PROGRESSIVE DISCIPLINE, THE TRANSGRESSORS, AND THE VICTIMS

The Implementation of Progressive Discipline Within Ontario Schools and Its Effect on the Experience for the Transgressors and the Victims

By

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ABSTRACT

The way discipline is handled in Ontario’s Schools has changed a lot over the past 20 years. In 2000 the government of Ontario introduced the Safe Schools Act, however, the act was found to discriminate against males, certain ethnicities, and students with exceptionalities. In addition, many people viewed the act as a zero tolerance policy. As a result, the government implemented a policy of progressive discipline through the Amendment of the Safe Schools Act with 2 subsequent Bills: Bill 212 the Education Amendment Act and Bill 157 – Keeping our Kids Safe at School Act. Despite this, some of the old problems continue to persist and new complications have begun to surface. This qualitative research study examines the effects that the implementation of progressive discipline has had on the experience for the transgressors and the victims. This study will also explore the strategies and consequences associated with progressive discipline that administrator’s regularly implement. This study will go on to examine whether or not these strategies have been effective, and offer insight into the ways victims are being protected. Through two semi-structured interviews with two different administrators the data will be collected to pursue this research.

Key words: progressive discipline, zero tolerance, strategies, victims, transgressors
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Chapter 1: INTRODUCTION

1.1 Introduction to the Research Study

The way discipline in Ontario’s Schools is handled has changed quite significantly over the past 20 years. The mid to late 1990’s saw an increase in the amount of weapons and violence in schools across the United States and Canada (Macgregor, 2010). In response to this alarming trend, the government of Ontario introduced the Safe Schools Act (2000) (Macgregor, 2010). The Safe Schools Act outlined a list of inappropriate behaviors and infractions requiring mandatory suspensions or expulsions and police involvement (Scarfo & Zuker, 2011). In addition to this, the Safe Schools Act gave teachers the power to impose a one-day suspension and principals the authority to expel students for a maximum duration of one year (Scarfo & Zuker, 2011).

The Education Amendment Act, or Bill 212 took the place of the Safe Schools Act on February 1st, 2008 (Scarfo & Zucker, 2011). The new act replaced the use of “zero tolerance” policies with discretionary, progressive discipline. The act also added bullying as criteria for discretionary suspension, removed a teachers power to suspend and a principals power to expel, permitted the appeal of one-day suspensions, and increased the list of mitigating factors that must be taken into account before imposing discipline (Scarfo & Zuker 2011).

In 2010 an additional amendment was made to Bill 212 with the introduction of Bill 157 – Keeping our Kids Safe at School Act (Scarfo & Zuker, 2011). Bill 157 introduced a number of changes including but not limited to the requirement for all board employees to report to the principal if they become aware that a student may have engaged in an activity for which the student must be considered for suspension or expulsion and the revision and reissuing of policy program memorandum concerned with
bullying prevention and intervention (Scarfo & Zuker, 2011). Section 300.3(1) of Bill 157 also requires principals to contact the parents of students who have been victimized under certain conditions (Scarfo & Zuker, 2011). Section 300.3(1) is a step in the right direction because it has specifically been created to “protect” those who have been victimized.

Based on the aforementioned policy one could postulate that the introduction of progressive discipline, more specifically the introduction of Bill 212 and Bill 157, has made Ontario’s schools a safer place. However, recent trends in the Ontario school system may indicate that this policy has not been completely effective and in some cases is more concerned with the perpetrators than the victims. For one, the largest lawsuit against a school board in Canada, as the result of bullying, was filed against the Blue Water District School Board in Ontario in 2011 (Findlay, 2011). In other words, some parents have turned to litigation because they feel the school board and its policies have failed to protect their children (Findlay, 2011). Despite this, Bill 212 and Bill 157 are relatively new policies. As a result, it may be too early to speculate whether the problem lies in the policy or its application. A number of public officials have argued that the changes mandated by Ontario’s most recent school related policies are not being applied equally between schools within boards and across boards within the province. These claims have been supported by research, which has found that some schools have become more progressive while others remain more punitive (Milne, 2011).

1.2 Purpose of the Study

The purpose of this study is to investigate how the introduction of progressive discipline within Ontario’s school has effected the experience for transgressors and victims. Secondly, this study will examine the strategies and consequences being
employed by administrators in situations that warrant the use of disciplinary action. This study will go on to discuss and consider the effectiveness of the strategies and consequences being used. Finally, this study will offer further insight into how students who have been victimized are being supported and protected. This research is important for a number of reasons. This study will offer insight into the practical application of progressive discipline within a school board in Ontario through the experiences shared by the participants. It will also encourage educators to consider the effects that progressive discipline has on the experience of the transgressors. Additionally, this study will probe educators to reflect upon the support available to students who have been victimized. Finally, this study may aid in the development of new avenues of support for the victims.

1.3 Research Questions

The focus of my research and my main research question is what effect has the introduction of progressive discipline within Ontario schools had on the experience for transgressors and victims?

Additional questions my research will concentrate on include:

How is progressive discipline employed by school administrators when dealing with issues of student misconduct?

How effective are these strategies?

Are victims being adequately protected?

1.4 Background of the Researcher

I have always been interested in law, psychology, politics, and education. During undergrad I majored in psychology, minored in political science, and took an online course to obtain a Teaching English as a Foreign Language (TEFL) certificate. As an undergrad I regularly found myself debating policy and government with my roommates.
In September of 2011, I got a job with the Seoul Metropolitan Office of Education as a teacher for an all-boys’ middle school. My philosophy of education continued to develop and change while I taught in Korea. I enjoyed teaching in South Korea but I also found it to be a challenge. During my time overseas I learned that Korea has one of the best systems of education in the world. However, I also learned that there are a lot of problems in the Korean education system. The more I learned about the Korean education system the more I became interested in education policy. My experience in South Korea is what has sparked my current interests in education.

More recently, my experience in Dr. Nick Scarfo’s law class has become the inspiration for my chosen topic of study. Through Dr. Scarfo’s class I was able to learn more about policy and the law as they relate to the field of education. I hope to learn more about policy and law as I progress through my thesis.

1.5 Overview

Chapter 1 includes the introduction and purpose of the study, the research questions, as well as how I came to be involved in this topic and study. Chapter 2 contains a review of the literature including an overview of zero tolerance, bullying in schools, the application of progressive discipline within Ontario’s Schools. Chapter 3 provides the methodology and procedure that will be used in this study including information about the sample participants and data collection instruments. References and a list of appendixes follow at the end. Chapter 4 identifies the participants in the study and describes the findings as it addresses the research question. Chapter 5 includes reflections, connections to the literature, implications and recommendations for educators, limitations, and further study. References and a list of appendixes follow at the end.
Chapter 2: LITERATURE REVIEW

2.1 Definition of Progressive Discipline

The most recent definition of progressive discipline, according to Operational Procedure PR 702 written by the Toronto District School Board is:

A whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behavior and to build upon strategies that promotes positive behaviors. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive. Progressive discipline is a process designed to create the expectation that the degree of discipline will be in proportion to the severity of the behaviour leading to the discipline and that the previous disciplinary history of the student and all other relevant factors will be taken into account. Progressive discipline must take into account the needs of individual student by showing sensitivity to diversity, to cultural needs, and to special education needs. In addition progressive discipline must be in keeping with Ministry of Education and Board policies on antiracism, ethno cultural equity and antidiscrimination education (Toronto District School Board, 2013, p. 1).

2.2 Introduction

Upon reviewing Bill 212, Bill 157, and the literature on the use of progressive discipline I have identified four main problems with the implementation of these policies. First, the parents of victims feel that bullying is still an issue and their voices have not been heard. Second, student discipline continues to be micro-managed by schools along a continuum with some schools becoming more progressive while others remain more punitive. Third, situations have occurred under progressive discipline where a transgressors behavior is continuous but not serious enough to warrant a suspension or expulsion. The research suggests that this can be detrimental to the social, psychological, and physical mental well being of the victims resulting in serious consequences such as suicidal ideation. Finally, the research indicates that the complexities and additional workload associated with Bill 212, and Bill 157 prompts some administrators to choose
inappropriate methods of student discipline. In order to discuss the problems associated with these bills and progressive discipline in general, this chapter will first provide an overview of the Safe Schools Act and the complications linked to zero tolerance.

2.3 An overview of zero tolerance

The standard of care owed by educators to students is that of a reasonably careful or prudent parent (Scarfo & Zuker, 2011). However, do recent changes in school policy with regards to progressive discipline and anti-bullying fully reflect this statement? The way schools in Ontario handle discipline has changed significantly over the last 20 years. During the mid to late 1990’s, schools in both Canada and the United States reported an increase in the use of weapons and violence in schools. In order to combat this problem, Ontario Implemented the Safe Schools Act (2000) (Macgregor, 2010). The intent of the Safe Schools Act (2000) was to make schools a safer place for staff and students by outlining specific behaviors requiring mandatory suspension or expulsion and police involvement (Macgregor, 2010).

Shortly following the implementation of the Safe Schools Act, a number of problems began to surface. For example, the implementation of the Safe Schools Act saw a sharp rise in the number of suspensions and expulsions. As a result, many people viewed the act as a “zero tolerance policy”. Secondly, a complaint was filed with the Ontario Human rights Commission (OHRC) against the Toronto District School Board and the Ministry of Education alleging that the act discriminated against males, certain ethnicities, and students with exceptionalities (Macgregor, 2010). Thirdly, research does not support that issuing a suspension corrects future behavior. More specifically, a study by Skiba, Michael, Nardo, & Peterson (2002) found that black students and males were more likely to reoffend following a suspension and to be suspended more often. Fourthly,
the act did not include bullying as an infraction or behavior requiring discretionary suspension (Scarfo & Zuker, 2011). The act outlined three mitigating factors and the provision of alternative programming educators must consider before and after issuing disciplinary action (Macgregor, 2010). However, many educators failed to apply or follow the mitigating factors and provisions outlined in the act (Macgregor, 2010). As a result, the government of Ontario introduced Bill 212 and the subsequent Bill 157 to resolve all of these issues. However, as outlined below some of these issues still persist and additional problems have been created.

2.4 Bullying is still a problem

Bullying has been a problem in schools throughout Canada and Ontario’s most recent legislation Bill 157, has been put into place to address this problem. However, some argue that the effectiveness of these policies remains open for debate. An article written by Findlay (2011) and published by MacLean’s magazine in September of 2011 states that a number of parents have turned to litigation to solve issues of bullying in Ontario’s schools. Despite taking the appropriate course of action - meetings with vice-principals, principals, police, and board superintendents, the parents of children in these schools claim that their voices have not been heard. Four claims were filed in the Ontario superior court against the Blue Water District School Board for gross negligence – the failure to protect students from bullies (Findlay, 2011). At a total of $34 million, the Blue Water suits are the biggest ever filed in Canada (Findlay, 2011). The article suggests that bullying may have found its way into Ontario courts because the province’s approach has been more focused on the consequences. More specifically one could claim that the province has been more focused on improving the consequences the transgressors face rather than supporting and protecting the victims.
2.5 Inconsistent Application of Progressive Discipline

This study explores the question, “what effect has the introduction of progressive discipline had on the experiences for the transgressors and the victims?” Support for this question might be found in the policy’s application. A quote referenced from an article by Roeher in 2007 made note of commentators who warned that, “the new legislation [Bill 212] could result in inconsistent application of school discipline, not only in schools boards across the province but in different schools within a school boards jurisdiction. In 2011, Martha Mackinnon the executive director of justice for children and youth, a Toronto based legal-aid clinic for children, stated Bill 157 remains the philosophical backbone of bullying prevention programs. In her opinion, it has been hard for teachers and administrators to back down from “zero tolerance” and contemplate alternative approaches to suspension (Findlay, 2011). Both the claim referenced by commentators in the article by Roeher and the statement issued by Mackinnon are supported in a study by Milne (2011), which found that despite the recent changes to school board policy regarding progressive discipline, student discipline continues to be micro-managed by schools along a continuum, with some becoming more progressive, while others remain more punitive.

2.6 Behaviour that is Consistent but not Serious Enough

Suspensions and expulsions can hinder a student’s future social, emotional, and academic success (Macgregor, 2010). As a result, it is important for educators to know when it is appropriate to take such action. It is safe to say, based on a growing body of research that issuing a suspension for a minor infraction is not the most effective route of disciplinary action. For example, a study by Daniel and Bondy (2008) found that suspensions for violent and non-violent behaviors alike have a negative impact on
student’s success, often leading to high drop out rates. This phenomenon has already been addressed and dubbed as “the school-to-prison pipeline in the United States (Contentta & Rankin, 2009). However, in some cases it may be necessary to issue a mandatory suspension for the physical, emotional, and psychological benefit of staff and students. Despite this, Bill 212 no longer permits principals to issue mandatory suspensions (Scarfo & Zuker, 2011). Under certain circumstances this may be detrimental to the safety of others. For example, what about a student whose level of violence escalates too quickly? Another example where progressive discipline may fail to protect the safety of a student is one where a transgressors behavior is continuous but not “serious enough” to warrant a suspension or expulsion. An example of this can be seen in the case of Daniel Sebben, a student from the York Region District School Board whom developed Post Traumatic Stress Disorder and became suicidal after being bullied repeatedly over a 3-year period (Scarfo & Zuker, 2011). In other words, mandatory suspension may be necessary to protect the victims of student misconduct on a case-by-case basis and vary from school to school.

2.7 Administrators Going Rouge

Roeher, (2007) addressed the concern that some school administrators may purposely choose to use inappropriate methods of student discipline due to the complexities and additional workload apparent in Bill 212. Predictions of such non-compliance made by Roeher in his article include “de-admitting” students from their schools and attempting to remove students from their school registers. In 2009 an investigation by the Toronto Star found that many of Roeher predictions had actually come to fruition (Contenta & Ranking, 2009). More specifically, it was found that some students had entered what they term as a “suspension limbo” and that some students were
being “excluded” so they do not show up on school board statistics. In addition to this, principals were often setting conditions so high for their return to regular school that the students were effectively being thrown out of the rest of their high schools years (Contenta & Ranking, 2009). Disciplinary practices such as this are a problem because they show no support for the transgressors or the victims. In fact disciplinary practice such as this actually turns the transgressors into victims themselves. This argument may help to support the previous argument as to why there has inconsistent application of progressive discipline.

2.8 Conclusion

Ultimately, Bill 212 - Education Amendment Act and Bill 157 – Keeping our Kids Safe at School Act were introduced to codify progressive discipline as standard practice within the Ontario school system and remedy the problems associated with the Safe Schools Act (2000), a policy seen by many as a zero tolerance approach to discipline. Despite the implementation of Bill 212 and Bill 157, introduced with the purpose of addressing the problems generated by the Safe Schools Act, a number of old problems persist and new ones have been created. First, the research suggests that bullying continues to be a problem even with the use of progressive discipline. More specifically, the parents of victims feel their voices have not been heard and have turned to litigation as a final solution. Second, a growing body of research presents the idea that progressive discipline is being applied inconsistently between school boards as well as between schools within a board. Third, situations have occurred where a transgressors behavior is continuous but not serious enough to warrant a suspension or expulsion. Some argue that the use of progressive disciplines, which has a heavy focus on improving the transgressors behavior rather than simply removing them from the school, has led to
an increased risk for the victims. Finally, the literature suggests that the complexities and additional workload associated with the implementation of these bills has led some administrators to purposely take an inappropriate course of action when disciplining students. Therefore, this study will provide an overview of the effect that the introduction of progressive discipline has had on the experience for the transgressors and the victims.
Chapter 3: METHODOLOGY

3.1 Procedure

This research is qualitative in nature and it includes a literature review exploring the related topics of progressive discipline, its implementation, and the experience for both the transgressors and the victims. I conducted face-to-face interviews with two vice principals in Ontario employed by the same school board to gather my data. The first participant was the vice-principal of a middle school consisting of grades 6-8. The second participant was the vice-principal of a Junior high school consisting of grades 7-9.

For this research, I have selected participants that fit the criteria suitable for this study. The research explored in my literature review was chosen to support my understanding of the topic prior to conducting the interviews. I sent my selected participants, a set of interview questions prior to conducting the interview in order to ensure they felt comfortable and prepared to answer the questions they would be asked. Upon completing both interviews, I transcribed and coded the interviews, and made note of important themes and findings.

3.2 Instruments of Data Collection:

The main instrument of data collection is a semi-structured interview method. I provided my participants with the questions before the interview. I provided each participant with a sufficient amount of time to answer each question. I let them know at the beginning of the interview that they could take as much time as they liked to answer each question. Please refer to Appendix A for the full list of interview questions.

3.3 Participants

The participants in my research study were two vice-principals within the public school system of Ontario. Both of the participants were currently employed by schools in the
same school board and worked with students between grades 6 to 9. I pursued my research study with participants from an English speaking school where the language of instruction was in English. I found vice-principals who had been working as administrators for at least 5 years. I interviewed vice-principals from areas that range in socioeconomic status. Overall, I used the following criteria to select the appropriate candidates for my study:

1. They must currently be employed as an administrator in an English speaking elementary or secondary school in Ontario.
2. They must have been employed as an administrator for a minimum period of five years.
3. They must be employed by schools within the same school board.

3.4 Data Collection and Analysis

After completing both of the interviews with my participants, I uploaded the interview recording on to my computer to listen to the data collected. After listening to the experiences and responses of my participants, I began the transcribing process. After I transcribed each of the interviews, I edited any comments or expressions that were irrelevant to the topic being discussed. After I organized the interviews under each question, I read the transcribed data to find common themes between the two interviews. Focusing on the themes that were mentioned in the literature review, I examined the two interviews to find out if the participants’ responses supported the themes I outlined or if there were any new themes relevant to the research topic.

I organized and found commonalities and differences between the two transcribed interviews after I printed them out on paper. I used highlighters to co-ordinate the
similarities and differences between the two pieces of data I collected. I then, narrowed down the findings and related them to the purpose of my study.

3.5 Ethical Review Procedures

I followed the ethical review approval procedures for the Master of Teaching program. Prior to the interview, I reviewed the participant consent form with the participants and thoroughly explained the details of the interview procedure (see Appendix B). The topic of the research study was discussed before the interviews began and participants were encouraged to ask any questions, at any point throughout and after the interview. Participants were informed that their participation was voluntary and that they were free to withdraw from answering a specific question or from the research at any time. After the interview, participants were free to request access to the findings I accumulated. All recorded data and information was kept in a password-locked folder on my computer. Finally, participants were informed that they could request access to their completed transcript and if they felt it necessary, could ask that information be removed if it did not accurately represent their perspective.

3.6 Limitations

With the allotted time given to conduct this research study, this research will only examine data collected from two vice-principals in elementary or secondary schools in Ontario. The sample size is small. Therefore, the data may not be an accurate reflection of the views, beliefs, and experiences expressed by all administrators regarding the implementation of progressive and its effect on both the transgressor and the victim within the Ontario School system. A more in-depth overview of the data collected in this study could be obtained through a subsequent study with a larger sample size. However, the purpose of this qualitative research study is to interview individual participants to
gather their opinions and experiences regarding the topic rather than provide a general overview.
Chapter 4: FINDINGS

4.1 Introduction

The findings collected in this study have emerged from two interviews that were conducted with experienced vice-principals. The names of institutions and individuals have been changed to ensure their anonymity. The participants in this study will simply be referred to as Participant A and Participant B.

4.2 Background Information of Participants

Participant A has been a vice-principal with the Toronto District School board for approximately 7 years. She has worked at two different middle schools located in neighborhoods of both high and low socioeconomic statuses. Participant A is currently in her second year as the vice-principal of a large model middle school comprised of grades 6-8 located in a multicultural inner city neighborhood.

Participant B is a retired principal who is currently doing some short term work for the Toronto District School Board. He has worked as a principal and a vice-principal at several junior high schools and secondary schools as well as an independent elementary school located in neighborhoods of both high and low socioeconomic statuses for over 20 years. He is currently working an interim vice-principal at a junior high school comprised of of grades 7-9 located in a predominantly high-income Anglo-Saxon neighborhood.

4.3 Overview of Key Findings

After close analysis of my interview transcriptions, I was able to identify five key findings or “themes”. Further insight into these themes and how they connect to the literature will be discussed in the subsequent chapter. The key themes that I will be discussing are as follows:
1) Progressive discipline is not a new concept

2) Strategies associated with progressive discipline

3) Challenges to progressive discipline

4) Impact of disciplinary action on students

5) Parameters for applying disciplinary action

4.4 Finding #1: Progressive discipline is not a new concept

One theme that emerged in this study was that progressive discipline is not a new concept. Both participants in my study held similar viewpoints around the use of progressive discipline within Ontario’s schools. They both expressed the belief that progressive discipline is not a new idea. Progressive discipline is something that teachers and administrators practiced long before the policies official implementation within the Ontario school system. Both participants also referred to progressive discipline as good practice that is currently being used in their own schools. Participant B communicated this when he said,

I have always practiced progressive discipline. Starting from the very first issue I had in my class. I started teaching in 1974, you know, way back when, I mean I have always dealt with progressive discipline (January, 2014).

Participant A echoed a similar sentiment and added that the implementation of progressive discipline is “a formalized term of good practice that has been in effect for quite some time. It is a case of formalizing it, giving it a name, and saying, you know it is no longer an individual option.”

She went on to say that,

We are extending the degree to which it is happening, we are making it very explicit so that all people in education understand the process, so that parents understand the process so that students understand the process so it is fair, it is transparent, and it is fairly consistent (December, 2013).
The responses from both participants indicate that progressive discipline is a strategy that some educators were familiar with and used in their own practice prior to its required use within the Ontario school system.

**4.5 Finding #2: Strategies associated with progressive discipline**

The analysis of my interviews revealed that progressive discipline involved the consideration and use of a variety of different strategies by administrators to deal with student misconduct. It is also apparent that the participants in this study used many of the same strategies. Both of the participants in the study investigated and monitored the cause of students’ behavior and applied an appropriate consequence based on the context of the situation. They also stressed the importance of communicating with parents. If a student is habitually late to school participant B said he “prints out their attendance… sends that home… speaks to the parents on the telephone and tells what them what the problem is” (January, 2014). Participant A echoed a similar sentiment and added, “You are going to investigate what happened. Look into the scenario and determine the events that lead up to it” (December, 2013).

In addition to determining the consequences for student behavior in a similar manner, both participants also applied many of the same consequences including but not limited to warnings, parent meetings, and detentions.

- **4.5.1 Gives students tools to improve**

The purpose of progressive discipline is to provide students with the means to understand and correct their behavior rather than just punish them for it. The analyses of my interview responses revealed that many of the strategies my participants used helped students who breached the school code of conduct to become cognizant of their own
behavior and provided them with the tools to make better decisions for the future.

Participant B mentioned that he

talks to the students about problem solving… you know, when do you have to leave the house in terms of how long it will take you? What time do you have to wake up?” I have gone through TTC and figured out a bus route for them. Other students, we talk about how they can take a shortcut. They can walk through a park to get here faster (January, 2014)

In the above situation, it is clear, that participant B has introduced a number of strategies or tools to help these students understand how to make better decisions in the future. More specifically, participant B asked students questions while encouraging them to use metacognition to come up with their own solutions. Participant A echoed a similar sentiment when she described how she would deal with students in a different situation and added that the principal of her school had created a student success program.

We have heard of similar programs in other schools but I think it was very specific to this school and it was a way of balancing a very strong discipline approach having to do with suspension which you do have to do at some point balancing that with the need for structure…education…counseling….the student will stay in school and receive some counseling, receive some mentorship, have somebody talking with them (December, 2013).

It is evident that both participants follow a similar methodology when dealing with disciplinary action. The difference in their responses derived from the access to programs available for support at each school. Participant B, used progressive discipline to support students on his own, while Participant A had the option to refer students to a “bridging program” that involved support from the wider school community.

Nonetheless, both participants have described supporting students through similar means. The participants also used similar strategies to improve behavior and support students in situations where there is a victim. In a situation that involved bullying participant B said,
I talked to the boys about how inappropriate that was and I talked to them about how they would feel if someone was teasing them...and everybody has got something that they could tease somebody about (January, 2014).

In the above situation participant B focused on the transgressors by getting them to see things from the victim’s perspective. Participant A echoed similar sentiments when she described a similar situation that involved bullying. “Talking with her about what that little slap thing was about. Do you understand how he felt about that…and she did not at the time. She didn’t think he would have taken it all that seriously” (December 2013).

- **4.6 Finding #3: Challenges to progressive discipline**
  - **4.6.1 Parents influencing administrative decisions**

Many people within the Ontario school system have toted progressive discipline as a widely successful strategy. However, the approach is not perfect. Both of the participants in the study acknowledged that challenges with the use of progressive discipline do occur. When I conducted my interviews a challenge identified by both participants was parents influencing administrative decisions. The participants expressed that this happened in situations where a single student was concerned as well as in situations that involved both a transgressor and a victim. Participant A said that she had experienced situations “where parents of victims are not necessarily convinced that the consequence was sufficient or fast enough” (December, 2013). Participant B echoed a similar response and added that the parents of victims are usually unsatisfied because they feel they have not been given enough information about the transgressor.

When you talk to the parents and talk to the parents of the victim, you cannot tell them what you did. First of all you cannot tell them who the other person is...I cannot because of freedom of information...sometimes the parent of the victim would feel that the perpetrator has not been dealt with to the proper degree because they do not know what happened (January, 2014).
In situations that involve both a transgressor and a victim, it is usually the parents of the victim who present the biggest challenge. The use of progressive discipline may further dissuade the parents of victims because transgressors can be dealt a wide variation of consequences that range in severity. In some cases, this leads the parent to speculate that an unfair consequence has been given. However, both participants also communicated that the parents’ of transgressors can also present a challenge. In some cases, the parents of the transgressor feel their son or daughter has been dealt with unfairly or their punishment is too harsh.

**4.7 Finding # 4: Impact of disciplinary action on students**

The impact of disciplinary action on students was a theme that emerged through the analysis of both of my interviews. My findings suggest that the use of progressive discipline can have both a positive and a negative impact on students.

- **4.7.1 Positive Impact**

  The use of progressive discipline over zero tolerance has had a positive impact on students for a number of reasons. Participant A expressed that progressive discipline has had a positive impact on the transgressors because administrators have to ask questions and consider the context of the situation prior to proceeding with disciplinary action.

  You are finding knowledge of the students that were involved… Do they understand what happened? Do they understand what they did? Was there intent? Was it intentional? Then you are applying the discipline based on all of that information. So what you know about the students, what you know about the context…and putting that together to figure out what kind of discipline would be most appropriate in that situation (December, 2013).

  Prior to the use of progressive discipline by all administrators certain schools in the district used to suspend or expel students without considering the circumstances. Participant B echoed participant A’s response and added that “it is important to consider
factors like whether or not the student could understand what they were doing or if they knew the difference between right and wrong” (January, 2014). Participant A expressed that the use of zero tolerance polices like suspension do not necessarily give students the tools to improve future behavior or lead to restorative practice.

When you suspend a student, what are they doing? There is a lot of discussion about that… Who is supervising? How is there time being spent? The school is obligated to send home a work package but again who is helping them with that work or who is ensuring that the work gets done? (December, 2013).

She went on to say that progressive discipline has created opportunities for transgressors that would not exist under zero tolerance. More specifically, she spoke about the benefits of the student success program. She explained that,

The student success program has had a huge impact because…it is almost like that second chance… Where the kids are supervised by teachers, where they are receiving some counseling, where they are receiving an opportunity to do some school work, where there is help, where they are kept out of the neighborhood and they are not necessarily at home sleeping, or playing video games, or doing whatever they might be doing if they are home on a suspension (December, 2013).

Both participants also communicated that progressive discipline has had a positive impact on the victims. Participant A expressed that,

The experience has changed from a communication point of view, I think there is more of a focus on communication, more of a focus on talking with the victims, and getting the whole story, and coming to an understanding of how they are impacted… we understand that bit more because of communication…we spend so much more time talking with the kids (December, 2013).

Participant B echoed a similar sentiment and added that “progressive discipline involves talking to the victim about their situation, making them feel safe, making them feel valued, and checking up on them in the future (January, 2014).
In summation, it is evident that the use of progressive discipline has had a positive impact on the experience for both the transgressor and the victim. Even though, it is clear that progressive discipline has had a far greater impact for the transgressor through opportunities such as student success programs and the prospect of a second chance, it has also improved the experience for the victim by means of more open communication and a watchful eye.

4.7.2 Negative Impact

The analysis of my interviews also revealed that the use of progressive discipline does have a negative impact on certain students. In some cases students do not understand the consequences given and react negatively as a result. Participant A expressed that some students question their consequence “why do I have to stay?” and feel that their punishment is unjust “Oh that’s not fair, I can’t believe I am getting this” This reaction is especially apparent in situations where multiple students receive different consequences after breaching the school code of conduct for the same reason. Progressive discipline requires administrators to consider a number of factors including but not limited to the age, past history, and degree of involvement for each student before determining an appropriate consequence. Some students do not find the use of progressive discipline to be fair, transparent, or equitable because they do not fully understand how the process works.

Participant B shared similar insights in the interview as he too expressed that certain students fail to understand their consequences. Participant B added that this is definitely the circumstance when dealing with students who have oppositional defiant disorder. In one case, participant B dealt with a student who consistently violated school rules.
He has been late. So I give him detentions…he is late more often. If I take away his hat, he will wear his hat more often. His way of trying to control life is by trying to be in charge. If I give him a consequence his behavior becomes worse so it became a real issue (January, 2014).

Students with oppositional defiant disorder often believe that the school rules do not apply to them. In this situation, participant B contacted the mother of the student to develop a contract that had various consequences and incorporated a rewards system. Unfortunately, that too did not work and participant B expressed “The only way I can see it, and I do not like it, of dealing with this student of persistent opposition is to send him home for a day” (January, 2014). It is evident that strategies associated with progressive discipline were not effective for this student. At this point, Participant B felt that his only options were to administer a series of progressively longer suspensions with each offence or ignore the student’s behavior. “If you try to give this student discipline the problem will get worse” (January, 2014).

The responses from both participants indicate that progressive discipline works for most students. However, in some situations students will oppose and defy their consequences. In the case of students with oppositional defiant disorder punitive action or a zero tolerance approach may be the only effective course of action. Participant B supported this notion when he said “progressive discipline works for most students…as you can see the student I was talking about earlier [student with oppositional defiant disorder] it does not work…but over his history nothing had worked for this student [in reference to progressive discipline]” (January, 2014).

### 4.8 Finding # 5 Parameters for applying disciplinary action

Anything that is considered a breach of the school or board code of conduct is the starting point in determining how to use disciplinary action. However, even with a
common starting point, both participants acknowledged that different parameters exist when deciding how to proceed with disciplinary action. The participants expressed a common view that certain situations result in disciplinary action that could be considered “less progressive”. Participant A expressed that “there are situations where your response is more swift” she elaborated by saying,

You can take a very lengthy approach where you can spend a lot of time… “you are really upset we will talk more tomorrow”, and you can really sort of drag it all out…and there is a time period where you can say no, that is it, it stops now, it stops here, and you are much more quick about it (December, 2013).

Participant B echoed a similar sentiment when he expressed that “some situations are so severe, that we do not give warnings” (January, 2014). However, both participants expressed that the use of swift or heavy consequences as the starting point for disciplinary action does not denote the use of progressive discipline. Participant A expressed this when she said

You are still getting information, but you are not doing it in this lengthy process, and you are not giving it this specific time because you need to be quicker, and you need to have an immediate response depending on what the behavior is…I would not say that it is sort of zero tolerance versus progressive discipline. I think it is pretty much always progressive discipline but again that can take many forms, you can decide and you can determine…in thirty minutes whether or not you are going to send a student home (December, 2013).

Participant B reverberated participant A’s response when discussing a situation where he suspended a student for making an obscene gesture towards a teacher. Even though participant B initially responded to this situation with punitive action, he claimed he had done so within the context of progressive discipline. Participant B supports this claim when he says,

What he did is so severe that a warning was not good enough…but the consequence…I did not suspend him for ten days, I did not suspend him for three
days, I suspended him for one day. Severe consequences start like that. But it is still progressive discipline…it is punitive but still progressive (January, 2014).

In general, both participants in the study expressed that situations like physical assault, drug trafficking, and weapons, usually warrant an immediate and severe consequence such as suspension or recommendation for expulsion.

In situations that involved a victim, both participants expressed a similar view that the use of progressive discipline over zero tolerance does not necessarily leave the victim at a disadvantage. Participant A expressed that she was not sure that something like that would be the case. She expressed that a disadvantage or negative outcome for a particular student following the use of disciplinary action cannot necessarily be attributed to the use of one approach to discipline over the other. Participant B echoed this response when he said,

It does not mean that if you had gone to an extreme level in disciplining the perpetrator that it would not have happened again….no matter what you do you can try and protect the victim as much as you can but even with a police order on it sometimes there is a chance that something might happen (January, 2014).

He went on to say that,

They [the police] say you got a choice. You can either have certain conditions and we will release you or otherwise you are staying in jail until we have the hearing. So they will say things like you know what you can’t come within 300 meters of the person but you know what? Some of them do (January, 2014).

The participants in the study expressed similar insights that different parameters exist when applying disciplinary action. Both participants communicated that certain situations warrant the use of disciplinary action that is more swift or immediate consequences that are more severe. However, they also went on to say that the use of such action does not denote the practice of progressive discipline. In situations where both a transgressor and a victim are involved, the participants expressed that the use of
one approach [progressive discipline] over another [zero tolerance] does not necessarily
do a better job at protecting the victim.
Chapter 5: Discussion

5.1 Introduction

The purpose of this final chapter is to share my reflections and growth over the course of this research study. I will also make connections between my findings and the literature. Finally, I aim to offer insight into the implications of my key findings, discuss the limitations, and explore areas of interest for future research.

5.2 Reflections

I have always had a strong passion for law, psychology, ethics, and social justice education. As a student in undergrad, I had aspirations of becoming a lawyer. During the third year of my undergraduate studies I took many courses in law and studied to take the Law School Admissions Test. As I grew and progressed through the final year of my undergraduate career, I developed a passion for teaching and education. As a result, I decided to enroll in a teacher education based graduate program at the University of Toronto, Ontario Institute for Studies in Education. Nonetheless, my passion for law, policy, and ethics remained strong. It was this passion that ignited my interest to research Bill 212, Bill 157, and progressive discipline in general. I first began this study with the belief that progressive discipline is more concerned with the transgressors than the victims. I believed that punitive action was a simple and logical way to deal with student behavior. However, as I progressed through my journey at the Ontario Institute for Studies in Education and delved further into the research, I came to see the true value and benefits of progressive discipline. This new perspective was further strengthened over the course of my practicum experiences where I saw the benefits of progressive discipline through practical application.
I think I used to attribute punitive action with positive results because I grew up attending school before progressive discipline was considered standard practice. I can still remember writing lines, copying pages from the dictionary, and serving detentions when my behavior was not so pleasant. I can also recall my classmates being suspended for minor infractions at the time and not thinking much of it. However, I can also remember the positive emotions and the constructive outcomes that followed when a few of my grade school teachers did use progressive discipline. As I reflect back on this now, I realize that progressive discipline is one of the reasons why I still remember those teachers so fondly. When I make the connection between how the use of progressive discipline made me feel in situations where I was either the transgressor or the victim, with the findings in this study, I still believe that progressive discipline is more concerned with the transgressors than the victims. However, I also believe that an increased concern for the transgressors has not limited the support for the victims or left such students at a disadvantage. I would even go on to say that increased concern for the transgressors has indirectly boosted support for the victims through means of more open communication.

5.3 Connections to the Literature

This study explored the question “what effect has the introduction of progressive discipline within Ontario’s schools had on the experience for the transgressors and the victims?” Bill 212 implemented the use of progressive discipline as standard practice within the Ontario school system in 2008. However, my findings suggest that progressive discipline is not a new concept that was “introduced” into Ontario’s schools because many teachers and administrators already practiced progressive discipline. The participants in this study expressed that they have always used progressive discipline to some extent. Albeit this, the participants also acknowledged their awareness of other
administrators within the district who used to suspend or expel students without considering the circumstances. As a result, it can be postulated that the introduction of progressive discipline has had a greater effect on the experience for the transgressors and the victims in some schools more so than it has in others.

In order to offer insight into the specific effects that progressive discipline has had on the experience for the transgressors and the victims, I believe it is important to connect the previous research on Bill 212 and Bill 157 with the findings in this study. One of the problems associated with progressive discipline noted in the literature review is that bullying continues to be a problem. An article written by Findlay (2011) and published in MacLean’s magazine discussed that a number of parents have turned to litigation to solve issues of bullying in Ontario’s schools. The reason parents have turned to litigation is because they feel that progressive discipline is more concerned with improving the consequences the transgressors face rather than supporting and protecting the victims (Findlay, 2011). The participants in my study did not indicate that they had experienced a situation where the parents of a victim turned to litigation to solve an issue related to bullying in one of their own schools. However, they did express that the parents of victims present the greatest challenge to progressive discipline because they try to influence administrative decisions.

Both of the participants in the study spoke at length about bullying during their interviews. Participant A described bullying as more of a “nuisance” to deal with. However, she also acknowledged “it has to be dealt with because the repercussions are huge and sometimes they take a while to manifest” (January, 2014). In situations that involve bullying, it is evident that progressive discipline has had a far greater impact on the transgressor through opportunities like the student success program and the prospect
of a second chance. However, in doing so, I believe progressive discipline has not limited the support for the victim or left such students at a disadvantage. In fact, my findings indicate that progressive discipline has increased support for the victims through means of more open communication. Administrators now spend much more time than they previously used to, conversing with the victims, getting the whole story, and coming to an understanding of they have been impacted. This support is further augmented by section 300.3(1) of Bill 157 that requires principals to contact the parents of students who have been victimized under certain conditions (Scarfo & Zuker, 2011).

Bill 212 no longer permits principals to issue mandatory suspensions (Scarfo & Zuker, 2011). However, there are those who believe that the use of punitive action should be mandatory in some cases to protect students on an emotional, physical, and psychological level. An example of a situation, where the use of punitive action over progressive discipline could have potentially protected a student is exemplified in the case of Daniel Seeben who was repeatedly bullied over a three-year period, developed Post Traumatic Stress Disorder, and eventually became suicidal. In this situation the transgressors behaviors were continuous but not serious enough to warrant an expulsion. In this situation, more serious consequences or the expulsion of the transgressors as an early intervention may have prevented three years of bullying. However, expelling the transgressors in order to remove them from the victim’s immediate environment does not guarantee that the victim would not have encountered the transgressors at different time or location. The suspension or expulsion of the transgressors also does not guarantee that the bullying would have stopped. This notion was exemplified by participant B when he said,
It does not mean that if you had gone to an extreme level in disciplining the perpetrator that it wouldn’t have happened again….no matter what you do you can try and protect the victim as much as you can but even with a police order on it sometimes there is a chance that something might happen (January, 2014).

Participant B’s response is further supported by research that shows that suspension does not always correct future behavior (Macgregor, 2010). In the end, the use of a restorative circle that involved ample communication between the transgressors and the victims was the only solution that ended the bullying. This process described by Zarbour (2009) “was like a native healing circle. Everyone gathers around a table, bully, victim, their families, and school staff and talk about what happened and brainstormed solutions”.

The participants in my study expressed that the use of zero tolerance policies like suspension do not necessarily give students the tools to improve future behavior or lead to restorative practice. I believe that greater communication between administrators, the parents, the transgressors, and the victims has had a positive impact on all parties involved. The need to ask questions such as whether or not a student had intent or fully understood the implication of their actions has offers administrators further insight into the possible causes of the transgressors behavior. The ability to understand the transgresses behavior is important because it gives an administrator the opportunity to come up with solutions that encourage such students to understand their own behavior and develop empathy towards the victims. Even though such an approach appears to have a heavy focus on the transgressor while leaving the victim at bay. This approach indirectly benefits the victims in a number of ways.

Another factor that impacts the effects of progressive discipline on the experience for the transgressors and the victims as discussed in the literature review is the inconsistent application of progressive discipline. Prior to its implementation, critics of
Bill 212 suggested “the new legislation could result in inconsistent application of school discipline, not only in school boards across the province but in different schools within a board. However, my findings revealed that both of the participants in my study applied many of the same strategies and consequences to address inappropriate student behavior. The strategies and consequences employed by the participants were associated within the framework of progressive discipline mandated by the implementation of Bill 212. Despite this, my findings also showed that the availability of programs to support transgressors differed between schools. The difference in support derived from the availability of a student success program at the school of participant A that was not apparent in the school of participant B. The difference in the availability of this program raises an issue discussed in a study conducted by Milne (2011), which found that despite the recent changes to school board policy regarding progressive discipline, student discipline continues to be micromanaged by schools along a continuum, with some schools becoming more progressive, while others remain more punitive.

Even though this finding demonstrates that progressive discipline continues to be micromanaged by schools on a continuum, I believe that additional avenues of support are necessary at certain schools due to a number of factors based on culture, environment and socioeconomic status. This notion is based on the responses provided by the participants in this study. The need to micromanage progressive discipline to some degree and offer additional supports or programs may be necessary to benefit both the victims and the transgressors in these schools. Although progressive discipline is a positive guideline that elicits beneficial results, schools need to further explore and apply broader means to find what works within their own school community.
5.4 Implications/Recommendations

From the findings outlined in Chapter 4, a number of implications related to the use of progressive discipline and recommendations for administrators and teachers should be considered. One thing that all teachers and administrators must consider before using discipline is whether or not a student’s behaviour is in breach of the school code of conduct. This thought was brought to fruition by one of the participants in this study who said, “you have to be careful that you are not extending beyond what you as an educator are expected to comment” (December, 2013). In order to ensure this does not happen, I believe it is important for all teachers and administrators to continually reflect upon the decisions they make and have a thorough understanding of the school code of conduct.

Progressive discipline involves a level of subjectivity, but it is important for educators to consider when and where that subjectivity is used and why and how it is applied. Another implication to consider is where punitive action ends and progressive discipline starts and vice-versa. The Toronto District School Board defines progressive discipline as a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour. I believe it is important for educators to consider where the strategies they use fall on that continuum. Even though, both of the participants in my study used many of the same strategies to deal with student’s behavior, it became evident that one of my participants tended to be more punitive than the other. In certain situations, such as the case when suspending a student for giving a teacher the finger, I feel the participant used punitive action first and applied progressive discipline later. Can the use of punitive action be considered progressive as long as a series of progressively more severe consequences follow suit? A final thought or implication about progressive discipline to consider is that what works in some students may not work for others.
Hypothetically speaking, a suspension may act as a deterrent or lesson learned for one student but mean nothing to the other. It is just as important for teachers and administrators to have a thorough understanding of their students as it is for them to have a thorough understanding of the school code of conduct and their own biases. Even though, there is not necessarily a right or wrong when it comes to progressive discipline, I believe it is important for educators to carefully think about the decisions they make with regards to discipline before they act.

5.5 Limitations

This study has two major limitations. The first limitation as previously mentioned in Chapter 3 methodology is the time allocated to conduct this research. I was constrained to completing a literature review, conducting and transcribing interviews, and coding my transcriptions in order to develop my findings within a 2-year period. If I had additional time to conduct this study I would have been able to research the literature further, conduct more interviews, and analyze and code my transcriptions as well as reflect on my findings with greater insight. This brings me to my second limitation, which is sample size. Due to the limited time constraints, I was only able to interview two participants. As a result, the information gathered from this research only reflects the views and experiences of two individuals and cannot be generalized to a larger population. In addition to this, the participants I interviewed were only employed in a single school board, but progressive discipline is a policy considered to be standard practice that is applied to all school boards within in Ontario. Therefore, these findings cannot be generalized to every school within Ontario.
5.6 Further Studies

As previously mentioned, I began this study with the notion that progressive discipline is more concerned with the transgressors than the victims in mind. However, my findings based on the responses of my participants do not suggest this to be the case. A future study with a larger pool of participants would be beneficial to this field of research and can yield stronger or alternate correlations and conclusions regarding the effects that the introduction of progressive discipline within Ontario’s schools has had on the experiences for the transgressors and the victims. This study solely focused on the use of progressive discipline from the perspective of administrators. As a result, another area of potential research could focus on progressive discipline from the perspectives of the students.
REFERENCES


APPENDICES

Appendix A: Interview Questions

Interview Questions

Background Information

1. How long have you been a vice-principal for?
2. How long have you been a vice principal at this school?
3. Tell me about a typical day in your office/around the school?

Experiences with Progressive Discipline

4. How often do you deal with disciplinary action?
5. What are some scenarios that would require you to use disciplinary action? What type of discipline is appropriate in each of these scenarios?

Attitudes towards progressive discipline

6. What are your thoughts about progressive discipline?
7. How is progressive discipline used at this school?
8. How would you say your experience with progressive discipline compares with other schools in this district? For example the last school you were at?
9. Can you walk me through a specific situation where PD was used and tell me how the transgressor and the victim were dealt with?

10. In what ways do you think the experience of transgressors and victims have changed following the implementation of progressive discipline in Ontario’s schools?
11. Are there times when times you think that punitive action is better than progressive discipline. Please Explain.

12. Have there been times where you have felt that progressive discipline has left the transgressor, the victim, or both at a disadvantage? Explain.
Appendix B: Letter of Consent for Interview

Date: ___________________

Dear ___________________,

I am a graduate student at OISE, University of Toronto, and am currently enrolled as a Master of Teaching candidate. I am studying _________________ for the purposes of investigating an educational topic as a major assignment for our program. I think that your knowledge and experience will provide insights into this topic.

I am writing a report on this study as a requirement of the Master of Teaching Program. My course instructor who is providing support for the process this year is Dr. ____________________. My research supervisor is ____________________. The purpose of this requirement is to allow us to become familiar with a variety of ways to do research. My data collection consists of a 40 minute interview that will be tape-recorded. I would be grateful if you would allow me to interview you at a place and time convenient to you. I can conduct the interview at your office or workplace, in a public place, or anywhere else that you might prefer.

The contents of this interview will be used for my assignment, which will include a final paper, as well as informal presentations to my classmates and/or potentially at a conference or publication. I will not use your name or anything else that might identify you in my written work, oral presentations, or publications. This information remains confidential. The only people who will have access to my assignment work will be my research supervisor and my course instructor. You are free to change your mind at any time, and to withdraw even after you have consented to participate. You may decline to answer any specific questions. I will destroy the tape recording after the paper has been presented and/or published which may take up to five years after the data has been collected. There are no known risks or benefits to you for assisting in the project, and I will share with you a copy of my notes to ensure accuracy.

Please sign the attached form, if you agree to be interviewed. The second copy is for your records. Thank you very much for your help.

Yours sincerely,

Researcher name: _________________________________

Phone number, email: _________________________________

Instructor’s Name: _________________________________
Phone number: ___________________ Email: ___________________

Research Supervisor’s Name: _________________________________
Phone #: ___________________ Email: ___________________

Consent Form

I acknowledge that the topic of this interview has been explained to me and that any questions that I have asked have been answered to my satisfaction. I understand that I can withdraw at any time without penalty.

I have read the letter provided to me by ______________________ (name of researcher) and agree to participate in an interview for the purposes described.

Signature: ______________________________

Name (printed): ______________________________

Date: ___________________