Restorative Justice
General Information Packet

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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. 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.

Historically, restorative Justice principles were used to address crimes within the justice system. The principles have now been used in schools with positive results. Within this philosophy, 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?
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.
## A Comparison of Restorative and Traditional Discipline

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

Restorative Practices in the Classroom:

RJ philosophy and language for classroom management

Preventative Circles

Attendance groups, minor disputes, escalating conflicts,

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

Student-led Restorative Justice

Available to all schools

For academic integrity issues

Restorative Justice Conference

Continuum of restorative practices (RP) and restorative justice (RJ) applications in FCPS

Requires training & certification to facilitate

with training
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 form 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).
Bibliography compiled by: Sarah Parshall

Restorative Justice


Restorative Practices and Classroom Management


Student Resource (Middle School)


Restorative Justice Research and Evaluation


**In the News**


School and Youth-Focused Restorative Justice Programs

California:
http://rjoyoakland.org/restorative-justice/

Colorado:

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:

New Zealand (Juvenile Justice System):

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

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