

Restorative Justice

General Information



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What is Restorative Justice?

Restorative Justice Practice is a philosophy based on a set of principles for responding to harm and wrongdoing that is victim-centered and focuses on offender accountability to those who were harmed and to the laws or rules that were broken. It also includes a principal-based approach to establish and strengthen relationships.

Restorative Justice is a formal process facilitated by a trained, skilled facilitator, that brings together those impacted by wrongdoing to discuss the incident, understand who has been affected and to create an agreement for reparation of harm.

Historically, Restorative Justice principles were used to address crimes within the justice system. **Restorative Justice in Education** adapts these principles for use in schools. Within this framework, wrongdoing is viewed as a violation of a person or community, as well as a violation of a discipline code or public law.

Principles of Restorative Justice

1. Focus on the harms of wrongdoing more than on the rule or law that has been broken.
2. Empower victims and show equal concern for their needs in the justice process.
3. Support students who have harmed others while encouraging them to take personal responsibility for their actions and understand, accept, and carry out their obligations.
4. Provide opportunities for dialogue between students who have harmed others and those most affected by the wrongdoing. Participation is voluntary.
5. Involve and empower the affected community through the process of justice.
6. Encourage collaboration and reintegration.
7. Show respect to all parties involved in wrongdoing and involve all equally.

The restorative justice process asks:

- ◇ What happened?
- ◇ Who was harmed?
- ◇ Who is responsible for repairing the harm?

A traditional discipline process asks:

- ◇ What rules were broken?
- ◇ Who broke them?
- ◇ How should we punish the offending student?

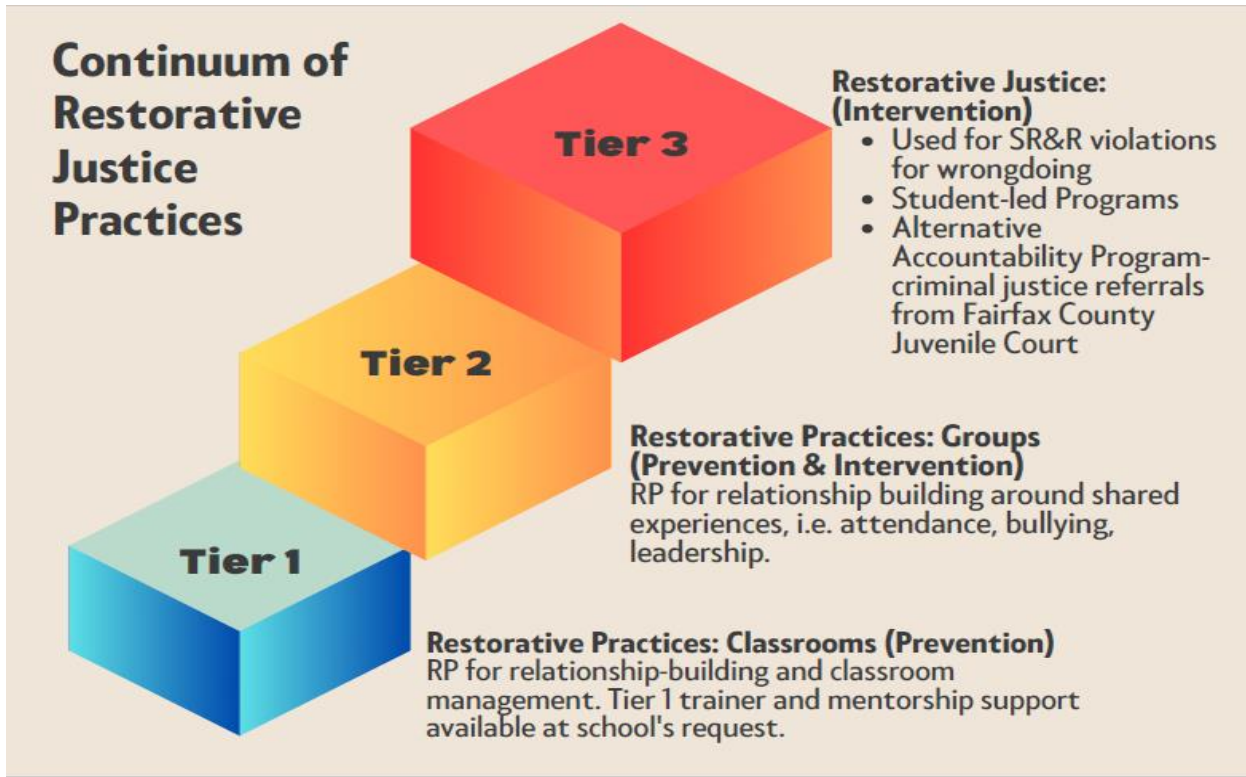
Restorative Justice in Fairfax County Public Schools has three main goals:

- ◇ **Accountability.** Restorative Justice provides opportunities for students who have caused harm to be held accountable to others, themselves, and their families.
- ◇ **Character Development.** Restorative Justice recognizes the need to educate students who have harmed others about the effects of disruptive behavior on those harmed, as well as on the school community. Participants in a restorative discipline process learn the underlying factors that lead to making poor decisions. They practice social skills and learn self-improvement strategies that encourage better decision-making in the future.
- ◇ **School and Community Safety.** Restorative Justice recognizes the need to keep the school and community safe by building relationships that strengthen the school social structure. Restorative Justice creates opportunities for community involvement in the resolution of wrongdoing and empowers students and staff members to take personal responsibility for the well-being of the school community.

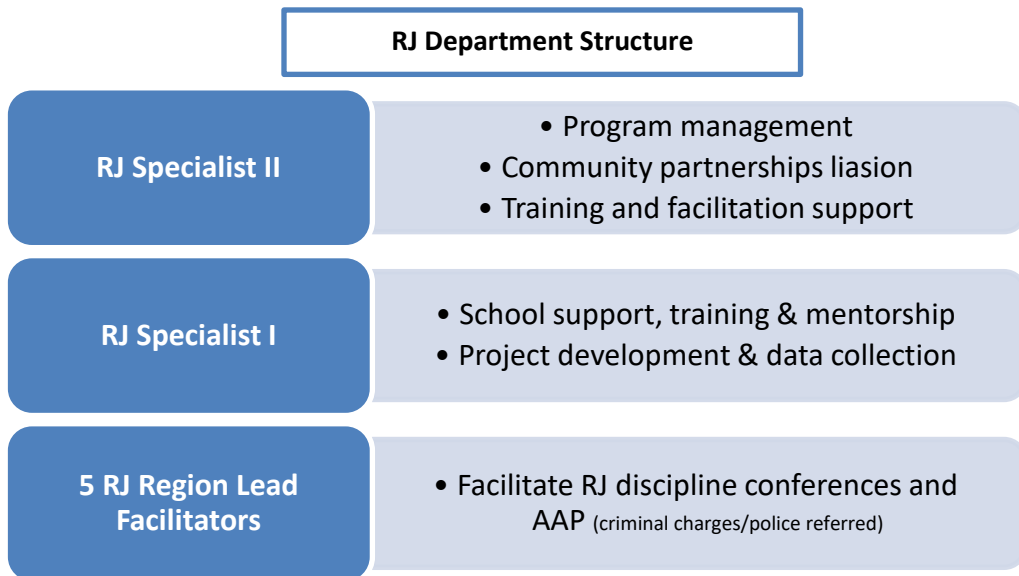
A Comparison of Restorative and Traditional Discipline

Restorative Discipline	Traditional Discipline
Offending behavior violates people and relationships.	Offending behavior violates the rules.
Offending behavior is viewed as an opportunity to educate the offender.	Offending behavior is not necessarily seen as an opportunity to educate the offender.
Offending behavior is related to other conflicts within the community.	Offending behavior is unrelated to other conflicts within the community.
The disciplinary process primarily involves the victim, offender, and the school community.	The disciplinary process primarily involves the offender and school authorities.
Victims' needs and concerns are central.	Victims' needs and concerns are often overlooked.
The disciplinary process encourages honesty and truth-telling.	The disciplinary process encourages lying and defensiveness.
Problem-solving is central to the process.	Blaming is central to the process.
Accountability means taking personal responsibility for one's actions.	Accountability means accepting punishment from authorities.
The process works toward reintegrating the offender.	The process works toward isolating the offender
The process is oriented towards the future.	The process is oriented towards the past.
Recidivism is considerably reduced.	Recidivism is typical.

RESTORATIVE JUSTICE PRACTICES CONTINUUM



OVERVIEW OF RESTORATIVE JUSTICE PRACTICES IN FCPS



Continuum of Restorative Justice Practices in Fairfax County Public Schools

Restorative Practices			
RP OR RJ Services	Application	Training Participants	Training Framework
Tier 1	Restorative philosophy, theory, language, social emotional learning and strategies for community-building in classrooms.	Teachers, Classroom Assistants, Social Workers, Social Psychologists, Systems of Support Advisors (SOSAs)	1-day training* offered at Central Office level or on-site w/ school staff cohorts.
Restorative Practices in the Classroom			
Tier 2	Community-building for groups using restorative strategies (i.e. attendance groups, anti-bullying education groups, leadership groups)	Counselors, Social Workers, School Psychologists, Systems of Support (SOSA's) staff.	1-day training offered at Central Office level after completing requirements for Tier 1 facilitation.
Restorative Practices for Groups			
Restorative Justice (Tier 3)			
Student-Led Restorative Justice	For academic integrity issues; plagiarism, sharing tests, phones in class.	Student Honor Councils and Staff Advisors. Students facilitate circles.	2-day training class, mentoring by advisors and certified student facilitators for one full school year.
Restorative Justice Conference	For serious incidents and violations of the school discipline code.	Not applicable. Restorative Justice staff and Specialists facilitate Tier 3 RJ Conferences for discipline.	Not applicable. RJ staff members facilitate Tier 3 RJ Conferences for discipline.
Alternative Accountability Program (AAP)	Police referral to RJ in lieu of criminal charge for crimes occurring during the school day or after hours on school property.	Not applicable. Restorative Justice staff and Specialists facilitate Tier 3 AAP cases.	Not applicable. RJ staff members facilitate AAP cases.

***Participants must complete the prerequisite course, *Orientation to Restorative Justice Practices in FCPS*, before participating in a Tier 1 RP training. All Tiered trainings are progressive and completed in succession after required implementation practice at assigned school.**

Criteria for Referral

This information is intended to guide administrators in making decisions about appropriate referrals to a Restorative Justice (RJ) process. Once a referral is made, it is the responsibility of the Restorative Justice team to make the final assessment of case suitability.

Parent permission is required to participate in a Restorative Justice process.

- ◇ Administrators should secure parent permission prior to making the Restorative Justice referral.
- ◇ Administrators may seek support from their assigned RJ Practitioner when securing parent permission and/or discussing the Restorative Justice process.

Participating in a Restorative Justice process is voluntary for all parties.

The offending student(s) must admit involvement in the incident.

- ◇ There are differing degrees of responsibility in an incident of wrongdoing; however, the student(s) must admit to being involved in the incident.

There should be clear evidence to support that wrongdoing has occurred.

- ◇ The process is not meant to be used as an investigative method for determining guilt.
- ◇ If the offending student(s) and those harmed by the wrongdoing agree that there has been a violation and harm has been done, but they can't determine or won't acknowledge who is responsible for what, a conference can help sort out specific acts and responsibility for those actions – but the offending student(s) referred for the process must admit to being involved in the wrongdoing.

Every student should have access to restorative justice and be considered for referral.

- ◇ Every FCPS student must have access to a restorative justice process. Offending students must admit to being involved to access the restorative justice process.
- ◇ Students who receive services from a school social worker, school psychologist, or medical professional always have the option to include that person or persons with them in the RJ process as supporters.

Prior offenses do not preclude a student from being referred to a Restorative Justice process.

- ◇ Often student(s) do not understand the impact of their actions. Students can benefit from a RJ process, even if a prior history of wrongdoing is evident.

All incidents of wrongdoing and violation of the FCPS Student Rights and Responsibilities document are eligible to be referred to a Restorative Justice process.

In a Restorative Justice process, everyone adversely affected by the wrongdoing is a harmed person. This includes participating students and their families.

Referrals can be made at all stages of the disciplinary process and for almost every incident or wrongdoing, regardless of the seriousness of the offense.

- ◇ Referral can be made as a diversion from the traditional disciplinary process for appropriate situations.
- ◇ Restorative Justice can be utilized in combination with other discipline actions such as: one-day suspension and referral to RJ, as opposed to 3–10-day suspension. This option works well for fighting and verbal altercations when both students admit involvement.
- ◇ A Restorative Justice process can be initiated for re-entry into the classroom or school after a disciplinary action has been completed.
- ◇ A referral to a Restorative Justice process should not be used as an additional punishment or sanction for the offending student(s).

Restorative Justice

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School and Youth-Focused Restorative Justice Programs

California: <http://acschoolhealth.org/Docs/Restorative-Justice-Paper.pdf>
<http://rjoyoakland.org/restorative-justice/>

Colorado:
<http://www.restorativejusticecolorado.org/restorative-justice-in-schools.html>

Michigan (Ypsilanti High School):
<http://www.npr.org/2013/06/22/194467944/schools-try-restorative-justice-to-keep-kids-from-dropping-out>

Virginia (Central):
<http://www.centralvirginiarj.org/programs.html>

Virginia (Fairfax County):
<http://www.fcps.edu/dss/ips/ssaw/violenceprevention/ri.shtml>
<http://www.nvms.us/restorative-justice/>

Wisconsin:
http://interfaithconference.org/interfaithconference/site_files/editor_files/image/file/Interfaith.RJP_in_MPS.Dedinsky.pdf

New Zealand (Juvenile Justice System):
<http://www.justice.govt.nz/courts/youth/about-the-youth-court/overview-of-principles-and-process>

Restorative Justice Websites

International Institute for Restorative Practices
<http://iirp.org/>

Restorative Justice Theory Resources
<http://www.restorativejustice.org/>

Restorative Justice Online
www.restorativejustice.org/

Safe Quality Schools
<http://safequalityschools.org/>

Safer Saner Schools
<http://www.safersanerschools.org>

Zehr Institute for Restorative Justice, Harrisonburg, VA
Zehr.institute.org
Thomas Jefferson High School Student-Led RJ Webinar
<http://emu.edu/cjp/restorative-justice/webinars/student-led-rj-fairfax-county/>