

Restorative Justice and Health in Merced Schools

Improving health impacts through school discipline policy in Merced, CA

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BUILDING HEALTHY
communities

Southwest Merced
East Merced County



HUMAN IMPACT PARTNERS



MERCED ORGANIZING PROJECT



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- Central California Regional Obesity Prevention Program (CCROPP)
- Golden Valley High School
- Health Equity Project
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TABLE OF CONTENTS

I. Introduction..... 4

II. Literature Review 10

III. Merced County Community Profile and Baseline Conditions 18

IV. Quantitative Estimates: Impacts of Restorative Justice in Merced 34

V. Qualitative Research Findings: School Discipline and Restorative Justice in Merced..... 37

VI. Predictions of Health Impacts Based on HIA Evidence 44

VII. Conclusions and Recommendations..... 46

VIII. References Cited..... 50

List of Tables and Figures

Figure I-1. Merced County with select schools..... 9

Table II-1. Evidence linking select social determinants to health..... 12

Figure III-1. Race and ethnicity in Merced County 18

Figure III-2. California Standardized Test Results by Grade, 2008-09 to 2012-13 21

Figure III-3. Graduation rates, 2009-10 to 2012-13 22

Table III-1. Proportion of students meeting UC/CSU admission requirements..... 22

Figure III-4. Total suspension rate per 100 students, 2008-13 24

Figure III-5. Expulsion rate per 1,000 students, 2008-09 to 2010-11 27

Figure III-6. Truancy rates per 100 students from 2008-09 to 2012-13..... 28

Figure III-7. Dropout rates per 100 students from 2009-10 to 2012-13..... 29

Figure III-8. California Healthy Kids Survey - School Connectedness Scale, High, Medium, or Low, Le Grand High School District from 2009-10 to 2011-12 31

Figure III-9. California Healthy Kids Survey - School Connectedness Scale, High, Medium, or Low, Merced Union High School District, 2009-10 to 2011-12 31

Figure III-10. Percent of Merced County 9th and 11th grade and non-traditional students who reported having depression-related feelings from 2008 to 2010 32

Table IV-1. Hypothetical 20% and 40% reductions in suspensions 34

Table IV-2. ADA Revenue Generated for Merced Districts..... 35

Table VI-1. Summary of Evidence of Impacts of Restorative Justice on Health 44

I. Introduction

One major responsibility of the US school system is to provide a safe and hospitable “school climate” in which teachers can successfully teach and students can successfully learn. School discipline policies are one key driver for promoting safe, positive, and healthy school climates. In addition to the effects of school discipline on educational achievement, healthy school climates and the discipline policies that impact them can both model and enrich healthy communities, so that even outside school boundaries, respect, cooperation, and learning are behavioral norms. These healthy environments, whether in schools or in the broader communities schools represent, are intimately tied to the population’s educational, economic, and health outcomes.

Exclusionary School Discipline (ESD) policies, also known as “zero tolerance policies,” typically enforce mandatory sentencing such as automatic out-of-school suspension, expulsion, or even arrest as consequences for specific student behaviors. These policies emerged as part of a federal mandate regarding weapons at school, but over the course of their widespread adoption in the 1990s, local school districts slowly broadened their scope, eventually including drugs, alcohol, threats, insubordination, and even cursing to the list of behaviors that may now trigger severe disciplinary actions. While there are limited data on the proportion of schools in the United States that formally implement ESD policies, there is consensus in the research community that the majority of US public schools tend to rely heavily on ESD as their primary disciplinary strategy. Between 1974 and 1998, the rate at which US students were suspended and expelled from school nearly doubled from 3.7% to 6.8%. In 1998, over 3.2 million students were suspended from school.¹

Many school districts around the country and world are looking to alternative models of disciplining students. One of those approaches is restorative justice. On January 8, 2014, the U.S. Departments of Education and Justice jointly issued new guidelines recommending that schools revise their discipline policies to move away from zero tolerance policies. The new guidelines recommend the use of methods such as restorative practices,^a which foster positive school climates. These recommendations come in response to numerous studies showing that students of color and students with disabilities are disproportionately impacted by current disciplinary policies.^{3 4}

An increasing number of school districts across the US have official restorative justice resolutions or policies, and some states have passed legislation naming restorative justice as an alternative to more punitive zero tolerance discipline approaches.⁵

^a The International Institute for Restorative Practices (IIRP) considers restorative justice as a subset of restorative practices. According to IIRP: “Restorative justice practices are *reactive*, consisting of formal or informal responses to crime and other wrongdoing after it occurs. The IIRP’s definition of restorative practices also includes the use of informal and formal processes that precede wrongdoing, those that proactively build relationships and a sense of community to prevent conflict and wrongdoing.”² In this report, the terms *restorative justice* and *restorative practices* are used interchangeably.

These movements by the US government, states, and school districts on restorative justice as a strategy to solve injustices and exacerbation of discipline problems created by zero tolerance are signs of the times: a status quo approach to school discipline, which involved 3,727,285 out-of-school suspensions^b in the US during the 2009-10 school year,⁶ is not working. Restorative justice as a tool for approaching school discipline is gaining momentum across the country.

This health impact assessment (HIA) seeks to present evidence on the impacts of restorative justice on health. We examine these impacts through the four “health pathways” of educational attainment, suspension and “school pushout,”^c school climate, and direct mental health impacts. This health impact assessment was conducted by Human Impact Partners in a close partnership with Building Healthy Communities (BHC) – Merced, BHC’s network of partners including the Merced Organizing Project, and The California Endowment. A steering committee composed of 25 Merced resident and other stakeholder members guided the overall research direction. The HIA process consisted of literature review, baseline data collection, and quantitative and qualitative analysis involving several interviews and focus groups with Merced students, parents, and school staff. Our primary objective is to provide useful information to Merced public schools as they develop and refine their discipline policies.

Definition of Restorative Justice

Restorative justice discipline, which can also be called restorative discipline or restorative practices,^d can respond to misbehavior in a variety of forms that are centered on several core principles: 1) acknowledge that relationships are central to building community; 2) build systems that address misbehavior and harm in a way that strengthens relationships; 3) focus on the harm done rather than only on rule-breaking; 4) give voice to the person harmed; 5) engage in collaborative problem-solving; 6) empower change and growth; and 7) enhance responsibility.⁸ The cumulative effect of these principles is to offer students, teachers and administrators an effective way to reach a dignified response to misbehavior, make amends, and repair harm.

Restorative justice discipline typically includes two primary components: 1) a non-adversarial and dialogue-based decision-making process that allows affected parties to discuss the harm done to victims, while considering needs of all participants, and 2) an agreement for going forward based on the input of all participants about what is necessary to repair the harm.⁵

Many restorative justice interventions utilize *circle* or *conference* processes, which originated from indigenous communities. Circles can be called peacemaking circles, healing circles, talking circles, restorative circles, or harm circles, among other names. Typically participants, who may include one or two facilitators, members of all sides in a conflict, and other stakeholders such as

^b This does not include students with disabilities or in-school suspensions.

^c School pushout refers to school policies, practices, and procedures that make it more likely for students to leave school instead of finish it.⁷

^d In this report, the terms *restorative justice* and *restorative practices* are used interchangeably.

student peers, teachers, administrators, or parents, sit on chairs placed in a circle. Sometimes a talking piece is passed around, and only the person holding the talking piece is authorized to speak. Circles are based on the premise that each participant is a valued member of the community and is allowed to speak, and those representing all sides in a conflict are entitled to tell their versions of the story.⁸

Restorative justice panels, also known as *peer juries* or *peer panels*, represent another restorative justice discipline process used in some schools. Students, acting as peer jurors, are trained to analyze the facts of a referred student's case, ask questions and ensure that the student's voice is heard, and facilitate the decision of appropriate consequences to a behavior incident. In some cases, these panels or juries also follow up with the disciplined student to ensure their agreed upon consequences are carried out, and provide any additional support to the student as needed. Panels of student peers thus take leadership roles in every level of the school discipline process.^{9 10}

Restorative justice is not limited to processes such as conferences and circles. The idea of a restorative practices continuum allows for informal practices such as brief teacher-student exchanges, and affective statements and questions that communicate people's feelings and cause reflection on how one's behavior has affected others. By using a continuum of practices, schools are able to use both proactive, relationship and community building practices, as well as reactive practices to repair harm and restore relationships.²

Merced schools and school districts overview

Merced County has 20 school districts, with a mixture of separate elementary and high school districts, and unified school districts.¹¹ This HIA will primarily focus on six schools that exist within Merced Union School District (Buhach Colony High School, Golden Valley High School, Yosemite High School, and Sequoia High School), Merced County Office of Education (Valley Community School), and Le Grand High School District (Le Grand High School).

These schools were selected by the steering committee based on the populations they serve and to achieve a variety of levels of restorative justice implementation among the study schools. While many discipline practices, including restorative justice, are implemented at elementary and middle school levels around the country, for this analysis only high schools are included. This is because to our knowledge, in Merced, high schools are the only ones implementing restorative justice.

Each school and its level of restorative justice implementation are briefly described below. It is important to point out that the schools included in this study are implementing different models of restorative justice, and additionally are at very different stages of implementation, with some school sites quite advanced with their work and others just beginning.

Buhach Colony High

Buhach Colony High School is a comprehensive four-year high school within the Merced Union High School District (MUHSD). The school is located in Atwater, California. The school just completed its first year of restorative justice implementation (i.e., started in 2013-14). Buhach has adopted the Urban Essentials program (see text box below).

Golden Valley High

Golden Valley High is a comprehensive four-year high school in MUHSD. This school is also beginning to implement the Urban Essentials model (see text box) and they have completed restorative justice training, although formal restorative justice implementation has not yet begun.

Le Grand High

Le Grand High School is a comprehensive four-year high school in the Le Grand High School District in Le Grand, California. The school just completed its second year of restorative justice implementation (i.e., started in 2012-13). Various components of the program, which is different than the Urban Essentials model and instead follows the model created by the Center for Peacemaking and Conflict Studies,¹² rolled out gradually throughout the first year.

By the second year of implementation (2013-14), the restorative justice process at Le Grand contained the following sequence of events: First, student(s) involved in an incident visit a conflict mediation center called “The Thinkery.” When appropriate,^e the student(s) involved in the incident then proceed to a conference with a trained *Restorative Justice League* student panel. Through a discussion in which all sides of the conflict are heard, the student panel and those involved in the conflict determine an agreement with follow-up measures to repair harm. For the remainder of the semester, members of the Restorative Justice League student panel follow up with the student to ensure the agreement is completed. If the agreement is not completed, the student must then meet with the principal and potentially receive a more punitive disciplinary action.¹³

Sequoia High School

Sequoia High School is an alternative education/continuation school for students under age 16 in MUHSD. Students may attend Sequoia High if they have had problems at other schools. It is a smaller school with a student body of approximately 150 students. In addition to having an overarching positive behavioral interventions and supports (PBIS) school climate program,^f Sequoia is in its first year (2013-14) of a new model of discipline, which follows the Urban Essentials model (see text box). In the future they may have an Intervention Center (see Yosemite summary below).¹⁵

^e For serious incidents, the student may proceed directly to the principal or meet with their teacher.

^f Positive Behavioral Interventions and Supports, or PBIS, is a positive, proactive approach to establishing the behavioral supports and social culture needed for all students in a school to achieve social, emotional and academic success. Students are given clear expectations of behavior, which are modeled for the students and then practiced. Students receive positive feedback for positive behaviors.¹⁴

Valley Community School – Merced

Merced Valley Community School (grades 6-12) is one of three community schools within the Merced County Office of Education (MCOE). The other community schools are Atwater Valley Community School (grades 6-12) and Los Banos Valley Community School (grades 6-12). All Valley Community Schools serve students who have not yet been successful in comprehensive high schools, typically for reasons related to an adverse socioeconomic background, homelessness, or expulsion from other school districts.¹⁶

Urban Essentials Model

All of the high schools included in this analysis besides Le Grand High School have adopted the *Urban Essentials 101* program, which is “a whole-school intervention program modeled after the principles of restorative justice.”¹² Urban Essentials focuses on school relationships, school climate, and school culture. Discipline is one of five elements central to the program; the other four are *the student, the environment, instruction, and the teacher*.¹³

In all of these schools’ discipline programs, following an incident students are to fill out forms that ask for a description and reason for the incident, what he/she needs to do to make it right, and how he/she would behave differently in the future. In some cases, the teacher must answer the same questions. These forms have their own names in each school; for simplicity, in this analysis we use Yosemite High’s term “green slips.”

Following completion of the green slips, the student and teacher are to meet outside of class to discuss the incident sometime before the next time the class is held. If the teacher and student cannot resolve the incident, the student typically proceeds to a higher authority such as a principal, vice principal, or counselor to determine additional disciplinary outcomes.

The purposes of this approach were described as:

- Allowing other students in the classroom to continue receiving instruction after an incident occurs (only those student(s) involved in an incident miss classroom instruction while filling out a green slip); and
- Allowing an opportunity to discuss what happened with a teacher before resorting to suspension.

The school is in its second year of restorative justice implementation (i.e, started in 2012-13). This school implements the STRIVE program, which stands for Safe Trust Respect Inspiration Vision and Encouragement and is modeled after Urban Essentials (see text box). Their discipline strategy includes two consequences to conflicts or incidents: the Valley Student/Staff Mediation Process (VSSMP) and In-School Suspension Classroom (ISSC). These are described by Holly Newlon, Assistant Superintendent of MCOE, as follows:

The VSSMP is a form that is used when conflict first arises between a student and a teacher with the goal of providing both parties the opportunity to share their side of the story and make things right. Upon completion of the form, the student and teacher schedule a mediation meeting that is designed to build relationships.

The ISSC is the In-School Suspension Classroom. The ISSC is staffed with a full-time, credentialed teacher. When the conflict is not resolved via the VSSMP a student may be sent to the ISSC for the remainder of the period. Additionally, if a student engages in behavior that would normally result in suspension (fighting for example) the student may be sent home for the remainder of the day and spend an additional day/s in ISSC instead of being suspended out of school.¹⁶

Yosemite High School

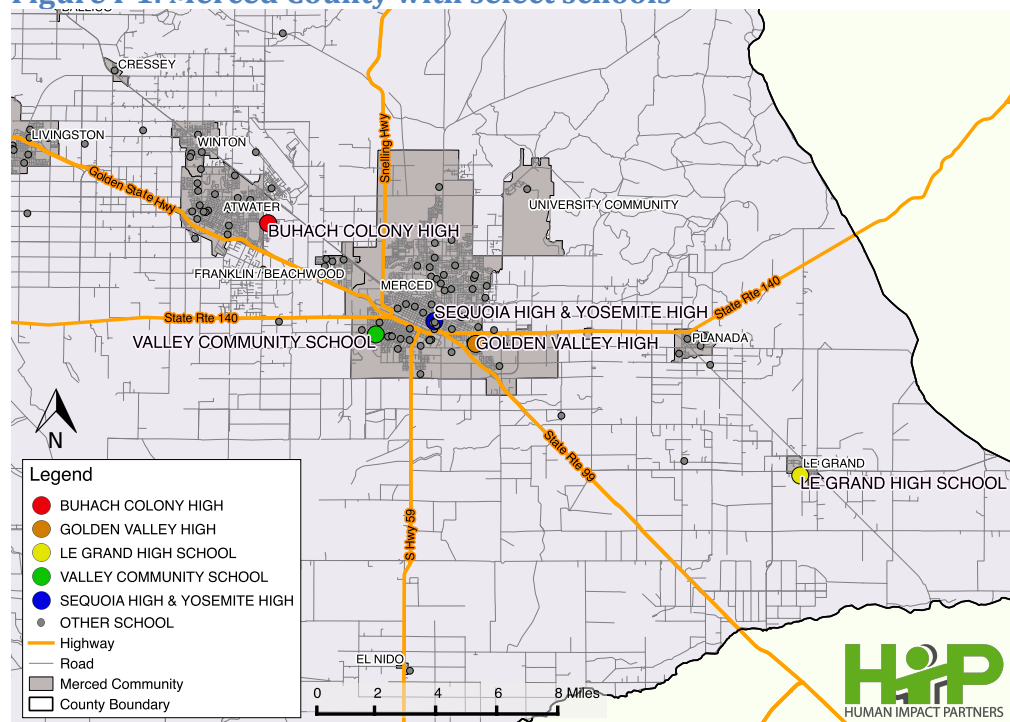
Yosemite High School is an alternative education/continuation school in MUHSD. Students may attend Yosemite High if they have had problems at other schools or if they have fallen behind

on credits. It is a smaller school, with a student body of approximately 300 students.¹⁷ During the 2013-14 school year, all school staff received two to four days of restorative justice training, and implementation began in the middle of that school year. The discipline process follows the Urban Essentials model (see text box). Yosemite also has an overarching PBIS school climate program. The school’s Intervention Plan involves a verbal warning, followed by the student filling out an Incident Form, which is similar to the described “green slips” (see text box).

Geographic distribution of schools

Golden Valley High, Yosemite High, Sequoia High, and Valley Community School are in the city of Merced, Le Grand High is in the city of Le Grand, and Buhach High is in the city of Atwater. The locations of the selected schools are shown in the figure below.

Figure I-1. Merced County with select schools



II. Literature Review

Research Summary: Exclusionary Discipline Doesn't Work

Rather than help to promote safe and healthy schools, exclusionary discipline actually exacerbates **misbehavior** at school. Most literature reports that suspension leads to increased rates of misbehavior and suspension among those suspended,^{18 19 20 21 22} with repeat offenders causing between 30% and 50% of suspensions.²³ A potential reason for this increase in misbehavior is that being suspended (or expelled) causes kids to be away from supervision provided at school. When youth are not in school, they are more likely to become involved in a physical fight, carry a weapon, use drugs (tobacco, alcohol, marijuana, and cocaine), and engage in sexual behaviors.²⁴ ^g As many as 60% of daytime crimes are committed by truant youths,²⁵ and crimes outside of school are subject to consequences by law enforcement.

Most researchers have found the existence of a “**school to prison pipeline**,” in that exclusionary discipline practices at school lead to a higher risk of referral to juvenile justice and adult incarceration. The logical pathway between school and prison is that exclusionary school discipline practices (ESD) leads to drop-out,^{h 5 26 27} being out of school may lead to delinquent behavior, and this behavior may result in incarceration. A Texas longitudinal study found that a student who was suspended or expelled for a discretionary violation was nearly three times as likely to be in contact with the juvenile justice system the following year.²⁸ Black and Latino boys are the most likely to be suspended and expelled in school, make up the majority of incarcerated juveniles,²⁹ and also are vastly overrepresented in adult prison.³⁰ Thus, the school to prison pipeline is particularly robust for Blacks and Latinos.

Research has consistently shown that there is a negative association between rates of suspension/expulsion and both school-wide^{21 31 32} **and individual educational achievement.**³³ Out-of-school suspension has been linked to persistent academic failure, grade retention, negative school attitudes, increased Special Education referrals, and high early school dropout rates.^{5 34 35 36 37} On average, students who have been suspended more than once participate in fewer extracurricular activities, achieve lower grades, and have lower attendance rates than one-time suspendees or students who have never been suspended.^{22 34} Schools with high rates of suspension tend to achieve lower standardized test scores than schools with lower rates of suspension.³⁸ Studies offer a number of explanations for why exclusions lead to poor academic performance, including feelings of alienation, disenfranchisement from school, lack of trust, and considerable time spent out-of-school.

^g However, student misbehavior isn't the only predictor of suspension and expulsion. Teacher and administrator attitudes about school discipline may be even more relevant: one researcher found that classroom and school characteristics are more predictive of an individual student's probability of being suspended than are student attitudes and behavior.³⁹

^h An eight-year longitudinal study tracking every ninth grader in Florida found that being suspended just once in grade 9 was associated with a twice the risk of dropping out, from 16% to 32%. Being suspended twice in grade 9 was related to a 42% likelihood of dropping out.²²

There is evidence illustrating that exposure to exclusionary discipline causes decreased **connectivity** between students and schools, social isolation of students, and loss of reputation among peers.^{5 39} In addition, it can limit understanding between families and schools.⁵

Exclusionary discipline may *directly* impact **mental health**. ESD approaches have been found to increase post-traumatic stress disorder (PTSD),⁴⁰ and may exacerbate students' tendencies towards disruption by arousing feelings of resentment and counter-coercion.⁴¹ This is especially true for students with learning disabilities or exceptional mental or physical needs. These students are more prone to misbehavior, discipline, and referral to the juvenile justice system.⁴²⁴³ In addition, exclusionary disciplinary practices can decrease students' feelings of "bondedness" to school, increasing the likelihood of delinquency⁴⁴ and inclinations towards aggressive and anti-social behaviors⁴⁵ and resulting behavioral disorders, such as Oppositional Defiant Disorder (ODD) and Conduct Disorder (CD).⁴⁶

Suspensions have **economic effects that policymakers rarely consider**. Since schools receive funding based on average daily attendance (ADA), schools lose funding when students are suspended. Each day missed by one student costs a Merced school district about \$35.ⁱ In Texas, researchers estimated that suspensions are related to 4,700 grade retentions per year in the state. Delayed workforce entry resulting from grade retention costs the state of Texas over \$68 million, including \$5.6 million in lost tax revenue. The additional year of instruction costs the state nearly \$41 million. Their results also found that school discipline relates to a 29% increase in high school dropout, which is associated with a loss of \$711 million per year by the state. Authors acknowledge that these estimates are conservative because they don't include other outcomes of suspension such as suspended students' higher probability of being involved in the juvenile justice system, which costs the state even more.^{22 48} A separate analysis estimating costs of dropout nationwide found that each high school dropout costs society an average of \$5,200 due to lost tax revenues, higher cash and in-kind transfer costs, and imposed incarceration costs. They found that on the other hand, a high school graduate benefits the economy by an average net fiscal contribution of \$287,000.⁴⁹

Disparities in Discipline

An abundance of strong evidence shows that an overrepresentation in suspensions and expulsions has been found consistently for African American students,^{19 6 28 50 51 52 53 54 55 56} and less consistently for Latino students.^{28 52 57} African American students may be disciplined more often and more severely for less serious or more subjective reasons.^{22 54 58 59 56} Although African-American students represent 15% of students in the nation's public schools, they make up 35% of students suspended once, 44% of those suspended more than once, and 36% of students expelled. Furthermore, over 50% of students involved in school-related arrests or referred to law enforcement are Hispanic or African-American.⁶⁰

ⁱ Estimate based on LCFF per ADA FY 13-14.

Low-income students are given more severe disciplinary consequences, such as suspension, than their higher income counterparts.^{34 51 1} Both high- and low-income students agree that ESD policies are directed more towards low-income students.^{34 61 62} Children with single parents are between two and four times as likely to be suspended or expelled from school as are children with both parents at home.⁶³

Students with disabilities are also punished disproportionately.^{56 64 65} A recent statewide longitudinal study in Texas²⁸ that tracked a cohort of students between 7th grade and graduation found that nearly three quarters of students who qualified for special education services were suspended or expelled at least once. Students coded as having an “emotional disturbance” were especially susceptible to suspension and expulsion. Special education students represented 8.6% of public school students in 2000, but 32% of youth in juvenile detention nationwide. Black students with learning disabilities are three times more likely to be suspended than white students with learning disabilities, and four times more likely to end up in correctional facilities.⁵

Gender disparities in suspension exist as well. Boys are four times more likely to be suspended and are suspended for longer periods of time than girls.¹

Research Summary: Impacts of Restorative Justice

Now that restorative justice has been practiced in some US schools for nearly two decades and in other countries for 30 years,^{66 8} there is considerable evidence that restorative approaches can result in reduced suspension and expulsion, decreased disciplinary referrals, improved educational achievement, and other beneficial results.⁵

The following section summarizes research evidence about the impact of restorative justice on education; suspension and school pushout; school climate and relationships; and mental health. First we present justification for the above listed determinants of health.

Table II-1. Evidence linking select social determinants to health

Social Determinant	Health Effects
Education	<ul style="list-style-type: none"> • The more education people have, the better their health knowledge, behaviors, and outcomes.^{67 68} • Highly educated people have lower likelihoods of engaging in risky, health-detrimental behavior and are less likely to be overweight or obese.⁶⁹ • Well-educated adults have better mortality outcomes than their less educated peers.⁶⁸ • Educational attainment directly impacts people’s earning potential. One year of education, for example, leads to roughly an 8% increase in earnings.^{60 70 71} • Education improves people’s access to social networks of support, reducing social stressors, improving community cohesion, and increasing social capital.⁷⁰ • Attendance and grade point average are the two best predictors of whether incoming 9th grade students will graduate.⁷²

Social Determinant	Health Effects
Suspension and School Pushout	<ul style="list-style-type: none"> • Recurring discipline events can lead to school drop-out,²⁸ and when students drop out of school they are deprived of the health benefits listed above. • Juvenile and adult incarceration are associated with stress-related illnesses, psychiatric problems, suicide attempts, higher long-range recidivism rates, and increased HIV, Hepatitis C, and tuberculosis.^{73 74 75}
School Climate and Student-Teacher Relationships	<ul style="list-style-type: none"> • In schools without supportive norms, structures, and relationships, which are all variables that define school climate, students are more likely to experience violence, peer victimization, and punitive disciplinary actions, often accompanied by high levels of absenteeism and reduced academic achievement.⁷⁶ • When students perceive teacher-student support and student-student support, these perceptions are positively associated with self-esteem and grade point average, and negatively associated with depressive symptoms.⁷⁷ • A positive school climate promotes cooperative learning, group cohesion, respect, and mutual trust. These particular aspects have been shown to directly improve the learning environment.⁷⁸ • School connectedness is a powerful predictor of adolescent health and academic outcomes.⁷⁸ • Social trust and other forms of social cohesion are important drivers of collective efficacy and key mechanisms linking inequality and poor health.^{79 80} • Low trust is significantly associated with lower self-rated health, suicide, homicide, assault, all-cause mortality, heart-disease mortality, and mortality from other causes.⁸¹
Mental Health	<ul style="list-style-type: none"> • Stress related to feeling unsafe in one's neighborhood can have adverse health effects throughout life, and may influence subsequent generations.⁸² • Peer-to-peer bullying and educator-induced trauma aggravates stress symptoms and in some cases contribute to increased likelihood of developing Post-Traumatic Stress Disorder (PTSD).⁴⁰ • Both early life⁸³ and chronic stress have been linked to poor birth outcomes; childhood illnesses like obesity;⁸⁴ and adult chronic disease, including mental health disorders,⁸⁵ diabetes, obesity, heart disease,⁸⁶ and substance abuse.⁸⁷

Impact of restorative justice on education

In Denver, educational outcomes coinciding with restorative justice implementation included improved statewide test scores in reading, writing, math, and science; increases in ACT test scores and on-time graduation rates; and a decrease in high school dropout rates.⁸⁸ In Minnesota, the state Department of Education saw an increase in academic achievement after implementing restorative justice approaches.⁸⁹

One case study of restorative justice comes from Pennsylvania where Pottstown High School began implementing restorative practices in fall 2006. Before restorative justice implementation, the school had been placed on academic probation and was in danger of being taken over by the state. After the entire school staff was trained in restorative practices and every educator was required to use restorative practices in some way, the school was removed from academic probation and student test scores improved greatly.⁹⁰

Impact of restorative justice on suspension and school pushout

There is increasing evidence that a restorative justice discipline approach at schools is associated with lower suspension rates than exclusionary discipline. Because suspension is associated with dropping out of school, and school dropout is associated with increased violence, fighting, drug use,²⁴ arrest, and incarceration,^{28 49} restorative justice has the potential to indirectly reduce these negative impacts as well.

Case studies summarized in Table A-1 in Appendix A illustrate this association. Many schools and districts have seen major impacts of restorative justice, such as reductions in violence, suspensions, and expulsions. For example, a Denver school district saw 40% fewer out-of-school suspensions after implementing restorative conferencing.^{5 91} An Illinois high school saw an 83% reduction in student arrest rates after practicing restorative peer juries.⁹¹ A middle school near Detroit experienced a 75% decrease in bullying after implementing restorative practices.⁹² In a three-year period in schools across the state of Minnesota, restorative circles led to 30-50% fewer suspensions in primary and secondary schools.¹⁴

Impact of restorative justice on school climate and teacher-student relationships

As noted earlier, a restorative practices continuum allows for proactive, relationship and community building practices, as well as reactive practices to repair harm and restore relationships. Using both proactive and reactive approaches are likely to be more successful at changing school climate.²

Improved school climate has been a documented impact of restorative justice in schools.^{5 22} Better school climate has been attributed to students learning reparative dialogue, an increased sense of responsibility among students, and better teacher-student interactions.^{5 22} Students gain new skills in restorative experiences that they are able to use again and again in their school communities. At Pattengill Middle School in Lansing, nearly 90% of participating students reported learning new skills in their restorative experiences, and 86% reported using those skills to peacefully resolve or avert conflicts after their restorative interventions.⁹³

In addition to improved school climate from the student perspective, administrators have reported improvements as well. In 2003, Nancy Riestenberg, prevention specialist with the Minnesota Department of Education, was interviewed about her observations of Minnesota's restorative practices in schools. A big change she observed was that after implementing restorative practices, administrators said they liked their jobs more, they felt they were making better connections between students and teachers, and they had better connections with the students they worked with.⁹⁴

Improved school safety has also been a documented impact of restorative justice. Between 2006 and 2008, North High School in Denver averaged more than 50 fights per year; in 2010, after implementing restorative practices, that number had declined to 10.⁸⁸ After implementing restorative justice at Mapleton Early College High School in Thornton, Colorado, 94% of students reported feeling safe at school. This is almost 10% higher than the County average.

Sixty-five percent of Mapleton students said they would report bullying, compared to the district average of 34%.⁹⁵

Also representing a shift in school climate and safety, the Youth Justice Board of England and Wales conducted an evaluation of restorative justice in six primary and 20 secondary schools, and found a 23% reduction in the perception of bullying, a 10% increase in the number of students who thought their school was doing a good job stopping bullying, and an increase in 11% of students reporting that they had never been called a racist name.⁹³

Impact of restorative justice on mental health

Studies evaluating the use of restorative practices at Buxmont Academy in Pennsylvania found that students developed higher self-esteem, showed an increase in pro-social values, and became more willing to take responsibility for their misbehavior.⁹³ Although mental health outcomes have not been studied as part of restorative justice evaluations other than that, it is logical to expect that the above improvements in school climate, teacher-student relationships, and improved school safety would benefit student mental health.

Lessons learned for most effective implementation

Time commitment

Many schools and districts that use restorative justice policies have learned the lesson that school climate does not change immediately after implementation begins. Based on research conducted in Denver, researcher Thalia Gonzalez determined that schools seeking to address disproportionality in discipline through restorative justice should envision a four to six year implementation plan.⁸⁸ Riestenberg from Minnesota said that at least two to three years is required to make a restorative justice program successful in a school.⁹⁴

Funding

Some evaluators of restorative justice have found that personal commitment to restorative justice was not enough in itself, and that funding for restorative justice is essential.⁹⁶ When Minnesota schools began implementing restorative justice in the late 1990s, this work was funded by two large grants, which helped schools around the state hire restorative justice planners or consultants. However, once this grant money was used, it was a challenge to continue implementing restorative justice without those funded positions. In 2003, the state found other funding⁹⁷ and the state continues to promote restorative justice in schools today.⁹⁸

Training

An evaluation of restorative justice programs in Minnesota schools found that it is imperative that everyone involved receives training on restorative justice philosophy and practices.⁹⁹

Leadership

“Well-focused, visionary leadership” provides encouragement for all stakeholders to embrace restorative practices, while also assuring that time, resources, and effort are used effectively.⁹⁹

Consistency

Consistent and comprehensive application of restorative practices, ranging from initial staff training and orientation to incorporating restorative options into daily classroom management, is essential for success.⁹⁹

Support for teachers

In the 2006 evaluation of restorative justice programs in Minnesota schools,⁹⁹ researchers found that without ongoing support, some teachers default to the older disciplinary approaches. Identifying advocates that can support and inspire other staff, as well as providing opportunities for teachers and school staff to reflect and learn from one another, can address this challenge.

Supplementary Policies

Positive Behavioral Interventions and Supports (PBIS) is an evidence-based method for improving student behavior and creating a safe and productive school culture that is complementary to restorative justice. PBIS schools set clear expectations for behavior, acknowledge and reward appropriate behavior, and implement a consistent continuum of consequences for problem behavior.¹⁴

Riestedberg from Minnesota Department of Education claimed that combining restorative justice techniques with “*classroom management skills that are cognitively based* and are about problem solving rather than using power and control over kids” is more effective because the “whole school then becomes congruent.”⁹⁴

Prioritizing *high quality teacher-student and teacher-parent relationships* can go a long way to enhance the sense of school safety. A district-wide study of Chicago schools found that the quality of student-teacher and parent-teacher relationships had the greatest influence on the sense of safety in the school building.²²

Teacher training and higher student engagement lead to less suspension. One study found that a teacher training program designed to improve teacher-student relationships and student engagement showed lower suspension rates for all students, but especially for Black students.²²

District-wide investments in *social and emotional learning strategies* were found in Cleveland to reduce behavioral incidents by nearly 50% and decrease out-of-school suspensions by 59%.²²

Conclusion of Literature Review

This literature review documents strong evidence that exclusionary discipline is not effective at improving behavior and instead exacerbates misbehavior and disparities. Suspension and expulsion deprive students of educational resources, send them along the “school to prison pipeline,” reduce connectivity between students and schools, are detrimental to mental health, and come at a great economic cost to society. In short, exclusionary discipline causes critical risks to students.

Education, school pushout, and school climate are all pathways to health outcomes among students, and mental health status is a direct measure of health. This review of literature provides evidence for the connections between these four “determinants of health” and lifelong health outcomes.

According to the literature and with a health perspective, restorative justice is a promising alternative to exclusionary discipline in schools, having overwhelmingly positive impacts on these four determinants of health. Numerous case studies reveal that restorative justice increases educational outcomes, reduce suspensions, discipline referrals, and misbehavior, and improve school climate. While few meta-analyses of restorative justice programs have been conducted, the patterns found in these case studies indicate that restorative justice is a very promising practice.

The final section of this literature review documents lessons learned by other school districts that have implemented restorative justice discipline policies. An effective restorative justice program requires visionary leadership, and a genuine and open-minded commitment to the process, with ample staff and financial resources.

III. Merced County Community Profile and Baseline Conditions

This section presents quantitative data that is publicly available or was obtained from school districts. This section intends to provide a quantitative picture of the demographic, socioeconomic, and health status of the Merced community, as well as district- or school-level data describing current conditions for each of the health determinants examined in this HIA:

- Education,
- Suspension and school pushout,
- School climate and school relationships, and
- Mental health

First, Merced County population characteristics are presented for overall background and context. Then, baseline conditions are presented for relevant indicators associated with each health determinant. When possible, for schools that have implemented restorative justice, baseline conditions are compared with the date of restorative justice implementation in order to investigate potential impacts.

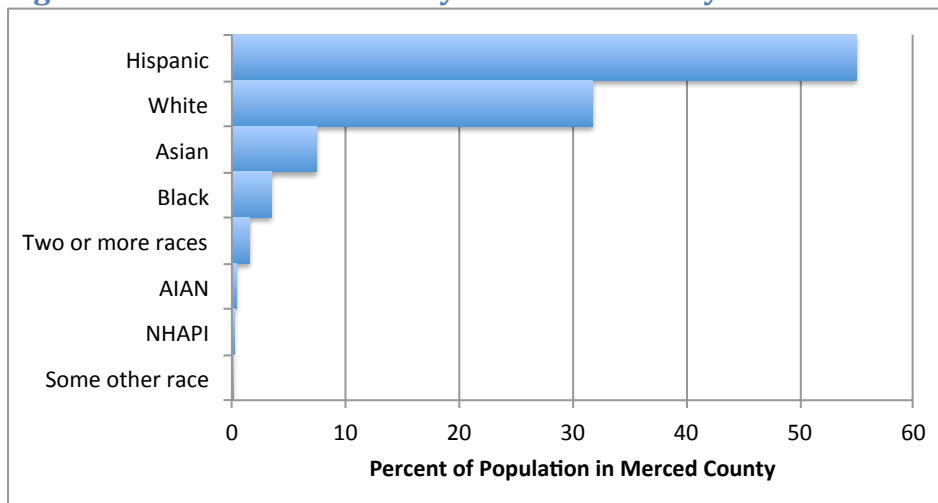
Additional tables and figures are included in Appendix A.

Population characteristics

Demographics

There are approximately 256,000 residents in Merced County.¹⁰⁰ Approximately 80,000 residents (31%) are below the age of 18. The City of Merced, with a population of 79,000, makes up approximately 31% of the county.

Figure III-1. Race and ethnicity in Merced County



Source: American Community Survey¹⁰⁰

As shown in Figure III-1, the county is majority Hispanic (55% of residents), followed by white (32%), Asian (7%), black (4%), and multiracial (2%), with smaller populations of American

Indian/Alaska Native, Native Hawaiian/Asian Pacific Islander, and other races. A large Hmong population comprises a big portion of Merced's Asian population.¹⁰⁰ Table A-2 in Appendix A provides more detail about the populations in Merced.

Over half (52%) of Merced County's residents speak a non-English language in the home, and 23.2% of residents speak English less than "very well," which may signify linguistic isolation. Spanish speakers make up most of this population, but there is also representation from other Indo-European (5.1% of residents) and Asian-Pacific Islander (4.8%) language speakers¹⁰¹ such as the Hmong.

Socioeconomics

According to countyhealthrankings.com, Merced County is ranked 54th out of 57 in the State in the Social and Economic Factors category,¹⁰² which is a measure of education, employment, income, family and social support, and community safety. The 2008-2012 American Community Survey found that the median household income in Merced County is \$43,565, and 20.3% of the county's 58,214 families earn incomes under the Federal Poverty Line.¹⁰³

Accordingly, a large portion of the county's youth population also lives in poverty. According to the California Department of Public Health, the number of persons under 18 in poverty in 2011 was 28,605, or 35.6% of the youth in the county. This proportion is high compared to California as a whole.¹⁰⁴ Approximately four of every five Merced County's students were eligible for Free or Reduced Price meals in 2013, compared to about three of five of California's students, and both of these proportions have been trending upwards since 2007.¹⁰⁵

Unemployment is a significant issue for adults in Merced County, affecting 16.1% of the county's 112,791 workers.¹⁰³ In 2012, it was estimated that around 46% of youth in Merced County were without secure parental employment.¹⁰⁶

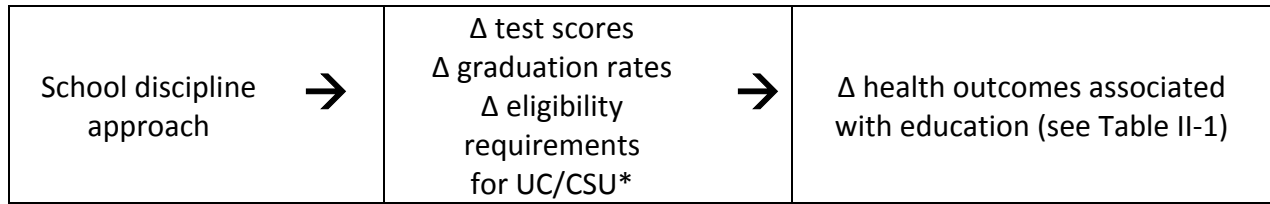
Violence

Earlier this year, Merced made the list of the 100 most dangerous places to live in the United States. At 88th most dangerous in the country, Merced County had the most homicides in over two decades with 29 homicides in 2013.¹⁰⁷ One's chance of becoming a victim of either violent or property crime in Merced is one in 16.¹⁰⁸

Baseline Conditions for Health Determinants

Baseline Conditions – Education

This section presents baseline indicators of educational attainment in Merced schools. Based on a literature review, hypothesized pathways with indicators involving educational attainment are below.



Δ = "change in"

* Minimum freshman eligibility requirements for University of California and California State University systems that include completion of 15 college preparatory courses with a grade of C- or higher

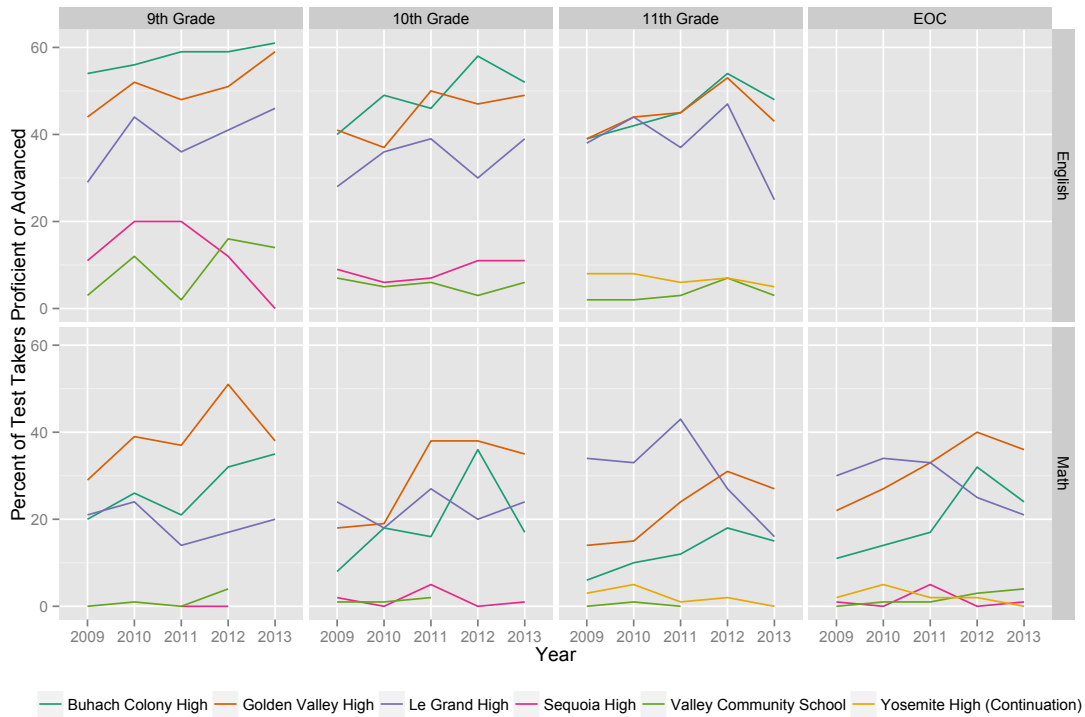
Baseline conditions for these education indicators are described in this section. Section VI presents conclusions based on this HIA analysis about whether a restorative justice discipline approach influences educational attainment.

Test scores

Weighted California Standardized Test (CST) scores for English and math were available by grade (9th through 11th grade, and EOC, which stands for end-of-course, available for math only). Figure III-2 shows the percent of test takers who scored either "Proficient" or "Advanced" in their test subject between 2008-09 and 2012-13.

Most of the six schools in the sample seem to have an upward trend in scores throughout the four years. One of the exceptions is 9th graders at Sequoia High; higher proportions of students scoring well in English peaked in 2009-10 and 2010-11, but have since dropped to zero percent in 2012-13. Patterns for the math test are similar, though again, exceptions exist among the different schools. For example, scores at Yosemite High declined in the five-year time period for the school's 11th graders and end-of-course test students. It is important to consider the lower scores at Sequoia, Yosemite, and Valley schools in context: these schools are alternative or continuation schools. Potential trends related to restorative justice implementation are not discernable, which is unsurprising given how recently implementation began at these schools.

Figure III-2. California Standardized Test Results by Grade, 2008-09 to 2012-13



Source: Dataquest¹⁰⁹

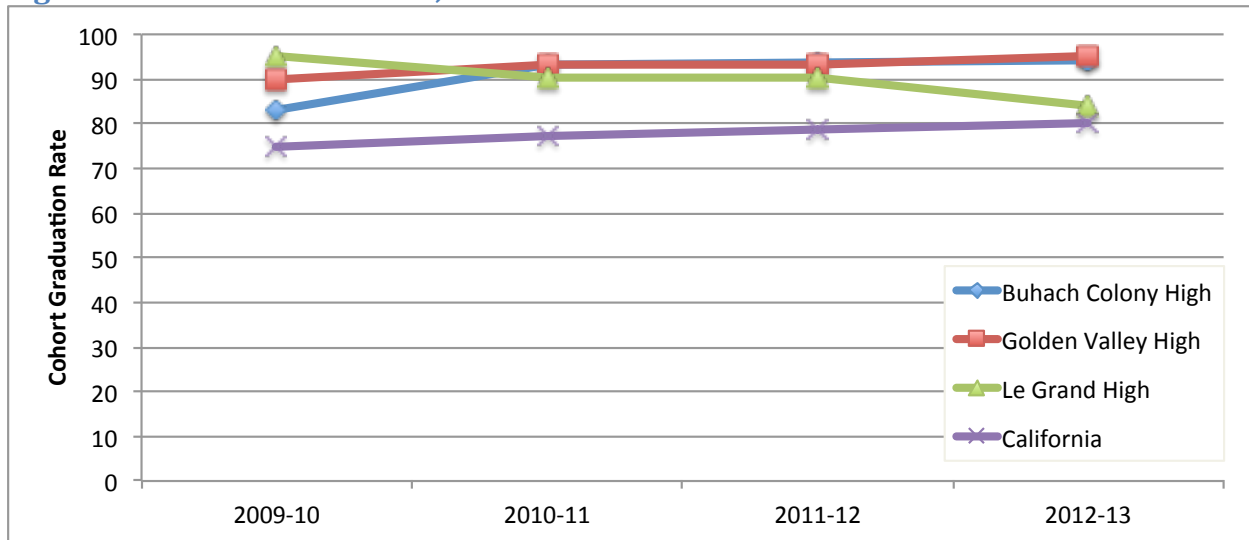
Graduation rates

Sixty-six percent of Merced County residents have attained at least a high school diploma, while 12.5% have obtained a bachelor’s degree or higher.¹⁰¹ Both of these are lower than their corresponding California rates, which are 81% and 30.5%, respectively.

Cohort graduation rates are calculated differently than the above proportions. Like dropout rates (reported in a later section), cohort graduation rates are calculated for each four-year cohort class. The denominator of this rate is the number of students who were enrolled in that class’s freshman year. Merced County’s overall graduation rate in 2012 was 84%.

Graduation rates were not available for Sequoia High, Valley Community School, or Yosemite High. For each of the three other schools, overall graduation rates were generally around 80-90% from 2009-10 to 2012-13, which is higher than the state’s rate throughout that period. Buhach’s 2012-13 graduation rate increased to approximately 95% compared to 83% in 2009-10. In the same time period, Le Grand High’s graduation rate decreased from around 95% to 90%. Golden Valley’s graduation rate increased from around 90% to 95%. Graduation data for the 2013-14 school year were not available as of this writing. Potential trends related to restorative justice implementation are not discernable, which is unsurprising given how recently implementation began at these schools.

Figure III-3. Graduation rates, 2009-10 to 2012-13



Source: Dataquest¹⁰⁹

UC/CSU A-G completion rates

State college and university systems in California require a minimum number of courses across subjects to qualify applying students for admission. The California Department of Education (CDE) keeps track of the proportion of graduating seniors that fulfill these requirements.

Merced County as a whole had 1,112 out of 3,767 students (29.5%) graduate with UC/CSU required courses in 2012-13. Proportions of students meeting UC/CSU admission requirements at each school in 2012-13 are in Table III-1 below. Data was not available for Sequoia High since it doesn't have graduating seniors in its student body.

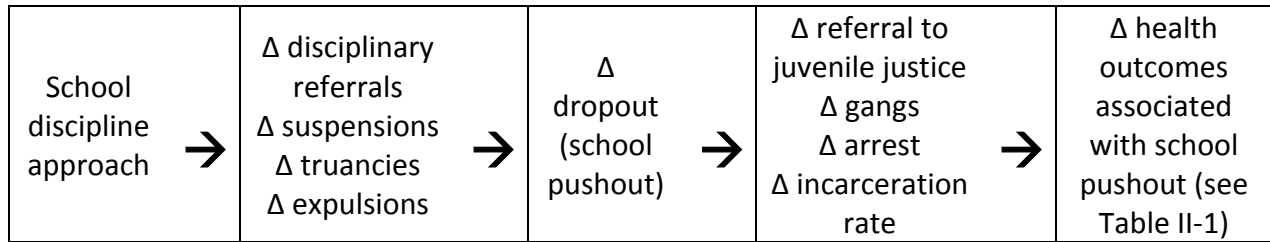
Table III-1. Proportion of students meeting UC/CSU admission requirements

School	Le Grand	Buhach	Golden Valley	Yosemite	Valley
Students meeting UC/CSU requirements (2012-13)	28%	41%	34%	0%	0%

Le Grand High School began implementing restorative justice in 2012-13. Thirty-two percent of students met UC/CSU admission requirements in 2011-12, the year prior to implementation. The rate went down slightly to 28% after restorative justice implementation. However, a change this small during the first year of implementation is not considered significant.

Baseline conditions – School Pushout

This section presents baseline indicators and potential consequences of school pushout in Merced schools. Based on a literature review, hypothesized pathways with indicators involving school pushout are below.



Δ = "change in"

As the above pathway indicates, indicators such as referral to juvenile justice, gang involvement, arrests, and incarceration are not directly related to school discipline. These are indirect effects dependent on a change in the dropout rate.

Baseline conditions for these school pushout indicators are described in this section. Section VI presents conclusions based on this HIA analysis about whether a restorative justice discipline approach influences school pushout.

Disciplinary referrals

Discipline referrals are classified by MUHSD when a student is removed from the classroom for an infraction and sent to the administration (i.e., the principal). The administration then determines whether the incident represents an education code violation, and/or whether an intervention or call home is necessary.¹¹⁰

Disciplinary referrals were only available for Buhach Colony High, Golden Valley High, and Yosemite High. These schools did not implement restorative justice during or before the 2012-13 school year (which is the most recent year for which referral data is available), so analysis of any impacts of restorative justice on disciplinary referrals is not possible.

While referral rates were relatively stable for Golden Valley and Buhach between 2008-09 and 2012-13, the disciplinary referral rate for Yosemite High increased from around seven per student to around 18 per student between 2008-09 and 2011-12. A graph showing these trends is presented in Figure A-3 in Appendix A.

Suspensions and suspension rates

The numbers for suspensions were collected from CDE's website. These files do not report suspensions that are low number events that might be statistically unstable. The suspensions reported on certain School Accountability Report Cards (SARC) were different than the CDE numbers and were often higher. Because we did not have access to all of the school's SARC reports, we used the figures reported in the CDE research files to maintain consistency.

Suspension rates were defined as the number of total suspensions per 100 students enrolled. While suspension data available for recent years includes figures for the number of *students* with one or more suspension, we used the total number of *suspensions* because data for this measure is consistent throughout each of the last five years. Rates are illustrated in Figure III-4.

Le Grand High was the only school that consistently had a lower suspension rate compared to California, but in 2012-13, Buhach Colony High also had a lower suspension rate.

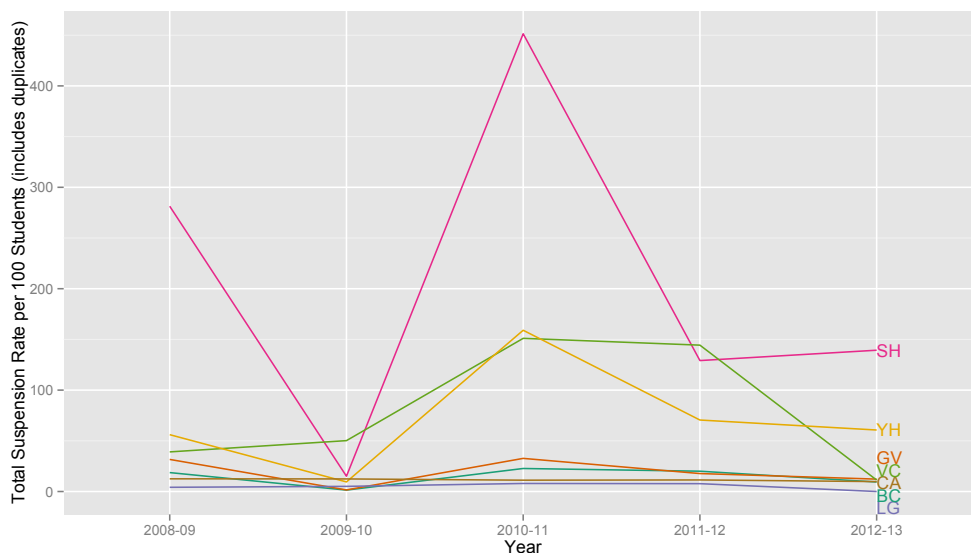
In three of the five years between 2008-09 and 2012-13, Sequoia High had the highest suspension rate. In 2009-10 and 2011-12, Valley Community had a higher rate. Sequoia's highest rate, which is significantly higher than any of the other rates at Sequoia or the other five schools during this period, was around 451 suspensions per 100 students in 2010-11.

The 2010-11 school year seemed to be a relative peak for suspensions for most of the five schools. Yosemite High, Sequoia High, and Valley Community School had more than 100 suspensions per 100 students. This was shortly after the administration was retrained on district discipline policies.¹¹⁰ The 2012-13 school year saw most of the schools' suspension rates decrease, most notably at Valley Community, where the suspension rate decreased by 90%, from 144 per 100 students to 11 per 100 students.

An anomaly seemed to occur in the 2009-10 school year, where the schools in MUHSD seemed to have drastically lower suspensions compared to the previous and following years. This phenomenon may have been due to the large turnover in district administration, or a reporting or database error.

The suspension rates at Le Grand and Valley did go down slightly in 2012-13, the first year of restorative justice implementation at those schools. However, since restorative justice often takes two to six years to be successful, it is unclear if the downward trends are attributable to restorative justice.

Figure III-4. Total suspension rate per 100 students, 2008-13



Source: Dataquest¹⁰⁹

SH = Sequoia High rate

YH = Yosemite High rate

GV = Golden Valley High rate

VC = Valley Community School rate

CA = California rate

BC = Buhach Colony High rate

LG = Le Grand High

Suspension rates by ethnicity

Suspension rates were also calculated for each racial/ethnic group in the six Merced schools, but suspension data disaggregated by race/ethnicity were only available for the 2011-12 and 2012-13 school years from CDE.

Figure A-4 and Table A-3 in Appendix A show ethnicity trends for each of the six schools as well as the state. In general, suspension rates are higher at Sequoia High and Valley Community School, which are alternative/continuation schools. Because Sequoia High and Valley Community have the highest overall suspension rates, they also have generally higher suspension rates across ethnicities, though this is not always the case.

Sequoia High's suspension rate among African Americans was very low in 2011-12, and then it jumped up to higher than the statewide rate in 2012-13. The suspension rate for all students at Sequoia (see Figure III-4) remained relatively stable during this period.

In addition, for several of these schools, enrollment for certain racial/ethnic groups is low, and so a relatively small shift in suspensions among these students can cause a disproportionately large swing in the suspension rate. For example, the African American and multi-racial student populations at Valley Community and Sequoia High were very low relative to populations of other ethnic groups. Thus, shifts in suspension rates for these populations appear very high, but these shifts are actually due to a very small number of students being suspended.

Willful defiance

During the 2012-13 school year, almost 260,000 student suspensions in California public schools – more than 40 percent of the total – were for "willful defiance" of authority. Willful defiance, a subjective and vaguely-defined reason for being disciplined, was the single most common reason for suspension, and more students were suspended for willful defiance than for drugs, weapons and violence combined.¹¹¹ Often, willful defiance suspensions are given for non-violent forms of misbehavior. Of the total suspensions for willful defiance in California in 2012-13, 61%, or 159,000, were out-of-school suspensions, in which the pupil was sent home and kept out of school.¹¹²

Since the 2011-12 school year, willful defiance has been classified only for suspensions in which it was the most severe infraction. Before the 2011-12 school year, teachers identified willful defiance along with other discipline codes for the same incident.¹¹⁰ Thus, more recent data is considered more accurate in terms of counting suspensions given strictly for willful defiance.

Of the six study schools in Merced in the 2012-13 school year, there were 96 in-school willful defiance suspensions and 546 out-of-school willful defiance suspensions. This data is broken down by school and by ethnicity in Table A-4 in Appendix A.

While the total number of suspensions for willful defiance in the six Merced study schools in 2012-13 is high, particularly at Valley Community School where there were 468 (including 430

out-of-school), all six schools had lower proportions of willful defiance suspensions than the state of California.

Expulsion rates

Due to low numbers, expulsion rates were often reported by CDE. Also, data after 2010-11 was sparse and often only available at the District or County level. Therefore, after 2010-11, it is difficult to tell if the schools simply had zero expulsions or if the data were excluded.

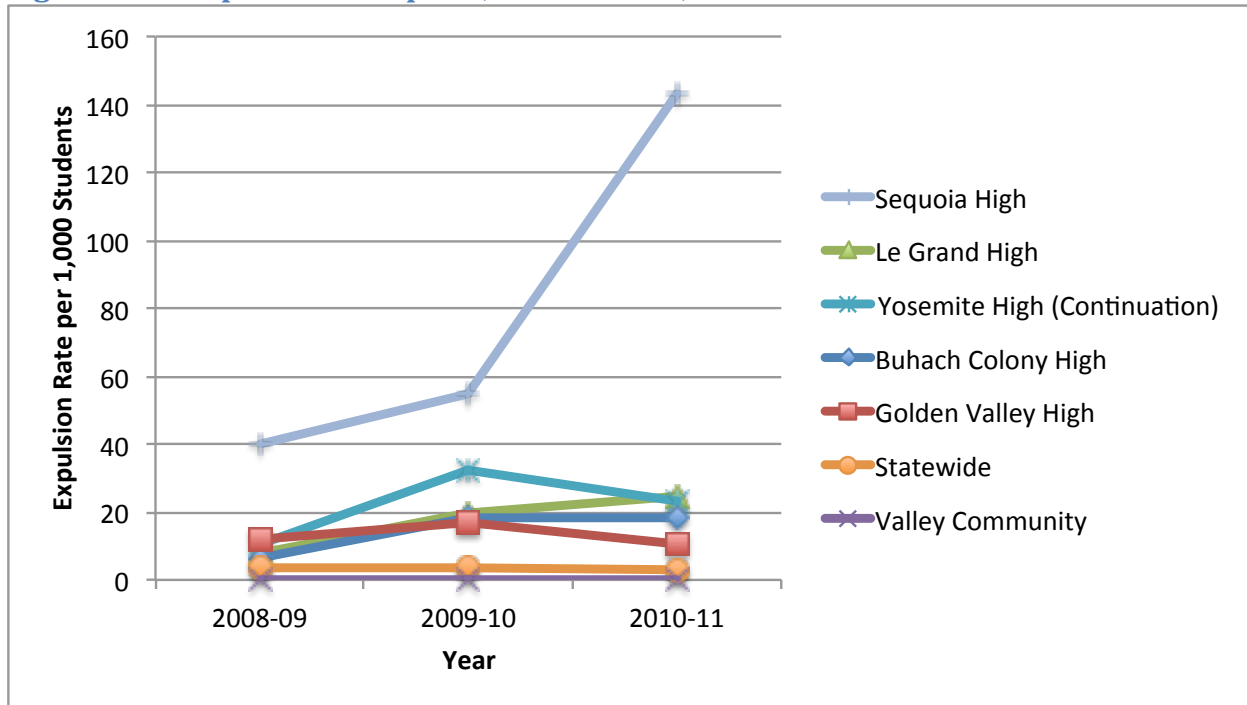
From the data that was available (2008-09 to 2010-11; see Figure III-6), all schools except for Valley Community had expulsion rates much greater than the statewide rate. Valley Community had zero expulsions over the time period, because this school does not expel students.

Sequoia High had by far the highest expulsion rate of the six schools, and it increased over the three-year time period. In 2008-09, this school's expulsion rate was around 40 students per 1,000. By 2010-11, the rate was around 143 students per 1,000. As noted above as a potential reason for a peak in suspensions at MUHSD, the administration was retrained on district discipline policies in and around 2008.¹¹⁰

Yosemite High had the next highest expulsion rate until 2010-11, when Le Grand's rate surpassed it. Buhach and Golden Valley saw their highest numbers in 2009-10, and both saw decreases in the following year.

Since data was not available after 2010-11, and restorative justice was not practiced at Merced schools before the 2012-13 school year, we were not able to discern trends in expulsion that may be related to restorative justice.

Figure III-5. Expulsion rate per 1,000 students, 2008-09 to 2010-11



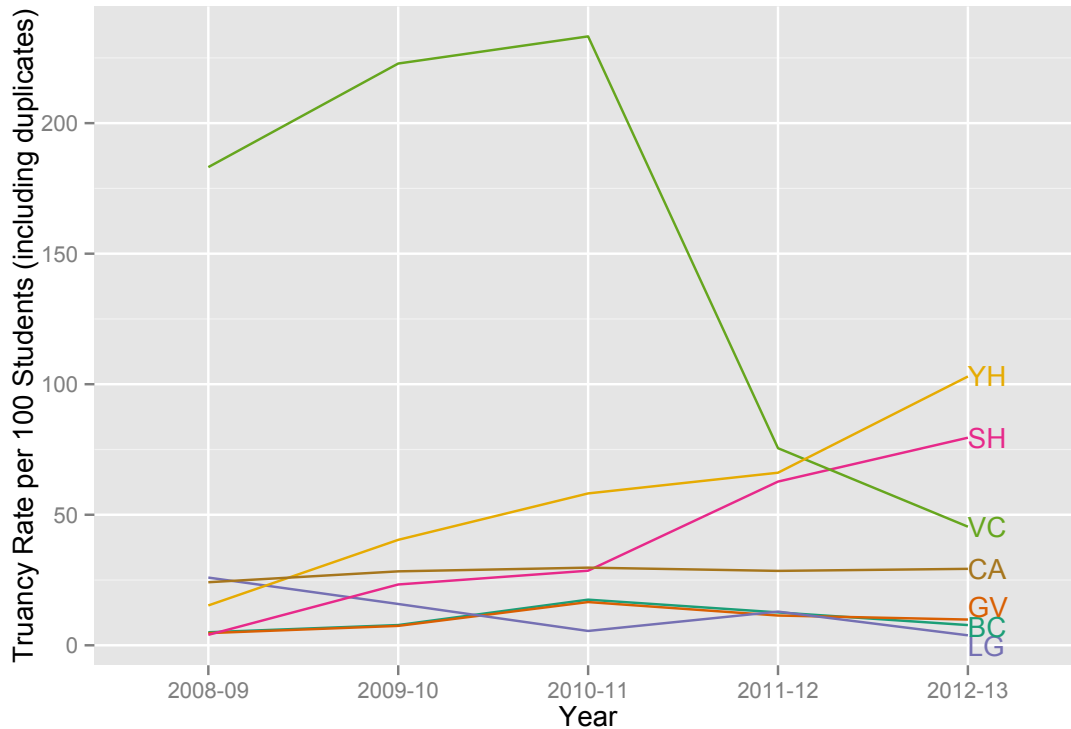
Source: Dataquest¹⁰⁹

Not shown on the above figure is that the statewide expulsion rate has since decreased to half of its 2010-11 rate, down to 1.38 per 1,000 students in 2012-13. This shows an overall trend of fewer expulsions in the most recent several years.

Truancy rates

In California, a student is truant if he/she is absent or tardy by more than 30 minutes without a valid excuse on three occasions in a school year.¹¹⁴ As depicted on Figure III-7, truancy rates in Buhach, Golden Valley, and Le Grand have been lower than the California rate since at least 2008-09. Truancy rates at Sequoia High and Yosemite High have been increasing since 2008-09, and for Yosemite High, increasing to the point where there have been more trancies than students. The data allows this because trancies are available as raw numbers, and are not counted for each unduplicated student. This situation occurred to an even greater extent in Valley Community School between 2008-09 and 2010-11, after which the school saw a stunning decrease in the number of trancies—from 233 in 2010-11 to around 76 in 2011-12.

Figure III-6. Truancy rates per 100 students from 2008-09 to 2012-13



Source: Dataquest¹⁰⁹

SH = Sequoia High rate

YH = Yosemite High rate

GV = Golden Valley High rate

VC = Valley Community School rate

CA = California rate

BC = Buhach Colony High rate

LG = Le Grand High

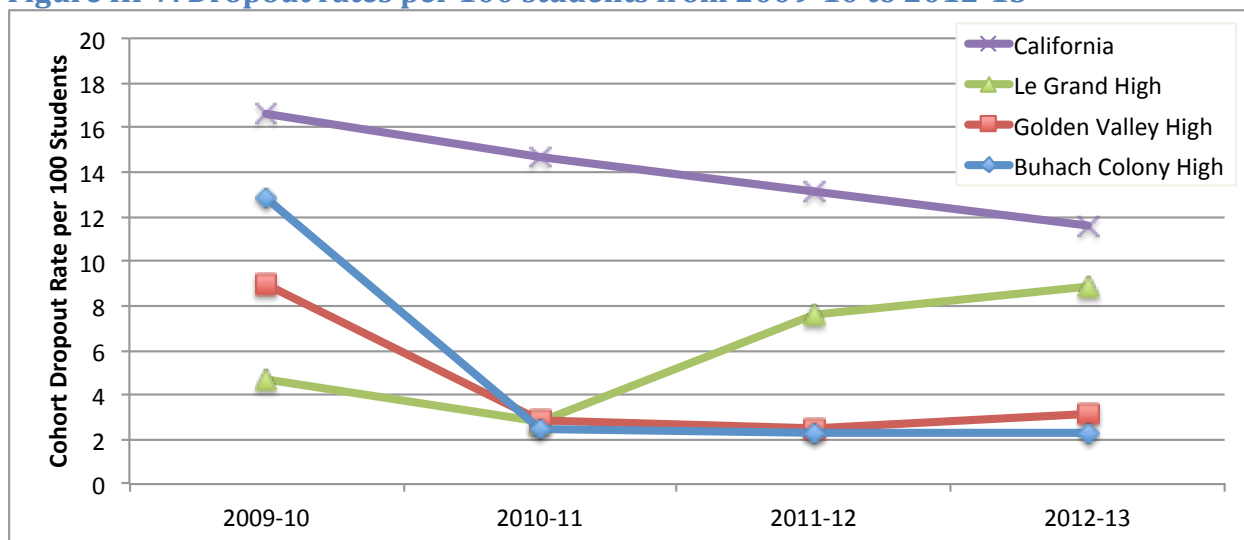
Dropout rates

Data on dropout rates were not available for Sequoia High, Valley Community School, and Yosemite High, as they are not regular four-year high schools.

Like graduation rates, cohort dropout rates are calculated for each four-year cohort class. The denominator of the dropout rate is the number of students who were enrolled in that class's freshman year. The rate is the number of dropouts per 100 students enrolled.

As shown on Figure III-8, dropout rates for Buhach, Golden Valley, and Le Grand were all lower compared to the statewide averages between 2009 and 2013. Le Grand High started off with the lowest dropout rate of the three schools, but in recent years has seen an increase in its dropout rate. Meanwhile, both Buhach and Golden Valley have seen decreases in their dropout rates compared to their 2009-10 rates.

Figure III-7. Dropout rates per 100 students from 2009-10 to 2012-13



Source: Dataquest¹⁰⁹

Gang involvement

According to the 2008-2010 California Healthy Kids Survey, approximately 8% of Merced County 9th and 11th graders report being a member of a gang, with students at non-traditional schools having more than double the rates of involvement.¹¹⁵ Figure A-5 in Appendix A depicts these numbers graphically.

Arrests and Incarceration

Since 1995, Merced County's juvenile violent crime rate has been higher than California's as a whole. In Merced County, the juvenile violent crime rate has been decreasing every year since 2006 (594 per 100,000) to a rate of 464 per 100,000 in 2010.

The Merced County juvenile property crime rate has also been historically higher than the state's, though property crimes committed by juveniles have decreased significantly since 1994. Merced County had a brief surge of property crime in 2005-09, but in recent years, the rate has leveled to around 1,300 property crimes per 100,000 residents. Merced County's declining juvenile violent and property crime rates are shown in Figure A-6 in Appendix A.

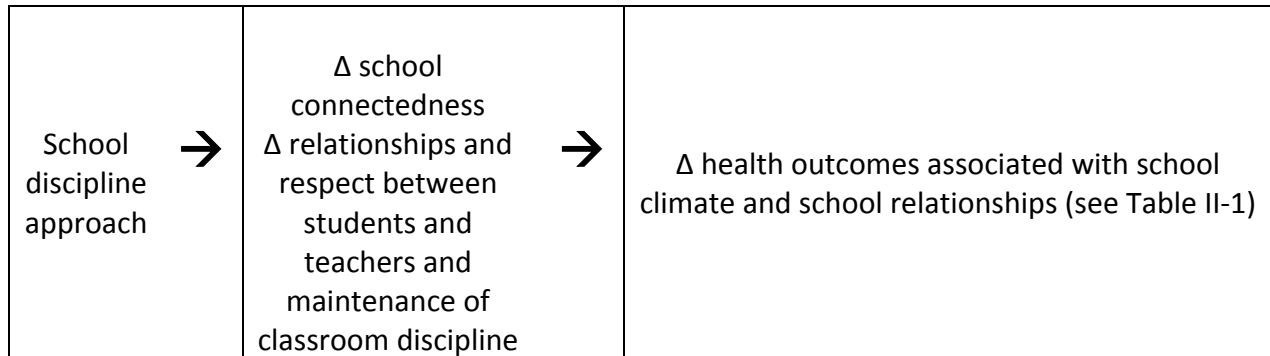
The total juvenile arrest rate has been higher for Merced compared to California for at least the past 20 years, although both rates have been trending downward. In 2011, Merced County's total juvenile arrest rate was around 7,000 arrests per 100,000, and California's rate was around 3,500 arrests per 100,000. Figure A-7 in Appendix A shows these rates over time through 2011. Anecdotally, the number of youth in the county juvenile hall facility has continued dropping since 2011, and is now approximately 50% of what it was then.¹⁶

In 2012, the juvenile felony arrest rate for youth age 10-17 in Merced County was 14.9 per 1,000, compared to 8.8 per 1,000 in California.¹¹⁶ Since 1998, except for a period from 2005-

2008, juvenile felony arrest rates have steadily declined in both Merced County and California.¹¹⁷ Figure A-8 in Appendix A shows these rates over time.

Baseline conditions – School Climate and School Relationships

This section presents baseline indicators of school climate in Merced schools. Based on a literature review, hypothesized pathways with indicators involving school climate are below.



Δ = “change in”

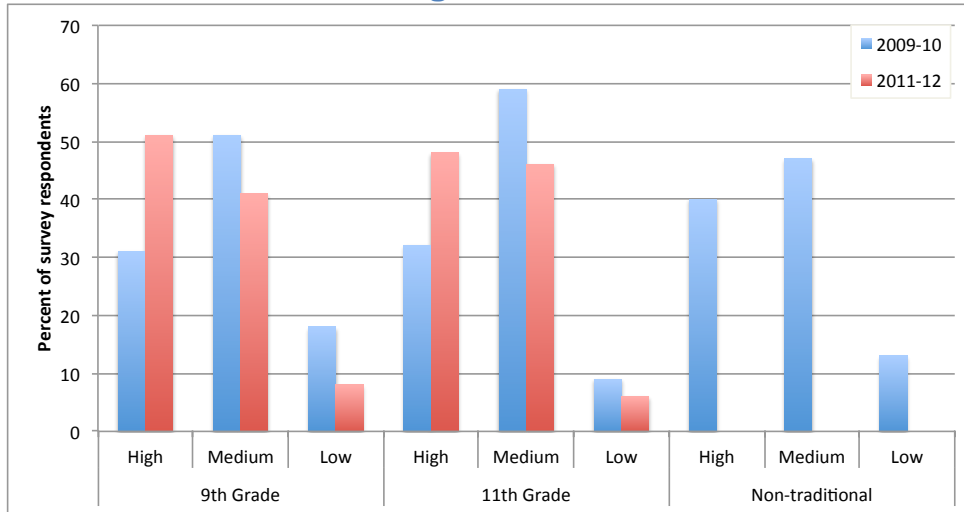
Baseline conditions for these school climate and school relationships indicators are described in this section. Section VI presents conclusions based on this HIA analysis about whether a restorative justice discipline approach influences school climate and school relationships.

School connectedness

Measures of school connectedness were found in the California Healthy Kids Survey, which is administered in most California schools. As part of its core module, the survey includes questions about caring adult relationships, high expectations, and opportunities for meaningful participation in the school and student communities. The school connectedness scale includes scores of high, medium, or low. Data was available for 9th and 11th grades, as well as for non-traditional students at the school district level only.

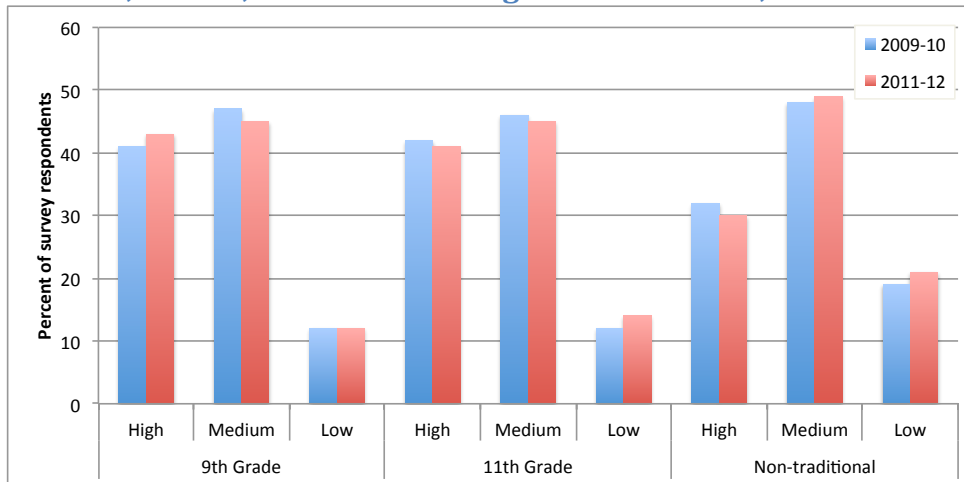
As shown in Figure III-9, Le Grand High School District saw substantial improvements in the percentage of students scoring high on school connectedness in 2009-10 and 2011-12, with fewer students scoring low. Changes in scores were relatively consistent at MUHSD (see Figure III-10) between the two time periods. Neither district had started practicing restorative justice during these periods, so we were not able to discern potential trends related to restorative justice.

Figure III-8. California Healthy Kids Survey - School Connectedness Scale, High, Medium, or Low, Le Grand High School District from 2009-10 to 2011-12



Source: WestEd California Healthy Kids Survey¹¹⁸

Figure III-9. California Healthy Kids Survey - School Connectedness Scale, High, Medium, or Low, Merced Union High School District, 2009-10 to 2011-12



Source: WestEd California Healthy Kids Survey¹¹⁸

For MCOE, data was only available for 2011-12. Twenty-nine percent of students scored High, 43% scored Medium, and 27% scored Low.

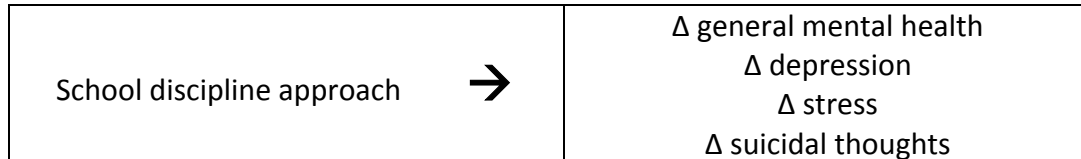
Relationships and respect between students and school staff and maintenance of classroom discipline

A student of UC Merced, in conjunction with the MCOE, conducted two surveys in Valley Community Schools. A pre-survey was completed in August 2012 (prior to the start of implementation of Valley Community School’s restorative justice model), and the post-survey was done in May 2013. Staff and students completed both surveys. The post-surveys included evaluation questions asking respondents to reflect on two elements of the new restorative justice system: the Valley Staff Student Mediation Process (VSSMP) and the In-School

Suspension Classroom (ISSC). Based on pre- and post-survey results, school staff and students had substantially different answers. A majority of school staff had positive reflections on the VSSMP and ISSC, while a majority of students had negative reactions to both. See Appendix B for a more thorough description of the survey results.

Baseline conditions – Mental Health

This section presents baseline indicators of mental health in Merced schools. Based on a literature review, mental health impacts are direct impacts of school discipline.



Baseline conditions for these mental health indicators are described in this section. Section VI presents conclusions based on this HIA analysis about whether a restorative justice discipline approach influences mental health.

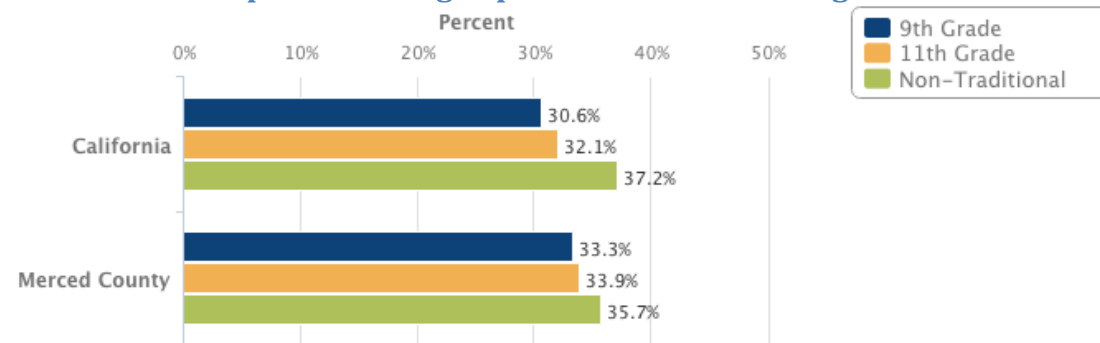
General mental health

Adults surveyed in Merced County had on average 4.2 age-adjusted mentally unhealthy days in the past 30 days during the 2006-2012 period.¹⁰² This is lower than the California average of 6.4 mentally unhealthy days.

Depression

In 2008-2010, about one in three Merced 9th and 11th graders reported that they had feelings of depression. Even more students at non-traditional schools reported having depression-related feelings.¹¹⁹ As illustrated in Figure III-11 below, this reflects statewide trends.

Figure III-10. Percent of Merced County 9th and 11th grade and non-traditional students who reported having depression-related feelings from 2008 to 2010



Source: Kidsdata.org¹¹⁹

Suicide and self-inflicted injury hospitalizations

In California, the youth suicide rate was 7.5 per 100,000 during the 2009-11 period. Statistics for Merced County or smaller jurisdictions were not available, as the numbers were low, and

therefore, unstable.¹²⁰ The adult suicide rate in Merced County in 2010-12 was approximately 1,220 per 100,000, compared to California's rate of approximately 1,010 per 100,000.¹⁰⁴

Data for self-inflicted injury hospitalizations is sparse for Merced County, but in 2011, the rate was 28.2 per 100,000, and in 2009, the rate was 31.6 per 100,000. In both years, Merced County's rate was lower than the statewide rate.¹²¹

Mental health hospitalization

Between 2003 and 2012, the mental health hospitalization rate for Merced County was fairly stable for youth ages 5-14, remaining at or below 100 per 100,000. On the other hand, the rate for Merced County youth ages 15-19 has undergone periods of periodic increase and decrease. The most recent low point was in 2010 at approximately 330 per 100,000 mental health hospitalizations. In 2012, that number grew to around 530 per 100,000 in the County.¹²² Figure A-9 in Appendix A presents these results graphically.

Merced County has lower rates of mental health hospitalization compared to California for both age groups, which may either be a due to positive screening and treatment options, or more likely, it may demonstrate a lack of access to medical care.¹²²

IV. Quantitative Estimates: Impacts of Restorative Justice in Merced

Our literature review did not yield enough quantitative studies with comparable data collection criteria and temporal boundaries to allow a quantitative analysis of restorative justice’s impact on suspensions, disciplinary referrals, or educational, mental health, or school climate indicators in Merced. Instead we examine hypothetical reductions in suspensions, and based on the literature values that we do have, we determined associated impacts on certain indicators. The following analysis will consider hypothetical 20% and 40% reductions in suspensions. Based on literature on the impact of restorative justice on suspensions, a 40% reduction is within the range of expectations of the impact, and a more conservative estimate of 20% is also used.

Impacts of 20% and 40% Reductions in Suspensions

If suspensions in the six Merced schools were reduced by 20%, there would be 422 fewer suspensions in those schools combined per year. With a 40% reduction in suspensions, there would be 843 fewer suspensions in the six schools combined per year. For Merced County, a 20% reduction in the county would spare 1,712 suspensions, and a 40% countywide reduction would mean 3,424 fewer suspensions.

Table IV-1. Hypothetical 20% and 40% reductions in suspensions

School	Total Suspensions in '12-13	20% Reduction in Suspensions	40% Reduction in Suspensions
Buhach High	226	181	136
Golden Valley High	263	210	158
Le Grand High	35	28	21
Sequoia High	172	138	103
Valley Community High	1207	966	724
Yosemite High	205	164	123
Total suspensions in 6 schools	2,108	1,686	1,265
Total students suspended in 6 schools*	777	NA	NA
Total suspensions in Merced County	8,561	6,849	5,137
Total suspended students in Merced County	4,160	NA	NA

Source: California Department of Education

* = Many students were suspended more than once, but this row shows the unduplicated number of students suspended in the 6 study schools

A 40% reduction reflects median reduction in suspensions found in literature cited in Table A-1. A 20% reduction is also presented to show a much more conservative reduction in suspensions.

Districts receive funding based on the number of students in attendance, so suspensions causing students to miss school cost school districts money. Less funding per student from the

state has the potential to reduce educational resources and programs essential to student education and wellness. Each day missed by one student costs a Merced school district about \$35.^j Assuming that each suspension recorded in the county represents one missed day of school, costs to Merced County are estimated below along with costs associated with hypothetical 20% and 40% reductions in suspensions (see Appendix C for calculations).

Table IV-2. ADA Revenue Generated for Merced Districts

Cost to Merced school districts for 2012-13 suspensions in the county	Cost to Merced schools with 20% reduction in suspensions	Cost to Merced schools with 40% reduction in suspensions
\$300,000	\$240,000	\$180,000

Stated another way, if suspensions were reduced by 20% in Merced County, the county would earn \$60,000 more state funding. If suspensions were reduced by 40%, the county would earn \$120,000 more.

Impacts of suspension on dropout, income, incarceration, and fiscal cost/benefit to society
Based on a study by Belfanz et al.¹²³ that quantifies how suspension impacts school dropouts, and with the assumption that an equal number of suspended students were suspended 1, 2, 3, and 4+ times in Merced County, an estimated **1,830** of the 4,160 students who were suspended in Merced County in 2012-13 would be expected to drop out of school (see Appendix C for calculations).

The following impacts are expected for the 1,830 hypothetical county students who drop out due to having been suspended:⁴⁹

Employment: 46% of high school dropouts will be employed at any given time between the ages of 16 and 24, while 68% of graduates will be employed. Thus, 836 of the Merced County dropouts would be employed. If these 1,830 students had graduated rather than dropped out, **411 more of them would have been employed.**

Incarceration: 6.3%^k of high school dropouts will be incarcerated at any given time between the ages of 16 and 24, while only 1% of graduates will be incarcerated. Thus, 115 of the Merced County dropouts would be incarcerated. If these 1,830 students had graduated rather than dropped out, **97 fewer would be incarcerated.**

Income and poverty: For a high school dropout, mean annual earnings between the ages of 16 and 24 are **\$8,358**. Mean annual earnings for a high school graduate are **\$14,601**.

^j Estimate based on LCFF per ADA FY 13-14.

^k This proportion is even higher for males – 9.4% of male dropouts are institutionalized at a given time, age 16-24.

Thirty-seven percent of high school dropouts are expected to be members of poor or near-poor^l families at a given time between the ages of 16 and 24, while 22% of graduates will be members of poor or near-poor families at that time of their lives. Thus, 670 of the Merced County dropouts would be poor or near-poor. If these 1,830 students had graduated rather than dropped out, **267 fewer would be poor or near-poor.**

Cost to tax payers:^m High school dropouts cost society \$292,000 per student, while graduates provide a benefit to society valuing \$287,000 per student. Thus, the 1,830 high school dropouts would cost society \$534,360,000. If these students had graduated from high school, **they would have benefited society by \$525,912,720, a net difference of over \$1 billion dollars.**

As demonstrated by the predicted impacts of 1,830 dropouts in Merced County described above, Merced students who drop out of school due to discipline would realize many benefits from graduating from high school. These students have a higher likelihood of being employed, not being incarcerated, and earning more income. Others in Merced would benefit as well, since graduates provide more fiscal benefits to society.

^l Defined as under 125% of the federal poverty line.

^m Costs to taxpayers are due to lower tax revenues, high cash and in-kind transfer costs, and imposed incarceration costs relative to an average high school graduate.

V. Qualitative Research Findings: School Discipline and Restorative Justice in Merced

On May 13, 14, 19, and 22, 2014, HIP and Building Healthy Communities staff conducted focus groups and interviews with students, parents, teachers, and school staff in Merced. These conversations were essential for learning a variety of perspectives on each school's school discipline process and attitudes in each school about restorative justice, as well as the relationship between restorative justice implementation and health impacts.

HIP conducted either focus groups or interviews with the following:

Students attending:

- Buhach High School
- El Capitan High School
- Golden Valley High School
- Le Grand High School
- Merced High School
- Sequoia High School
- Valley Community School
- Yosemite High School
- Hoover Middle School
- Rivera Middle School
- Weaver Middle School
- UC Merced

Parents of students attending:

- El Capitan High School
- Golden Valley High School
- Tenaya Middle School
- Rivera Middle School
- Weaver Middle School

School faculty and administrators:

Le Grand High School

- Community Development Partner (Merced County Mental Health Services)
- Conflict Resolution Leader
- Restorative Justice Coordinator
- Teacher

Sequoia High School

- Principal
- School Counselor
- Teacher
- Vice Principal

Yosemite High School

- School Counselor

Five focus groups were conducted by either HIP or the HIA Project Team with an agreement of strict confidentiality. Student names were not recorded. In advance of the interviews, HIP and the Core Team developed questions aligning with the HIA research scope. All interviews were conducted by HIP. An inherent limitation of this qualitative data is that our sample sizes were small; we do not claim to represent the opinions of all students, teachers, and administrators at the six schools.

Summary of Qualitative Findings

Attitudes about suspension

Across the board, all students and parents who we talked to strongly felt that out-of-school suspensions and expulsions are not useful in any way, deprive students of their education, and may lead to more trouble and violence. Many youth used the word “vacation” to describe suspension. Some of the activities that youth said they or their friends or siblings partake in when they are suspended include:

“Going home and chilling,”

“Roaming the streets,”

“Playing x-box all day,”

“Watching TV,”

“Smoking weed,”

“Partying,” and

“Sleeping.”

In many cases, even in-school suspension can be like a vacation. One student said, “You sit there all day doing nothing. You can sleep.”

Some students claimed that being suspended provokes more anger and additional trouble: “You’re home just being pissed off, planning what you’re going to do to the other person because they got you suspended for a week.” Another one said, “If they get suspended for fighting, they just go home and make threats or gather up a group. Especially if you got suspended for a stupid reason.”

Another common theme regarding suspensions was that particularly for out-of-school suspensions, they cause youth to miss out on their education. One father explained, “When kids aren’t in school, they lose out on class time, lose out on learning concepts. Not too many kids realize they’ve missed concepts, and they don’t know how to ask what they’ve missed.”

On the other hand, a school principal said that outcomes depend on how parents respond to out-of-school suspensions. If there are consequences for the student at home, they may have more incentive to change their behavior and re-engage with school.

Most youth and parents believe in the existence of a school-to-prison pipeline, and have seen this phenomenon first-hand in their community. One parent said her friend’s first two sons were expelled from school and later incarcerated. The third son almost went this same route by being expelled from school, but the family was able to step in and find alternative programs for him at a young enough age, saving him from prison. The “pipeline” of trouble can start early: a student focus group participant believed that at his school, a red star accompanies each previously suspended student’s name on a class roll list. “It flags them from the beginning. What if a teacher from the very beginning gets their roll sheet and sees who has the star and bases their punishment off of that? It’s prejudiced and discriminatory. It’s like a criminal record.”

Some parents and students described negative mental health impacts of being suspended. One parent remarked that kids who have been suspended or otherwise disciplined “feel like they’re outsiders.” A student said, “If they expel you, you sort of give up hope.” Another said, “It changes their mentality, so they can be negative instead of positive.”

Both parents and students expressed interest and feelings of hope regarding implementation of restorative justice practices in more schools and in earlier grades. One parent said “these practices should be introduced as early as elementary school where children begin having their very first experiences with conflict.” Another parent and his son expressed that “teachers and principals have to take these practices seriously and follow them correctly. They have to believe in them and train all teachers to really understand how to implement them.”

Attitudes about current discipline policies

Based on our qualitative research, it appears that there are two general versions of restorative justice discipline being practiced in these six schools. One is the model used by Le Grand High School, which begins with individual counseling, followed by a peer-to-peer conference, resulting in agreements to repair harm. The second version, which is used by all of the other schools that we studied, is the process beginning with filling out a form that many students called “the green slip” and is supposed to be followed by individual teacher-student dialogue.

Le Grand High School

Le Grand High School students seem to clearly understand the restorative justice discipline policy at their school, including all of the various steps and consequences throughout the process. They also seem to believe in it: “You learn about yourself and other people,” said one student. Another emphasized that the restorative justice practices at Le Grand represent “power *with* instead of power *over*.” A few Restorative Justice League panelists explained that hearing about consequences from peers is more impactful than hearing from teachers or administrators. They consider the skills they’ve learned at the Restorative Justice League to be transferable to their families and future workplaces. One student said, “I think they should start it around the world.”

Besides supporting students, Restorative Justice League members believed that restorative justice also benefits teachers and administrators. Many students claimed that the process makes teachers and administrators more tolerant and have more trust in the students. Andre Griggs, Restorative Justice Coordinator at Le Grand, explained that the principal and superintendent have met with the Restorative Justice League regarding a conflict. “Administrators now have to come down to the level of students,” he said.

A teacher at Le Grand, said that even though he was reticent at first about responding to the Restorative Justice League, after he saw a student have the chance to talk through the incident with the panel, communicate back to him, and live up to his restorative justice agreement, he now really believes in the program. He thinks the gradual approach that Le Grand has taken has worked well.

The Le Grand Restorative Justice League students said that the process of following up with students after they have gone through the student panel conference increases relationships and connections between students.

While most of the students we talked to at Le Grand were student panelists of the Restorative Justice League, we also heard a positive story from a student who has been disciplined with the restorative justice approach. After getting into a verbal fight that nearly turned physical, this student reported to the Thinkery, where she calmed down and resolved the conflict without being suspended. "Being away from school wouldn't have helped anything," she said.

Le Grand does still use in-school and out-of-school suspension as a disciplinary tool, but focus group participants claimed that these tools are used much less than they were before. During the 2013-14 school year, 16 disciplinary cases were referred to the student panel. The school is fine-tuning the sequence of discipline steps for the 2014-15 year, but the main elements of The Thinkery and the Restorative Justice student panel will remain.

In addition to the restorative justice activities conducted at school, Le Grand students and staff have hosted the Restorative Justice League Conference for the last two years. At the conference, students of all ages can learn about and be trained in restorative justice, and even be nominated to serve on the student panel at Le Grand High School. At the 2014 conference, 50 high school students, 30 college students, and 200 middle school students were trained in restorative justice.

Changing discipline policies in other schools

Student perspective

Many students at Sequoia, Yosemite, Golden Valley, and Buhachⁿ gave examples of their school's discipline policy not working out very well. Students from some of these schools explained that the green slips are given out every day (2-3 slips per class at Yosemite).

Many students from these schools said that teachers do not take this system seriously and might not even understand the policy yet. One said, "They don't even ask you questions. It's more like a meeting for them to scold you." Another said, "I know for a fact that teachers don't want to do it." A student from a different schools said, "It gets filled out, copied and saved, and nothing else happens with it. Most teachers don't even use the forms." Students remarked that after an incident and filling out a green slip, students and teachers are supposed to meet and discuss the problem, but there is seldom time to hold a meeting with the teacher before the next class. Another claimed that some teachers are more punitive than others: "I've got all of my green slips from the same teacher. She'll give you a form for anything." Students at these schools said that certain teachers give out the slips for the wrong reasons like chewing gum, saying a bad word, talking in class, or possessing hand sanitizer. One student claimed that he recently got the green slip for "thinking."

ⁿ We only spoke with one student from Valley Community High School.

Golden Valley, Sequoia, and Yosemite students seemed to understand their school's discipline process but have no faith in it at this point in time. All students that we talked to felt that filling out the "green slips" was not effective at improving behavior or solving problems. One student said, "I've done lots of those forms and they don't help me. It's a waste of time. You fill out a piece of paper, and it goes in your file and stays in your file." This input would seem to suggest the need for additional training and implementation support, and may also reflect the fact that MUHSD schools are at the initial stages of training and implementation at most campuses.

Some youth felt that the mediation part of their school's discipline policy, which sometimes follows the step of filling out green slips, is useful because the students get to talk through the problem. One said, "I would rather go straight to mediation. The form just makes me more mad. When I get mad I go buck wild." Another said, "I think talking about it is so much better, you can let them know what you're feeling in the mediation." After participants in some of the student focus groups viewed a video depicting restorative justice mediation circles, many shared that if discipline were conducted in that way, they would support it.

Despite the poor reviews at these schools, a student from Yosemite acknowledged that the restorative justice discipline program at his school is new. "It's on shaky ground now, but if it can finally find a foundation, I'd love to see suspension stop in its tracks. Hopefully next year it will work better."

Staff and administrator perspective

According to the school administrators we interviewed, the policies are indeed evolving. Some of the schools discussed new ideas for discipline in the next school year.

A MUHSD school counselor told us that he believes in the new discipline approach at his school because he disagrees with zero tolerance. He said that over time, the shame factor has diminished, and the alternative school where he works faces many issues. School staff and administrators at Sequoia and Yosemite High Schools explained that the majority of students face poverty, physical and mental health issues, single parent families, violence, abuse, and low academic abilities. At Sequoia, only seven students in the school do not qualify for free or reduced price lunch.

The MUHSD counselor emphasized that the new restorative justice model allows more flexibility in dealing with each individual student and problem. From his perspective, he thinks students are happier about the process, because they have a voice in it. He said that the process leads to communication between students and teachers, and, "That's counseling right there in itself. Having someone listen to you. It's a relationship building time." He admitted that some teachers are skeptical of the new process and would rather see the punishment, but said that most are supportive of it.

He thinks a restorative justice program like the one at Yosemite can have long-term beneficial effects, including preventing crime and incarceration later in life: "If a kid is happier, they're less

likely to act out in various ways. Restorative justice plays a good role in stopping that because they're getting heard at an earlier stage."

A MUHSD administrator and teacher both agreed that the green slips, alone, don't work. One reason is that reading and writing skills are low among many students in the alternative school where they work: "Our kids have trouble writing a complete sentence, so they can't fill out the form." The teacher acknowledged that the theory behind filling out the forms is great, but "The practicality of it, no. For a lot of the problems that we deal with, it doesn't really fix the problem. If a kid is going to cuss, he's going to cuss the next day. This process is not going to change the behavior." This teacher gives out approximately six green slips per day, which is three times less than when the new discipline process first started.

Common themes & findings

Based on our qualitative research, input from multiple perspectives conveys clearly that suspensions and exclusionary discipline are not helpful to supporting student success, especially because the out-of-school time often leads to undesirable or counter-productive activities. Thus, the importance of alternative approaches to discipline and the associated health benefits suggested in the scientific literature present positive options that respond to expressed need.

Qualitative data additionally suggest a diversity of perspectives regarding the ability of current restorative justice methods to have the desired impact. Where restorative justice programs provide comprehensive components, and have had the time to be fully implemented, attitudes of students and teachers is largely positive. An example is seen at Le Grand High School. Restorative Justice League student panelists, a student who went through a mediation at the Thinkery, a teacher, and two school staff all communicated that their way of practicing restorative justice keeps students in school, holds students accountable for their actions, changes behaviors, and increases relationships, connections, and trust.

At schools where implementation is in the initial stages and with fewer components, students that we talked to from Sequoia, Yosemite and Golden Valley, along with a teacher from one of those schools, felt that the new restorative justice discipline policies were not working yet. The incident forms or "green slips" were seen as a waste of time and not capable of creating behavioral changes when used alone. Some of the students at these schools found value in the mediation aspects of their schools' new discipline programs and supported the idea of restorative circles even if they hadn't experienced them firsthand.

Thus, findings from the focus groups and interviews largely supported the importance of identifying alternative approaches to traditional forms of exclusionary discipline. Qualitative findings also highlighted the acute need and challenges inherent in successfully implementing comprehensive and effective restorative justice methods that have the desired health impacts and benefits regarding education, suspensions and pushout, school climate, and mental health.

In addition to the above common themes, specific recommended actions offered by some of the focus group participants and interviewees were:

- Roll out the new discipline approach gradually, to allow students and staff time to adjust.
- Begin restorative justice earlier than high school.
- Provide more education on the new discipline program to students, parents, and teachers.

VI. Predictions of Health Impacts Based on HIA Evidence

Based on this HIA analysis, the following table summarizes our predictions of how restorative justice would influence health in Merced schools.

Table VI-1. Summary of Evidence of Impacts of Restorative Justice on Health

Health Determinant	Literature Evidence	Merced-Specific Evidence
Education	<ul style="list-style-type: none"> • Restorative justice leads to more hours in the classroom where students are receiving instruction. • Studies show that not being suspended leads to achieving higher grades, better attendance rates, and better test scores. • Graduating from high school is associated with higher likelihood of being employed and earning a higher income as an adult. • More education leads to better health knowledge and behaviors, a lesser likelihood of overweight and obesity, and a longer life. • Schools receive more Average Daily Attendance (ADA) funding when students are in school, thus having more funding for educational resources. 	<ul style="list-style-type: none"> • The unemployment rate in Merced is currently high compared to the state’s rate. Merced students would benefit from additional educational attainment, which is associated with employment and higher incomes. • Students, teachers, and staff at Le Grand High School expressed that their restorative justice practices keep students in school. • A <u>20% reduction in suspensions</u> in Merced county schools would mean 1,712 fewer suspensions per year. This reduction would correspond to a savings of \$60,000 in ADA funding from the state, which could be applied to educational resources and programs essential to student education and wellness. • A <u>40% reduction in suspensions</u> in Merced County schools would mean 3,424 fewer suspensions per year. This reduction would correspond to a savings of \$120,000 in ADA funding.
School Pushout	<ul style="list-style-type: none"> • Restorative justice reduces suspension, violence, bullying, and student arrests. • Restorative justice has the potential to address willful defiance suspensions in particular. Because they are non-violent and often minor offenses, they are good candidates for restorative practices. • Restorative justice keeps more students in school, which reduces the likelihood of dropping out. Dropping out is associated with: <ul style="list-style-type: none"> ○ Lower employment; ○ Lower income; ○ Higher likelihood of living in poverty; ○ Higher chance of incarceration; 	<ul style="list-style-type: none"> • Merced schools currently have higher suspension and expulsion rates than the state, so they would benefit from the reduction in suspensions that restorative justice would support. • Violence and crime rates are currently high in Merced, so Merced would benefit from practices that reduce violence. • Suspended students are more likely to drop out. Our analysis predicts that 1,830 of the 4,160 suspended students in Merced County in 2012-13 are likely to drop out of school. Due to dropping out, of these 1,830 students: <ul style="list-style-type: none"> ○ Only 836 are expected to be employed at a given time in their young adult life (compared to 1,247 had they all graduated from high school). ○ They are expected to earn an average of \$8,358 at these jobs, and have a higher chance of living in poverty (compared to \$14,601 had they all graduated from high school and a lesser chance of poverty).

Health Deter- minant	Literature Evidence	Merced-Specific Evidence
	<ul style="list-style-type: none"> ○ A higher cost to society; ○ Violence; and ○ Drug use 	<ul style="list-style-type: none"> ○ Of these dropouts, 115 are expected to be incarcerated at a given time in their young adult life (compared to only 18 had they all graduated). ○ Each dropout will cost \$292,000 to society (compared to high school graduates benefiting society in the amount of \$287,000 each). • Students, teachers, and staff at Le Grand High School expressed that Le Grand’s way of practicing restorative justice keeps students in school, and is effective at changing behavior.
School Climate and School Relationships	<ul style="list-style-type: none"> • Students participating in restorative justice processes learn reparative dialogue and an increased sense of responsibility. After learning these skills, they use them again. • Restorative justice leads to better teacher-student interactions. • Restorative justice leads to school climate improvements for administrative staff. After implementing restorative practices, administrative staff members have liked their jobs more, and have observed better connections between students and teachers. • Restorative justice improves perceptions of school safety and reduces bullying. • Exclusionary discipline is associated with decreased connectivity between students and schools, and feelings of social isolation. 	<ul style="list-style-type: none"> • At Le Grand High School, students, school faculty, and school staff who have participated in restorative justice claim that it helps students be accountable for their actions, and increases relationship-building, connections, communication, and trust between students and teachers.
Mental Health	<ul style="list-style-type: none"> • Restorative justice has been documented to lead to higher self-esteem, increase pro-social values, and lead to more willingness to take responsibility for misbehavior. • Exclusionary discipline is associated with negative mental health impacts. 	<ul style="list-style-type: none"> • Indicators of mental health in Merced generally reflect state measures. • Students at some of the six Merced study schools expressed that being disciplined makes them angry, but that talking through a conflict feels better. • A Merced school staff member expressed that exclusionary discipline increases feelings of shame in students. • Students, teachers, and staff at Le Grand High School expressed that Le Grand’s way of practicing restorative justice increases relationship-building, connections, communication, and trust between students and teachers, which has good implications for mental health.

VII. Conclusions and Recommendations

Multiple districts in Merced are moving toward a restorative justice approach to discipline, in response to state and federal mandates as well as concern over widespread suspensions and expulsions. This health impact assessment (HIA) seeks to present evidence on the impacts of restorative justice on health to Merced public schools as they develop and refine their discipline policies. We examine these impacts through educational attainment, suspension and “school pushout,” school climate, and direct mental health impacts. The HIA process consisted of literature review, quantitative research, and qualitative research involving several interviews and focus groups with Merced students, parents, and school staff.

Restorative justice discipline typically includes two primary components: 1) a non-adversarial and dialogue-based decision-making process that allows affected parties to discuss the harm done to victims, while considering needs of all participants, and 2) an agreement for going forward based on the input of all participants about what is necessary to repair the harm.⁵ In addition, a restorative practices continuum allows for proactive, relationship and community building practices such as communication of people’s feelings and reflection on how one’s behavior has affected others.²

This HIA primarily focuses on six schools within Merced Union School District (Buhach Colony High School, Golden Valley High School, Yosemite High School, and Sequoia High School), Merced County Office of Education (Valley Community School), and Le Grand High School District (Le Grand High School). Each of these schools is implementing some form of restorative justice, although each school’s program is different and some have been working on implementation for longer than others. In some, training has been recently initiated and implementation just begun.

Conclusions

Based on the evidence collected and reviewed, this HIA concludes the following:

- A substantial literature base definitively shows that exclusionary discipline exacerbates misbehavior and disparities, deprives students of educational resources, sends them along the “school-to-prison pipeline,” reduces connectivity between students and schools, is detrimental to mental health, and comes at a great economic cost to society.
- A comprehensive review of literature identifies restorative justice as a promising alternative that benefits health by improving educational outcomes and thus future employment and income; encouraging staying in school, and thus reaping the benefits of education; improving school climate and school relationships; and supporting positive student mental health.
- A review of data reveals significant levels of school suspensions in Merced County schools, indicating the potential benefits of implementing restorative practices.

- A significant number of educational entities in Merced County are in various stages of implementing restorative justice practices (reaching a majority of the county’s high school-aged population); and are implementing different methods from within the continuum of potential restorative practices.
- Since restorative practices have been recently implemented, it is too early to have definitive quantitative data to demonstrate local impacts.
- Should comprehensive and sustained implementation of restorative justice methods occur in the county, over time, literature suggests reductions in suspensions in the magnitude of 20% to 40%, which translates to 1,712 to 3,424 fewer suspensions per year across the county, and results in a cost savings of between \$60,000 and \$120,000 for districts in the county.
- Qualitative research with local youth, parents, teachers, and school representatives conveys, that:
 - Suspensions and exclusionary discipline are not helpful for supporting student health success, especially because the out-of-school time often leads to unhealthy or detrimental activities.
 - A diversity of perspectives exists regarding the ability of current restorative justice methods to have desired impacts. Where restorative justice programs provide comprehensive components and have been fully implemented, attitudes of students and teachers are largely positive. At schools where implementation is in initial stages and has fewer components, policies are perceived as not working yet. These perspectives highlight the acute need for successfully implementing comprehensive and effective restorative justice methods in order to achieve health benefits through education, reduction of suspensions and pushout, school climate, and mental health.
- **Restorative justice must be practiced thoughtfully and thoroughly.** As a student focus group participant recommended, restorative justice must be practiced “genuinely.” The following core principles should be strived for:
 - 1) Acknowledge that relationships are central to building community;
 - 2) Build systems that address misbehavior and harm in a way that strengthens relationships;
 - 3) Focus on the harm done rather than only on rule-breaking;
 - 4) Give voice to the person harmed;
 - 5) Engage in collaborative problem-solving;
 - 6) Empower change and growth; and
 - 7) Enhance responsibility.⁸

Genuinely achieving these principles requires time and dedication to the model. Change does not happen overnight, and many successful schools start gradually and evolve their restorative justice programs over a few years before reaping the benefits described above. In addition, it seems that the circle/conference approach to RJ provides better outcomes compared to the “green slip” approach, and when possible, the former should be implemented.

Specific Recommendations

According to literature and case study evidence, lessons learned from students, school staff, and school administrators, and suggestions from the HIA Steering Committee, we recommend the following measures for Merced County school districts to improve school discipline policies:

Restorative justice program recommendations

- Continue / expand implementation of RJ practices in current schools and consider expansion to other schools in the county.
- Implement restorative justice in accordance with the seven above principles.
- Implement restorative justice methods strategically selected from the continuum of methods available, and use an engaging circle/conference model together with other components rather than individual methods in isolation (e.g., a green slip model); focus on mediation and communication rather than compartmentalization.
- Plan for a three to six year implementation period.
- Ensure that all school staff and administrators receive restorative justice training.
- Select staff with appropriate skills and expertise for leading the restorative justice program.
- Ensure student understanding of restorative justice protocols early in the school year.
- Implement well-focused leadership of the restorative justice program.
- Use a continuum of restorative practices (e.g., in addition to conferencing and other typical restorative justice processes, encourage and allow space for brief teacher-student exchanges, relationship-building, communication of feelings, and reflection on how one's behavior affects others).
- Implement the new discipline approach gradually, to allow students and staff time to adjust.
- Begin restorative practices in elementary or middle school; if this is not yet feasible, begin educating students and staff at feeder elementary/middle schools about restorative justice.
- Encourage student leadership in restorative justice program, such as student/peer panels and conferencing.
- Incorporate student involvement in restorative justice at beginning of implementation.
- Encourage parent involvement in restorative discipline (e.g., a parent advisory committee).

Complementary policies

- Consider investment in supplemental policies such as positive behavioral interventions and supports (PBIS), cognitively-based classroom management skills, and social and emotional learning strategies.
- For schools with students facing many socioeconomic issues, provide a social counselor so students have an outlet for healing.
- Create follow-up care programs for youth who've gone through the restorative justice process.

Educate students, parents, and community on restorative justice

- Provide culturally appropriate education on restorative justice techniques to students, parents, and teachers.
- To ensure that restorative justice process is clear to everyone in the school community, create a flowchart of restorative justice process and steps and distribute to all students, teachers, school staff, and parents.
- Hold a conference for the entire school community (including students and parents) to educate on restorative justice.
- Educate law enforcement (i.e., police and probation officers) on restorative justice.

Continue evaluation of restorative justice programs

- Conduct evaluations of each school's program to allow for improvement of that program and so that schools can learn from one another.
- Hold an annual meeting attended by all schools to foster learning between schools.
- Monitor and improve data systems (i.e., capturing application of restorative justice program).
- Create and apply a deliberate approach to sharing information and data to school staff, parents, and other stakeholders.
- Evaluate parent education tools, including evaluation of parents' level of understanding of restorative justice program.

Making restorative justice sustainable

- Obtain and sustain funding resources dedicated to restorative justice training, consultants, and facilitators.
- Provide ongoing support to teachers and school staff.
- Connect restorative justice program with other wraparound services like mental health and substance abuse treatment.
- Build the restorative justice program into school district's Local Control and Accountability Plan (LCAP).

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Appendix A. Additional Tables and Figures

Table A-1. Case study evidence: Impact of restorative justice on suspension, expulsion, disciplinary referrals, and behavioral incidents

The following case studies of US schools illustrate the associations between restorative justice and suspension, expulsion, disciplinary referrals, and behavioral incidents. The impact figures (i.e., percent change in suspensions and other disciplinary impacts) found in the following table were taken directly from the case studies, and thus they cannot be directly compared to one other based on differing case study time periods, study lengths, and whether they presented absolute percentage changes or relative rates adjusted for student enrollment. Where indicated, impact figures were adjusted according to student enrollment.

Location	School/District	Start Date	Description of Practices	Impact
California				
Los Angeles	Roosevelt High Gompers Middle Markham Middle	2013	Harm circles, agreements to repair relationships	<ul style="list-style-type: none"> In first six months, the two middle schools saw 36% and 2% drops in the number of suspensions. For Roosevelt High School, there was only a slight reduction in the number of suspensions. At that school, teachers reported having some confusion about the role and outcomes of RJ⁹⁴ For Roosevelt High School, the estimated average change in suspension rate was a 4.6% increase, after taking into account the other 3 months of the year that could potentially contain suspensions, and taking into account changes in enrollment.
Oakland	Cole Middle School	2007	Restorative circles	In a 2-year period: <ul style="list-style-type: none"> Elimination of violence and expulsions Over 75% reduction in suspensions⁹⁵
	Ralph J. Bunche High School	2011	Restorative circles	In 1 year: <ul style="list-style-type: none"> Reduced overall suspension rate from 12% to 8%.⁹⁶

Appendix A

Location	School/District	Start Date	Description of Practices	Impact
				<ul style="list-style-type: none"> • However, according to California Dataquest, the suspension rate was reduced from 14.7% to 6.9%, a 52.8% reduction.
Colorado				
Denver	17 schools	2008	Informal classroom meetings; restorative conferencing	<ul style="list-style-type: none"> • 68% fewer police tickets • 40% fewer out-of-school suspensions^{5 97}
Florida				
Palm Beach County	Two schools			<ul style="list-style-type: none"> • Between 130 and 300 fewer days of suspension in two schools⁵
Illinois				
Chicago	Chicago Public Schools	2006	Restorative peer juries	In a 1-year period: <ul style="list-style-type: none"> • 1,000 fewer suspension days • At Dyett High School, 83% reduction in student arrest rates⁹⁷
Peoria	Peoria School District		Restorative justice circles	<ul style="list-style-type: none"> • 35% drop in referrals to detention • 43% drop in detention referrals of black students⁹⁸
Maryland				
Baltimore	City Springs Charter elementary/middle school	2006	Restorative circles and conferences	In a 1-year period: <ul style="list-style-type: none"> • 90% reduction in suspensions (from 86 to 9)⁹⁹
Michigan				
Lansing	Pattengill Middle School	January 2005	93% of 292 participating students reported using restorative methods to resolve their conflicts	In a 2-year period: <ul style="list-style-type: none"> • 15% drop in suspensions (suspension rates at the district's other middle schools increased) • 2 expulsions were averted¹⁰⁰
Hamtramck (near Detroit)	Kosciusko Middle School	2009	Safer Saner Schools Whole School Change Program	<ul style="list-style-type: none"> • 75% decrease in bullying • 63% decrease in discipline referrals¹⁰¹
South Lyon	South Lyon Community School District		Restorative circles	<ul style="list-style-type: none"> • 75% drop in disciplinary referrals at Salem Elementary School • 73% drop in disciplinary referrals at Centennial Middle School¹⁰²
Minnesota				

Appendix A

Location	School/District	Start Date	Description of Practices	Impact
Minneapolis	Nellie Stone Johnson and Ramsey Fine Arts Elementary Schools	2001	Restorative circles	In a 1-year period: <ul style="list-style-type: none"> • 45% reduction in suspensions in one year at Ramsey • 63% reduction in suspensions in one year at Nellie Stone Johnson¹⁰³
Minnesota Department of Education (statewide)	277+ schools	1995	Restorative circles; conferences; peer mediation; in a 2011 survey, 277 principals reported that schools used restorative practices ⁹²	In a 3-year period (1998-2001): <ul style="list-style-type: none"> • 30-50% fewer suspensions in primary and secondary schools¹⁴ • 45-63% reduction in behavioral referrals and suspensions in two years⁵⁸ ⁶⁰
Princeton	Princeton High School	1998	Restorative circles	In a 3-year period: <ul style="list-style-type: none"> • 28% reduction in suspensions¹⁰⁵ • However, when taking into account changes in enrollment, the suspension rate was reduced by 1.8%. • 24% reduction in behavior referrals¹⁰⁵
South St. Paul	Two elementary and one junior high school	1998	Restorative circles	In a 3-year period: <ul style="list-style-type: none"> • 63% reduction in out-of-school suspensions and 64% reduction in behavior referrals at one elementary school • 85% reduction in out-of-school-suspensions and 27% increase in behavior referrals in one elementary school • 50% reduction in out-of-school suspensions at junior high^{98 105}
West Central	Elementary school and high school (grades 7-12)	1998	Restorative circles	In a 3-year period: <ul style="list-style-type: none"> • 29% drop in behavior referrals in elementary school • 16% decrease in behavior referrals in high school¹⁰⁵ • In the high school, after taking into account changes in enrollment, behavioral referrals

Appendix A

Location	School/District	Start Date	Description of Practices	Impact
				actually increased 56.9%.
Pennsylvania				•
Philadelphia	West Philadelphia High	2008	Restorative circles	In a 1-year period: <ul style="list-style-type: none"> • 50% decrease in suspensions, 52% decrease in violent acts in 2007-08, and 40% decrease in violent acts in 2008-09^{93 5} • After taking into account changes in enrollment, the suspension rate increased 79%.
Kintnersville	Palisades High School	1998	Restorative circles, interventions, one-on-ones, and group meetings	Over first three years: <ul style="list-style-type: none"> • 34% drop in disciplinary referrals • 38% reduction in suspensions • 61% reduction in detentions • 44% drop in incidents of disruptive behavior^{93 106} • After taking into account changes in enrollment, the suspension rate decreased by 41%.
Springfield Township (suburb of Philadelphia)	Springfield Township High School	January 2000	Restorative circles, one-on-ones	In a 1-year period: <ul style="list-style-type: none"> • 70% reduction in incidents of disrespect to teachers • 71% drop in incidents of classroom disruption^{93 106}

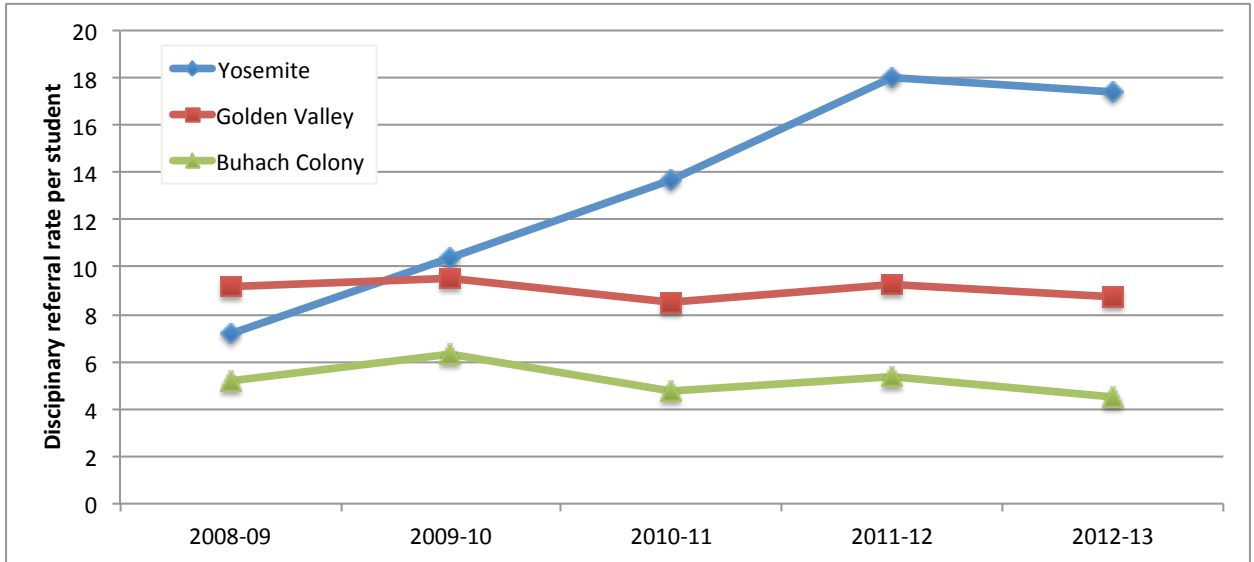
Table A-2. Race and ethnicity in Merced County, 2008-12

Race/ethnicity	Population	Percentage of total
Hispanic	141,027	55.0
White	81,483	31.8
Asian	19,035	7.4
Black	8,857	3.5
Two or more races	3,969	1.5
AIAN	1,085	0.4
NHAPI	546	0.2
Some other race	396	0.2

Source: ACS Demographics. 5-year American Community Survey, 2008-12, Table DP05.

Appendix A

Figure A-3. Disciplinary referrals per student, 2008-13

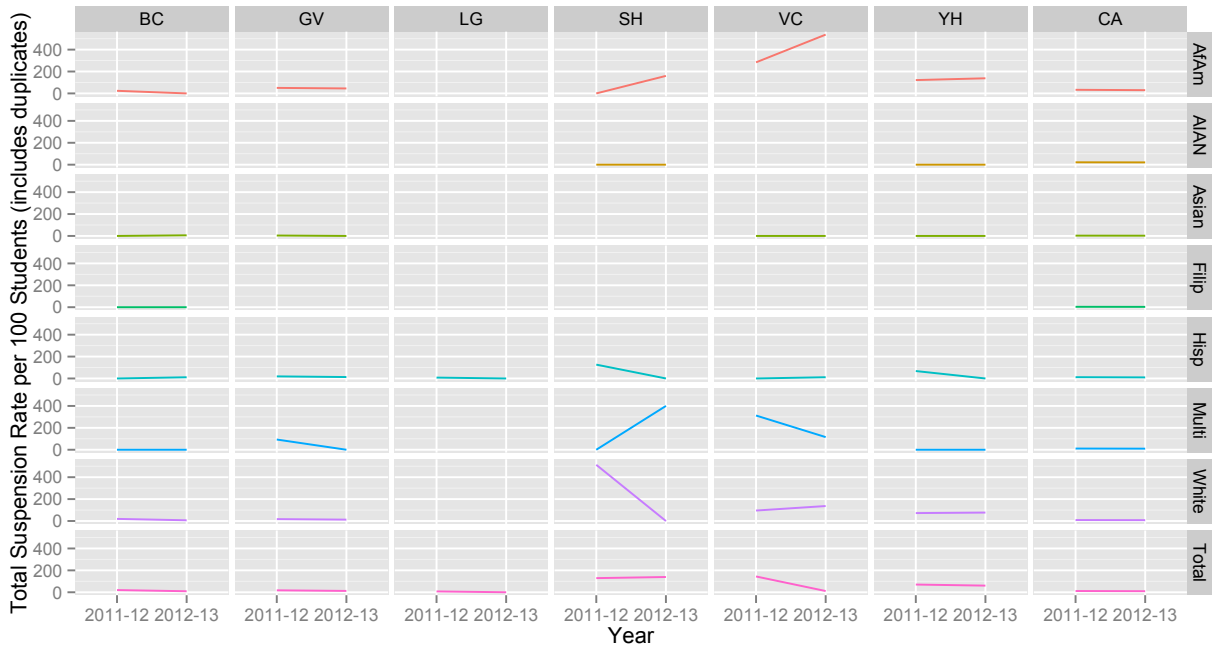


Source: Merced Union High School District

Appendix A

Figure A-4. Suspension rates by race/ethnicity, 2011-12 to 2012-13

Figure A-4 shows trends for the six schools and California in their own columns, and race/ethnicity for each school in separate rows. Therefore, to compare suspensions rates for a particular racial/ethnic group across schools, one can look across the labeled row for that race/ethnicity. Trend lines for each racial/ethnic group are assigned the same color to reinforce the comparison. Note that some racial/ethnic groups were not represented at all Merced schools.



Source: Dataquest¹⁰⁹
 SH = Sequoia High rate
 YH = Yosemite High rate
 GV = Golden Valley High rate

VC = Valley Community School rate
 CA = California rate
 BC = Buhach Colony High rate
 LG = Le Grand High

Table A-3. Suspension rates by race/ethnicity, 2011-12 to 2012-13

School	Year	Ethnicity	Suspension Rate
Buhach Colony High	2011-12	African American, Not Hispanic	23.809524
	2012-13	African American, Not Hispanic	0
	2011-12	American Indian or Alaska Native, Not Hispanic	0
	2011-12	Asian, Not Hispanic	0
	2012-13	Asian, Not Hispanic	5.670103
	2011-12	Filipino, Not Hispanic	0

Appendix A

School	Year	Ethnicity	Suspension Rate
	2012-13	Filipino, Not Hispanic	0
	2011-12	Hispanic or Latino of Any Race	0
	2012-13	Hispanic or Latino of Any Race	10.978044
	2011-12	Total	20.033021
	2012-13	Total	9.35412
	2011-12	Two or More Races, Not Hispanic	0
	2012-13	Two or More Races, Not Hispanic	0
	2011-12	White, not Hispanic	19.262295
	2012-13	White, not Hispanic	6.581741
	Golden Valley High	2011-12	African American, Not Hispanic
2012-13		African American, Not Hispanic	45.360825
2011-12		American Indian or Alaska Native, Not Hispanic	0
2011-12		Asian, Not Hispanic	3.746398
2012-13		Asian, Not Hispanic	0
2011-12		Filipino, Not Hispanic	0
2011-12		Hispanic or Latino of Any Race	19.047619
2012-13		Hispanic or Latino of Any Race	13.047002
2011-12		Total	17.707363
2012-13		Total	12.226871
2011-12		Two or More Races, Not Hispanic	93.243243
2012-13		Two or More Races, Not Hispanic	0
2011-12		White, not Hispanic	17.241379
2012-13		White, not Hispanic	12.373737
Le Grand High	2011-12	Hispanic or Latino of Any Race	7.936508
	2012-13	Hispanic or Latino of Any Race	0

Appendix A

School	Year	Ethnicity	Suspension Rate
	13		
	2011-12	Total	7.740586
	2012-13	Total	0
	2011-12	White, not Hispanic	0
Sequoia High	2011-12	African American, Not Hispanic	0
	2012-13	African American, Not Hispanic	160
	2011-12	American Indian or Alaska Native, Not Hispanic	0
	2012-13	American Indian or Alaska Native, Not Hispanic	0
	2011-12	Asian, Not Hispanic	0
	2011-12	Filipino, Not Hispanic	NA
	2011-12	Hispanic or Latino of Any Race	126.436782
	2012-13	Hispanic or Latino of Any Race	0
	2011-12	Total	129.133858
	2012-13	Total	139.344262
	2011-12	Two or More Races, Not Hispanic	0
	2012-13	Two or More Races, Not Hispanic	400
	2011-12	White, not Hispanic	513.043478
	2012-13	White, not Hispanic	0
Valley Community	2011-12	African American, Not Hispanic	283.783784
	2012-13	African American, Not Hispanic	537.037037
	2011-12	Asian, Not Hispanic	0
	2012-13	Asian, Not Hispanic	0
	2012-13	Filipino, Not Hispanic	NA
	2011-12	Hispanic or Latino of Any Race	0
	2012-13	Hispanic or Latino of Any Race	11.326861

Appendix A

School	Year	Ethnicity	Suspension Rate
	2011-12	Total	144.341373
	2012-13	Total	11.298077
	2011-12	Two or More Races, Not Hispanic	312.5
	2012-13	Two or More Races, Not Hispanic	115.384615
	2011-12	White, not Hispanic	95.505618
	2012-13	White, not Hispanic	136.666667
Yosemite High (Continuation)	2011-12	African American, Not Hispanic	121.73913
	2012-13	African American, Not Hispanic	138.095238
	2011-12	American Indian or Alaska Native, Not Hispanic	0
	2012-13	American Indian or Alaska Native, Not Hispanic	0
	2011-12	Asian, Not Hispanic	0
	2012-13	Asian, Not Hispanic	0
	2011-12	Filipino, Not Hispanic	NA
	2012-13	Filipino, Not Hispanic	0
	2011-12	Hispanic or Latino of Any Race	67.84141
	2012-13	Hispanic or Latino of Any Race	0
	2011-12	Total	70.501475
	2012-13	Total	60.650888
	2011-12	Two or More Races, Not Hispanic	0
	2012-13	Two or More Races, Not Hispanic	0
	2011-12	White, not Hispanic	72.307692
	2012-13	White, not Hispanic	76.923077
Statewide	2011-12	African American, Not Hispanic	33.013699
	2012-13	African American, Not Hispanic	29.661891
	2011-	American Indian or Alaska Native, Not	21.634265

Appendix A

School	Year	Ethnicity	Suspension Rate
	12	Hispanic	
	2012-13	American Indian or Alaska Native, Not Hispanic	20.782402
	2011-12	Asian, Not Hispanic	2.673428
	2012-13	Asian, Not Hispanic	2.187459
	2011-12	Filipino, Not Hispanic	3.599975
	2012-13	Filipino, Not Hispanic	3.100245
	2011-12	Hispanic or Latino of Any Race	11.729219
	2012-13	Hispanic or Latino of Any Race	9.834969
	2011-12	Total	11.406475
	2012-13	Total	9.79247
	2011-12	Two or More Races, Not Hispanic	10.728768
	2012-13	Two or More Races, Not Hispanic	9.767299
	2011-12	White, not Hispanic	8.837281
	2012-13	White, not Hispanic	7.747486

Table A-4. Willful Defiance Suspensions by Ethnicity, 2012-13

School	Ethnicity	For Defiance (In School)	For Defiance (Out School)	Other (In School)	Other (Out School)	Total	Proportion of Total Suspensions Due to Willful Defiance
Buhach Colony High	Hispanic or Latino	21	11	16	99	147	22%
	Asian	0	0	0	11	11	NA
	Filipino	*	*	*	*	5	NA
	African American	*	*	*	19	28	NA
	White	*	*	*	19	31	NA
	Two or more races	*	0	0	*	4	NA

Appendix A

School	Ethnicity	For Defiance (In School)	For Defiance (Out School)	Other (In School)	Other (Out School)	Total	Proportion of Total Suspensions Due to Willful Defiance
	Total	30	17	28	151	226	21%
Golden Valley High	Hispanic or Latino	14	*	24	121	159	9%
	Asian	0	0	*	*	4	NA
	African American	*	*	*	22	44	NA
	White	*	*	*	35	49	NA
	Two or more races	*	0	0	*	5	NA
	Total	28	10	41	184	263	14%
Le Grand High	Hispanic or Latino	*	13	*	15	35	37%
	Total	*	13	*	15	35	37%
Sequoia High	Hispanic or Latino	0	*	*	95	106	NA
	American Indian or Alaska Native	0	0	0	*	*	NA
	Pacific Islander	0	*	0	*	2	NA
	African American	0	*	*	13	17	NA
	White	0	*	0	20	20	NA
	Two or more races	0	*	0	14	14	NA
	Total	0	26	*	*	172	15%
Valley Community School	Hispanic or Latino	30	321	*	551	902	NA
	Asian	*	*	0	*	10	NA
	Pacific Islander	0	*	0	*	3	NA
	Filipino	0	13	0	21	34	38%
	African American	*	44	*	101	153	29%
	White	*	38	*	44	85	45%
	Two or more races	0	*	0	*	15	NA
	Total	38	430	9	730	1207	39%
Yosemite High	Hispanic or Latino	0	33	0	92	125	26%
	American	0	*	0	*	2	NA

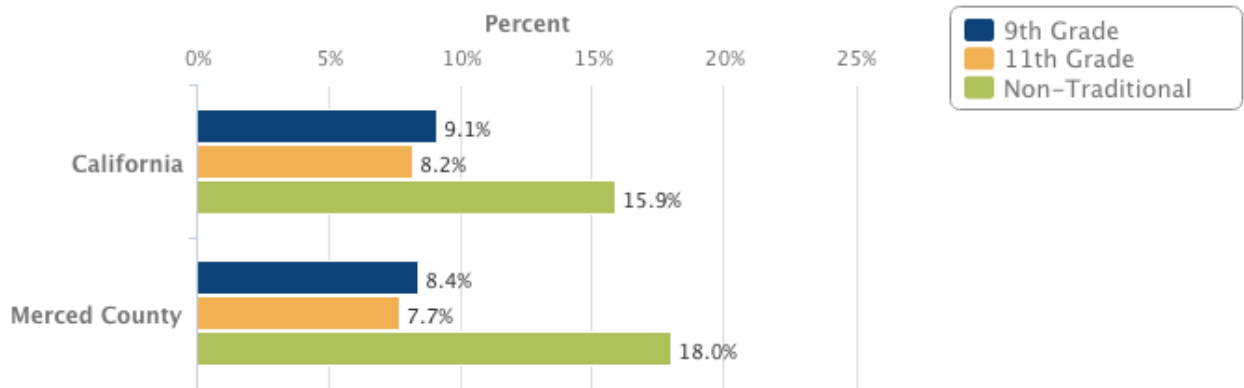
Appendix A

School	Ethnicity	For Defiance (In School)	For Defiance (Out School)	Other (In School)	Other (Out School)	Total	Proportion of Total Suspensions Due to Willful Defiance
	Indian or Alaska Native						
	Asian	0	0	0	*	*	NA
	Filipino	0	0	0	*	*	NA
	African American	0	*	0	23	23	NA
	White	0	*	0	30	30	NA
	Two or more races	0	0	0	*	*	
	Total	0	50	0	155	205	24%

Source: California Department of Education

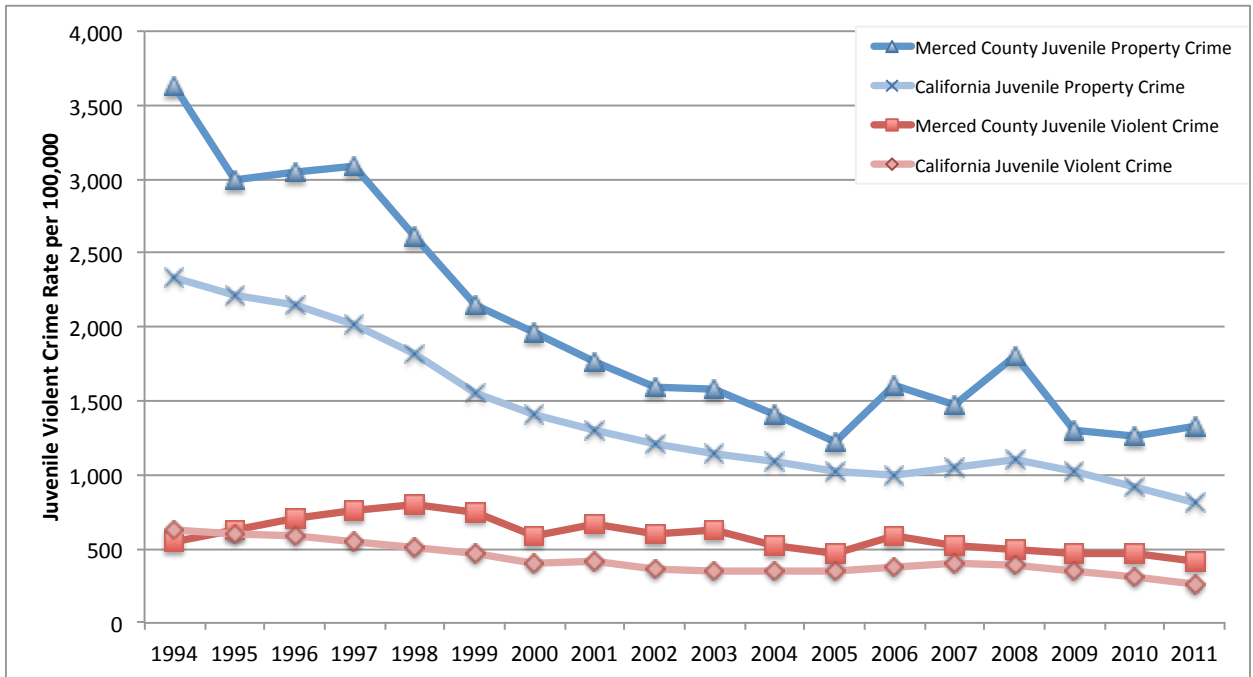
* = censored (not reported) by CDE due to low value.

Figure A-5. Self-reported gang involvement in Merced County and California, 2008-10



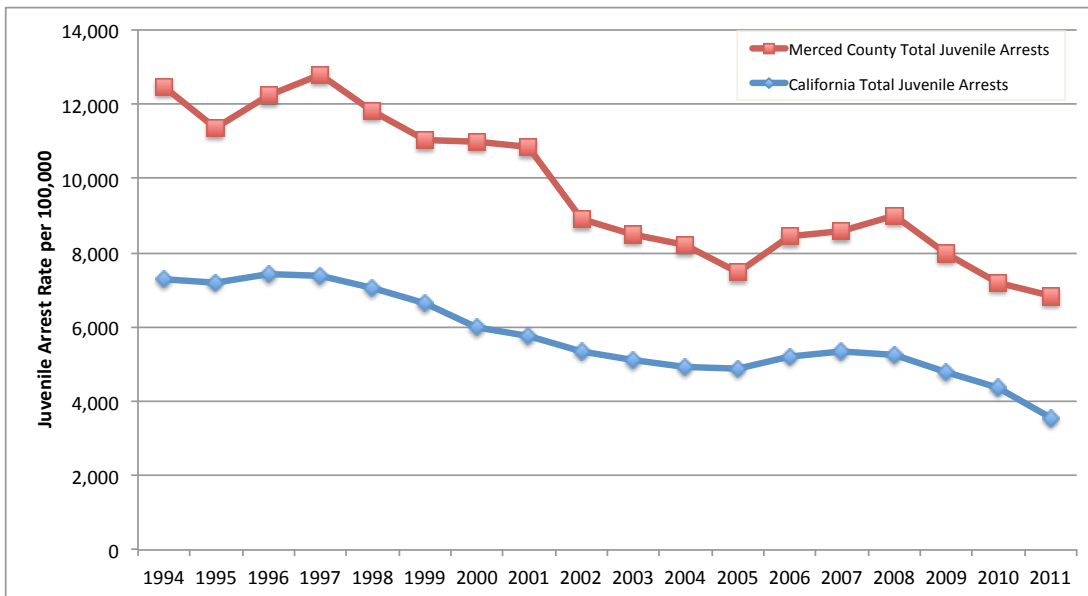
Source: Kidsdata.org¹²⁶

Figure A-6. Juvenile crime rates per 100,000 from 1994 to 2011



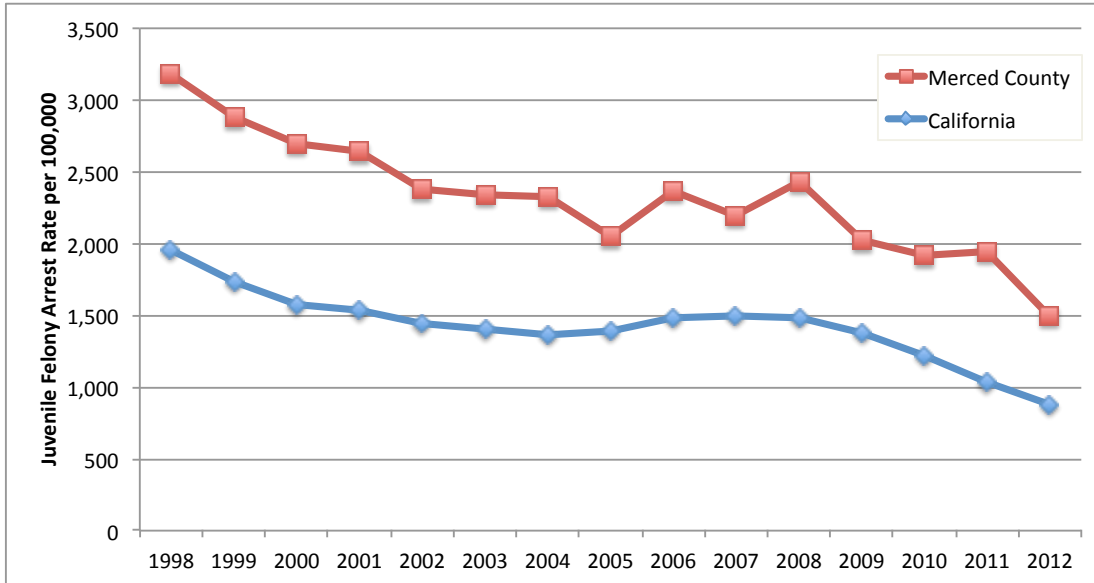
Source: National Center for Juvenile Justice¹²⁷

Figure A-7. Total juvenile arrest rate per 100,000 in Merced County, 1994 to 2011



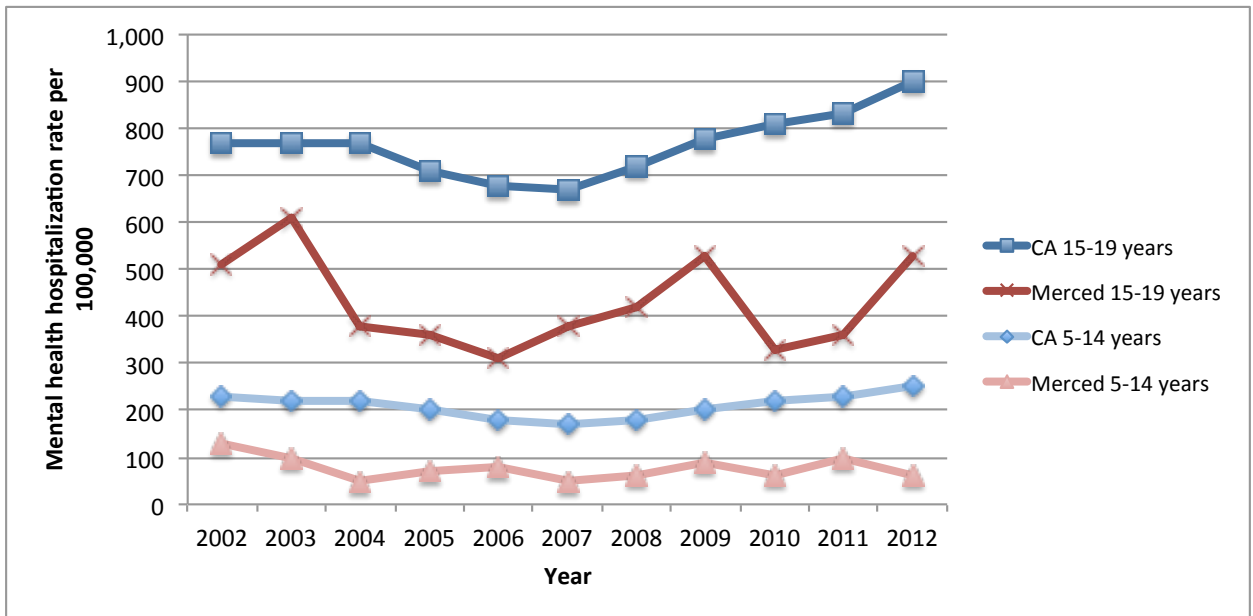
Source: National Center for Juvenile Justice¹²⁷

Figure A-8. Juvenile felony arrest rates per 100,00 from 1998 to 2012



Source: Kidsdata.org¹²⁹

Figure A-9. Mental health hospitalizations per 100,000 for Merced County, by age group



Source: Kidsdata.org¹³⁴

Appendix B. UC Merced Pre- and Post-Restorative Justice Survey

A student of UC Merced, in conjunction with the Merced County Office of Education, conducted two surveys in Valley Community Schools. The first survey (pre-survey) was done in August 2012 (prior to the start of implementation of Valley Community School's restorative justice model), and the second survey (post-survey) was done in May 2013. Staff and students completed both surveys. The post-surveys included evaluation questions that asked the respondents to reflect on their thoughts about the new restorative justice system.

Results – Students

One hundred sixty-six (39%) of the 424 total pre-survey respondents attended Merced Valley Community School, and 59 (17%) of the 356 post-survey participants attended Merced Valley Community School. Thus, responses do not necessarily reflect Merced Valley Community School, since they contain responses from other sites as well.

Expectations and School Environment

In the post-survey, 47% of students agreed or strongly agreed that teachers treat students fairly and consistently at their school, 37% thought that students treated school staff with respect, and 34% thought that students treated each other with respect.

VSSMP

One part of Valley Community School's restorative justice program is the Valley Staff Student Mediation Process (VSSMP). In the post-survey, 30% of students reported having either some or a lot of direct experience with the VSSMP, and 14% reported that they did not have experience but that their friends did. Among those that did not have any experience, 87% said they had no problems, while 13% said that the teacher dealt with them another way.

Twenty-three percent of students felt that VSSMP was helpful for resolving problems, and 29% felt that it was helpful for maintaining classroom discipline. On the other hand, 49% felt that it was a waste of time, and 45% felt that VSSMP was just another form of punishment.

ISSC

Another part of Valley Community School's restorative justice program is the In-School Suspension Classroom (ISSC). In the post-survey, 41% of students reported that they had either some or a lot of experience with the ISSC, and 13% reported that they did not have personal experience, but had friends that did. Among those that did not have experience, 88% said that they haven't had any problems, and 12% said that their teachers dealt with them another way.

Twenty-seven percent of students felt that ISSC was helpful for resolving problems, and 41% of students felt that ISSC was helpful for maintaining classroom discipline. On the other hand, 48% of students felt that it was a waste of time, and 61% felt it was just another form of punishment.

Overall student response

A majority of students who had direct experience with VSSMP or ISSC seemed to have mixed or negative feelings towards the interventions, many citing that they were a waste of time and were just another form of punishment.

Results - Staff

Thirty-seven staff at Merced Valley Community School participated in the pre-survey out of 84 total participants, and 29 Merced Valley Community School staff participated in the post-survey out of 68 total. Thus, responses do not necessarily reflect Merced Valley Community School, since they contain responses from three other sites.

Staff respondents rated student behavior from 1-5, with 1 being poor and 5 being excellent. The average rating between the pre- and post- survey increased from 2.1 to 3.1.

Staff respondents rated the student discipline process from 1-5, with 1 being poor and 5 being excellent. The average rating between the pre- and post- survey increased from 2.26 to 3.33.

Staff respondents rated their student relationships from 1-5, with 1 being not at all positive and 5 being extremely positive. The average rating between the pre- and post- survey increased from 3.46 to 3.78.

VSSMP

Out of the 58 school staff that responded to this question, 24% said they did not have experience with the VSSMP, 14% reported they had experience but not directly, 31% said they had some direct experience, and 31% said they had a lot of direct experience.

Among staff that had experience with the VSSMP, 81% reported that they agreed or strongly agreed that it helped them recognize the student's point of view, 78% felt that it helped the student recognize their point of view, 83% felt they were able to resolve the problem fairly, and 68% felt they built a stronger relationship with the students because of it. Twenty percent of staff felt that it was unhelpful or ineffective.

In terms of the overall VSSMP system, 73% thought the system was helpful for resolving problems, and 81% thought it was helpful for maintaining classroom discipline. On the other hand, 35% thought that the system was too cumbersome or took too much time, and 14% thought that it was just another form of punishment.

ISSC

In the post-survey, 45% of staff reported that they have some or a lot of direct experience with the ISSC, and 7% reported having indirect experience. Among those that did not have any direct

Appendix B

experience, 63% said it was because they had no problems that would warrant it, and 38% said that dealt with them in another way.

In terms of the ISSC system, 81% felt that ISSC was able to resolve the problem fairly, and 58% felt that they built a stronger relationship with their students because of it. On the other hand, 12% of school staff felt that ISSC was unhelpful or a waste of time.

Sixty-nine percent of staff felt that ISSC was helpful for resolving problems, and 75% felt that it was helpful for maintaining classroom discipline. However, 5% of staff felt that it is cumbersome or takes too much time, and 12% felt that ISSC was just another form of punishment.

Overall staff response

It seems that most of the school staff that had direct experiences with VSSPP and ISSC had fairly positive experiences. Most staff thought that both VSMPP and ISSC were helpful for resolving problems and for maintaining classroom discipline. More staff thought that VSSMP was cumbersome or that it took too much time compared to ISSC.

Comparison of student and staff responses

School staff and students had substantially different answers speaking to their experiences with the VSSMP or ISSC. A majority of school staff had positive reflections on VSSMP, while a majority of students had negative reactions. Differences in reactions to ISSC from staff and students were also similarly discordant.

Appendix C. Calculations for Section IV

Calculation: ADA revenue generated for Merced Districts (Table IV-2)

Total 2012-13 suspensions in Merced County = 8561
 ADA cost for one student, one day = \$35

$$8561 * 35 = \$300,000$$

20% reduction in 2012-13 suspensions = 6849
 ADA cost for one student, one day = \$35

$$6849 * 35 = \$240,000$$

40% reduction in 2012-13 suspensions = 5137
 ADA cost for one student, one day = \$35

$$5137 * 35 = \$180,000$$

Calculation: 1,830 of the 4,160 students who were suspended in Merced County in 2012-13 would be expected to drop out of school (Section IV)

Number of students suspended in county	...with number of suspensions	total suspensions	Percent of students who will drop out (Belfanz et al)	Number of students who will drop out in Merced County
1040	1	(1*1040) =1040	0.32	332.8
1040	2	(2*1040)=2080	0.42	436.8
1040	3	(3*1040)=3120	0.49	509.6
1040	4+	(remainder)=232 1	0.53	551.2
		(sum of above)=		(sum of above)=
	total suspensions:	8561	total dropouts:	1830

Source: Balfanz R, Byrnes V, Fox J. Sent Home and Put Off-Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the Ninth Grade. 2012.

Calculation: Number of Merced dropouts expected to be employed at a given time, age 16-24 (Section IV)

Literature evidence

- 45.7% of high school dropouts are employed at a given time at age 16-24
- 68.1% of high school graduates are employed at a given time at age 16-24 (Sum A et al, 2009)

Appendix C

$1830 \times 0.457 = 836$ of 1830 dropouts (due to suspension) at county schools are expected to be employed at a given time between age 16 and 24.

$1830 \times 0.681 = 1247$ of the 1830 dropouts (due to suspension) at county schools would be employed at a given time between age 16 and 24, had they graduated.

Calculation: Number of Merced dropouts expected to be incarcerated at a given time, age 16-24 (Section IV)

Literature evidence

- 6.3% of high school dropouts are incarcerated at a given time at age 16-24
- 1% of high school graduates are incarcerated at a given time at age 16-24 (Sum A et al, 2009)

$1830 \times 0.063 = 115$ of 1830 dropouts (due to suspension) at county schools are expected to be incarcerated at a given time between age 16 and 24.

$1830 \times 0.01 = 18$ of the 1830 dropouts (due to suspension) at county schools would be incarcerated at a given time between age 16 and 24, had they graduated.

Calculation: Mean annual earnings of Merced dropouts at a given time, age 16-24 (Section IV)

Literature evidence

- Mean annual earnings of high school dropouts = \$8,358
- Mean annual earnings of high school graduates = \$14,601 (Sum A et al, 2009)

(values from literature are reported in text)

Calculation: Number of Merced dropouts expected to be members of poor or near-poor families at a given time, age 16-24 (Section IV)

Literature evidence

- 36.6% of high school dropouts are members of poor or near-poor families at a given time at age 16-24
- 22% of high school graduates are members of poor or near-poor families at a given time at age 16-24 (Sum A et al, 2009)

$1830 \times 0.366 = 670$ of 1830 dropouts (due to suspension) at county schools are expected to be members of poor or near-poor families at a given time between age 16-24

$1830 \times 0.22 = 403$ of the 1830 dropouts (due to suspension) at county schools would be members of poor or near-poor families at a given time between age 16 and 24, had they graduated.

Calculation: Cost to taxpayers (Section IV)

Literature evidence

Appendix C

- The average high school dropout will cost taxpayers over \$292,000 in lower tax revenues, higher cash and in-kind transfer costs, and imposed incarceration costs relative to an average high school graduate.
- The average high school graduate generates a positive lifetime net fiscal contribution of \$287,000. (Sum A et al, 2009)

1830* -292,000 = \$-\$534,360,000 cost to society for the 1830 dropouts

1830* 287,000 = \$525,912,720 benefit to society if the 1830 dropouts had graduated.