

Restorative Justice & Alternative Approaches to School Discipline Reducing The Harm of the School-To-Prison Pipeline

School discipline is part of the [school-to-prison pipeline](#), as it involves frequent [suspensions and expulsions](#) that remove students from their classrooms and disconnects them from their school community. The **school-to-prison pipeline is fully operational in Massachusetts**, and it impacts students of color and students with disabilities the most. Once outside of school due to exclusion, these students become **more than twice as likely to** become involved in the juvenile or criminal legal system.ⁱ

UNDERSTANDING THE LAW: IN THE 2022-23 SESSION, THE MASSACHUSETTS LEGISLATURE PASSED A LAW MANDATING THAT SCHOOLS BOTH IMPLEMENT AND DOCUMENT THE USE OF DISCIPLINE ALTERNATIVE PRIOR TO EXCLUSION

The Massachusetts Legislature's Amendment to MGL c. 71 § 37H¾(b)

Principals shall not suspend or expel a student until **alternative remedies** have been employed and ***their use and results documented***, following and in direct response to a specific incident or incidents.

Alternatives include, but are not limited to:

- Mediation
- Conflict resolution
- Restorative justice,
- Collaborative problem solving.

Principals are also required to implement school- or district-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models (ii) trauma sensitive learning models.

Exceptions: Specific reasons **must be documented** as to why such alternative remedies are unsuitable or counter-productive, or in cases where the student's continued presence in school would pose a **specific, documentable concern about the infliction of serious bodily injury or other serious harm** upon another person while in school.

BENEFITS OF RESTORATIVE JUSTICE AS AN ALTERNATIVE TO SCHOOL DISCIPLINE: FINDINGS FROM OAKLAND UNIFIED SCHOOL DISTRICT (2014)ⁱⁱ

- **Reduced Referrals for Disruptive Behaviors:** More than 88% of teachers reported that restorative practices were somewhat or very helpful in managing difficult student behaviors in the classroom.
- **Reduced Suspension Rates of African American Students:** Suspensions for disruption and willful defiance among African American students reduced by 37%
- **Increased Graduation Rates:** Four-year graduation rates in schools using restorative justice increased significantly over 3 years – a cumulative increase of 60% - compared to just 7% in schools without restorative justice.
- **Reduced Overall Suspension Rates:** In schools using a “Whole-School Restorative Approach”, suspension rates dropped from 34% to 14% over 3 years.
- **Increased Attendance:** While middle schools without restorative justice had a staggering 62% increase in absenteeism, middle schools with restorative justice saw a 24% reduction in absenteeism.

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WHAT DO WE NEED TO MAKE RESTORATIVE JUSTICE IN SCHOOLS A SUCCESS?

- **Budgetary commitment to training and capacity building:** Establishing a well-funded and sufficiently staffed infrastructure to provide training and ongoing professional development to all school staff members.
- **Leadership commitment and sustainable support to the restorative model:** District leadership has to make a long-term commitment to restorative practices, as a truly restorative culture in schools takes time to build
- **Establish standards for implementation and evaluation:** It is critical that metrics are implemented to evaluate staff and restorative coordinators to ensure that the full scope of restorative practices are implemented with fidelity and that outcomes are measured and utilized by district leadership to both measure success and improve the quality of restorative practice over time.
- **School Wide Approaches:** Partial or piecemeal implementation of restorative justice doesn't get the best outcomes. District leadership must promote school and district-wide buy-in from teachers, administrators and school staff to ensure the needed cultural shift.
- **Outreach and Communication with students and families:** There must be a concerted effort to share information on restorative justice with the whole school community, including students, parents and teachers. This includes information on the benefits of successful implementation and how the practice promotes both accountability and healing.

CONTACTS

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ⁱ *Chicago Policy Review* (- <https://chicagopolicyreview.org/2014/03/26/discipline-and-punishment-how-school-suspensions-impact-the-likelihood-of-juvenile-arrest/>)

ⁱⁱ *An Effective Strategy to Reduce Racially Disproportionate Discipline, Suspensions, and Improve Academic Outcomes*, Jaine et al. September 2014.