



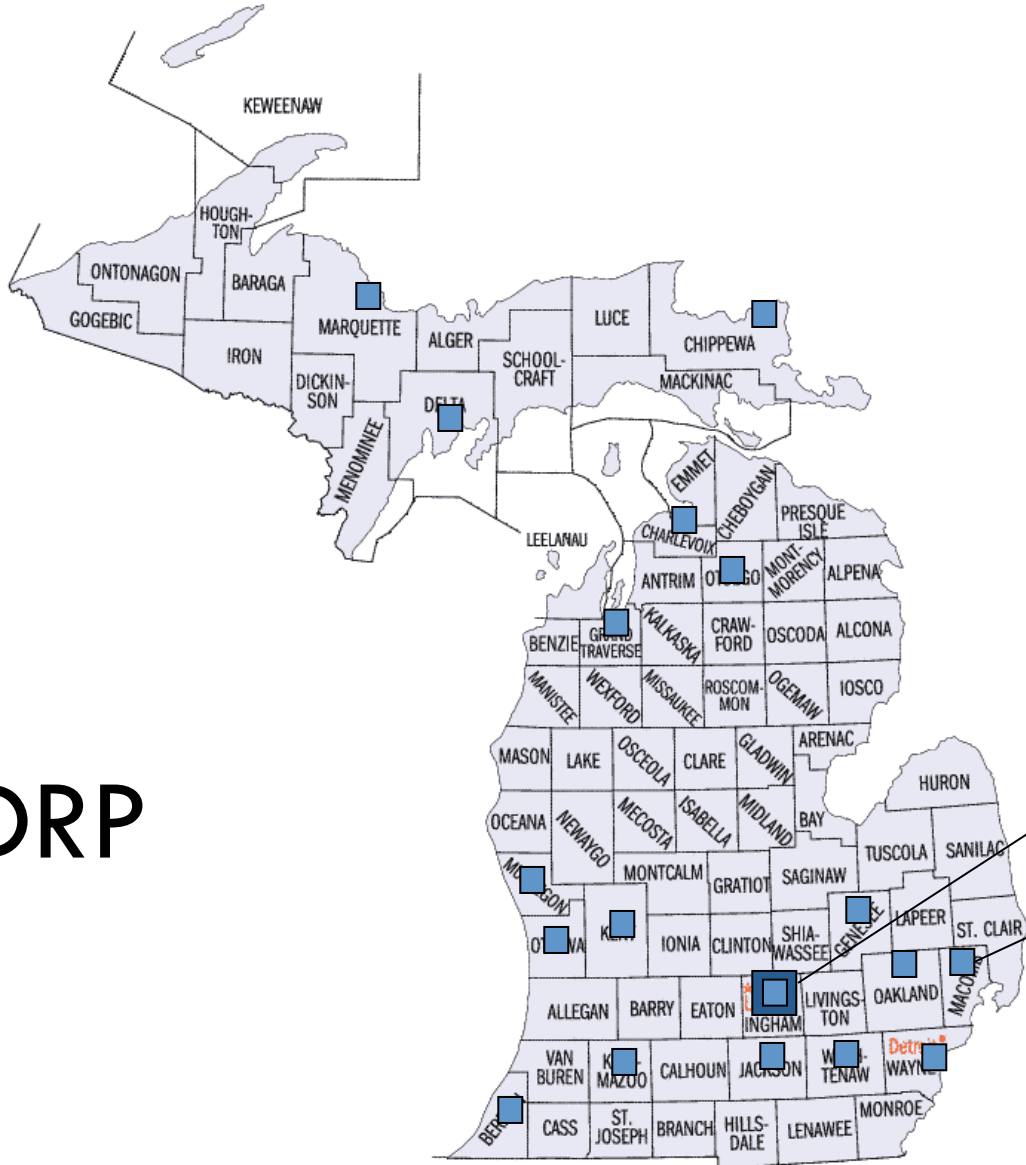
DELIVERING RESTORATIVE JUSTICE TO STUDENTS WITH DISABILITIES

A Michigan Pilot Project

About Us



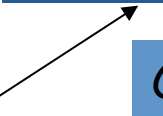
- MI Special Education Mediation Program
- MDE Office of Special Education
- Dispute Resolution Education Resources
- Community Dispute Resolution Program




CDRP

MDE/MSEMP

Centers





190,036

Lost days of instruction for Michigan students with
IEPs during the
2012-13 school year
due to suspensions and expulsions

Significant disproportionality



- 4. Rates of Suspensions and Expulsions
 - A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and

Significant disproportionality



- ▣ B. Percent of districts that have:
 - a. A significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
 - b. Policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of (PBIS), and procedural safeguards.

Suspension impacts



- One suspension raises likelihood of dropping out by 68%
- Failure to complete high school leads to:
 - Reduced earning power
 - Increased potential for involvement with juvenile justice system
- African-American males, students with disabilities have highest rates of disproportionate discipline
- Zero tolerance does not make schools more orderly or safe

Restorative justice



- Antecedents:
 - Native North Americans: community justice
 - New Zealand, Australia: resolving offenses, conflicts
 - South Africa Truth and Reconciliation Commission: amnesty for violent offenders in exchange for disclosure, restitution
 - United States:
 - Juvenile, adult justice systems
 - Schools:
 - ✓ Nationally: California, Pennsylvania, New York, Missouri, Colorado, Minnesota
 - ✓ Michigan: Ingham, Macomb, Kent and Genesee counties

Thinking restoratively



- **Underlying principles:**
 - **Harmful Behavior:** Harm to individuals, relationships, communities
 - **Inclusion:** Engagement of all affected people
 - **Accountability:** Taking responsibility for the harm created
 - **Safety:** Restoring a sense of security to those affected
 - **Transformation:** Healing, reparation for harm, repairing relationships
 - **Voluntary:** Giving participants choices
 - **Humanistic:** Respect, fairness, compassion, dignity
 - **Interaction:** Facilitated communication
 - **Holistic:** Engaging whole person and the environment

Thinking restoratively



Two Models

Traditional Approach

- Who did it?
- What rule was broken?
- What is the punishment?

Restorative Justice

- What happened?
- Who has been affected or harmed?
- What needs to be done to repair the harm and make things better?

The circle process



- Participants
 - ▣ Perpetrators and victims
 - ▣ School personnel
 - ▣ Parents
 - ▣ Community members (as applicable)

The circle process



- Facilitation
 - Arrange the room in a circle
 - Have participants speak one at a time
 - Focus on what happened and harm caused
 - Draft a restorative agreement

Benefits of the restorative approach



- Students become part of the solution instead of “the problem
- Students gain the opportunity to find closure and to move on from the incident
- Parents of children who misbehave feel that conferencing helps their children learn sympathy and empathy by directly seeing/hearing how they affect others

Benefits of the restorative approach



- Families make connections and help each other solve difficult problems
- Suspensions, expulsions, detentions decrease
- Classroom disruptions and disciplinary referrals decrease
- Students begin to personalize others rather than engage in depersonalization

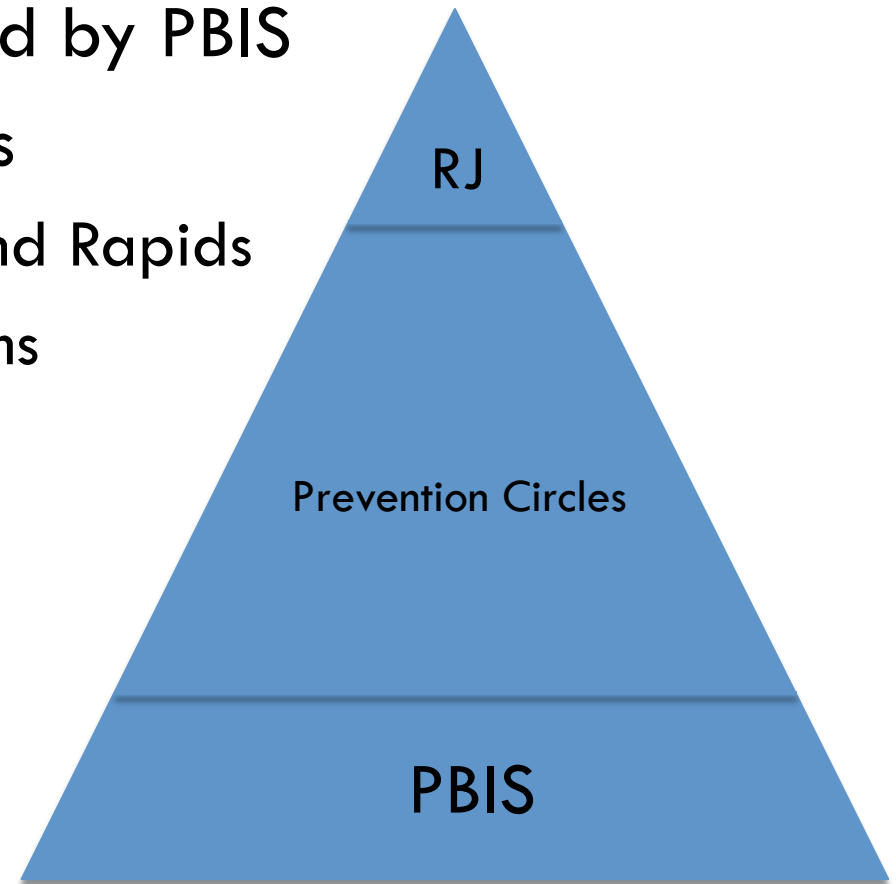
Michigan pilot project



- MSEMP proposals
 - ▣ Cultural considerations workshop
 - ▣ Restorative justice

Design

- ❑ To help SWD not benefited by PBIS
- ❑ Participating CDRP centers
 - ▣ Lansing, Mt. Clemens, Grand Rapids
 - ▣ Existing or new RJ programs
 - ▣ Data on SWD uncollected
- ❑ Participating schools
 - ▣ 3 districts
 - ▣ 10 schools



Service delivery model



- Participating centers trained RJ practitioners
- Practitioners stationed at schools
- Students referred from office to RJ practitioner
- Practitioner conducts intake, circle or conference
- Practitioner helps students draft restorative agreements

Funding model



- General education:
 - ▣ Local school funds
 - ▣ Title I
 - ▣ United Way
 - ▣ Community foundations
- Special education
 - ▣ OSE, \$250 per case

Data points



- ▣ Beginning of school year
 - Benchmark definition of conduct that triggers suspension or expulsion (school code of conduct)
- ▣ During school year
 - Student number for all students involved in the incident.
 - Description of misconduct committed by each participant in the incident.
 - Consequence faced by each participant in the incident.
 - Restorative practice used.
 - Family members involved and contacted (where appropriate).

Data points



- ▣ During school year (cont'd)
 - Outcomes in terms of:
 - In-school suspension days reduced
 - Out-of-school suspension days reduced
 - Expulsions avoided
 - Restorative agreements signed

Data points



▣ End of school year

- Changes to definition of what triggers suspension, expulsion
- Total number of in-school suspension days avoided
- Total number of out-of-school suspension days avoided
- Total number of expulsions avoided
- Summary of participant evaluations.

Data points



- ▣ End of school year (cont'd)
 - Suggested best practices for implementing an RJ program
 - Staffing and funding
 - Training for school staff and RP providers
 - Data collection
 - Compatibility with other school discipline programs, such as PBIS, safe schools, social skills training, and community policing

Data points



- ▣ End of school year (cont'd)
 - Pilot school responses to the following questions:
 - How do restorative practices fit within the school's disciplinary continuum?
 - How has the pilot impacted school discipline policy and codes of conduct?
 - Has the pilot prompted the school to make RP an integral part of school culture?
 - Participant satisfaction with service delivery

Results



- Student misconduct fell into the following categories:
 - Verbal
 - Physical
 - Threat
 - Misconduct
 - Language
 - Passive participation
 - Cyber
 - Theft
 - Re-entry
 - Sexual
 - Preventative intervention

Results



- ▣ 83% of misconduct came from four categories: verbal, physical, threat, and passive participation
- ▣ 844 students with disabilities participated
- ▣ 223.5 in-school suspension days avoided
- ▣ 2,166 out-of school suspension days avoid
- ▣ A mean of about 3 suspension days avoided per incident

Results



▣ Best practices

- Introduce RJ to school staff early in the program
 - *“Once the protocol is established, all personnel with the school should be made aware of the procedures and how to act upon it in a consistent manner. This should be done by or near the beginning of the school year.” (CDRP)*
- Use RJ intentionally as a way to reduce suspensions
 - *“This process works for all students to build understanding with one another, keeps kids out of conflict with other students, keep kids in school/reducing suspensions.” (School)*

Results



- ▣ Best practices (cont'd)

- Increase community involvement in the RJ process

- *“By including the Public Safety/School Police Officer in the RJ process a relationship can be built between officers and the SWD, and the SWD can feel that they have another relationship in the building they can count on to help problem solve.” (CDRP)*

- Inform, train parents in RJ

- *“It might be a good idea to attend some of the family nights, back to school night, and conferences to meet parents and explain more about the program and how it works in the school.” (School)*

Results



▣ Impacts

- RJ helpful as an alternative or step before suspension.
 - *“Restorative practices is utilized as another option for minor infractions before having to resort to more serious consequences later on.” (School)*
- Restorative practices fit in with the culture of the school.
 - *“As with any new program, the pilot allowed us to look at ways to effectively integrate it into our existing school culture.”(School)*

Results

- ▣ Impacts (cont'd)
 - Teaching conflict resolution skills, getting to root of problems
 - *“Sometimes it is also good to have the process when students have been suspended as a part of the re-admit process. It helps students return to class/school with issues resolved and agreements made between those involved.” (School)*
 - Low number of RJ service days a barrier
 - *“Restorative Justice is highly preferable to suspension for fighting or disorderly conduct. Unfortunately, we only have services two days a week that makes it more difficult to resolve issues in a timely way.”(School)*

Results



- ▣ Impacts (cont'd)
 - Few changes in discipline policy
 - *“The pilot has not changed our school discipline policy and codes of conduct which are Board defined and approved.” (School)*

Project expansion



- Participants
 - ▣ 6 CDRP centers
 - ▣ 10 school districts
 - ▣ 24 schools, elementary – high school

Research questions



- 1. Are students with disabilities engaged in specific categories of misconduct who participate in restorative practice activities less likely to be suspended or expelled than comparable students with disabilities who do not participate in restorative practice?
 - Co-Variables:
 - a. Is there a difference in the type of misconduct that results in increased use of restorative practice components?
 - b. Are different categories/certification of students with disabilities involved in restorative practice activities?

Research questions



- 2. Are schools who participate in restorative practices for students with disabilities more likely to see a reduction in suspensions and expulsions than schools without restorative practices?



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Thank you!