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The Impact Zero-Tolerance Policies Have on High School Students

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Abstract

The capstone project created for RJ in the Schools, a program under Restorative Justice Partners, Inc. was an implementation model for building school site relationships as RJ in the Schools enters a school prior to providing specified on-site support. The implementation model was developed and piloted for purposes of addressing functionality at Monterey Peninsula Unified School District's alternative education school, Central Coast High and later introduced to RJ in the Schools staff for approval of best internal practices. The implementation model highlights steps to strengthen relationships with school sites before commencing restorative justice (RJ) services, and can easily be adaptable to different school settings. RJ recognizes humanity, individuality and allows school community voices to be heard, opening doors to different ways of problem solving as opposed to the traditional ways of punishment that research has shown to be ineffective. RJ is a cultural shift, it is not just about solving conflicts, emphasizing the importance of having guiding tools to help transform relationships into strong foundations with the school community. Because the age group that RJ in the Schools serves is school aged students, having strong relationships with school stakeholders allows implementation to more effectively support the students in those schools who will benefit from RJ practices rather than the early reliance of the juvenile justice system.

Keywords: Restorative Justice, School-to-Prison Pipeline, K-12 alternative education, public school education, alternative discipline, restorative justice implementation model

Agency & Communities Served

Restorative Justice Partners, Inc (RJP, Inc.) was founded in 1987 with a mission “to provide support and education to those affected by conflict, and to encourage accountability, reparation and empathy” (RJP, 2019). RJP, Inc. is based out of Marina, California and serves the whole county of Monterey. In addressing issues of social justice, RJP, Inc. in a voluntary setting brings first time juvenile offenders, their victims, families and vital stakeholders together in a restorative justice process to help the offenders become aware of the harm their actions caused and give the victim a central role of making things as right as possible in the restitution process (RJP, 2019). According to RJP, Inc., “restorative processes, which foster dialogue between the offender and the victim, show the highest rates of victim satisfaction, true accountability by the offender, and reduced recidivism (RJP, 2019). Services offered at RJP, Inc. are Victim Offender Reconciliation Process, Merchant Accountability Panel, Victim Impact Process and RJ in the Schools.

In 2010, RJ in the Schools began in one elementary school district and as of today, is in twenty five schools across five districts K-12 and growing (RJP, 2019). RJ in the Schools division offers professional development training for school staff, peer-mediation training for selected students, and efficient tools for community building and finding solutions within one another in a kindergarten through twelfth grade school setting (RJP, 2019).

Through California State University of the Monterey Bay’s field practice program, a Collaborative Health and Human Services (CHHS) student was connected with RJ in the Schools for an internship placement. Through RJ in the Schools, the CHHS student interned at Central Coast High School (CCHS), a local Monterey County Alternative School in Monterey Peninsula

Unified School District (MPUSD) that provides a flexible setting for students with unique academic and social emotional needs (Central Coast High School Home, 2019). As seen in Figure 1, the demographics of CCHS in academic school year 2018-2019 consisted of a total student enrollment of 103 (Data Reporting Office, 2018). Of the 103 students enrolled, 60 were in the 11th grade and 43 in the 12th grade, those students enrolled identified as 78.6% Hispanic or Latino, 12.6% White and 4.9% African American (Data Reporting Office, 2018).

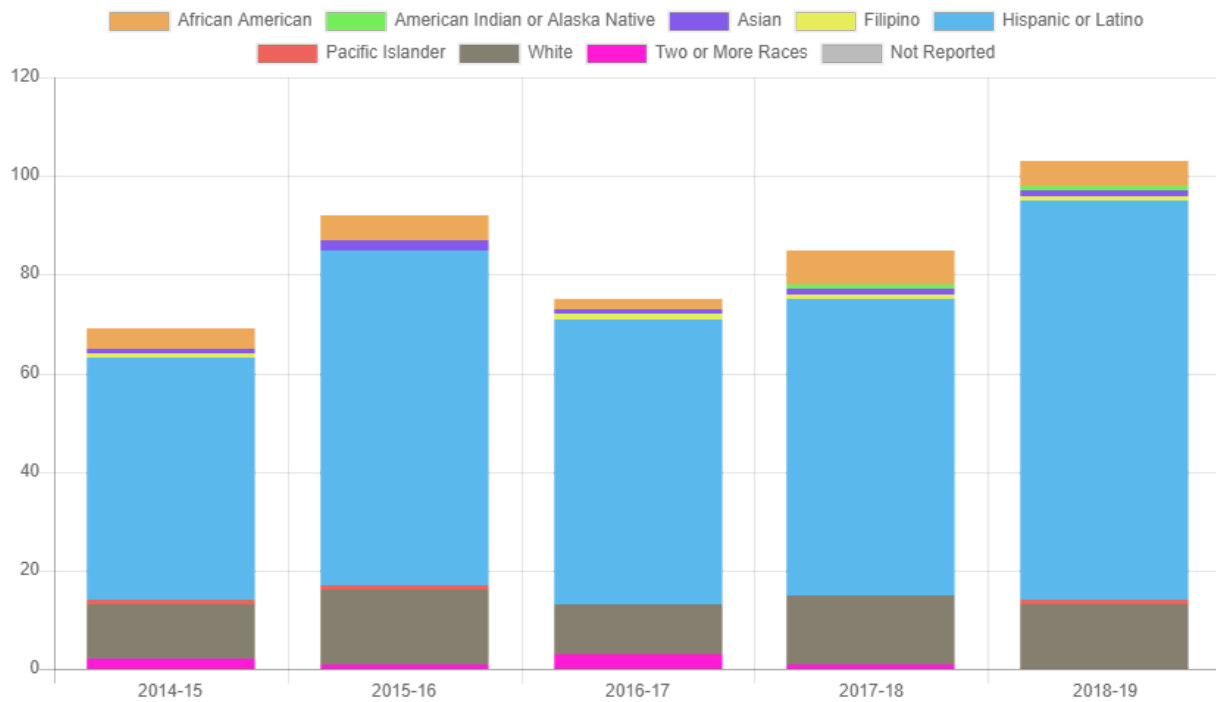


Figure 1. Enrollment by ethnicity Central Coast High report, 2018-2019. Adapted from California Office of Education, Data Reporting Office.

CCHS’s teacher staff composed of twelve teachers, 1 of those teachers were in their first year of teaching, 3 were in their second year of teaching, and the remaining averaged 7 years of teaching within the district, which might hint to a less experienced teaching force (Data Reporting Office, 2019). Of the twelve teachers, ten identified as being White and the other two

teachers on campus identified as being Hispanic or Latino (Data Reporting Office, 2019). During the same academic school year (2018-2019) throughout all MPUSD, 587 teachers served the district, of those teachers 432 identified as being White, 84 as Hispanic or Latino, and only 16 teachers identified as African American (Data Reporting Office, 2019). Historically speaking, under representation of racial and ethnic backgrounds in schools lead to implementing sanction-oriented policies as compared to schools whom balance racial and ethnic representation adopt a learning-oriented discipline policy (Roch, Pitts, & Navarro, 2010).

Problem Description

When it comes to popular belief, school is where many hope they will be given the chance to change their future and climb the social and economic ladder. Sadly, the zero-tolerance policy which started as a safety procedure has boosted failure and fueled the school to prison pipeline (Wilson, H., 2014). The zero-tolerance policies in schools have contributed to “school policing, widespread student searches, and strict rules with consequences dictated by school discipline handbooks” which contribute to the school climate of suspension and exclusion (Wilson, H., 2014). With the increased attention to school shootings in the 1990’s, the zero-tolerance policy was pushed forward to be the implementer of school discipline, in order to not lose federal funding, schools became pressured to comply, but “before long, schools escalated the range of reasons for suspending and expelling students to include violating policies about alcohol, tobacco, drugs, fighting, insubordination, dress code, and "disruptive behavior" (Wilson, H., 2014). Removal for rule-breaking became the default position under the myth that this made schools more “secure” which gave rise to the popular school-to prison pipeline,

identified as “the causal link between educational exclusion and criminalization of youth” (Wilson, H., 2014).

Contributing Factors

The zero-tolerance policy has a web of contributing elements and with the lack of resources, they all play a strong role as culprits to the school-to-prison pipeline. The American Civil Liberties Union (ACLU), released a report on juvenile incarceration March 2019 stating, “schools are under-resourced and students are over criminalized. The analysis also found that disproportionately high arrest rates for students of color and students with disabilities are continuing, while there was a 17 percent growth in school-based referrals to law enforcement from 2013-14 to 2015-16” (Alternatives To Youth Incarceration, 2019). Zero-tolerance policies give school officials leeway to discipline as they wish, “when there are no other behavioral resources at hand, some teachers request help from law enforcement. This results in an increased criminalization of our youth: we found that schools with police reported 3.5 times as many arrests as schools without police” (Blad, 2019).

While we wait for legislation to reform zero tolerance policies nationwide, we see reports such as the 2018 California Children's Report Card stating, “research on implicit bias shows that teachers are more likely to associate challenging behavior with boys who are Black relative to their peers who are not Black. As a result, suspension rates are highest among students who are Black” (Children Now, 2018). According to Kendra Cheek and Justin Bucchio (2017), “America’s historic racial narrative has transformed into implicit bias, which is one of the main causes of the pipeline and helps to explain the disproportionate rate of minorities being disciplined for subjective behavior”(Cheek & Bucchio, 2017).

Zero-tolerance policies in schools do not have the proper trauma informed care necessary to help students, “they ignore the mental and emotional needs of the most vulnerable of students in our schools and allow absolutely no understanding to the individual needs of students” (Forbes, 2016). Often the case for a majority of students is a home environment full of toxic stress that has influenced “them into living every moment of every day in survival mode. Their new “normal” is fear, reactivity, and failure” (Forbes, 2016). Being placed in this environment, “the result is that their brains are wired for fear...their brains are not “bad” and their reactivity isn’t necessarily “wrong.” They are the products of their environments, they have survival brains and that’s how they enter their classrooms every day. What science is showing us, is that this is a brain issue, not a behavioral issue” (Forbes, 2016). When schools inadequately enforce the zero-tolerance policy they inadvertently send students down the pipeline to prison, “youth at risk of entering the juvenile justice system and those that are already involved in the system, the use of incarceration, and lengthy stays in particular, poses unique immediate and long-term health and mental health risks”(Gonzales, 2017).

Consequences

Based on the zero tolerance policy outcomes, “Many youths who are incarcerated have a history of truancy and grade retention. A study of more than 400 incarcerated ninth-graders found that, in the year prior to incarceration, these students had attended school barely half the time and were failing most of their courses” (Youth Involved with the Juvenile Justice System, 2019). Due to the over criminalization that the schools put on students, “When a student is suspended or expelled, there is a significant increase in his or her likelihood of being involved in

the juvenile justice system the subsequent year” (Youth Involved with the Juvenile Justice System, 2019).

Behavioral issues arise in youth who have been affected by the zero tolerance policy and pushed to the school to prison pipeline, “youth incarceration puts children in traumatic situations, in a violent environment and leads to increased recidivism. The very process of confining young people—cutting them off from their families, disrupting their education, and often exposing them to further trauma and violence—harms their development and has lifelong negative consequences” (Alternatives To Youth Incarceration, 2019). In the article titled, Youth Involved with the Juvenile Justice System it states that 65 to 70 percent of youth who have been exposed to the juvenile justice system have a mental health and or substance abuse diagnosis. Thirty percent of those youth have severe mental health disorders, all of which affect their academic performance, behavior, and relationships with peers and adults (2019).

Problem Model

Contributing Factors	Problem	Consequences
Deeply Held Beliefs Around Discipline and Authority	The Impact Zero-Tolerance Policies Have on High School Students	Poor School Performance (Truancy and Grade Retention)
Implicit Bias		Office Discipline Referrals (Suspensions, Expulsions, Police Reports)
Trauma		Behavior Issues

Capstone Project Description and Justification

Capstone Project

RJ in the Schools offers support to school districts by offering professional development training, community and solution finding circles, and facilitate mediation services for staff, faculty and students to help build positive school culture. Past processes usually consisted of RJ in the Schools sending their School Case Coordinators to school sites, with little or no time to build a collaborative relationship with school officials or a meaningful relationship with students. The lack of connection resulted in few school sites following through with their accountability to practicing restorative justice philosophies. The challenges experienced were mainly due to RJ radically challenging deeply held beliefs that many have grown up with around discipline and authority. It is extremely common that school administrators and students familiarize themselves with the traditional approach of establishing which school rule has been violated and making wrongdoers accountable by punishing them (Blood & Thorsborne, 2005). Therefore, RJ can bring discomfort in a professional and personal way, but when we focus the attention on building relationships with the whole school community by repairing harm with students and teachers, forces us to learn from the experience of conflict by making things as right as possible instead of punishment, which leads to the beginning mindset for true cultural shift (Blood & Thorsborne, 2005).

The push back with RJ buy-in across all staffing positions, have led to the need for an implementation model to help gain greater involvement and acceptance of RJ in the Schools and restorative justice services. A need that the implementation model addressed was building

relationships and trust among the students, faculty and staff to foster positive school climate and culture. It is important for both RJ in the Schools and school sites to have the school community acquire knowledge of RJ practices so that staff and students may individually use restorative justice themselves as a form of finding solutions with one another when faced with a conflict.

The capstone project created was an implementation model for building school site relationships as RJ in the Schools enters a school prior to providing specified on-site support. The implementation model was developed and piloted for purposes of addressing functionality at Central Coast High and later introduced to RJ in the Schools staff for approval of best internal practices. The implementation model highlights steps to strengthen relationships with school sites before commencing RJ services and can easily be adapted to different school settings. Focusing on building trust in relationships will bond connections with school stakeholders, so that RJP, Inc. as a whole organization can see out their mission to provide support and education to those affected by conflict, and to encourage accountability, reparation and empathy (RJP, 2019).

Project Purpose

The implementation of this model will help RJ in the Schools School Case Coordinators map out steps to gain commitment from students, faculty, and staff through building community relations, as well as aid in positive cultural shift at school sites. With hopes to produce less office discipline referrals that result in suspensions, expulsions and or police reports, which show to have a high connection to the school to prison pipeline. Restorative Justice practices in schools are fairly new to the United States, yet studies suggest that RJ significantly impacts and redirects the school-to-prison pipeline (Teasley, 2014). “For example, Denver schools that implemented

restorative circles and conferencing report a 44% reduction in out-of-school suspensions. They also report an overall decrease in expulsions across the three-year post-implementation period. In Oakland, Cole Middle School experienced an 87% drop in suspensions across the first two years of implementation compared to the prior three years; expulsions were eliminated entirely after RJ was put in place. More recent figures from Oakland suggest continued success, with a 74% drop in suspensions and a 77% decrease in referrals for violence during a two-year follow up” (Steiny, 2016). Data and research show that having an alternative to zero-tolerance discipline policies, like RJ help humanize interactions with students and teachers using a holistic process to identify the psychological and environmental issues that cause students to act out, more effectively ending the cycle of bad behavior (Ted, 2017).

Project Justification

In the movement of less punitive measures comes restorative justice, “RJ is based on the development of a value set that includes building and strengthening relationships, showing respect, and taking responsibility” (Teasley, 2014). Although RJ has been utilized for many years, it is new to the United States school setting and comes with reservations, “evidence has accrued that schools using RJ reduce their use of exclusionary discipline but like any new initiative, RJ implementation can be challenging” (Gregor, et al., 2016). Hence the need for an implementation model, “districts and schools across the nation are “rolling out” RJ training but little is known about best practices for early implementation. This underscores the need for disseminating implementation “lessons learned” to schools across the nation as they undertake discipline reform to reduce their use of exclusionary discipline and eradicate racial disparities in school suspension”(Gregor, et al., 2016). The implementation model allows for deeper roots to

be planted, its' guidelines are crucial, "community-based relationship building and inclusion are key to the implementation and success of restorative justice methods. Therefore, an understanding of community culture, norms, and values is important in developing programmatic content" (Teasley, 2014).

Project Implementation

RJ in the Schools has primarily focused on elementary school settings, but with the growing need of alternative discipline, the agency has partnered with school districts and expanded into high schools. For RJ philosophy implementation to be substantive and not merely superficial, a clear understanding of the values are essential to healthy, equitable and just relationships between RJ in the Schools and school stakeholders. For that reason, Internship Mentor and Executive Director, Jennie Burciaga recommended that an implementation model would be beneficial to the agency, and best implemented at Central Coast High School, given its complexity and high need for restorative justice.

Data was collected on best practices to build trust and meaningful relationships with the school site during the intern's role as a School Case Coordinator while providing on-site support in academic school year 2018-2019 at CCHS. With the information of the best practices gathered, a pilot implementation model was formed and its effectiveness was tested in the following CCHS academic school year 2019-2020. Revisions were made as the pilot implementation model unfolded along with the guidance and constructive feedback of weekly check-ins with both Internship Mentor and School Stakeholders of CCHS. On November 20th of 2019, a finalized implementation model was introduced to RJP, Inc. staff for approval to be used as an internal guiding tool for building school site relationships at schools prior to providing

on-site support, to help insure RJ practices are implemented and sustained. A detailed implementation plan and timeline can be seen in the Scope of Work in Appendix A.

Assessment Plan

Measuring the effectiveness of the implementation model came in two steps, one during the testing phase of the pilot implementation model in academic school year 2019-2020 and second, when presented to RJ in the Schools during the course of four meetings scheduled in November 2019 with the Internship Mentor/ Executive Director and RJ in the School Lead Manager. The implementation model was tested out at CCH in the beginning of the school year 2019-2020 which started in August and ended in November 2019. With relationship and trust building aspect of the implementation model practiced in four classroom settings that consisted of a different group of high school cohorts, than those who originally helped with gathering data of best practices in building relationships and trust in academic school year 2018-2019. Working in the classrooms of four RJ lead teachers that have shown fidelity to restorative justice practices, helped quickly build trust to begin the next phase of restorative justice implementation, Community Building Circles. Circles are “a place where individuals can express themselves without being judged and can be used to build community and solve conflict” (RJP, 2019). With enough trust built in the beginning of implementation, more students were comfortable partaking in the process of sharing during a circle, at a quicker rate than academic school year 2018-2019.

The implementation model went through four feedback meetings before it was approved. In the first meeting it was requested to create a complementing task and timeline to understand the process of the implementation model in more detail. The implementation model’s final

approval of scalability to other school sites was given by Internship Mentor/ Executive Director Jennie Burciaga and RJ in the School Lead Manager Arleen De La Pena.

Expected Outcomes

The implementation model highlights steps to strengthen relationships with school personnel, build community with students and teachers before commencing RJ services, and can easily be replicable to different school settings. The expected outcomes for the implementation model was for it to be approved by RJ in the Schools staff as a model for internal use that captures the implementation process of RJ in the Schools of RJP, Inc. into a replicable model, a long time goal since the programs starting point.

Project Results

The project resulted in RJP, Inc. Internship Mentor/ Executive Director and Lead Manager reviewing and offering a constructive critique of the RJ in the School Implementation Model. It was accepted as an internal tool for guidance of the important task of building relationships with our valued school stakeholders. The implementation model draft was presented a total of four times, each with different editing needs, additions, updates and finalizing the visual look of the implementation model. Upon final review and approval of the implementation model, the feedback that was received by Internship Mentor/ Executive Director Jennie Burciaga was, “As always your work is on point. Thank you. You've done an excellent job of capturing the implementation process of RJ in the Schools of RJP! You have transformed the process into a replicable model. This has been a long term goal since the program's inception and not possible until now. You're making a significant difference for the organization and those we serve” (J. Burciaga, personal communication, November 18, 2019).

Another result of the RJ in the Schools Implementation Model was that it helped meet one of the two recommendations from the business plan developed by the Franklin Fund Team, a generous grantor that has partnered with RJP, Inc. and a team of CSUMB business students over the past three years. The first recommendation was to hire two additional part time staff and the second recommendation was to document the implementation process of RJ in the Schools program into a replicable model which was achieved by the CSUMB Collaborative Health and Human Service Intern. The RJ in the School Implementation Model can be seen in Appendix B, and its complementary RJ in the Schools Implementation Model Task and Timeline can be seen in Appendix C.

Conclusion & Recommendations

The conclusion of the implementation model on the agency was that it captured the implementation process and gave RJ in the Schools a guiding tool that can easily be replicated in the schools that the agency serves. The RJ in the School Implementation Model for Building Site Relationships should absolutely continue and evolve with ongoing communication held with RJ in the Schools and the valued school stakeholders. The bases of the implementation model is replicable, but to improve the implementation models future impacts, RJ in the Schools should continue to account for the diversity among different school climate and cultures. Along with using the implementation model as a reference tool for every new hire, intern and or volunteer. Another thing to note, because of the amount of responsibilities placed on school educators, RJ practices should feel as real and purposeful and not like another support program that comes and goes, so bringing true meaningful intentions to the school community will aid in RJ becoming the norm for discipline across all staffing positions.

Personal Reflection

What I learned about the impact that Zero-Tolerance policies continue to have on the school environment, especially focusing on high school students is that it closes blinds and prevents the acknowledgment of seeing people in a humanistic form. From the literature researched, the experiences in a school setting, along with the planning and implementation of this project, it has become clear that there is much work to be done for adults to heartedly become accountable to k-12 students.

The planning and implementation of relationship building is not an easy task, learning and adapting to different communication skills needed to interact with school stakeholders and the agency is a task of its own. In both being a service provider and a colleague in the human service field, the implementation model of relationship building helped strengthen and foster dialogue, uncover areas of needed support or education and brought out the responsibility for reparation and empathy.

The strengths that were seen because of RJ in the Schools Implementation Model for Building Site Relationships was just what it was intended to create, relationships. The Intern School Case Coordinator was able to make meaningful connections with students and the teachers who opened their doors to the RJ tools. In the beginning of the academic school year 2019-2020, Intern School Case Coordinator was surprised to find out that students who experienced Circles the previous year, began to vouch for RJ Circles, complement the process and approved of the Intern School Case Coordinator with their peers.

Challenges that the implementation model faced was ongoing enrollment of students at CCHS, which caused a change in dynamics with new entering students and existing students. There was a constant start and stop in the building of trust with students, but this ongoing enrollment is the norm in an alternative school setting. It became apparent that the Intern School Case Coordinator needed to make changes in themselves to be able to support students in this fluctuating environment.

RJ in the School Implementation Model for Building Site Relationships, existing or non-existing on paper, is the fundamental tool to deliver services in the most humble and humane way. RJ practitioners should not merely settle on just being service providers, but adjust their lenses and view themselves as cultural shifters in the schools and community. With more and more interaction with RJ and its holistic approach, we will soon see a stern shift in society believing that punishment works, it will soon be something of the past.

Future capstone students working at Restorative Justice Partners, Inc., in either of its programs are in for a mound of life changing, social-emotional, and professional growth. RJP, Inc., truly cares for its team and goes out of its way to provide opportunities for learning about self-care, the most valuable of tools in the human service field.

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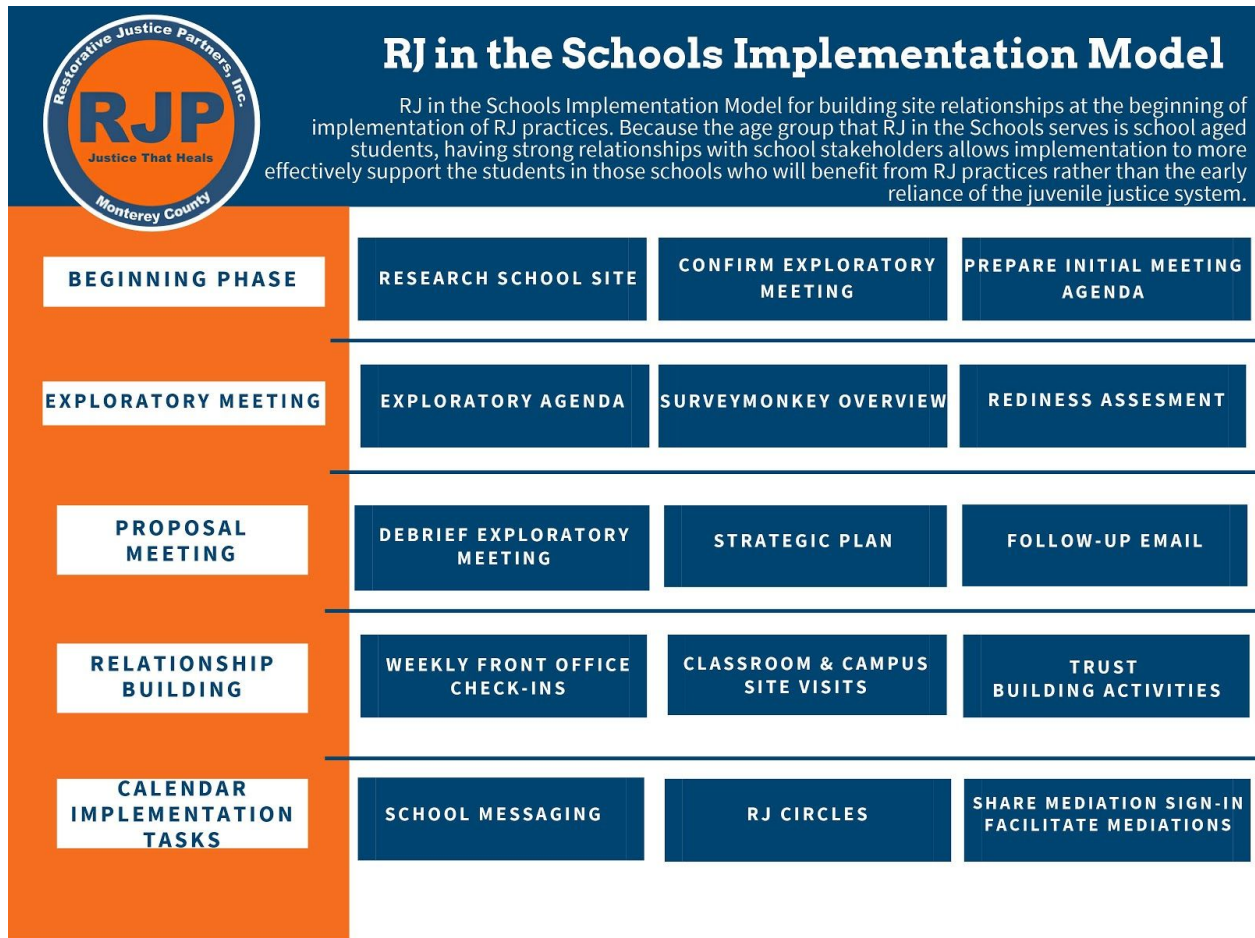
Appendix A

Scope of Work

Activities	Deliverables	Timeline/Deadlines	Supporting Staff
Begin supporting CCHS	Timelog	September	Jennie Burciaga/Alan Crawford
Meeting with RJP staff and mentor	Meeting notes/reflection/experiences	First monday of month starting September 2018-November 2019	Jennie Burciaga
Capstone idea	Implementation model approval	October 2018	Jennie Burciaga
Research effective best practice implementation model	Approved implementation model design	November 2018	Jennie Burciaga
Create implementation model	implementation model scalability	September-November 2019	Jennie Burciaga/ Arleen De La Pena
Support CCHS	Pilot implementation model	Aug.2019-Nov. 2019	Jennie Burciaga/Alan Crawford/Arleen De La Pena
Begin implementation model draft	Make note of changes	Aug. 2019- Nov. 2019	Jennie Burciaga/ Arleen De La Pena
Meeting with RJP staff/ CHHS	Include notes of changes	Oct. 2019	Jennie Burciaga/Arleen De La Pena
Make revisions	Implementation model draft	November 1, 2019	Jennie Burciaga
Make revisions	Updated implementation model draft; timeframe updates & edits	November 7, 2019	Arleen De La Pena
Make revisions	Implementation Model: Edit layout for visual appeal	November 18, 2019	Arleen De La Pena/ Jennie Burciaga
Present to RJP, Inc.	Approval of RJ in the School Implementation Model	November 20, 2019	Jennie Burciaga/ Arleen De La Pena

Appendix B

RJ in the School Implementation Model



Appendix C

RJ in the Schools Implementation Model Task and Timeline

RJ in the Schools Implementation Model Task and Timeline

*SCHOOL SITE SELECTION, APPROVAL AND/OR START DATE MAY VARY BY SCHOOL SITE PARTNERSHIP.

