

Restorative Justice

General Information Packet



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Restorative Justice Practices Program Overview

Tier 3

Restorative Justice Conference

- For more serious incidents: school discipline and eligible criminal charges (AAP)

Student-led Restorative Justice

- For academic integrity issues

Tier 2

Restorative Practices for Student Groups

- Attendance, bullying education, relationship building

Tier 1

Restorative Practices in the Classroom

- RJ philosophy and language for community building and facilitating relationship-building circles

Staffing

RJ Specialist II

- Program management
- Training and facilitation

RJ Specialist I

- Data management
- Program development and training

5 RJ Region Lead Teachers

- Facilitate RJ discipline conferences and AAP (criminal charges/police referred)
- Training and mentoring school staff

RP & RJ Services	Application	Training Participants	Training Requirements
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.	Restorative justice staff and specialists facilitate AAP cases.	RJ staff members facilitate AAP cases.
Restorative Justice Conference	For serious incidents and violations of the school discipline code.	RJ staff members facilitate discipline referrals.	RJ staff members facilitate discipline referrals.
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, mentoring by advisors and certified student facilitators for one full school year.
Restorative Practices for Student Groups	Attendance groups, bullying education, relationship building.	Counselors, Social Workers, School Psychologists, Systems of Support (SOSA's) staff.	RP Training: 2 full day sessions throughout the school year with ongoing support between sessions.
Restorative Practices in the Classroom	Restorative philosophy, theory, language, social emotional learning and strategies for classroom management.	Teachers and instructional assistants.	2-day Academy Class offered during summer break. On-site training provided at school's request. Mentoring provided to teachers after training.

Data

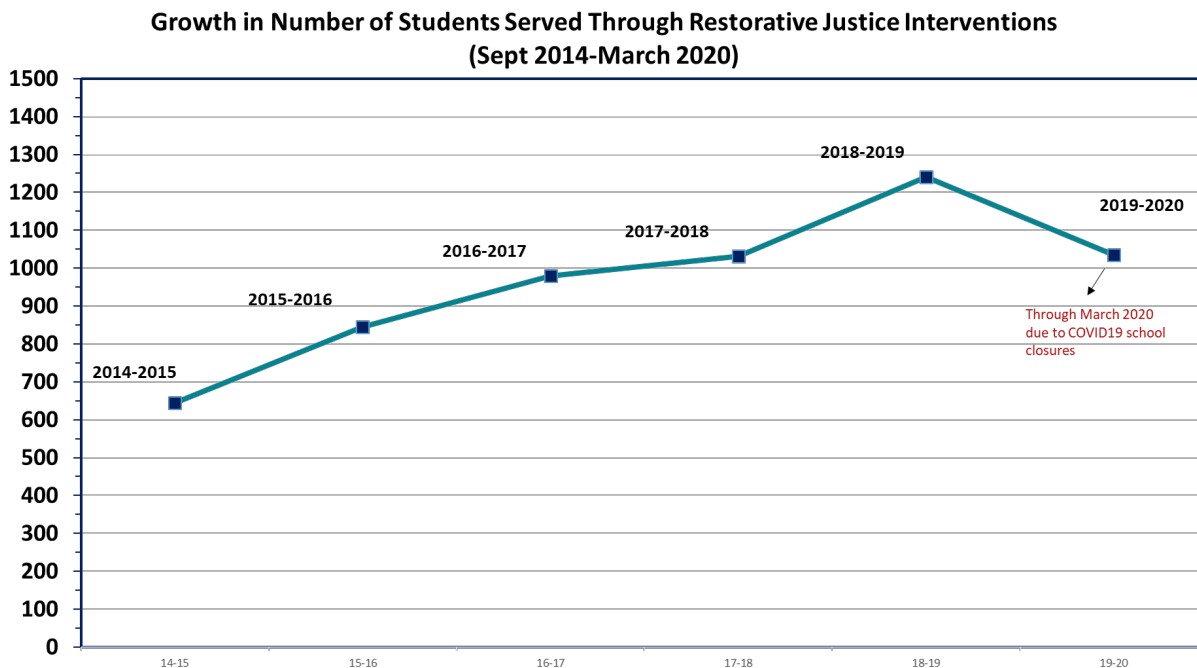
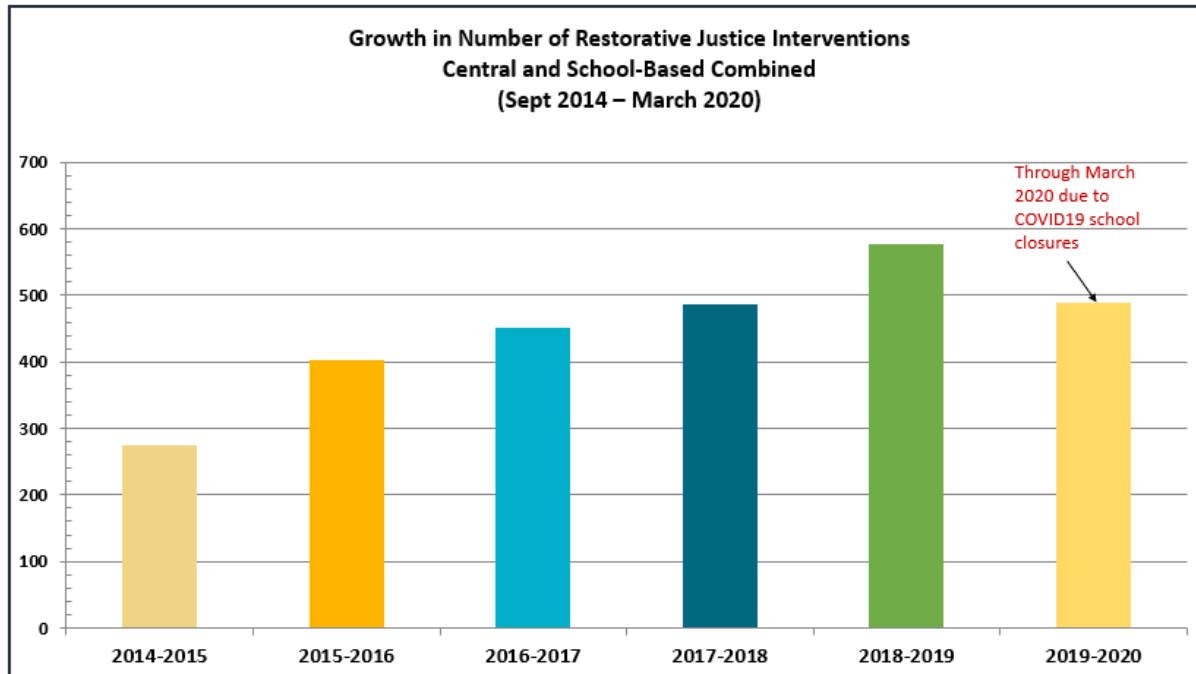
AAP Program (SRO diversion): October 2014-June 2020

- **497** offenders were diverted to Restorative Justice (AAP-Alternative Accountability Program) by SROs and other Fairfax County Police Officers as an alternative to filing a juvenile complaint.
- The AAP has a 10% recidivism rate which is significantly lower than traditional diversion programs.

Participant Satisfaction

At the conclusion of a restorative justice circle, participants are asked to fill out an evaluation on their experience. The data below was collected over three school years from September 2016 to June 2019.

- **91%** of students felt heard in the circle process
- **95%** of parents were satisfied with the outcome
- **99%** of FCPS staff felt that the RJ circle process was fair



“It was very helpful to hear what the student was thinking and why he did what he did. I was also happy he got to hear our feelings as well. I think this is a positive way to resolve conflicts!”

-FCPS Staff

What is Restorative Justice?

Restorative Justice (RJ) 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. Restorative justice is a formal process facilitated by trained, skilled facilitators 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.

The principles of Restorative Justice practices are now being used in schools with positive results. Within this restorative philosophy, wrongdoing is viewed as a violation of a person or community as well as a violation of the discipline code. RJ practices in the classroom help teachers build strong relationships with students while students learn valuable skills for communicating and conflict resolution which builds confidence and resiliency.

Principles of Restorative Justice

1. Focus on the harms of wrongdoing more than on the rule or law that has been broken.
2. Empower those who have been harmed 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?

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

- ◇ **Accountability.** Restorative Justice provides direct opportunities for students who have harmed others to be accountable to those they have harmed, including themselves and their families.
- ◇ **Character Development.** The practice of 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.** The practice of 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.

“We could hear everyone’s emotions towards the situation... Definitely face-to-face is the way to go at such a young/developing stage.”

-FCPS Parent

A Comparison of Restorative and Traditional Discipline

Restorative Discipline	Traditional Discipline
Challenging behavior violates people and relationships.	Challenging behavior violates the rules.
Challenging behavior is viewed as an opportunity to educate the offender.	Challenging behavior is not necessarily seen as an opportunity to educate the offender.
Challenging behavior is related to other conflicts within the community.	Challenging behavior is unrelated to other conflicts within the community.
The disciplinary process primarily involves the students harmed and the school community.	The disciplinary process primarily involves the offending student and school authorities.
Harmed parties needs and concerns are central.	Harmed parties needs and concerns are often overlooked.
The disciplinary process encourages honesty and truth-telling.	A harsh disciplinary process often encourages lying and defensiveness.
Problem-solving is central to the process.	Blaming is often 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 student who caused harm.	The process often isolates the offending student.
The process is oriented towards the future.	The process is oriented towards the past.
Recidivism is considerably reduced.	Recidivism is typical.

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 Specialist team to make the final assessment of case suitability.

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.

Everyone should be considered for a referral to a Restorative Justice process regardless of social circumstances or disadvantage of any nature.

- ◇ Negative attitude, lack of remorse, adverse family situations, special needs, or social issues should not deny any student the opportunity to participate in an RJ process. However, this process maintains a clear focus on the event or episode of wrongdoing and is not intended to provide solutions to complex social or behavioral issues.
- ◇ 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 should not preclude a student from being referred to a Restorative Justice process.

Often the student(s) have not understood the impact of his or her actions. He or she can benefit from the process even if a prior history of wrongdoing is evident.

All incidents of wrongdoing and violation of the FCPS Student Rights and Responsibilities document can be referred to a Restorative Justice process (in addition, if necessary to other consequences where mandated).

In a Restorative Justice process, everyone adversely affected by the wrongdoing is a harmed person. This includes the students' families, as well as the students themselves.

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).

"I think that we gave closure to this incident and now we can move forward in a positive way and eventually repay the community. I think the circle process was well made and it was very fair, at the end we reached a solution which was our main goal." -FCPS Student

Restorative Justice Resources

Articles and Research

Anyon, Y. (2016). Taking restorative practices school-wide: Insights from three schools in Denver. Denver, CO: Denver School-Based Restorative Justice Partnership.

Anyon, Y., Gregory, A., Stone, S. I., Farrar, J., Jen-son, J. M., McQueen, J., Downing, B., Greer, E. & Simmons, J. (2016, in press). Restorative interventions and school discipline sanctions in a large urban school district. *American Education Research Journal*.

“Best Practices in Restorative Justice Programs.” *Hanover Research*, December 2015.

Gregory, A., Soffer, R., Gaines E., Hurley A., Karikehalli, N., (2016). Implementing Restorative Justice in Schools: Lessons Learned from Restorative Justice Practitioners in Four Brooklyn Schools. Newark, NJ: Rutgers University.

Books – RJP in schools

Amstutz, L. S., and Mullet, J. (2005). *The little book of restorative discipline for schools: Teaching responsibility, creating caring climates*. Intercourse, PA: Good Books.

Evans, K. and Vaandering, D. (2016) *The Little Book of Restorative Justice in Education: Fostering Responsibility, Healing, and Hope in Schools*. New York, NY Skyhorse Publishing.

Meyer, L. H. & Evans I, M. (2012). *The Teacher’s Guide to Restorative Classroom Discipline*. London, UK: SAGE Publications Ltd.

Riestenberg, N. (2012). *Circle in the Square: Building Community and Repairing Harm in School*. St. Paul, MN: Living Justice Press.

Books – RJP theory

Davis, F. (2019). *The Little Book of Race and Restorative Justice*. Intercourse, PA: Good Books

Kendi, I. X. (2019). *How to Be an Antiracist*. New York: One World.

Pranis, K. (2005). *The Little Book of Peacemaking Circles: A New/Old Approach To Peacemaking*. Intercourse, PA: Good Books

Zehr, H. (2002). *The little book of restorative justice*. Intercourse, PA: Good Books.

Zehr, H. (1990). *Changing lenses: A new focus for crime and justice*. Scottdale, PA: Herald Press.

Student Resources

Elementary School

Wallis, P. and Wilkins, J. (2016) *What Are You Staring At?* Philadelphia, PA: Jessica Kingsley Publishers

Middle School

Mikaelsen, B. (2001) *Touching Spirit Bear*. New York, NY: Harper Trophy

Student Led Restorative Justice in Fairfax County

<https://www.youtube.com/watch?v=SeSnOZ8M-6o>

Websites

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

Zehr Institute for Restorative Justice, Harrisonburg, VA (Zehr.institute.org)

National Association of Community and Restorative Justice (www.nacrj.org)