

# School Justice PSD

## Board Packet

June 23, 2020

This packet, compiled by the organization School Justice PSD, contains recommendations for the 2020-2021 SRO contract that provide additional protections for all students, particularly students of color. We've included materials that can help the Board begin a transition to ending the SRO contract, as well as positive alternatives to our current SRO program.

School Justice PSD is a broad coalition of students, parents, community members, non-profit organizations, educators, and others who believe that students benefit from schools that are free of police and that students of color suffer lasting damage when armed police officers are in their schools. We pledge to work with the Board during this next year to provide community input and oversight and to explore and develop alternatives to our current SRO contract

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The Board has requested that for the June 23<sup>rd</sup> discussion, that the administration present for discussion recommendations for immediate changes in the SRO contract and associated operating procedures based upon what they know and have heard by then. The School Justice PSD coalition has presented our recommendations and supporting research to the administration, and request that they be incorporated into the 2020-2021 SRO contract and associated operating procedures.

### II. SUPPORTING RESEARCH

#### A. Divest and Reinvest **p .7**

Members of the [Department of Curriculum and Instruction](#) at the University of Minnesota prepared an issue brief that outlines ways in which the money that is spent on SROs can be shifted to better address the safety and educational needs of students. They suggest:

1) developing and teaching ethnic studies and heritage language curriculum, 2) expanding arts and creative out-of-school-time programming, 3) hiring and retaining critically conscious Black, Indigenous, and PoC school counselors, 4) hiring and retaining critically conscious Black, Indigenous, and PoC educators, and 5) applying trauma-sensitive, anti-racist, and anti-oppressive teaching practices.

**Article: Divesting from School Resource Officers & Investing in Students — An Issue Brief (June, 2020)**

#### B. Restorative Justice **p 17**

A review of the literature about restorative justice (RJ) programs in schools summarized results for K-12 schools in the United States from 1999 to 2018. The review demonstrated that programming resulted in decreased discipline and

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**Article: Restorative Justice in U.S. Schools: An Updated Research Review (March 2019)**

**C. SROs Do Not Stop School Shootings p 68**

There is often a misperception that having SROs in schools can help divert a school shooting. The evidence overwhelmingly indicates that SROs do not prevent school shootings.

**Article: More Cops In Schools Won't Keep Kids Safe Harvard Civil Rights Civil Liberties Law Review (February, 2018)**

**D. Examples of Other Districts' Plans to Remove SROs p 74**

A growing number of school boards nationwide are voting to eliminate their SRO programs for the reasons we have outlined throughout this document. PSD has the benefit of being able to build upon the good work that has been done, while also being leaders in the progression of school safety. We offer you the Resolution passed in Denver Public Schools on June 11, 2020 as an example of a successful resolution.

**Document: Denver's Resolution Regarding SROs**

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## School Justice PSD Recommendations for the Poudre School District School Resource Officer Program

### Know Your Rights Trainings

- **Prior to signing the 2020-2021 contract**, PSD must agree to hold “know your rights” trainings for all middle school and high school students at the beginning of each school year. These trainings must be conducted by the ACLU or by Colorado State Public Defenders. These trainings will be conducted in multiple languages. Police will not be present at the trainings. In these trainings, students must be advised about their constitutional rights, the Colorado Police Accountability Law SB217, and the limitations on SRO activities that are detailed in the contract.

### Oversight and Accountability:

- **The Oversight Committee** needs to include people from the organization School Justice PSD and other community organizations, especially organizations representing persons of color. There needs to be student oversight, parent oversight and community oversight that promises anonymity for students and parents.
- Rather than an **anonymous survey by students after they’ve had encounters with SROs as recommended by the administration**, there needs to be an anonymous reporting system that students can report to when they’ve had contact with SROs, including contact that does not result in discipline or law enforcement action.

### Changes to the SRO Contract and Operating Procedures:

- As outlined on the motion passed at the June 9, 2020 meeting, this contract is contingent upon a plan that includes *recommendations by the second meeting in September for additional changes in the contract and operating procedures based on what has been learned from initial engagements and Reports back to the board on or about December 10 and on or about March 10 on what engagements have happened, what has been learned so far, and what remains to be done.*
- The contract is subject to any and all amendments based on recommendations from the oversight committee and based on compliance of existing provisions. Changes to the contract can be implemented following the periodic reviews designated by this Board.
- To track and discourage racial profiling, whenever an SRO interrogates a student, searches a student, backpack, car or locker, they must give the student their card and information on how to report the contact. There will be an anonymous reporting system so that students can report when they’ve had contact with SROs.
- The goals of the School Resource Officer Program will be changed from:

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1. Provide a safe learning environment and help reduce school violence;
2. Improve school law enforcement collaboration; and
3. Improve perceptions and relations between students, staff and law enforcement officials.

To simply:

“Provide a safe learning environment and help reduce school violence.”

- SROs will not have an office inside of the school. Their time will be spent primarily patrolling the outside of the school.
- To prevent students from becoming entangled in the juvenile justice system, and to avoid causing DACA students to lose DACA status, all school conduct violations, including conduct considered a violation of morals, interference with school staff, vaping and tobacco use and inappropriate social media use, will be handled by school administration and not SROs.
- Police will not sit in on administrative interviews with students.
- Parents must be contacted immediately whenever there is police contact with student.
- Students must always be read their Miranda rights and told they have a right to have a parent present before talking to police.
- Students must be able to record, by video and/or audio, any and all interactions with SROs.
- SROs must not cooperate with ICE. SRO's cannot ask students about nationality and country of origin.

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# Divesting from School Resource Officers & Investing in Students — An Issue Brief

As members of the [Department of Curriculum and Instruction](#) at the University of Minnesota, we prepare a significant number of licensed teachers in the state. We are [committed to promoting social justice and dismantling racial, socioeconomic, gender and language injustices in education](#). We are teachers, scholars, community members, students, and parents.

We write after last week's [unanimous decision](#) by the Minneapolis Public School Board to pass a resolution to terminate their contract with the Minneapolis Police Department for the services of School Resource Officers following the death of George Floyd. We stand behind the years of [youth activism](#) and [advocacy](#) that led to this historic moment, including efforts from Minneapolis and Saint Paul students, the [Black Liberation Project](#), [Young People's Action Coalition](#), [Social Justice Education Movement](#), [Social Justice Education Fairs](#), and the recent [Free Minds, Free People Conference](#) organized by the [Education Liberation Network](#) and its local chapter in the Twin Cities.

Following nationwide calls from Black organizers to [divest-invest](#), we stand with Minnesota school districts who terminate School Resource Officer contracts. In the Issue Brief that follows, and in alignment with demands by [Black Lives Matter at Schools](#), we outline a body of research that supports this decision, as well as offer practice and research-based actions that school districts can take to invest in students and communities. Specifically, we urge schools to divest from School Resource Officer contracts and reinvest those funds in 1) developing and teaching ethnic studies and heritage language curriculum, 2) expanding arts and creative out-of-school-time programming, 3) hiring and retaining critically conscious Black, Indigenous, and PoC school counselors, 4) hiring and retaining critically conscious Black, Indigenous, and PoC educators, and 5) applying trauma-sensitive, anti-racist, and anti-oppressive teaching practices.

We share this brief as a way forward. We ask teachers and students to imagine better ways to educate—possibilities that cultivate equity, justice, freedom, safety, and peace, possibilities that recognize the ways in which [our liberation is bound together](#). Our students, in turn, ask that we not only teach these values, but that we live these values both in and out of the classroom. In the spirit of transformation, and from our collective experience as teachers, scholars, community members, students, and parents, we stand with every Minnesota school district that terminates contracts with law enforcement agencies and redirects funds toward investments nurturing health, community, and learning. We stand with our students, our communities, and you.

## Message of Solidarity

*I am a Black, gay man from the South. I am a scholar who thinks deeply and writes passionately about inequities in education and especially those that negatively impact young people in schools who identify as queer. I am a leader in the Department of Curriculum & Instruction, a department where “we actively work to eliminate barriers and obstacles created by institutional discrimination.” I am a teacher educator who encourages my students to teach boldly in their future classrooms in order to promote positive educational outcomes and to speak loudly in defense of young people – especially those who do not look like them. Given these multiple, intersecting identities and my personal commitments to justice-centered engagements, I stand with and alongside the authors of this brief. In their statements above and in the words that follow, they have laid out a collective vision and encouraged you to take actions that will promote equity, justice, freedom, safety, and peace. In too many cases, School Resource Officers do harm. Resources that are currently used to support them must be redirected in ways suggested by the authors of this brief.*

—JB Mayo, Associate Professor and Associate Department Chair

## How do School Resource Officers (SROs) impact students?

[61% of all Minnesota public high schools](#) employ law enforcement agents, commonly known as school resource officers (SROs), with the belief these agents will keep schools safe. While there are anecdotal reports of positive experiences with SROs, neither research nationwide nor the majority of our experiences in Minnesota as practitioners support this narrative.

[Research indicates](#) that SRO presence [does not increase school safety](#), but rather that [school communities have a stronger impact on school safety](#). Nor do SROs prevent school shootings. The *Harvard Civil Rights-Civil Liberties Review* [found no evidence that SROs deter mass shootings](#). SRO programs disproportionately target [Black and Indigenous students and students of color](#), contribute to the [school-to-prison pipeline and its nexus](#), [normalize the presence of police culture](#), and [disrupt student learning](#) by orienting school discipline to approach students as criminals.

In fact, empirical data show that SRO presence in schools [increases the likelihood that school officials will refer students to law enforcement](#), even for low-level offenses, described ambiguously as “disorderly conduct.” SRO programs and punitive disciplinary practices contribute to an increase in disproportionate racialized disparities, [pushing out](#) Black, Indigenous, People of Color (BIPOC) from schools. These and other studies clearly indicate SRO programs are ineffective.

In the 2015-2016 school year, [police in Minnesota made 1,080 arrests and 5,005 referrals](#) at schools. Overwhelmingly, [SROs are untrained](#) in mediation, de-escalation, and recognition of youth behaviors that may indicate exposure to violence, trauma, and abuse. Overpolicing contributes to student mistrust and community trauma, particularly for BIPOC students, students with disabilities, and [LGBTQIA identified students](#), [sustaining a legacy of historical and structural oppression in our schools](#) that extends into our communities.



Philando Castile, a nutrition services supervisor at Saint Paul Public Schools JJ Hill Montessori Elementary School, [was an unarmed Black man racially profiled, pulled over, and fatally shot by Officer Jeronimo Yanez on July 6, 2016](#), in front of his girlfriend, Diamond Reynolds, and her young daughter. The shooting was streamed on Facebook Live. Yanez was later acquitted by a jury and found not guilty. Students at the elementary school where Castile worked organized the “Are We Next?” Children’s March in his memory and honor at JJ Hill Montessori on July 10, 2016, with support from family and community members. Photo credit: [Thai Phyl Phan-Quang](#).





## How can school districts better invest in students?

We know racial disparities in Minnesota education have [long been among the worst in the nation](#) with [on-time graduation rates for Black students ranking 50th of all states](#). Research and practice indicate that SRO programs do not support closing racial disparities. [Rather than funding programs that hold our students back](#), we encourage Minnesota schools to reinvest funds currently allocated to SRO positions in the following practice and research-based actions:

### 1) Invest in developing & teaching ethnic studies and heritage language curriculum

The goal of ethnic studies is to teach [culturally relevant and historically situated curriculum through the lens of the oppressed](#), a goal supported by [culturally relevant](#) and [sustaining pedagogies](#) as well as local community knowledge. Ethnic studies and [heritage language](#) courses engage schools in [establishing, building, and maintaining trust with communities](#) of color by making [stronger anti-racist impacts](#)—more so than courses that merely diversify representation in existing curricula, which often tokenizes the experiences of Black and Indigenous people and people of color. It is imperative that ethnic studies investments include genuine and quality professional development, mentorship and training for existing teachers alongside investment in hiring and retaining critically conscious Black, Indigenous, and PoC educators (as indicated in the fourth action). Evidence shows ethnic studies courses in K-12 schools [benefit student engagement and academic performance](#). In a Stanford University study, students enrolled in an ethnic studies course saw [an attendance boost of 21% and a 1.4 point improvement in their GPA](#). In addition, scholars suggest [heritage language education be understood as culturally specific and incorporated into all aspects of the curriculum](#). Locally, groups such as SPPS [Student Engagement and Advancement Board](#), [Unidos MN](#), [YoUthROC](#), the [University of Minnesota's African and African American Studies Department](#), and the local Chapter of [Education for Liberation](#) are already making strides in advocating for ethnic studies in their schools and across the state.

### 2) Invest in expanding arts & creative out-of-school-time programming

For every Minnesota student enrolled in an afterschool program, there is another student who currently [lacks access to such programming](#). Programming offered outside of classroom hours [is shown to improve student engagement in school](#), boost academic performance, [reduce summer learning loss](#), foster social support networks, and [cultivate healthier feelings and attitudes](#). Longitudinal studies suggest that these benefits are even greater [when programs partner with community organizations and families](#), as well as with students' sustained participation. Artist residencies in schools, for example, [increase critical vocabulary and critical thinking skills](#), by addressing [null curricula](#), the intellectual processes and subjects that schools do not teach. Participation in the arts, in particular, [lowers drop-out rates, boosts student attitudes towards learning, and fosters community and family involvement in school](#). Other programs, such as [school-community kitchens](#) open during and after school, address [food justice](#) in the educational system by feeding students healthy, nutritious food so [they are able to better concentrate and learn](#). [A recent study by economists at UC Berkeley](#) found a link between healthy school meals and improved test scores, deeming investment in healthy school meals a cost-effective way to improve academic achievement.

### 3) Invest in hiring & retaining critically conscious Black, Indigenous, PoC school counselors

For every [654 students, Minnesota has only one school counselor](#). This is the third worst ratio in the nation and [far from the American School Counselor Association recommendation of one to 250](#). Across the nation, [1.7 million students are in schools with police but no counselors](#). Access to school counselors offer [myriad benefits to students](#), including fewer disciplinary actions, [especially for students of color and students living below the poverty line](#). For Indigenous students, [access to critically conscious counselors can promote positive self-identity](#) and cultural wellness. Research also indicates [early identification and treatment](#) of mental health conditions drastically improves academic performance and raises graduation rates for all students. According to a [Harvard University study](#), the majority of school counselors are white. Access to school counselors who are Black, Indigenous, and PoC is shown to have [notable benefits for students of color](#).



#### 4) Invest in hiring & retaining critically conscious Black, Indigenous, PoC educators

Although students of color comprise [34% of Minnesota's student population](#), [94% of the state's teachers are white](#). Recent scholarship on [racial melancholia in education](#) illustrates students' need for [belonging and being known](#) by teachers [who are part of their community](#). Research shows that a racially diverse teaching force [has positive impacts for student achievement, especially for students of color](#). Critically conscious Black, Indigenous, and PoC school leaders (e.g. principals, superintendents) [provide culturally responsive school leadership and promote culturally relevant pedagogy](#) at the school, district, and state level.

[A New York University \(NYU\) study](#) shows that students of all races, including white students, indicate more positive perceptions of teachers of color, describing teachers of color as more challenging, supportive, and captivating. Asian American students report the strongest positive relationships with black teachers, in particular. Minnesota schools with teachers of color also report [lower teacher turnover and reduced implicit racial bias among students](#). However, teachers of color [face numerous barriers to retention](#). Researchers stress that better mentorship, differentiated professional development, cultivating welcoming school climates, and valuing the additional labor of teachers of color in concrete ways (e.g. offering [student loan forgiveness, service scholarships, compensation for expanded duties](#)) help [improve retention rates](#). Groups in Minnesota currently advocating for investment in retention include [TOCAIT](#) and [Minnesota Education Equity Partnership](#).

#### 5) Invest in applying trauma-sensitive, anti-racist, anti-oppressive teaching practices

According to the Minnesota Department of Health, [over half of Minnesotans have experienced at least one type of serious childhood trauma](#), such as abuse, neglect, natural disaster, experiencing violence, and/or witnessing violence. As a direct response to trauma, racism, and anti-blackness faced by students inside and outside of schools, [anti-oppressive teaching practices](#) support the [removal of zero tolerance policies and other exclusionary discipline practices](#).

In tandem, [trauma-sensitive teaching practices](#) help by [fostering a feeling of safety](#). Neurobiologically and socioculturally, students need to feel safe, known, and cared for within their schools in order to learn. [Investing in trauma-sensitive teaching practices](#), such as being explicit about relationship building, sharing intentional strategies when students are dysregulated, and dissolving practices that exclude or isolate students help schools support [students with experiences of serious childhood trauma at the individual level as well as racial justice at the institutional level](#).

Finally, we know that [addressing racism is not enough](#). Funding [initiatives that eradicate anti-blackness](#) will help schools cultivate welcoming classroom environments and cease harmful teaching practices towards Black, Indigenous, and PoC students. Anti-racist and anti-oppressive teaching is important to the [development of racial awareness in white students; learning with and from critically conscious Black, Indigenous, or PoC teachers](#) is needed for white students to understand how to [eradicate institutional and structural racism](#). Investment in anti-oppressive teaching practices, alongside investment in appropriate implementation of [restorative justice practices](#), hold the potential to bring dignity, respect, [healing, and liberation to marginalized communities](#).

### Message of Commitment

*As a privileged white, heterosexual, upper middle class man, I am continually humbled by how much I cannot see and do not understand, especially with regard to systemic, institutionalized racism. Denise Hanh Huynh, Sean Cameron Golden, and Nick Ezekuel Kleese, with a number of equally thoughtful and committed contributors, have authored a powerful call to action that must be taken seriously. As Chair of the Department of Curriculum and Instruction, I commit to investing in the 5 actions put forward in this brief. And to white leaders, it is time to lead differently—perhaps in ways that most white people are not all that accustomed. It is time to listen more, learn more, and risk more.*

—Mark D. Vagle, Professor and Department Chair

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*On June 5th, 2020, community members gathered in front of Minnesota Attorney General Keith Ellison's office in downtown Saint Paul to demand justice for George Floyd, an unarmed black man killed in South Minneapolis, Minnesota. The death has been ruled a homicide. Following week long protests in all fifty states and dozens of countries, Officer Derek Chauvin has been charged with second degree murder. Officers J. Alexander Kueng, Thomas Lane, and Tou Thao have been charged with aiding and abetting second-degree murder, and aiding and abetting second-degree manslaughter. Photo credit: [Thai Phy Phan-Quang](#).*



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# Restorative Justice in U.S. Schools

An Updated Research Review

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March 2019



The WestEd Justice & Prevention Research Center highlights the rigorous research and evaluation work that WestEd researchers are conducting in the areas of school safety, violence and crime prevention, juvenile and criminal justice, and public health. A primary goal of the Center is to become a trusted source of evidence on the effects of policies and programs in these areas.

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## Background

This updated report is part of a larger effort of the WestEd Justice & Prevention Research Center (JPRC) focusing on restorative justice (RJ) as an alternative to traditional responses to student misbehavior in schools across the United States. This project was funded to document the current breadth of evidence on the subject, provide a more comprehensive picture of how RJ practices are implemented in schools, and lay the groundwork for future research, implementation, and policy. The Robert Wood Johnson Foundation (RWJF) funded WestEd beginning in 2013 to conduct this research to better understand the national landscape, as a large number of American schools were enacting RJ.

The JPRC's work on this project has included conducting a comprehensive review of the literature (the subject of this report, first published in early 2016, and updated here), interviewing experts in the field of RJ (people who are nationally recognized for their work on RJ in schools), and administering a survey to and/or conducting interviews with RJ practitioners currently working with or in U.S. schools.

For more information, please see these related project reports, available from the JPRC website: <http://jprc.wested.org>

- *Restorative Justice in U.S. Schools: Summary Findings from Interviews with Experts*
- *Restorative Justice in U.S. Schools: Practitioners' Perspectives*
- *What Further Research is Needed on Restorative Justice in Schools?*

# An Overview of Restorative Justice

This report presents information garnered from a comprehensive review of the literature on restorative justice<sup>1</sup> in U.S. schools. The purpose of our review is to capture key issues, describe models of restorative justice, and summarize results from studies conducted in the field. We first conducted and published a literature review on this topic in early 2016, covering research reports and other relevant literature that had been published or made publicly available between 1999 and mid-2014 (Fronius, Persson, Guckenburg, Hurley, & Petrosino, 2016). This report expands on that earlier review, updating it to include publications available through July 2018.<sup>2</sup>

Restorative justice (RJ) is a broad term that encompasses a growing social movement to institutionalize non-punitive, relationship-centered approaches for avoiding and addressing harm, responding to violations of legal and human rights, and collaboratively solving problems. RJ has been used extensively both as a means to divert people from traditional justice systems and as a program for convicted offenders already supervised by the adult or juvenile justice system.

In the school setting, RJ often serves as an alternative to traditional discipline, particularly exclusionary disciplinary actions such as suspension or expulsion. RJ proponents often turn to restorative practices out of concern that exclusionary disciplinary actions may be associated with harmful consequences for children (e.g., Losen, 2014). More recently, it has also been embraced as a preventative intervention for building an interconnected school community and healthy school climate in which punishable transgressions are less common (e.g., Brown, 2017).

Within school settings, RJ encompasses many different program types. An RJ program can involve the whole school, including universal training of staff and students in RJ principles, or it can be used as an add-on to existing discipline approaches and philosophies. It also has been combined with other non-punitive discipline approaches, such as Social and Emotional Learning and Positive Behavioral Interventions and Supports.

Given such mixed implementation approaches, it is not easy to define exactly what constitutes RJ in schools. Sellman, Cremin, and McCluskey (2014) argue that from “a theoretical perspective, RJ is

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<sup>1</sup> We use the term “restorative justice” (“RJ”) broadly to capture what the literature describes using a variety of terms such as “restorative practices,” “restorative approaches,” and similar language.

<sup>2</sup> We also include a report from Augustine and colleagues (2018) that was published after July 2018 because it is based on very rigorous methods and came to our attention during the editing phase of this review.

essentially a contested concept” and “it is unlikely that there will ever be one agreed definition.” The National Centre for Restorative Approaches in Youth Settings defines RJ as:

... an innovative approach to offending and inappropriate behavior which puts repairing harm done to relationships and people over and above the need for assigning blame and dispensing punishment. A restorative approach in a school shifts the emphasis from managing behavior to focusing on the building, nurturing and repairing of relationships. (Hopkins, 2003, p. 3)

Given the ambiguity in this and other definitions, it is not surprising that many different types of programs are classified as RJ — even interventions such as student conflict resolution programs and student youth courts that some schools have been doing for years, since before the term “restorative justice” came into currency. Recently, the term “restorative practices” has gained ground as a broader term encompassing RJ. For example, Wachtel (2016) of the International Institute of Restorative Practices argues that:

... restorative justice [is] a subset of restorative practices. Restorative justice is reactive, consisting of formal or informal responses to crime and other wrongdoing after it occurs. [R]estorative practices also include[] the use of informal and formal processes that precede wrongdoing, those that proactively build relationships and a sense of community to prevent conflict and wrongdoing. (p. 1)

Aside from trying to define RJ, researchers have identified reasons why many schools and districts are frequently turning away from traditional discipline approaches. Their reasons include the following:

- Zero-tolerance policies increased the number of youths being “pushed out” (suspended or expelled) with no evidence of positive impact on school safety (Losen, 2014).
- There is racial/ethnic disparity in terms of which youths receive school punishments and how severe their punishments are, even when controlling for the type of offense (Skiba, Michael, Nardo, & Paterson, 2002).
- Increasingly, school misbehavior is being handed over to the police (particularly with programs that have police, such as school resource officers), leading to more youth getting involved with official legal systems — thus contributing to a trend toward a “school-to-prison pipeline” (Petrosino, Guckenburg, & Fronius, 2012).
- Research strongly links suspension and other school discipline to failure to graduate (Losen, 2014).

Thus, schools and districts are seeking means of achieving school safety and stability without relying on suspensions and police referrals. RJ is viewed by many as one approach that has the potential to keep young people in school, address the root causes of the behavior issues, and repair and improve relationships among students and between students and staff.

Schools have adopted a variety of programs and approaches under the RJ umbrella. These programs range from informal restorative dialogue techniques between teachers and students to formal

restorative conferencing that involves students, staff, and often community members, including family. In California, districts that received federal Safe and Supportive Schools (S3) funding were encouraged to use their grants to implement RJ practices to improve school climate and reduce reliance on punitive responses to student misbehavior like bullying, vandalism, and harassment (Health and Human Development Program, 2012). The most common RJ practice noted in the literature and in interviews with experts and practitioners in the field (Guckenburg, Hurley, Persson, Fronius, & Petrosino, 2015) is the practice of holding restorative circles.<sup>3</sup>

## The literature on restorative justice

The research on restorative practices in schools is still at the infancy stage (albeit less so than at the writing of our first report). Still, several exploratory studies have indicated promising results of RJ approaches in terms of their impact on school climate, student behavior, and relationships between students and with staff, among other outcomes (see Ashley & Burke, 2009). Despite the nascent state of the empirical literature, there are myriad reports, articles, and case studies that provide context on RJ practices in U.S. schools.

To learn more about RJ in schools, we conducted an extensive review of literature. The review was not designed to provide a definitive answer to the question of whether RJ in schools works but did aim to capture key issues, describe models of RJ, and summarize results from studies available from 1999 through mid-2018. Specifically, our literature review was guided by the following questions:

- What are the origins and theory underlying U.S. schools' interest in RJ?
- How does the literature describe RJ programs or approaches in U.S. schools?
- What issues have been identified as important to consider for implementing RJ in the schools?
- What does the empirical research say about the impact of RJ in the schools?

Our literature review focused on RJ approaches in primary and secondary schools, excluding programs designed for higher education. Although RJ's use in schools originated and is popular in other countries such as Canada, the United Kingdom, and Australia (e.g., Hopkins, 2004), our searches focused on U.S.-based programs, studies, and reports.

To draft the first version of this report, published in 2016, we first examined documents at websites for specialized centers such as the American Humane Society's RJ for Youth, the International Institute for Restorative Practices, the National Centre for Restorative Approaches in Youth Settings, and the Suffolk University Center for Restorative Justice. We then conducted searches of electronic bibliographic databases such as *Education Resource Information Center (ERIC)*, *Criminal Justice Abstracts*, *National Criminal Justice Reference Service (NCJRS)*, and *Education Full Text*. Next, we conducted a *Google Scholar* search and combed the first 240 hits for any unpublished literature. Finally, in our first foray, we

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<sup>3</sup> See the appendix for a glossary of RJ terms and practices.



consulted with the experts who were interviewed for a related report (Guckenburg et al., 2015). Many of those experts provided additional literature to supplement our searches.

To develop this updated report, we reviewed hundreds more articles, chapters, theses, and dissertations published in the 2014–2018 time period. We located these documents by searching for the terms “restorative justice” and “schools” in three main sources: *ProQuest Social Sciences*; the University of California, Berkeley, online library of scholarly texts (which searches across hundreds of education and social science publications and databases, including *ERIC*, *Education Full Text*, and dozens of criminal law and criminology journals); and *Google Scholar*.

From this larger universe, we selected only the literature that drew on quantitative methods to understand RJ in K–12 school settings in the United States, resulting in a total of 30 articles, book chapters, reports, and dissertations from the 2014–2018 time period. As mentioned previously, we also reviewed one report from 2019 due to its use of rigorous methods. These 31 articles were our main sources in updating and adding to our earlier literature review.

# Origins and Theory Underlying Restorative Justice in Schools

Although there is no consensus in the literature on a definition of RJ in schools (e.g., Sellman et al., 2014), there is some agreement on how RJ came to become a popular alternative to traditional punishment in U.S. schools. In this section, we outline the general origins and theory behind RJ and its pathway into schools in the United States. We also explore the more practical basis for why RJ is a growing alternative approach to discipline in schools.

## Restorative justice's pre-modern origins and theoretical frameworks

The literature we reviewed for this report is mostly consistent in indicating that RJ originated in the pre-modern native cultures of the South Pacific and Americas. These cultures had an approach to conflict and social ills that emphasized the offender's accountability for the harm they caused, along with a plan for repairing the hurt and restoring the offender to acceptance. The emphasis on the harm done rather than the act is a widely recognized principle across the RJ literature.

Vaandering (2010) describes several well-developed frameworks for better understanding RJ. Perhaps the most well-known framework for understanding RJ in criminology is called "reintegrative shaming theory" (Braithwaite, 2004). Reintegrative shaming acknowledges the impact of wrongdoing on both the offender and those who were harmed. Shaming may materialize as direct actions (requiring a student to publicly apologize) or indirect actions (expression of disappointment by a teacher to a parent of a student). It may be a teacher addressing a student's disruptive behavior during class, or a police officer calling a youth's parents to report delinquent behavior. The shaming process is at the heart of RJ; the distinction with reintegrative shaming is that, in contrast to negative shaming, it leads to reconciliation with and reacceptance of the wrongdoer and attempts to reintegrate the offender back into the community rather than isolating the perpetrator from the community. However, there are critics who argue that reintegrative shaming may have unintended harmful effects in school settings (Vaandering, 2010). There is a fine line between shame that is meant to be a supportive bridge back into the community and shame that is stigmatizing and isolates the offender. In schools, educators may not always be able to recognize how to use shame as a path toward reintegration rather than stigmatization (Vaandering, 2010).

Zehr (2002) suggests that RJ requires society to move away from a system that emphasizes traditional retributive justice ("an eye for an eye"). Morrison and Vaandering (2012) argue that a system influenced by RJ would define "laws and rules as serving people to protect and encourage relationships and relational cultures" (p. 145) rather than protecting the status quo.

This shift is evidenced in the classroom setting when educators seek to create a sense of community ownership among students. According to Zehr (2002) and others (e.g., Karp & Breslin, 2001), RJ in the

schools is meant to bring together all stakeholders to resolve issues and build relationships (González, 2012) rather than control student misbehavior through punitive exclusionary approaches. However, many schools still employ an institutional policy that uses authoritative approaches to dole out exclusionary discipline, thereby removing a student in body and voice from the decision-making and the school's procedural justice process. Such reactive and rigid approaches to discipline, sometimes instituted for minor behavioral issues, "reinforce social control and education as compliance" (Morrison & Vaandering, 2012, p. 145).

Critics argue that the traditional approach manages student behavior rather than developing students' capacity and facilitating their growth. It also establishes a power dynamic between teachers and students (and at times between students) that is detrimental to all students' having a voice and feeling empowered. Tyler (2006) argues that by giving people, particularly students, a voice in the decision-making and procedural justice process, they will view institutional power as more legitimate and fair. Tyler also makes the case that empowering youth may lead to better self-regulation without the need for formal discipline (Tyler, 2006). Zehr (2002) and others argue that RJ results in a shift in how discipline is applied, which increases student perceptions that educator actions are fair, thereby leading to greater compliance as students see the school order as one having legitimacy. According to Braithwaite, writing about the context of justice systems:

Given that there is now strong evidence that RJ processes are perceived to be fairer by those involved and strong evidence that perceived procedural justice improves compliance with the law, it follows as a prediction that RJ processes will improve compliance with the law. (Braithwaite, 2004, p. 48)

Some theorists have written that RJ is designed to build an environment that helps address "power and status imbalances" that shape a young person's perspective on legitimacy and fairness of discipline in the school (Morrison & Vaandering, 2012). The absence of this perceived legitimacy and fairness among young persons might lead to their defiance and future behavioral infractions (Sherman, 1993). RJ's basic tenets emphasize a fair and collective process, featuring nurturing, growth, and communal empathy and resilience over exploitation and imposed control. These tenets underscore the importance of schools' implementing discipline approaches viewed as legitimate by students, and encouraging collective bonding among students and staff. The perspectives of reintegrative shaming, procedural justice, and defiance theory all support the potential of RJ in leading to a stronger school community, better climate, and fewer behavioral issues. It is on these grounds that RJ has been operating in schools in Western cultures for the past two decades.

Although the focus of our literature review is limited to RJ operating in school sites within the United States, RJ has operated within the juvenile justice system and in schools outside of the United States for many years, and implementation in those settings has a stronger evidence base than that documented in the U.S. school system.

## Restorative justice's origins in juvenile justice

The earliest applications of RJ in the United States were in the criminal and juvenile justice systems. The evidence of RJ's effectiveness within the justice system (e.g., Sherman & Strang, 2007) has led to calls to implement RJ interventions on a broader scale, particularly for low-level crimes that are nonviolent, and for juveniles. In fact, New Zealand has used RJ as a central framework in its juvenile justice system for a quarter century (Zehr, 2002).

Bazemore and Schiff (2005) report on a census that they conducted of RJ practices in the U.S. justice system and strategies that they developed to evaluate the quality and consistency of the various approaches to RJ. Their census identified a total of 773 programs across the nation. Relatively informal practices, such as restorative dialogue and offender mediation, were most common. Bazemore and Schiff (2005) point to conferencing as a potentially effective approach to engage stakeholders (including community members) and repair harm. In the years since Bazemore and Schiff's census, collaboration and coordination between justice systems and education has increased. Because many suspended or expelled youth become part of a "school-to-prison pipeline" (Losen, 2014), the overuse of exclusionary discipline is a concern for both education and the juvenile justice system (Schiff, 2013). As such, the two systems have common ground in their efforts to adopt RJ programs in schools.

Schiff and Bazemore (2012) later draw the parallel between the use of RJ in juvenile justice and in schools. They report that schools that were effective in using RJ tended not to refer youth directly into juvenile justice settings but instead reserved such punishment for the most serious student offenses (e.g., physical assaults). They argue that educators who collaborate with juvenile justice professionals, such as probation officers, can effectively engage students and keep them in school by employing RJ practices that build relationships and nurture positive growth and development for students, particularly for vulnerable and marginalized populations (Schiff & Bazemore, 2012).

## Restorative justice's origins in non-U.S. nations

It is commonly believed that Australia pioneered the use of RJ in school settings. Most literature points to a Queensland high school that first implemented a school-based RJ conference in 1994 to respond to an assault at a school-sanctioned event (Blood, 2005; Sherman & Strang, 2007). Immediately following, funding from multiple government agencies expanded RJ to over 100 schools; this expansion was tested in two pilot studies. While the pilot studies did unearth certain tensions between traditional philosophy on school discipline and the RJ alternative, the results suggest that RJ participants were engaged in the process, felt it was fair, and were generally satisfied with the experience (Cameron & Thorsborne, 2001). In addition, offenders generally followed the agreements reached in the RJ process (Cameron & Thorsborne, 2001). Following this initial work in Queensland, RJ practices in schools were adopted widely across Australia, New Zealand, the United Kingdom, and other European nations, and then eventually in Canada and the United States.

There are a number of types of RJ programs employed outside the United States, and they vary in approach and scope of implementation. For example, Morrison (2002) reports on *The Responsible Citizenship Program*, implemented in one Australian school, that incorporates a number of

interconnected practices, such as conflict resolution and shame management, to maintain a positive schoolwide culture. The preliminary evidence from a pre/post, single-group study indicates that a small sample of students who experienced the program also experienced perceived increases in safety within their school and positive impacts on their strategies for shame management (e.g., acknowledgment and reconciliation) (Morrison, 2002).

Other examples of RJ practices used outside the United States include school-based conferencing, such as the program implemented in Queensland (Cameron & Thorsborne, 2001). This program was used to handle serious offenses among students (e.g., bullying, truancy, and other criminal offenses), and Cameron and Thorsborne's study (2001) indicated that participants' experiences were positive and impactful. Furthermore, most offending youth complied with all required activities that resulted from the conferencing agreement. Also, there was a large-scale, whole-school program in the United Kingdom implemented and evaluated in 2004. The program included a number of components, including staff trainings, restorative inquiry, dialogue, circles, and peer mediation. There were shortcomings in the study (e.g., schools were inconsistent in data reporting), limiting the ability of the authors to render conclusive findings; however, results were suggestive and supported recommendations to improve staff engagement, implementation, and evaluation for future studies (Youth Justice Board for England, 2004).

Notably, Wong, Cheng, Ngan, and Ma (2011) conducted a quasi-experimental analysis of 1,480 students in grades 7–9 from four Hong Kong schools. The authors compared three groups of students:

- “control” students, whose school chose not to implement the program under study;
- “partial treatment” students, whose schools implemented some, but not all, aspects of the program; and
- “full treatment” students, whose school implemented all aspects of the program.

The program under evaluation, the Restorative Whole School Approach (RWSA), included RJ professional development for staff, conflict resolution services, peace education curricula for students, and parental involvement strategies. RWSA was designed to reduce bullying by establishing clear goals and building strong relationships among all members of the school community. Wong and colleagues (2011) found that while all four schools had similar levels of bullying prior to RJ implementation, after two years of RWSA, the full treatment students indicated experiencing statistically significantly less bullying overall, and specifically less physical and exclusion bullying, than control students. Partial treatment students also showed significantly less bullying than control students, though the difference was less stark than for full treatment students. The authors also found that full treatment students exhibited larger gains in empathy and self-esteem than control students.

These are but a few of the examples of RJ in schools in nations outside the United States which have provided the United States with experiences to learn from before implementing RJ in schools.

# An Overview of Restorative Justice in U.S. Schools

Educators across the United States have been looking to RJ as an alternative to exclusionary disciplinary actions. The popularity of RJ in schools has been driven in part by two major developments. First, there is a growing perception that zero-tolerance policies, popular in the United States during the 1980s–1990s, have had a negative impact on students and schools, generally, and a particularly pernicious impact on Black students and students with disabilities (e.g., Losen, 2014). These policies, many argue, have increased the use of suspensions and other exclusionary discipline practices, to ill effect (Losen, 2014). For example, researchers reviewing data from Kentucky found that, after controlling for a range of other factors, suspensions explained 1/5 of the Black-White achievement gap (Morris & Perry, 2016). And researchers reviewing data from Florida found, after controlling for a host of factors, that students suspended one time were twice as likely to drop out of school and twice as likely to be arrested than students who had not been suspended (Balfanz, Byrnes, & Fox, 2015). Finally, Marchbanks and colleagues (2015) assessed the educational and economic impacts of exclusionary discipline by analyzing data from the Texas Education Agency’s Public Education Information Management System (PEIMS), a statewide repository containing student records collected by all Texas school districts. They looked at students who began 7th grade in either 2000, 2001, or 2002, and found that, even after controlling for dozens of school, county, cohort, and student-level variables (including past disciplinary history), students who were suspended in or after 7th grade were significantly more likely to be retained for a grade and to drop out of school than those who were not. They estimated that the economic impacts of these retentions and dropouts for a single educational cohort were between \$711 million and \$1.3 billion.

Secondly, RJ has gained popularity as a means of addressing disproportionalities in exclusionary discipline — the notion that some groups of students are receiving exclusionary punishment (with all its negative impacts) at higher rates. For example, Gregory, Clawson, Davis, and Gerewitz (2016) report on a prior study (Fabelo et al., 2011) that found Black students were 26.2 percent more likely to receive out-of-school suspension for their first offense than White students. Data from other studies also indicate the disproportionate use of punishment with racial and ethnic minorities and students with disabilities (Losen, 2014). And a recent report by the U.S. Government Accountability Office found that while Black students represent 15.5 percent of all students in the country, they represent 39 percent of students suspended from schools, and that while students with disabilities represent 13.7 percent of all students, they represent 25.9 percent of those suspended (Government Accountability Office, 2018).

Discipline policies based on zero tolerance often mandate harsh penalties (such as suspension) for misbehavior that could otherwise be addressed using non-exclusionary punishments. Talking disrespectfully to a teacher, disrupting class with talking, and “willful defiance” are examples of behavior resulting in suspension in some schools and districts. RJ proponents indicate that they do not intend to minimize the harm caused by each of these behaviors but argue that an RJ response would bring

together the offender and the harmed parties (which may include members of the school community) to talk about the harm caused and what can be done to repair the harm and restore the status of the offending student within the school (e.g., Morrison & Vaandering, 2012), rather than excluding the student from the school setting.

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*Recognizing the seriousness of the offense, schools applying the no tolerance policies of restorative justice attempt to avoid being overly prescriptive in favor of a wider variety of approaches and consequences designed to hold students accountable for their behavior while also taking into account mitigating circumstances.*

— Stinchcomb, Bazemore, & Riestenberg (2006, p. 125)

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In this manner, RJ is viewed as a remedy to the uneven enforcement and negative consequences that many people associate with exclusionary punishment. Exclusionary discipline can leave the victim without closure and can fail to bring resolution to the harmful situation. In contrast, because RJ involves the victim and the community in the process, it can open the door for more communication and for resolutions to the situation that do not involve exclusionary punishments like suspension.

Finally, advocates argue that RJ processes can facilitate positive relationships among students and staff (Ashley & Burke, 2009). They state that, unlike punitive approaches which rely on deterrence as the sole preventative measure for misconduct, RJ uses community-building to improve relationships, thereby reducing the frequency of punishable offenses while yielding a range of benefits (Gregory et al., 2016).

As documented in a juvenile justice system review (Bazemore & Schiff, 2009), there are a variety of practices that fall under the RJ umbrella that schools may implement. These practices include victim-offender mediation conferences; group conferences; and various circles that can be classified as community-building, peace-making, or restorative.<sup>4</sup>

Conferences and circles fall in two categories: community-building circles, which are preemptive and designed to help students and staff deepen relationships and trust; and peace-making circles, which bring together parties who were involved in or impacted by harmful actions. In the latter case, participants include the victim(s), offender(s), and facilitator(s), but may also include other community members (e.g., witnesses, friends, family). The victims could also include members of the school community who represent the school that was harmed by the perpetrator's actions (e.g., in the case of vandalism). Together, the conference participants aim to determine a reasonable restorative sanction for the offender. Restorative sanctions are sought out during these justice processes rather than

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<sup>4</sup> See the appendix for a glossary of some common RJ terms.



employing traditional punitive sanctions such as suspension. Restorative sanctions could include community service, restitution, apologies, or agreements to change specific behaviors, such as the offender agreeing to comply with certain conditions, sometimes in exchange for incentives (Stinchcomb, Bazemore, & Riestenberg, 2006).

The literature underscores the many challenges confronted when implementing RJ in schools. For example, there is confusion about what RJ is and no consensus about the best way to implement it. RJ also requires staff time and buy-in, training, and resources that traditional sanctions such as suspension do not impose on the school. With RJ, teachers are often required to perform duties that would traditionally be outside of their job description, such as attending RJ trainings, conducting circles during instruction time, and spending more time talking one-on-one with students. Also, some educators and other stakeholders are resistant to RJ because it is sometimes perceived as being “too soft” on student offenses (Evans & Lester, 2013). Finally, while RJ programs will certainly vary by the size of the school and scope of the program (Sumner, Silverman, & Frampton, 2010), some researchers suggest that a shift in attitudes toward punishment may take one to three years (Karp & Breslin, 2001), and the deep shift to a restorative-oriented school climate might take up to three to five years (Evans & Lester, 2013). This timing assumes that the program will also be sustained financially, which underscores the importance of considering what resources will be needed and for how long to introduce and sustain RJ in a school or district.



# Implementation Steps for Schools and Educators to Consider

Our review of the literature indicates that RJ is perceived to work best when it is integrated into the school's overall philosophy (Ashley & Burke, 2009). No matter how extensive the RJ program, administrators and educators need to have access to the tools and resources necessary to successfully fund, implement, and evaluate their RJ program. This section highlights what we found in the literature and through our interviews with experts and key practitioners (Guckenburg et al., 2015; Guckenburg, Hurley, Persson, Fronius, & Petrosino, 2016) regarding resources and factors for educators to consider when developing an RJ approach for their school or district, or when adopting an existing RJ approach. The following recommendations represent just a sample of implementation issues discussed in the literature. It is also critical to note that the information here, although grounded in contextual findings from real-world implementation, is not backed by rigorous scientific evidence (such as randomized controlled trials) that would support causal claims regarding which steps are helpful or essential for realizing the aims of RJ.

## Funding a restorative justice program

According to key practitioners, considerable time and resources are required to build an RJ program in a school or district (Guckenburg et al., 2016). It is possible to generate the funds needed to support this effort through successfully pursuing grant opportunities or through reallocation of existing funds within the district. For example, one district in Detroit leveraged its Title I funding to ramp up its RJ efforts by hiring a full-time coordinator. Leveraging existing community partnerships may also be possible, or even pooling resources between communities, to fund training for staff. This approach to funding has been successful for Oakland (California) and surrounding counties (Kidde & Alfred, 2011).

## Preparing for restorative justice: Culture, community-building, and staff training

Recent research has focused on assessing "Restorative Justice Readiness," or "the measure of beliefs aligned with foundational RJ principles and values" concerning responding to harm, addressing needs, meeting obligations, and ensuring engagement (Greer, 2018). For example, based on regression analysis of surveys from 126 staff at 12 California high schools, Greer (2018) reports that perceptions that schools consistently and fairly enforce school rules statistically significantly predicted higher levels of RJ readiness ( $p < .05$ ).

A recent Liberman and Katz (2017) report has findings from a qualitative assessment of the first year of implementation of RJ practices in two school districts and two charter high schools in Rhode Island. Practitioner interviews suggested that "it is important to shift philosophy [around accountability] first

and then proceed with shifting” practices. The authors note that one obstacle to smooth implementation was the belief, held by some practitioners, that RJ was “soft on students” or that students would take advantage of leniency to misbehave.

Some qualitative research has identified a trusting community as a necessary pre-condition for RJ to thrive. According to Brown (2017), a large part of what allowed schoolwide RJ to thrive in two Oakland schools was their development and nurturing of a culture of listening and connection through community-building circles. Such a culture, Brown argues, “supports members of a school community as they go through the challenging and sometimes difficult process of changing their school culture” (Brown, 2017).

Some researchers have advocated for a strong professional development program for teachers and administrators, as they must be trained to understand specific restorative techniques and the reasoning behind the shift from traditional punishment approaches to RJ approaches (Mayworm, Sharkey, Welsh, & Scheidel, 2016). For example, based on in-depth interviews with 10 research participants involved in the first three years of RJ implementation at various school sites, Rubio (2018) reports that nine of the research participants stated that “having district-provided professional development and support was necessary for effective implementation of restorative practices.” In their study of RJ implementation in Rhode Island schools, Liberman and Katz (2017) note that practitioners felt that a three-week training was “effective in teaching the philosophy of restorative practices and implementing key restorative practice tools.” Practitioners also appreciated that the longer training time period provided opportunities to iteratively learn approaches, practice them in the classroom, and then come together to improve their execution.

Liberman and Katz (2017) also emphasize that practitioner RJ training should not be limited to passive learning but should include ongoing work with skilled facilitators, such as one-on-one coaching, on-the-ground learning through shadowing, and learning through feedback after leading conferences. They extoll the virtues of utilizing facilitators to run programs, and indicated that effective facilitators built trust and communication by coming to the school more frequently (four to five days a week).

Researchers have begun to assess the types of professional development that might best prepare administrators and staff to implement RJ in their specific contexts. Some have argued that to ensure educators are able to successfully implement RJ, trainings should include having educators “live” RJ, participating in circles and peace-building activities in which they can practice creating space for and honoring dissonant voices, “eliminat[ing] prejudice and oppressive power,” and “nurtur[ing] empowerment for all” (Vaandering, 2014).

The impact of this type of professional development has not, to our knowledge, been the subject of research. But the underlying assumption of professional development is that when teachers participate in RJ and understand its potential for effectiveness, they can facilitate students’ doing the same (Kidde & Alfred, 2011). Some have advocated that the optimal method for increasing a teacher’s understanding of restorative approaches is through training with school-based RJ consultants. Their reasoning is that more formal RJ training programs teach practitioners how to problem-solve and foster group cooperation while ensuring sensitivity to victims and all involved parties (Mayworm et al., 2016).

## Sustaining restorative justice: Integration, buy-in, and patience

According to some of the literature, one way to sustain RJ practices is to integrate them across the school and district rather than having RJ be an add-on program (e.g., Morrison & Vaandering, 2012). Such integration is often described as “Whole School Restorative Justice,” and research in Oakland has suggested that integration throughout the school is substantially more effective, across a range of outcomes, than more limited, reaction-based RJ practices (Jain, Bassey, Brown, & Kalra, 2014). Another means of sustaining RJ is to provide support for continued training and growth opportunities for staff (e.g., The Advancement Project, 2014).

Some research has indicated that a critical driver to long-term sustainability is a district’s ability to integrate the RJ approach into its formal policy and procedures (The Advancement Project, 2014). From this perspective, a school or district should ensure that decisions about discipline and the policymaking process consider multiple stakeholders (teachers, administrators, youth, parents, and community members) to ensure buy-in from all drivers of change (Kidde & Alfred, 2011). As when implementing other school programs, teachers and administrators need to be supportive of RJ for it to be successfully sustained (e.g., Kidde & Alfred, 2011). Because parental permission is often required to engage in restorative practices, Liberman and Katz (2017) suggest “that to successfully engage with parents, it is important to have quick and digestible materials about the restorative approach and conferences and to clarify the differences between the restorative and traditional discipline approaches.”

According to analysis of RJ implementation by Liberman and Katz (2017), school leadership demonstrating their buy-in is critical to the sustainability and effectiveness of implementation. Examples described by Liberman and Katz include “school principals and deans discussing conference referrals, sitting in on conferences, meeting regularly with facilitators and behavioral staff, and emphasizing the use of restorative practices through trainings and communication with staff,” such as by “doing circles at staff meetings.” In addition, because “school schedules are very busy and have little flexibility,” it is critical for leadership to support “carving out the time necessary for adequate training.”

Finally, some have argued that patience is critical to effective RJ implementation because the intervention may bear fruit after a longer period of time than expected. This point is made by Rubio’s (2018) analysis of structured interviews with 10 research participants — a mix of principals, counselors, specialists, and facilitators — involved in the first three years of RJ implementation at school sites in California. In this qualitative investigation, Rubio found that 8 of the 10 participants “indicated that adequate time to prepare for and implement RJ practices was a significant factor to consider when looking at implementing restorative practices.” Guckenburg and colleagues, based on interviews with experts (2015) and a review of practitioner surveys and interviews (2016), make similar observations about the time needed for effective implementation.

There are many resources available to practitioners who are interested in implementing an RJ program. The following guides and toolkits (Table 1) provide more information on the steps to consider when starting an RJ program in a school or district:

**Table 1. Restorative Justice Implementation Guides and Toolkits**

Resource	Author(s), Year	Source
Restorative Practices: Fostering Healthy Relationships and Promoting Positive Discipline in Schools: A Guide for Educators	The Advancement Project, 2014	<a href="http://schottfoundation.org/sites/default/files/restorative-practices-guide.pdf">http://schottfoundation.org/sites/default/files/restorative-practices-guide.pdf</a>
School-Wide Restorative Practices: Step by Step	Denver School-Based Restorative Practices Partnership, 2017	<a href="https://www.skidmore.edu/campusj/documents/Denver-2017-School-Wide-RP-Implementation-Guide.pdf">https://www.skidmore.edu/campusj/documents/Denver-2017-School-Wide-RP-Implementation-Guide.pdf</a>
Alameda County Health Care Services Agency, RJ: A Working Guide for Our Schools	Kidde & Alfred, 2011	<a href="http://www.courts.ca.gov/documents/D2_Restorative-Justice-Paper_Alfred.pdf">http://www.courts.ca.gov/documents/D2_Restorative-Justice-Paper_Alfred.pdf</a>
Restorative Interventions Implementation Toolkit	Beckman, McMorris, & Gower, 2012	<a href="http://education.state.mn.us/MDE/Sc hSup/SchSafety/RestorativePractices/index.html">http://education.state.mn.us/MDE/Sc hSup/SchSafety/RestorativePractices/index.html</a>
Oakland Unified School District Restorative Justice Implementation Guide: A Whole School Approach	Oakland Unified School District, Restorative Justice for Oakland Youth, & Be the Change Consulting, 2014.	<a href="http://rjoyoakland.org/wp-content/uploads/OUSDRJOY-Implementation-Guide.pdf">http://rjoyoakland.org/wp-content/uploads/OUSDRJOY-Implementation-Guide.pdf</a>

# Bullying and Discipline Disparities

Our literature review indicates that many educators and education leaders are working to create safe and supportive school communities featuring rules that are fair, equitable, and transparent; and engendering healthy relationships between students and adults who support student growth (Voight, Austin, & Hanson, 2013; Brown, 2017). To do so, school staff may need to note threats to school cohesion and implement strategies that address these threats (González, 2012). RJ proponents have argued that one way to accomplish a supportive school community is to adopt policies and practices that integrate RJ. For example, “when the school rules . . . [are] broken, harm is defined not in terms of the technical infraction but by the effects on other members of the community. The web of obligations includes the needs of both the victims and the offender as well as the needs of the community to sustain a safe learning culture” (Karp & Breslin, 2001). However, certain situations, such as bullying and racial disparities, may require additional consideration.

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*Janti, a high school freshman, was having a heated argument with a boy in a school hallway. Janti was a student leader in her middle school, which practiced restorative justice.*

*As the quarrel escalated and began to become physical, Ina, an administrator, walked by. Ina drew Janti aside, put both hands on Janti’s shoulder, made eye contact, and simply asked, “You do know what to do here, don’t you?” Janti immediately calmed down, nodded, looked back at Ina and said, “Yes.”*

*They made a plan to have a restorative meeting between Janti and the boy. Ina spoke to the principal who agreed to not suspend the students if they followed through with the agreements made at the restorative justice meeting.*

— Kidde & Alfred (2011, p. 13)

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## Bullying

A major problem facing students in U.S. schools is bullying (Christensen, 2009). Although recent data have shown decreases in the prevalence of bullying (Snyder, Brey, & Dillow, 2018), it is still a common

problem affecting students. For example, some research has indicated that 30 to 45 percent of youth experience bullying in their peer group, either as a victim, bully, or both, and that most of this bullying occurs in schools (Kasen, Berenson, Cohen, & Johnson, 2004; Dinkes, Kemp, & Baum, 2009; Nansel et al., 2001). More recently, a 2015 Department of Education national survey of students aged 18–21 years old found that 21 percent of these students self-reported that they were bullied at school during the previous year (Zhang et al., 2018). Other research has found that the majority of bullying goes unreported to teachers or adults at school (Petrosino, Guckenburg, DeVoe, & Hanson, 2010). Moreover, chronic victimization (occurring two or more times per month) has been estimated to occur at a rate of 15 to 20 percent of all bullying (Sawyer, Bradshaw, & O'Brennan, 2008).

Bullying affects the perpetrator and victim, as well as overall school climate, leading to students feeling unsafe and unsupported, which can negatively impact student learning (e.g., Limber & Nation, 1998).

The school response to bullying is often punitive (e.g., suspension or expulsion), even though some research has questioned the efficacy of punitive actions to resolve bullying and other school disciplinary incidents. For example, Swearer, Espelage, Love, and Kingsbury (2008) report that punitive responses to bullying, such as zero-tolerance policies, often cause problem behaviors to increase rather than diminish.

Some RJ proponents have argued that schools are a good place to begin early intervention with RJ because they represent a smaller society within the larger community, offering greater ability to integrate and nurture individuals within that society (Morrison, 2001). Since RJ focuses on repairing relationships and changing the community, some have suggested that it is a more viable alternative to traditional peer-mediation strategies in dealing with bullying (e.g., Christensen, 2009).

Morrison (2006) argues that RJ practices could be a suitable response to bullying incidents. Others have argued that RJ promotes healing between the community, victims, and offenders, which is not offered through traditional punitive sanctions (Duncan, 2011). In RJ practices, school community members hold each other accountable for their behaviors, providing a community-oriented response to bullying that may be more effective at changing behavior than traditional disciplinary methods (Morrison, 2006). Molnar-Main (2014), drawing on limited available evidence regarding RJ and bullying prevention (e.g., Gregory et al., 2010), concludes that RJ practices that incorporate meetings, or conferences, between the bully and his or her victim may help reduce bullying in schools. In some cases, however, victims may not be comfortable facing the bully due to fear regarding potential consequences (Amstutz & Mullet, 2005). To address these and other concerns, Molnar-Main (2014) provides a number of recommendations for how to integrate RJ and bullying prevention, such as focusing on the emotional safety of the victim and ensuring that trained adult facilitators lead the conferences.

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*It is important to note that bullying does not define all forms of conflict. If the power balance is perceived to be relatively equal, bullying is not in play.*

— Morrison (2001, p. 5)

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More recently, Vincent, English, Girvan, Sprague, and McCabe (2016) report on whether student opinions about bullying shifted after full-staff trainings in School-Wide Positive and Restorative Discipline (SWPRD) at a large, majority-minority school. Prior to SWPRD implementation, Black students were more likely than their White peers to indicate that there was bullying in the school, and LGBTQ students were more likely than straight students to indicate that there was bullying or harassment. After implementation, Black and White students had similar perceptions, as did LGBTQ and straight students (Vincent et al., 2016).

## Racial disparities

Research has indicated that punitive sanctions may have the toxic effect of driving students — particularly minority and poor students — out of school altogether, resulting in a “school-to-prison” pipeline (Losen, 2014). As previously mentioned, research has indicated a disparity in the rates of exclusionary punishment for racial minorities and students with disabilities in comparison with other students (Petrosino, Fronius, Goold, Losen, & Turner, 2017). For example, research has found that minority students are suspended three times more than White students (Payne & Welch, 2010). Gregory and colleagues (2016) cite a study (Fabelo et al., 2011) from one Texas district that found Black students were 26.2 percent more likely than White students to receive out-of-school suspension for their first offense (9.9 percent). In comparison with students who are otherwise similar, students who are suspended are more at risk for poor attendance, inability to progress to the next grade, failure to graduate, and subsequent involvement in the juvenile and adult justice systems (Osher, Bear, Sprague, & Doyle, 2010; Skiba et al., 2014).

One possible explanation for this disparity could be the move toward more surveillance and law enforcement activities in schools (e.g., armed police or security forces patrolling the grounds, metal detectors, security cameras, locker searches), particularly those in urban environments with large numbers of minority youth. These procedures have led to students perceiving that their schools are like prisons and that they are viewed as criminals committing crimes, especially as they are designated as “suspects” and “under investigation” (Payne & Welch, 2010). Some have argued that zero-tolerance policies remove the responsibility of discretion from school administrative staff (Payne & Welch, 2010). If that were true, the observed disparities might be explained by the assumption that more minority students are being disciplined because they are engaging in more serious behavior that warrants stricter punishment. However, there is also considerable discretion among administrators as to what is



punishable under zero-tolerance policies (Payne & Welch, 2010). For example, minority students may not be committing more serious offenses, but may be more likely to receive exclusionary discipline for vaguely defined offenses such as “disrespect,” “willful defiance,” and “disruption.” Staff biases, such as implicit bias, may even be leading to disproportionate discipline for certain groups of students (Skiba et al., 2002). Notably, there is evidence to suggest that such biases may impact how teachers view student actions and whether teachers notice misconduct by students at all. For example, Gilliam, Maupin, Reyes, Accavitti, and Shic (2016) report that preschool teachers who were asked to monitor classroom footage for “problem behaviors” tended to more carefully track Black boys in a classroom than students of any other demographic profile. Nonetheless, we are unaware of any research demonstrating a direct causal link between teacher biases and discipline disparities.

As previously mentioned, RJ has been introduced as one method for addressing the disproportionality in disciplinary measures for different groups (Gregory et al., 2016). Proponents have argued that RJ can facilitate positive student-teacher relations by increasing respect and reducing teacher-issued referrals for misbehavior. Gregory and colleagues (2016) indicate that teachers who implemented RJ frequently had better relationships with their students. The students felt respected by their teachers, and teachers generally issued fewer referrals. The authors also report preliminary indications that frequent use of RJ led to reductions in the racial discipline gap, although disparate discipline patterns were not completely removed from the school.

More recent research into the impacts of RJ on racial discipline gaps have yielded mixed results, but largely favoring RJ. A randomized controlled trial (RCT) comparing outcome measures in 22 RJ schools to those in 22 control schools indicates that RJ implementation led to a reduction in the racial discipline gap between Black and White students (Augustine et al., 2018). A 2018 analysis of Los Angeles Unified School District’s discipline records following the implementation of RJ in the 2014/15 school year demonstrates that suspension rates for misconduct dropped for all measured categories of students (Black, Latino, Asian, and White students; students with disabilities; English learner students; and students eligible for free or reduced-price lunch). The analysis also indicates that even though discipline gaps related to race and disability status persisted, those gaps had narrowed considerably (Hashim, Strunk, & Dhaliwal, 2018). A report focusing on RJ in one high school indicates that Black-White racial disproportionality in suspension rates abated after RJ implementation (Fowler, Rainbolt, & Mansfield, 2016).

González recently reported data from Denver Public Schools demonstrating that after the schools implemented RJ, the suspension rate dropped for Black, Latino, and White students, and the discipline gaps narrowed between Black and White students and between Latino and White students (González, 2015). Gregory and Clawson (2016) report that after two large, diverse high schools in a small, East Coast city implemented the SaferSanerSchools program from the International Institute of Restorative Practices, the number of suspensions dropped for Black, Latino, and White students. However, the racial discipline gap that had existed prior to the program’s implementation remained afterward. Nonetheless, referrals by teachers who had been rated by students as “highly affective” (or frequently using emotional communication) exhibited less of a racial discipline gap than referrals by teachers rated lower on the “affective” scale (Gregory & Clawson, 2016). Finally, based on a more recent analysis of Denver



Public Schools data, Gregory, Huang, Anyon, Greer, and Downing (2018) report that suspension rates dropped for all racial categories and that the Black-White discipline gap narrowed nearly in half, from 9 percent to 5 percent, following the introduction of RJ throughout the district.

In an earlier study, Jain and colleagues (2014) assigned 30 schools in Oakland to the following analysis groups, based on the schools' practices as of July 2014:

- “control” – using no RJ (6 schools)
- “emerging” – just beginning RJ implementation, with few RJ resources in place (11 schools)
- “developing” – using RJ practices in classrooms, having a school culture and climate team that meets regularly, and providing opportunities for staff to receive RJ training (13 schools)
- “thriving” – using whole-school restorative systems, having at least 80 percent of teachers facilitating circles in class, and having all staff trained in restorative practices (0 schools)

Looking over the period from 2011 to 2014, researchers in this study found that “developing” schools closed the Black-White discipline gap by a few percentage points (from 12.6 percent to 9.2 percent) while the discipline gap actually *grew* in both emerging and control schools. They also surveyed adults connected to schools implementing RJ in Oakland and found that 11 out of 12 of the surveyed principals and assistant principals believed that RJ had helped reduce disciplinary referrals for Black and Latino boys. Although many respondents in other groups were unsure of this causality, within all categories of adults (including teacher, RJ coordinator, staff, parent), larger percentages believed that RJ reduced these referrals than believed that it did not.

# Research on Restorative Justice's Impact in Schools

Despite the popularity of RJ in the United States, most programs are still at the infancy stage (Guckenburg et al., 2015). As such, there are a limited number of evaluations and other studies. One trend in the available literature is that RJ qualitative reviews and descriptive reports are much more prevalent than RJ evaluation studies.

Although these descriptive accounts do not bear on the question of whether RJ “works,” they provide valuable information that should be considered, particularly by those attempting to implement RJ in their school settings. These descriptive reports take many forms and include student and faculty testimonials, case-by-case anecdotes, and the opinions given by community members. Each of these reports provides firsthand accounts of the perceived effectiveness of RJ in school.

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*Students responded easily and well to restorative dialogues. They were forthcoming in their stories and comments, able to use the talking piece to structure their interaction, and realized that a conference or circle could stave off a possible fight.*

— Armour (2013, p. 57)

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The settings and content of these descriptive reports vary. For example, one report describes an incident that was resolved using RJ at an alternative school in Pennsylvania (Mirsky & Wachtel, 2007). Another report highlights RJ programs across 12 states (González, 2012). Another describes a successful middle school pilot program that eventually led to the implementation of RJ as an alternative to zero-tolerance policies across the Oakland and San Francisco Unified School Districts (Sumner et al., 2010). And yet another describes the community-building process that undergirded Whole School Restorative Justice implementation in two Oakland schools (Brown, 2017).

The reports highlight a variety of approaches to RJ in schools. There are models derived from the juvenile justice system, such as the Balance and Restorative Justice (BARJ) model, and others that were developed specifically for school communities (Mirsky, 2007; Mirsky & Wachtel, 2007). Even within similar models, though, the components and practices are not always implemented in the same way. González (2012) describes the evolution of these models of practice from the early adopters of victim-offender mediation to the more contemporary use of an RJ continuum. Nearly all program descriptions

and case studies describe some type of restorative circle,<sup>5</sup> restorative conferences, and offender-victim mediation as the forms of RJ being practiced within the school (González, 2012; Suvall, 2009; DeVore & Gentilcore, 1999; Hantzopoulos, 2013; Mirsky, 2007; Mirsky & Wachtel, 2007; Lange, 2008). Others describe programs that, in some instances, resemble criminal justice's reparation boards (i.e., community-led meetings with offenders to address an offense and apply criminal sanctions) (Hantzopoulos, 2013). And yet others describe community-building approaches intended to bolster relationships between and among students and staff to reduce misunderstandings and transgressions in schools (Brown, 2017).

The literature we reviewed also highlights the geographical diversity of RJ implementation across the United States. RJ is being implemented in schools and districts across many states, to varying degrees. However, in a small number of states (e.g., California, Colorado, Illinois, Minnesota, and Pennsylvania), RJ has been implemented in the schools for many years, evidenced by the presence of more large-scale and, thus far, sustainable programs. Most reports in the professional or trade journals describe the RJ program or model as being successful whether implemented in public, private, or alternative schools, in urban or suburban environments, and whether the program is in one school or every school in the district.

Regardless of the RJ program type being focused on, these reports suggest that for the RJ program to be effective, it should be embedded within the school culture (González, 2012; Brown, 2017) or ethos (Beckman et al., 2012). The most common goals in embedding RJ in the overall school culture is to create an environment that is respectful and tolerant (Hantzopoulos, 2013), accepting (González, 2012), and supportive (Mirsky & Wachtel, 2007). And a key pathway to fostering such a culture is proactively nurturing relationships among students and staff that are characterized by active listening and respect (Brown, 2017; Cavanagh, Vigil, & Garcia, 2014).

The outcomes addressed in these descriptive reports vary. For example, some reports indicate that RJ has resulted in an improved school climate (Mirsky, 2007; Mirsky & Wachtel, 2007; Brown, 2017). Other reports indicate that RJ has led to increased student connectedness, greater community and parent engagement, improved student academic achievement, and the offering of support to students from staff (González, 2012; Cavanagh et al., 2014). In addition, several descriptive reports highlight decreases in discipline disparities, fighting, bullying, and suspensions as a result of an RJ program (e.g., Suvall, 2009; González, 2012; Armour, 2013; Baker, 2009; Brown, 2017). Again, these descriptive reports do not use a formal evaluation design, but instead summarize observations made by those involved in RJ in the setting.

Many of the studies we located are descriptive or use a pre/post (before/after) evaluation design. Critically, many of the reports attempt to control for student-level and school-level factors by using multivariate regression, and others use time-series modeling to attempt to isolate the impact of the introduction of RJ on students and schools. Nonetheless, these designs lack a control (comparison) group and thus may suffer from a range of statistical biases that render them a poor fit for ascribing any

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<sup>5</sup> Circles are identified by a variety of names that include peacemaking, talking, restorative, classroom, and re-entry circles.

observed changes to RJ specifically (e.g., Weisburd, Petrosino, & Fronius, 2014). This limitation does not mean that these studies have no value. The promising results reported across these studies help contextualize and echo the findings of the single, published, rigorous experimental test of RJ (Augustine et al., 2018) and continue to serve as foundational groundwork of other rigorous studies currently underway.<sup>6</sup>

The single, published, experimental study on RJ in schools (Augustine et al., 2018) is of upmost import to the field. Accordingly, we offer an extended summary of the study in the following paragraphs and include specific findings in the topical sections thereafter.

Augustine and colleagues (2018) of the RAND Institute recently conducted an RCT of an initiative called “Pursuing Equitable and Restorative Communities” (PERC) that was implemented by the International Institute of Restorative Practices (IIRP). The authors reviewed outcomes during the 2015/16 and 2016/17 school years in 44 mid-sized, urban Pittsburgh (Pennsylvania) public schools serving students ranging from kindergarteners to 12th graders. Of the schools in the study, 22 implemented PERC and 22 were controls.

Researchers used a regression framework to assess the impact of PERC after controlling for baseline outcome measures and a suite of student, staff, and school-level factors. They estimated that PERC caused statistically significant ( $p < .05$ , and sometimes lower) reductions in the number of days that students spent in out-of-school suspensions for the overall student population as well as for African American students, low-income students, students in grades 2–5 and grades 10–12, female students, and special needs students. PERC was responsible for a 16-percent drop in school-level suspension rates and for a decrease in discipline disparities based on race (Black versus White) and based on socioeconomic status. It also caused a statistically significant ( $p < .01$ ) increase in PSAT scores for 10th grade students, similarly significant decreases in the odds of students being placed in alternative school environments, and significant ( $p < .05$ ) increases in teachers’ assessments of school climate, school safety, professional environment, school leadership, and opportunities for teacher leadership.

Less favorable results from the RAND study include null effects on students’ likelihood of being arrested, being absent from school, and mobility (changing schools). The authors report that PERC caused a significant ( $p < .05$ ) reduction in elementary and middle school math performance, even more significant ( $p < .01$ ) reductions in elementary and middle school academic performance among Black students, and reductions in overall student ratings of teacher classroom management in schools with low percentages of Black students and in schools with low percentages of low-income students. IIRP interviewees attributed lower classroom management scores to the growing pains associated with shifting to, and working to master, a new style of classroom management and discipline. Interviewees also stated that a

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<sup>6</sup> For example, current RCTs in the field include the following:

- RCT of Restorative Practices Intervention (RPI) — <https://clinicaltrials.gov/ct2/show/NCT02155296>
- Using a Restorative Justice Approach to Enrich School Climate and Improve School Safety — <http://nij.gov/funding/awards/pages/award-detail.aspx?award=2014-CK-BX-0025>
- Cluster-Randomized Trial of Restorative Practices — <https://www.ncbi.nlm.nih.gov/pubmed/28936104>

two-year study window may have been too short because RJ implementation typically takes about four years to realize desired impacts.

## Impact on student misbehavior and school discipline

As noted previously, RJ theory suggests that a well-implemented program could reduce punitive disciplinary actions and problem behavior over time (Tyler, 2006). Nearly all of the empirical studies we reviewed report a decrease in exclusionary discipline and harmful behavior (e.g., violence) after implementing an RJ program.

These two phenomena (misbehavior and discipline) are related but distinct. This distinction is critical because many RJ programs are “suspension diversion” programs which take students who *would* have been suspended under prior discipline plans and are instead sent to engage in restorative proceedings. Almost by default, such programs reduce rates of exclusionary school discipline. These reductions may or may not be related to concomitant reductions in school misconduct. However, research suggests that exclusionary discipline is associated with myriad negative outcomes (e.g., dropping out of school and being incarcerated). Thus, assessing whether RJ programs are successful at reducing exclusionary discipline rates may be worthwhile regardless of whether the reductions in exclusionary discipline rates correspond with drops in misbehavior.

On this topic, Augustine and colleagues (2018), based on an RCT comparing 22 RJ schools to 22 control schools, report that RJ implementation caused a 16-percent reduction in days lost to suspensions, which was statistically significant ( $p < .05$ ). The reported reduction in suspension days was statistically significant among certain student subgroups, including Black, low-income, female, and special needs students, as well as students in grades 2–5 and grades 10–12.

In a similar vein, Armour (2013) reports an 84-percent drop in out-of-school suspensions among sixth graders in one Texas school during the first year RJ was introduced, and a 19-percent drop in all suspensions. These findings dovetail with other studies. For example, Denver (Colorado) schools that implemented restorative circles and conferencing experienced a 44-percent reduction in out-of-school suspensions and an overall decrease in expulsions across the three-year post-implementation period (Baker, 2009). In Oakland, Cole Middle School experienced an 87-percent drop in suspensions across the first two years of implementation, compared to the prior three years, and expulsions were eliminated entirely after RJ was put in place (Sumner et al., 2010).<sup>7</sup> More recent figures from Oakland suggest continued success, with a 74-percent drop in suspensions and a 77-percent decrease in referrals for violence during a two-year follow-up (Davis, 2014).

In a summary of findings from several individual reports, Lewis (2009) identifies positive results across schools that have implemented RJ. For example, the West Philadelphia High School reports that “violent acts and serious incidents” dropped 52 percent in the first year of RJ implementation; this initial drop

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<sup>7</sup> The single school in the study was undergoing major changes, including being in the midst of a shutdown and having only one grade enrolled at the time of the case study. This context may have affected the RJ process and subsequent success.

was followed by an additional 40-percent drop through the first half of year two (Lewis, 2009). McCold (2002) reports that RJ reduced offending by 58 percent for youth participants in an alternative education program in Pennsylvania during a three-month follow-up. Based on a follow-up study of the same program, McCold (2008) reports that effects were sustained through two years of implementation, with reductions in offending of around 50 percent. In both studies, McCold (2002, 2008) reports that recidivism rates were significantly related to youth's length of participation in RJ, with youth who completed the program showing more reduction compared to those who were discharged early. McCold's (2002, 2008) analyses indicate positive increases in self-esteem and pro-social attitudes for "stayers" versus "leavers," which may point to a possible mechanism for why participants who completed the alternative education program did well in terms of reduced recidivism rates.

Riestedberg (2003) notes that schools that offered intensive training and follow-up for staff demonstrated positive results across a range of discipline outcomes.<sup>8</sup> For example, one elementary school experienced a 57-percent drop in discipline referrals, a 35-percent drop in average time of in-school suspensions, a 77-percent drop in out-of-school suspensions, and only one student was expelled during the one-year follow-up. Results from other schools in Minnesota with strong training are similar (45- to 63-percent decrease in suspensions, for example) (Riestedberg, 2003).

McMorris, Beckman, Shea, Baumgartner, and Eggert (2013) report similarly positive results from their study of the "Family Group Conferencing" model adopted in Minnesota. In this model, the offender and victim do not meet face-to-face in the conference (distinguishing it from most types of restorative conferencing). Instead, family members, school staff, and the offending student work together to develop a plan to ensure that the youth takes responsibility for the youth's actions, improves any harmed relationships, and takes steps to ensure that the youth does not make the same mistakes in the future. The researchers report a decrease in self-reported incidents of physical fighting and skipping school among conference participants in a six-week follow-up.<sup>9</sup> In addition, participants who were referred to the program experienced a drop in suspension rates, and gains in attendance, credit accrual, and progression toward graduation in the year following implementation of the conferencing program.

DeAntonio (2015) and Barkley (2018) report exceptions to the otherwise consistent finding that behavioral problems drop after RJ implementation. DeAntonio (2015) used data from the 2013/14 school year from public schools in Pennsylvania. He focused on 19 schools that had received restorative practice (RP) training from the International Institute of Restorative Practices prior to 2013 and compared those schools to 19 schools that had not received RP training. DeAntonio paired each RP school with a non-RP school based on a matching formula whereby the non-RP school with the closest percentage of low-income students to a given RP school was assigned 5 points, the one with the closest total enrollment was assigned 3 points, and the one closest in urban-centric locale code was

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<sup>8</sup> The author notes that the studied schools are not perfectly comparable. The schools participated in different mixes of programs and had different approaches to collecting data and defining outcomes.

<sup>9</sup> The authors note that the probability level (p) of .10 was used for analyses due to the small sample and pilot nature of the study. Also, administrative data were limited to only those participants with recorded data in the pre- and post-intervention periods. This limitation varied by data point.

assigned 1 point. The resulting 19 matched pairs were then compared based on a “behavior triad” that measured the sum of incidents of fighting, incidents of disorderly conduct, and truancy rate divided by each school’s total enrollment. Based on matched-pair t-tests, the report notes that there was “no statistically significant difference in the frequency of behavior triad incidents between schools not utilizing RP and schools that do use RP.” Notably, however, DeAntonio’s dissertation was not peer reviewed and may suffer from methodological flaws.<sup>10</sup>

Barkley (2018) reports that office discipline referrals per student increased over a five-year span following RJ implementation in one middle school in Michigan. However, his dissertation was not peer reviewed and he notes issues regarding RJ implementation in the middle school. Most notably, although staff at the school in the first two years received RJ training, staff received “little to no training” in subsequent years, and only 33 percent of the staff who were at the school in year 1 remained in year 5, suggesting fidelity of implementation issues. The school also experienced substantial changes in administrative leadership over the five-year period.

Other recent dissertations have reported positive results for RJ on exclusionary discipline. Carroll (2017) reports that, in three high schools in Merced, California, all categories of suspensions dropped markedly after the implementation of facilitated restorative professional learning group (PLG) training. Total full-day suspension rates dropped in half (a statistically significant drop relative to trends prior to implementation), and in-school full-day equivalent suspension dropped by 80 percent (also statistically significant relative to prior trends). Henson-Nash (2015) reports similar results from analyzing disciplinary infraction rates in a public K–8 school in Illinois from the 2006/07 year (under zero tolerance) in comparison to rates in the 2008/09 year (under RJ, and after a one-year transition period). Henson-Nash reports that overall infractions during the RJ period were 83 percent lower, with particularly pronounced reductions for physical aggression (84-percent reduction), disrespect (85-percent reduction), and possession of a weapon or look-alike (100-percent reduction). Notably, the author’s decision to compare two time periods separated by a gap was a unique methodological choice that may have biased her estimates; and her results may say more about the shift away from zero tolerance than the shift to RJ. In a cleaner pre-post comparison, Katic (2017) reviewed disciplinary data at a middle school in San Bernardino, California, during two timeframes: a three-year period prior to implementation of RJ, and a two-year period after implementation. A chi-squared analysis revealed that the suspension rate for the post-implementation period was statistically significantly lower than the rate during the pre-implementation period ( $p < .001$ ). The annual per-pupil suspension rate dropped by 40 percent from pre- to post-implementation.

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<sup>10</sup> First, the matching formula does not “control” for school factors in a traditional sense, and the heavy weighting of certain factors may inject bias into the analysis. Second, the “behavior triad” complicates attempts to assess the extent of disciplinary infractions by combining various forms of data. Finally, the matched pairs may not be as clean as intended. The 19 non-RP schools were simply schools that had not received RP training from the International Institute of Restorative Practices prior to 2013. Some of those schools may have been utilizing restorative practices to varying degrees. And the 19 RP schools simply had received RP training at some point prior to 2013 and had indicated (in a phone call) that they used RP. The timing of their RP training and extent to which they used RP remains unclear.



Many studies that are not dissertations deal with this subject as well. Goldys (2016) reports that at an elementary school, RJ implementation yielded a 55-percent decrease in office referrals. González (2015) reports that, during RJ implementation from 2006/07 to 2012/13, the suspension rate at Denver Public Schools dropped from 10.6 percent to 5.6 percent, with concomitant drops for Black students (17.6 percent to 10.4 percent) and Latino students (10.2 percent to 4.7 percent). More recent analysis of Denver data from 2008 to 2015 indicates a similar trend — a drop in the suspension rate from 7.4 percent to 3.6 percent (Gregory et al., 2018).

As noted in an earlier section, a 2018 analysis of Los Angeles Unified School District’s discipline records following the implementation of RJ in the 2014/15 school year indicates that suspension rates for misconduct dropped for all measured categories of students (Hashim et al., 2018). Another research study focusing on one high school’s implementation of RJ reports a drop in suspensions as well. The out-of-school suspension rate dropped from 12 percent to just 7 percent over the 5-year period of the school’s RJ implementation, from 2010/11 to 2015, and the in-school suspension rate dropped from 19 percent to 7 percent. The number of repeat infractions fell steadily over this time period as well, from 111 to 34; and the number of repeat out-of-school suspensions dropped nearly in half, from about 50 to about 28 (Fowler et al., 2016).

Gregory and Clawson’s (2016) research on two large, diverse, East Coast high schools similarly indicates that disciplinary referrals dropped by 21 percent after RJ implementation, and includes some evidence that RJ itself may have been responsible for the drop. In classrooms where students indicated that teachers employed even one restorative practice, the suspension rate for Black and Latino students was statistically significantly lower than in classrooms that did not employ restorative practices.

Jain and colleagues (2014) looked at students in Oakland, California, who participated in two RJ programs: Whole School Restorative Justice (WSRJ) and Peer Restorative Justice (Peer RJ). They note that students were selected for WSRJ in part because they had higher suspension rates than average. After three years, these WSRJ students received statistically significantly fewer suspensions than students in the district overall, and fewer than students in Peer RJ.

Table 2 summarizes some of the findings from these reports.



**Table 2. Summary of Studies on Restorative Justice and School Discipline**

Publication	Reduction in Discipline	Reduction in Misbehavior	Notes
Armour (2013)	84% drop in out-of-school suspensions		Texas 6th graders
Augustine et al. (2018)	16% drop in suspensions <i>caused</i> by RJ		44 Pittsburgh, PA, K–12 schools; RCT
Baker (2009)	44% drop in out-of-school suspensions; overall reduction in expulsions		Denver schools
Barkley (2018)		Office referrals per student increased	Michigan schools
Carroll (2017)	50% drop in full-day suspensions		
DeAntonio (2015)		No statistically significant difference between RJ and non-RJ schools on a measure combining fighting, disorderly conduct, and truancy	38 Pennsylvania public schools (19 RJ, 19 non-RJ)
Fowler et al. (2016)	63% drop in suspension rate		
González (2015)	47% drop in suspension rate; 41% drop for Black students; 54% drop for Latino students		Denver (CO) Public Schools
Goldys (2016)		55% decrease in office referrals	One elementary school
Gregory & Clawson (2016)		21% reduction in disciplinary referrals	Two large, diverse, East Coast high schools
Gregory et al. (2018)	51% reduction in suspension rate		

Publication	Reduction in Discipline	Reduction in Misbehavior	Notes
Hashim et al. (2018)	Drop in suspension rates for Black, Latino, Asian, White, disabled, English learner, and free/reduced-price lunch eligible students		
Henson-Nash (2015)		83% lower infraction rates than during zero tolerance	
Katic (2017)	40% drop in per-pupil suspension rate		Middle school in San Bernardino, CA
Lewis (2009)		Initial 52% drop in violent and serious incidents; subsequent 40% drop	High school in Philadelphia, PA
McCold (2002)		58% reduction in offending	Alternative education program in Philadelphia, PA
Riesterberg (2003)	35% drop in time spent in in-school suspensions; 77% drop in out-of-school suspensions	57% drop in discipline referrals	Minnesota schools
Sumner et al. (2010) Davis (2014)	Initial 87% drop in suspensions; subsequent 77% drop in two-year follow-up		

## Impact on attendance and absenteeism

Chronic school absence and truancy have been linked to a wide range of negative childhood and adult outcomes, including low academic achievement, high dropout rates, difficulties in obtaining employment, poor health, increased chances of living in poverty, increased risk of juvenile deviance, and violent behavior (McCluskey, Bynum, & Patchin, 2004; Baker, Sigmon, & Nugent, 2001). As mentioned previously, punitive and exclusionary approaches to address absence and truancy may backfire, as such approaches may prevent youth from reengaging with school and, in turn, may increase their likelihood of engagement with the justice system. Accordingly, proponents offer RJ as an approach to addressing truancy and chronic absenteeism among students.

The research studies identified in the literature relevant to attendance vary widely in how outcomes are reported. Nonetheless, across the studies, school attendance tended to improve after RJ

implementation. Baker (2009), for example, reports that students who participated in an RJ program<sup>11</sup> experienced a 50-percent reduction in absenteeism during the first year of implementation and a decrease in tardiness of about 64 percent. McMorris and colleagues (2013), who studied a Family Group Conferencing program for expelled students, report that participants' attendance increased from pre- to post-implementation periods. A study (Jain et al., 2014) in Oakland, California, reports that middle schools implementing RJ experienced chronic absenteeism drop by 24 percent while schools not implementing the program experienced an increase of 62.3 percent during the same period. But not all schools experienced such declines. Riestenberg (2003) reports that one school that implemented RJ reported a 2-percent increase in absenteeism in the follow-up year. Augustine and colleagues (2018) did not find a statistically significant link between RJ implementation and absenteeism in their two-year RCT of 44 K–12 schools in Pittsburgh, Pennsylvania.

## Impact on school climate and safety

Some researchers argue that educators and administrators who create a safe, supportive, and nurturing school climate help promote the social-emotional growth and positive development of students (Voight et al., 2013). One objective of addressing school climate is to foster healthy, resilient students who are ready for college and careers out of school. RJ is one tool among many that educators may use to create and support a positive school climate (e.g., Health and Human Development Program, 2012).

Although the evidence is limited, there are findings to suggest that RJ improves school climate. Based on their RCT, Augustine and colleagues (2018) report that RJ caused a statistically significant ( $p < .05$ ) increase in teachers' perceptions of school climate. The authors note that this impact was driven by large and statistically significant ( $p < .05$ ) positive impacts on teachers' views about school safety and whether they understood school policies regarding student conduct. They also note statistically significant improvements in teachers' perceptions about working conditions being conducive to teaching and learning, opportunities for leadership, and school leadership.

Similarly, in the aforementioned study of Family Group Conferencing in Minnesota, McMorris and colleagues (2013) report increased school connectedness and improved problem solving among students in a six-week follow-up. Based on a survey in schools implementing RJ in Oakland, California, Jain and colleagues (2014) report that 69 percent of staff believed that RJ had improved school climate and 64 percent believed that it helped build caring relationships between teachers and students. Staff were about four times more likely to hold each of these positive opinions than to believe RJ had had a negative impact on climate or relationships. However, parents' opinions were not as strongly positive. Whereas 100 percent of principals believed that RJ improved school climate, only 40 percent of parents agreed; and whereas 92 percent of principals believed that RJ improved teacher-student relationships, only 28 percent of parents did.

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<sup>11</sup> The study sample ( $N = 311$ ) includes students who engaged in at least three RJ interventions over the course of the year.

In more recent research, an elementary school saw a 55-percent decrease in physical aggression after implementing RJ, and 97.7 percent of students reported feeling safe in school after implementation (Goldys, 2016). Gregory and Clawson's (2016) research in two large, diverse, East Coast high schools similarly found that students' perceptions of their teachers' levels of RJ implementation were predictive of students' depictions of their relationships with their teachers (whether the teachers respected them), even after controlling for student race and teachers' depictions of students' levels of cooperativeness. Focusing on three diverse, rural, West Coast schools, Terrill (2018) reports that teachers felt that implementing the Discipline that Restores program resulted in greater respect by students for other students. And Jain and colleagues' (2014) survey found that 67 percent of staff in schools implementing RJ indicated that RJ helped students improve their social and emotional skills.

In her dissertation, Featherston (2014) reviews results from an RCT of 48 Black adolescent girls attending a Mid-Atlantic high school that participated in Real Talk 4 Girls, a three-week social problem-solving program. The program uses a "restorative circle" format to teach cognitive strategies via lessons to help girls define social aggression, and behavioral strategies via role-playing and practicing new behaviors. Girls were guided to recognize social problems, brainstorm and select solutions, enact behaviors, and evaluate results. Based on MANCOVA analysis of post-experiment student surveys, Featherston reports that the 24 girls who participated in the program exhibited statistically significant declines in social aggression ( $p < .001$ ) and statistically significant increases in social problem solving ( $p < .001$ ) and prosocial behavior ( $p < .05$ ), relative to the 24 girls in the control condition.

Henson-Nash (2015), in her dissertation, compares disciplinary infraction rates in a public K–8 school in Illinois from the 2006/07 year (under zero tolerance) to rates in the 2008/09 year (under RJ, and after a one-year transition period).<sup>12</sup> She reports that infractions related to physical aggression went down by 84 percent (from 143 to 23 infractions) and infractions for possession of a weapon or look-alike went down by 100 percent, from 13 infractions to none.

## Impact on academic outcomes

In the literature that we reviewed, there is limited and mixed evidence that RJ has had an impact on achievement and academic progress. McMorris and colleagues (2013) note that for students in their sample who participated in Family Group Conferencing and remained enrolled in school the following academic year, participation was associated with a slight increase in the students' grade point averages. Although there was a sizeable drop in the number of students on track to graduate in the year of their participation in RJ, this drop may have been due to the poor attendance prior to the program, and a majority of these students did get back on track in the following year.<sup>13</sup> Jain and colleagues (2014)

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<sup>12</sup> Student enrollment varied slightly between the two school years that Henson-Nash compared. Enrollment during the zero-tolerance year was 583, and enrollment in the RJ year was 561.

<sup>13</sup> We recommend reviewing the full report for additional context about the study and its outcomes. The focus was a diversion program for students recommended for expulsion due in part to the drop in their attendance, which can also result in credit loss for students.

report that schools in Oakland, California, that were implementing RJ saw reading levels increase by 128 percent over three years while non-RJ schools saw an increase of only 11 percent; four-year graduation rates increased by 60 percent in RJ schools, compared to 7 percent for schools not implementing RJ; and high school dropout rates decreased by 56 percent in RJ high schools compared to 17 percent for non-RJ high schools.

Elsewhere, the results for academic outcomes are more mixed. For example, based on an RCT of RJ in 44 schools in Pittsburgh, Pennsylvania, Augustine and colleagues (2018) report that RJ did not have a statistically significant impact on math and reading scores. Similarly, Norris (2009) reports no significant change in grade point average for RJ participants (compared to non-participants). Lewis (2009) suggests that there was improvement in student test scores in one Pennsylvania school, but provides no data to support this finding. Based on reviewing the student records of 80 students in a diverse, rural California high school, Terrill (2018) reports that while grade point averages of students overall fell after RJ implementation, grade point averages increased among students who had received office referrals and therefore encountered the Discipline that Restores program.

## Access to restorative justice

Given the aforementioned research suggesting that RJ might yield improvements in school discipline, climate, attendance, and academic performance, some researchers have been concerned with whether students of all backgrounds have equal access to RJ programs. To date, analyses on this question have yielded inconsistent answers regarding the level of access to RJ by groups. Payne and Welch (2015) reviewed surveys of students, teachers, and principals from across the country from 1997 and 1998 to discern where restorative practices were being utilized. They report that schools with higher percentages of Black students were statistically significantly less likely to use each of four restorative practices,<sup>14</sup> even after controlling for a range of student-level and school-level characteristics (such as percentage of students eligible for free or reduced-price lunch, percentage of students who are Hispanic, and percentage who are male; and the extent to which the school is in a disadvantaged or urban community). Based on reviewing the same data, Payne and Welch (2018) report that students who received free and reduced-price lunches were statistically significantly ( $p < .05$ ) less likely to be exposed to student conferences. Thus, research by Payne and Welch (2015, 2018) suggests that, at least at the time when the surveys were done, RJ access was substantially constrained for Black students, and somewhat constrained for low-income students. Anyon and colleagues (2016) approached the question of access using more recent data from Denver Public Schools. Based on multi-level regression modeling on the records of 9,921 students with disciplinary records in 2012/13, they report that student groups that were overrepresented in school discipline (with the exception of English learner students) generally had comparable or *higher*-than-average access to restorative interventions compared to student groups that were not overrepresented in discipline. In particular, Latino and Black students had higher likelihoods than White students of being exposed to restorative interventions.

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<sup>14</sup> The restorative practices considered were student conferences, peer mediation, restitution, and community service.

# Limitations of the Literature Review

This review is subject to at least four important limitations.

## Limited sample

The evidence presented in this literature review is limited initially by what we found documented within the United States through July 2018 and subsequently by what we chose to report from those sources. There are a number of studies, some mentioned briefly earlier in this review, that were conducted in other countries. And, although there are at least three large-scale RCTs under way that are examining the impact of RJ practices in U.S. schools, our literature review does not include these studies because findings from them have not yet been published. Other studies also may have been published or become available after our searches were completed. Although we used comprehensive methods to search the literature, we might have missed evaluation or research studies that did not appear in the databases we surveyed.

A review of evidence is influenced by the quality of the studies that comprise the “sample.” For each of the outcomes mentioned in our review, there is some positive evidence that suggests a beneficial impact of RJ in schools. However, there are many limitations within these studies. First, there are far too few studies in each category to have confidence in the stability of findings. An examination of the literature unearthed hundreds of media accounts, program overviews, case studies, district memos, commentaries, and other descriptive accounts of RJ in U.S. schools. More rigorous research evidence, in comparison, was relatively scant.

## Limited causal research

A perhaps more critical limitation is that the internal validity of these studies is generally low. Much of this research would not meet the standards of evidence for evidence-based registries in education or justice (e.g., the U.S. Department of Education’s *What Works Clearinghouse*, the U.S. Department of Justice’s *Crime Solutions*). The methods employed in many studies make offering any conclusive recommendations a challenge. For example, the most common evaluation design reported in the literature is based on pre- and post-tests. By nature, such pre/post designs only study those individuals exposed to the program (i.e., a single-group design) with no counterfactual (control or comparison condition), so the studies are considered low in internal validity (Weisburd et al., 2014).

More rigorous research is becoming available, however. One research team used quasi-causal methods within a pre/post framework to attempt to estimate the causal effect of RJ (Jain et al., 2014). Another researcher used an RCT framework, although the researcher applied it to a very small sample (Featherston, 2014). And, more recently, one study used a rigorous RCT approach with a very large sample to estimate the impact of RJ across a range of outcomes after including many controls (Augustine et al., 2018).

## Small sample sizes

Many of the studies that this review draws from were limited by small sample sizes. To demonstrate statistical significance that is meaningful, researchers must first obtain a properly sized sample. For studies of RJ that focus on individual or school-level effects, reaching an adequate sample size can be a challenge. As such, studies using data from Denver Public Schools, Los Angeles Unified School District, and other large districts and schools represent important contributions (Anyon et al., 2016; Augustine et al., 2018; González, 2015; Gregory & Clawson, 2016; Gregory et al., 2018; Hashim et al., 2018; Schotland, MacLean, Junker, & Phinney, 2016; Vincent et al., 2016).

## Implementation challenges

A final issue is that there were often implementation problems, apart from evaluation issues, in the programs that the literature focused on. Even if a rigorous design was successfully mounted, it is unclear in some instances what RJ program was actually being studied. For example, some studies report significant implementation changes to the RJ program and staff turnover during the course of the study, changes that may have compromised the study.



# Conclusion

Restorative justice (RJ) is a term that has a long and well-documented history that began before its implementation in schools in the United States. There is no one definition for the term. Generally, RJ practices are based on principles that establish a voice for victims, offenders, and community in order to address offender accountability for the harm caused (rather than the act itself) and to develop a plan to repair relationships. In the United States, RJ was introduced into schools as an alternative to traditional punitive, and often exclusionary, approaches to discipline.

Schools that decide to implement RJ face a number of challenges in development, implementation, and sustainability. Researchers suggest that schools that make initial investments in building community trust and that integrate RJ into their overall philosophy are perhaps better suited to establishing an RJ program that works and lasts (Ashley & Burke, 2009; Brown, 2017). RJ also requires staff buy-in and time, training, and additional resources that may not be necessary under more punitive exclusionary policies. There are many resources available for schools and districts planning to establish an RJ program. Generally, the focus of these resources is on establishing buy-in, building funds, and collecting quality data on implementation and outcomes to support sustainability.

Schools implement RJ to address a number of issues. For example, RJ has been implemented as a means to address overuse of exclusionary discipline that can lead youth — often disproportionately youth from minority groups — from the classroom to court and prison. Some schools have used RJ to address bullying in some instances; however, this is a contested approach due to the face-to-face nature of most RJ approaches. Bullying introduces a power imbalance that leaves the victim vulnerable, so the victim may not be comfortable facing the bully due to potential retaliation. More generally, schools and districts have begun to integrate RJ into their overall philosophy to address school climate, culture, and the social-emotional growth of students.

In general, the research evidence to support RJ in schools is still in a nascent state. Despite the exponential growth of RJ in U.S. schools, and some evidence of its effectiveness abroad,<sup>15</sup> the evidence in the United States to date is limited, and nearly all of the research that has been published lacks the internal validity necessary to exclusively attribute outcomes to RJ. However, the preliminary evidence does suggest that RJ may have positive effects across several outcomes related to discipline, attendance, graduation, climate, and culture. And evidence from a more rigorous assessment suggests that RJ has positive effects on exclusionary discipline rates, discipline disparities, and school climate (Augustine et al., 2018).

An earlier report that highlights data drawn from nearly 50 expert interviews (Hurley, Guckenburger, Persson, Fronius, & Petrosino, 2015) provides additional considerations for future research. These considerations suggest that future research should focus on areas such as the following:

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<sup>15</sup> See Sherman and Strang (2007) for a thorough account of the international literature.

- Examining the factors associated with a school's *readiness to implement* RJ.
- Establishing a clear, concise, and largely acceptable definition of RJ.
- Examining implementation and effectiveness via *rigorous outcome-based research*, and gathering data in the places in which successful and sustainable RJ programs have been implemented, to uncover the conditions that lead to replicable examples.
- Determining what kinds of *training and professional development* for school leaders have been implemented and proven to successfully enhance the ability of leaders to value, believe in, and implement an RJ approach.
- Examining the *integration of RJ with other multi-tiered models* such as Positive Behavioral Interventions and Support (PBIS) and Response to Intervention (RTI).

In the literature reviewed for this report, RJ is generally portrayed as a promising approach to address climate, culture, and safety issues in school. The community of support for its implementation has grown exponentially over the past several years, but more research is needed. There are several other rigorous trials underway that will perhaps provide the evidence necessary to make stronger claims about the impact of RJ, and the field will benefit greatly as those results become available in the coming years.

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# Appendix: Glossary of Restorative Justice Terms

There are several sources that provide comprehensive definitions of restorative justice terms and practices (e.g., The Advancement Project, 2014). Although there are many practices in the field that are considered “restorative” and many terms used to describe those practices, we’ve opted for a brief description of key terms used in this literature review. Readers interested in additional terms and alternative definitions should review multiple sources, including those cited in this review.

*Active listening* — a technique that requires the listener to restate or paraphrase in the listener’s own words what she or he heard from someone else.

*Restorative circle* — a facilitated meeting that allows students and others to come together for community-building, problem solving, resolving disciplinary issues, receiving content instruction, and discussing concerns related to difficult topics, such as violence in the community or racial tensions.

*Peace room* — a “safe space” created in a school where restorative circles and conferences may be held.

*Peer mediation* — utilizing student peers to facilitate dialogue or restorative justice practices between students to address an issue and come to a solution to avoid future conflict.

*Restorative conference* — a facilitated meeting between wrongdoer and person harmed (may also include teachers and parents) to discuss the situation, harm, and solutions.

*Restorative questioning* — the use of open-ended questions to help individuals process an incident and reach a solution.

*Restorative dialogue* — informal conversation that uses restorative language as a means to avoid potential conflict and address less serious issues.

# More Cops In Schools Won't Keep Kids Safe

by | Feb 28, 2018 | Amicus, Education & Youth |



After last week's devastating school shooting in Parkland, Florida, students across America are [demanding an assault weapons ban](#), comprehensive background checks, and a promise that young people can be safe in our nation's classrooms. Students [won't back down](#) and Congress is finally feeling the pressure to act.

The President, the NRA, and conservative media personalities, like [Sean Hannity](#) and [Geraldo Rivera](#), have responded by calling for [armed teachers](#), gun-toting retired soldiers, or more cops in schools.

Here's the problem: more cops in schools won't keep students safe. Instead, they mean more students — especially students of color — will be handcuffed, beaten, tased, and pushed out of school and into the prison system.

According to data issued by the U.S. Education Department, [nearly 42 percent](#) of

high schools already have a school resource officer (SRO): a law enforcement agent deployed to work in their schools.



**Samuel Sinyangwe**

@samswey

After Columbine over 10,000 school police officers were hired just in case a school shooting happened. Two decades later, they haven't stopped a \*single\* school shooting. Instead they've arrested over 1 million kids, mostly students of color, for routine behavior violations. [twitter.com/Complex/status...](https://twitter.com/Complex/status...)

**Complex** @Complex

Armed school officer at Parkland H.S. shooting resigns after never confronting gunman. [trib.al/QU00y6h](https://trib.al/QU00y6h)

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When we put cops in school, we push students into the criminal legal system. Police in schools frequently arrest students for nothing more than normal childhood misbehavior. In the 2011-2012 school year, they [arrested 92,000 students](#) on school grounds, overwhelmingly for low-level civil violations and misdemeanors or vaguely defined offenses like “obstructing governmental administration.” Here are a few examples:



- A 14-year-old in Massachusetts was arrested after bouncing a basketball in a school hallway and slamming a classroom door shut. He was handcuffed, taken to the police station, and charged with “[disturbing a lawful assembly](#).”
- A middle-schooler in Virginia was charged with criminal assault and battery “for [throwing a baby carrot](#) at her teacher.”
- Kids [as young as five](#) are charged with “crimes” for throwing a paper airplane, kicking a trash can, and wearing sagging pants.

Unsurprisingly, students of color are far more likely to bear the consequences. According to the Department of Education, black students make up just 16 percent of total student enrollment — but 27 percent of students referred to law enforcement and [31 percent of students](#) “involved in a school-related arrest” are black. [70 percent of students](#) involved in in-school arrests or referred to law enforcement are black or Latino. Students with a disability are [three times as likely](#) to be arrested at school than students without a disability. A [staggering 75 percent](#) of the students “physically restrained at school,” including by handcuffs are disabled.

All of this amounts to a massive civil rights issue: the systemic school pushout of students of color and disabled students.

Because of the massive racial gap in student discipline, students of color are disproportionately likely to be arrested in school, which means they lose out on class time, which in turn means they may fall behind in school. This contributes to an enduring education gap: black and Latino students are twice as likely [not to graduate](#) high school as white students, and students who are harshly disciplined are [more likely to be incarcerated](#). Students arrested at school may be slapped with an criminal record that follows them around for life, making it harder for them to find a job or pursue higher education.

In other words, cops in schools aren't safeguarding kids — they're arresting students of color and denying them the opportunity to learn.

What's worse, police brutality in schools is on the rise. Last year, a Texas school district garnered national criticism after a viral video showed a Dallas SRO [body-slamm](#)[ing a 12-year-old](#) girl in school. She's not alone. The Advancement Project, a civil rights organization, has found [evidence of many incidents](#) in which students, especially black students, were stomped on, beaten with batons, thrown into lockers, and [tasered](#) by SROs. That's not keeping students safe — it's subjecting them to state-sanctioned violence.

Expanding the police presence in schools could lead to another kind of school shooting. The Black Lives Matter movement has shone a spotlight on police officers who, armed with deadly weapons but little implicit bias training, have killed unarmed black men and boys. What happens when the next [Tamir Rice](#) brings a toy gun to school? Or, for that matter, to the next [Philando Castile](#), a black school employee who was killed for carrying a legal gun with a concealed carry permit?

On top of all of this, there is little evidence that cops in schools will even keep students safe. There were armed guards at [Columbine](#) and [Virginia Tech](#), but they did not deter the shootings. In fact, in researching this piece, I couldn't find a *single* instance in which an SRO stopped a school mass shooter. Tragically, Parkland drives this point home — the local police deputy assigned to Marjory Stoneman Douglas High School waited outside, [protecting himself instead of the kids](#). Recent reports reveal that [multiple police officers](#) did the same. Those cops didn't stop the Parkland shootings, and there is no evidence they will stop the next one.

Putting more police in schools is not going to solve school shootings. Instead, it would mean more policing of disabled kids and arresting black students for normal childhood behavior. And, perhaps worst of all, it's an insult to the Parkland students, who are calling for fewer guns in school, not more. It's time for Congress to listen and finally prioritize people's lives over gun manufacturers' bottom line.

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As a journal, we stand with the student protestors HLS is attempting to discipline for exercising their free speech rights regarding prison divestment. Please sign the petition here: <https://docs.google.com/forms/d/1TGkQyJlUPuvl9wqv5MAis8c7iec...>

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This weekend, we celebrated 55 years of pushing the bounds of legal scholarship. Special thanks to our keynote speaker @vanitaguptaCR, our more than thirty panelists, and our entire CR-CL community. To the next 55! 

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Thank you so much @daliejimenez and Jonathan Glater for speaking with CR-CL about student debt as a racial justice issue!

Be sure to check out Professors Jimenez's and Glater's upcoming article in CR-CL



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SCHOOL DISTRICT NO. 1  
IN THE CITY AND COUNTY OF DENVER,  
STATE OF COLORADO  
RESOLUTION NO. \_\_\_\_\_

WHEREAS, as one of the largest institutions in the state of Colorado, Denver Public Schools (DPS) plays an integral role in shaping the lives of our youth, and thus our future community; and

WHEREAS, DPS has an obligation to promote the healthy development of each one of its students, which includes protecting them from the impact of systemic racism to the greatest extent possible while they are at school; and

WHEREAS, DPS is deeply committed to affirming the lives of our students and has been changing our institutional culture to align with that commitment and undo the normalization of inferiority and bias, as evidenced by the Trauma-Informed District Resolution, the completion of the Special Education Task Force, the Black Excellence Resolution, and the Safe and Welcoming School District Resolution; and

WHEREAS, from the 2014-15 school year through the 2018-19 school year, DPS students were [ticketed or arrested at school by police officers at least 4,540 times](#), with the vast majority being Black or Latinx students between the ages of 10 and 15, thereby introducing them to the criminal justice system and often inflicting institutional trauma; and

WHEREAS, the overwhelming majority of the incidents that resulted in students being introduced into the criminal justice system at such a young age could have been more effectively addressed by school personnel, restorative practices, or other community-based services; and

WHEREAS, the perpetuation of the school-to-prison pipeline is incompatible with our goal of creating safe, healthy, and equitable schools for all DPS students; and

WHEREAS, as evidenced by school districts across the country, there are multiple resources and pathways available to ensure school safety without relying on school-based law enforcement officers.

SO, THEREFORE, BE IT RESOLVED: to fulfill its responsibility for undoing the systemic racism that Black children and children of color face, the Board of Education (the “Board”) directs the Superintendent, upon approval of this Resolution, to reduce the number of school resource officers in district schools by 25% by December 31, 2020, and to terminate DPS’s contract with the Denver Police Department for the services of school resources officers, and thus remove all school resource officers from DPS schools, by no later than June 4, 2021, the end of the 2020-2021 school year.

FURTHER BE IT RESOLVED that the Board directs the Superintendent to reallocate the funds previously used for school resource officers towards accomplishing the objectives set forth in

this Resolution, such as increasing the number of District or school-based social workers, psychologists, restorative justice practitioners, or other mental or behavioral health professionals within DPS, with the schools that will be transitioning out school resource officers receiving priority.

FURTHER, BE IT RESOLVED that the Board directs the Superintendent to utilize the transition period during the 2020-2021 school year to redefine school safety in DPS through the lens of affirmative support of students, which shall include:

- (a) convene a Task Force that includes the school leaders and school resources officers from the schools that will be transitioning out school resource officers to identify and prioritize their needs to ensure the safety of their students, staff, and community;
- (b) deeply examining the interaction between school community members and both the Denver Police Department and the DPS Department of Safety;
- (c) revising the DPS safety policies with strategies for enhancing student learning, safety, and well-being through additional social/emotional supports, mental and behavioral health services, restorative practices, other wraparound supports to meet students' developmental needs, and community-level accountability structures; and
- (d) ensuring that we do not replace school resource officers with or staff our schools with the consistent presence of security armed with guns or any other law enforcement personnel.

FURTHER, BE IT RESOLVED that to mitigate the impact on DPS students during this transition time, the Board directs the Superintendent to create a monthly public school discipline report that includes the following data disaggregated by race/ethnicity, age, and school:

- (a) The number of in-school suspensions of students
- (b) The number of out-of-school suspensions of students
- (c) The number of students handcuffed or restrained by DPS Safety
- (d) The number of times DPD or DPS Safety is called to schools and under what circumstances
- (e) The number of students who are ticketed or arrested and the underlying charges

FINALLY, BE IT RESOLVED that the Board and the Superintendent will convene, by no later than August 31, 2020, an inclusive, community-driven process—involving parents, students, teachers, school administrators, student support staff, and other community members—for completing the following by December 31, 2020 in preparation for full implementation during the 2021-2022 school year:

- (a) drafting new DPS policy that ensures that students will no longer be ticketed, arrested, or referred to law enforcement while on school grounds, in a school vehicle, or at a school activity or sanctioned event unless there are no other available alternatives for addressing imminent threats of serious harm to members of the school community or school officials are otherwise obligated by law; and
- (b) drafting a new Memorandum of Understanding that clarifies the ongoing, but more limited, role that the Denver Police Department will have in supporting DPS personnel in the creation of safe, healthy, and equitable schools for all students.

Approved this 11th day of June 2020.

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Carrie A. Olson, PhD, Board President

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Tay Anderson, Secretary

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