

School Climate, Discipline and Restorative Justice – February 3, 2016

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Thank you for the opportunity to address the Committee this afternoon.

I understand the committee has several bills pending on school discipline (S. 194, S.248 and S. 67). I'm not here to state a position on those bills. My intention is to encourage the Committee to be curious about restorative approaches in Vermont schools and to explore how these approaches can improve the lives of students, teachers, and the broader communities our schools exist within.

Today, I have prepared to—quickly—share:

- An overview of restorative justice philosophy, principles, and practices;
- A Whole-School restorative justice framework
- Outcomes linked to the implementation of restorative justice in schools

I have been exploring the concepts of restorative justice (RJ) for 20 years and have played a critical role in the conceptualization, application, and enhancement of restorative justice within different contexts—education, justice, and organizations—in several states. I am currently an independent consultant focused on restorative justice and school discipline & juvenile justice reform. I co-authored *Restorative Justice: A Working Guide for Our Schools* with Rita Alfred in 2011.

Over the past 6 months I've facilitated workshops focused on the restorative approach and its application in Vermont Middle and High Schools. About 90 educators in Vermont have participated and there's a growing waitlist of 40.

I have prepared three handouts: (1) A comparison of the restorative discipline approach to standard discipline; (2) A three tiered framework that demonstrates the restorative approach is not only applicable to discipline. Applying restorative justice principles within school communities is still evolving—this is a good thing. Schools that apply restorative justice quickly realize that the principles apply not just in responding when things go wrong (tier i) but also to ensure things go right (tier ii) in order to build healthy relationships, develop social-emotional skills, and a sense of community and belonging. The framework also includes intentionality around re-entry or when a student needs to leave the classroom or school for safety. Lastly (3), A summary of some of the research and data emerging from schools piloting restorative justice approaches

I will happily entertain any questions you may have at any point.

Thank you again for the opportunity to talk with you about restorative justice in schools. I hope I have piqued your interest.

Sincerely,

Jon Kidde

Standard Discipline vs. Restorative Justice

Primary Concern

Rules have been violated	People and relationship have been harmed
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Questions

<ol style="list-style-type: none"> 1. What rule was broken? 2. Who broke it? 3. What consequence/punishment is deserved? 	<ol style="list-style-type: none"> 1. Who has been affected? 2. What are their needs? 3. Who has the obligation to address the needs, to put right the harms, to restore relationships?
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Principles

<p>Unbiased/Unemotional/Unattached/Adversarial (3rd Party)</p> <p>Accountability: consequences are imposed, which results in <i>passive</i> accountability.</p> <p>Compliance: Hierarchical control brings order to the community.</p>	<p>Engagement: involves those impacted, including the community to identify what happened, needs, and influence outcome (1st Party).</p> <p>Responsibility: encourage appropriate responsibility to address needs and repair the harm; <i>actively</i> engage the person who caused harm around the questions (<i>active</i> accountability).</p> <p>Restoration: acknowledge and repair the harm caused by, and revealed by, wrongdoing.</p>
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Messages / Assumptions

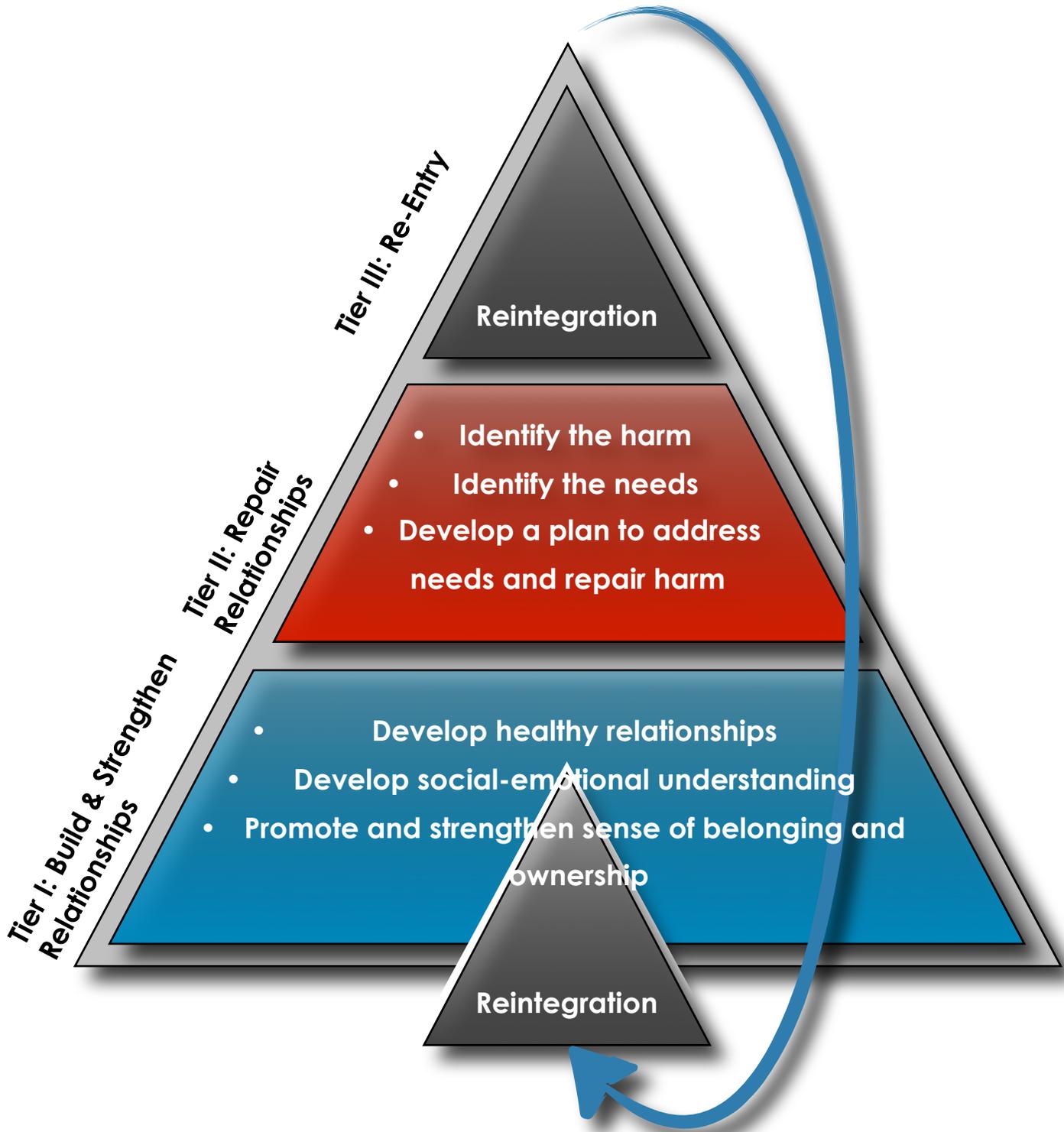
<ol style="list-style-type: none"> 1. The fact that a law, rule or policy was violated is paramount. 2. The primary response must target the offender. 3. Punishment is a just response and indicates justice has been served. 	<ol style="list-style-type: none"> 1. Wrongdoing harms people and relationships. 2. When people and relationships are harmed, needs are created. 3. These needs inform obligations; the primary obligation is to heal and “put right” the harms; this is a just response.
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Worldview

Social Control	Social Engagement
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This table produced by Jon Kidde is a work in progress. It draws from numerous contemporary leaders and pioneers in the field of restorative justice including but not limited to the following: Howard Zehr, Brenda Morrison, Rita Renjitham Alfred, Dorothy Vaandering, and Lorraine Stutsman Amstutz and Judy Mullet. Please contact me with questions and suggestions: JonKidde@GreenOmegaL3C.org.

Whole School Approach



Outcomes Associated with Restorative Approaches in Schools

While additional research on restorative justice (RJ) approaches in schools is undeniably needed, there is a significant and growing body of promising practice-based evidence emerging with profound and desirable outcomes. Selected outcomes and citations are included below:

Reduced Discipline Referrals and Exclusionary Practices

- Minnesota Department of Education significantly reduced behavioral referrals and suspensions in two schools by 45% to 63% (Minnesota Department of Education, 2003, 2011).
- In Denver, CO, district level impact has been noted in cumulative reductions in out-of-school suspensions of over 40% compared with baseline...” (Advancement Project, 2010).
- At Cole Middle School in Oakland, CA suspensions declined dramatically by 87% and expulsions declined to zero during the implementation of whole school restorative justice (Sumner et. al, 2010).
- Upon implementing restorative circles, West Philadelphia High School saw a 50% decrease in suspensions, along with a 52% reduction in violent and serious acts during the 2007/08 school year, followed by a further reduction of 40% during the 2008-2009 school year (Lewis, 2009).
- Various schools in Pennsylvania saw marked reductions in fighting, cafeteria violations, misbehavior, detention, fighting, theft, classroom disruptions and suspensions after implementing restorative conferencing, circles and other practices (Mirsky, 2003).
- In Palm Beach County, FL, two schools have seen reductions in suspension days of between 130-300 days (Schiff, 2012).
- In San Antonio, TX, Ed White Middle School implemented RJ in 2012; they saw In-school suspensions (ISS) for conduct violations drop by 65% - 47% in 2013/14. Out of school suspensions (OSS) dropped 57% - 35% (Armour, 2014).
- RP has promise for narrowing the racial discipline gap (Jain, et. al., 2014; Gregory, et. al., 2014).

Improved Academic Outcomes

- In Oakland, CA, Scholastic Reading Inventory (SRI) levels in grade 9 doubled in RJ high schools from an average of 14% to 33% (Jain, et. al., 2014).
- In Ed White Middle School (TX), the number of students who passed the standardized reading and math components increased substantially (Armour, 2014).
- RJ High Schools within OUSD had a 59.9% increase in 4 year graduation rates (OUSD, 2015)¹
- Oakland Middle Schools that implemented RJ had a 24% reduction in chronic absence² and High Schools that implemented RJ experienced a 56% decline in high school dropout rates in comparison to 17% for non-RJ high schools (Jain, et. al., 2014).

Social Emotional Learning

- Oakland students said that the use of restorative justice circles enhanced ability to understand peers, manage emotions, develop greater empathy, resolve conflict with parents, improve home environment, and maintain positive relationships with peers. (Jain, et. al., 2014)

¹ OUSD Aeries Scorecard Datafile (<http://www.ousd.org/Page/12332>)

² OUSD Aeries Data 2011 – 2014 Scorbard Data File (<http://www.ousd.org/Page/12331>)

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