



Division of Data, Assessment & Research

Key Takeaway

Restorative justice practices are recognized by OSSE as an acceptable disciplinary action to be used instead of or along with other disciplinary action types where appropriate.

Background

For the past five years, The Office of Research Analysis & Reporting (ORAR) in the Office of the State Superintendent of Education (OSSE) highlighted the work of RestorativeDC (RDC)¹ in the annual school discipline report. The last two reports reflected on how RDC supported schools as they responded to the COVID-19 pandemic. Reports prior to the pandemic detailed the growing participation RDC saw in response to community interest in implementing restorative justice practices (RJP)². In addition, OSSE saw a 20% decrease in out-of-school suspensions from SY 15-16 to SY 18-19, and that decrease accelerated with the onset of the pandemic. **As LEAs reduce their use of exclusionary practices, OSSE wants to use a strengths-based approach to elevate the practices LEAs use instead.**

To do that, OSSE needs to begin researching, assessing, and evaluating the use and effectiveness of RJP. Expanding how discipline data is collected to include RJP will:

- Ensure that District policymakers and stakeholders have accurate information on the use of RJP in the District
- Align the District's discipline data collection with that of other large urban school districts
- Build a foundation for evaluation and research on RJP in the District

This document describes the gap in the discipline data collection prior to the 2022-23 school year and summarizes how OSSE will begin collecting data on the use of RJP in the 2022-23 school year. Additional information on how discipline data is collected can be found in the [2022-2023 Discipline Data Collection Guidance](#).

¹ A five-year long partnership between [SchoolTalk](#) and OSSE that provides professional development and technical assistance to schools in the District seeking to adopt restorative practices

² There is debate about whether to refer to the approach as “restorative justice” or “restorative practice” (Song & Swearer, 2016, p. 316). ORAR confirmed with TAL/SchoolTalk that RDC uses the combined term “restorative justice practices”.

Prior to the 2022-2023 School Year

LEAs could submit to OSSE disciplinary incidents involving the following disciplinary actions³:

- Expulsion
- Modified expulsion
- Involuntary transfer
- Change in placement
- Out-of-school suspension
- Involuntary dismissal
- In-school suspension
- School-based intervention⁴

This list of disciplinary action types and their definitions are defined primarily in the Student Fair Access to School Act (SFASA) Amendment of 2018.⁵ **However, none of the current disciplinary action types are well-suited to capture the use of RJP.** School-based intervention (SBI) appears to be the most conceptually aligned; however, the definition of SBI in the SFASA indicates that it is intended to capture interventions used: 1) in lieu of an in-school suspension, and 2) on school-based behavioral therapy.

School Year 2022-2023: Collecting Restorative Justice Data

OSSE offered and led stakeholder engagement sessions in June 2022 with LEA data managers, heads of schools and school discipline managers to learn more about how/if LEAs currently collect data on RJP, their concerns about adding additional data elements, and how to ensure the data elements are collected accurately. The valuable feedback from these stakeholders informed the three data elements OSSE will collect via the [Discipline Data Collection Template](#).

Restorative Justice Disciplinary Action Type

LEAs should use this new disciplinary action type when an RJP is used in lieu of traditional disciplinary action types such as out-of-school suspension. **A restorative justice disciplinary action occurs when a student is temporarily removed from the student's regular class schedule for the purpose of engaging the student in practices that focus on repairing harm and supporting the student's reintegration into the classroom.**

Restorative Justice Type

LEAs can now indicate what type of RJP they use with a student in response to a disciplinary incident. **LEAs are required to choose a RJP type if the disciplinary action type is "Restorative Justice."** LEAs can still choose a RJP type with the other disciplinary action types as well, given that RJP's are often used in conjunction with traditional disciplinary actions such as out-of-school suspension and in-school suspension.

OSSE acknowledges that the RJP Type list might not be an exhaustive representation of all of the practices being used across the District, although they are the most common. **Therefore, LEAs can**

³ See the [2022-2023 Discipline Data Collection Guidance](#), Appendix B, for the full list and description of all disciplinary action types.

⁴ "'School-based intervention' means temporarily removing a student from the student's regular class schedule for the purpose of providing the student with school-based targeted supports, such as behavioral therapy, in response to student conduct that would otherwise warrant an in-school suspension."

⁵ Reporting pursuant to Section 209 of the Students Fair Access to School Act Amendment of 2018, effective Aug. 25, 2018 (DC Law 22-157; DC Official Code § 38-236.09)

choose “Other” in the drop-down menu then list the RJP they used in the open text field described in the next section.

The following table summarizes the most common types of RJPs across the District. Definitions are informed by the research and work conducted by SchoolTalk.

Term	Definition
Restorative Conversation	A conversation with a student focused on communicating thoughts, observations, feelings, and underlying needs in the spirit of curiosity, care for all, learning, and compassion. It can happen in the moment, in one-on-one preparation sessions for a larger process; or during a formal group process.
Restorative Justice Conferencing	A formal process used as an alternative to exclusionary forms of discipline. A facilitator individually prepares those involved and affected by an incident of harm (as well as anyone invited to provide support and resources) and then convenes a conference for them to share what happened, how they have been affected, and what they need to repair the harm and prevent it from happening again.
Reentry Circle	A form of Support Circle for those who have been excluded from the school or neighborhood community on account of suspension or expulsion. Reentry Circle provides an opportunity to welcome the individual back, reaffirm their importance in the community, and provide support their successful reintegration.
Micro-Circle	An on-the-spot technique that engages two or more individuals in a conversation around the restorative questions, or more simply "what would you like the other to know about what happened and how to make it better?" then asking the other person to paraphrase what they heard. Having the participants hear and reflect each other for a few rounds ensures that all is spoken and acknowledged, and can move participants back into calmness, empathy, and a problem-solving mode.
Restorative Circle (Responsive)	A responsive dialogue process facilitated by a trained circle keeper, and used to resolve incidents of harm, including as participants all involved and affected by the incident or incidents. A talking piece, discussion of values, and personal narrative are distinctive features of this process. Restorative Circles provide a safe and structured space for participants to understand what happened, express how they have been affected, and create a written agreement to repair the harm and prevent the incident from happening again.
Support Circle	Preventative response requiring documentation that may be used when there is a pattern of behavior in terms of frequency and/or location (i.e., classroom, cafeteria, hallway) and/or increase in the frequency of dysregulated behavior (but no victim/offender in the situation). Support Circles are facilitated to support student needs that may be contributing to the behavior and should result in agreement and specified date/time for progress monitoring.
De-escalation	This on-the-spot approach involves taking dysregulated student(s) aside, showing care, validating their humanity (not behaviors), or providing a sensory outlet until they return to a sense of calm and the capacity to self-regulate. You

	can then ask the restorative questions to elicit a deeper understanding of the harm, the actions that led to it, and the steps needed to repair it.
Restorative Mediation	Responsive, voluntary process involving two or more individuals where each individual is prepped for safety of the conversation/dialogue. Intended goal is to understand perspectives, harm, and next steps.
Other	<i>Please describe any other types of RJPs used by selecting this category and provide additional context in the open text field</i>

Restorative Justice Open-Text Field

LEAs can also provide additional context or types of RJP in this newly available open text field. OSSE is also sensitive to the varying contexts and incidents that would result in the use of RJPs. To honor that, **the open text field is a space where LEAs can share any additional information about the incident and/or how the RJP was implemented.**

Types of information that would be helpful to glean from LEAs on their use of RJPs are summaries of agreements made between students and the school community after a disciplinary incident and/or timelines for targeted support. **This information is not required**, and LEAs can choose to share as much information as they would like within the 4,000-character limit in the template. Information shared in this data element will inform additions/changes to the restorative justice data elements in future school years.

School-based Interventions v. Restorative Justice

To effectively collect data on RJP, LEA stakeholders asked for a clarification between SBI and RJP. The table below differentiates between these two types of disciplinary action.

	School-based Intervention	Restorative Justice
Definitions	Temporarily removing a student from the student’s regular class schedule for the purpose of providing the student with school-based targeted supports, such as behavioral therapy, in response to student conduct that would otherwise warrant an in-school suspension.	Temporarily removing a student from the student’s regular class schedule for the purpose of engaging the student in practices that focus on repairing harm and supporting the student’s reintegration into the classroom.
Key Features	<ul style="list-style-type: none"> Used in lieu of an in-school suspension Rooted in therapeutic philosophies/practices/approaches 	<ul style="list-style-type: none"> Used in lieu of or in conjunction with any of the disciplinary action types. Has historically focused on reducing the use of out-of-school suspensions Rooted in indigenous traditions of storytelling in circle and reintegration of those who have harmed others within a school community.

Individuals with questions on how to report the use of RJPs in the District can submit a discipline OSSE Support Tool ticket using the subcategory “Policy”.