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Establishing Equity in Implementation of Restorative Justice in Schools: California Stakeholders' Perspectives

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Abstract: Restorative Justice in Schools (RJS) is an important concept in California to reduce school suspensions and expulsions and thereby reduce educational inequities. RJS is designed to bring people together to prevent and reduce conflict, while forging pathways toward inclusion and academic achievement. While some outcomes are promising, RJS lacks the underpinnings of a developed methodology and has not been rigorously evaluated with comparison groups. As a step toward encouraging discussion among stakeholders, this article reviews 174 California RJS practitioner and stakeholder perspectives on successful implementation practices, facilitating factors, and barriers to implementation. Specific areas of focus include RJS training; data and evaluation; sustainability; and facilitating factors and barriers to implementation. As a positive alternative to zero-tolerance disciplinary policies, RJS must be skillfully implemented and carefully evaluated to document its potential to reduce school suspensions and dropouts, while reducing revenue losses and improving the lives of youth and communities.

Keywords: *Restorative Justice in Schools; Alternatives to zero tolerance policies; Suspensions, Dropouts; Disproportionality; School to Career Pipeline.*

Restorative Justice in Schools (RJS) is a positive alternative to traditional school discipline and the use of suspensions and expulsions. It provides an approach that seeks to prevent and resolve conflicts while keeping students in schools and focused on learning. This, in turn, keeps students on track to graduate and identify career paths, thus reducing economic and societal costs related to dropouts. This article focuses on implementation and the facilitating factors and barriers to a successful RJS program. In an earlier article, (Kreger *et al.*, 2018), we discussed practitioner perspectives on RJS core and supportive practices.

There are several terms practitioners employ: one is RJS, another is Restorative Justice in Education (RJE). In this article we employ RJS intending that it be synonymous with RJE.

As discussed in several articles, traditional disciplinary policies have failed to ensure the enforcement of school discipline in a manner that reduces racial/ethnic disparities and concomitant related societal costs. (Bacher-Hicks, Billings, & Deming, 2019; Rumberger & Losen, 2016) As the evidence mounted that traditional disciplinary approaches led to increased suspensions, expulsions, and dropouts (American Psychological Association, 2006; Zins, Bloodworth, Weisberg, & Walberg, (2004); American Academy of Pediatrics, 2003), educators and social scientists developed alternative disciplinary policies aimed at breaking the school to juvenile

justice and prison pipeline. Several positive alternatives to zero tolerance policies emerged, including Social Emotional Learning (SEL), Positive Behavioral Interventions and Supports (PBIS), Collaborative Problem Solving (CPS), and RJS. RJS employs a multifaceted approach that seeks to prevent and resolve conflicts and build positive relationships in schools and communities. Additional research on the social determinants of health has reinforced an educational approach that engages schools, families, and communities to coordinate across sectors to enhance individual and community health and economic vitality. (Heiman, & Artiga, 2015; Reynolds, *et al.*, 2008; Qu, Chattopadhyay, & Hahn, 2016; Lewallen, Hunt, Potts-Datema, Zara, & Giles, 2015; Shankar, Ip, Couture, Tan, Zulla, & Lam, 2013.)

School Suspensions and Youth of Color

As noted in our first article, traditional school discipline approaches lead to school suspensions, which have multiple adverse effects on youth. These include impaired grade-level progression (Marchbank *et al.*, 2015), reduced success in school and careers (Pufall Jones *et al.*, 2018), lowered community participation in volunteering and voting (Kupchik & Catlaw, 2014), and high economic costs for individuals and communities. (Rumberger & Losen, 2016)

Suspensions are responsible for a six and half percent reduction in graduation rates. (Rumberger & Losen, 2016) In California, a one percent suspension rate for a cohort of 10th graders over three years costs the State \$180 million. Extrapolating, Rumberger and Losen project the statewide lifetime economic costs for this group is \$2.7 billion:

- \$809 million direct costs (criminal justice, reduced revenue generated); and
- \$1.9 billion social costs (reduced economic productivity, increased health care expenditures).

These calculations indicate that each non-graduate sustains average economic losses of \$579,820 over their lifetime. (Rumberger, & Losen, 2016)

In recent years, even as overall school suspension and expulsion rates decrease, youth of color remain a larger proportion of these actions than their proportion in the population. While California suspension rates have declined by 42% from the 2011-12 to 2016-17 school years, current suspension rates by race/ethnicity are: African American, 9.8%; American Indian/Alaskan Native, 7.4%; Asian, 1.1%; Filipino, 1.4; Latino, 3.7%; Pacific Islander, 5.0; and White, 3.2%. (CDE, 2017). These data make it imperative that we understand and evaluate the possibilities presented by more comprehensive alternative disciplinary approaches, such as RJS. Similarly, RJS practitioners' and stakeholders' perceptions of the implementation processes, as well as the opportunities and barriers schools face during these transitions are essential to inform work in the field.

Practitioners and Stakeholders

Restorative School Vision Project (RSVP), a California RJS non-profit organization, which has been active in the field for over 10 years, sought to define promising practices in RJS in agreement with one of its funders. A two-day Guidance Group of recognized RJS experts from across the State was convened. The Guidance Group members and educational partners, in turn, invited practitioners and stakeholders from three geographic regions of the state (Southern, Central Valley, and Northern California) to attend stakeholder meetings. Attendees included RJS practitioners, educators, youth, community advocates, indigenous elders, and activists. Discussions on RJS key components, supportive practices, implementation, and factors that contributed to success or inhibited development were held at three one-day meetings across the state.

A total of 174 stakeholders contributed to the study. The Guidance Group consisted of 14 RJS practitioners and 16 other stakeholders. Practitioners are individuals working on RJS in school settings in California. Stakeholders include policymakers (statewide and local); students; teachers; school administrators; parents; community members; teachers union members; and other concerned individuals. Attendees at the one-day regional meetings included 21 RJS practitioners and 123 other stakeholders. Fifty-one of the regional convening attendees completed an anonymous survey that collected perspectives on RJS promising practices, and 36 completed an anonymous evaluation that collected data on important areas of RJS.

Attendees' perspectives were analyzed to create a taxonomy of RJS implementation strategies, as well as facilitating factors and barriers to implementation. Responses from attendees' discussions and survey data were categorized by content and analyzed by a review team, including experienced RJS practitioners, lawyers, a mediator, researchers, equity experts, and educators. The data were finally organized into RJS Implementation and Enabling Factors and Barriers to Implementation. RJS (and RJE) core concepts and supportive practices are discussed in our earlier article. (Kreger *et al.*, 2018)

In organizing the terms used by stakeholders, we strove to cluster similar concepts together while also reporting in the words employed by stakeholders. When words and concepts deviated from the cluster group such that there was concern about losing meaning by omitting the term, the terms or phrases were included within the cluster and reported as a separate line-item in the table. The sources of the data and the frequency of the comments were also documented. The review team further fleshed out these concepts, providing additional depth, and underscoring the importance of specific categories. Redundancy and overlap within and across categories were assessed and simplified to streamline the presentation.

Implementation Strategies

Tables 1 and 2 include the major components of implementation, consisting of: School Assessment and Planning in Table 1; and RJS Training, Program Implementation in Schools, Evaluation, and Sustainability in Table 2.

Assessments

Most stakeholders noted the importance of school assessments to determine existing support levels for RJS implementation. As in other aspects of RJS, it is important that assessments receive input from the multiple members of the school community, including students, teachers, administrators, support staff, parents, and others. Other recommendations included gaining an understanding of the school's capacity to change, use of data-friendly presentations, and identification of which stakeholders are most enthusiastic about RJS work. Components of the Assessments category were cited in all three geographic convenings.

Planning

In this category, practitioners and stakeholders presented ideas such as providing an RJS narrative for school stakeholders; anticipating changes to infrastructure required to support the new program; and building communication strategies to assure consistent messages across all levels of the school community. Three convenings discussed the importance of being strategic and identifying clear directions (intentionality). Components of the Planning category were cited across the three geographic convenings, and in the promising practices survey.

Table 1. Implementation Strategies Reported by 174 California RJS Practitioners and Stakeholders: Assessment and Planning

Implementation Components	Stakeholder Responses	Number of Convenings where concept was cited	Cited in Promising Practices Survey	Cited by Evaluation Respondents
School Assessment: Assets, Challenges, Data Analysis				
	Assess what school community wants to change and why. What is the capacity to implement change?	1 convening	No	No
	Determine buy-in from stakeholders. Include: <ul style="list-style-type: none"> • Teachers, • District, • Administration, • Families, and Community. 	3 convenings	Yes	Yes
	Present data to all stakeholders in community-friendly terminology and setting.	1 convening	No	No
	Determine who is excited to work with RJE and cultivate a learning environment.	1 convening	No	No
Planning				
	Be strategic and intentional.	3 convenings	No	No
	Create a narrative about culture change and RJ practices.	1 convening	No	No
	Parent / caregiver integration into process.	2 convenings	Yes	No
	Establish supportive structures and systems, e.g., integrated guidance group, ongoing coaching and technical assistance.	2 convenings	No	No
	Define roles for administration, teachers, parents, community stakeholders.	1 convening	No	No

Implementation Components	Stakeholder Responses	Number of Convenings where concept was cited	Cited in Promising Practices Survey	Cited by Evaluation Respondents
	Create space and allocate budget for onsite RJ practitioners.	2 convenings	No	No
	Employ prevention principles. Engage community with community building before there is a need for “harm and repair discussions.” (Employ practices to build trust, create strong communication channels, personal connectedness, etc.)	1 convening	No	No
	Tailor implementation strategy to school. <ul style="list-style-type: none"> • Pilot test in small setting to make adjustments. 	3 convenings	No	No
	Identify a group that is excited, willing to learn, change, support others in the process to start. Then as success occurs, others will become excited and want to participate.	1 convening	No	No
	Consistency <ul style="list-style-type: none"> • Plan for systemwide implementation so that messages across all levels of a school, grade, or class are consistent. This means training and follow-up with teachers, administrators, coaches, bus drivers, cafeteria workers, etc. 	3 convenings	No	No
	Honor teachers.	1 convening	No	No

Table 2 summarizes strategies for training participants, collecting and analyzing data, and ensuring program sustainability.

Training

Stakeholders strongly endorsed the importance of ongoing training and support for teachers, students, and school staff throughout the implementation process. Components of the Training category were cited across the three geographic convenings, in the promising practices survey, and in the evaluation.

Program Implementation in Schools

This category addresses how the RJS implementation communications occur, how a learning environment is created, and how linkages to off-site providers is established. Components of the Implementation in Schools category were cited in the three geographic convenings, and in the promising practices survey.

Evaluation

Responses in this category focused on the importance of evaluation to document progress through the use of rapid turn-around data and ongoing feedback to participants. One convening also noted the importance of stakeholders learning to perform self-assessments to assure full participation and measure progress in the evaluation process. There is overlap among the categories of assessment and evaluation as a strong evaluation involves an assessment of school assets, collecting baseline data, and ongoing collecting and reporting of data for stakeholders so that interim adjustments can be made appropriately. Components of the Evaluation category were cited across one to two geographic convenings.

Sustainability

Stakeholders' responses in this category concentrated on the ongoing need for strategic planning to identify resources, to provide structural supports to ensure a leadership pipeline, to cultivate champions in all sectors. Components of the Sustainability category were cited in one to two geographic convenings, and in the promising practices survey.

Table 2. Implementation Strategies Reported by RJE Practitioners and Stakeholders: Training, Active School Implementation, Evaluation and Data, and Sustainability

Implementation Components	Stakeholder Responses	Number of Convenings where concept was cited	Cited in Promising Practices Survey	Cited by Evaluation Respondents
Training	Quality training for teachers, administration, students, community.	3 convenings	Yes	Yes
	Train teachers to understand their own social and emotional issues so they can understand trauma-informed approaches.	2 convenings	Yes	Yes
	Train peer mediators.	2 convenings	Yes	No
Active School Implementation	Create a learning environment.	1 convening	No	No
	Orient systemwide stakeholders to plan rollout.	3 convenings	No	No

Implementation Components	Stakeholder Responses	Number of Convenings where concept was cited	Cited in Promising Practices Survey	Cited by Evaluation Respondents
	Aim for whole school implementation, with consistent messages across school.	3 convenings	Yes	No
	Communication between school and community. Good communication, meet community where they are.	3 convenings	No	No
	Create connections to offsite providers for supports.	1 convening	No	No
	Remove police from school.	1 convening	No	No
Evaluation	<ul style="list-style-type: none"> • Quality Improvement. • Rapid turn-around of data. • Ongoing training and monitoring with feedback. 	2 convenings	No	No
	Create real-time (or frequent) data collection and feedback systems so decisions are made with data.	1 convening	No	No
	Ongoing monitoring of implementation.	1 convening	No	No
	Self-assessments to build understanding of processes and changes.	1 convening	No	No
Sustainability	Continue strategic planning.	2 convenings	No	No
	Create ongoing resources.	2 convenings	No	No
	Involve school counselors.	1 convening	No	No
	Build structure to develop leadership. Create structure of older students teaching younger students.	2 convening	No	No
	Cultivate champions in all sectors.	1 convening	No	No

Enabling Factors and Barriers to Implementation

Table 3 presents issues that practitioners and stakeholders viewed as either facilitating factors or barriers to RJS implementation. Both teacher and administration buy-in and adequate funding are seen as necessary resources and were discussed in two convenings. Creating champions across sectors and adequate budget and space resources were cited in two convenings; and persistence was cited in one.

Under barriers to RJS implementation, stakeholders cited the punitive mindset and the rigidity of that mindset in three convenings. Similarly, the lack of resources for implementation was cited in all convenings.

Table 3. Enabling Factors and Barriers to Implementation

Enabling Factors	Frequency by Number of Convenings
Teacher and administration buy-in.	3 convenings
Funding from grants or school district.	3 convenings
Champions across sectors.	2 convenings
Resources: space and budget for onsite RJ practitioners.	2 convenings
Persistence.	1 convening
Barriers	Frequency by Number of Convenings
Punitive mindset.	3 convenings
Rigidity of punitive disciplinary systems.	3 convenings
Lack of funding.	3 convenings

Discussion

It is important to understand how RJS practitioners envision successful RJS implementation, as well as their views on facilitating factors and barriers to implementation. Several themes emerge from the convenings and discussions: (1) the imperative for RJS training; (2) Data and evaluation; (3) sustainability; and (4) facilitators and barriers to implementation. Each topic is discussed below.

1. The Imperative for RJS Training

Stakeholders from the study convenings understand the importance of tailoring RJS to specific schools or districts and of training stakeholders to enable their full participation. Training must be consistent to support the introduction of RJS, and must be ongoing throughout the steps of implementation. We are presenting this continuum as “RJS training.” Stakeholders are clear that RJS training is essential to create a “critical mass” of stakeholder investment in order to give planning and implementation momentum. Training also builds the common knowledge infrastructure for communication across stakeholder groups.

Building momentum for an RJS approach to school discipline requires education of the many sectors that make up the school community. There is a clear consensus among participants of the Guidance Group and the regional convenings that thorough trainings are essential for success. Research by the Oakland Unified School District (2014) and the San Francisco Unified School Districts (2018) supports this.

Trainings seek to help stakeholders understand the three primary RJS interventions: Tier 1 -- prevention of harm circles; Tier 2 -- mediations (harm circles and family conferences) after harm has occurred; and, Tier 3 -- restoration of balance between students and the school community to make reentry both possible and smooth. Key principles to be taught include: indigenous wisdom and balanced relationships; community inclusiveness; circle practices; SEL; narrative inquiry, and trauma-sensitive approaches. (Kreger *et al.*, 2018) By employing these approaches, trusting relationships and respectful, compassionate interactions are built. Trainings set the tone for a paradigm shift away from punitive practices and toward restorative, healing ones.

Beyond training in essential RJS principles, California practitioners recognize the desirability of training on a number of topics that support RJ practices, including SEL, narrative inquiry, and trauma-sensitive approaches. Employing these practices to address trauma, community stressors, and microaggressions contributes to the success of RJS programs. School administrators in California are now required to be proficient in RJS practices as well as most of the above-named practices noted above. (California Commission on Teacher Credentialing, 2014; California Commission on Teacher Credentialing, 2016)

Ongoing training: a continuum. Like many disciplines in which practitioner judgement is integrated into practice, RJS requires a significant amount of interaction, feedback, and reflection among trainers and trainees. (Martin, Zindel, & Nass, 2018; Goodman, Gbaje, Yassin, Dias, Gilbert, & Thompson, 2018; Serrano, *et al.*, 2019) Although the literature recognizes the importance of working toward a comprehensive RJS plan, stakeholders recognize that implementation of a whole-school RJS program is the most difficult task they have faced as practitioners.

Adapting to cultural paradigm shifts requires time and patience. This is true for the adoption of restorative relationships, as well. Due to the evolving nature of these relationships and the unanticipated events that can occur during implementation, it is especially important that time for training and practitioner feedback continue. In this respect, RJS is similar to the practice of psychology, social work, public health, medicine, and other disciplines where the development of expertise depends upon ongoing learning and mentorship. Thus, it is insufficient to hold introductory trainings of these practices without ongoing training and opportunities for teachers and administrators to share their experiences and hone their skills.

2. Data and Evaluation

A second critical area raised by stakeholders is the need for data collection and evaluation to support RJS implementation. (Butt, Aurangzeab, Naaranoia, & Savolainen, 2016) While study participants were not always knowledgeable in the ways data are collected and analyzed, most agreed that data results, if presented to them in understandable and digestible formats, would enable them to make informed decisions to adjust, adapt, and improve their RJS activities. They also made it clear that they wanted to participate in those data explorations.

Range of data required: baseline through sustainability. The scope of evaluation data ranges from initial baseline data to ongoing feedback on training and implementation approaches. Stakeholders must agree on the selection of goals and benchmarks that will be measured to demonstrate progress and therefore the data employed to document progress.

Baseline data can include demographics; academic performance by grade, race and ethnicity and gender; school suspensions and expulsions; absence rates; resources (both current and potential, including school staffing patterns for positions such as counselors); and a thorough evaluation of community assets and challenges.

Providing data in user-friendly ways in a timely manner facilitates both for mid-course corrections or adjustments and informing all stakeholders of progress in implementation. (Butt, *et al.* 2016) These rapid feedback loops also enable all stakeholders to identify what types of additional training and technical assistance is required to make the implementation smooth. Studies have documented the challenges of evaluating RJS due to the individual variability of schools, as well as a lack of standardized concepts and implementation practices. (Fronius, Persson, Guckenbug, Hurley, & Petrosino, 2016; RAND, 2016)

Stakeholder involvement in data collection and evaluation can ensure that critical assets are not overlooked (Minkler & Wallerstein, 2003) and that RJS progress toward full implementation will have community support. (Rosenfeld & Berninger, 2009) Moreover, stakeholders participating in these processes can become sophisticated participants in establishing priorities for the RJS program roll-out, and can assist initial and ongoing training.

3. Sustainability

A third area highlighted by stakeholders in their discussions of RJS implementation is the need for sustainability and funding. Without designated funding streams and a leadership and workforce pipeline, implementation of an ongoing RJS program would be doomed to failure. (Rosenfeld & Berninger, 2009; Kraiger, 2013) Participants were clear that meaningful implementation at the school level requires an in-house RJS coordinator as well as a guidance committee made up of teachers, administrators, students, and school employees, establishing these requires both economic resources and talented personnel. This is consistent with past research. (Oakland Unified School District, 2014)

While it is clear that many factors contribute to successful RJS programs, in order for RJS to move forward aggressively statewide, designated funding is imperative to assure the workforce pipeline. Such funding would validate the values proscribed by RJS and allow schools to experience firsthand the differences a restorative approach can make.

Challenges. Implementation is all too frequently sidelined by changes in administrators at both the school and district levels. A school may hire a principal with RJS experience who enthusiastically embraces RJS practices. The next year she may be replaced by a new principal with a zero-tolerance policy approach instead of one that enhances a long-term sense of responsibility and nurtures restorative relationships.

When this happens, RJS implementation frequently lacks the underpinnings of support, whether the plan exists on paper or not. Those schools with the greatest continuity and expansion of RJS are those with an underlying belief in just and equitable learning environments; in the power of restorative relationships; and in the ongoing training and support to implement these strategies. These schools have also established, from the onset, an infrastructure that includes ongoing training, as well as, a guidance group of teachers, administrators, students, and parents. This structure provides the basis for continuity, allowing for adjustments as the needs arise.

The phrase “whole school implementation” surfaced a number of times during discussions. While there are whole school implementation guides, (San Francisco Unified School District, 2018; Oakland Unified School District, 2017) implementing RJS, also requires practitioners and stakeholders to understand the nature of changing complex systems. (Williams & Hummelbrunner, 2011)

Creating this system in a school requires multiple steps over time, and must be tailored to the context and issues of the individual school. (Williams & Hummelbrunner, 2011) It is often helpful for goals to be designated into short-, medium-, and longer-term, while maintaining a seamless system that enables students, teachers, parents, caregivers, and community members to participate and learn. Pilot programs involving a single grade level or specific classrooms can provide an important development stage to make adjustments prior to whole school implementation.

4. Facilitating Factors and Barriers to Implementation

By focusing on enabling factors and barriers, RJ stakeholders can be strategic in harnessing resources for their local and statewide efforts. Under enabling factors, specific categories warrant mention. Teacher and administration buy-in, and identifying champions across sectors are important components of successful programs. (Kotter, 2012) Funding from grants or the school district speaks to the current need to supplement RJS budgets and build the capacity to tackle the multilayered work necessary. Additional evidence of successful RJS outcomes can contribute to the rationale for increased funding.

The training, evaluation, and sustainability categories discussed above outline critical facilitating factors for a smooth implementation of RJS. Buy-in from the many levels of stakeholders can be accomplished through RJS training. Similarly, the barriers cited can be addressed by understanding the goals and procedures of RJS and by understanding the flexible, non-punitive approach to maintaining and reestablishing peace in the school setting by respecting all voices and repairing harm when it occurs. These approaches can all be learned and reinforced through RJS training. (National Research Council & Institute of Medicine, 2002)

Recommendations

The previous discussion highlights the commitment from practitioners and stakeholders who participated in the study to improve educational outcomes, create healthy communities, and reduce inequities. Recommendations for next steps include:

1. Standardizing RJS terminology, practices, common data collection elements, and desired outcomes;
2. Defining approaches to assess school and school district data in conjunction with stakeholder goals;
3. Developing funding for well-structured school RJS programs and evaluations so that promising practices can be documented within specific school contexts;
4. Promoting educational RJS training statewide so that programs can expand in California schools where they are needed;
5. Developing and disseminating resource allocation strategies that encourage school districts to adopt budgets that fund onsite RJ practitioners with dedicated space and resources;
6. Promoting legislation that provides funding for pilot school districts to measure RJ implementation fidelity;

7. Increasing opportunities for relationship-building and advocacy among RJS allies, including students, parents, practitioners, educators, funders, and researchers. Opportunities should reflect diversity across regions and demographic variables.

Conclusion

A California RJS non-profit convened a diverse group of RJS practitioners and stakeholders from across the state to determine a set of RJS promising practices for schools. What emerged was a set of core principles and supportive practices for RJS (Kreger *et al.*, 2018), as well as key factors and core approaches to implementation. Additionally, facilitating factors and barriers to implementation were documented. Participants emphasized the need for training across RJS participant groups and the importance of employing data-driven evaluation strategies that support all sectors of the educational RJS community. Finally, they affirmed the importance of designated resources to create an RJS infrastructure. Further research and support for these endeavors will enable documentation of educational RJS outcomes and compare them to other approaches as we advance toward preventing and resolving conflict in more productive ways.

This study reveals that many educational practitioners are invested in furthering social change within schools to increase equity and reduce disproportionality. This work can be furthered by having a common set of practices that all RJS stakeholders are familiar with and that RJS trainings could solidify. Well-designed evaluations of RJS, from collecting accurate data to assessment of implementation fidelity and outcomes, can provide the data for tailoring programs to specific schools and communities, as well as increasing practitioner capacity and solidifying the case for funding. This, in turn, can assist stakeholders and policymakers to strengthen funding streams that enable programs to be sustainable and reduce current inequities.

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