



# National Association of Community and Restorative Justice

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*Approved Unanimously by the Board of Directors (3/31/17)*

## **NACRJ policy statement on Restorative Justice in K-12 Education**

### **Policy**

1. The National Association of Community and Restorative (NACRJ) Justice Board of Directors seek to promote policies and procedures that allow for restorative justice practices to be implemented in K-12 schools. In support of the policy position NACRJ is calling for:
  - a. All state education agencies to provide technical assistance to local school districts on the practice and implementation of “whole school” restorative practices.
  - b. Local education agencies, charter schools and non-public schools to adopt school or institution-wide climate practices to foster caring relationships and discipline policies that employ social engagement over social control.
  - c. Institutions of higher education to include the theory and practice of restorative justice in schools as part of teacher and school administrator licensure programs.
  - d. Adults working with youth to adopt restorative practices for their own use, including building healthy relationships between each other, and have policies in place to repair harm that may occur with conflicts between and among adults involved in educational systems.
2. In support of this policy, NACRJ seeks to create awareness among policy makers and educators at all levels of the potential of restorative practices in schools to strengthen relationships between students, faculty, administrators and staff; build community; increase the capacity for self-governance among students; respond to conflicts and harms in ways that repair harms caused by conflict and reduce the likelihood of future conflicts; and, promote a positive school climate in which students feel safe and able to focus on learning.
3. NACRJ also seeks to assist educational institutions:
  - a. To develop evidence-based internal operating policies and implementation practices that maintain fidelity to the theory, values and principles of restorative justice practices.
  - b. To design evaluation methodologies to assess the implementation processes, assess direct effects on school climate and student conduct and assess longer term impacts of restorative justice practices in educational institutions.

## **Rationale for the Policy Statement**

1. The United States Departments of Education and Justice in 2014 issued a 'Dear Colleague' letter highlighting the inequities in many K-12 discipline practices, particularly for African American, Latino and students with special needs. In 2015, the White House held a summit entitled *Rethink School Discipline* (for the published report see <https://www2.ed.gov/policy/gen/guid/school-discipline/rethink-discipline-resource-guide-supt-action.pdf>).
  
2. According to *Rethink School Discipline: Resource Guide for Superintendent Action* recent national school discipline data reveal that:
  - a. African American students are three times more likely than their white peers to be expelled or suspended.
  - b. Although African–American students represent 16 percent of the public school student population, they make up 33 percent of students suspended once, 42 percent of those suspended more than once and 34 percent of student s expelled.
  - c. African American and Latino students make up 40 percent of the student population but over 50 percent of the students referred to law enforcement or involved in school related arrests.
  - d. Black girls are suspended at higher rates (12 percent) than girls of any other race or ethnicity and most boys. American Indian and Alaska Native girls are suspended at higher rates (7 percent) than white boys (6 percent) or girls (2 percent).
  - e. Although students served under the *Individuals with Disabilities Education Act (IDEA)* represent 12 percent of students in the country, they are more than twice as likely to receive one or more out –of-school suspensions as non-*IDEA* students (13 percent versus 6 percent), and they make up 25 percent of students referred to law enforcement and 25 percent of students who are the subject of a school-related arrest.
  - f. Students with disabilities (under the *IDEA*) represent 12 percent of students but nearly 75 percent of the students who are physically restrained in their schools.
  - g. Additionally, research has found that the overwhelming majority of suspensions are determined *at the discretion of local school officials and not mandated by state law or policy*.
  
3. NACRJ views such disparate impacts by race, ethnicity and gender as an unacceptable social injustice. When youth are placed on disciplinary school suspension (in-school or out-of-school), the very experience of being suspended is now recognized as key factor associated with increased offending and a longer-term pattern of anti-social conduct

often leading to incarceration. The association between school suspensions, increased offending and subsequent incarceration is now widely recognized and referred to as the “school to prison pipeline”.

4. Restorative practices are important but missing elements in many schools. School based restorative justice practices are compatible with other school climate approaches such as Multi-tiered systems of support (MTSS), Positive Behavioral Interventions and Supports (PBIS) and social and emotional learning. Restorative justice practices contribute to a positive school climate by building relationships between students and students and students and adults. With an increased sense of safety born of knowledge about each other, students are better able to focus on learning. Restorative justice practices also provide a set of approaches that address student misconduct when it occurs, provide a means for resolution and repair of the harms, and address the underlying circumstances.
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Separate Document

**Guidelines on Implementation and Management - Addendum**

Currently Under Development