

Implementing Campus **Restorative Justice** Practices

Training
and Skills
Development

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SAMPLE

Why Consider Restorative Justice Practices?

HANDOUT

Why do various campuses consider implementing restorative justice (RJ) practices?

- It allows students to take ownership of their missteps and misconduct, and work toward responsibility, accountability and “making things right.”
- It gives students, faculty and staff a voice in helping the respondent (or offender) take this action.
- RJ provides people who are harmed with a safe place to share how an incident impacted them.
- TiShaunda McPherson, senior associate vice president for equity at Northwestern University, told *Northwestern Now* that “when misconduct occurs, accountability for the behaviors is determined by considering the impact on those directly harmed and the whole community. This empowers those who had been victimized to inform responses to wrongdoing and provides space for those committing harms to make amends, learn, grow and evolve.”
- Participants report more satisfaction with the process.
- The recidivism rate is lower “because respondents (or offenders) feel a greater sense of ownership of the problem and participation in its solution and feel less likely to recommit an offense,” according to Restorative Solutions.
- A stronger sense of community is developed because the process actively *engages* the community.
- “Restorative justice provides a unique space for healing and personal accountability, restoring trust, and availing communication tools for preventing and addressing harm when it occurs,” according to the University of San Diego’s Center for Restorative Justice.
- “These practices allow for a stronger community by recognizing those who have been marginalized, bringing them into dialogue as equal partners, and valuing diversity as beneficial to the collective,” McPherson said.

“Restorative justice is a theory rooted in Indigenous teachings that emphasize repairing harm and community reintegration as foundational principles of justice. It promotes genuine accountability by focusing on the importance of trusted and equitable relationships, identifying and remedying harms to individuals and communities impacted by wrongdoing, and creating spaces for healing and reconciliation to build community.”

– TiShaunda McPherson, Senior Associate Vice President for Equity, Northwestern University (IL)

Source: *Northwestern Now*, 5/6/21

Why Consider Restorative Justice Practices?

HANDOUT *(continued)*

- “More and more Offices of Judicial Affairs are discovering that there are better ways to deal with student misconduct than simply isolating and punishing students through authoritarian sanctions, suspensions, and expulsions,” Restorative Solutions explained.
- And it creates “a culture of belonging and caring where community standards are relied upon for setting and correcting behavior,” they said.

In “making things right,” restorative justice “seeks to knit wholeness back into a community which has been torn,” Restorative Solutions explained.

Sources: RestorativeSolutions.us; Center for Restorative Justice, School of Leadership and Education Sciences, University of San Diego; *Northwestern Now*, 5/6/21

Raising Awareness

Exploring Your ‘Whys’: Possible RJ Outcomes SELF-WORK

As you embark on restorative justice work, it’s important to first explore your “whys.”

- Why do you believe this is a process worth undertaking?
- Why do you think individuals will benefit?
- Why do you think the community will benefit?
- Why do you believe this could be more effective than traditional punitive systems?

Outcomes

One way to look at your “whys” is to think about possible outcomes of RJ work:

- Repairing harm to individuals
- Repairing harm to the community
- Giving and receiving apologies
- Restitution
- Related community service work
- Rebuilding trust
- Enhancing safety

What other outcomes do you see being possible?

Raising Awareness

Exploring Your ‘Whys’: Possible RJ Outcomes SELF-WORK

(continued)

Thoughts

Rutgers University’s (NJ) Compliance & Title IX site shares some feedback from complainants and respondents. What are your thoughts about each of these?

From Complainants:

This process “provided me with a sense of relief that effort will be made to better the situation.”

Your Thoughts:

This process “allowed me to receive an insight on the situation & motive behind the actions made.”

Your Thoughts:

From Respondents:

“The explorations of mine and [Complainant’s] perspectives was done very well, I was shocked at times to hear things I had never even thought of.”

Your Thoughts:

“The agreement process was very well done, it showed me a game plan that I could follow to alleviate the harm done to [Complainant] and to better myself.”

Your Thoughts:

Source: Rutgers University’s (NJ) Compliance & Title IX Site, <https://nbtileix.rutgers.edu/restorative-justice>

Getting Familiar With Restorative Practices

Using Restorative Justice Circles HANDOUT

One approach to repairing harm that has been done within a community is called a *restorative justice circle*. Participants “are encouraged to be open and honest about their perspectives regarding a conflict, how they have been harmed, and how they think others might have been harmed,” explained the University of California San Francisco’s Restorative Justice Practices site. “Participants also work together to come up with ways to fix the harm that was done and restore relationships. People external to the group who support someone in the group may also be included.”

What Happens

As community gathering spaces respond to wrongdoing or conflict, the University of Michigan’s Office of Student Conflict Resolution explains that the following takes place during a Restorative Justice Conference or Circle...

- “The facilitator holds and sets the space by welcoming all participants.
- Each person introduces themselves and their relationship to what happened.
- **People who have caused harm** share what happened before, during, and after the incident, and how they feel about what happened.
- **Impacted and Affected Participants** share what happened before, during, and after the incident, how they feel about what happened, and any questions they have.
- **Supporting Participants** are invited to share any thoughts or feelings about what they’ve heard.
- **Facilitators** ask questions to help guide the process. Facilitators are *multipartial*, rather than *impartial* or *neutral*. This means they are equitably partial to everyone involved in the process. Facilitators will act to ensure that all participants have the opportunity to share their thoughts, feelings, and experiences about the conflict as well as what could be done to make things better.
- Once everyone has shared their thoughts and feelings about what happened, the group will brainstorm options for repairing the harm. The group decides which options could best repair the harm and those who caused harm share what they are willing to do to repair it.
- If the group chooses to create a written agreement, the facilitators will record and compile the agreement, which is signed by all participants.
- The facilitators provide formal closure to the process.”

“Restorative Justice Conferences or Circles provide an opportunity for community members to come together to address harmful behavior in a process that explores harms and needs and a path toward accountability and repair.”

– Office of Student Conflict Resolution,
University of Michigan

Getting Familiar With Restorative Practices

Using Restorative Justice Circles HANDOUT *(continued)*

Who Is Involved

The following people are involved in Restorative Justice Conferences or Circles, according to the University of Michigan...

- The person(s) whose actions harmed and/or impacted others
- The people directly harmed and/or impacted by what happened
- Affected people impacted by what happened
- People there to support one or more participants
- Facilitators who are often trained professional or student staff

Essential Elements of a Restorative Circle

- **The Circle.** Participants are seated in a circle formation to facilitate intergroup dialogue.
- **Agreements.** These are the guiding principles and expectations that participants agree to while in the circle.
- **The Facilitators.** This person/people holds participants accountable to the circle agreements.
- **Opening and Closing Ceremonies.** These rituals mark the circle as a separate, special space from daily life.
- **Guiding Questions.** These center around the topic of focus within the circle.
- **Circle Order.** Participants take turns talking so everyone has an equal opportunity to share their stories and then listen to others.

Source: Restorative Justice Practices, University of California San Francisco

The Impact and Benefits

“Facilitating proactive circles is one way to engage in intentional community building using a restorative lens,” TiShaunda McPherson, former senior associate vice president for equity at Northwestern University, told *Northwestern Now*.

According to McPherson and the University of Michigan, restorative justice circles:

- Invite reflection on shared values and goals
- Demonstrate empathetic and respectful communication
- Promote authentic and trusted relationship development
- Provide a mechanism for addressing systemic oppression and disenfranchisement by de-centering what may be viewed as “the norm”
- Encourage openness to different experiences and perspectives
- Directly respond to and repair harms that are committed

Getting Familiar With Restorative Practices

Using Restorative Justice Circles HANDOUT *(continued)*

- Identify who has been hurt and what must be done to repair that harm, rather than focusing on policy violations
- Hear all participants' voices to develop a resolution agreement that resolves the conflict and must be agreed on by everyone
- Help those who've caused harm to restore their community standing and repair relationships damaged by their actions
- Provide impacted participants with a safe, facilitated space to express how they've been harmed and play an active role in determining how the person(s) who caused harm can best repair it
- Allow supporting participants to describe how what occurred has affected those they are supporting
- Allow absent participants to be heard through impact statements that can be shared during the process on their behalf

“When integrated into academic and professional environments, proactive circles strengthen interconnectedness, feelings of belonging and belief that one matters to and in the community, all of which are necessary for group cohesion and well-being,” McPherson explained.

Sources: *Northwestern Now*, 5/6/21; Restorative Justice Practices, University of California San Francisco; Office of Student Conflict Resolution, University of Michigan

In Practice

The Center for Restorative Practices at Amherst College (MA) has held different restorative circle-type events, including:

- Circle Series for Queer Men of Color
- Religion, Harm and Impact
- Jewish Journeys at Amherst
- Black Joy Storytelling Circle
- Women of Color Series
- Navigating Friendships When They Cause Harm to Others: A Restorative Circle

Learn more at: <https://www.amherst.edu/offices/restorative-practices/presentations-and-trainings/past-events>.

Getting Familiar With Restorative Practices

Restorative Conversations DISCUSSION QUESTIONS

A great deal of the restorative justice strategy involves engaging in restorative conversations to get at the heart of the matter. The following questions were adapted by Michigan State University's Office of Student Support & Accountability from the International Institute for Restorative Practices to use in a variety of RJ situations.

RJ Questions: For Those Who Caused Harm:

- “What happened?”
- What were you thinking at the time?
- What have you thought about since?
- Who has been affected by what you have done? In what way?
- What do you think you need to do to make things right?”

RJ Questions: For Those Who Have Been Harmed

- “What did you think when you realized what had happened?”
- What impact has the incident had on you and others?
- What has been the hardest thing for you?
- What do you think needs to happen to make things right?”

To Ponder...

- How might these restorative questions be useful in an everyday conversation with a friend or family member?
- What is the difference between intent and impact?
- How can we let an awareness of these differences inform our actions/reactions in the future?

Source: Michigan State University's Office of Student Support & Accountability

Role-Play

Consider a situation, such as a microaggressive comment made in a classroom or miscommunication among group members that led to conflict. Or choose a real campus situation that recently occurred.

Role-play the two sides of the issue using the restorative questions. It's a way to see how this might go and what issues might be unearthed during a real-life RJ scenario.