Expanding the Circle: Restorative Practices in Special Education
Presented by Candace Hawkins, Diana Cruz, Leila Peterson
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Webinar Transcript

>> Hi. I'm Phil Moses, the director of CADRE. Welcome to today's webinar, "Expanding the Circle: Restorative Practices in Special Education." We're delighted you can join us today.

This webinar continues a series that began in 2010, and today is being presented by Leila Peterson from SchoolTalk in Washington, D.C., along with Diana Cruz and Candace Hawkins from CADRE. The phone lines have been muted to minimize interruptions. You can enter any questions or comments into the Questions box, not the Chat box. Please use the Questions box on your control panel. The PowerPoint for the webinar today is available in the Handouts box on your control panel, and PowerPoint is also available on the CADRE website.

We are extremely fortunate to have three speakers today who are quite passionate about the promise that restorative practices have in the realm of Special Education. Leila Peterson serves as Executive Director of SchoolTalk, which helps the Washington, D.C. Special Ed community constructively address each stage of conflict from prevention to whole-systems change. The goal of SchoolTalk is to ensure that the D.C. Special Ed community has quality options to address their concerns and resolve their differences in ways that preserve and improve the relationships, rather than undermine them. Leila has provided conflict resolution, change management and leadership development services to both governmental and private clients for more than 17 years. Her practice focuses on public and community conflict, specializing in processes that allow government, private and community stakeholders to tackle difficult issues together. Leila also teaches as an adjunct professor in the George Mason University Conflict Analysis and Resolution program.

Diana Cruz serves as a dispute resolution specialist for CADRE. She brings considerable experience working at the LEA level, fostering home-school partnerships, and employing child-centered decision-making. Diana has expertise in IEP facilitation as a means for early dispute resolution, and is a certified trainer in conflict resolution and IEP facilitation. Prior to working for CADRE, Diana was Broward County's district coordinator for due process. She also served as a compliance program specialist for the school district of Osceola County in Florida, providing oversight of the exceptional student education programs and compliance monitoring for multiple schools within the district. In addition, she's provided specialized instruction in both a general education setting, as well as the self-contained classroom where she taught students with a variety of significant behavioral and cognitive disabilities.

Candace Hawkins serves as CADRE's policy analyst. Between 2010 and 2016, she served as a dispute resolution and policy specialist for the Colorado Department of Education. There, Candace worked closely with the dispute resolution team to collect, analyze and

report dispute resolution data to OSEP, and use that data to plan continuous improvement activities. This work also involved critical assessment of their due process complaint and mediation processes, as well as the department training activities for their administrative law judges who conducted hearings and mediations. Candace provided technical assistance to parents, advocacy groups, school districts and dispute resolution practitioners. In addition, she served as the department's representative to the Colorado Juvenile Parole Board and the Colorado Restorative Justice Council. Candace served as an adjunct professor at the University of Northern Colorado, teaching a doctoral-level class on the IDEA, 504 and the ADA. Now Candace, I turn the floor over to you.

>> All right. Thank you, Phil. Welcome, everybody. We're so excited to have you on today for what we hope will be an informative and an inspiring conversation about the use of restorative practices in Special Education. [LAUGHTER] Okay -- it takes a village, yes, especially when it comes to me and technology. So our roadmap for today is going to look like this. I'm going to start with just kind of a thumbnail sketch of what restorative justice is, kind of to define our term. Then I'm going to turn it over to Diana, who's going to talk to us about the national data and statistics that support the use of restorative justice in schools. Then Leila Peterson from SchoolTalk D.C. is going to show us how restorative practices are being used in some pilot districts in D.C. public schools, and also suggest to us ways that we can use restorative practices in Special Education; for example, during an IEP meeting. After that, if we have time, I'll come back around and we'll talk about the promise and potential for the use of restorative practices in the context of both preventing conflict and responding to conflict in Special Education.

So -- okay we're here. Again, I'm going to start just kind of with a brief, what is restorative justice? And the purpose of this webinar is really to go beyond what restorative justice is, and to more the why and the how. So I'm not going to spend much time here. I'm just going to give a brief thumbnail sketch. Restorative justice refers to a set of principles and values that really promote community and relationship, and being in relationship with our community, over alienation when we look at addressing harms or wrongs within a community. Restorative justice is enjoying some spotlight attention right now, as evidenced by how many of you are signed on to our webinar today, which is exciting. But it's not the new flavor of the month, and it's not something that was invented by school districts, or not something that just pops up onto the landscape. Restorative justice has been practiced by indigenous people and religious communities around the world for centuries.

So what we're really looking at here, again, is a set of principles and values that value -- I said "value" too many times -- relationship, and that really promote healing and repairing a wrong over alienation and exclusion. Restorative justice and restorative practices are terms that are used interchangeably. Restorative justice typically refers to the use of -- or situations where there is a clear victim and a clear offender, and there is involvement in the formal criminal justice system. That restorative justice is a little bit more specific, and again, it involves the formal juvenile justice system and a clear victim and offender. Restorative practices, on the other hand, is used more widely to refer to what's happening in the education or the school setting, where there may not be a clear victim and offender.

In fact, there might be some mutual responsibility for harm, and there's not involvement in the formal juvenile justice system. For example, we think about responses to harm that's caused by bullying, gossip, rumors, misuse of social media -- on that kind of thing. So again, these terms are used interchangeably. We're using restorative practices for the most part here, just because we're talking about it in the school setting.

Another way to understand what's different about restorative approaches or practices is to compare it to the more traditional approach. So in the traditional or retributive or punitive approach, the focus is really on a rule that was broken. Again, when we're talking about a restorative approach, the focus is on harm, and harm specifically to the community and to the relationships in the community. So we're going to look at who has been harmed, and that is not just someone who may have been directly harmed by the wrong, but that ripple effect. It's going to include a discussion about the community itself, that may have been harmed by a particular wrong. And then the second part of that question is to explore how the community and specific individuals within the community were harmed.

The second question, major question, when we're looking at the retributive or traditional approach, is to focus on who did it. So we move from what rule was broken to who is responsible; who is guilty, or who is going to get the blame for it. On the other hand in the restorative approach, the focus is on what are the needs of the individuals in the community that has been harmed by the conduct, and what are the obligations associated with those needs?

And the third question, again, when we're on the retributive or the punitive side of the scale here is, what, then is going to happen? What do they deserve as punishment? On the restorative side, we're going to take a look at how can the harm be repaired, and who is obligated to make the repair? And when you look at the two paradigms and the ways that they ask different questions, you can see how on the restorative side the focus really is on relationship and connecting the harm to the needs, and again connecting that to the repair that needs to be made in order for the community to heal. The focus on the retributive or the more traditional side is more abstract. It's disconnected. It's more alienated. For example, when we look at punishment, typically what will happen, right, in the traditional sense, is that you may be ordered or you may serve some kind of a jail time or a detention-suspension-expulsion, may be ordered to make some kind of restitution or payment. That is really disconnected from the needs and from the people that were actually harmed, whereas in the restorative approach, that harm is directly connected to the needs of the community. And the person who is obligated to make the repair is included in determining how the repair is going to be made. So it's a source of inclusion and empowerment over the alienating experience that's more likely in the traditional sense.

So the different questions that flow from the focus on the relationship over the rule that was broken are these: Who has been hurt? What are their needs? Whose obligations are these? Who has a stake in the situation? What is the appropriate process to involve the community in an effort to put things right? So there's a continuum of processes, and again, I'm not going to talk a lot about this, because we're going to move onto the why and

the how. But it could be something informal, using restorative language or effective statements to have a conversation with somebody who has been hurt, to the more formal, and where there could be a formal circle or conference with a skilled practitioner that's bringing everybody who has been impacted by any event together to find a way to repair and move forward. So with that, I'm going to turn things over to Diana.

>> All right. I don't know if we said this in the beginning, but I did want to let you guys all know that if you have questions, please feel free to type them into the Chat box, because we have people monitoring those. And we're happy to answer them as we -- sorry, Question box -- we're happy those as we go, so that we're not answering things way past when they were discussed. So if you have a question, type it in, and we'll get to them as they pop up.

Okay. So why use restorative justice or restorative practices in the school setting? As Candace mentioned, this is a practice that has been historically, in various contexts, between the juvenile justice, as well as, like she mentioned, indigenous populations. So we kind of looked into why is it that now we're just starting to see this pick up as a shift or a practice in public schools across the country? And from our perspective, if you look at the transition that's occurred in the last probably 10 to 15 years in school, we went from zero tolerance after Columbine and the big threat to, or the perceived threat to safety. We started this whole policy of zero tolerance discipline, where kids were immediately expelled, no questions asked, based on these transgressions, these specific transgressions. But within this timeframe, also another phenomena took place, and we had this whole shift, which I happen to love, towards examining data, and the long-lasting implications of what we're doing. Results-based accountability -- I know if you're in education, you can't avoid that word nowadays. Database decision-making -- these are all changes that have occurred in recent history. So what we've noticed is that people are starting to take a look at the long-term impact that our traditional approach to discipline is having on kids. And it's not a good picture. And that's what we're about to dig into. And that's why this is such a big promise for what we can do to help our kids, long-term.

You know, many of us that have been involved with Special Education, students with behavior challenges, especially if you're in a larger district like where I came from, there was this whole discussion about manifestation of the disability versus is this an expellable act, and then that whole feeding into the school to prison pipeline, which has also become a really big topic of discussion. Through those initiatives, we've learned some pretty alarming -- we've seen some pretty alarming data. Okay, we have a question that just came in, and I'm going to read it for everybody. "Does the behavior intervention plan meet the restorative model? Or is there another written plan for schools to use?" And that's a really good question. So I think the restorative model can be applied in two fashions; macro or micro, right? So you can have a whole-school-wide vision that kind of employs this practice as a culture of the school, and then you can also have restorative type practices intertwined into a student, an individualized student, behavior plan, which would be kind of more of a micro-level implementation. As we continue forward, Leila will probably be able to answer that question even better, because she's kind of the expert

at the student-level. So I hope that answered, and if not, we'll make sure Leila jumps on that question as we go forward.

Okay, so moving forward to the data. I pulled some data from the OCR that they publish. And we have just here a picture of demographics. So students with disability make up 14 percent of the population; that is inclusive of students that are eligible under 504. Students eligible under IDEA typically range between 12.5 to 13 percent, depending on the data. I tried to get an exact figure for you, and I wasted about four and a half hours [LAUGHTER] -- so I stopped. But we have about -- we make up a pretty small -- and I say "we," meaning our kids, because I just can't drop that language -- but we make up about 14 percent, pretty small percentage of the actual bodies in school. Okay?

Now when we look at the long-term effects of suspension and expulsion, this is a study done on young children, meaning three to five, preschool setting, which, believe it or not, kids to get suspended and expelled at that early of an age. So here is what they found. Students who were expelled one time at that early age, between the ages of three to five, were 10 times more likely to have these following things happen: Either dropout, grade retention, hold negative attitudes towards school, or face incarceration. So just let that -- 10 times more likely. And this is as early as five-year-olds. So one suspension has increased now their likelihood of not graduating, and facing some pretty negative outcomes, long-term.

So students with disabilities, okay, are twice as likely to receive an out-of-school suspension than their non-disabled peers. If you look at that, those percentages, the 12 versus 5, make up the percent of students who have received an out-of-school suspension, so 12 percent of those students are students with disabilities. And if you remember, they only make up 14 percent of the population. So we're starting to see some disparities. If you look at non-disabled peers, they only make up five percent of the students who are being suspended. Pretty interesting.

Okay, so moving on, if we drill down a little further, we still see even within students with disabilities, within that subgroup, we see a huge disparity there, because if a male student of color is -- the likelihood of them being suspended one or more days out of school is one out of five, whereas a white male student is one out of ten. So again, we're seeing students of color with disabilities are twice as likely to be suspended, to receive one or more out-of-school suspensions. And remember, these are students that already are considered at risk for lower graduation rates, dropout -- all of those things. Now compound that with discipline, and we're setting the stage for kids to really be set up for failure. And if you look at the footnote, if you look at the numbers for Native Americans, Alaskan natives, Hawaiian-specific, it's even worse. So if you want to dig into the data, I cited it there, it's the Civil Rights Data Collection. It's pretty revealing and it's pretty incredible.

As we continue to drill down, there's a whole notion of being suspended, but still receiving educational services, which is -- some districts try to do that. But if you look, if you actually drill in even further, students of color are almost twice as likely to be expelled without educational services. And they're also 2.2 times more likely to face a school-

related arrest as a result of discipline. So this is just more evidence that that traditional discipline, we're feeding our prison system with our students. That's really what this is. So all of these factors are absolutely concerning to anybody in the field of Special Education, or even in education in general. So we're just seeing a disproportionate amount of application of discipline towards students with disabilities, and even more so, students with disabilities who happen to be of color.

So there's another piece, though, that we need to kind of talk about, and that's the identification process, to be labeled as a student with disability. So these numbers are pulled from the National Center for Education Statistics. The most recent data they had was for the 2011-'12 school year. So the disproportionality that we see in discipline, it's not just there. It happens in identification. So if you go from being a Gen Ed student who's having some struggles, this is what happens when you get identified. So we're going to start with just looking at the first line under each column, where it says black students make up 19 percent of IDEA-eligible students, whereas white students make up 54 percent. That's just the numbers as is. So when we break down the different disabilities, and I actually could have listed all 13 disability categories, because it's all equally as interesting, but I stuck with these because they really paint the picture of what it looks like, and how we are applying our labels to students.

So 19 percent of students that are IDEA-eligible are black, but yet they make up 27 percent of students who are identified with an emotional disturbance. So what that means, when you're looking at percentages, in order for it to be a proportional representation, you would want to see 19 percent of students with an emotional disturbance, and then again, 19 percent of students with an intellectual disability. So that number, 19, should be representative, because that's how much of the population they make up. But as you see, they make up 27 percent of students identified with an emotional disturbance, which means they are disproportionately identified as in that category by about eight percent. Okay, same thing if you look, 28 percent for intellectual disability. Again, they're being disproportionately represented in that category. They're over-represented.

But when you look at students with autism, you see that they only make up 14 percent of that demographic, or that subgroup. And so they're actually under-represented. Whereas if you look towards on the other side of the chart there, white students make up 54 percent of eligible students in IDEA, they make up 54 percent of students with an emotional disturbance, which is what you would expect to see in a proportionate application, or a proportionate identification. They make up 47 percent of students with an intellectual disability. So they're actually under-represented in that category. But then when you look at students with autism, they're at 60 percent, which is over-identification. So we try to say, why is this happening? Well, again, if you look historically, autism has picked up a lot of traction as far as service, advocacy. There's tons of celebrities coming out, talking about bringing this really kind of positive attention towards autism. So it's almost like it's a more acceptable, or a more socially-acceptable diagnosis than if you look at emotional disturbance. You know, those kids tend to have more behavioral concerns, and have some self-regulation issues that may not be seen as -- accepted in society.

If you also look, students with emotional disability are more harshly punished. Discipline is applied more harshly. So that is something to consider as well. Not only are kids with disabilities disciplined harsher, but even within disability categories, we see the application of discipline applied differently.

So these are all just really interesting statistics. Again, if you dig into these numbers even more, if you look at other health-impaired or specific learning disabilities, disability categories that allow for the application of your own judgment as a teacher, we see those disparities are huge, whereas if you look at ones that are strictly kind of medical, like deaf, hard of hearing, or deaf-blindness, things like that, they're pretty consistent. So it's just a really interesting place to be, and to look at these numbers, and to say what is it that we can do moving forward to kind of help align things a little better.

Now, I don't know about you guys, but I worked in a school where most of my kids, and I was an inclusion teacher, were served in the general education setting. And there was this -- oh, it never fails. I always had that one teacher that said, "When can you make this kid Special Ed so he can get out of my classroom?" And that is something that I work very hard, and I'm sure all of you do too, is to change this mentality that these students with disabilities will go somewhere and be removed from their classroom. Most of our kids are served in the Gen Ed setting, as they should be. So there's this whole thing where we have to kind of shift the mentality. Hopefully, that's what restorative practices can do, is shift our mentalities for more of, these kids are issues, let's get them out of here to, how can we help support them and be more inclusive?

All right. So the next slide that I wanted to talk about is B. F. Skinner. This guy was my hero in college, on behavior background. So he used to say, "Behavior is communication." Basically, if a child is having behavior, it's because there's an underlying need that's not being met. It could be a way that they're saying, "This is my disability and I need some more support," or, it could be, "I'm frustrated, I'm angry, I'm not feeling supported," or a combination of the two. So if we look at behavior as communication and then apply the same harsh discipline to it, you're kind of not really going to address the needs of the child. It's definitely not going to curtail the negative behaviors, because their needs aren't being met. So I think that this process that we're going to continue to talk through today is a way to really shift your thinking around why a behavior occurs, and how we can improve things going forward, by using these restoring practices.

So yes, this was just a follow-up thing. At some point in a child's academic career, if they struggle with behavior, self-regulation, something happens to the people around them. The principal, the teachers, the support staff -- they go from being seen as a student with a disability, or even just a student first, to all of a sudden they become a behavior problem. And that switch gets flipped, and now they start being addressed as a behavior problem, rather than a child in need of support. When that happens, it's an internal bias that happens, and I don't think anybody even -- it's not a purposeful thing. I mean, it just happens, where we start applying discipline more harshly, the first kid that you notice -- several kids could be rocking in their seat. But if it's that one kid, that's the one you're

going to catch. So I think that this is a really nice way to set the stage for what Leila and her team has been doing in D.C., as far as different interventions and ways that they're changing school climate to kind of combat these biases and these disparities that we see across discipline. So I will turn it over to Leila, and that's it for me. You good, Leila?

>> Yes. Yes, thank you so much. I'm so glad to be part of this call, because I think this topic and really looking at this intersection is really critical. I got involved because for several -- my background is conflict resolution, but working in the area of Special Ed. And I would look, I was very interested in restorative justice, so would hear the stats about the disproportionality of students with disabilities. But I felt like we never got to the part of the, "so what?" And so, what do you do about it? So what do you do about it if you were in the Special Ed side? So what do you do about it if you are a restorative justice or other conflict resolution practitioner?

So yeah, I'm with SchoolTalk in D.C. And we are in our second year of working with schools in D.C. to implement a whole-school restorative model. So this year, we're working with 11 schools. What do I mean by "whole-school restorative model?" So this slide number 14 really tries to tease that out a little bit. I'm not going to spend -- the purpose of today is not to talk about a whole-school restorative model, but to focus in on the Special Ed piece. But feel free to ask questions, and also I'm going to be happy to have people contact me for follow-up.

But so we're looking at schools. And we had a selection process where schools sort of assess their readiness and buy-in to receive technical assistance. We're looking to really engage in a multi-year process of transforming their school, and looking at those restorative principles that were reviewed at the beginning of this webinar, and seeing how they could be integrated into the school. So that includes leadership, how decisions are being made, using these principles to help support staff engaging with each other, looking at the positive proactive things, as well as looking at making that switch on the discipline side to the more restorative model.

So I just wanted to give a couple examples of the types of things that people have been trying out that relate specifically to Special Ed. So you can, and people are not just in D.C., but in other places across the country, using different types of restorative practices, circle processes. But there's lots of other restorative practices as well, to do things like promote inclusion. Using these processes with class, with different parts of the school community to say, how can we be inclusive obviously not just of students with disabilities, but even broader than that? Doing staff meetings occasionally in a circle -- one of the things in Special Ed is, our one challenge can be integrating Gen Ed and Special Ed staff; addressing the concern that, oh, that's a Special Ed kid, so that's your problem, as opposed to there being a student at the school who everybody is there to support.

In addition to the using different restorative practices when there's been an incident of harm, and so bringing together the people that were impacted to address that, as possibly an alternative to suspension, or a reduction of suspension -- often, many of our schools are actually starting with using circle processes for re-entry. So something happens, they

have their discipline process in place, so if somebody does something, this is what happens. You don't want to change everything too fast. So maybe it's yes, the school is going to proceed with their normal procedure of suspension. But instead of just putting that student back into the same environment where the issue happened, maybe it was a suspension over an altercation with a teacher, or some sort of conflict between students. Instead of taking the person out for a couple of days and throwing them back in, doing a re-entry or support circle. So not necessarily rehashing all of the details of what happened, but focusing more in terms of who's part of that, and also what the questions are asked on what does this student need? What does this class need? What does this teacher need in order for this to be an environment that works for everybody? I hope you can sort of see some of the implications for students with disabilities in this. You don't even have to have students disclose their disability, just in terms of talking about their needs or what's working for them, or what was their thought process during what happened.

Schools are also looking at their data in terms of when incidents are happening, to then implement restorative practices. So, for example, middle school identified that a bunch of their behavior issues happened right after lunch. So they've adjusted their schedule to put an advisory period in which all students participate in a circle process during that advisory period, which helps them make that transition successfully back into educational work. Which again, anyone who works with students of different types of disabilities, could really see an advantage for those students.

So those are just some examples. It's many more. I get to see all of the creative and interesting things that schools are doing. But now, I want to -- you can go on to the next slide -- okay. So here, why use restorative practices for Special Ed, because what I'm going to talk about now is how you could actually use restorative practices for an IEP meeting. And so why would you do that? Well, obviously, team members, especially parents, but I'd say probably everybody else in that room too, has a lot of feelings about disability, about the history, maybe, of that student, about the needs, and how people interacted about this. It really also can help the team move from, well, what needs to be put in the IEP, and what needs to be written down? What needs to be done to focus on giving the student what they need, and really thinking of the student as an individual? Then, just good practice is good practice. I mean, a lot of these things that I might be talking about are things that people have already been kind of implementing and bringing into their IEPs, in the IEP process as well. Next slide.

Actually, I think you can go on to two slide, because one is just an introductory slide. Can someone advance the slide? Well, I'll just talk to it. The first thing is the meeting setup. So you can -- so keep going on to one more, to slide 17 -- yes, meeting setup. Many restorative processes, especially group processes, are done in circle. This promotes equality and connectedness, improves the ability for people to see each other, and to be participating as equal. Some of the things that you need to think about when you're applying this for an IEP meeting is, how you can plan for documentation and writing down things that need to be in the IEP without disrupting the integrity of the circle and the focus on the centerpiece, which I'll get to in a minute.

So, for example, you might want to put a flipchart to the side. You might want to have a designated person with a laptop with a little table next to them. Some restorative practitioners are okay with having a circle that's around a table, so using a circular table. Other facilitators feel like that table even gets in the way. So you need to be creative, but there's something to think about. Also, restorative practitioners, you can use the centerpiece. Kay Pranis, who's one of the grandmothers, real leaders in restorative -- advocates the use of centerpiece. Different people do different things, but I mean, the centerpiece can really be a key piece for an IEP meeting, because that is something that is created, it's there in the center for people to focus on and think about, keep you grounded in why you're there. So again, in IEP application, just think of the possibilities. The student could create that. The school could include -- everybody who's in the circle could include something that's represented to them about education, or about inclusion, or something that's important to the student and to the family. It's a way, it's an opportunity for participation by people who don't necessarily feel like they have a voice, often, in IEP meetings. And again, it keeps that personal centeredness on the individual.

Talking piece -- an important part of a restorative circle. You usually use a talking piece that has a special meaning. So again, maybe this could be something that's important to the student. Maybe this is something that the student made. The way the process works is, a question would be posed, and the talking piece would be passed around the circle. As a conflict resolution practitioner, I can tell you that I've done lots of different types of processes, and many are appropriate for different things. But I will tell you that the level of listening that happens when a talking piece is used is different and more significant. There's something about knowing that when you're holding that, you have talk, and no one's going to interrupt you is a very powerful thing. Also, just the process of knowing when you're going to speak, when things are passed around. I think it makes people relax, because they're not thinking, oh, should I talk now, or whatever. But you know when your turn is. So these are all things to think about when you would be setting up a restorative IEP meeting. Okay, next slide.

>> We're working on it, Leila. Sorry.

>> Okay. So for keeping the circle, so the facilitator, or keeper, is the person who's responsible, although I would say everyone there is responsible, for creating and maintaining a place where people feel safe, where people can speak honestly, and it's really focused on the process, and is not focused on controlling what issues or what the outcomes are. Therefore, I would say that the number one thing to think about is not have the person who's functioning as the facilitator or keeper be the same person who is responsible for this student's IEP. But it's very important to separate these functions.

In terms of keeping the circle, another key element of it is to really establish from the beginning, maybe as part of your preparation but also as part of the actual circle process, is to really establish the values and guidelines that will be governing this interaction. So volunteering-ness, confidentiality, safety, openness. Again, involving the participants in

buying-in, owning and creating these values and guidelines can really set the stage for just deep engagement. Okay, next slide.

So the key elements of the flow, otherwise known as sort of the agenda of the circle, is some sort of opening ceremony that is a clear sort of delineation that we are now interacting with each other in a different way, that during this time together and in circle, we are committing to embodying those values and guidelines that we have set up. Then you would explain the process, set the guidelines. And obviously, an IEP like this is going to be like a whole sort of different beast than what most people are used to. So explain the process, setting the guidelines is probably something that you'll need to do some advanced work for, as well as -- both on the family and student side, but also in terms of any staff members that are involved. Then you deal with the guiding questions that you would develop for getting to the meat of the IEP. And I would say use student-family centered IEP processes. There's a lot of guidance out there.

Many of you who are on this call might have things that you do and ways that you explore. Within a restorative process, there's an emphasis on getting acquainted, so knowing who's there, knowing they're in a IEP meeting, knowing their relationship to the student and to student's education, storytelling -- this might be sharing what the student's strengths are at home and at school, you know, what the student likes that can be leveraged. Getting specific examples that can help in decision-making about what the student needs. And then question about exploring issues and concerns, and then clarifying the future, so where that needs to go in the IEP meeting. Traditionally, agreements made in restorative processes and circle are made by consensus; again, consensus being defined as, can people live with it, not does everyone think that this is the absolute perfect thing. Then just like with the opening ceremony, it's important to have a closing ceremony that acknowledges the value contribution that everyone has made, that conveys hope and connection. Next slide.

>> Leila, hang on, I'm just going to interrupt you for a quick second. We have a bunch of questions popping up.

>> Okay.

>> I'm going to go at them one a time for you, okay?

>> Good.

>> The first one, the question says, "Restorative practices means there has been a change in school culture. How specifically can this paradigm shift occur?"

>> So like I said, we're working with these different 11 schools. So some of the things that we have done is, one, set the expectation, that you're exactly right, this is a shift in culture, and that takes time. So we're anticipating that we're working with each of these schools for at least three years. Then we're also sitting down to create individualized plans for the schools. So instead of saying, "This is what you do," "This is what you have to train," all

this, and, "These are the steps," instead we sit down and start with, okay, first of all, is there leadership buy-in? Also, is this a time when you can actually focus on this change? Because let's say your school district is going from a traditional school calendar to an all-year-around calendar, and you have a new testing structure that you're implementing, this might not be the best year to also try and do restorative practices integration into your school. Although it also might be something maybe you could use to help support some of those things. But anyway, then to also really look at, well, what are your goals? So, for example, one school that we went into last year, they said -- there was a high school, they're, like, look, let's start with the ninth grade class for two reasons; one is, ninth graders tend to be where there's a lot of our discipline issues, because they're transitioning into high school. Also, if we start there, those, then, students will hopefully be with us for four years, so they can help continue that culture as we go. So that was more on the proactive side.

So our technical assistance people worked with the ninth grade teachers to help them bring some of these practices into their classrooms. Then in addition, they set goals around identifying discipline cases that seems like they would really be good fits for a restorative practice. Again, like I mentioned before, sometimes schools start with re-entry circles as opposed to using it just as a diversion. So I think I could go into many more details about that, but I think those are some of the specific recommendations that I would have, is to really think about what your priorities and goals are, have a long-term vision, and then plan accordingly.

Are there other questions?

>> Yeah, we've got two more. The next one is, "This sounds very much like a facilitated IEP. Is there a functional difference?"

>> I mean, I see that there are really similarities, and also -- one of the things when we come into a school, we don't come in saying you need to change what you have. So if you already have a vibrant facilitated IEP process, I wouldn't say, okay, now you need to come and do this using circle. Instead I would say, if you do read about restorative practices, are there things from this that you might want to integrate into what you're doing? Like the centerpiece idea, or even just try out -- is there -- if you try things out in circle, is there a difference than just like if everyone's sort of sitting around a table? I will say that it's important to not just read a book about restorative justice and then try and do things. If you are going to do something like that, I really would say get some expert support.

>> Awesome. That actually rolls right into the next questions.

>> Are there other questions?

>> Yeah. The last one here so far, it says, "Are these circles headed by a specific person with that role in a school? Or are all staff members trained to facilitate?"

>> So the way it's working in our schools right now -- and other jurisdictions do different things -- but we've worked with the leadership of the school, like the principal, to say yes, we're really interested in this. You have my buy-in and support and everything. But then each school that we work with has a designated restorative justice coordinator. We're not, as a school system, in a place where we actually have -- the structure of a school in the school budget doesn't have a designated restorative justice coordinator in every school. Usually that person is a dean, assistant principal, or somebody else in the school who's taking on this role in addition to their functions. But they're there to be the real change agent, and so forth. Then to also have a restorative justice team that's there to help back them up. So those are other people in the school that are interested, and also their roles make it conducive to help move the school forward in this way.

In terms of the specific training that you need, if you're going to be doing something like facilitating an IEP meeting in circle, or doing what's called "responsive circles," like in discipline, like responds to harm, you definitely need to be a trained restorative justice, restorative practices practitioner, and should be trained. Not everybody in the school needs to be trained in that level, just like you don't need to have everyone be trained as an IEP facilitator. However, for other things like the proactive, like most schools are trying to get all of their teachers trained in how to do basic circles, community-building circles, and other techniques that could be used in classroom for classroom management. Now how they roll out that training, it really depends on the school. Usually, they try and do something of providing sort of overview training of what restorative principles are, and just in terms of that shift from retribution, retributive to restorative. But then focus on teachers who are leading advisories; giving them some basic training in doing circles. That school that focused on ninth grade, they focused on training those ninth grade teachers, and then built from there.

There are many different types of processes, also restorative conversations. So there's guiding questions that were introduced. You can train people to just, instead of being like -- when you're intervening and an incident's happening, instead of being, like, so what did you do, who did it, asking some of those more restorative questions. What happened? What were you thinking? Who was involved? What has the impact been? Again, how -- and PD has been one of the big challenges, because as everyone, I'm sure, on this call is involved in the education environment knows how precious and few those PD hours are. We try and actually work within the school's schedule to try and fit it in when we can and do it on-site.

>> Okay.

>> Any other question, or should I go on to the next one?

>> I think we can go on. We do have one more question, but I think that one can kind of hold a little bit. We'll answer it before we move on to the next section. But that way you can get back to your slides. We'll keep going forward.

>> Okay. Okay, so go on to the next slide. And while that's transitioning, I'll just go back also to the question that was asked earlier about the behavior plans. I mean, I think Leila was right on. You can think of that both from a macro and micro, so going in and looking at the process, is there a way to integrate more restorative language into behavior plans, and also into the process? I know here in D.C., it can often feel like, and probably is, like a manifestation determination meeting is just like, hey, we want to expel this kid, and so we want to show that they were not -- this was not because of their disability. But if you could make that true, make the behavior process that's there, both in terms of the plans and the meetings or whatever, make it more restorative. Make it focused on helping also the child understand what their behavior, how it has impacted the school and the other people. And some of that can seem obvious to an adult, even though I don't think it always is as adults. But think about human development and what teenagers think and don't think. I've seen multiple incidents over the last year where just having a student understand how their behavior was impacting other people caused an entire shift, because they hadn't thought about it. They were focused on the pain that they were going through, and what they were doing and being told to do and not do. And they honestly hadn't thought about how that impacted other people. So bringing that kind of thing into the behavior process, I think, can be very, very useful. And our schools are both looking at that kind of stuff, as well as looking at their discipline plans, and so forth.

Okay. Tips for restorative approaches and IEP meetings -- if you're going to try something new like this, I would say choose an IEP meeting that you don't expect to be too complicated or contentious, both to try it out -- it will be somewhat of an unfamiliar process, it'll probably take a little longer. As I mentioned, you definitely need to give people the heads up and prepare for it, and make sure -- and a key thing for anything restorative is that it needs to be a voluntary process. So you don't want to spring this on people when you want to get by it. And keep in mind that there will be this extra time. SchoolTalk is very supportive of student-led approaches to IEP meetings, and really involving students from elementary school on up in decision-making about their education and their futures. So I think there's a lot of good stuff out there that can help not only be a good process, but help prepare the student to be a genuine voice in the IEP meeting. Then, of course, you need to ensure adequate time for the meeting. Then I want to make special note that we assume that in going through this, especially in an application of an IEP meeting, to really say that I think it's absolutely critical that you work with an experienced restorative justice practitioner in doing this.

I don't know, did you want to ask that final question?

>> Sure. We actually have a couple more. It's actually good, we anticipated this question. So keep asking away. We want to make sure we're answering as many as we can.

>> Leila, are you on a speaker phone?

>> I'm on my computer, is it breaking up some?

>> We're getting feedback.

>> We're getting feedback.

>> A feedback loop. It's okay, let's just keep going.

>> We'll keep going. Okay. We have a question that says, "What other PD opportunities are offered for restorative practices?

>> So -- sorry, I'm hoping I'm going to answer your question. Here in D.C., we're doing a couple of different things; one is, we have multi-day both training and workshops available. And this Office of the State Superintendent for Education is sponsoring those. Those, like anyone throughout D.C. can sign up for, they're held at -- in D.C., we're one city, so even as our state agency, we're all in the same city anyway, it's held at the [INAUDIBLE] building, or at another site, so people all come from their buildings to that site to participate. These include overview of restorative practices, to more intensive facilitator or restorative justice coordinator training. We also include as part of our series complementary things, like trauma and resiliency, restorative conversations.

In addition, we have a monthly community of practice that meets at a different school each month, and we'll have a theme. So, for example, one month a theme might actually be Special Ed and restorative justice. But the community of practice is open to school people all over the district, whether or not they're getting TA from us, or whether they're just exploring this on their own, come to the community of practice. Then in addition to that, we have had funding both from private foundation and then also now from our Office of the State Superintendent for Education to fund this on-site technical assistance. So that's where we're able to be more creative with our PD, because it's on-site, either on a designated PD day, or it could be if there's a half an hour, hour long staff thing that's scheduled, that come in and actually do it in circle, so it's very experiential. These are the types of ways that we try and integrate PD into the school schedule.

Oh, mindfulness is another area where we offer training. I think that's another area that really fits well with the restorative work.

>> Okay. So the next question, it says, "Some schools seem quick to push placement outside a classroom or the school. What are some ways to combat this?"

>> Many of our schools are doing things, where they're doing high-flyer circles, or things like that. I must admit, I personally cringe a little bit with the high-flyer label, but I'm going to use that because that's what the schools are calling it right now. So saying, okay, there are students that are causing more impact, more harm, you could say. Focusing on them and pulling them into restorative proactive, community-building type of circles that sort of focus on that socioemotional piece. Again, this is where a mindfulness piece could be very important, so really looking also at extra data, for how it can help you look at interventions that can help just pushing people out. That's why, I think, working on the mindfulness piece -- I'm sorry, not mindfulness, the proactive piece is so important for a

whole-school restorative approach. Even if your school isn't going total whole-school, I feel like you can bring some of these things in on the more proactive side.

Circle Forward is a resource, Carolyn Boyes-Watson and Kay Pranis, it's like this blue bible. But if this is -- and I'm bringing this up in answer to the question, because there are models, flows or agendas for so many different types, like over a hundred different types of situations, many of them which I think can directly help prevent students from being pulled out of their situations.

The final thing that I would say to that is, think back to what I said about re-entry or support circles. Oftentimes, I think, in discipline in a retributive model, it's like, well, there's an incident, there has to be a punishment. Then it's, like, everyone has to move on. But with restorative, you can also be looking at using them for addressing patterns. So it's not like, okay, this person did something again, so we're going to punish them for something, but, okay, there's a pattern of behavior here. So instead of trying to remove them, let's try doing a support circle and a process that focuses on what can be done to support this student to be successful.

And one of the most moving cases to me last year -- in fact, I'm going to do two really, really quick ones -- one was at high school, it was a senior with an IEP, who had behavioral issues throughout an entire time. The school was done with them, felt like it was incredibly impacting teachers and other students, were about to move to expel him, and decided to do more of this support circle. But it was focused on looking at how his behavior was impacting other people. That circle was held in the fall. That student graduated. When you talked about the student and to teachers and staff, what that process meant to them was, one, the student understood his impact, he felt like and was given opportunities to positively contribute to his school, that identified positive things for him to do. And then the staff, who were just done with him and were exhausted, and really weren't seeing him as a student but as a problem, re-engaged with him and re-committed to helping this student graduate.

Another example was, we work with alternative high schools who, in 30 years, their basketball team had never finished a season, because by the end of the season, they didn't have enough players either because of academic probation, behavioral, just dropping out. And last year, using a combination of restorative practices and mindfulness, that basketball team finished that season. Last game, they only had five players, but they finished that season. So that's not an academic example, but to me, that's about using these ways and this mindset to help keep people involved and engaged.

>> All right. We have a couple more questions, and we only have a couple more slides also. Let's get through the next couple of slides and then we'll address the rest of the questions.

>> All right, I'm going to come back in here and I'll try to be quick. So we can get Leila to finish up with some of these questions, because it's great to see all of the questions and the rich examples that she's able to provide. So another way that restorative practices

offer promise to us in the world of Special Education is actually in conflict prevention and intervention. So the ever-present pyramid is a way to kind of conceptualize what that might look like. And this is something that we're exploring, so certainly we're not at the point where we're making recommendations, but I can tell you that as a state complaint investigator for Colorado, one of the most frustrating parts of my job is that after I would issue a report or a decision, I would know that the IEP team was going to have to come together and meet again after a decision had been made, where I had basically declared [INAUDIBLE]. And it was going to be very difficult for them to move forward together to find a way forward, to collaborate together again, because the complaint process and the other formal mechanisms we have for dispute resolution in the world of Special Education do not address what really is at the heart of the student, and the broken relationship between the educators and the family.

So restorative practices, I think I offer a way to come together and to move forward after the dispute, and that we kind of put this pyramid together as a way of, again, kind of conceptualizing at the universal level, the sort of questions and even perhaps the connection circle could be used to engage families in a way that is meaningful to them, and also as a way to prevent conflict. At the second tier, you can see restorative chats, kind of the questions that Leila was talking about, and restrict restorative language to address and respond to parent concerns. Then at the very top is the more formal process where you would want to build a sort of practice practitioner to address an actual dispute, where you have some hurt feelings, betrayal, trust issues, again, as a way to bring parties together to move forward. We'll go ahead, and then we'll get back to Leila.

And so this slide just talks about --

>> Leila?

>> Sorry --

>> You might need to mute for a minute. We're getting a lot of feedback going on, where the audio's looping. Okay, go ahead. See if that helps.

>> So again, when we have an active dispute, and particularly if a third party decision-maker has come in and made a decision about a child's educational programming, it's very difficult for the parties oftentimes to find a way to move forward and address, again, these feelings of hurt, betrayal, anger, hostility, to strengthen and rebuild a relationship, and to promote cooperation. So restorative practices just put this focus on inclusion and giving everybody an opportunity to have their experiences and their feelings validated and recognized, might be a better vehicle in these really high-conflict situations to help the team come together and find a way forward after a dispute.

And just finally, these are some questions that actually I pulled from "Restorative Practices and Special Needs," a book by Nick Burnett and Margaret Thorsborne, that addresses [INAUDIBLE] restorative practices in the world of Special Education. And again, these are questions that you might use. You know, I think what oftentimes happens

as the kind of the seed or genesis of a dispute is that a parent brings up a concern to a teacher at a time where the teacher is either distracted, say, it's the end of the day, and kids are leaving the school, and a lot of activities going on, and a parent has witnessed something, perhaps a bullying incident or a safety concern that she wants to talk to the teacher about. And in that moment, it's easy for us to kind of get defensive, or perhaps not do a very good job of listening or asking questions to get to the heart of the parent's concern. And once that little blip happens, it can snowball and become a much larger conflict. And I again, as a state complaint investigator, would oftentimes listen to parents talk about how they started to lose trust within a school system, and it oftentimes had to do with some safety concern or some parent concern that was brought up that they didn't feel that they were heard. So this is another way to frame questions to try to get at those concerns in a more restorative way.

And then I think I'll turn it back to Leila, so she can have an opportunity to address some of the questions.

All right, so we have a couple more questions, and we're going to start with, "How do you get full staff buy-in? My experience working with schools implementing restorative practices was challenging. We did not have complete staff buy-in, which impacted the efficiency of the entire program." Oh, efficacy, sorry, of the entire program.

>> I think the buy-in is a real challenge. Also, when we look at turnover rates, D.C. is obviously in an urban environment, and we look at turnover rates nationally and D.C. for Special Ed staff and school staff in general turnover rates, not only is buy-in an issue when you're first working with a school, but I think it is something that the school will always have to address. I guess first I want to acknowledge that that is a real issue. This is what we're trying to do, or what we're doing with the schools. One is just to make sure that you have real leadership buy-in, so you've got a vision and real strong leadership that is saying this is what we're going to do, and this is why. Then so having that strong vision, telling people that yes, this is what we're going to do, that it's going to be a change, but that we're going to do it intentionally and with care. And then it's also then giving people an opportunity to experience it. So when we do the --

>> Oh, dear.

>> I think we might have lost her.

>> Okay, well, I can go ahead and jump in --

>> Oh, she's back.

>> Am I back? Okay.

>> You're back.

>> You're back.

>> Okay. That was weird, because I didn't touch anything, but anyway, so did you hear -- where did you leave me?

>> You cut off right at -- you were going to give some practical tips about buy-in, and then --

>> Okay, great. So to give people experience doing it, so first of all having the real leadership buy-in from the top, that there's a clear vision. Then giving people opportunities to experience it. So and building from there. So instead of mandating everyone's going to do this, and you need to love it, I'd say, this is what we're doing. This is why we're doing it. We're also trying to provide opportunities for teachers from other schools to come talk to teachers, so it's not just an outside expert coming in. But I really see the shift happening when a principal or a teacher or something participates in a restorative process, and personally has a shift. But it is an ongoing challenge, and not only with teachers, but with parents, too. It's definitely something that needs to be planned for and really worked on.

>> Okay, and I think we had another question about what could be the one thing that people -- you know, if they want to implement one thing back in their schools, what would be that one thing they should take back to their classroom-slash-IEP after today?

>> Oh, my. Well, I think it's looking -- I would say, you have to identify the one thing that's for you. So is it trying to bring in that restorative? Where is that you're impacting your community, so then what can you do? Because you can't control what anyone else is doing. So of all of the examples I gave, what's your spear of influence? And what can you do to make that be a place where people are focused on that engagement, giving the people the opportunity to identify what harm is being done and what needs are, and how can we work together? Which is a lot very consistent of what student-led IEPs are, IEP facilitation, and so forth. So that was a non-answer, but it's individual.

>> Yeah. I think that was it for all the questions, and we are right at our end time.

>> Yeah, thank you, Leila. Thank you, and Candace and Diana, thank you, all three of you, so much for this terrific and kind of stimulating conversation. There's a lot to think about, and it's really a new, emerging area. And thank all of you for joining us today. We've done our best to answer what could be some difficult questions, particularly in a new, emerging area. You should feel free to contact us, or Leila as she has invited you to do, anytime with questions or comments. Right now we'd love it if you could click on the link in the Chat box, to fill out a very brief survey monkey to evaluate today's webinar. We would greatly appreciate you taking a few minutes to do this.

Then finally, we're really delighted to announce that our next webinar will be entitled, "A Split in the Road: Issues, Outcomes and Remedies Between and Within State Complaint and Hearing Officer Decisions." This webinar will be conducted by Dr. Perry Zirkel, who is university professor of education and law at Lehigh University. I am certain many of you

are familiar with Dr. Zirkel's work. And he'll be sharing with us during this webinar some of his latest work, really taking a close work at the state complaint and hearing officer decisions that he's been analyzing. That will be June 6th, and we'll have more information about that webinar on our website very soon. We hope you can join us.

Until then, again, thank you for joining us for today's webinar. And we hope you have a great day. Thank you!