best avoided if at all possible" (p. 1002). Some of the consequences include academic failure, low self-esteem, disengagement in school, school dropout, and imprisonment. This is particularly applicable for students who have been suspended out-of-school multiple times (Arcia, 2007; Columbi & Oshner, 2015).



There is solid evidence that creating positive conditions for learning improves academic achievement (Columbi & Oshner, 2015). This implies that educators at all levels must ensure that meaningful professional relationships are established with students to ward off some of the negative behaviors children display during adolescence. It is vital to have the entire school and even school district aligned and using similar school disciplinary models so that when educators or students move, there is consistency from the previous school to the new school. It is important to recognize that when school discipline does not support a culture for learning, it is linked with lower academic success and is a risk factor for academic failure (APA 2008; Skiba et al., 2003). When students are suspended from school, their prospects of making learning gains and graduating are greatly reduced (Columbi & Oshner, 2015). Researchers have demonstrated that when students are engaged in learning and feel connected to the school, they are less likely to misbehave and are more likely to make learning gains (Balfanz & Legters, 2004; Columbi & Oshner, 2015).

Multiple studies have revealed that school suspension increases a child's chance of being retained in a grade, dropping out-of-school, committing a crime, and ending up incarcerated as an adult (American Academy of Pediatrics, 2013; APA Zero Tolerance Task Force, 2008; Civil Rights Project, 2000; Florida Advisory Committee to the U. S. Commission on Civil Rights, 2010; Losen et al., 2003). Stakeholders in children's future must understand and weigh the benefits of out-of-school suspension vs. the detrimental long-term harm it causes students and society. Many students who are suspended are already behind in school (Balfanz et al., 2011). Because there is a relationship between instructional time and academic achievement (Losen & Skiba, 2010), high out-of-school suspension rates should be dealt with a similar high level of

concern, as they often are often associated with absenteeism, low test scores, and low graduation rates.

### Suspension Disparities

Since the 1970s, there has been an increase in exclusionary out-of-school discipline in American schools (Columbi & Oshner, 2015). Over the past three decades, the disparity between the number of suspensions for White students and their Black peers has increased substantially (Columbi & Oshner, 2015). During the 1988-1989 school year, Black students were suspended at twice the rate of White students and during the 2009-2010 school year, Black students were suspended out-of-school at four times the rate of their White peers (Losen et al., 2015; National Center for Educational Statistics, 2017). The disproportionate number of out-of-school suspensions for Black students has been a persistent racial and social justice issue nationwide (Gibson, Wilson, Haight, Kayama, & Marshall, 2014).

There has been an abundant amount of research pertaining to achievement across racial groups, but the unequal suspension rates for Black and Hispanic students has not been properly addressed as a possible cause of the achievement disparity with White peers. Gregory et. al. (2010) advocated for addressing racial disparities in out-of-school suspensions in order to close the academic achievement gap. Losen and Skiba (2010) asserted that “the high and disproportionate suspension rates being experienced by youth of color in most of these urban school districts means that minority students are being removed from the opportunity to learn at a much higher rate than their peers” (p. 8). Because this has been known for decades, it is imperative that policy makers utilize research-based strategies to reduce this disparity in suspensions (Arcia, 2007; Morris & Perry, 2016).

It is critical to utilize data to ensure that internal biases do not affect the way that students are disciplined for infractions (American Academy of Pediatrics. (2013). If two students misbehave or have the same infraction, their race should not influence the resulting consequence. Evidence-based studies have indicated that Black and Hispanic students have been suspended at much higher rates than their White peers (APA Zero Tolerance Task Force, 2008; Gregory et al., 2010; Skiba et al., 2003). Furthermore, teachers and administrators sometimes apply different rules when disciplining students of color. For example, a White student who disrupts class instruction may receive a lunch detention or a call home, whereas a Black or Hispanic student may be subjected to an out-of-school suspension for a few days. Columbi and Oshner (2015) caution that “These disciplinary approaches have been discriminatory and have failed to improve school safety” (p. 3). The Children’s Defense Fund (2007) proclaimed that “Despite the image of super predators and dangerous hallways, most students suspended from school and most juveniles in detention did not commit violent offenses or put the safety of others at risk” (p. 19).

Disparities in rates of suspensions have, in fact, not been based on different levels of student misbehavior but can be related to demographic factors (American Academy of Pediatrics, 2013; Losen et al., 2010). The assortment of student infractions that result in a suspension varies by ethnicity (Skiba & Williams, 2014). For example, White students have been referred more often for offenses that are easier to objectively document, such as smoking, vandalism, and obscene language, but Black students have been referred more for offenses that are subjective and potentially influenced by bias, including showing disrespect, making threats, and loitering (Skiba et al., 2002). Overall, these and other analyses confirm that there are indeed systematic racial disparities in out-of-school suspensions (Anderson & Ritter, 2017, p. 5).

Across the United States, discipline strategies vary from classroom to classroom, and from school district to school district (Skiba & Raush, 2006). School districts should review their suspension data with detailed subgroup analyses based on gender, ethnicity, disability, FRL status, and ELL status, and implement strategies to reduce gaps between subgroups. Skiba and Rausch (2006) discovered that out-of-school suspension rates varied from less than 10% in some schools to more than 90% in other schools in the same school district. Although it might appear that higher rates of suspensions are in schools with higher incidents of misbehavior, researchers have found that the rates of suspension fluctuate significantly based on school implementation of school rules (Columbi & Oshner, 2015). What is even more disturbing is the disparity in suspensions based on ethnicity (Morris & Perry, 2016). Among middle school students, according to the Children's Defense Fund (2009), Black students were four times more likely to be suspended than White students; Hispanic students were determined to be twice as likely to be suspended than White students.

### Suspension Disparities in Florida

Florida has 67 counties, each with its own governing school board which may implement vastly different discipline policies than other neighboring school districts. Based on Florida Department of Education [FDOE] (2018) enrollment data for the 2015-2016 school year, there were 2,756,944 students enrolled from Kindergarten through Grade 12: 39.5% White students, 22.5% Black students, 31.5% Hispanic, and 6.5% other races/ethnicities. As shown in Figure 1, in Florida, a total of 46,176 White students were suspended out-of-school in the 2015-2016 school year, while 65,062 Black students, 32,544 Hispanic students, and 7,342 students of other races/ethnicities were suspended in the same time frame.

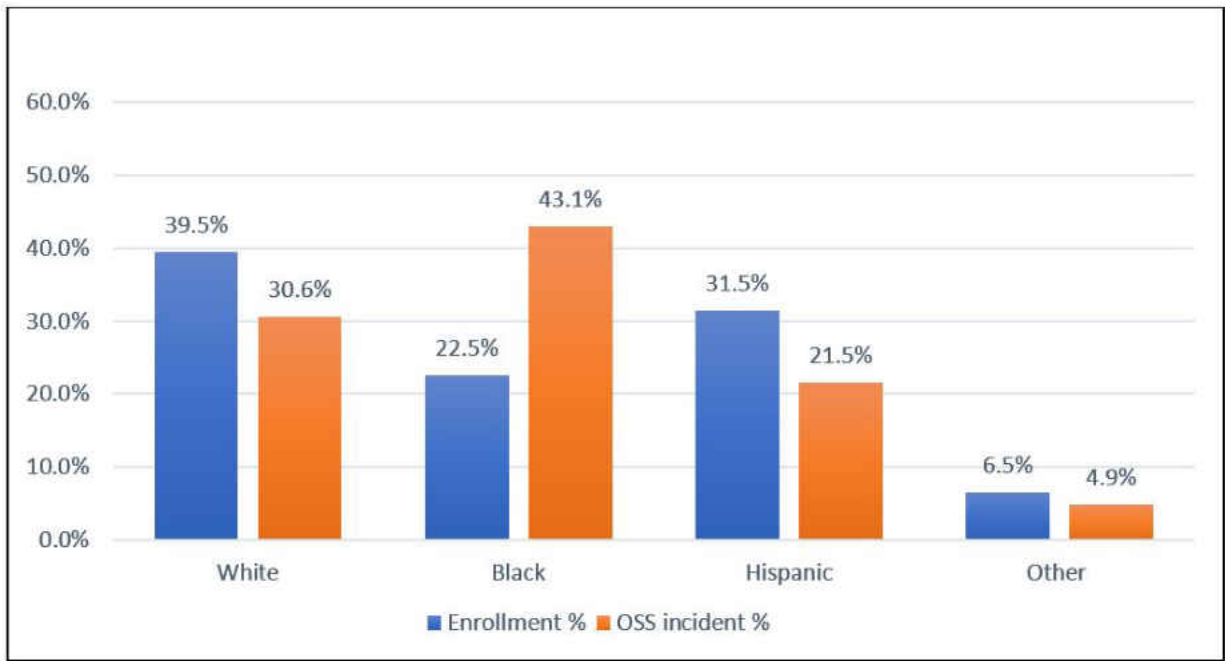


Figure 1. Percentages of Florida school enrollment and OSS incidents by ethnicity.

Source. Florida Department of Education (2018).

Note. OSS Incident rate per 100 students in 2015-2016.

This study was conducted to investigate student discipline data from a large urban school district in central Florida. According to the FDOE (2018), during the 2015-2016 school year, out-of-school suspension (OSS) totals for this school district of interest were as follows: 1,538 White students; 7,084 Black students; 3,898 Hispanic students; and 355 students of other races/ethnicities. During the 2015-2016 school year, there were 196,951 students enrolled from Kindergarten to Grade 12: 27.8% White students, 26.5% Black students, 38.4% Hispanic students, and 7.3% students of other races/ethnicities. The school district's OSS incident percentage breakdown was as follows: 11.9% White students, 55.0% Black students, 30.3% Hispanic students, and 2.8% other races/ethnicities. Figure 2 displays these data for the target school district in this study.

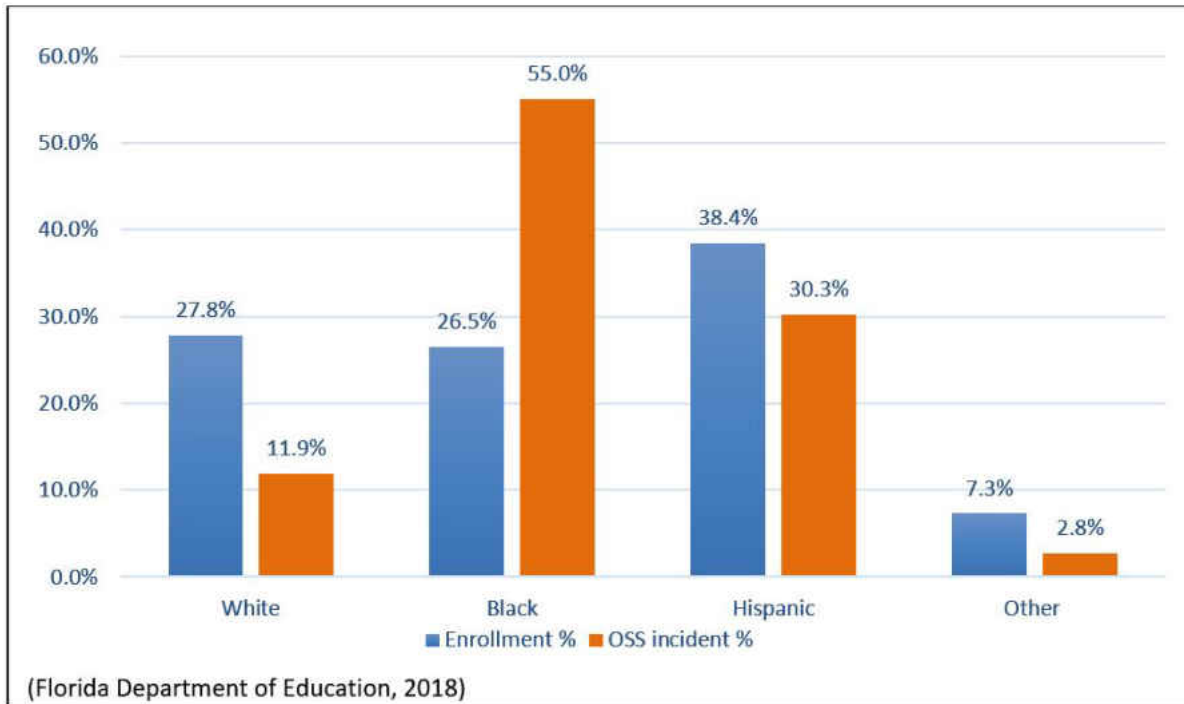


Figure 2. Percentages of Florida school district enrollment and OSS incidents by ethnicity.

Source. Florida Department of Education (2018).

Note. OSS ethnicity incident percentage was per 100 students in 2015-2016.

The OSS percentages for students in the school district were 68.7% males and 31.3% females. These percentages were very similar to those of the entire state of Florida where males represented 69.6% and females represented 30.4% of the OSS. The data revealed that racial disparities in suspension rates were not isolated in some school districts, but prevalent in almost every state (USDOE, 2014). In the 2015-2016 school year, Black students represented 26.5% of the total student population but accounted for 55.0% of the out-of-school suspension population (FDOE, 2018). Black students were five times as likely to be suspended out-of-school than their White peers, and Hispanic students were more than twice as likely to be suspended out-of-school than White students (FDOE, 2018). At the time of the present study, these unequal school district

suspension rates were higher than the Florida state average, where Black students were about 2.5 times more likely to be suspended out-of-school than their White peers (FDOE, 2018).

Prior studies (Losen, 2011; Rumberger & Losen, 2016; Skiba et al., 2003) substantiated that racial disparities in out-of-school suspension cannot be entirely accounted for by poverty, and contended that they must be related to implicit bias on the part of school officials. Skibia and Rausch (2006) conducted a multivariate analysis that “showed that racial disparities in out-of-school suspension rates could be almost entirely accounted for by the fact that African Americans were twice as likely as White students to be referred to the office by classroom teachers” (p. 1075). School districts should utilize evidenced-based strategies to encourage and motivate the most disadvantaged and vulnerable students to become more connected to their schools.

Students with disabilities (i.e., ESE status) have had a much higher suspension rate than students who do not have ESE status. The Office for Civil Rights (U.S. Department of Education, 2014) reported that during the 2011-2012 school year, ESE students were suspended at double the rate of their non-ESE peers. ESE students are a vulnerable population and have individualized plans that are mandated by law to protect them from suspensions due to a disability. Both nationally and in the school district in this research, ESE students comprised approximately 12% of student population (FDOE, 2018; NCES, 2017). National statistics in 2014 from the Office for Civil Rights reflected that 58% of students who were isolated or placed in involuntary detention and 75% of students who were physically restrained were ESE students (U.S. Department of Education, 2014).

Out-of-school suspension rates differ from school district to school district; they also vary for students with disabilities (Skiba et al., 2008). In the 2009-2010 school year, 5% of school

districts had OSS rates that were more than 25%, while 34% of school districts had OSS rates that were 25% or higher for students with disabilities (Losen & Martinez, 2013). When a student has a disability and is Black, disparities in disciplinary action are even further exacerbated (Losen et al., 2013). In 2008, several states suspended 20 to 30% of their Black students with disabilities, and three states suspended more than 30% of their Black students with disabilities (Losen, 2011; Losen et al., 2013; Office for Civil Rights, 2014). The ACLU (2012) reported that “Students of color and students with disabilities tend to be most affected because of an overreliance on discriminatory punitive school discipline policies, which stems from a lack of resources and training within schools, and ignorance regarding disability behavior” (p. 2). School discipline is critical to ensure students have a safe environment to learn, and schools should not take away critical instruction days from students (Skibia & Rausch, 2006).

### Zero Tolerance Policies

In 1994, President William Jefferson Clinton signed the Gun-Free Schools Act into law. The Gun-Free Schools Act mandated “that each State receiving Federal funds under ESEA requires local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a firearm to school” (USDOE, 1994, p. 54). This zero-tolerance policy toward firearms marked the beginning of zero tolerance policies which at present included several offenses in addition to gun possession. Three years after the Gun-Free School Act became a federal mandate in the United States, 79% of public school districts implemented zero tolerance policies to ensure they received federal funds (National Association of School Psychologists, 2001). The original goal of zero tolerance legislation was to eliminate weapons and illegal drugs, but school districts have construed the zero-tolerance mandate to



include non-violent offenses such as cursing out educators, disrespect to teachers, classroom disruptions, and skipping class (Skiba & Rausch, 2006).

The pertinent literature on this topic addresses the effectiveness of zero tolerance policies and the unintended consequences of these policies. The unintended consequences include (a) suspension and expulsion, (b) criminal referral, and (c) the overrepresentation of minority and disability students. These topics are addressed in greater detail in the following paragraphs.

Zero-tolerance policies have not demonstrated to improve school safety or school culture, and the application out-of-school suspension has not proven to be effective in improving student behavior. The American Psychological Association Zero Tolerance Task Force (2008) warns that “It has not resolved, and indeed may have exacerbated, minority overrepresentation in school punishments” (p. 860). Zero tolerance strategies as executed seem to be the opposite of the best practice model in child development (American Academy of Pediatrics, 2013; APA, 2008). “By changing the relationship between education and juvenile justice, zero tolerance may shift the locus of discipline from relatively inexpensive actions in the school setting to the highly costly processes of arrest and incarceration” (APA, 2008, p. 860).

A vital hypothesis of zero tolerance policy is that suspension of disruptive students will create a safer learning environment for other students (APA, 2008; Noguera, 2001). However, researchers (American Academy of Pediatrics, 2013; Losen et al., 2010) have identified a negative relationship between the use of out-of-school suspensions and academic achievement even when considering demographics such as socioeconomic status. The central idea of the zero-tolerance policy is that it will deter further misbehavior by setting an example of the consequences of misbehavior. Studies have shown that school suspension does not reduce misbehaviors; rather, it has been highly associated with low academic achievement, future

misbehaviors, and dropping out-of-school (Florida Advisory Committee to the United States Commission on Civil Rights, 2010; Losen et al., 2015; Skiba & Rausch, 2006; Rumberger & Losen, 2016).

The concept of zero tolerance is well intentioned and could be very effective if it were utilized exclusively for preventing students from bringing weapons on school property. A main dilemma with zero tolerance is that it is rooted in ambiguous laws, and this has led to dissimilar implementations by different schools and school districts. Florida has 67 counties and each of these counties has its own school board and a different interpretation and application of the zero-tolerance law. One of the primary problems with zero tolerance policies is that severe punishments are sometimes executed for minor and major student misbehaviors. However, recent modifications to the Florida State Zero Tolerance Statute (Section 1006.13) mandated school boards to change their zero tolerance policies so that students who commit non-violent school behavior infractions are not referred to the criminal justice system (Florida Department of Juvenile Justice, 2016).

Numerous researchers (ACLU, 2012; APA, 2008; The Civil Rights Project at Harvard University, 2000; Losen et al., 2015; Smith, 2015) have discussed the negative impact of harsh zero tolerance policies and they have asserted that zero tolerance policies that result in out-of-school suspension have been statistically proven to have a negative influence on high school graduation, often resulting in criminal activity and future incarceration for these students, a phenomenon described as the “school-to-prison pipeline.”

### School to Prison Pipeline

The school-to-prison pipeline or “cradle to prison” is a distressing national crisis whereby students ages 7 to 18 are forced out-of-school and eventually end up incarcerated (ACLU, 2012; Children’s Defense Fund. 2009). The school-to-prison pipeline has been deemed as one of the most disturbing national trends. It occurs when students are forced out of their schools either through expulsion, multiple out-of-school suspensions, referrals from the school to juvenile justice agencies, or direct arrests in school (Losen et al., 2015; Rumburger & Losen, 2016; Smith, 2015). Many times, students are sent to the criminal and juvenile justice system for minor infractions such as fights or truancy (Losen & Skiba, 2010). Due to the increased enforcement of zero tolerance mandates and police on school campuses, an increased number of students have been arrested on school grounds for infractions previously handled by school administrators (Losen, 2003). According to the Florida Department of Juvenile Justice (2006), 63% of the criminal referrals were for misdemeanors and only 33% were for felonies.

The school-to-prison pipeline usually impacts the most vulnerable students, many of whom live in poverty, face discrimination, or have a disability. The Children’s Defense Fund (2009) has warned that “the most dangerous place for a child to try to grow up in America is at the intersection of poverty and race” (p. 3). Black males born in 2001 have a 1-in-3 chance and Hispanic males have a 1-in-6 chance of being incarcerated in their lifetimes (Children’s Defense Fund, 2007). This is a national epidemic, and society should address this issue which affects all Americans in the form of higher crime rates, higher taxes to pay for prisoners, undereducated students, and poverty-ridden families.

Based on the U.S. Department of Justice (2017) statistics, the United States had over two million prisoners under the control of state and federal correctional authorities as of December

2016. Males represented 92.6% of those incarcerated. The United States has the highest incarceration rate of all the countries in the world; in 2016, the incarceration rate was 450 per 100,000 residents (Department of Justice, 2017). More than half (54%) of the prisoners were serving sentences for violent offenses at year end for 2015 and nearly half (47%) of federal prisoners had been sentenced for drug offenses (Department of Justice, 2017). Florida had a total prison population of 99,974 inmates, 93.1% of which were male (U.S. Department of Justice, 2017).

According to the Florida Department of Juvenile Justice (2017), the juvenile population (ages 10-17) in Florida was 1,861,518, with 44.7% White, 21.0% Black, 30.9% Hispanic, and 3.4% other. The youth arrest percentages were as follows: 33.2% White, 51.8% Black, 14.5% Hispanic, and 0.4% other. Even more problematic is that 67.9% of the cases that were transferred to adult court were for Black youth compared to 20.4% for White, 11.6% for Hispanic, and 0.1% for youth of other races/ethnicities (Florida Department of Juvenile Justice, 2017).

Students of color and students with disabilities have usually been most affected by zero tolerance discipline mandates, lack of resources and training within schools, and inexperience in handling students with disabilities (ACLU, 2012). A growing body of literature has demonstrated that out-of-school suspension is a predictor of school dropout and incarceration (APA, 2008; Losen & Skiba, 2010; Smith, 2015). An extensive body of research has suggested that out-of-school suspension may promote criminal behavior and future involvement with the criminal justice system (American Academy of Pediatrics, 2013; ACLU, 2012; Losen & Martinez, 2013). The use of out-of-school suspension has been demonstrated to have a negative impact on high school completion, often resulting in criminal activity and future incarceration (APA Zero Tolerance Task Force, 2008; Smith, 2015).

The ACLU (2012) offered guidance for school officials and school resource officers, explaining that “Police should be responsible only for serious criminal law matters, not for matters that may be minor violations best handled by schools as discipline issues” (p. 17). The Justice Policy Institute (2011) asserted that “youth may be particularly confused about their rights in relation to an SRO, who may also be viewed as a trusted adult” (p. 3). This confusion occurs when, according to the Justice Police Institute (2011) a “student may think that she is talking with a mentor in the form of the SRO about an incident, but in reality, she is talking to a police officer and what she is saying can later be used against her” (p. 3). The Civil Rights Project at Harvard University (2000) reported that, once referred, students often miss multiple days of school to make court appearances.

Compounding the problem, some children may be suspended as a result of their arrests, yielding two punishments for one crime (APA, 2008). Many suspended students have been referred directly by the school authorities; students are sent to juvenile justice agencies where they usually are placed on probation, in diversion programs, or in secure detention facilities, sometimes for non-violent infractions (Advancement Project, 2005; Florida Blueprint Commission, 2008). The decision to refer students to the criminal justice system is often intended to demonstrate that behavior infractions will not be tolerated. However, this strict punitive discipline is associated with pushing students into the school-to-prison pipeline and increasing the school dropout rate (Losen & Martinez, 2013; Florida Advisory Committee to the U.S. Commission on Civil Rights, 2010; NEA, 2015). Unfortunately, the most disastrous impact of these policies is on minority students who already are marginalized and come from the poorest communities (Advancement Project, 2010).

The USDOE (2014) documented that between 1979 and 2013 state spending on correctional facilities increased by 324%, but educational expenditures increased by only 107%. According to Bureau of Justice Statistics (2016), in 2016, the United States' juvenile incarceration rate was six times higher than that of the next highest country. Also, based on statistics from the Sentencing Project (2017), the Florida prison population grew 500% since 1980, from 20,211 to 101,424 inmates in 2015. At the time of the present study, Florida had the 10th highest incarceration rate in the country, with 496 out of 100,000 people in prison (Bureau of Justice Statistics, 2017).

Many disciplinary strategies, including the zero-tolerance policy, have not promoted the safety of the schools but have increased the incarceration and school dropout rates. The school-to-prison pipeline has exacerbated circumstances for many Black and Hispanic males. (Losen & Skiba, 2010). When students are sent to the juvenile courts, they are labeled as criminals. This reduces their chance of finding employment and increases the likelihood that they will become involved in criminal activity (ACLU, 2012). When a large segment of the country is unemployed and recognized as criminal, the entire society must bear the consequences. It is essential to understand the mindset of youth when they misbehave so that proven strategies can be utilized to modify their cognitive development to positive outcomes.

### Critical Race Theory

What subliminal messages are children receiving from society, and how is the message shaping their belief system? The Civil Rights Act of 1963 has prohibited discrimination of individuals based on their race. This was enacted to eliminate what was blatantly occurring and was acceptable in American society. It has been 55 years since the passing of this mandate, and

at present de facto segregation exists. Racism, though much subtler and covert, is still impactful as well as painful. Hiraldo (2010) emphasized that “Critical race theory (CRT) analyzes the role of race and racism in perpetuating social disparities between dominant and marginalized racial groups” (p. 55). It is the premise of CRT that racism in United States is deeply engrained in traditions, politics, and laws; and scholars and activists must lead the way to transform this dynamic to improve society (Bell, 1995; Delgado & Stefancic, 2012; Hiraldo, 2010; Ladson-Billings & Tate, 1995). Furthermore, though this racism may be unconscious and unintentional, it still negatively affects those that are oppressed (Gibson et al., 2014; Bell, 1995; Delgado & Stefancic, 2012; Hiraldo, 2010).

CRT has five tenets: (a) normality of racism, (b) White privilege (c) intersectionality, (d) counter-storytelling, and (e) critique of liberalism (Bell, 1995; Delgado & Stefancic, 2012; Ladson-Billings, 1998). In CRT, the dominant group or race uses its power to continue to suppress other races (Bell, 1995; Cole, 2017; Ladson-Billings, 1998), and the oppressed race feels inferior and learns to function in a world in that manner. The sooner stakeholders work on the effective strategies to overcome the effects of CRT, the sooner the healing process for Black, Hispanic, and all disadvantaged or struggling children will occur and produce better outcomes both educationally and behavioral (Ladson-Billings & Tate, 1995). There is a need to build children’s self-esteem and self-worth. Self-pride of one’s race is empowering: “These differences only become racist when either inferior or superior values labels are placed upon them” (Derman-Sparks, Higa, & Sparks, 2017, p. 5).

## Effects of the School-to-Prison Pipeline on Society

As previously indicated, numerous investigators have found that childhood incarceration has a negative impact on high school completion. Juvenile incarceration also increases the probability of imprisonment later in life, thereby impacting children's future chances of success (The Civil Rights Project, 2014; Rumberger et al., 2016). Juvenile's incarceration reduces career choices and employment opportunities. In addition, communities pay the price in the form of higher taxes, increased criminal activity, and a reduction in the quality of living.

According to the Bureau of Justice Statistics (2016), the United States spends more than \$80 billion per year of local, state, and federal correction funds on prisoners and parolees. The 2.2 million people in prison represents the highest rate of imprisonment per population in the world. Taxpayers (in 2016) were paying an average of over \$30,000 per year per inmate. Based on the Bureau of Justice Statistics (2016) and the USDOE (2016) data, funds allocated for education doubled while funds allocated for corrections quadrupled from 1980 to 2013. Policymakers and advocacy organizations have an obligation fight to utilize a portion of the corrections budget for educational diversion programs to help struggling youth alter their life paths to become productive citizens.

The Bureau of Justice Statistics (2016) statistics indicated that approximately 75% of prisoners did not graduate from high school. Juvenile incarceration greatly decreases future labor market wages and simultaneously increases the probability of involvement in criminal activities in the future (Rumberger & Losen, 2016). All citizens should be concerned about the number of youth who are negatively involved in the criminal justice system because many of these youths become career criminals (ALCU, 2012). The unfortunate youth who do not complete high school and are in the juvenile justice system usually do not attain college or learn valuable job skills



(ACLU, 2012). The Bureau of Justice (2016) reported that two-thirds of youths under 21 who have been incarcerated did not completed high school. Data from the Bureau of Justice Statistics (2016) indicate inmates released from state prisons have a five-year recidivism rate of 76.6%. This alludes to the fact that within five years after leaving prison, most ex-convicts have been “caught” committing a crime. It is known that many crimes are not reported or are unsolved, and many of these career ex-convicts may be the offenders.

Juveniles, after being incarcerated, have a high probability of involvement in future criminal activity because prison does not rehabilitate individuals. Rather, it indoctrinates them in a criminal lifestyle (The Civil Rights Project, 2014; Florida Advisory Committee to the United States Commission on Civil Rights, 2010). Also, the American Academy of Pediatrics (2013) reported that in most cases of juvenile incarceration, years of schooling have been reduced and this has limited students from receiving required education in the most crucial stages of their lives.

Losen (2016) conducted a thorough analysis on the cost of school suspensions in the entire United States, and separately for Florida and California. The results indicated that suspensions in 10th grade alone created 67,000 dropouts in the United States and caused social costs to the country of more than \$35 billion (Losen, 2016). This cost estimate takes into account health care cost, social service costs, criminal justice expenditures, and lost tax revenue. In Florida, 9th-grade student suspensions increased the number of dropouts by nearly 3,500; and each additional dropout was responsible for \$163,000 in lost tax revenue and \$364,000 in other social costs (Losen, 2016). According to Losen, reducing suspension rates by 50% for just one cohort of students would result in savings of \$817 million for Florida. Rumburger and Losen’s 2016 analysis revealed that reducing the suspension rate in half, would yield \$5.5 billion and a

social benefit of \$17.8 billion, including \$2 billion in health savings and \$3 billion in criminal justice savings.

The rationale for keeping students in school instead of prison is not only that it is the right thing to do. It is also cost effective to the nation's society. Students who drop out of secondary education have comparatively lower yearly earnings compared to high school graduates (U.S. Census Bureau, 2017). It is, therefore, crucial for students to at least complete their high school education and be college- and career-ready to obtain an adequate living standard. It is time to stop using punitive systems that are not working and find evidence-based strategies that work.

#### Alternatives to Out-of-School Suspensions

Because many schools are concerned about what to do with the students who break school rules, officials pose questions such as: "What do we use in place of exclusionary practices in our discipline policies?" and "What are some disciplinary actions that might be more effective?" The philosophy of zero tolerance punitive punishment has pushed many of the most vulnerable youth out-of-school. Structural changes must be made to the punitive disciplinary policies to reduce misbehaviors with new approaches. This has led many researchers and leaders to utilize various strategies to replace suspensions and other harsh disciplinary actions. There are several alternatives to out-of-school suspensions that will work to improve school climate and reduce misbehaviors in schools (National Education Association, 2016).

Administrators and teachers can actively engage students, have meaningful conversations to reduce the suspension rate, and instill a positive school climate (Columbi & Oshner, 2015). Researchers have demonstrated that when students are given support instead of punishment their

behavior usually improves. Students who misbehave or get involved in infractions against school rules need to be told what they have done wrong and given insight into how their actions impact others, instead of just receiving punitive punishments. Alternatives include parent involvement, community service, behavior monitoring, mentoring, and alternative schools. The following sections of the review focus on four alternatives to out-of-school suspension: (a) Positive Alternative to School Suspension, (b) Positive Behavior Interventions and Supports, (c) Counseling, and (d) Restorative Justice.

#### Positive Alternative to School Suspension (PASS)

School districts have implemented Positive Alternative to School Suspension (PASS), a program that assists with reduction of out-of-school suspensions. With PASS, students who have behavioral issues are not removed from the school building but are removed from the classroom (American Academy of Pediatrics, 2013; Losen & Skibia, 2010; National Education Association, 2016). When children are removed from the classroom they are still afforded the opportunity to stay in school in a separate class to continue with their academics. This separate small class setting affords students a cooling down period from the environment where the incident took place. Students also work on correcting the behavioral issues while completing mandatory assignments. Students have a qualified teacher to assist with assignments and can continue their educational curriculum in a supervised and safe environment as opposed to being sent home to a potentially less structured environment where they may have no supervision. PASS can be used just for the class where the misbehavior or infraction occurred so that the student does not miss critical instruction in all classes. In-School Suspension (ISS) is similar to PASS but usually does not implement a structured behavior modification strategy.

## Positive Behavior Interventions and Supports (PBIS)

The driving force behind Positive Behavior Interventions and Supports (PBIS) is that focused PBIS does not focus on the student's past misbehavior, but instead of the progress and improvement made by the student (American Academy of Pediatrics, 2013). PBIS is comprised of three tiers: prevention, support, and data-driven decisions. Prevention entails school-wide involvement that includes students, teachers, and all other school staff who can intervene early when a situation seems to be escalating. The school administrators and other key personnel coordinate training the students and staff in the principles of PBIS. According to the American Academy of Pediatrics (2013) "Multitiered support refers to an equally consistent continuum of interventions for inappropriate behavior and supportive re-education for students who misbehave" (p. 1004). Data-driven decision-making means that the administrators and leaders of the school utilize evidence-based data aggregated by subgroup. PBIS can be individualized for each student so that effective behavior plans can be customized based on each student's special requirements.

## Counseling

Counseling is another form of action taken for students who commit offenses. Counseling is often mandated for offending students. The school utilizes counselors, behavior specialists, and mentors so that students can have a caring adult with whom to discuss personal issues. The primary purpose is to bring about positive change in students' lives. Researchers have indicated that many students have improved, realizing their mistakes; but some repeated their mistakes (Losen et al., 2010; National Association of School Psychologists, 2001). Short character building courses have also been assigned to offenders as an alternative to suspension. Courses

are usually prepared on topics that are directly related to the offenses committed by students. These include various methods and materials (e.g., workbooks, videos, and tests, among other formats). In case of abuse, intoxication, or anger issues, schools have used various strategies including anger management classes, conflict resolution, and social skills classes.

Building relationships is an effective method that can decrease the negative impact of harsh disciplinary actions. This method is used to strengthen relationships between teachers and students. Trainings can help to promote such interactions, and students are given an opportunity to engage in a positive environment (Skiba et al., 2011). Social-emotional learning is also a better alternative to suspensions. Students can effectively learn to manage their emotions by understanding situations that originally led to their misconduct.

Counseling is another effective way to assist students with the support they need to deal with prior offenses and prevent future misbehaviors. Many problems that are exhibited in school stem from trauma or are the manifestation of home life events. In fact, one in five children in school have a diagnosable mental health disorder but only 38% receive treatment (Gold, 2016). A mental health illness will impact the children's learning, focus, social skills and overall affect the child negatively if left untreated. Students often act out feelings of mental health issues. Providing this service in the school setting will assist in combating issues. Providing students with the tools they need to manage their emotions more effectively will contribute toward their not being inclined to respond in a negative manner. Psychologists, counselors, and social workers can afford children with opportunities to identify triggers that induce negative behaviors and develop skills. Counseling in the school with these helping professionals permits the student to report feelings of being overwhelmed, anxiety, worried, and peer pressure issues. Counselors

can assist the student with de-stressing and adapting to newly acquired coping skills, further giving the student control over the situations to produce positive outcomes.

### Restorative Justice

Restorative Justice (RJ) is a relatively new strategy for solving problems, but RJ practices have been utilized for over 4,000 years. In 2060 BC in Sumer, RJ was used for various violent offenses (Bazemore, 1998). In Zehr's (1990) *Changing Lenses: A New Focus for Crime and Justice* focused on ideas about crime and justice. According to the Zehr (1990), meditation and other RJ methods had a positive effect for offender and victims as opposed to punitive punishment that is retributive. Zehr (1990) asserted that "Restorative Justice is a movement to address the needs and roles of victims of crime, offenders, and communities, rather than the legalistic system that holds offenders purely in relation to violation of the state and law" (p. 1).

In many elementary and secondary schools, the RJ approach has been used for violations such as bullying and fighting. RJ is essentially a combination of many of the strategies and tools that are already being implemented in schools minus the zero tolerance policies. RJ combines counseling, conflict resolution, reflection, and accountability for one's behavior. RJ aims to correct students' misbehavior in such a way that they learn through the process and develop more positive means of responding. RJ practices involve modifying relationships by engaging people while doing reflective thinking with students instead of relying on punitive punishment. However, even with RJ, sometimes punitive measures are still taken. According to Welch (2015) the increased use of RJ practices has resulted in an improved school climate and fewer behavior issues in increasing numbers of schools (Payne & Welch, 2015).

New Zealand and Australia were among the first countries to widely use modern day RJ practices (Braithwaite & Braithwaite, 2001). In the United States, Colorado and Minnesota were among the first states to learn the circle process from the indigenous people and implement RJ practices in schools (Fronius et al., 2016). Through the implementation of RJ, these schools have noticed numerous positive changes in school climate as well as a reduction in behavioral problems (Fronius et al., 2015). Payne and Welch (2015) believe that over a period of years that restorative processes have the potential to be both more efficient and more effective than punitive practices as demonstrated by a reduction in recidivism rates.

The American Psychological Association (2008) asserted that schools must “preserve a safe climate, to encourage a positive and productive learning climate, to teach students the personal and interpersonal skills they will need to be successful in school and society, and to reduce the likelihood of future disruption” (p. 859). Instead of suspending or expelling students who fight or act out, restorative justice seeks to resolve conflicts and build school community through reflection and communication. RJ focuses on the needs of the victim instead of the punishments for the offender (Braithwaite & Braithwaite, 2001; Zehr, 1990). Many school deans and administrators need extensive training and an adjustment period to acclimate themselves to the power paradigm shift.

The application of RJ involves a variety of strategies: restorative conferences to resolve conflict, reconciliation of the victim and offender, victim and offender mediation, and peace-making circles. Depending on the severity of the offense, any one of these approaches could be selected to use in the classroom (Payne & Welch, 2015). The greatest aspect of this model is that it fosters insight in offenders, helping them to see how their behavior impacts others and learn means of repairing the damage. Both these parts are efficiently done in the victim/offender

mediation and restorative conferencing process. Peace-making circles are one of the primary methods used by schools to engage the victim and offender in collaborative problem-solving. The peace-making circle is voluntary and is only used when all involved parties have “cooled down.” The offender must agree to take ownership for the infraction and harm caused by the incident. The primary purpose of the circle is to allow the victim to heal and all parties to gain insight into the situation from different perspectives. Persons in the circle can speak only if they are holding the talking object. This is necessary so that everyone has their chance to share their feelings. The facilitator or “keeper” of the circle is tasked with making sure the process is adhered to. Offenders usually express remorse and develop a deeper understanding of the harm their infractions caused to others (Braithwaite, 2016; Fronius, et al., 2016).

The RJ model not only addresses misconduct but also fosters a positive social and academic environment for the entire school (Payne & Welch, 2015). RJ as a strategy does the following: (a) holds offenders accountable, (b) repairs harm to the victims, (c) facilitates understanding of how others were affected (d) encourages offenders to be remorseful to the victim (e) provides support to offenders to reintegrate (f) involves victim and others to determine accountability (Baker, 2008; Braithwaite, 2016; Fronius, et al., 2016; Payne & Welch, 2015). To repair the harm that results from such a violation, schools should practice participatory, deliberative democracy to assist all parties in understanding the harm that was done, to try to repair some of the damage, and to stop harm from happening again. RJ highlights the importance of mutual respect, listening, in a structured format with support for both the victim and the offender with a commitment to repair the harm instead of mainly focusing on consequences. Unlike zero tolerance policies, RJ policies are implemented not only to reduce school violence but also to improve school climate by listening to all stakeholders involved.



RJ is a unique and effective approach to provide peaceful ways to treat offender students. Zero tolerance and other out-of-school suspension policies mainly punish the child. RJ is different because it utilizes a counseling method, helping offenders try to repair the harm they caused. Unlike the zero-tolerance policy, the RJ approach identifies who has been harmed rather than focusing on what school rule was broken. Instead of suspending the student, RJ emphasizes identifying the harm endured by the victim of the misconduct (Fronius et al., 2016). RJ is a way of selecting strategies to respond to the violation or misbehavior.

The past three decades of utilizing the punitive methods reducing suspensions have failed. The RJ approach combines counseling, reflective thinking, consequences, and solutions to enable the student to make better choices in the future. Educators must teach children meta-cognition so that they think before they act. Far too often, students just want to fit in and do not comprehend the grave consequences that occur after several suspensions or getting involved with the criminal justice system.

The school district analyzed in this study reviewed the existing research on the RJ model and understood the implications that out of school suspensions have on student academic outcomes and decided to implement RJ at the middle school level only instead of district-wide. The decision to limit the initial implementation only at the middle school level allowed the school district to learn lessons from observing what went well and where improvements should be made to increase the effectiveness of RJ as it is gradually rolled out to the entire district.

## Summary

The literature review has indicated that out-of-school suspensions of students, especially when students are suspended multiple times, contributes to many negative consequences (American Academy of Pediatrics, 2013; Losen & Skiba, 2013). Literature correlates loss of instructional time with lower academic performance (Civil Rights Project, 2016). Researchers have, in their studies, linked the zero-tolerance policy to the school-to-prison pipeline (Children's Defense Fund, 2009; Florida Department of Juvenile Justice, 2016; Justice Policy Institute, 2011). Rumberger and Losen (2016) provided "robust evidence that suspensions damage academic outcomes, and perhaps more important is that these findings show that suspensions cost taxpayers billions in social costs" (p. 22). After decades of utilizing punitive consequences for children's non-violent offenses (e.g., classroom disruption), many stakeholders such as administrators, legislators, activists, and parents have begun to seek out alternatives to punitive discipline.

Hiraldó proclaimed (2010) CRT can play a key role in revealing the social inequities that exist within the structure of higher education (p. 57). Based on CRT, researchers (Bell, 1995; Delgado & Stefancic, 2012; Derman-Sparks et al., 2017; Ladson-Billings & Tate (1995) have posited that culturally responsive strategies and training and teaching are critical for all stakeholders to understand White privilege and the oppressive effects it has on minorities so that educators can enhance learning opportunities for diverse learners.

At the time of the present study, there was movement toward therapeutic methods of handling children's misbehavior through counseling and mentoring. The Children's Defense Fund emphasized that "If we think it's somebody else's responsibility to teach our children values, respect, good manners, work and healthy habits, then we are a part of the problem rather

than the solution to parental neglect today” (p. 10). Restorative Justice strategies are now being implemented in many school districts across the United States. However, there are not many large school districts that have utilized the Restorative Justice model on a large scale throughout all of their middle schools and reported on the results. This study was conducted to investigate whether the RJ model influenced a significant decrease in out-of-school suspensions as well as a decrease in OSS suspension days.

## **CHAPTER 3 METHODOLOGY**

### Introduction

The purpose of this research study was to determine if there was an association between the restorative justice model and the rates of out-of-school suspension incident rates and/or out-of-school suspension days for middle school students. In addition, the researcher analyzed whether the association between the Restorative Justice model and suspension rates differed for the subgroups of students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic). These issues were investigated within an urban school district in Central Florida for Grade 6, 7, and 8 students for the school years 2010-2011 to 2016-2017.

The follow research questions served as guides in the empirical investigation:

1. To what extent, if any, are out-of-school suspension incident rates associated with the implementation of a Restorative Justice (RJ) model?
  - A. What is the overall yearly trend in out-of-school suspension incident rate for the time frame from August 2010 to June 2017?
  - B. What difference, if any, exists between the out-of-school suspension incident rate before and after the RJ model was implemented?
  - C. What difference, if any, exists between the out-of-school suspension incident rate trend before and after the RJ model was implemented?
2. To what extent, if any, are the total number of out-of-school suspension days associated with the implementation of a Restorative Justice (RJ) model?

- A. What is the overall yearly trend in out-of-school suspension days for the time frame from August 2010 to June 2017?
  - B. What difference, if any, exists between the average number of out-of-school suspension days before and after the RJ model was implemented?
  - C. What difference, if any, exists between the trend in the number of out-of-school suspension days before and after the RJ model was implemented?
3. What differences, if any, are observable across subgroups (based on ethnicity, socioeconomic status, exceptional student education status, English Learner status, and gender) with respect to patterns of suspension rates/suspension days and the implementation of a Restorative Justice model.

### Research Design

The study utilized an interrupted time series (ITS) research design. BMJ (2015) explained, “Interrupted time series (ITS) analysis is a quasi-experimental design that can be used to evaluate the longitudinal effects of interventions” (p. 1). Penfold and Zang (2013) asserted that “Interrupted time series analysis is arguably the strongest quasi-experimental research design. ITS is particularly useful when a randomized trial is infeasible or unethical” (abstract). ITS was an appropriate design for this study because a large amount of archival data were gathered and there were discrete time intervals and an exact time when the intervention was introduced. Cochrane Effective Practice and Organisation of Care (2017) explained that in interrupted time series (ITS) studies, data are collected at multiple time points before and after an intervention in order to detect whether or not the intervention has a significantly greater effect than any underlying trend (p. 1). Interrupted time series analysis and regression discontinuity designs are

two of the most rigorous ways to evaluate policies with routinely collected data (Law, 2015).

The ITS design is extremely useful in real world settings when policy change happens (e.g., a new mandate such as revising zero-tolerance rules in schools). ITS is not recommended when the intervention is introduced progressively, because ITS relies on comparing results from two distinct time frames (Penfold & Zang, 2013). The rationale for utilizing the design in the present study was that the ITS was the best analysis tool for this research because the implementation did not occur at the beginning of the 2015-2016 school year for all students in the traditional middle schools in this school district.

To mitigate the influence of other variables that could have influenced suspension rates (e.g., legislative mandates, school board modifications of the code of conduct, and personnel changes), the design included data for the 19 high schools in this school district that did not implement RJ practices, to act as a defacto control group. Throughout the analyses, results for the middle schools implementing RJ were compared with those of the high schools that were not implementing RJ in order to determine whether results differed (this lends credibility to interpretations about the relationships between data trends and the implementation year) or were parallel (in which case it was reasonable to assume that other variables influenced suspension rates).

### Population

The study population for this research included 39 traditional middle schools and 19 traditional high schools. The researcher purposely chose to use the full population instead of any type of sampling method to eliminate sample selection bias (Lunenburg & Irby, 2008). This study was based in a large urban school district in Central Florida is one of the fastest growing

counties in the country (U.S. Census Bureau, 2015). The school district enrolled approximately 200,000 students, of which approximately 40,000 were middle school students from 39 traditional middle schools (FDOE, 2018). This study was delimited to a single urban school district in Florida focusing on the full population of all students from the traditional middle schools and high schools in the school district. This study did not include students that attend virtual schools, alternative schools, home schools, or private schools because the data were not easily accessible. The 39 traditional middle schools had a student population ranging from 650 to 2,200 students with a median of approximately 1,050 students. There were 19 traditional high schools in the school district with approximately 51,000 students. The 19 high schools had a student population ranging from 1,100 to 4,300 students with a median of approximately 2,700 students (FDOE, 2018).

### Variables

The two dependent variables were the OSS incident rate per 100 students and the total number of suspension days, aggregated to the school district level for middle and high schools. It is important to note that incident rate per 100 students does not allow for the capturing of the rate of recidivism of students suspended. There were two independent variables. One continuous independent variable represented the seven school years of the study period (August 2010 to June 2017) and was used to respond to sub-question A to allow for determining the overall trends and differences in OSS incident rates and OSS days over the seven-year time frame. A dichotomous categorical independent variable was created to denote the pre-RJ period (August 2010 to June 2015) and the post-RJ period (August 2015 to June 2017) and was used to respond to sub-question B as the basis for comparing mean OSS incident rates and suspension days

before and after RJ implementation. To answer sub-question C and for all three research questions, the independent variable was school years, both pre-RJ and post-RJ; and the dependent variable was OSS incident rate per 100 students or OSS days.

For Research Question 3, the dependent variables (OSS incidents rate per 100 students and OSS days) were disaggregated to the following subgroups: gender (male/female), students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic) to determine trends or differences in each subgroup as outlined previously to answer Research Questions 1 and 2.

#### Data Collection and Procedures

This research relied exclusively on extant school and grade level summaries of out-of-school suspension data that were obtained from the school district's research and accountability department. The researcher requested the full student population OSS suspension incident totals and OSS day totals for all traditional middle schools and high schools disaggregated by school and year for the seven school years (2010-2011 to 2016-2017) for the following subgroups: gender, ESE, EL, FRL, and ethnicity/race for total OSS incidents and total OSS days. The researcher also requested demographic counts for the following subgroups: gender, ESE, EL, FRL, and ethnicity/race for all traditional middle schools and high schools disaggregated by school and year for the seven school years (2010-2011 to 2016-2017). The school district provided a secured password protected data link to download two customized Microsoft Excel data files based on the criteria the researcher provided. The first spreadsheet received from the school district was named "Suspension Data" and contained four tabs named "Incidents OSS,"



“Incidents ISS,” “Days OSS,” and “Days ISS”. There were 16 data elements on each of the four tabs provided by the school district’s research department.

This research required the use of “OSS incidents” tab and the “OSS Days” tab from the school district’s provided data. The OSS incidents tab contained OSS incident totals disaggregated by school name, school year, and grade level for the following data elements: total OSS incidents, female, male, White, Black, Hispanic, American Indian/Alaskan native, Asian/Pacific Islander, Multiracial, ESE, EL, and FRL. The OSS incidents tab also included total students for each school by grade level. The OSS Days tab contained OSS day totals disaggregated by school name, school year, and grade level for the following data elements: total OSS days, female, male, White, Black, Hispanic, American Indian/Alaskan native, Asian/Pacific Islander, Multiracial, ESE, EL, and FRL. The OSS Days tab also included total students for each school by grade level.

The second spreadsheet received by the school district was titled “Demographic Counts.” It contained student populations for the following 15 data elements disaggregated by school name, school year, and grade level: school year, school name, grade, total students, female, male, White, Black, Hispanic, American Indian/Alaskan native, Asian/Pacific islander, Multiracial, ESE, EL, and FRL. The demographic counts were necessary to calculate OSS incidents rates by subgroup.

Microsoft Excel 2016 was the primary statistical software utilized to create cross-tabulation pivot tables and corresponding line graphs for data analysis interpretation. To create the necessary variables and prepare the data for analysis, pivot cross-tabulation tables were created with the independent variable being school year and the dependent variable being OSS days, OSS incidents, or OSS incident rates for each subgroup. The line graphs were created for

each group's total OSS incident rates or total OSS days for Research Questions 1A, 1C, 2A, 2C, and Research Question 3. The line graphs placed the independent variable of school year on the x-axis and the dependent variable of OSS rates or OSS days on the y-axis. Cross-tabulation pivot tables were instrumental as the foundation to answer Research Questions 1B, 2B, and Research Question 3. The researcher used the school district-provided data and created four new tabs on the spreadsheet to perform the analysis utilizing cross-tabulation pivot tables and line graphs. The first tab was named "OSS incident pivot", the second tab was named "OSS Days pivot", the third tab was named "Tables and Graphs", and the fourth tab was named "Demographic Counts."

The next step was to create a tab named Tables and Graphs so that the data collected from the pivot tables could be stored. The Tables and Graphs tab was organized as follows: columns A-K were reserved for OSS incidents; columns M-T were reserved for student population by subgroup; columns Y-AI were reserved for calculated field of student OSS rates per 100 students (OSS rates were calculated by dividing OSS incidents by the number of students); columns AK-AU were reserved for OSS days; columns AW-BH were reserved for OSS incident rate graphs; and columns BI-BS were reserved for OSS day graphs. Each new cross-tabulation pivot table was placed under the preceding cross-tabulation table in the appropriate columns.

The next step was to create the pivot tables that were used to generate most of the line graphs in this study. In addition, tables were required to answer sub-question B for Research Questions 1, 2 and 3. The OSS incident pivot and the OSS Days pivot cross-tabulation tables were created using the 16 data elements. Listed below are the steps used to create the total OSS incidents cross-tabulation pivot table. The researcher ensured that the first row of the OSS incidents contained the 16 column headers.

2. All data were selected and then 'Insert Pivot table' was selected from the Excel ribbon bar.
3. A new tab named "OSS incidents pivot" was created
4. The researcher selected (1) School year for columns, (2) Grade level for rows, and (3) sum of Total OSS in for values.
5. The results were displayed for total OSS incidents by year and by grade level.
6. Grouping was performed by selecting Grades 6, 7, and 8 as Group 1; then selecting Grades 9, 10, 11, and 12 as Group 2. The researcher renamed Group 1 as Middle School and Group 2 as High School.
7. The results could then be copied and pasted on the Tables and Graphs tab in the appropriate row and column.
8. Steps 4-7 were repeated, replacing the Values field with each of the dependent variables (female, male, ESE, EL, White, Black, Hispanic, etc.)

The OSS Days pivot cross-tabulation tables were created using the same procedure as the OSS incidents tables.

The researcher used the Demographic Counts spreadsheet to create a cross-tabulation pivot table tab named "Populations Pivot". The Populations Pivot tab was utilized to create pivot tables to calculate the number of students in each subgroup. This procedure was accomplished by creating a cross-tabulation pivot table by choosing (a) school year for columns, (b) grade level for rows, and (c) sum of Total Student' for value sums. The researcher repeated steps 4 through 8 for each of the dependent variables (female, male, ESE, EL, White, Black, Hispanic, etc.). The OSS incident rate was calculated for each subgroup by dividing the number off OSS incidents of each subgroup by the demographic count of each subgroup and multiplying the result by 100.

To prepare the data for sub-question B, pre-RJ totals (2010-2014) and the post-RJ means (2015-2017) for OSS incidents, OSS populations and OSS days were calculated for both middle schools and the high schools from the previously described pivot tables. The formula for calculating OSS incident rates per 100 students required dividing the student population by 100 and then dividing the result by the corresponding number of OSS incidents. The Microsoft Excel average function was used to calculate the means. A new pivot table was created that consisted of five columns (dependent variable, pre-RJ, post-RJ, mean difference, and difference percentage), and two rows (middle school and high school). The first column was school type (middle school or high school), the second column was the pre-RJ OSS incident rate, the third column was the post-RJ incident rate, the fourth column was the difference of the means (pre-RJ mean minus the post-RJ mean), and the fifth column was the difference in percentage (difference of the means divided by pre-RJ mean).

The visual analysis to answer sub-question A and sub-question C for Research Questions 1, 2, and 3 entailed creating line graphs from pivot tables. On the Tables and Graphs tab on all of the crosstabulation tables Grades 6, 7, and 8 were grouped and named Middle School; Grades 9, 10, 11, and 12, were grouped and renamed High School. The graphs were then generated as follows:

1. A new line graph was inserted next to pivot table on the OSS incidents or OSS days chart tab, and line graph with markers was chosen.
2. Middle school data labels were formatted above the line and high school data labels were formatted as a dashed line with data labels below line.
3. A vertical line was inserted between the pre-RJ intervention year and the post-RJ intervention year.

4. Steps 1-3 were repeated for all the pivot tables and place graph on Tables and Graphs tab in corresponding column and row.

### Data Analysis

For Research Question 1, visual analysis and descriptive statistics were utilized to characterize the yearly overall trend for out-of-school suspension (OSS) incident rates within the time frame August 2010 to June 2017. To answer Research Question 1, sub-question A, OSS incident rate per 100 students' data were graphed and interpreted to describe patterns and trends for OSS incident rates within the time frame individually for middle schools and for high schools. The researcher analyzed the overall trends during the entire seven-year time frame for the entire middle school and high school population of students. The researcher first described the overall trend for middle school OSS incident rates, taking note of any trends or major fluctuations in the line graph. Each year was observed to determine if the OSS incident rates increased or decreased over time. Observed trends were noted and described to indicate slope direction, slope steepness, and percentage change. The researcher also looked for any pronounced deviations from the trend line. Next, the researcher used an identical process to describe the overall trend for high school OSS incidents rates, taking note of any trends of fluctuations in the line graph. Finally, similarities and differences between the middle school and high school line graphs were evaluated and discussed.

To answer Research Question 1, sub-question B, descriptive statistics were utilized to compare the means of the OSS incident rate pre-RJ (August 2010 to June 2015) and post-RJ (August 2015 to June 2017) implementation for both middle and high schools. The OSS mean incident rate prior to the introduction of the RJ model after the implementation of RJ were

presented in a table depicted as OSS incidents per 100 students. The researcher utilized the OSS incident rate table that disaggregated the data pre-RJ implementation (August 2010 to June 2015) and post-RJ (August 2015 to June 2017) for both the middle school students and the high school students. The table displays the difference of the means for both middle school and high school students for pre-RJ compared to post-RJ. Also, the percentage difference of the OSS incident mean between pre-RJ and post-RJ were calculated for both middle and high schools to determine to what extent OSS incidents were influenced by the RJ model. The researcher discussed the similarities and the differences in the OSS incident rate means and the OSS incident rate percentage change between the middle school and the high school pre-RJ implementation vs. post-RJ implementation.

To answer Research Question 1, sub-question C, data were graphed and interpreted to describe patterns and trends for OSS incident rates within the time frames August 2010 to June 2015 (pre-RJ implementation) and August 2015 to June 2017 (post-RJ implementation) for middle schools and high schools. The OSS incident rate lines graphs were used to identify and describe the increase or decrease pre-RJ and post-RJ. The researcher visually reviewed the graphs and described the overall trends in strength, consistency, and trajectory of the slope (steepness up, down, or flat). The researcher observed to determine if trends for the post-RJ middle schools differed from or paralleled the trends for the non-RJ high schools in the post-RJ time frame. In addition, the researcher also calculated the difference in OSS incident rates one year prior to RJ implementation (2014-2015) and the results two-years post-RJ (2016-2017) to account for any lagging effects. If the trends were similar, RJ may not have been having an influence on OSS incident rates. However, if the trends differed, it may have suggested that RJ was having an impact on OSS incident rates.

For Research Question 2, visual analysis and descriptive statistics were utilized to characterize the yearly overall trend for OSS days within the time frame August 2010 to June 2017. To answer sub-question A, OSS days school-year totals were graphed and interpreted to describe patterns and trends for OSS incident rates within the time frame individually for middle schools and for high schools. The researcher analyzed the overall trends during the entire seven-year time frame for the entire middle school and high school population of students. The researcher first described the overall trend for middle school OSS days, taking note of any trends or major fluctuations in the line graph. Each year was observed to determine if the OSS days increased or decreased as compared to the prior year and years. The researcher also looked for any abnormalities in the trend line. Next, the researcher used an identical process to describe the overall trend for high school OSS days, taking note of any trends of fluctuations in the line graph. Finally, similarities and differences between the middle school and high school line graphs were evaluated and discussed.

To answer Research Question 2, sub-question B, descriptive statistics were utilized to compare the school-year means of the OSS days pre-RJ (August 2010 to June 2015) and post-RJ (August 2015 to June 2017) implementation for both middle schools and high schools. The mean OSS days prior to the introduction of the RJ model and after the implementation of RJ are presented in tabular form. The researcher utilized the OSS days table that disaggregated the data pre-RJ implementation (August 2010 to June 2015) and post-RJ (August 2015 to June 2017) for both the middle school students and the high school students. The table displayed the difference of the OSS days means for both middle school and high school students pre-RJ and post-RJ. Also, the percentage differences between pre-RJ and post-RJ were calculated for both middle and high schools to determine to what extent OSS days were associated with the RJ model. The

researcher discussed the difference of the OSS days means and the OSS days percentage changes between middle school and the high school.

To answer Research Question 2, sub-question C, data were graphed and interpreted to describe patterns and trends for OSS days within the time frames August 2010 to June 2015 (pre-RJ implementation) and August 2015 to June 2017 (post-RJ implementation) for middle schools and high schools. The OSS days lines graphs were used to identify and describe the increase or decrease pre-RJ and post-RJ. The researcher visually reviewed the graphs and described the overall trends in strength, consistency, and trajectory of the slope (steepness up, down, or flat). The researcher actively observed to determine if trends for the post-RJ middle schools differed from or paralleled the trends for the non-RJ high schools in the post-RJ time frame. In addition, the researcher also calculated the difference in OSS days one year prior to RJ implementation (2014-2015) and the two-year post-RJ results (2016-2017) to account for any lagging effects. If the trends looked similar, RJ may not have been having an influence on OSS days. However, if the trends looked different, it may have suggested that RJ is having an impact on OSS days.

To answer Research Question 3, the same analyses as performed to respond to Research Questions 1 and 2 were performed using subsets of the data aligned to the following student population: students qualifying for free and reduced lunch (FRL), English Learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic). The researcher answered Research Question 3 by analyzing the same graphic and tabular results disaggregated by student to determine if there were differences across subgroups (based on ethnicity, FRL, ESE status, EL status, and gender) with respect to patterns of suspension rates/suspension days and the implementation of a Restorative Justice model. Data for each subgroup was graphed and interpreted to describe patterns and trends for



OSS incident rates and OSS days within the time frames August 2010 to June 2015 (pre-RJ implementation) and August 2015 to June 2017 (post-RJ implementation) for middle schools and high schools. The OSS incident rates and OSS days lines graphs were used to identify and describe the increase or decrease pre-RJ and post-RJ. The researcher visually reviewed the graphs and described the overall trends in strength, consistency, and trajectory of the slope (steepness up, down, or flat). The researcher observed to determine if trends for the post-RJ middle schools differed from or paralleled the trends for the non-RJ high schools in the post-RJ time frame. In addition, the researcher also calculated the difference in OSS incident rates and OSS days one year prior to RJ implementation (2014-2015) and the results of the two-year post-RJ (2016-2017) to account for any lagging effects.

To answer Research Question 3, sub-question B, descriptive statistics were utilized to compare the school-year means of the OSS incident rates and OSS days pre-RJ (August 2010 to June 2015) and post-RJ (August 2015 to June 2017) implementation for both middle schools and high schools for the subgroups (gender, ESE, EL, FRL, and ethnicity). The mean OSS days prior to the introduction of the RJ model after the implementation of RJ were presented in tabular form. The researcher utilized the OSS incident rates and OSS days tables that disaggregated the data pre-RJ implementation (August 2010 to June 2015) and post-RJ (August 2015 to June 2017) for both the middle school students and the high school students. Each of the tables displayed the difference of the means for both middle school and high school students for pre-RJ and post-RJ. Also, the percentage difference between pre-RJ and post-RJ were calculated for both middle and high schools to see what extent OSS incident rates and OSS days were associated with the RJ model. The researcher discussed the difference of the means and determined if the percentage

change was comparable between the middle school OSS incident rates and OSS days and the high school OSS incident rates and OSS days respectively.

To answer Research Question 3, sub-question C, data were graphed and interpreted to describe patterns and trends for OSS incidents and OSS days within the time frames August 2010 to June 2015 (pre-RJ implementation) and August 2015 to June 2017 (post-RJ implementation) for middle schools and high schools. The OSS incidents and OSS days lines graphs were used to identify and describe the increase or decrease pre-RJ and post-RJ. The researcher visually reviewed the graphs and described the overall trends in strength, consistency, and trajectory of the slope (steepness up, down, or flat). The researcher actively observed to determine if trends for the post-RJ middle schools differed from or paralleled the trends for the non-RJ high schools in the post-RJ time frame. In addition, the researcher also calculated the difference in OSS incidents and OSS days one year prior to RJ implementation (2014-2015) and the results the two-year post-RJ (2016-2017) to account for any lagging effects. If the trends looked similar, RJ may not have been having an influence on OSS incidents and/or OSS days. However, if the trends looked different, it may have suggested that RJ was having an impact on OSS incidents and/or OSS days respectively.

#### Validity and Reliability

The study was descriptive and did not purport to support causal inferences or statistical generalizability beyond the school district. Limited and cautious generalizability to other similarly situated school districts was, however, warranted (Lammers & Badia, 2005). The dependent variables utilized in the descriptive statistics were assumed to be valid and reliable measures of desirable student outcomes based on their use throughout the literature. Visual

analysis, including multiple baseline analyses informed by single-case design principles, has been shown to meet What Works Clearinghouse (WWC) design and evidence standards (Kratochwill et al., 2010).

### Summary

The purpose of this research study was to determine if there was an association between the restorative justice model and the rates of out-of-school suspensions incidents and/or out-of-school suspension days for middle school students. The researcher utilized visual line graphs and tables to describe and compare means and percentages and to discuss overall trends between the middle schools and the high school OSS incident rates and OSS days for the entire school district as well as each subgroup (gender, EL status, ESE status, FRL status, and ethnicity/race). The researcher also analyzed the pre-RJ and post-RJ OSS incident rates as well as the OSS days separately for middle and high schools to determine trends, similarities, and differences.

## **CHAPTER 4 RESULTS**

### Introduction

This study was intended to investigate the relationship between the restorative justice model implemented in a large urban school district in central Florida and the rates of out-of-school suspension (OSS) incidents and out-of-school suspension days for middle school students in this school district. The following research questions guided the study:

1. To what extent, if any, are out-of-school suspension incident rates associated with the implementation of a Restorative Justice (RJ) model?
  - A. What is the overall yearly trend in out-of-school suspension incident rate for the time frame from August 2010 to June 2017?
  - B. What difference, if any, exists between the out-of-school suspension incident rate before and after the RJ model was implemented?
  - C. What difference, if any, exists between the out-of-school suspension incident rate trend before and after the RJ model was implemented?
2. To what extent, if any, are the total number of out-of-school suspension days associated with the implementation of a Restorative Justice (RJ) model?
  - A. What is the overall yearly trend in out-of-school suspension days for the time frame from August 2010 to June 2017?
  - B. What difference, if any, exists between the average number of out-of-school suspension days before and after the RJ model was implemented?
  - C. What difference, if any, exists between the trend in the number of out-of-school suspension days before and after the RJ model was implemented?

3. What differences, if any, are observable across subgroups (based on ethnicity, socioeconomic status, exceptional student status, English Learner status, and gender) with respect to patterns of suspension rates/suspension days and the implementation of a Restorative Justice model.

The chapter contains five sections: descriptive statistics, results for each of the research questions, and a summary.

### Descriptive Statistics

Table 1 displays the enrollment (total and disaggregated by ethnicity) for middle school and high school students for the time period 2010-2011 to 2016-2017. The student population increased from 89,691 students in 2010-2011 to 100,560 students in 2016-2017, which was a 12.1% increase. Table 1 also illustrates the rapid growth of Hispanic students as compared to the other race/ethnic groups. White student population declined every year (except 2015-2016) and the White student percentage of the population declined every year.

Table 1

*Student Enrollment by Ethnicity: Middle and High School by School Year*

Enrollment Level by Ethnicity	2010-2011 N (%)	2011-2012 N (%)	2012-2013 N (%)	2013-2014 N (%)	2014-2015 N (%)	2015-2016 N (%)	2016-2017 N (%)
<u>Middle School</u>							
White	12,410 (31.1)	12,346 (30.5)	12,323 (29.7)	12,143 (29.2)	12,035 (28.5)	12,022 (28.1)	11,848 (27.2)
Black	10,845 (27.1)	11,023 (27.2)	11,421 (27.6)	11,575 (27.8)	11,501 (27.2)	11,323 (26.4)	11,273 (25.8)
Hispanic	13,774 (34.5)	14,232 (35.1)	14,673 (35.4)	14,894 (35.8)	15,574 (36.9)	16,371 (38.2)	17,406 (39.9)
Other Ethnicity	2,938 (7.4)	2,938 (7.2)	3,011 (7.3)	3,039 (7.3)	3,111 (7.4)	3,135 (7.3)	3,112 (7.1)
Total	39,967 (100)	40,539 (100)	41,428 (100)	41,651 (100)	42,221 (100)	42,851 (100)	43,639 (100)
<u>High School</u>							
White	16,773 (33.7)	16,559 (33.2)	16,426 (32.3)	16,280 (31.5)	16,321 (30.7)	16,382 (29.4)	16,077 (28.2)
Black	12,841 (25.8)	12,670 (25.4)	12,874 (25.4)	13,148 (25.4)	13,588 (25.5)	14,281 (25.7)	14,717 (25.9)
Hispanic	16,329 (32.8)	16,703 (33.5)	17,466 (34.4)	18,201 (35.2)	19,182 (36.1)	20,784 (37.3)	21,799 (38.3)
Other Ethnicity	3,781 (7.6)	3,915 (7.9)	4,015 (7.9)	4,081 (7.9)	4,102 (7.7)	4,215 (7.6)	4,328 (7.6)
Total	49,724 (100)	49,847 (100)	50,781 (100)	51,710 (100)	53,193 (100)	55,662 (100)	56,921 (100)
Grand Total	89,691 (100)	90,386 (100)	92,209 (100)	93,361 (100)	95,414 (100)	98,513 (100)	100,560 (100)

Table 2 depicts middle school and high school OSS incidents per 100 students for the seven-year time frame. Middle school OSS incidents accounted for 61.0% of all OSS incidents (i.e., for both middle school and high school combined) and high school OSS incidents accounted for 39.0% of the total. The OSS incident rate for middle schools (20.9 per 100 students) was almost double the rate for high schools (10.7 per 100 students) over the seven-year period. When comparing rates for individual years, middle school OSS incident rate (8.5 per 100 students) displayed a higher minimum and maximum OSS incident rate (28.5 per 100 students) than high school OSS incident rates (5.5 and 15.5 per 100 students, respectively). Annual OSS incident rates for middle schools also displayed a larger standard deviation (6.0 versus 3.4) and greater range (20.0 versus 10.0) than high school annual OSS incident rates.

Table 2

*Descriptive Statistics for Out-of-school Suspension (OSS) Incident Rate per 100 Students*

School Level	Number of Incidents	Rate per 100 students
Middle School	61,236	20.9
High School	39,203	10.7
Full Population	100,439	15.2

*Note.* Number of OSS incidents were total from 2010-2011 to 2016-2017

Table 3 shows that the total number of middle school OSS days (238,654) were greater than the total number of high school OSS days (192,546) in the seven-year time frame, and the mean OSS days per year for middle schools (34,093) was higher than high school (27,507). Middle school OSS days represented 55.3% of the total OSS days, and high school OSS days represented 44.7% of the total. The annual number middle school OSS days varied by 28,428,

with a maximum of 43,850 OSS days in year 2010-2011 and a minimum of 15,422 OSS days in year 2016-2017. The number of high school OSS days varied across years by 18,531, with a maximum of 36,374 OSS days in year 2010-2011 and a minimum of 17,843 OSS days in year 2016-2017. The standard deviation for the annual number of middle school OSS days (8,857) was larger than the standard deviation for high school OSS days (6,248).

Table 3

*Descriptive Statistics for Out-of-school Suspension (OSS) Days*

School Level	Total OSS Days	Mean Days (per year)
Middle School	238,654	34,093
High School	192,546	27,507
Full Population	431,200	61,600

Research Question 1: Out-of-school Suspension (OSS) Incident Rate

To answer Research Question 1A (*What is the overall yearly trend in out-of-school suspension incident rate for the time frame from August 2010 to June 2017?*), the researcher analyzed the OSS incident rates (per 100 students) for the entire population of both middle schools and high schools over the seven-year time frame (see Figure 3). Middle school OSS incident rates declined each year (with annual decreases of 6% to 12%) from 28.5 OSS incidents per 100 students in 2010-2011 to 18.9 in 2014-2015, increased 6.7% to 20.2 incidents per 100 students in 2015-2016, and then decreased 57.9% to 8.5 (incidents per 100 students) in 2016-2017. High school OSS rates declined (with annual decreases of 7% to 25%) each year, from 15.5 incidents per 100 students in 2010-2011 to 8.0 in 2014-2015, increased 5.4% to 8.5 in 2015-2016, and then decreased 35.2% to 5.5 incidents per 100 students in 2016-2017. Both middle



school and high school OSS incident rates per 100 students displayed their only annual OSS incident rate increases in 2014-2015. Both middle school and high school OSS incident rates had somewhat similar trajectories, with middle school OSS rates displaying a 50% to 140% more than high school OSS incident rates per 100 students.

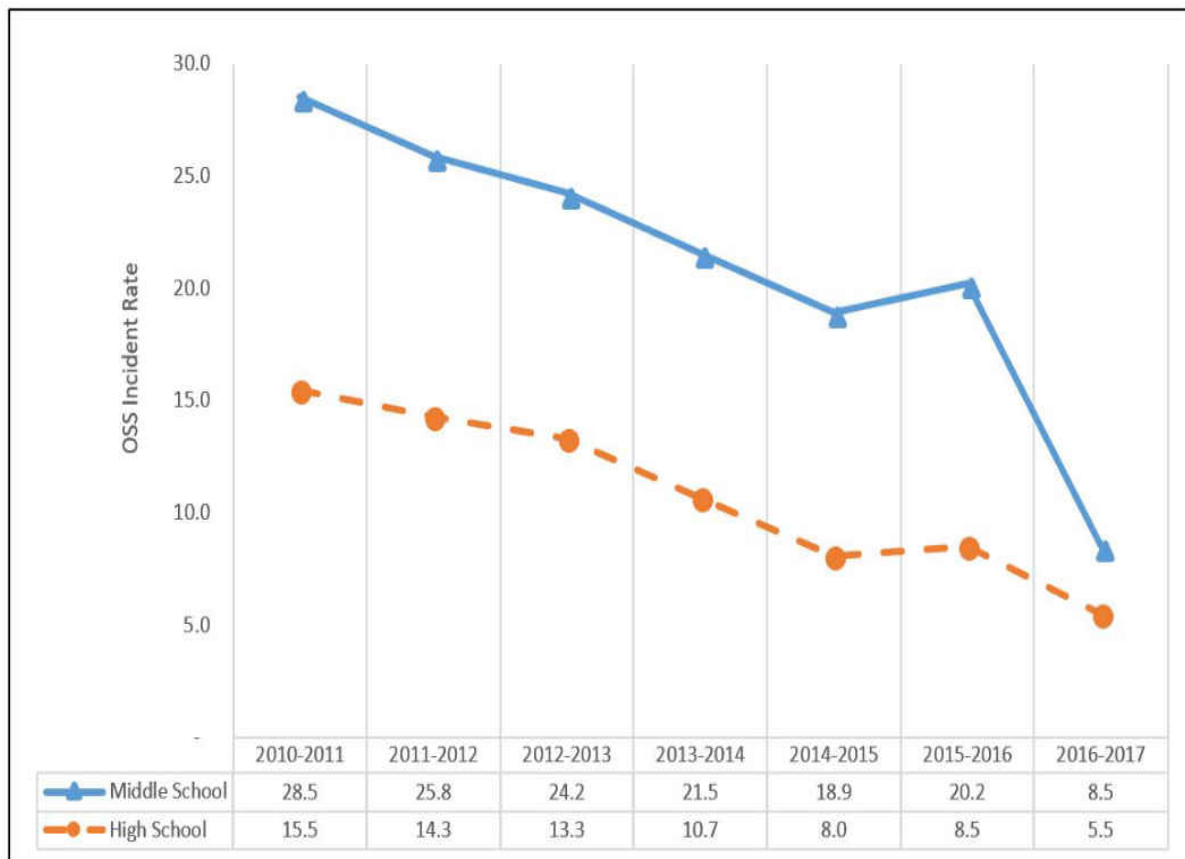


Figure 3. Out-of-school suspension (OSS) yearly incident rate per 100 students by school level.

Research Question 1B asked (*What difference, if any, exists between the out-of-school suspension incident rate before and after the RJ model was implemented?*). As shown in Table 4, the middle school pre-RJ OSS incidents per 100 students was 23.7, and the post-RJ rate was 14.3. The high school pre-RJ OSS incidents per 100 students was 12.3, and the post-RJ rate was

7.0. The middle school OSS incident rate decline was 9.5 incidents pre-RJ vs. post-RJ timeframe, and the high school decline was 5.4 incidents during the same timeframe. The middle school OSS incident rate had a 39.8% decrease in the post-RJ as compared to pre-RJ and the high school OSS incident rate had a 43.2% decrease during the same timeframe. When comparing pre-RJ vs. post-RJ time frame, middle school OSS incident rate per 100 students had a greater numerical decrease than the high school OSS incident rate, and high school OSS incident rate per 100 students had a greater proportional decrease than the middle school OSS incident rate.

Table 4

*Out-of-school Suspension (OSS) Incident Rates per 100 students, Pre-RJ vs. Post-RJ Time Frame*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	23.7	14.3	-9.5	-39.8%
High School	12.3	7.0	-5.3	-43.2%

*Note.* OSS incident rate per 100 students by school level.

To answer Research Question 1C (*What difference, if any, exists between the out-of-school suspension incident rate trend before and after the RJ model was implemented?*), the researcher analyzed trends in both middle school and high school OSS incidents rates pre-RJ (2010-2011 to 2014-2015) and post-RJ (2015-2016 to 2016-2017). These trends are shown in Figure 4. The pre-RJ middle school OSS incident rate declined each year (with annual decreases of 6% to 12%) from 28.5 OSS incidents per 100 students in 2010-2011 to 18.9 in 2014-2015.

The pre-RJ high school OSS incident rates also declined each year (with annual decreases of 7% to 25%), from 15.5 in 2010-2011 to an OSS incident rate of 8.0 in 2014-2015. Both middle school and high school OSS incident rates had similar trajectories, with middle school generally displaying 50% to 140% higher OSS incident rates than the high school.

Post-RJ, middle school OSS incident rates exhibited a 6.7% increase (from 18.9 to 20.2) from 2014-2015 to 2015-2016 and then showed a decrease (-57.9%) in 2016-2017 to 8.5 OSS incidents. High school OSS incident rates displayed a similar increase (5.4%) from 2014-2015 to 2015-2016 (from 8.0 to 5.5), then decreased by 35.2% in 2016-2017 (to 5.5 OSS incidents per 100 students). The middle school OSS incident rate per 100 students decreased from 2015-2016 to 2016-2017 and had a greater numerical decrease than the high school OSS incident rate. The gap between the middle school and high school OSS incident rate was greater than 10.0 OSS incidents every year except during 2016-2017 where the gap was 3.0 OSS incidents per 100 students.

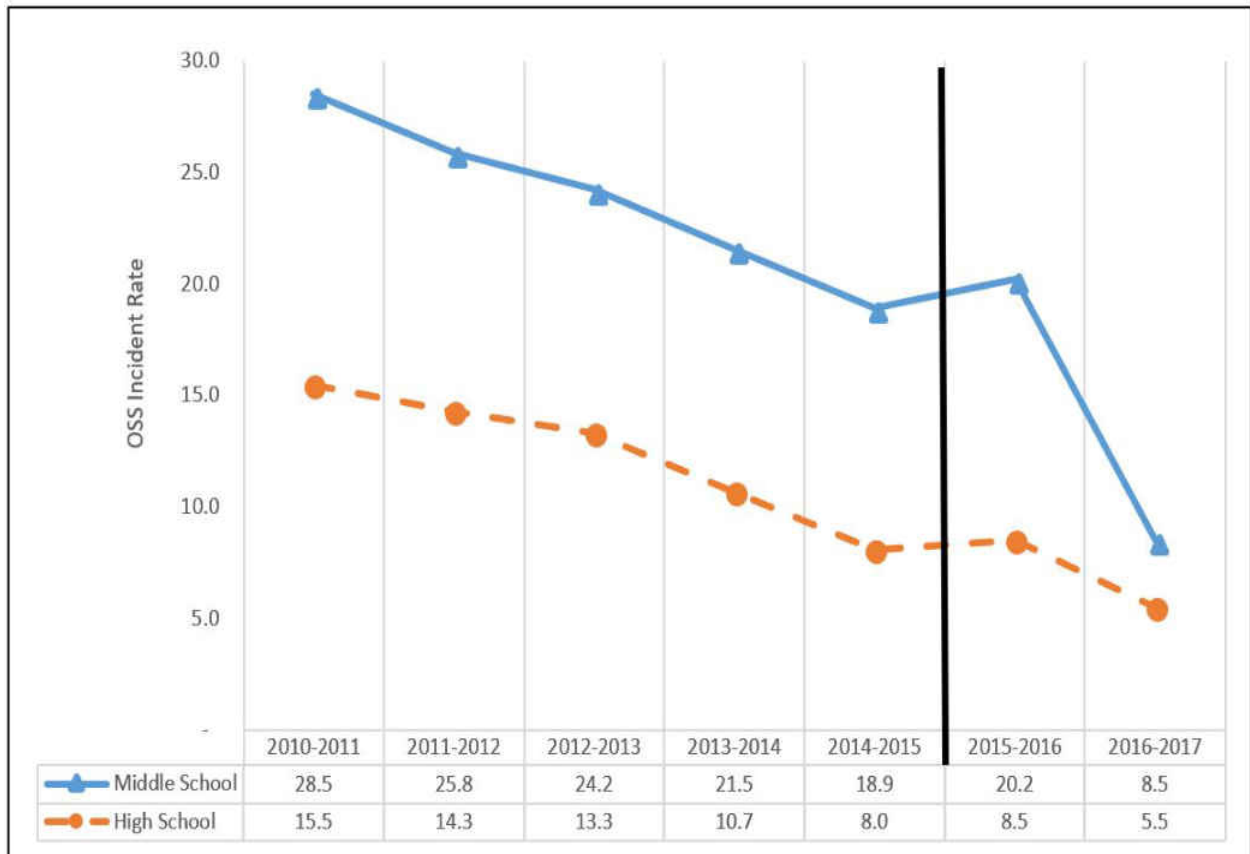


Figure 4. Out-of-school suspension (OSS) incident rates per 100 students by school level pre-restorative justice (RJ) vs. post-RJ timeframe.

### Research Question 2: Out-of-school Suspension (OSS) Days

To answer Research Question 2A (*What was the overall yearly trend in OSS days for the time frame from August 2010 to June 2017?*), the researcher analyzed the entire population of both middle school and high school OSS days over the seven-year time frame (see Figure 5). Middle school OSS days steadily declined from 43,850 in 2010-2011 to 31,073 in 2014-2015 with yearly declines of 4% to 12%. Middle school OSS days increased to 31,795 (+2.3%) in 2015-2016 and then decreased to 15,422 (-51.5%) in 2016-2017. High school OSS days declined each year (declines of 4% to 18%), from 36,374 in 2010-2011 to 21,977 in 2014-2015, increased

to 24,476 (+11.4%) in 2015-2016, and then decreased to the previous trajectory to 17,843 (-27.1%) in 2016-2017. The middle school and high school OSS days declined each year except in 2015-2016. The middle school and high school OSS days had similar trajectories with middle school generally 30% to 50% greater than the number of high school OSS days except in 2016-2017 when middle school OSS days were 13.6% less than the high school OSS days. This was the first year that middle school OSS days were less than high school OSS days.

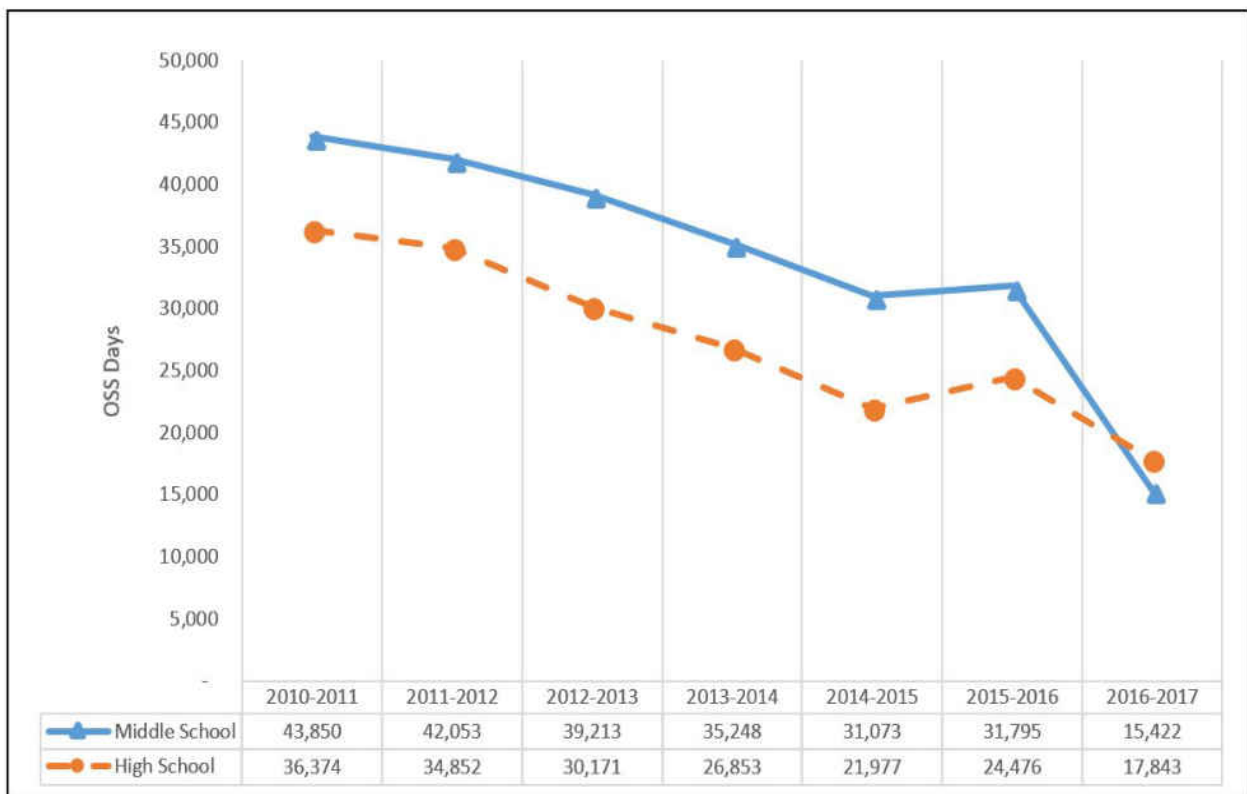


Figure 5. Out-of-school suspension (OSS) days yearly totals by school level.

Research Question 2B asked (*What difference, if any, existed between the OSS days before and after the RJ model was implemented?*). As indicated in Table 5, the middle school mean pre-RJ OSS days per year was 38,287, and the mean days post-RJ was 23,609 days. This

represented a 38.3% decline (averaging approximately a 10% decline per year) in middle school OSS days over this four-year time span, the pre-RJ time frame high school mean OSS days per year was 30,045 and the mean days post-RJ time frame was 21,160 days. This represented a 29.6% decline in OSS days which was approximately a 7% average decrease per year. The middle school OSS days mean yearly decrease was 14,679 days when comparing pre-RJ vs. post-RJ, and the high school OSS days mean yearly decrease was 8,886 days in the same timeframe. When comparing pre-RJ vs. post-RJ time frame, middle school mean OSS days had a greater numerical decrease than high school mean OSS days and middle school mean OSS days had a greater proportional decrease than high school mean OSS days.

Table 5

*Mean Out-of-school Suspension (OSS) Days Pre-Restorative Justice (RJ) vs. Post-RJ for Middle and High School (2010-2011 to 2016-2017)*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	38,287	23,609	-14,679	-38.3%
High School	30,045	21,160	-8,886	-29.6%

Research Question 2C inquired (*What difference, if any, existed between the out-of-school suspension days before and after the RJ model was implemented?*). The researcher analyzed both middle school and high school OSS days per year (Figure 6) pre-RJ (2010-2011 to 2014-2015) and post-RJ (2015-2016 to 2016-2017). Pre-RJ, the middle school OSS days declined (with annual decreases of 4% to 12%) from 43,850 in 2010-2011 to 31,073 in 2014-2015. High school OSS days declined each year (with annual decreases of 4% to 18%), from 36,374 in 2010-2011 to 21,977 in 2014-2015. The middle school OSS days average percentage

decrease during the pre-RJ years for was approximately 8% per year and high school OSS days decreased approximately 12% during this time frame. The middle school and high school of OSS days had similar trajectories with middle school generally having 30% to 50% greater number of OSS days except for 2016-2017 when middle school OSS days were 13.6% less than the high school OSS days. The 2015-2016 school year was the first time middle school OSS days (15,422) were less than the high school OSS days (17,483).

Both middle school and high school OSS days displayed their only yearly increase in 2015-2016 which was the first year RJ was implemented in the middle school. During the first year of post-RJ implementation the middle school OSS days increased from 31,073 days in 2014-2015 to 31,795 days in 2015-2016 (+2.3%) and then decreased by 51.5% to 15,422 days in 2016-2017. The high school OSS days increased from 21,977 days in 2014-2015 to 24,476 in 2015-2016 (+11.4%), and then decreased by 27.1% to revert to the previous trajectory at 17,843 OSS days in 2016-2017.

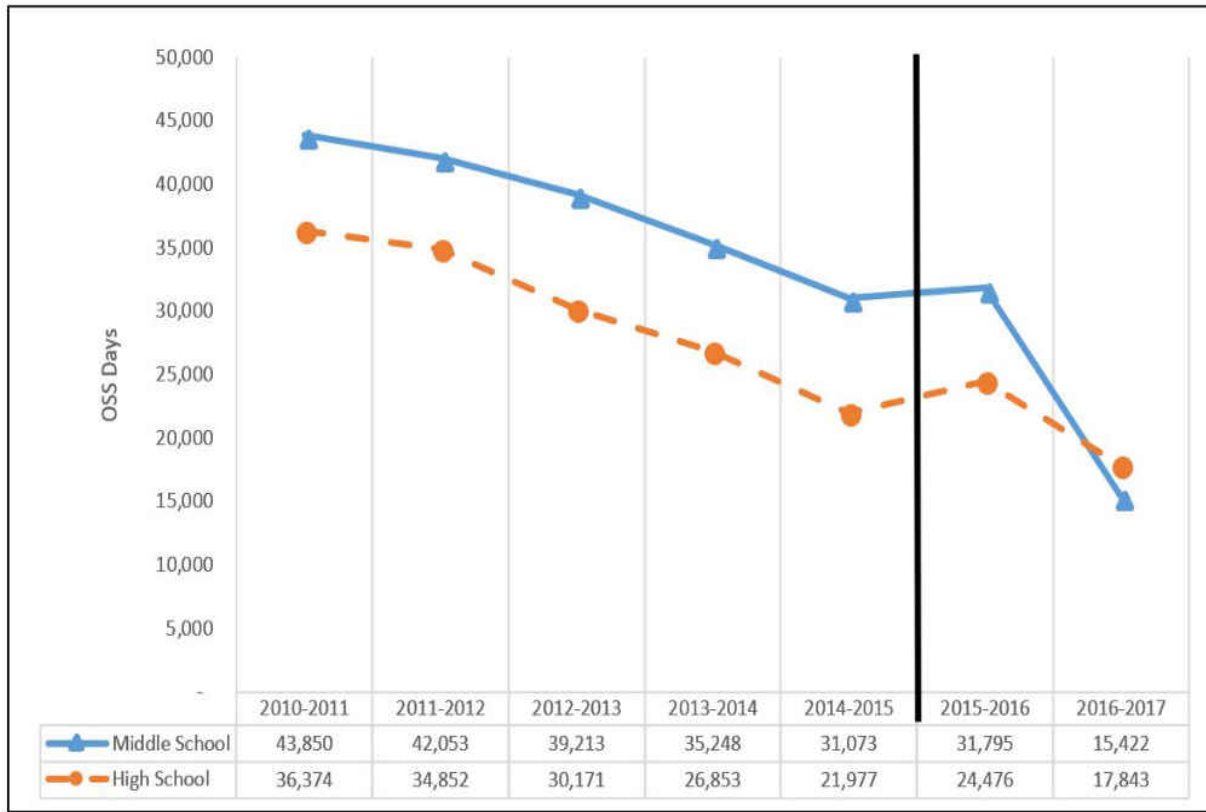


Figure 6. Out-of-school suspension (OSS) days by school level pre-restorative justice (RJ) vs. post-RJ timeframe.

### Research Question 3: OSS Incident Rate and OSS Days by Subgroups

The researcher responded to Research Question 3 (*What differences, if any, are observable across subgroups (based on ethnicity, socioeconomic status, exceptional student education status, English Learner status, and gender) with respect to patterns of suspension rates/suspension days and the implementation of a Restorative Justice model?*). Research question 3 was answered by visually analyzing line graphs and tables for each of the five subgroups (gender, ESE status, EL status, FRL status, and race/ethnicity) and comparing middle school to high school over the seven-year time frame.



## Gender

Based on Figure 7 and Table 6, the middle school male OSS incidents per 100 students were the highest both pre-RJ (32.0) and post-RJ (18.6) of all four subgroups. Middle school female OSS incidents rates (15.2 pre-RJ and 9.7 post-RJ) were similar to high school male OSS incidents rates (15.4 pre-RJ and 8.5 post-RJ). The high school female OSS incidents rate was the lowest (9.2 pre-RJ and 5.5 post-RJ) among the subgroups. All four gender subgroups OSS incidents rate averaged from 9% to 15% annual decreases over the pre-RJ time frame (middle school males, 10%; middle school females, 9%; high school males, 15%; and high school females, 14%). Middle school males, high school males, and high school females OSS incident rates had similar trajectories with annual declines from 1% to 15% each year pre-RJ implementation. Middle school female OSS incident rates declined unevenly over the pre-RJ period and even increased in 2011-2012 from 15.5 to 16.0 in 2012-2013. Overall, all four gender OSS incident rates had somewhat similar percentage rate declines when comparing pre-RJ rate to the post-RJ rate (36% to 45% decreases). Another similarity was that all four gender subgroups' OSS incident rates increased in 2015-2016 which was the first year RJ was implemented in the middle schools, and then all gender groups rates decreased 2016-2017. Middle school male OSS incidents per 100 students decreased (-56.3%) from 26.0 in 2015-2016 to 11.4 incidents in 2016-2017 as contrasted to high school males decrease (-38.7%) from 10.5 to 6.5 OSS incidents per 100 students in the same time frame.

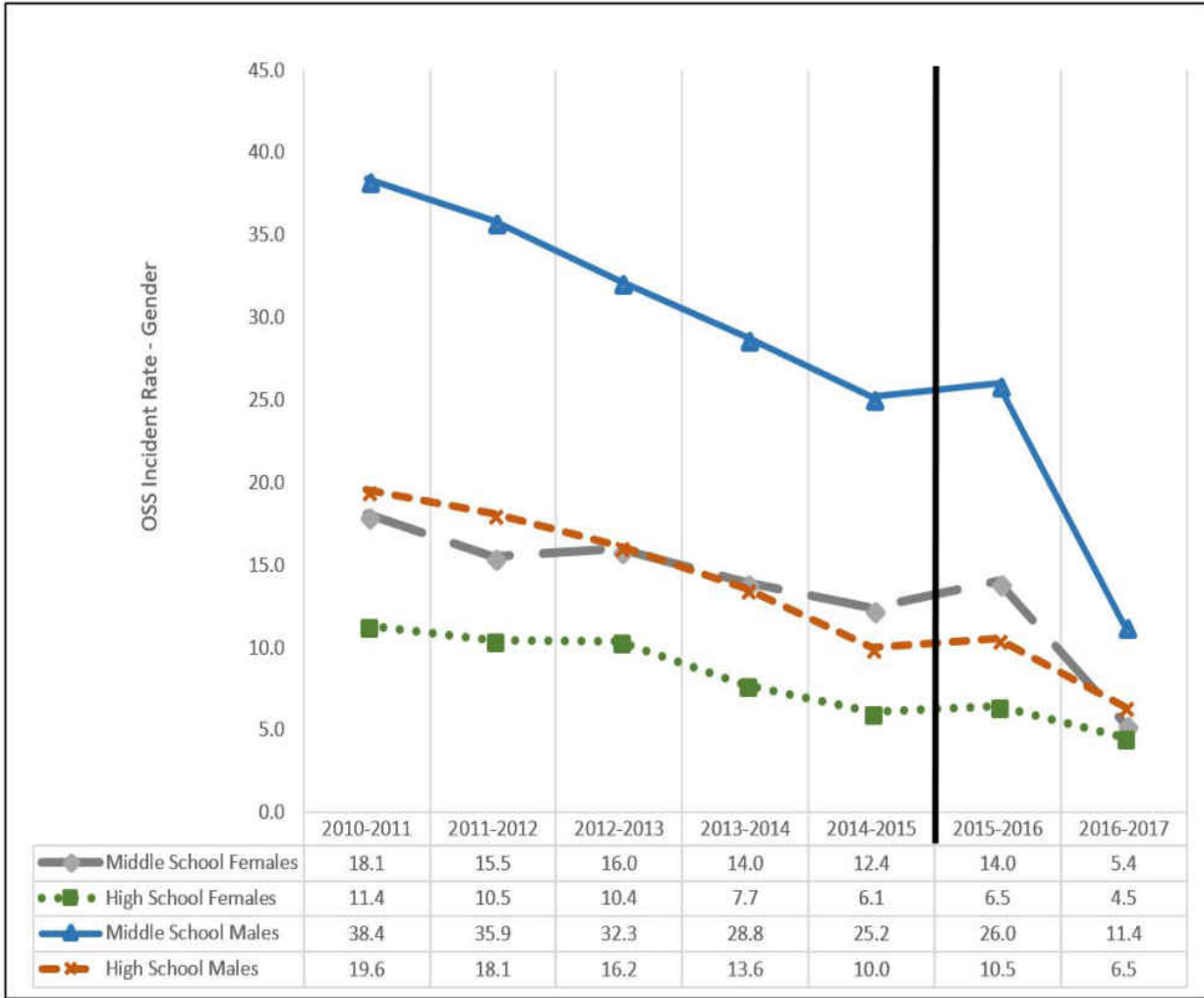


Figure 7. Out-of-school suspension (OSS) yearly rates per 100 students by gender and school level.

Table 6 shows that all four gender subgroups OSS incident rates experienced a decrease (of 3.7 to 13.2 OSS incidents per 100 students) when comparing pre-RJ to post-RJ time frame, which represents a 36% to 45% rate decrease. Middle school male (-13.4) and high school male (-6.9) OSS incidents per 100 students decrease was the greatest among all four gender rate decreases. High school male OSS incident rate (-45.0%) and middle school male OSS incident rate (-41.8%) had the greatest proportional OSS incidents per 100 students decrease. Middle

school OSS incident rate per 100 students was approximately double their high school gender peer rates during both the pre-RJ and post-RJ time frame. Males and females each comprised approximately 50% of the student population each year of the study.

Table 6

*Out-of-school Suspension (OSS) Incident Rates per 100 Students by Gender and School Level*

Gender by School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School Females	15.2	9.7	-5.5	-36.1%
High School Females	9.2	5.5	-3.7	-40.1%
Middle School Males	32.0	18.6	-13.4	-41.8%
High School Males	15.4	8.5	-6.9	-45.0%

As shown in Figure 8, middle school male OSS days decreased by 50.5% in the 2016-2017 as compared to the 2014-2015 school, high school male OSS days decreased of 28.1% in the same time frame. Middle school female OSS days decreased 51.4% in the 2016-2017 as compared to the 2014-2015 school year, high school female OSS days decreased 2.3% in the same time frame. The OSS incident rate decrease for the 2016-2017 school year compared to the 2015-2016 school year were as follows: middle school female 61.2%; high school female, 29.7%; middle school male, 56.3%; and high school male 38.7%.



Figure 8. Out-of-school suspension (OSS) days by gender and school level.

As displayed in Table 7, middle school males mean pre-RJ OSS days were 15,479 and the mean days post-RJ was 15,276, which represents a 40.0% decrease in the yearly mean. The middle school females mean pre-RJ timeframe OSS days were 12,808 and the mean post-RJ timeframe was 8,333, which represents a 34.9% decrease in the yearly mean. When comparing pre-RJ vs. post-RJ time frame, middle school male OSS days had the greatest numerical decrease in OSS days and middle school males OSS days had the greatest proportional decrease in mean OSS days.

Table 7

*Mean Out-of-school Suspension (OSS) Days by Gender and School Level (Pre-RJ vs. Post-RJ)*

Gender by School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School Females	12,808	8,333	-4,476	-34.9%
High School Females	10,982	8,525	-2,457	-22.4%
Middle School Males	25,479	15,276	-10,203	-40.0%
High School Males	19,063	12,635	-6,429	-33.7%

## Exceptional Student Education (ESE)

In the 2016-2017 school year, 4,593 middle school students and 5,366 high school students were classified as ESE. As shown in Figure 9 and Table 8, the middle school ESE OSS incident rate declined (with annual decreases of 3% to 14%) from 44.0 incidents per 100 students in 2010-2011 to 29.8 OSS incidents in 2015-2016 and then decreased (44.8%) to 14.2 OSS incidents in 2016-2017. High school ESE OSS incident rates also declined (with annual decreases of 6% to 16%) each year, from 24.1 OSS incidents per 100 students in 2010-2011 to 13.7 OSS incidents in 2015-2016 and then declined (32.2%) to 9.3 OSS incidents per 100 students in 2016-2017. Both middle school and high school ESE students OSS incident rate (per 100 students) had similar trajectories with middle school OSS incident rate generally 50% to 120% higher each year than the high school OSS ESE incident rate. The middle school, where RJ was implemented, ESE OSS incident rate decreased from 30.1 in 2014-2015 (the year prior to RJ) down to 14.2 OSS incidents per 100 students in 2016-2017, which was a 53.0% decrease. In the same two-year time frame high school ESE OSS incidents per 100 students decreased from 14.6 in 2014-2015 to 9.3 in 2016-2017, which was a 36.3% decrease. The 2010-2011 middle school ESE OSS incidents per 100 students (44.0) was 54% higher than the 2010-2011 overall

middle school OSS incident rate (28.5). The 2016-2017 middle school ESE OSS incident rate per 100 students (14.2) was 67% higher than the overall middle school OSS incident rate (8.5).

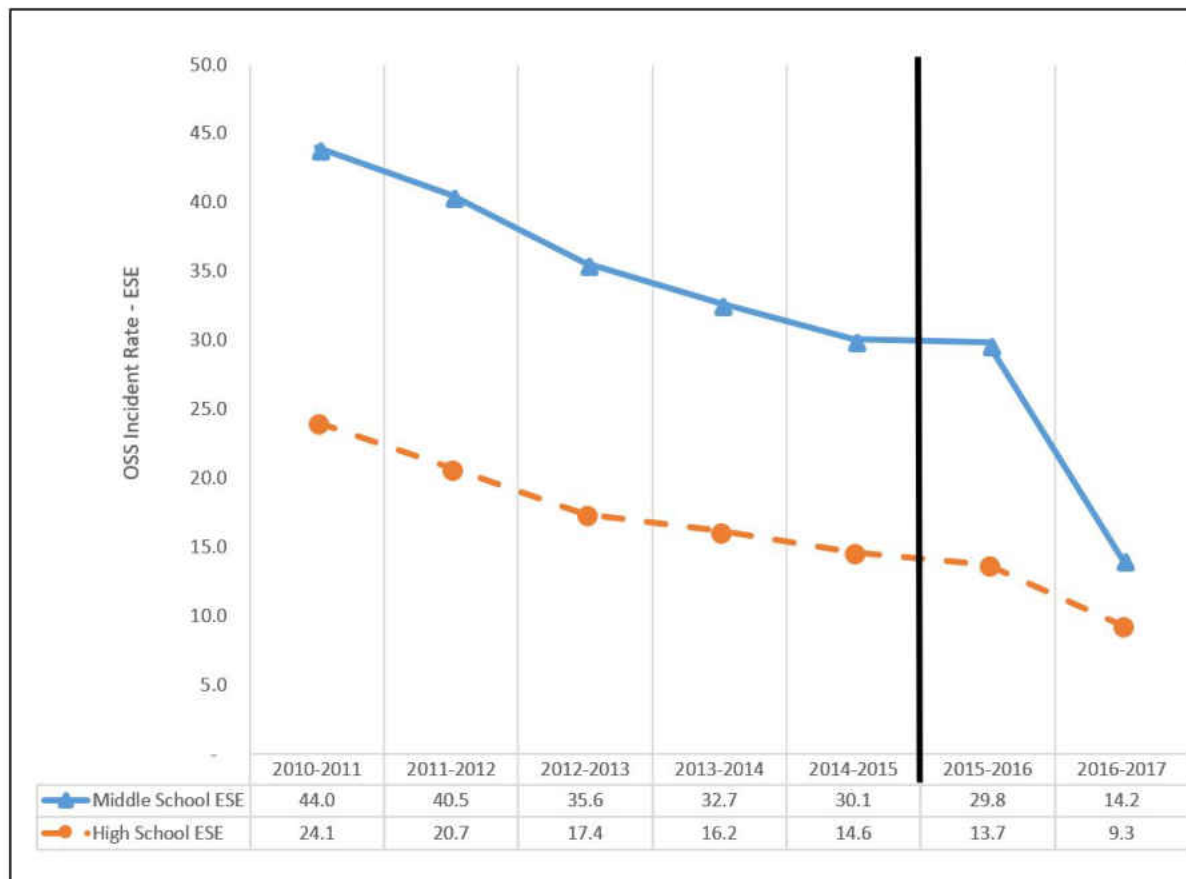


Figure 9. Out-of-school suspension (OSS) incident rates per 100 students by exceptional student education (ESE) status.

As shown in Table 7, the mean pre-RJ ESE OSS incidents per 100 students for middle school was 36.9 incidents and the post-RJ rate was 22.0 for middle school. The high school mean pre-RJ time frame ESE OSS incident per 100 students was 18.7 and the post-RJ time frame was 11.6 incidents per 100 high school students. The pre-RJ vs. post-RJ middle school ESE OSS incident rate decrease was 14.9, and the high school rate decrease was 7.1 OSS incidents in the

same time frame. There was a 40.4 % decrease in the middle school ESE OSS incident rate post-RJ as compared to pre-RJ and a 38.0% decrease in high school ESE OSS incident rate in the same time frame. When comparing pre-RJ vs. post-RJ time frame, middle school ESE OSS incident rate per 100 students had a greater numerical decrease than the high school ESE OSS incident rate and middle school ESE OSS incident rate per 100 students had a greater proportional decrease than the high school ESE OSS incident rate.

Table 8

*Out-of-school Suspension (OSS) Incident Rates per 100 Students by Exceptional Student Education (ESE)*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	36.9	22.0	-14.9	-40.4%
High School	18.7	11.6	-7.1	-38.0%

The researcher examined both middle school and high school ESE OSS days per year pre-RJ (2010-2011 to 2014-2015) and post-RJ (2015-2016 to 2016-2017). The results are presented in Figure 10. Middle school ESE OSS days declined (with annual decreases of 10% to 20%) each year from 7,064 days in 2010-2011 to 3,643 days in 2014-2015. The following year, 2015-2016, middle school OSS days declined to 3,423 (-5.8%) and then decreased to 1,919 OSS days (-38.4%) in 2016-2017. High school ESE OSS days declined (with annual decreases of 11% to 23%) each year, from 5,303 in 2010-2011 to 2,710 days in 2014-2015. The following year, 2015-2016, high school OSS days decreased to 2,563 days (-5.4%) in 2015-2016, and then decreased to 1,767 days (-31.2%) in 2016-2017. The middle school and high school ESE OSS days had similar trajectories with middle school ESE OSS days generally 30% to 60% greater

than high school ESE OSS days except during 2016-2017 when middle school ESE OSS days were 8.6% more than the high school OSS days. The average ESE OSS days percentage decrease pre-RJ years for both middle school and high school was approximately 15% per year. The average ESE OSS days percentage decrease post-RJ years for middle school was 22% per year, and high school decreased 18% during the same time frame. Middle school, where RJ was implemented, ESE OSS days decreased from 3,643 days in 2014-2015 to 1,919 days in 2016-2017, a 47.3% decrease. High school ESE OSS days decreased from 2,710 days in 2014-2015 to 1,767 days in 2016-2017, a 34.8% decrease.

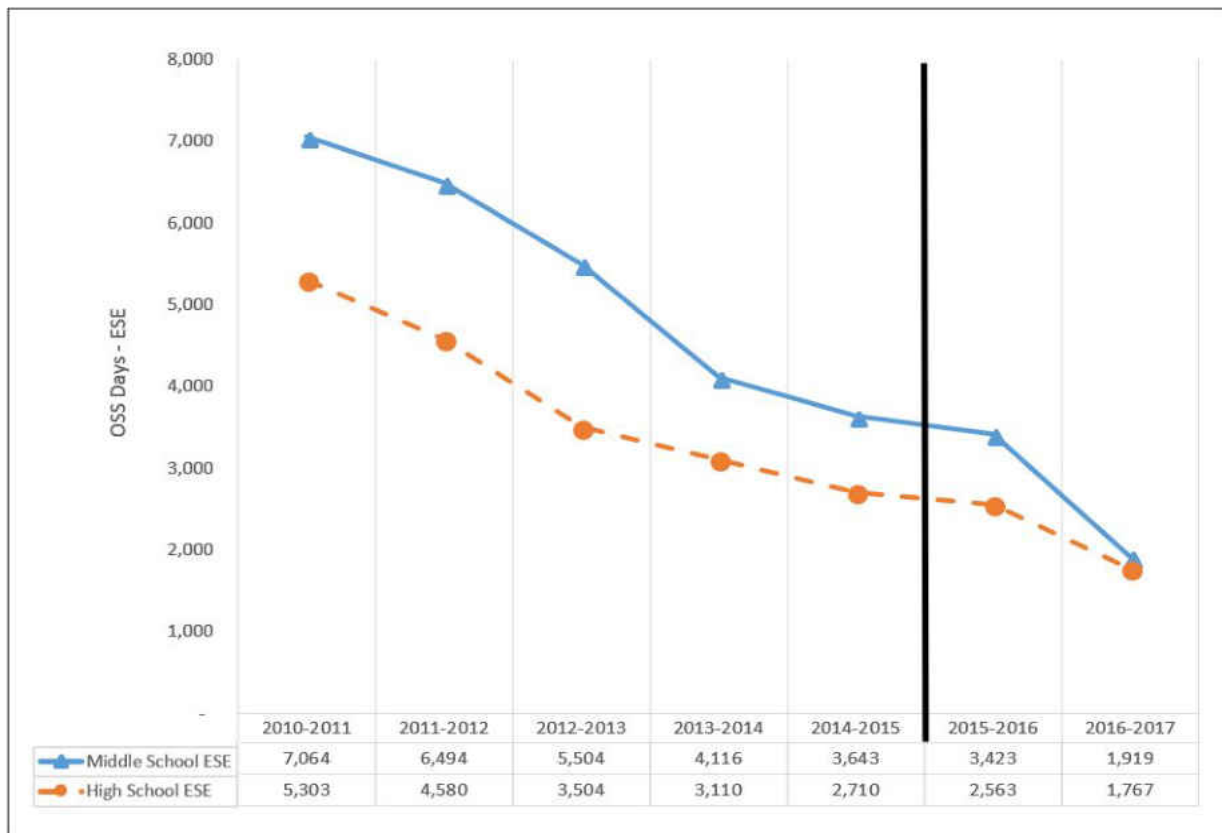


Figure 10. Out-of-school suspension (OSS) days by exceptional student education (ESE) and school level.



As displayed in Table 9, middle school ESE mean pre-RJ OSS days were 5,364 and the mean days post-RJ was 2,671 days, which represents a 50.2% decrease in yearly OSS days. The high school ESE mean pre-RJ timeframe OSS days were 3,841 and the mean post-RJ timeframe was 2,165 days, which represents a 43.6% decrease in yearly OSS days. The middle school ESE decrease in the mean OSS days per year was 2,693 pre-RJ vs. post-RJ, and the high school OSS days decrease was 1,676 in the same time frame. When comparing pre-RJ vs. post-RJ time frame, middle school mean ESE OSS days had a greater numerical decrease than high school mean ESE OSS days and middle school mean ESE OSS days had a greater proportional decrease than high school mean ESE OSS days.

Table 9

*Mean Out-of-school Suspension (OSS) Days by Exceptional Student Education (ESE) Pre-RJ vs. Post-RJ*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	5,364	2,671	2,693	-50.2%
High School	3,841	2,165	1,676	-43.6%

#### English Learner (EL)

In the 2016-2017 school year, 4,887 middle school students were classified as English language learners (EL), and 4,750 high school students had an EL status. As reflected in Figure 11 and Table 10, the middle school EL OSS incident rate declined (with annual decreases of 6% to 27%) from 36.5 incidents per 100 students in 2010-2011 to 14.9 in 2015-2016 and then decreased (54.3%) to 6.8 OSS incidents in 2016-2017. High school EL OSS incident rates also declined (with annual decreases of 5% to 32%) each year, from 22.8 in 2010-2011 to 8.0 OSS

incidents per 100 students in 2015-2016, and then decreased (53.8%) to 3.7 incidents in 2016-2017. Both middle and high schools had similar EL OSS incident rate trajectories with middle school EL OSS incident rate generally 60% to 150% higher (per 100 students) than the high school rate each year. The middle school, where RJ was implemented, showed a decrease from 19.0 EL OSS incidents per 100 students in 2014-2015, the year prior to RJ, down to 6.8 in 2016-2017, which was a 64.2% decrease. The high school EL OSS incidents per 100 students decreased from 8.4 in 2014-2015 to 3.7 incidents in 2016-2017, a 57.1% decline. The 2010-2011 middle school EL OSS incidents per 100 students (36.5) was 28% greater than the 2010-2011 overall middle school incident rate (28.5). The 2016-2017 middle school ESE OSS incidents per 100 students (14.2) was 67% greater than the 2016-2017 overall middle school OSS incident rate (8.5).

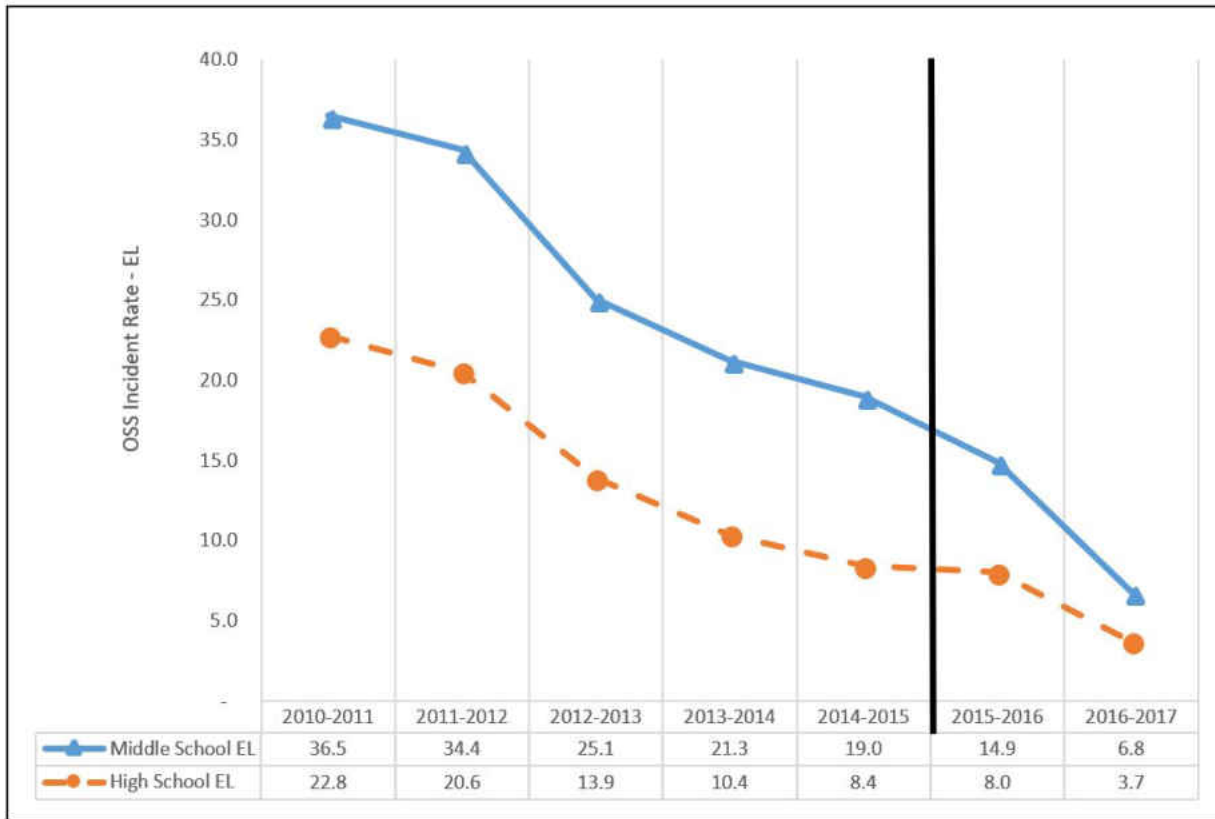


Figure 11. Out-of-school suspension (OSS) incident rates per 100 students by English language learners (EL) and school level.

As displayed in Table 10, the middle school mean pre-RJ EL OSS incident rate per 100 students was 27.6, and the post-RJ rate was 10.6. The pre-RJ time frame high school mean EL OSS incident rate per 100 students for was 15.9, and the post-RJ time frame was 5.7. The middle school mean EL OSS incident rate decrease was 17.0 EL OSS incidents pre-RJ vs. post-RJ, and the high school EL OSS incident decrease was 10.2 incidents in the same time frame. Middle school EL OSS incident rate had a 61.5 % decrease (post-RJ as compared to pre-RJ) and high school EL OSS incident rate had a 63.9% decrease in the same timeframe. When comparing pre-RJ vs. post-RJ time frame, middle school EL OSS incident rate per 100 students had a greater numerical decrease than the high school EL OSS incident rate and high school EL OSS incident

rate per 100 students had a greater proportional decrease than the middle school EL OSS incident rate.

Table 10

*Out-of-school Suspension (OSS) Rates per 100 Students by English Language Learners (EL)*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	27.6	10.6	-17.0	-61.5%
High School	15.9	5.7	-10.2	-63.9%

The researcher examined both middle school and high school EL OSS days per year pre-RJ (2010-2011 to 2014-2015) and post-RJ (2015-2016 to 2016-2017). The results are displayed in Figure 12. Middle school EL OSS days declined from 7,310 in 2010-2011 to 3,590 days in 2012-2013, declines of 25% and 35% respectively, then decreased 8%, 13% and 21% respectively from 2012-2013 to 2015-2016, and then decreased to 1,121 OSS days (-46%) in 2016-2017. High school EL OSS days declined from 5,140 days in 2010-2011 to 1,533 days in 2013-2014 (decreases of 28%, 44% and 26% respectively) each year from 2010-2011 to 2013-2014, remained stagnant with 1,529 days in 2014-2015 (-0.3%), then increased (+4.2%) to 1,593 days in 2015-2016, and declined to 1,049 OSS days (-34.1%) in 2016-2017. The days in OSS decreased every year for middle school students and decreased every year except 2015-2016 for high school students. The middle school and high school EL OSS days had similar trajectories (except 2015-2016) with middle schools EL OSS days generally 15% to 50% higher than the high school EL OSS days. The middle schools, where RJ was implemented, decreased EL OSS days from 2,855 in 2014-2015 to 1,212 in 2016-2017, which was a 57.6% decline. The high

schools EL OSS days decreased from 1,529 in 2014-2015 to 1,7049 in 2016-2017, a 31.3% decline.

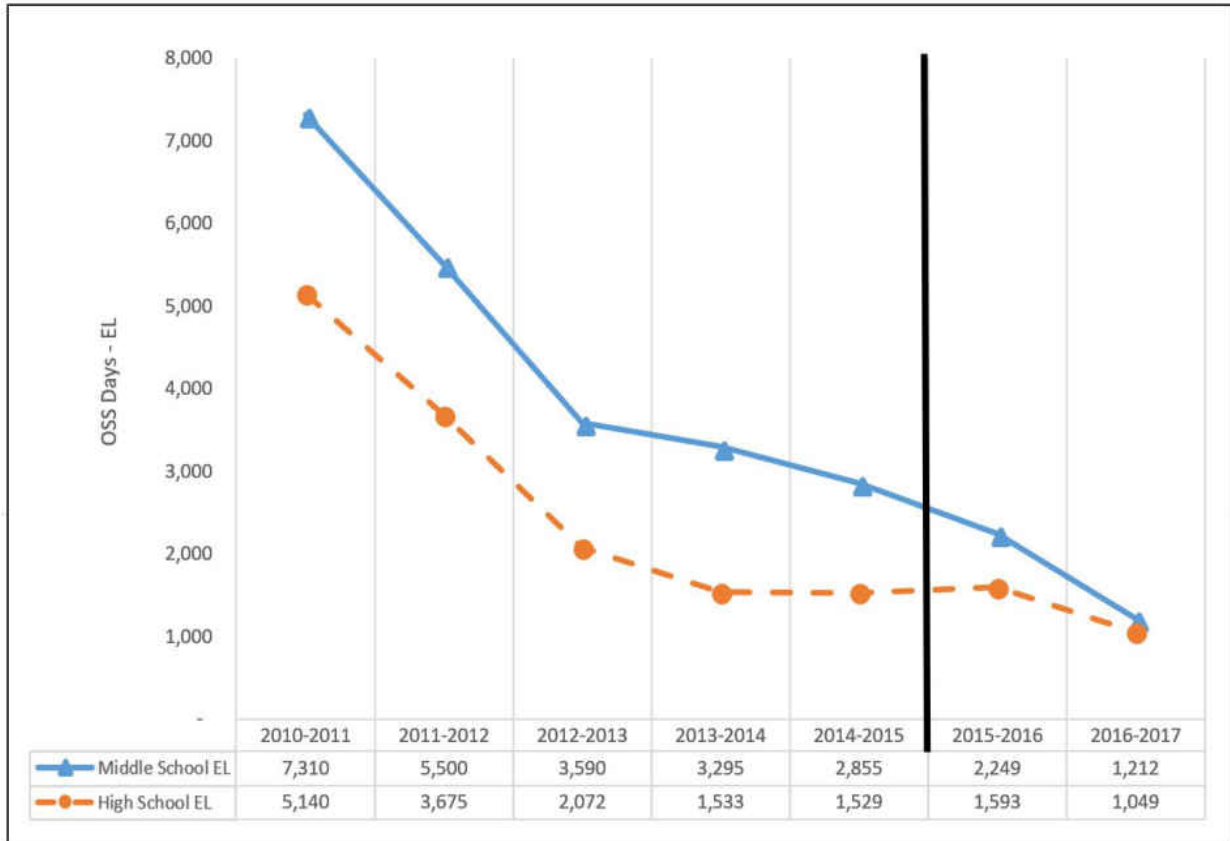


Figure 12. Out-of-school suspension (OSS) days (English language learners [EL] by school level).

As displayed in Table 11, pre-RJ middle school EL mean OSS day total per year was 4,510 days and the mean days post-RJ was 1,731 days, which represents a 61.6% decrease. The high school EL mean pre-RJ timeframe OSS days were 2,790 days and the post-RJ timeframe mean OSS day was 1,469 days, which represents a 52.6% decrease in the yearly OSS days. The middle school EL OSS days decrease was 2,780 days pre-RJ vs. post-RJ, and the high school EL OSS days decrease was 1,469 in the same time frame. When comparing pre-RJ vs. post-RJ time

frame, middle school mean EL OSS days had a greater numerical decrease than high school mean EL OSS days and middle school mean EL OSS days had a greater proportional decrease than high school mean EL OSS days.

Table 11

*Mean Out-of-school Suspension (OSS) Days by English Language Learners (EL), Pre-RJ vs. Post-RJ time frame*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	4,510	1,731	2,780	-61.6%
High School	2,790	1,321	1,469	-52.6%

#### Socioeconomic Status (SES) or Free/Reduced Lunch (FRL)

In the 2016-2017 school year 30,221 of the 43,639 middle school students were classified as FRL (69%), and 35,287 of 56,921 high school students had an FRL status (62%). Based on Figure 13 and Table 12, the middle school FRL OSS incident rate declined, with annual decreases of 7% to 11%, from 39.2 incidents per 100 students in 2010-2011 to 26.2 incidents in 2014-2015. In the first year of RJ implementation in 2015-2016 middle school FRL OSS incidents per 100 students increased 2.2% to 26.8 incidents and then decreased 57.7% to 11.3 incidents per 100 students in 2016-2017. High school FRL OSS rates declined (with annual decreases of 9% to 23%), from 22.3 FRL OSS incidents per 100 students in 2010-2011 to 11.4 in 2014-2015 and then declined 34.7% to 7.8 incidents per 100 students in 2016-2017. Both middle and high schools FRL OSS incident rates had similar trajectories with middle school FRL OSS incidents per 100 students generally 60% to 120% higher than high school FRL OSS incident rates each year. The middle schools, where RJ was implemented, FRL OSS incidents decreased

from 26.2 in 2014-2015, the year prior RJ, down to 11.3 in 2016-2017, a 56.7% decline. The high schools FRL OSS incident rate decreased from 11.4 in 2014-2015 to 7.8 incidents per 100 students in 2016-2017, a 31.6% decline. The 2010-2011 middle school FRL OSS incident rate per 100 students (39.2) was 38% higher than the 2010-2011 overall middle school OSS incident rate (28.5). The 2016-2017 middle school FRL OSS incident rate per 100 students (11.3) was 33% higher than the overall middle school OSS incident rate (8.5). The 2010-2011 high school FRL OSS incident rate per 100 students (22.3) was 44% higher than the 2010-2011 overall high school OSS incident rate (15.5). The 2016-2017 high school FRL OSS incident rate per 100 students (7.8) was 42% higher than the overall high school OSS incident rate (5.5).



Figure 13. Out-of-school suspension (OSS) incident rates per 100 students (free/reduced lunch [FRL] by school level).

As illustrated in Table 12, the pre-RJ FRL middle school OSS incident rate per 100 students for was 32.3 and the post-RJ rate was 19.1. The pre-RJ time frame high school FRL OSS incident rate per 100 students for was 17.2, and the post-RJ time frame was 9.8. The middle school FRL OSS incident rate decrease was 13.2 incidents (pre-RJ vs. post-RJ), and the high school FRL OSS incident decrease was 7.3 incidents (in the same time frame). There was a 40.8% decline in the middle school FRL OSS incident rate post-RJ as compared to pre-RJ and a 42.8% decline in high school FRL OSS incident rate in the same time frame. When comparing pre-RJ vs. post-RJ time frame, middle school FRL OSS incident rate per 100 students had a greater numerical decrease than the high school FRL OSS incident rate and high school FRL



OSS incident rate per 100 students had a greater proportional decrease than the middle school FRL OSS incident rate.

Table 12

*Out-of-school Suspension (OSS) Rates per 100 Students [Free/reduced Lunch (FRL)]*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	32.3	19.1	-13.2	-40.8%
High School	17.2	9.8	-7.3	-42.8%

The researcher analyzed both middle school and high school FRL OSS days per year pre-RJ (2010-2011 to 2014-2015) and post-RJ (2015-2016 to 2016-2017). As shown in Figure 13, middle school FRL OSS days increased 0.8% in 2011-2012 then steadily declined (8% to 11%) for three years before increasing 3.8% in 2015-2016 (the first year of RJ) and then decreasing 53.0% in 2016-2017. Middle school FRL students comprised 69% of the middle school population and had an average of 35,037 pre-RJ OSS days of the total 38,287 OSS days (92%) and 22,309 OSS days of the 23,609 post-RJ middle school OSS days (94%) as compared to their non-FRL middle school peers. High school FRL students comprised 62% of the high school population and had an average of 23,034 pre-RJ OSS days of the total of 30,045 days (92%) and 18,106 of the 21,160 post-RJ high school OSS days (86%) as compared to their non-FRL high school peers. High school FRL OSS days increased 1.7% in 2011-2012, followed by yearly decreases of 11% to 15% for the next three years before rising 18.1% in 2015-2016 and then decreased 26.9% in 2016-2017. The middle school and high school FRL OSS days had similar trajectories with an increase of less than 2% in 2011-2012, followed by three years of decreases

of 8% to 15%, then increased (3.8% for middle school and 18.1% for high school) followed by a decrease (53.0% for middle school and 26.9% for high school). Annually, middle school OSS days were generally 40% to 65% greater than high school OSS days, except in 2016-2017 when middle school OSS days were 7% greater than high school OSS days. The average middle school FRL OSS days percentage decrease during the pre-RJ years was 7% per year, and high school FRL OSS days percentage decrease was 9% per year during the same time frame. The average middle school FRL OSS days percentage decrease during the post-RJ years was 25% per year; high school FRL OSS days decreased 4% during this post-RJ time frame. Middle school FRL OSS days decreased from 29,242 in 2014-2015 to 14,262 FRL OSS days in 2016-2017, a 51.2% decline. High school FRL OSS days decreased from 17,709 in 2014-2015 to 15,289 FRL OSS days in 2016-2017, a 13.7% decline.

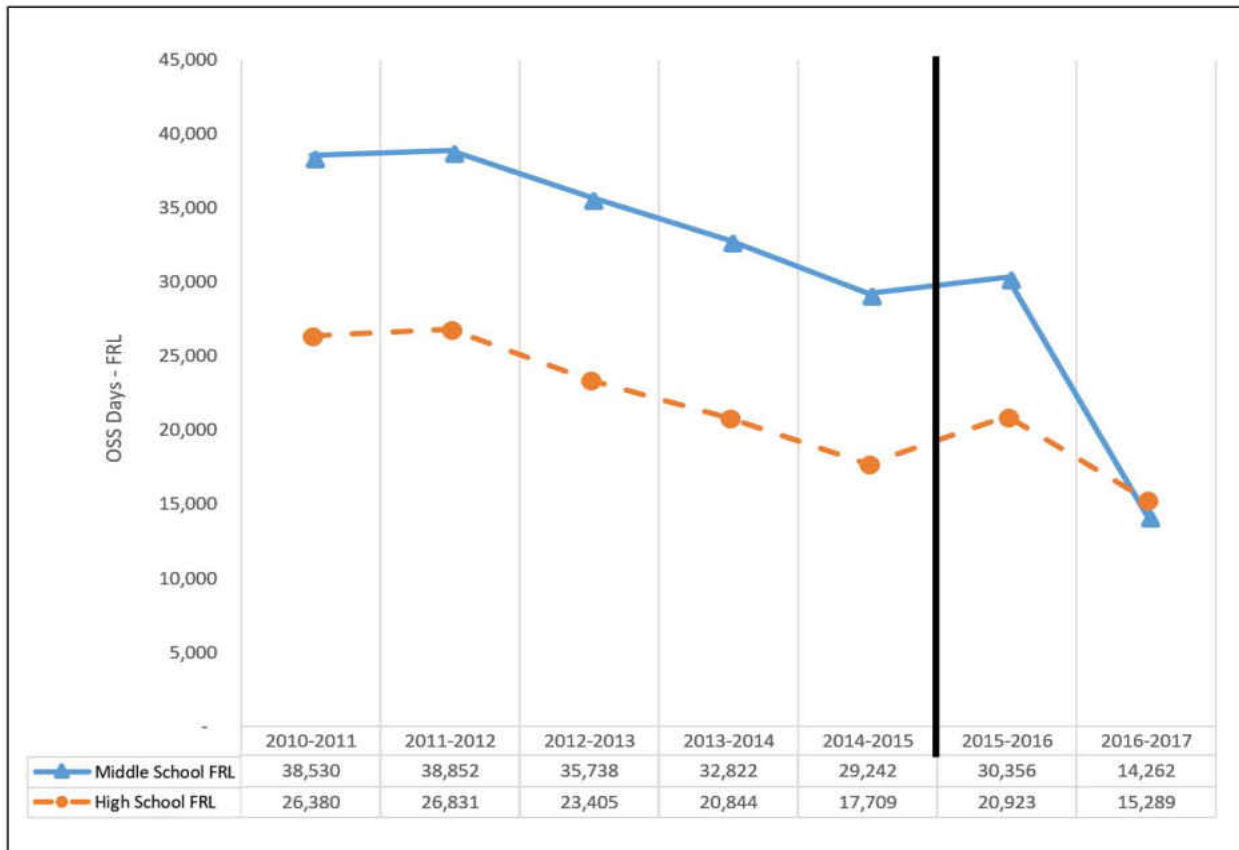


Figure 14. Out-of-school suspension (OSS) days (free/reduced lunch [FRL]) by school level).

As displayed in Table 13, middle school FRL mean pre-RJ OSS days were 35,037 days and the mean days post-RJ was 22,309 days, which represents a 36.3% decrease in yearly FRL OSS days. The high school FRL mean pre-RJ timeframe OSS days were 23,034 and the mean post-RJ timeframe was 18,106 days, which represents a 21.4% decrease in yearly FRL OSS days. The middle school FRL OSS days decrease in the mean OSS days per year was 12,728 days pre-RJ vs. post-RJ, and the high school OSS days decrease was 4,928 in the same time frame.

Table 13

*Mean Out-of-school suspension (OSS) Days (Free/reduced Lunch [FRL])*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School	35,037	22,309	-12,728	-36.3%
High School	23,034	18,106	-4,928	-21.4%

## Ethnicity/Race

Results of the data analysis presented in Figure 15 and Table 14 indicated that middle school Black OSS incidents per 100 students was the highest both pre-RJ (51.4) and post-RJ (32.3) of the six OSS incident rates analyzed. The high school Black OSS incident rate both pre-RJ (23.8) and post-RJ (15.1) was the second highest rate per 100 students. The middle school Hispanic OSS incident rate was the third highest rate per 100 students (18.2 pre-RJ and 10.5 post-RJ). The high school Hispanic OSS incident rate was the fourth highest OSS incidents per 100 students (11.3 pre-RJ and 5.5 post-RJ). The middle school White OSS incident rate was the fifth highest rate per 100 students (8.9 pre-RJ and 5.5 post-RJ). The high school White OSS incidents per 100 students were the group with the lowest rate per 100 students (6.0 pre-RJ and 2.7 post-RJ). All six OSS incident rates averaged yearly decreases between 8% and 18% as compared to the pre-RJ time frame (middle school White, 16%; high school White, 18%; middle school Black, 8%; high school Black, 13%; middle school Hispanic, 10%; and high school Hispanic, 15%). All six OSS incident rates, except for the middle school Black rate and high school Black rate had decreases in each of the pre-RJ years. The high school White OSS incident rate and high school Hispanic OSS incident rate were the only two rates that decreased all seven school years. The middle school Black OSS incident rate and high school Black OSS incident rate increased two years of the seven years. Overall, all six OSS incident rates exhibited

decreases of 29% to 61% in 2016-2017 as compared to 2015-2016. During 2016-2017, middle school Black OSS incident rate (-60.7%) and middle school Hispanic OSS incident rate (-55.7%) had the largest OSS rate decreases as compared to 2015-2016 school year.

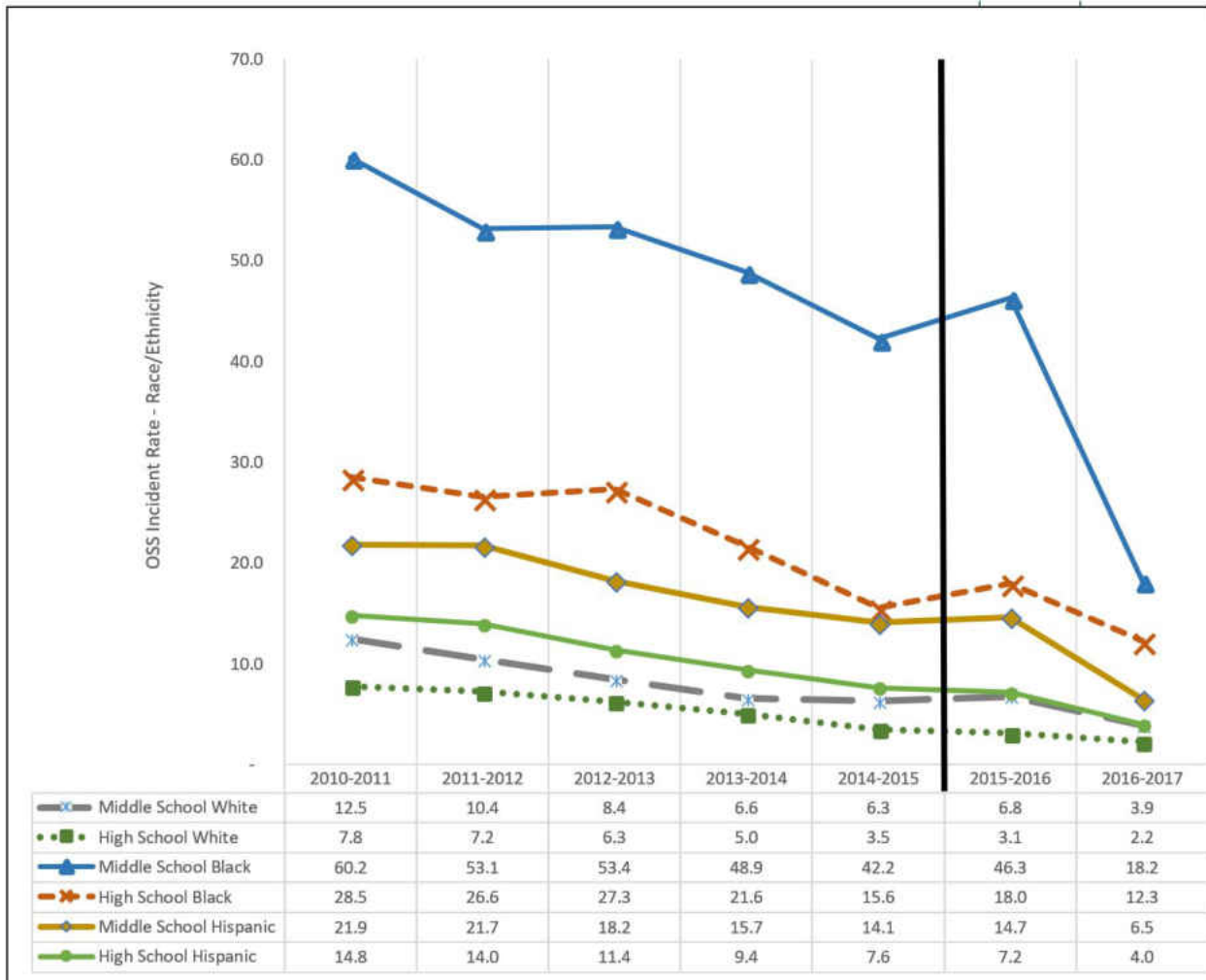


Figure 15. Out-of-school suspension (OSS) incident rates per 100 students by race/ethnicity and school level.

Table 14 illustrates that all six OSS incident rates show decreases of 3.3 to 19.2 OSS incidents per 100 students, which represents a 36% to 51% decrease when comparing pre-RJ vs.

post-RJ timeframe. The high school White OSS incident rate (-55.2%) and middle school Hispanic OSS incident rate (-42.5%) had the greatest proportional decrease when comparing the pre-RJ vs. post-RJ timeframe. High school Black OSS incident rate (-36.6%) and middle school Black OSS incident rate (-37.2%) had the lowest percentage OSS incident rate decline. The middle school Black OSS incidents per 100 students had the greatest numerical decrease (-19.2) in the OSS rate (pre-RJ vs. post-RJ). Middle school Black OSS incident rate per 100 students was more than double any of the other OSS incident rates in both the pre-RJ and post-RJ time frame.

Table 14

*Out-of-school Suspension (OSS) Rates per 100 Students by Race/Ethnicity and School Level*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School White	8.9	5.4	-3.5	-39.6%
High School White	6.0	2.7	-3.3	-55.2%
Middle School Black	51.4	32.3	-19.2	-37.2%
High School Black	23.8	15.1	-8.7	-36.6%
Middle School Hispanic	18.2	10.5	-7.7	-42.5%
High School Hispanic	11.3	5.5	-5.8	-51.0%

During 2010-2011 the middle school and high school student population demographics were as follows: White students 29,183 (32.5%), Black students 23,686 (26.4%), Hispanic students 30,103 (33.6%), and students of other ethnicities 6,719 (7.5%). During 2016-2017, the middle school and high school student population demographics were as follows: White students 27,925 (27.8%), Black students 25,990 (25.8%), Hispanic students 39,205 (39.0%), and students with other ethnicities 7,440 (7.4%). As reflected in Figure 16, Black middle school and high

school students' OSS days totaled more than half of the total OSS days even though Black students represented 25.8% of the student population.

White middle school OSS days were decreased by 25.4% in the 2016-2017 school year as compared to a decrease of 26.2% for the White high school OSS days (as compared to the 2014-2015 school year). Black middle school OSS days experienced the largest decline, decreasing by 56.8% in the 2016-2017 school year as compared to a decrease of 9.1% for the Black high school OSS days (as compared to the 2014-2015 school year). Hispanic middle school OSS days decreased by 42.2% in the 2016-2017 school year as compared to a decrease of 28.5% for the Hispanic high school OSS days (as compared to the 2014-2015 school year).

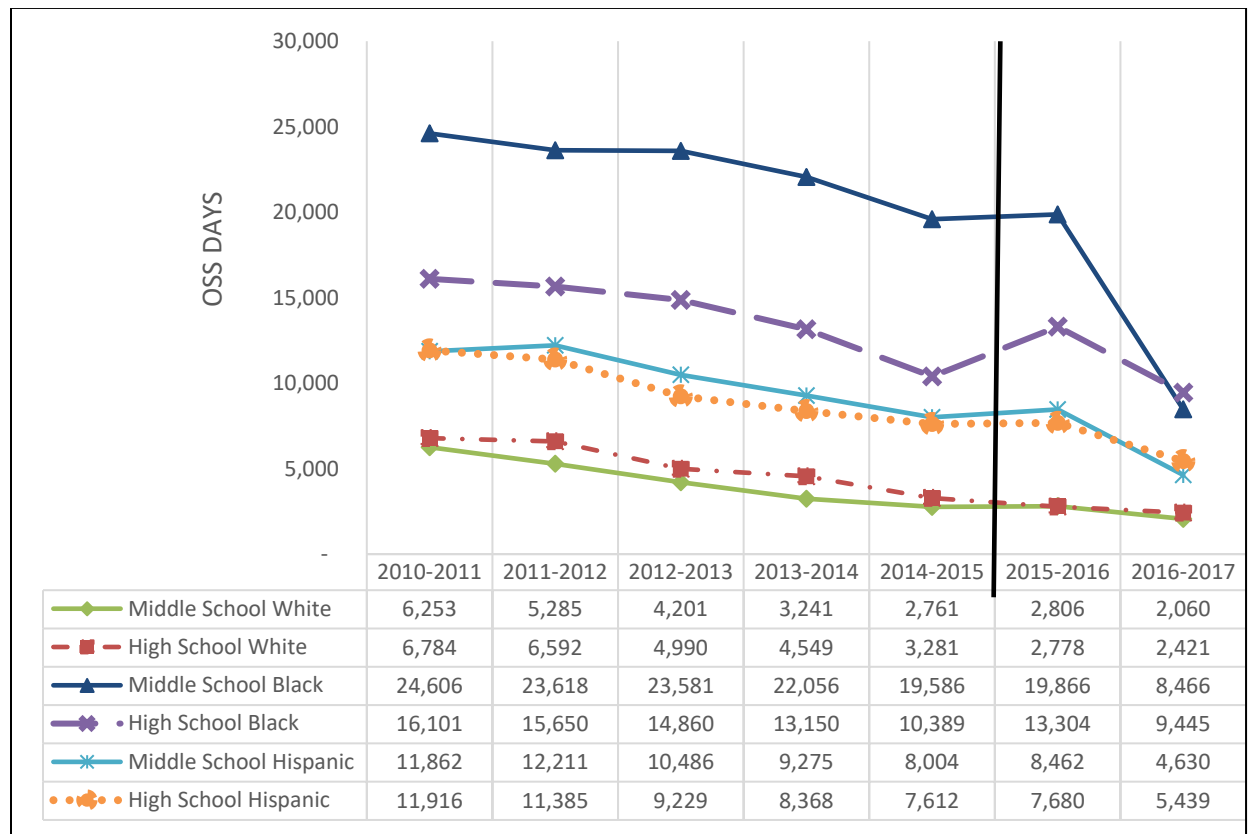


Figure 16. Out-of-school suspension (OSS) days by race/ethnicity and school level.

As displayed in Table 15, middle school Black mean pre-RJ OSS days were 22,689, and the mean post-RJ OSS days were 14,166. This represents a 37.6% decrease in yearly OSS days. There were 5,239 high school White mean pre-RJ timeframe OSS days, and the post-RJ timeframe mean OSS days totaled 2,640, which represents a 50.4% decrease. When comparing pre-RJ vs. post-RJ time frame, middle school Black mean OSS days had the greatest numerical decrease in mean OSS days, and high school White OSS days had the greatest proportional decrease in mean OSS days.

Table 15

*Mean Out-of-school Suspension (OSS) Days by Race/Ethnicity and School Level Pre-RJ vs. Post-RJ*

School Level	Pre-RJ (2010-2015)	Post-RJ (2015-2017)	Difference	Percentage Difference
Middle School White	4,348	2,433	1,915	-44.0%
High School White	5,239	2,640	2,640	-50.4%
Middle School Black	22,689	14,166	8,523	-37.6%
High School Black	14,030	11,375	2,656	-18.9%
Middle School Hispanic	10,368	6,546	3,822	-36.9%
High School Hispanic	9,709	6,560	3,143	-32.4%

### Summary

Overall, the results indicated that both the OSS incidents per 100 students and the number of OSS days decreased for all groups over the seven-year time frame, with decreases almost every year for all subgroups. School data displayed that almost all subgroups had their largest decreases in both OSS incidents per 100 students and OSS days during the 2016-2017 school year. Overall, the middle school OSS incidents per 100 students was greater than high school OSS incidents per 100 students. Table 16 highlights the percentage differences in OSS



incident rates of the subgroups in 2014-2015 (the year prior to RJ implementation) versus 2016-2017 (the second year of RJ implementation).

Table 16

*Subgroup Out-of-school Suspension (OSS) Incident Rates per 100 Students, 2014-2015 vs. 2016-2017*

Subgroup	2014-2015	2016-2017	Difference	Percentage Difference
All				
Middle School	18.9	8.5	-10.4	-55.1%
High School	8.0	5.5	-2.5	-31.7%
Gender				
Middle School Female	12.4	5.4	-7.0	-56.1%
High School Female	6.1	4.5	-1.6	-25.4%
Middle School Male	25.2	11.4	-13.8	-54.8%
High School Male	10.0	6.5	-3.5	-35.5%
Exceptional Student Education				
Middle School	30.1	14.2	-15.9	-53.0%
High School	14.6	9.3	-5.3	-36.3%
English Learner				
Middle School	19.0	6.8	-12.2	-64.2%
High School	8.4	3.7	-4.7	-56.0%
Free/reduced Lunch				
Middle School	26.2	11.3	-14.9	-56.7%
High School	11.4	7.8	-3.6	-31.5%
Ethnicity/race				
Middle School White	6.3	3.9	-2.4	-38.2%
High School White	3.5	2.2	-1.3	-36.8%
Middle School Black	42.2	18.2	-24.0	-56.9%
High School Black	15.6	12.3	-3.3	-21.1%
Middle School Hispanic	14.1	6.5	-7.6	-53.8%
High School Hispanic	7.6	4.0	-3.6	-47.8%

Table 17 highlights the percentage difference in OSS days of the subgroups in 2014-2015 (the year prior to RJ implementation) versus 2016-2017 (the second year of RJ implementation). In general, middle school OSS days were 20% more than the high school OSS days except in 2016-2017, which was the second year of the RJ implementation at the middle school level. The trends also indicated that male OSS incidents per 100 students were higher than female OSS incidents per 100 students, and male OSS days were greater than female OSS days. The ESE OSS incident rate was higher than OSS incident rate of their non-ESE peers. EL OSS incident rate was higher than OSS incident rate of their non-EL peers. Middle school black OSS incident rate had the greatest proportional decrease, but the middle school Black OSS rate was still the highest of all six OSS incident rates.

Table 17

*Subgroup Out-of-school Suspension (OSS) Days, 2014-2015 vs. 2016-2017*

Subgroup	2014-2015	2016-2017	Difference	Percentage Difference
All				
Middle School	31,073	15,422	-15,651	-50.4%
High School	21,977	17,843	-4,134	-18.8%
Gender				
Middle School Female	10,576	5,139	-5,437	-51.4%
High School Female	7,927	7,746	-181	-2.3%
Middle School Male	20,497	10,283	-10,214	-49.8%
High School Male	14,050	10,097	-3,953	-28.1%
Exceptional Student Education				
Middle School	3,643	1,919	-1,724	-47.3%
High School	2,710	1,767	-943	-34.8%
English Learner				
Middle School	2,855	1,212	-1,643	-64.2%
High School	1,529	1,049	-480	-57.5%
Free/reduced Lunch				
Middle School	29,242	14,262	-14,980	-51.2%
High School	17,709	15,289	-2,420	-13.7%
Ethnicity/race				
Middle School White	2,761	2,060	-701	-25.4%
High School White	3,281	2,421	-860	-26.2%
Middle School Black	19,586	8,466	-11,120	-56.8%
High School Black	10,389	9,445	-944	-9.1%
Middle School Hispanic	8,004	4,630	-3,374	-42.2%
High School Hispanic	7,612	5,439	-2,173	-28.5%

## **CHAPTER 5 DISCUSSION OF FINDINGS**

### Introduction

Chapter 5 contains a restatement of the purpose of the study, an overview of the findings, a discussion of the results of the data analyses to respond to the three research questions which guided the study, implications of the study, recommendations for future research, and a conclusion.

### Purpose

The purpose of this research study was to determine if there was an association between the restorative justice model and the rates of out-of-school suspensions incidents and/or out-of-school suspension days for middle school students. In addition, this study was conducted to analyze whether the association between the Restorative Justice model and suspension rates differed for the subgroups of students qualifying for free and reduced lunch (FRL), English learners (EL), students qualifying for exceptional student education services (ESE), and three ethnic subgroups (White, Black, and Hispanic). The researcher investigated these issues within an urban school district in Central Florida for Grades 6, 7, and 8 students for the 2010-2011 to 2016-2017 school years.

### Discussion of Findings

This section contains a discussion of findings for each of the three research questions in the study. In addition, connections to extant literature are recognized.

## Research Question 1

*To what extent, if any, are out-of-school suspension incident rates associated with the implementation of a Restorative Justice (RJ) model?*

- A. What is the overall yearly trend in out-of-school suspension incident rate for the time frame from August 2010 to June 2017?*
- B. What difference, if any, exists between the out-of-school suspension incident rate before and after the RJ model was implemented?*
- C. What difference, if any, exists between the out-of-school suspension incident rate trend before and after the RJ model was implemented?*

The results of the analyses suggest that OSS incident rates were associated with the implementation of the RJ model. The results showed that both the middle school and high school OSS incidents per 100 students decreased over the seven-year time frame, but the middle school and high school OSS incident rates increased the first year after RJ was implemented. An increase in the initial year if RJ could be interpreted as an *implementation dip*. Fullan (2001) asserted, “All successful schools experience ‘implementation dips’ as they move forward. The implementation dip is literally a dip in performance and confidence as one encounters an innovation that requires new skills and new understandings” (p. 8). In the second year of RJ implementation, the middle school OSS incident rate decreased 55.1% and the high school OSS incident rate decreased 31.7% when compared to the 2014-2015 school year. The 23.4 percentage-point differential between middle school and high school OSS incident rate seems to indicate that RJ did have an influence on the OSS incident rate. The research presented in the review of literature (Payne & Welch, 2015) were consistent with the positive results of the present study, indicating that RJ was associated with the decrease in suspensions.

In response to Research Question 1B, there was no noteworthy difference in the OSS incident rate per 100 students, because the middle school percentage decrease of 39.8% of the pre-RJ OSS incident rate as compared to the post-RJ OSS incident rate was very similar to the high school OSS incident rate decrease of 43.2%. Even though the middle school OSS rate declined 9.5 incidents pre-RJ vs. post-RJ and the high schools declined 5.3 incidents pre-RJ vs. post-RJ, the high school had a larger percentage decrease than the middle school.

Results for Research Question 1C show a noticeable change in the trend line after RJ was implemented. Post-RJ, middle school OSS incident rates exhibited a possible implementation dip (Fullan, 2001), with a 6.7% increase (from 18.9 to 20.2) from 2014-2015 to 2015-2016 and showed a decrease (-57.9%) in 2016-2017 to 8.5 OSS incidents. High school OSS incident rates displayed a similar increase (+5.4%) from 2014-2015 to 2015-2016 (from 8.0 to 5.5), then decreased by 35.2% in 2016-2017 (to 5.5 OSS incidents per 100 students). Both the middle school and high school OSS incident rate trend lines reflected the first increase during the first year RJ was implemented in the middle schools, which seemed to indicate that RJ had an influence on the OSS incident rate. Another indicator of the influence of RJ was that the gap between the middle school and high school OSS incident rates was greater than 10.0 OSS incidents every year except during 2016-2017 when the gap was 3.0 OSS incidents per 100 students. In their research, Losen and Skibia (2010) concurred, stating that, “Perhaps most importantly, emerging data indicated that schools with higher rates of school suspension and expulsion have shown poorer outcomes on standardized achievement tests, regardless of the economic level or demographics of their students” (p. 10). To keep students in school so that they can learn, this school district instituted a policy change during 2016-2017 that required

schools to have the school principal approve any OSSs. Prior to 2016-2017, deans and assistant principals could administer OSSs without approval of the school principal. The new policy was probably the reason why all the subgroups in this study had double-digit decreases in their OSS incident rate as compared to the prior year.

## Research Question 2

*To what extent, if any, are the total number of out-of-school suspension days associated with the implementation of a Restorative Justice (RJ) model?*

- A. What is the overall yearly trend in out-of-school suspension days for the time frame from August 2010 to June 2017?*
- B. What difference, if any, exists between the average number of out-of-school suspension days before and after the RJ model was implemented?*
- C. What difference, if any, exists between the trend in the number of out-of-school suspension days before and after the RJ model was implemented?*

The results suggest that OSS days were associated with the implementation of the RJ model. The findings from Research Question 2A revealed that the middle and high school OSS days trends were similar until 2015-2016 (a possible implementation dip [Fullan, 2001]), when the middle and high school OSS days increased. The middle school and high school OSS days had similar trajectories, with middle school generally having 30% to 50% more OSS days than the number of high school OSS days, except for 2016-2017 when middle school OSS days were 13.6% less than the high school OSS days. This was the first year that middle school OSS days were less than the high school OSS days. In the second year of RJ implementation, the middle school OSS days decreased 50.4% and the high school OSS days decreased 18.8% when

compared to the 2014-2015 school year. The 31.6 percentage-point differential between middle school and high school OSS days seems to indicate that RJ did have an influence on OSS days.

The results for Research Question 2B indicated that there was a substantial proportional decrease in middle school OSS days as compared to high school OSS days. The results show that pre-RJ implementation high school mean OSS days (30,045) were 27.4% greater than the middle school mean OSS days (38,287); and post-RJ timeframe high school mean OSS days (21,160) were only 11.6% greater than the middle school mean OSS days (23,609).

Research Question 2C results revealed that once RJ was implemented the OSS days trend was greatly influenced by the RJ model. Both middle school and high school OSS days displayed their only yearly increases in 2015-2016 (likely implementation dip [Fullan, 2001]), which was the first year RJ was implemented in the middle school. During the first year of post-RJ implementation, the middle school OSS days increased from 31,073 days in 2014-2015 to 31,795 days in 2015-2016 (+2.3%) and then decreased by 51.5% to 15,422 days in 2016-2017. The high school OSS days increased from 21,977 days in 2014-2015 to 24,476 in 2015-2016 (+11.4%), and then decreased by 27.1% to revert to the previous trajectory at 17,843 in 2016-2017. The data showed that not only was there a 24.4% difference in the percentage decrease in OSS days between middle school and high school, but middle school closed the OSS days gap and had 2,421 less OSS days than high school. For the six school years prior to 2016-2017, middle school OSS days were at least 20% greater than the high school OSS days; however, after the second year of RJ, the middle school OSS days decreased sharply, and the middle school OSS days were 13.5% less than the high schools OSS days. Decreasing OSS days is essential to increase academic success as evidenced by the American Psychological Association Zero Tolerance Task Force (2008) in its advice that by “offering an evidence-based and



comprehensive approach to school discipline, we hope the following recommendations will help schools and communities meet the critical goal of ensuring safe school climates conducive to learning without removing students from the opportunity to learn” (p. 857). One recommendation would be to utilize data to monitor students for early warning signs (EWS) of attendance, behavior, and course failure to provide interventions to students prior to any suspension or expulsion (Balfanz & Legters, 2004). Another recommendation to consider is for school administrators to reduce students’ number of suspension days when they must serve OSS for a violation of the code of conduct so that they have more classroom time to succeed academically (Anderson & Ritter, 2017; Columbi & Oshner, 2015; Rumberger & Losen, 2016).

### Research Question 3

*What differences, if any, are observable across subgroups (based on ethnicity, socioeconomic status, exceptional student education status, English Learner status, and gender) with respect to patterns of suspension rates/suspension days and the implementation of a Restorative Justice model? In addition, this study will analyze whether the association between the Restorative Justice model and suspension rates differs for the subgroups of students qualifying for (FRL, EL, students qualifying ESE, and three ethnic subgroups (White, Black, and Hispanic).*

In this study, the researcher found that there were differences across subgroups after RJ was implemented. The primary differences in both OSS incident rates and OSS days were revealed when analyzing the graphed trends and tabular data and in the subgroup graphs and tables. Both middle school and high school OSS days displayed their only yearly increases in 2015-2016 (likely implementation dip [Fullan, 2001]), which was the first year RJ was implemented in the middle school. The results suggest that there is an association between the

Restorative Justice model and suspension rates which differs for the subgroups of students qualifying for (FRL, EL, students qualifying ESE, and three ethnic subgroups (White, Black, and Hispanic). As shown in Table 17, the Middle School EL and Middle School White subgroups were the only subgroups that did not exhibit a double-digit percentage decrease in OSS days as compared to their corresponding high school peer subgroups.

### Gender

In this study, the researcher found that after RJ was implemented, middle school male and female OSS incident rates and OSS days seemed to be influenced by the RJ model. The results indicated that after the possible first-year implementation dip (Fullan, 2001), middle school male and female OSS incident rates and OSS days had a greater proportional decrease than high school male and female OSS incident rates and OSS days. The results revealed when comparing 2016-2017 to 2014-2015, the middle school female OSS incident rate decreased by 56.1%, and the high school female incident rate decreased by 25.4% (a 30.7% difference), and the middle school male OSS incident rate decreased by 54.8% and the high school male incident rate decreased by 35.5% (a 19.3% difference). These findings aligned with previous evidence-based research (Losen & Martinez, 2013) showing that male OSS incident rates are usually higher than female OSS incident rates.

The results indicated that after the possible first-year implementation dip (Fullan, 2001), middle school male and female OSS days had a greater proportional decrease than high school male and female OSS days. Middle school female OSS days decreased by 51.4% in the 2016-2017 when compared to the 2014-2015 school year, but high school female OSS days only decreased 2.3% in the same time frame (a 49.1% difference). Middle school male OSS days

decreased 49.8% in the 2016-2017 when compared to the 2014-2015 school year, but high school male OSS days decreased 28.1% in the same time frame (a 21.7% difference). High rates of suspension, and even apparent race and gender disparities, would not be as problematic if research were to demonstrate that the frequent use of suspension compared to the costs, offered greater benefits in safety or improved instructional climate (Losen & Skibia, 2010, p. 9). School administrators, educators, and other stakeholders in children's lives must analyze subgroups' OSS data to determine which subgroups need customized alternative interventions to reduce suspensions and improve academic success.

#### Exceptional Student Education (ESE)

This study revealed that after RJ was implemented, both the ESE OSS incident rates and ESE OSS days appeared to be influenced by the RJ model. The results indicated middle school ESE OSS incident rates and OSS days decreased in greater proportion than high school ESE OSS incident rates and OSS days when comparing pre-RJ vs. Post-RJ. The results showed that for 2016-2017 compared to 2014-2015, the middle school ESE OSS incident rate decreased by 53.0% and the high school ESE OSS incident rate decreased by 36.3% (a 16.7 percentage difference).

Middle school ESE OSS days sharply decreased (-47.3%) in 2016-2017 when compared to the 2014-2015 school year, high school ESE OSS days decreased 34.8% in the same time frame. The percentage differential gap between middle school ESE OSS days and high school ESE OSS days ranged from 33.2% to 57.1% every year except 2016-2017 when the percentage differential gap was decreased to 8.6%. The findings of other researchers coincided with the results of this study, showing that the ESE OSS incident rate was usually 50% to 100% greater

than the non-ESE OSS incident rate per 100 students (Columbi & Oshner, 2015; Losen et al., 2015; National Center for Educational Statistics, 2017). ESE students are the most vulnerable students, and administrators should utilize appropriate strategies to ensure the ESE OSS incident rate is comparable to the non-ESE OSS incident rate so that all students have an equitable education (The Whitehouse, Executive Office of the President, 2015).

### English Learner (EL)

This study revealed that after RJ was implemented, EL OSS days seemed to be influenced by the RJ model. The results indicated middle school OSS days decreased in greater proportion than high school EL OSS days when comparing pre-RJ vs. Post-RJ. This study showed that after RJ was implemented, EL OSS incident rate results were inconclusive as to whether the RJ model influenced EL OSS incident rates. The results showed that for 2016-2017 compared to 2014-2015, the middle school EL OSS incident rate decreased by 64.2%, and the high school EL OSS incident rate decreased by 56.0% (an 8.2 percentage difference). However, the middle school EL OSS incident rate had a 61.5 % decrease (post-RJ as compared to pre-RJ), and high school EL OSS incident rate had a 63.9% decrease in the same time frame.

Middle school EL OSS days decreased 57.5% in the 2016-2017 when compared to the 2014-2015 school year, and high school EL OSS days decreased 31.4% in the same time frame. The percentage differential gap between middle school EL OSS days and high school EL OSS days ranged from 41.2% to 114.9% every year except 2016-2017 when the percentage differential gap decreased to 15.5%.

### Socioeconomic Status (SES) or Free/Reduced Lunch (FRL)

These results of the present study showed that after RJ was implemented, both the FRL OSS incident rates and FRL OSS days seem to be influenced by the RJ model. Both middle school and high school FRL OSS incident rates had similar trajectories with middle school FRL OSS incidents per 100 students generally 60% to 120% higher than high school FRL OSS incident rates each year. The incident rate gap was decreased to 39.1% in the 206-2017 school year. The results indicated that middle school FRL OSS incident rates and OSS days decreased in greater proportion than the high school FRL OSS incident rates and OSS days when comparing pre-RJ vs. post-RJ. The results show that in a comparison of 2016-2017 to 2014-2015, the middle school FRL OSS incident rate decreased by 56.7% and the high school FRL OSS incident rate decreased by 31.5% (a 25.2 percentage difference).

Middle school FRL OSS days decreased (-51.2%) in 2016-2017 when compared to the 2014-2015 school year, and high school FRL OSS days decreased 13.7% in the same time frame. The percentage differential gap between middle school FRL OSS days and high school FRL OSS days ranged from 44.8% to 57.5% every year except 2016-2017 when the percentage differential gap was eliminated and middle school FRL OSS days were 6.7% less than high school FRL OSS days. From 2010-2011 to 2016-2017, middle school FRL OSS days were at least 9,433 higher than high school FRL OSS days; then in 2016-2017, middle school FRL OSS days were 1,027 lower than high school FRL OSS days. RJ seemed to have a significant impact on decreasing FRL OSS days.

The researcher found, not surprisingly, that schools with larger proportions of non-White students tend to give out longer punishments, regardless of school income levels, measured by FRL rates. (Anderson & Ritter, 2017, abstract). An alarming statistic revealed in this study was

that FRL middle school students made up 69% of the population and middle school OSS days accounted for 95% of the total middle school OSS days. Anderson and Ritter (2017) asserted that these results appear to indicate multiple tiers of disadvantage: race drives most of the disparities across schools, whereas within schools, FRL or special education status may matter more (abstract).

### Ethnicity/Race

The researcher found that after RJ was implemented, middle school Black and middle school Hispanic OSS incident rates and OSS days seemed to be influenced by the RJ model. The results revealed, when comparing 2016-2017 to 2014-2015, the middle Black OSS incident rate decreased by 56.9% and the high school Black incident rate decreased by 21.1% (a 35.8 percentage difference). The middle school Hispanic OSS incident rate decreased by 53.8%, and the high school Hispanic incident rate decreased by 47.8% (an 8.0 percentage difference). During 2016-2017, the middle school Black OSS incident rate (-60.7%) and the middle school Hispanic OSS incident rate (-55.7%) had the largest OSS rate decreases compared to 2015-2016 school year. Middle school Black and middle school Hispanic OSS incident rates were the only two OSS incident rates where the 2016-2017 incidents per 100 students were well below the trend from the previous six years included in this study. Similar to previous research (Civil Rights Project, 2014; Florida Department of Juvenile Justice, 2016; Skiba & Rausch, 2006), large racial disparities were evident in the difference in the White OSS incident rates and the Black and Hispanic OSS incident rates. In the present study, the researcher confirmed the findings of many previous researchers (Arcia, 2007; Losen, 2011; Morris & Perry, 2016; Smith, 2015) of inequity in Black OSS rates as compared to their white peers. It is imperative that large impactful

reductions in Black OSS incident rates and Hispanic OSS rates continue to allow for equitable educational outcomes for all students.

When comparing 2016-2017 to 2014-2015, the results showed Black middle school OSS days experienced the largest decline, decreasing by 56.8% in the 2016-2017 school year as compared to a decrease of 9.1% for the Black high school OSS days (a 47.7 percentage difference). When comparing 2016-2017 to 2014-2015, Hispanic middle school OSS days decreased by 42.2% in the 2016-2017 school year as compared to a decrease of 28.5% for the Hispanic high school OSS days (a 13.7 percentage difference). These findings were similar to those of the National Center for Educational Statistics (2017) and Skibia et al. (2011). Even though the Black middle school OSS incident rate had the largest decrease, the Black middle school OSS incident rate was still almost five times greater than the White middle school OSS incident rate in 2016-2017. Losen and Skiba (2010) in their research, which paralleled parts of this study, addressed this issue as follows:

If we assume that Black and Hispanic poverty rates are similar in these districts (as they are nationally), and if we assume that Black males and females have similar exposure to poverty, it becomes difficult to explain why suspension rates are so much higher for Black males than for both Hispanic males and Black females (p. 8).

#### Limitations

1. The study was delimited to a single district, and thus findings are not immediately generalizable to other school districts.
2. The study was delimited to students in “traditional” schools, and thus results are not immediately generalizable to students in no-traditional school settings.
3. Another key limitation of the study was the presence of other potential factors such as

revised suspension policies that may be related to suspension rates. The FDOE (2017) and this Central Florida School District School Board implemented policy mandates for schools to find alternatives to out-of-school suspensions in 2015. The legislative policies and school suspension policies made it more difficult for deans and principals to administer out-of-school suspensions. Because it has become more difficult for administrators to suspend students, it may appear that restorative justice practices are the main factor in the decrease in suspensions whereas it may actually have been the legislative policy that make it appear that suspensions levels have declined.

4. The culture and philosophy of the individual schools may have an effect on the implementation of the district's suspension policy.
5. Results do not allow for understanding how the relationship between RJ and any changes in behavior based on the number of times an individual student is suspended or the rate of recidivism among students.

#### Implications for Policy and Practice

Study results showed that some of the most at-risk subgroups were still being left behind; these subgroups' OSS rates and OSS days were higher than their peer subgroups. This study was undertaken so that school district stakeholders could devise strategies to engage and reach all students to facilitate high levels of academic achievement by being more inclusive. The following are recommended strategies:

1. The results indicate that OSS gaps still exist and there is inequity in OSS. School districts should mandate professional development that focuses on cultural sensitivity



- and awareness training for all school faculty to create a better learning environment for all students.
2. The results indicate that OSS gaps still exist and there is inequity in OSS. School districts should create and utilize data systems that monitor and track suspensions at the student level and disaggregate suspensions based on any subgroup demographic. This will assist school districts in identifying trends and subgroups that may need specific interventions.
  3. The results indicate that RJ is associated with positive results and suggest that the RJ model should be further supported and monitored. School districts should implement the RJ model only after thoroughly training enough faculty at each school site to properly execute RJ, knowing that consistency and faculty buy-in are the keys to success even though there may be an implementation dip (Fullan, 2001) at the beginning.
  4. Although the results show that RJ is associated with positive results, it is recommended that RJ not be the only strategy that is utilized to improve student behavior. The RJ model is a better alternative than zero-tolerance policies, but stakeholders should have escalating consequences in situations when RJ is not effective.

#### Recommendations for Future Study

1. It is recommended that a future study include representative stratified sample school districts from several states, generalizable to their respective populations, to add power

to the results. The study was delimited to a single district, and findings were not generalizable to other school districts.

2. It is recommended that a future study include private schools, charter schools, and alternative schools instead of only traditional schools.
3. It is recommended that at least one more year of post-RJ implementation data be added to strengthen this study, as the study now includes five years pre-implementation data and only two years post-intervention data.
4. It is recommended that a longitudinal study be conducted to determine the long-term effect of the implementation of the restorative justice program as changes take place in school structure, demographics and culture.
5. It is recommended that further school level and grade level disaggregation be utilized to determine what types of schools (and which grade levels) would be most influenced by the RJ model in decreasing OSS rates and OSS days.
6. It is recommended that further study be conducted to explore whether RJ reduces the recidivism of previously suspended students. This study did not compare the number or percentage of students who were suspended multiple times.
7. It is recommended that researchers consider the use qualitative data in future studies to capture attitudes and beliefs of the RJ model of students, teachers, and administrators.
8. It is recommended that future research investigates if the RJ school model has an influence on juvenile crime rates.

## Conclusion

The findings in this study suggest an association between RJ and middle school OSS incidents rates as well as middle school OSS days for almost all subgroups. The efficacy of the RJ model as compared to other alternatives to suspensions still need to be further explored, but the RJ model demonstrates potential in reducing suspensions if RJ is part of the school culture (Fronius, et al., 2016; Welch & Payne, 2015). Attendance in school has been shown to be the most important factor in student achievement as reported in several evidence-based research studies; therefore, every opportunity to keep students in school should be explored prior to OSS (Balfanz and Byrnes, 2010; Civil Rights Project, 2000; Columbi & Oshner, 2015; Losen et al., 2015; Noltemeyer & Mcloughlin, 2015; Rumberger & Losen, 2016). More time and resources should be allocated to determine how effective the RJ model is in decreasing OSS incident rates and decreasing OSS days. The following findings of Losen et al. (2015), related to the school discipline gap, were aligned with the results of this study:

Therefore, the large racial/ethnic disparities in suspensions that we document in this report likely will have an adverse and disparate impact on the academic achievement and life outcomes of millions of historically disadvantaged children. This supports our assertion that we will close the racial achievement gap only when we also address the school discipline gap (p. 4).

Eliminating the discipline gap across all subgroups can close the achievement gap (Gregory et al., 2010). The results of this study and the policy recommendations may assist all stakeholders, and especially educators, school administrators, and school boards to alter policies, specifically suspension policies, to keep children in school.

**APPENDIX A**  
**INSTITUTIONAL RESEARCH BOARD APPROVAL**



University of Central Florida Institutional Review Board  
Office of Research & Commercialization  
12201 Research Parkway, Suite 501  
Orlando, Florida 32826-3246  
Telephone: 407-823-2901, 407-882-2012 or 407-882-2276  
[www.research.ucf.edu/compliance/irb.html](http://www.research.ucf.edu/compliance/irb.html)

## NOT HUMAN RESEARCH DETERMINATION

From: **UCF Institutional Review Board #1**  
**FWA00000351, IRB00001138**

To: **Brian Agard**

Date: **January 16, 2018**

Dear Researcher:

On 01/16/2018, the IRB determined that the following proposed activity is not human research as defined by DHHS regulations at 45 CFR 46 or FDA regulations at 21 CFR 50/56:

Type of Review: Not Human Research Determination  
Project Title: A Study of the Effectiveness of the Restorative Justice model  
on out-of-school suspensions in a large urban district.  
Investigator: Brian Agard  
IRB ID: SBE-17-13589  
Funding Agency:  
Grant Title:  
Research ID: N/A

University of Central Florida IRB review and approval is not required. This determination applies only to the activities described in the IRB submission and does not apply should any changes be made. If changes are to be made and there are questions about whether these activities are research involving human subjects, please contact the IRB office to discuss the proposed changes.

This letter is signed by:

A handwritten signature in black ink, appearing to read "Gillian Morien".

Signature applied by Gillian Morien on 01/16/2018 01:16:24 PM EST

Designated Reviewer

**APPENDIX B**  
**SCHOOL DISTRICT RESEARCH APPROVAL**



**Research and  
Evaluation**  
Orange County Public Schools

## OCPS Application to Conduct Research Research Notice of Approval

Approval Date: **February 15, 2018**

Approval Number: 0105

Expiration Date: **February 14, 2019**

Project Title: ***A Study of the Effectiveness of the Restorative Justice Model on Out-of-school Suspensions***

Requester: Brain Agard

Sponsoring Agency/Organization/Institutional Affiliation: University of Central Florida

Thank you for your request to conduct research in Orange County Public Schools. We have reviewed and approved your application. This *Research Notice of Approval (R-NOA)* expires one year after issue date, February 15, 2018.

If you are interacting with OCPS staff or students, you may email the school-based or district-based administrators who have indicated interest in participating, including this notice as an attachment. After initial contact with applicable administrators, you may email any necessary staff included in your application. This approval notice does not obligate administrators, teachers, students, or families of students to participate in your research study/project; participation is entirely voluntary.

You are responsible for submitting a Change/Renewal Request Form to this department prior to implementing any changes to the currently approved protocol. If any problems or unexpected adverse reactions occur as a result of this study, you must notify this department immediately. Allow 45 days prior to the expiration date, if you intend to submit a Change/Renewal Request Form to extend your R-NOA date. Otherwise, submit the Executive Summary (along with the provided Cover Page) to conclude your research with OCPS and within 45 calendar days of the R-NOA expiration. Email the form/summary to [research@ocps.net](mailto:research@ocps.net). All forms may be found at this [link](#).

Should you have questions, need assistance or wish to report an adverse event, please contact us at [research@ocps.net](mailto:research@ocps.net) or by phone at 407.317.3370.

Best wishes for your continued success,

Chen An, Ph.D.

Director of Research and Evaluation

[Chen.An@ocps.net](mailto:Chen.An@ocps.net)

**APPENDIX C**  
**COLLABORATIVE INSTITUTIONAL TRAINING INITIATIVE**



**COLLABORATIVE INSTITUTIONAL TRAINING INITIATIVE (CITI PROGRAM)**  
**COMPLETION REPORT - PART 2 OF 2**  
**COURSEWORK TRANSCRIPT\*\***

\*\* NOTE: Scores on this [Transcript Report](#) reflect the most current quiz completions, including quizzes on optional (supplemental) elements of the course. See list below for details. See separate Requirements Report for the reported scores at the time all requirements for the course were met.

- **Name:** Brian Agard (ID: 4951592)
- **Institution Affiliation:** University of Central Florida (ID: 405)
- **Institution Email:** Brianagard1@knights.ucf.edu
- **Institution Unit:** Education
- **Phone:** 9176748929
  
- **Curriculum Group:** Responsible Conduct of Research for Administrators
- **Course Learner Group:** Same as Curriculum Group
- **Stage:** Stage 1 - RCR
  
- **Record ID:** 16779416
- **Report Date:** 26-May-2017
- **Current Score\*\*:** 91

REQUIRED, ELECTIVE, AND SUPPLEMENTAL MODULES	MOST RECENT	SCORE
Research Involving Human Subjects (RCR-Basic) (ID: 13566)	25-May-2017	5/5 (100%)
Plagiarism (RCR-Basic) (ID: 15156)	26-May-2017	4/5 (80%)
Authorship (RCR-Basic) (ID: 16597)	25-May-2017	4/5 (80%)
Collaborative Research (RCR-Basic) (ID: 16598)	25-May-2017	4/5 (80%)
Conflicts of Interest (RCR-Basic) (ID: 16599)	26-May-2017	4/5 (80%)
Data Management (RCR-Basic) (ID: 16600)	26-May-2017	5/5 (100%)
Financial Responsibility (RCR-Basic) (ID: 16601)	26-May-2017	4/5 (80%)
Mentoring (RCR-Basic) (ID: 16602)	26-May-2017	5/5 (100%)
Peer Review (RCR-Basic) (ID: 16603)	26-May-2017	5/5 (100%)
Research Misconduct (RCR-Basic) (ID: 16604)	26-May-2017	5/5 (100%)
Introduction to RCR (RCR-Basic) (ID: 17009)	25-May-2017	3/3 (100%)

For this Report to be valid, the learner identified above must have had a valid affiliation with the CITI Program subscribing institution identified above or have been a paid Independent Learner.

Verify at: [www.citiprogram.org/verify/7k2634cc82-d427-4712-a69f-db6e7b673947-16779416](http://www.citiprogram.org/verify/7k2634cc82-d427-4712-a69f-db6e7b673947-16779416)

Collaborative Institutional Training Initiative (CITI Program)

Email: [support@citiprogram.org](mailto:support@citiprogram.org)

Phone: 888-529-5929

Web: <https://www.citiprogram.org>

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