

# RESTORATIVE PRACTICES RESPONSE IN STUDENT DISCIPLINE (BACKGROUND INFORMATION FOR POLICY REVIEW COMMITTEE)

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Nationally, school districts have different policies and procedures regarding student discipline. Some districts employ strict, punitive disciplinary procedures, maintaining a zero-tolerance policy for rule violations. Others apply a standard aimed at restoring the wronged party and addressing the behaviors involved. Over the years, student discipline policies have exhibited a disproportionately negative impact on students of color.

Moreover, school districts have been criticized for discipline policies that have yielded significantly higher percentages of rates of suspensions, expulsions, and school arrests among black and Latino students when compared to those of white students across the district's student population. This disparity has also been acknowledged by the federal government. A guidance jointly issued by the U.S. Department of Education and the U.S. Department of Justice informed public schools that they risk sanctions and/or lawsuits for violations of Title IV and Title VI of the Civil Rights Act of 1964 which prohibit discrimination on the basis of race, color, or national origin.

This narrative provides context for the Board's adoption of the mandated "Restorative Justice Policy." It discusses the rationale of the restorative justice response model and how it can reduce exclusionary discipline and provide equal access to education for all students. It reviews the model's characteristics as they relate to student discipline in public schools and some common misconceptions regarding implementation.

## **Background and Rationale Behind the Restorative Justice Model**

Restorative practices, a system of corrective justice, focuses on the rehabilitation of offenders through reconciliation with victims and the community at large. Rather than punishing someone for a wrongful act, restorative justice uses mediation and agreement to correct the behavior of the offender and restore the wronged party. CABE's School Climate Policy 5131.911 defines restrictive practices. "**Restorative practices**" means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

Many school districts, beginning in the 1990s have utilized a form of zero tolerance as a model for student discipline. Zero tolerance policies contain an explicit, predetermined severe punishment for offenses. These policies, typically targeting gang-related activity and drug offenses, remain fairly common. Many schools and districts also believe that zero-tolerance policies provide for fair and equal treatment of students because they remove background factors in assigning punishment. For example, a zero-tolerance policy for fighting in schools would theoretically affect all students fairly, regardless of background.

Over time, zero-tolerance policies became broader in scope, encompassing various other violations of school policy, including bullying, attendance, and insubordination. Research over the years indicates that a significant percentage of student suspensions and expulsions are for nonviolent, non-drug-related violations.

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A result of zero tolerance policies in public schools has been shown to be a cause for an increase in the reported incidents of student discipline among students of color. Data from the U.S. Department of Education's Civil Rights Data Collection indicates that, nationally, black students account for nearly 40% of all students receiving at least one out-of-school suspension but only 15% of the total student population. In addition, black and Latino students account for over 50% of all school-related arrests, including referrals to law enforcement for conduct not related to criminal activity. These statistics and nationwide disparities have prompted school districts, legislators, and other interested parties to adopt restorative practices and determine the extent to which this approach will break this destructive pattern.

### **The Role of Restorative Practice in Public Schools**

Restorative practices strive to facilitate a nondiscriminatory and constructive student discipline system, replacing classroom suspensions for rule violations and other low-level altercations and offenses with opportunities for restoration to the harmed person. For some schools and districts, the implementation of alternative student discipline policies that allow schools to accomplish necessary educational goals is a primary and important mission. Federal data reveals significant racial disparities in student discipline, namely suspensions, which gives rise to concerns of racial discrimination that violate Title IV and Title VI and populating the "school to prison pipeline." The existence of such racial disparities invites students, teachers, and communities to question whether there are practices and systems, perhaps unconscious, of discrimination in a school's or district's policies and practices.

Restorative practices are believed to play a constructive role in addressing and improving students' academic performance in public schools. Studies have shown that high suspension rates negatively impact students' academic progress, which leads to lower test scores and higher dropout rates regardless of race or socioeconomic status. Students have a more difficult time learning when they are not in class. Other studies have shown a correlation between student suspensions or dropouts and criminal activity. Proponents of the restorative approach indicate that student discipline is handled constructively rather than punitively, which is an approach that is much more likely to keep students in school.

### **What Restorative Practices in Public Schools Means**

While the Model School Climate Policy defines restorative practices, school districts may vary in their implementation methods. Some utilize a three-tiered model for restorative practices that focus on prevention, intervention, and reentry.

Other school districts focus more of their resources on training counselors to adequately address conflicts after they have occurred. Some schools have students and faculty jointly involved in restorative practices committee hearings, whereas other schools have mostly teacher-led and faculty-led hearings. In short, restorative practice does not look the same in any two schools or districts across the country. However, constants exist within the schools and districts utilizing the model.

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One aspect of restorative practice common to all schools is the facilitation of discussion between the student offender and the person harmed. A principle of restorative practices is to provide a space for the offender and the offended to talk through problems, address the underlying issues or behavior, and to make amends. When a student violates a rule or policy, they are brought before a committee consisting of their peers, faculty, or both, who explain the harm that was caused or could have resulted. Rather than questioning what rule was broken, who broke it, and what the rule breaker deserves as punishment, the discussion centers around the harm and the remedies. This conference also gives the student offender an opportunity to share what had occurred, motivations or extenuating circumstances.

In addition, the implementation of restorative practices in student discipline requires a level of time and resource commitment. Restorative practices committees and hearings take more time than the process required to suspend a student. An increase in time commitment for disciplinary proceedings may be more difficult for schools and districts with large populations, as it could leave less time and fewer resources for addressing other student needs. Districts without the necessary resources for restorative practices training also face challenges in implementation. Successful implementation requires teachers and administrators alike to buy into the concept of taking more time with individual offenses to prevent future violations. As the state is mandating districts to adopt a Restorative Practices policy and interventions reflective of the definition found in the model School Climate Policy, which also requires Board adoption, one can expect various training opportunities and resources for districts to follow.

Approved by its Board of Directors on March 31, 2017, the National Association of Community and Restorative Justice (NACRJ) developed a mission statement to promote policies and procedures that allow for restorative practices to be implemented in K-12 schools. In support of the policy positions, NACRJ calls for local and regional boards of education to adopt school or district-wide climate practices to foster caring relationships and discipline policies that employ social engagement over social control.

In addition, the policy statement calls for state education agencies to provide technical assistance and institutions of higher education to include the theory and practice of restorative processes in schools as part of teacher and school administrator licensure programs. These efforts should lead adults working with young people to adopt restorative practices for their own use, including building healthy relationships between each other and having policies in place to repair the harm that may occur with conflicts between and among adults involved in educational systems (NACRJ Policy Statement on Restorative Practices in K-12 Education, National Association of Community Restorative Justice, San Antonio, Texas, 2017).

According to NACRJ, ten essential elements of the vision of school-wide restorative practices in K-12 education exist. They include:

- Prioritizing, nurturing, and maintaining healthy relationships;
- Empowering all school community members to make choices based on common values;
- Guiding educators to clarify their beliefs about children and issues of power;
- Understanding that challenging behaviors demonstrate a breakdown of relationships and unmet needs;

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- Healing comes through reparation and support;
- Believing in your students and working together to support every student;
- Anticipating, monitoring, intervening, and addressing conflict, violence, mistreatment, bullying, and harassment of any kind;
- Initiating trauma-informed practices that prioritize relationships and promote healing;
- Ensuring curriculum and instructional materials reflect the diversity of students and how they learn;
- Making learning more fun and meaningful by employing relationship-based pedagogies.

Implementation guidelines center on five stages: Assessment and Exploration, Capacity Building, Planning, Initial and Full Implementation, and Evaluation.

### **What Restorative Practices in Public Schools Does Not Mean**

Restorative practice does not mean that students who commit serious or criminal acts will receive a “pass” or some lesser punishment for their actions. Restorative mediation is seldom used in situations involving major offenses. This means that restorative practices are not appropriate as an option in situations involving gun or weapons possession, or violent sexual behavior, for example. Further, these offenses are controlled by federal and/or state statute and schools may have a legal responsibility for specified disciplinary actions. The majority of offenses that result in student suspensions, and thus the impetus for the restorative practices movement, have been for nonviolent, noncriminal offenses such as willful defiance and insubordination.

Additionally, its supporters indicate that restorative practices does not mean that teachers will lose the ability to “control” their classrooms. Some schools have been reluctant to adopt the restorative model because teachers fear losing command over the student disciplinary process. Teachers may share their concern over the loss of consequences for unruly students.

However, effective implementation of restorative practices in schools does not mean less control over classrooms for teachers. Instead, some teachers report having significantly better relationships with their students, as the students aren’t afraid to come forward when they make a mistake because they know there is mutual respect between the teacher and class.

Moreover, restorative practices should not infringe upon the privacy rights of students. Restorative practices committees and hearings involving student and faculty committee members do present a student privacy concern. The federal Family Educational Rights and Privacy Act (FERPA) necessarily requires that the disclosure of a student’s personally identifiable information (student discipline records count as such) be made with the written consent of that student or his or her parents. Students and faculty participating in the hearings must also sign nondisclosure agreements. In some school districts implementing this approach, students and parents have the option to opt out of restorative disciplinary hearings and pursue traditional disciplinary measures. Consultation with the Board attorney is an important step to ensuring these matters receive adequate legal consideration.

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## **Implementation: Where it Works, and Where it Needs Improvement**

The Oakland Unified School District (OUSD) in California was one of the first school districts to implement restorative practices in student discipline. OUSD has successfully cut down on suspension and expulsion rates and increased student rehabilitation since implementing the practice. The District's success is credited to the use of the three-tiered model of restorative justice. The three-tiered model focuses on prevention, intervention, and supported reentry. The prevention stage utilizes teachers, students, and the community to build and promote social and emotional skills that serve as an initial barrier to rule violations, conflict, or harmful and inappropriate behaviors.

The second tier, the intervention stage, focuses on addressing rule violations with the offender in a constructive, non-punitive manner. This stage helps the offender to understand the harm caused by their actions, while also helping the community to understand what motivated the student to act that way. The third stage, the supported reentry tier, assists the student in reintegrating into the school environment when they have been suspended or otherwise removed from classroom instruction in a way that sets the student up for success. OUSD's use of the three-tiered model includes a proactive circle with students and a restorative practices coordinator, as well as peer mediation and family group circles with student offenders.

OUSD has also experienced success in using restorative practices in the school disciplinary system due to the district's funding and support for its implementation. Oakland Unified School District had funding available to hire a restorative practices program director to oversee the training and application of the model in the district. However, even in schools with limited funding, restorative practices have still found success. In Pittsfield, New Hampshire, teachers researched programs in other school districts and created their own restorative practices program in a school of only 260 students.

The Los Angeles, California, district (LAUSD), however, had experienced difficulties in effective execution of the restorative practices discipline model. Here, as in other similarly situated school districts, a significant roadblock for LAUSD has been funding and allocation of resources directed towards this initiative.

As a cautionary tale, San Diego Unified School District (SUSD) had also run into resource issues and, as a result, had zero schools in the district operating beyond the beginning stages of a restorative practices program. Consequently, teachers complained that the lack of training, coupled with the absence of exclusionary punishments adversely affected their ability to control their classrooms. In some schools, in fact, the lack of proper resources for restorative practices in discipline has led teachers and administrators to turn to calling the police to handle disruptive students, an unintended and adverse consequence related to poor implementation.

## **Conclusion**

Schools and school districts across the country have a legitimate interest in ensuring that their student disciplinary procedures function in a way that provides full and equal access to education, as well as a safe, friendly and respectful environment for all students. Restorative practices offer schools and districts a way to address student misconduct restoratively, reducing the number of suspensions that usually cost students valuable learning time while not addressing the harm and contributing factors of the challenging behaviors.

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Increasingly school districts nationwide are adopting restorative practices in their student discipline models. Some districts have found success in implementation where there are sufficient resources available to facilitate training, a strong model for comprehensive reform, and a collective buy-in from faculty, students and the community.

## **Policy Implications**

Public Act 23-167, Sections 47-55, 70-71 and 86-87 require boards to adopt and implement the new CT School Climate policy (CABE Policy #5131.911). In addition to this mandated policy, Public Act 23-167, Section 74 requires boards to adopt a “restorative practices response” policy by the 2025-26 school year. Drafted in January 2018, CABE developed a model policy for districts wishing to implement this practice. As this practice is now required and boards must adopt a policy, CABE’s model policy 5144.12 has received extensive updating to coordinate with language and definitions in the CT School Climate policy and fulfill the requirements in the Public Act. Now a mandated policy, CABE’s Restorative Practices Response policy, must be implemented by school employees for incidents of “challenging behavior” or student conflict that is nonviolent and does not constitute a crime. This policy cannot involve SROs or other law enforcement officers unless the behavior or conflict becomes violent or criminal.

Restorative practices is based on a philosophy that establishes principles that guide the response to conflict and harm. This approach's three main goals encompass accountability, community safety, and competency development. As applied to schools, this philosophy views misconduct as a violation against people and damaging to relationships in the school and throughout the community.

Schools may involve a wide range of people in the restorative practices process, including the victims, who are often teachers, school staff, bystanders, other students, and the school community. Schools can apply restorative practice principles to move beyond responding to violations of school rules or merely reacting to conflict.

Restorative practices emphasize values of empathy, respect, honesty, acceptance, responsibility and accountability. They can involve all types of students and provide opportunities to socialize students and teach them how to be productive members of society. The discipline process includes learning how to control impulses and honing social skills. Restorative practices also:

- Provide ways to effectively address behavior and other complex school issues.
- Offer a supportive environment that can improve learning.
- Improve safety by preventing future harm.
- Offer alternatives to suspension and expulsion.

Inclusion in the disciplinary process is a basic tenet of restorative practices. Students, as well as teachers and school staff, should be included as members of the school community. These disciplinary practices within schools have the potential to be more supportive, inclusive, and educational than other approaches. In reaching the goals of the restorative disciplinary approach, experts recommend:

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- Creating caring climates to support healthy communities.
- Understanding the harm and developing empathy for both the harmed and the harmer.
- Listening and responding to the needs of the person harmed and the person who was harmed.
- Encouraging accountability and responsibility through personal reflection within a collaborative environment.
- Reintegrating the harmer into the community as a valuable, contributing member of society.
- Changing the system when it contributes to harm.

This approach can be implemented in varying degrees, from a single program to permeating school philosophy. Restorative practices programs in schools typically operate under formal guidelines and incorporate trained individuals to deal with conflict and violations of school rules. Such programs allow for the reparation of harm and have the potential to influence school climate and strengthen positive social connections between students and staff.

While restorative practices offer a promising alternative to traditional school disciplinary systems, considerable implementation challenges exist. Such challenges include finding the time and financial resources needed to train teachers and, over time, securing the support of a large number of school staff to sustain implementation.

While school boards are required to implement restorative practices and adopt policy, moving toward such an approach requires more fundamental change – changes in beliefs and how we interact. Therefore, the move towards a restorative approach is a comprehensive systems approach, one requiring training, commitment, more training, and more commitments. Fortunately, there are many resources available to districts

A required policy, #5144.12, “Student Discipline: Restorative Practices,” and an administrative regulation have been developed and follow for consideration.

***Disciplinary Action***

*When any student is referred by any staff member for violation of school rules the following Restorative Plan will be followed:*

1. *Restorative measure represents a philosophy and a process that acknowledges that when a person does harm, it affects the persons they hurt, the community and themselves. When using restorative measures, an attempt is made to repair the harm caused by one person to another and to the community so that order is restored for everyone. By applying restorative measures in schools, school personnel have another tool to use with children and youth to repair harm and teach problem-solving skills.*
2. *Restorative practices guide teachers to teach children self-control through an understanding of personal needs, the use of problem-solving skills, and an expectation that children and adults can make amends-restitution-for the harm they cause.*
3. *An offending student is given the opportunity to participate in a restorative process to make things right for victims and the school community. Restorative approaches can be used in place of traditional discipline (detention, suspension, expulsion, etc....) or as a reentry tool upon exiting traditional disciplinary practices.*

*A mandated policy to consider.*

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline**

#### **Introduction**

Related to all matters of student discipline, the Board of Education requires district staff to make every effort to correct student challenging behavior through school-based resources and to support students in learning the skills necessary to enhance a positive school climate and avoid challenging behavior.

For most behaviors, schools should minimize the use of in-school and out-of-school suspensions, recommendations for expulsion, and referrals to law enforcement to the extent practicable while in compliance with state statutes, local ordinances, and mandatory reporting laws. It is the goal of the \_\_\_\_\_ Public Schools and the Board of Education that the juvenile and criminal justice systems be utilized rarely to address all forms of challenging behavior.

All challenging behavior procedures and responses shall ensure due process and be enforced uniformly, fairly, consistently, and in a manner that does not discriminate on the basis of ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, gender identity or expression, age, or disability.

For the school year beginning July 1, 2025, the \_\_\_\_\_ Board of Education adopts this “Restorative Practices Response” policy to be implemented by school employees for incidents of challenging behavior or student conflict that is nonviolent and does not constitute a crime. This policy shall not include the involvement of school resource officers or other law enforcement officials unless the behavior or conflict becomes violent or criminal.

The Board of Education (Board) supports the District’s fundamental mission to provide all students the opportunity to achieve academically and socially and emotionally, ethically, civically, and intellectually at the highest levels and to become a contributing and engaged citizen in our diverse society. All students should have the opportunity to develop their skills, knowledge, and competencies in a nurturing and accountable school setting. Schools play an important role in helping families and children make responsible decisions, cooperate with others, and have a successful life. Children, at times, find it difficult to manage their emotions and focus on their studies effectively. Developmentally appropriate social and emotional skills building allows students to cope with stress so they can access learning and develop into productive adults. Learning is a social activity, meaning children must be ready to learn by regulating their emotions and working constructively with others. Social and emotional learning (SEL) helps build a positive school climate by developing emotional intelligence through self-awareness, self-management, goal setting, social awareness, relationship building, collaborative skills, and responsible decision-making. Students should receive effective and engaging teaching, with curriculum, instruction, and assessment designed to address the needs of diverse learners.

## Students

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline** (continued)

Restorative approaches recognize students' unique strengths, needs, and interests and present an opportunity for schools to develop a structure that utilizes practices that will create a more equitable path for all students. Utilizing restorative practices allows schools to embody more equitable approaches and meet students' short—and long-term needs.

The Board believes that all students have a right to attend schools that are safe and free from unnecessary disruption. Appropriate student behavior, reinforced by an effective system of discipline, is essential to creating and maintaining a positive school climate. This is the joint responsibility of students, staff, parents, and the community.

The Board requires District schools to implement restorative practices in response to conflict and harm. The “Restorative Practices Response” philosophy supported by the Board views misconduct as a violation against people and damaging to relationships in the school and throughout the community. The Board recognizes that schools may involve a wide range of people in the “Restorative Practices Response” process, voluntarily including victims, who are often teachers, school staff, bystanders, other students, and the school community.

#### **The four main goals of Restorative Practices Response are:**

1. **Relationship Building:** creating a school environment where everyone is safe, welcomed, supported, and included in all school-based activities and focuses on high-quality, constructive relationships among the school community members;
2. **Accountability:** Restorative Practices Response strategies hold each student accountable for any challenging behavior;
3. **Community Safety:** Restorative Practices recognize the need to keep the school community safe through strategies ensuring that all students have a role in repairing relationships affected by challenging behavior. In safe, supportive education environments students feel a sense of belonging and allow schools to challenge policies and procedures that prevent student growth;
4. **Competency Development:** Restorative Practices Response seeks to increase the social-emotional intelligence skills of those who have harmed others, address underlying factors that lead students to engage in the form of challenging behavior, and build on strengths.

#### **Definitions**

Through adopting the Connecticut School Climate Policy (5131.911), the Board endorses a “Restorative Practices Response” approach to student discipline. As defined in Policy 5131.911,

**Restorative Practices** mean evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

## Students

### Challenging Behavior Prevention: Restorative Practices Response in Student Discipline

#### Definitions (continued)

“**Challenging Behavior**” means behavior that negatively impacts school climate or interferes, or is at risk of interfering with, the learning or safety of a student or the safety of a school employee.

“**Evidenced-Based Practices**” in education refer to instructional and school-wide improvement practices that systematic empirical research has provided evidence of statistically significant effectiveness.

“**School Climate**” means the quality and character of school life, with a particular focus on the quality of the relationships within the school community. It is based on patterns of people’s experiences of school life and reflects the norms, goals, and organizational structures within the school community.

“**Social and Emotional Learning**” means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.

“**Emotional Intelligence**” means the ability to (A) perceive, recognize, and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem-solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.

“**School Community**” means any individuals, groups, businesses, public institutions and nonprofit organizations that are invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

“**School Environment**” means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs that occur outside of a school-sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.

#### Purpose

The purpose of this policy is to support school discipline that:

1. The school district community has a shared vision and plan for promoting and sustaining a positive school climate that focuses on prevention, identification and response to all challenging behavior;
2. Maintains safe and engaging learning communities;

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline**

#### **Purpose (continued)**

3. Assures consistency and coherence across all schools in the District;
4. Defines and communicates expectations for student behavior;
5. Defines and communicates expectations for staff responsibility related to school discipline;
6. Balances the needs of the student, the needs of those directly affected by “challenging behaviors,” and the needs of the overall school community;
7. Assures equity across racial, ethnic, and cultural groups and all other protected classes, including, but not limited to, gender, color, national origin, ancestry, religion, age, disability, sexual orientation, and gender identity and expression.

#### **General Principles**

1. A positive school climate is best accomplished by preventing challenging behaviors before they occur and using effective restorative practices, in response to those challenging behaviors that may occur despite proactive measures;
2. School safety and academic success are formed and strengthened when all school staff and employees build positive relationships with students and their parents and/or guardians;
3. Effective school climate maximizes the amount of time students spend learning academically, socially, and emotionally, ethically, civically, and intellectually and minimizes the amount of time students cause disruption or are removed from their classrooms due to an act of challenging behavior;
4. School discipline should be reasonable, timely, fair, age-appropriate, and should be proportionate to the student’s challenging behavior. Response to an act of challenging behavior that is rooted in restorative practices will provide meaningful instruction and guidance, offers students an opportunity to learn from their mistakes and is more likely to result in engaging rather than punitive responses to challenging behavior. The school community should adopt policies that promote a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally re-engaging and disengaged students, educators, and families of students in the school community;
5. Effective school climate improvement is a restorative process that engages all school community members in promoting a positive school climate. The vast majority of challenging behaviors should be addressed at the classroom level by teachers; however, behaviors that cannot be addressed at this level should receive more targeted and intensive interventions, as determined by an individualized assessment;

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline**

#### **General Principles (continued)**

6. The District serves a diverse community. In order to serve all students and to prepare them to be members of an increasingly diverse community, schools and staff must build cultural competence. We must commit to eliminating institutional racism and any other discrimination that presents barriers to success. The school community should create a school environment where everyone is safe, welcomed, supported, and included in all school-based activities;
7. Challenging behaviors, which may be subject to disciplinary action, including any within the school environment, but not limited to those occurring during either curricular or extracurricular activities, in classrooms, in school buildings, on school grounds, or in school vehicles, when such conduct is detrimental to the school environment and to the welfare or safety of other students or school personnel.

#### **General Policy Guidelines**

The District's system of school climate improvement is built on the incorporation of restorative practices, which should include:

Evidence and research-based system-level restorative practices that focus on:

- 1) building high-quality, constructive relationships among the school community,
- 2) holding each student accountable for any challenging behavior, and
- 3) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

Restorative practices should be guided by the Connecticut School Climate Standards:

1. The school district community has a shared vision and plan for promoting and sustaining a positive school climate that focuses on prevention, identification, and response to all challenging behaviors.
2. The school district community adopts policies that promote: a) a sound school environment that develops and sustains academic, social, emotional, ethical, civic, and intellectual skills; and b) a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally reengaging any disengaged students, educators, and families of students in the school community.
3. The school community's practices are identified, prioritized, and supported to: a) promote learning and the positive academic, social, emotional, ethical, and civic development of students. b) enhance engagement in teaching, learning, and school-wide activities. c) address barriers to teaching and learning; and d) develop and sustain a restorative infrastructure that builds capacity, accountability, and sustainability.

## Students

### Challenging Behavior Prevention: Restorative Practices Response in Student Discipline

#### General Policy Guidelines (continued)

4. The school community creates a school environment where everyone is safe, welcomed, supported, and included in all school-based activities,
5. The school community creates a restorative system that cultivates a sense of belonging through norms and activities that promote social and civic responsibility, and a dedication to cultural responsiveness, diversity, equity, and inclusion.
  - a. Practicing early identification and assessment of struggling students;
  - b. Using a problem-solving/collaborative process to provide interventions matched to student needs;
  - c. Ensuring timely progress monitoring and feedback; and
  - d. Delivering scientific research-based interventions.

The District shall post this policy on the District website and in each school. A copy of this policy and accompanying procedures shall be readily available in each school's administration office.

Copies of this policy, any accompanying procedures/regulations, and school rules will be made available, upon request, to each student and parent/guardian and, upon request, promptly translated into a language that the parent/guardian can understand.

Applying the goals related to Restorative Practices Response, this policy's definitions, purpose, principles and guidelines, the Superintendent, or his/her/their designee shall develop such procedures and provide for any training necessary as may be needed to effectively implement this policy.

- (cf. 1110.1 – Parent Involvement)
- (cf. 4131 – Staff Development)
- (cf. 5114 – Suspension/Expulsion; Student Due Process)
- (cf. 5131.1 – Bus Conduct)
- (cf. 5131.6 – Drugs, Alcohol, Tobacco)
- (cf. 5131.7 – Weapons and Dangerous Instruments)
- (cf. 5131.8 – Out of School Grounds Misconduct)
- (cf. 5131.9 – Gang Activity or Association)
- (cf. 5131.911 – Connecticut School Climate Policy)
- (cf. 5131.913 – Cyberbullying)
- (cf. 5131.92 – Corporal Punishment)
- (cf. 5141.4 – Reporting of Child Abuse and Neglect)
- (cf. 5144.3 – Discipline of Students with Disabilities)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.52 – Harassment)

## Students

### Challenging Behavior Prevention: Restorative Practices Response in Student Discipline

Legal Reference: Connecticut General Statutes  
4-177 through 4-180. Contested Cases. Notice. Record, as amended.  
10-233a through 10-233f Suspension, removal and expulsion of students,  
as periodically amended.  
21a-240(9) Definitions.  
53a-3 Definitions.  
GOALS 2000: Educate America Act, Pub. L. 103-227.  
18 U.S.C. 921 Definitions  
Title III - Amendments to the Individuals with Disabilities Act Sec. 314  
Elementary and Secondary Schools Act of 1968, as amended by the Gun Free  
Schools Act of 1994  
PL 105-17 The Individuals with Disabilities Act, Amendments of 1997  
P.L. 108-446 Individuals with Disabilities Education Improvement Act of  
2004  
*State v. Hardy*, 896 A.2d 755, 278 Conn 113 (2006)  
Public Act 23-167, Section 74, An Act Concerning Transparency in  
Education

Policy adopted:  
cps 4/24

*An administrative regulation to consider/modify to fit the local learning community.*

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline**

The following procedures are developed for implementing Board Policy #5144.12. They are designed to be consistent with the general purpose and principles outlined in the aforementioned policy and with federal and state statutes and regulations.

The District and staff are committed to establishing positive learning environments that ensure that all students have access to a quality education. The District recognizes that a key aspect of maintaining a healthy and safe environment is establishing and maintaining positive and constructive behavior in our schools. This goal can only be achieved through the cooperative efforts of our school personnel, students, parents, guardians, and our community.

#### **School Discipline Administration**

1. Staff training will be provided as needed to ensure that the Restorative Practices in each school are effective and that relevant policies and procedures are equitably applied. Such training will include, but not limited to, strategies and approaches related to Restorative Practices and its theoretical framework.
2. School district staff responsible for implementing this policy shall do so without discrimination based on ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, sexual identity or expression, age or disability.
3. Challenging behavior related to students receiving special education and tiered intervention supports shall be in accordance with the student's Individualized Education Program (IEP), and behavior intervention plan, 504 Plan, and Board policy.
4. The District believes that developing strong relationships with families is the first step in establishing safe and healthy schools. School staff members are encouraged to contact parents early in the school year to proactively establish positive school-home communication and throughout the school year to share student successes and challenges, and develop plans to help students have access to a quality education. The District Schools will convene parent sessions to educate the community on Restorative Practices Response and how it will be implemented in the schools.
5. The District is committed to eliminating the disparity in school discipline with respect to its underserved populations by reducing the number of referrals, suspensions, and expulsions. The staff will engage in restorative practices that enhance school climate and develop a system for addressing challenging behavior that promotes equity. Staff members are specifically charged with monitoring the impact of their actions on students from racial and ethnic groups or other protected classes that have historically been over-represented among those students who are suspended, expelled or referred to law enforcement. The District will collect discipline data examining and aggregating referrals and disciplinary responses. In addition, principals will provide the Superintendent with an annual report highlighting Restorative Practices Response programs, their impact on school climate, and the number of referrals and disciplinary actions.

## Students

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline** (continued)

#### **School-Level Rules**

In developing school-level rules of behavior, the school shall solicit the participation, views, and feedback of at least one representative selected by each of the following groups:

1. Parents/guardians
2. Teachers
3. School administrators
4. For middle, junior high and high schools, students enrolled in the school

The “rules” shall be consistent with law, Board of Education (Board) policy, and District administrative regulations. The development of the rules shall be informed by school-level challenging behavior data as described in policy #5144.12.

The school shall also solicit participants’ views on whether school-level and District-level standards of behavior are being equitably and fairly applied. The confidentiality of student records shall be maintained at all times.

#### **Interventions**

**General:** Effective school responses related to challenging behavior shall promote interventions that refrain from interrupting a student’s education to the extent possible. Schools should minimize the use of suspensions, recommendations for expulsion, and referrals to law enforcement to the extent practicable while remaining consistent with federal and state statutes, regulations, and Board policies.

**Reasonable Responses to Challenging Behavior Consequences:** Responses should be reasonable, fair, age-appropriate, and match the severity of the student’s misbehavior, and through restorative practice consider the impact on the victim and/or community. Restorative practices that include meaningful instruction and guidance offer students an opportunity to learn from their mistakes and contribute back to the school community, and are more likely to result in having the student re-engage in learning.

#### **Relevant Considerations for Determining Restorative Practices**

1. Age, health and special education status of the student.
2. Appropriateness of student’s academic placement.
3. Student’s prior conduct and record of challenging behavior.
4. Student’s attitude.
5. Student’s willingness to repair the harm.
6. Seriousness of the offense and the degree of harm caused.
7. Impact of the incident on the overall school community.
8. The availability of prevention programs designed to address challenging behavior should also be considered before determining a restorative practices response.

## Students

### Challenging Behavior Prevention: Restorative Practices Response in Student Discipline (continued)

**Interventions/Alternative Means of Correction:** When challenging behavior occurs, schools shall investigate the circumstances and gather facts that will help determine appropriate interventions and a restorative response for that student, with emphasis on correcting student misbehavior through school-based resources. Responses to challenging behavior should provide students an opportunity to learn from their mistakes and reengage the student in learning. All interventions should balance the needs of the student, the needs of those directly affected by the behavior, and the needs of the overall school community.

Each school is responsible for incorporating a restorative response framework into its planning to reduce referrals and suspensions through pro-active intervention, positive behavioral support, restorative practices, and other non-punitive approaches to challenging behavior focused on maximizing student achievement, reducing such behaviors and avoiding loss of instructional time through the use of tiered interventions. That intervention framework shall integrate a Restorative Practices framework.

Referral of students from the classroom environment for challenging behaviors should be avoided. The District expects alternatives to suspension and restorative practices to be utilized before referring a student out of the classroom. The District expects that alternatives will be undertaken within the classroom except where suspension for specific offenses is required by statute and Board policy or where it can be documented that the challenging behavior imposes a clear danger to others.

There are three types of intervention strategies to be considered: Administrative, Restorative, and Skill-based/Therapeutic.

1. **Administrative Strategies** are statutorily or policy-required interventions that respond “to” the offender. These include removal from the classroom, detention, suspension, and expulsion.
2. **Restorative Strategies** coordinate with Connecticut’s School Climate Policy as they are problem-solving interventions responding “with” the offender. They are driven by an opportunity to restoration for the harm caused as much as possible and focus on the harm caused and how it will be repaired. A successful restorative practice response strategy may utilize interventions with allied agencies and professionals. An assessment of the incident/conduct will be completed, and the school or district will determine whether a face-to-face meeting with all parties is appropriate. Examples may include:
  - a. Family group conferencing
  - b. Victim-offender mediation
  - c. Classroom mediation circles
  - d. Reparation of harm

## Students

### Challenging Behavior Prevention: Restorative Practices Response in Student Discipline (continued)

#### Interventions/Alternative Means of Correction (continued)

3. **Therapeutic/Resource Strategies** are responses “by” the offender and require intrinsic motivational behavior change. Such interventions include:
  - a. Mental health counseling
  - b. Anger management classes
  - c. Informal mentoring and behavior coaching

Teachers and administrators should intentionally utilize various types of strategies, or multiple strategies simultaneously, to address and correct challenging behavior, especially for multiple offenses.

Consider adopting a District Restorative Practices Response statement and model with a common framework, definitions, and procedures. This statement and model should be widely displayed and available to all school community members.

Considerations for Adopting a District Restorative Practices Response Model:

1. The degree to which the model is easily integrated with the District’s Discipline policy;
2. The degree to which the model receives buy-in from the staff and school community;
3. The degree to which the model can be consistently and reliably implemented;
4. The degree to which adherence to the model is supported by research and yields positive results.

A statement and model can be designed in a manner similar to the following example:

#### Restorative Justice in \_\_\_\_\_ Public Schools

The Board considers Restorative Practices Response as a set of principles and practices used to build community, respond to harm/conflict, and provide individual circles of support for students in District schools. By building, maintaining, and restoring relationships between members of the entire school community, the District strives to create an environment where all students can thrive. The Restorative Justice approach to school discipline is to be implemented through a 3-tier, school-wide model.

##### **Tier 1: Community Building (Prevention/Relate)**

Tier I is characterized by the use of social-emotional skills and practice (classroom circles) to build relationships, create shared values and guidelines and promote restorative conversations following a behavioral disruption. The goal is to build a caring, intentional, and equitable community with conditions conducive to learning.

##### **Tier 2: Restorative Processes (Intervention/Repair)**

Tier 2 is characterized by the use of non-punitive response to harm/conflict such as harm circles, mediation, or family group conferencing to respond to disciplinary issues in a restorative manner. This process addresses the root causes of the harm, supports accountability for the offender, and promotes healing for the victim(s), the offender, and the school community.

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline** (continued)

#### **Interventions/Alternative Means of Correction** (continued)

##### **Tier 3: Supported Re-entry (Individualized/Re-Integrate)**

Tier 3 is characterized by 1:1 support and successful re-entry of youth following suspension, truancy, expulsion or incarceration. The goal is to welcome youth to the school community in a manner that provides wraparound support and promotes student accountability and achievement.

#### **Classroom-based Strategies to Reduce Challenging Behaviors**

Classroom-based strategies include, but are not limited to:

1. Explicit re-teaching of behavioral expectations;
2. Separating students;
3. Phone call to parent;
4. Keeping students after class;
5. Restorative conference with student(s) or class;
6. Creation of a positive behavior contract;
7. Conference with student;
8. Conference with parent and the student.

#### **School-based Strategies to Reduce Challenging Behaviors**

Students who exhibit a pattern of challenging behaviors should be provided more intensive support through a system of tiered interventions. Parents should be notified if there is an escalating pattern of challenging behavior that could lead to classroom or school removal. Appropriate school-based strategies include, but are not limited to:

1. A conference between school staff and the student and his/her parents/guardians.
2. Referral to a school counselor or other school support service personnel for case management and counseling.
3. Referral for drug or alcohol counseling.
4. Convening of a Student Study Team (SST) or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians.
5. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment or Applied Behavior Analysis, including for purposes of creating a behavior plan, an individualized education program, or a Section 504 plan.
6. Enrollment in a program for building anger management skills.
7. Continue to encourage participation in a restorative justice program.
8. A positive behavior support approach with tiered interventions that occur during the school day on campus.

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline**

#### **School-based Strategies (continued)**

9. After-school programs that address identified challenging behaviors or expose students to constructive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.

#### **Detention After School**

Students may be detained for disciplinary reasons (up to one hour) after the school day has ended.

If a student will miss his/her school bus because he/she is detained after school or is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

Students shall remain under the supervision of a certified employee during the period of detention.

#### **Community Service**

For consideration with a restorative practices response strategy, the Board, Superintendent, Principal, or Principal's designee may, at his/her discretion, allow for a student to perform community service during non-school hours on school grounds or, with the written permission of the student's parent/guardian, off school grounds. Such service may include but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs.

#### **Referrals**

The Board supports the adoption of the SRBI framework to facilitate a systems approach to positive, pro-social behavior management. The District expects teachers to attempt SRBI-tiered interventions prior to making a referral out of the classroom whenever possible.

When a referral out of the classroom is made, the principal or his/her designee must ensure that staff making the referral complete the following:

1. Teacher completed a written referral notification/form;
2. Principal or his/her designee reviewed the referral form and, if warranted, assigned appropriate consequences;
3. The Principal or his/her designee or teacher contacted the student's parents/guardians and notified them of any consequences;
4. The Principal or his/her designee investigated the reasons for the student's conduct;
5. The Principal or his/her designee recorded the classroom interventions and referrals in the District's database.

## **Students**

### **Challenging Behavior Prevention: Restorative Practices Response in Student Discipline** (continued)

#### **Notice to Parents/Guardians and Students**

At the beginning of the school year, the Superintendent or his/her designee shall notify parents/guardians about the availability of district rules and procedures related to student behaviors and school climate.

The Superintendent or his/her designee shall also provide written notice of behavior rules to transfer students at the time of their enrollment in the District.

Parent programs that relate to how the school integrates Restorative Practices Response in the student discipline/behavior management system will be provided.

#### **Annual Review/Discipline Committees**

Both individual schools and the district will evaluate and monitor the effectiveness of the school behavior plan using school disciplinary data disaggregated by race, ethnicity and gender of student. This will allow schools and the district to identify areas of need; target areas of concern; access professional development, supports, and services; and revise school procedures as needed.

In consideration with the Connecticut Positive School Climate Policy, schools will review student discipline data.

The review will include the following:

1. Intervention and prevention strategies.
2. The number of referrals, in school suspensions, out-of-school suspensions, expulsions, and referrals to law enforcement, disaggregated by race, ethnicity, age, grade, disability, and gender of the students, where available.
3. Differences in referrals among staff members.
4. The extent to which the policy, including but not limited to disciplinary action, is consistently applied to all students.
5. Review of Restorative Practices and their impact on student discipline and climate.

Based on the review, schools will make changes consistent with the intent of this and other related policies.

Schools are encouraged to establish a discipline committee including school personnel, parents and students to develop, monitor, and evaluate school discipline policy and school climate. The use of school discipline data is recommended in this process.

Regulation approved:

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