

**Denver Public Schools  
Restorative Justice and Disciplinary Reform Project**

CDE Expelled and At-Risk Student Services Grant

First Year Report

*September 20, 2007*

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## Background

In May 2006, Denver Public Schools (DPS) proposed to implement a Restorative Justice (RJ) Program within three middle schools and one high school. The proposal was made to the Colorado Department of Education: Prevention Initiatives Unit due to several alarming trends noted in prior years' discipline data for the district. DPS' goal is over time to implement the proposed program district wide, and the RJ program is the first stage of a reformation of the DPS discipline policy. The overall goal of the project and the district-wide reform is to reduce the number of suspensions, expulsions, and police intervention incidents in each school.

From the 2000-01 to 2004-05 school years, DPS reported a dramatic increase in the number of in-school suspensions, from 1,864 to 4,859, and out-of-school suspensions, from 9,846 to 13,487.<sup>1</sup> The 13,487 out-of-school suspensions in 2005 generally ranged from 5-10 days, i.e., 67,435 to 134,870 days of education lost. During that time period, there was also a 71% increase in the total number of police-issued tickets and arrests within DPS, although the student population only rose 2%. Of the tickets, 68% were issued for minor incidents that included the use of obscenities, disruptive appearance, and shoving matches. In the 2004 - 05 school year, 42% of referred incidents were classified as "other violations of code of conduct." These violations are defined as: being a member of an unauthorized organization, destruction of non-school property, use of obscenities or slurs, disruptive appearance, bullying, and minor fights.<sup>2</sup> Twenty percent of the arrests were due to "detrimental behavior," defined as behavior that is detrimental to the welfare and safety of other students or personnel and includes behavior that is a threat of physical harm to a child or other children. The more serious crimes accounted for 24% of arrests, which included 7% for carrying dangerous weapons and 17% for drug violations.

In addition to these concerning trends, a disproportionate number of the suspensions, expulsions, tickets, and arrests were issued to Latino and African-American students. In the 2004-05 school years Latino students represented 70% of the tickets issued, though they represented only 58% of the overall student population. African-American students represented 35% of all expulsions and 34% of all out-of-school suspensions, though they represented only 19% of the student population.

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<sup>1</sup> Colorado Department of Education. Safety and Discipline Indicator Reports, 2000-01 school year to 2004-05.

<sup>2</sup> Denver Public Schools, 2003-2004 DPS Suspension Types Categorized by CDE Types.

DPS' current discipline policy is vague, and enforcement of the policy varies from school to school. According to the DPS Student Discipline policy; school principals "*may develop a remedial discipline plan that shall address the student's disruptive behavior. Individual schools can determine what disruptive behavior would lead to removal from class, suspension, and potentially expulsion.*" As a result, the risk of expulsion varies from school to school and is dependent upon the individual schools' suspension and discipline policies. Thus, students may have a higher risk of expulsion in one school and not another. Further, the current disciplinary process in place in the district excludes meaningful, reparative actions to the community and individuals that are harmed in a student infraction. Youth are simply punished—often by exclusion from school and without consequences that involve addressing the harm that was done.

The RJ approach will be integrated into a package of educational and prevention strategies currently available to students in DPS, as an alternative to suspension or expulsion. This may include the current DPS expelled student support services or in-school suspension. In-school suspension will allow students to stay on school grounds and continue with their academic work. Participation in this process benefits students over out-of-school suspension or expulsion by offering students the chance to think critically about behavior and make positive choices in the future. It is expected that students will learn and have the opportunity to apply responsibility, empathy, and positive decision making.

In some cases, it is expected that the student will gain skills to avoid acting out with violence or misconduct in order to deal with a difficult situation. All students will be given the opportunity to explain the full impact of the situation on them, as well as to provide voice and clarity to other students, teachers, family, community, and administrators as to the best way to correct or repair the situation. The restorative process in schools will thus address misbehavior, conflict, and offenses while keeping students in schools and making the parties involved accountable for their actions. This will help to create schools that are safer, and students that are better able to deal with conflict in non-violent ways.

### Program Description

The DPS RJ program will implement key restorative justice strategies to address the causes of suspension and expulsion throughout a middle-high school feeder system in northwest Denver. The RJ program will eventually become integrated into an existing package of

educational services provided through in-school suspension to ensure that students remain in school and are able to achieve academically. The proposed program will improve the current DPS discipline and support services continuum by focusing consequences and response on specific incidents, thus directly addressing the root cause of the suspension, expulsion, or law enforcement referral. The RJ program encompasses a three-pronged approach for referred students. The approach entails: 1) Identification of harm to individuals or community, 2) Determination of how the harm may best be repaired, and 3) Identification of responsible parties and necessary actions. To fully implement this approach, there are three steps that will occur when a student is referred:

1. *Prescreening Assessment (pre-conferencing)*. After a student is identified for the program (typically by the dean, student advisor, or principal), RJ staff will conduct individual meetings with each of the involved parties, complete any remaining investigation (e.g., review of records) and determine the willingness of the individuals to participate in the process. This will be done by:
  - Explaining the restorative justice expectations and process,
  - Having the offending student(s) fill out a Restorative Action Plan, which will help to determine how the action will be amended,
  - Listening to each version of events to assess whether a joint meeting is appropriate,
  - Contacting parents (and other participants as needed) to explain the process and request participation,
  - Reviewing a commitment to mediation and having the student sign the commitment.
2. *Joint Meeting*. A face-to-face meeting with all those involved will be conducted. This can be a mediation with just the involved parties, or a group conference. A group conference can be used for bullying or assault situations, as it empowers and involves bystanders (the community) to deal with the situation and support and monitor compliance of the agreement. The joint meeting structure will consist of:
  - Introduction of ground rules and dialogue
  - Description of what happened and what effects or harm was caused;
  - How the harm will be repaired; and

- A decision delineating how to prevent further occurrences, how the plan/agreement will be completed, and consequences if it's not.
  - A formal written agreement is signed by the participating individuals
3. *Follow-up.* The RJ coordinator will communicate the final plan to relevant parties and the referral source, and provide a copy to parents. The agreement will be monitored to ensure it is completed, and if it is not, contingency consequences will be implemented.

### Target Population

This program began by targeting three DPS middle schools (Horace Mann, Lake, and Skinner) and nearby North High School. The program aimed to affect a change within students and teachers that would go far beyond their experience in a particular school by implementing a comprehensive RJ strategy in the greater community. All four schools were identified as high need, with some of the district's highest number of suspensions, tickets, and arrests. It was anticipated that 800 students would be served in the initial year of the project.

North High School implemented a successful pilot RJ program in the 2005-2006 school year and there is strong school and community support for extending the program in the nearby feeder middle schools. DPS and its community partners believe that students coming from a Restorative Justice experience in middle school will take the learned school culture and expectations of their peers with them to high school. The student population is 1,354; 86% of the student population is Latino and 3% is African-American. In the 2004-05 school year, there were 288 out-of-school suspensions, 5 expulsions, and 68 tickets and arrests.

Skinner Middle School is located at 3435 West 40<sup>th</sup> Avenue in Denver. The student population is 633; 85% of the student population is Latino and 3% African-American. In the 2004-05 school year, there were 350 out-of-school suspensions, 4 expulsions, and 72 tickets and arrests.

Horace Mann Middle School is located at 4130 Navajo Street in Denver. The student population is 448; 92% of the students are Latino and 4% are African-American. In the 2004-05 school year, there were 220 out-of-school suspensions, 3 expulsions, and 22 tickets and arrests.

Lake Middle School is located at 1820 Lowell Boulevard in Denver. The student population is 697; 89% of the student population is Latino and 4% is African American. In the

2004-05 school year, there were 288 out-of-school suspensions, 5 expulsions, and 58 tickets and arrests.

The RJ Program was available daily during school hours and on-site in each of the targeted school locations. The program was staffed by four full-time RJ Coordinators, one for each middle school and high school. The initial proposal included four paraprofessionals to staff the in-school intervention, but this component was not funded for the first year. All staff hired were highly qualified for the job and be culturally and racially sensitive.

### Program Partners

The DPS Student Services RJ Program brought together three community-based organizations that have a strong history of providing and advocating for Restorative Justice in public schools. *Padres y Jovenes Unidos* is a community-based organization formed by concerned parents and youth in northwest Denver. *Padres* provided the vital community connection that each school needs in order to successfully conduct outreach to parents and community members. *Victims Offenders Reconciliation Program (VORP)* of Denver provided volunteer mediators and recruiting assistance as needed. *Restorative Solutions*© provided training and ongoing consultation to the program staff on Restorative Justice philosophy, practices in schools, and peer mediation, both at the beginning of the program and throughout the school year. Additionally, DPS contracted with translators to ensure that all students and parents could fully participate in the program.

DPS leadership for the program coordinated bi-weekly meetings with the four RJ coordinators, the program partners, and representatives from each school. The coordinators worked as liaisons for the project with their school staff, including teachers, administrators, parents, and other community partners.

### Family Involvement

Pressures related to family and lack of family support and motivation for education in general are known risk factors for students who are at risk of delinquency. A cornerstone of the RJ approach is full involvement of all stakeholders, including parents and key family member. Program staff reached out to parents to ensure that they were full participants as much as possible throughout the RJ process. They were engaged in the Restorative Justice strategies and

process described above, along with their child (the student), school administrators, teachers, and other parties that may be involved in the incident. *Padres y Jovenes Unidos* has been intensively involved in the program development and has pledged to conduct outreach and education in the community about this effort.

### Program Goals, Outcomes, and Objectives

The overall goal of the program is to improve student success at school and in the community by reducing the number of out-of-school suspensions, expulsions, and tickets and arrests in the four target schools. As the program reaches full implementation, it is expected that the following outcomes will be achieved over the three years of the project.

#### Year One (2006-2007)

- Reduce out-of-school suspensions by 20% from prior year (2005-2006) in each participating school
- Reduce expulsions by 20% from prior year in each participating school
- Reduce tickets and arrests by 40% from prior year in each participating school
- Involve 100% of primary family members in Restorative Justice (RJ) meetings
- 100% of students will inform their parents of the RJ meetings and results

#### Year Two (2007-2008)

- Reduce out-of-school suspensions by 40% from baseline year (2005-2006) in each participating school
- Reduce expulsions by 40% from baseline year in each participating school
- Reduce tickets and arrests by 60% from baseline year in each participating school
- Involve 100% of primary family members in RJ meetings
- 100% of students will inform their parents of the RJ meetings and results

#### Year Three (2008-2009)

- Reduce out-of-school suspensions by 60% from baseline year (2005-2006) in each participating school
- Reduce expulsions by 60% from baseline year in each participating school
- Reduce tickets and arrests by 90% from baseline year in each participating school
- Involve 100% of primary family members in RJ meetings
- 100% of students will inform their parents of the RJ meetings and results

### Program Evaluation Plan

The evaluation of the program included documenting all elements of the implementation process as well as analyzing data on outcomes. The process evaluation involved data collected on the participants in the RJ program at all schools, including other community members, volunteers, family members, and school personnel. Regular observations by an outside evaluator were conducted to assess fidelity to the program. Meeting notes and outreach efforts were also monitored. All RJ participants, including teachers and parents, were asked to complete a post-mediation/conference survey on their perceptions of the process in terms of fairness, overall satisfaction, and likelihood of recommending the process to others.

The outcome evaluation focused on program impact on the schoolwide culture as well as the individual students that participated in the RJ process. Quantitative data was collected on the number of students that completed the restorative process over the entire year, the number of mediations completed, the number of "restorative agreements" that were agreed upon, and the number of agreements that were broken that led to further disciplinary action by the school. Schoolwide outcomes tracked were those proposed for the project: out-of-school suspensions, expulsions, and number of tickets and arrests.

Additional data were tracked as required by the funder (CDE), which included school attendance, academic success, behavior, social skills, and parent involvement for the individual students served directly through the RJ interventions.

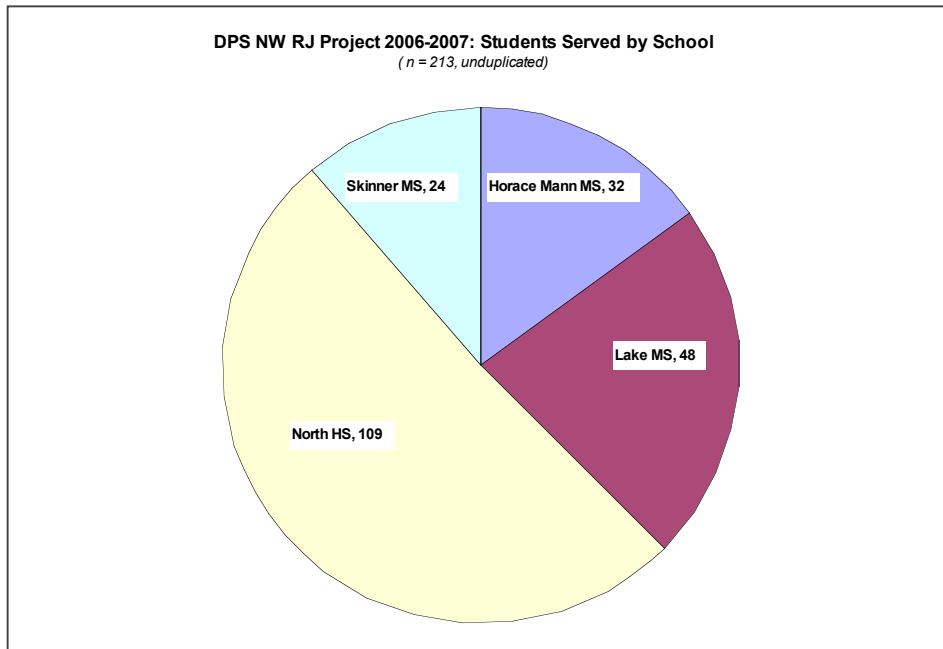


## Results Year One

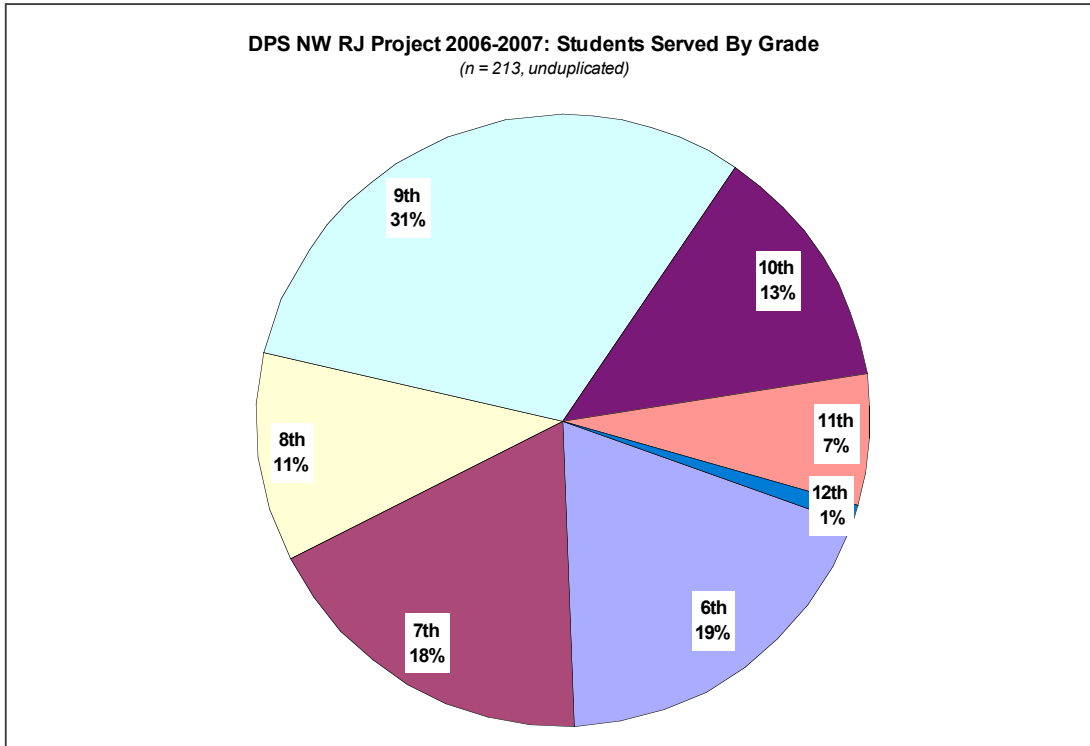
### Process Findings

#### Students Served

Three hundred twenty-one participants representing an unduplicated count of 213 students were referred to the RJ programs at the four schools in the 2006-2007 school year. North High School was the only site with a coordinator in place for the entire year, and as a result had far more cases than the middle schools. The three middle schools did not formally implement the program until nearly March of 2007, due to time need for posting and interviewing the candidates for RJ coordinators in each site. The chart following illustrates the distribution of students across the four sites.

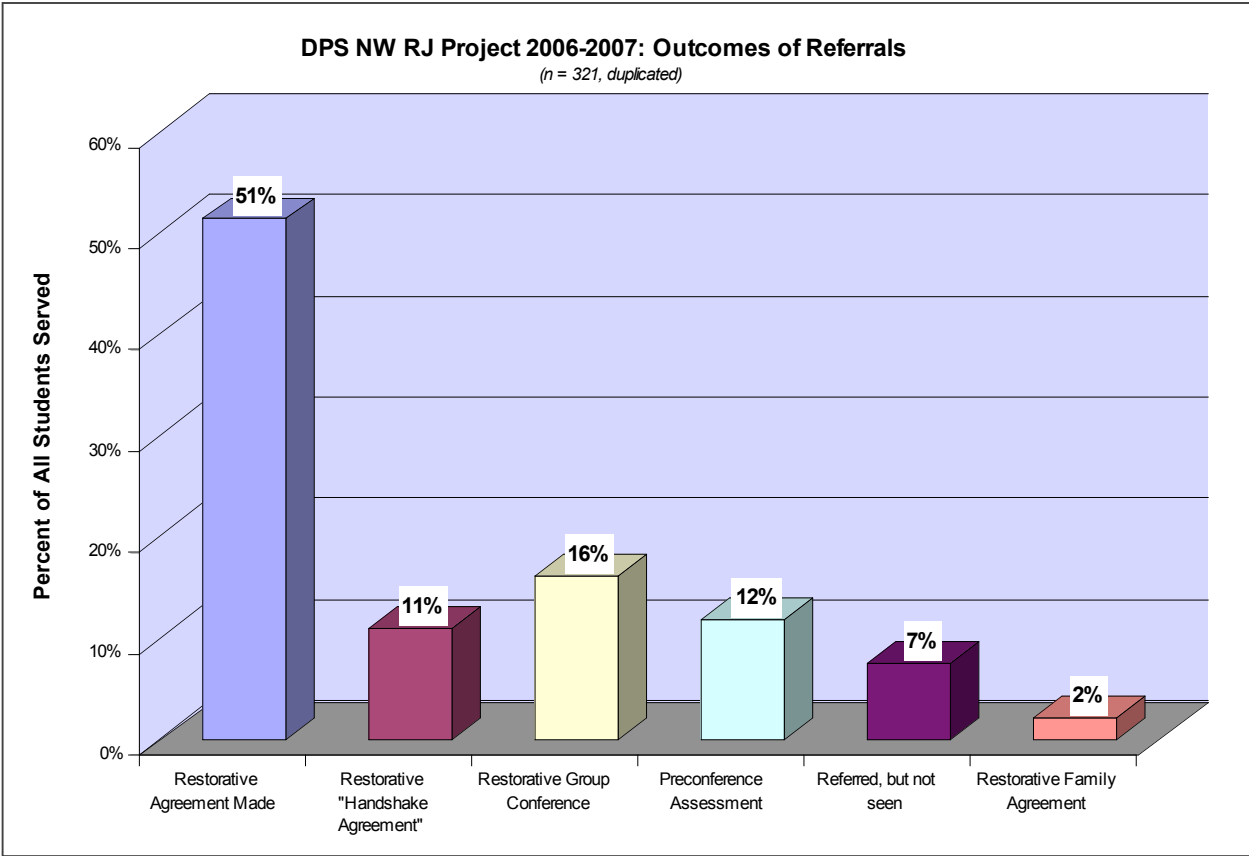


The majority of students referred (63%) were male and the remainder were female. Most (84%) were of Hispanic or Latino heritage, representative of the greater school population in all sites. Students from 6<sup>th</sup>-12<sup>th</sup> grades were served, with the largest proportion (52%) in high school. The following chart shows the distribution of RJ cases by grade level.



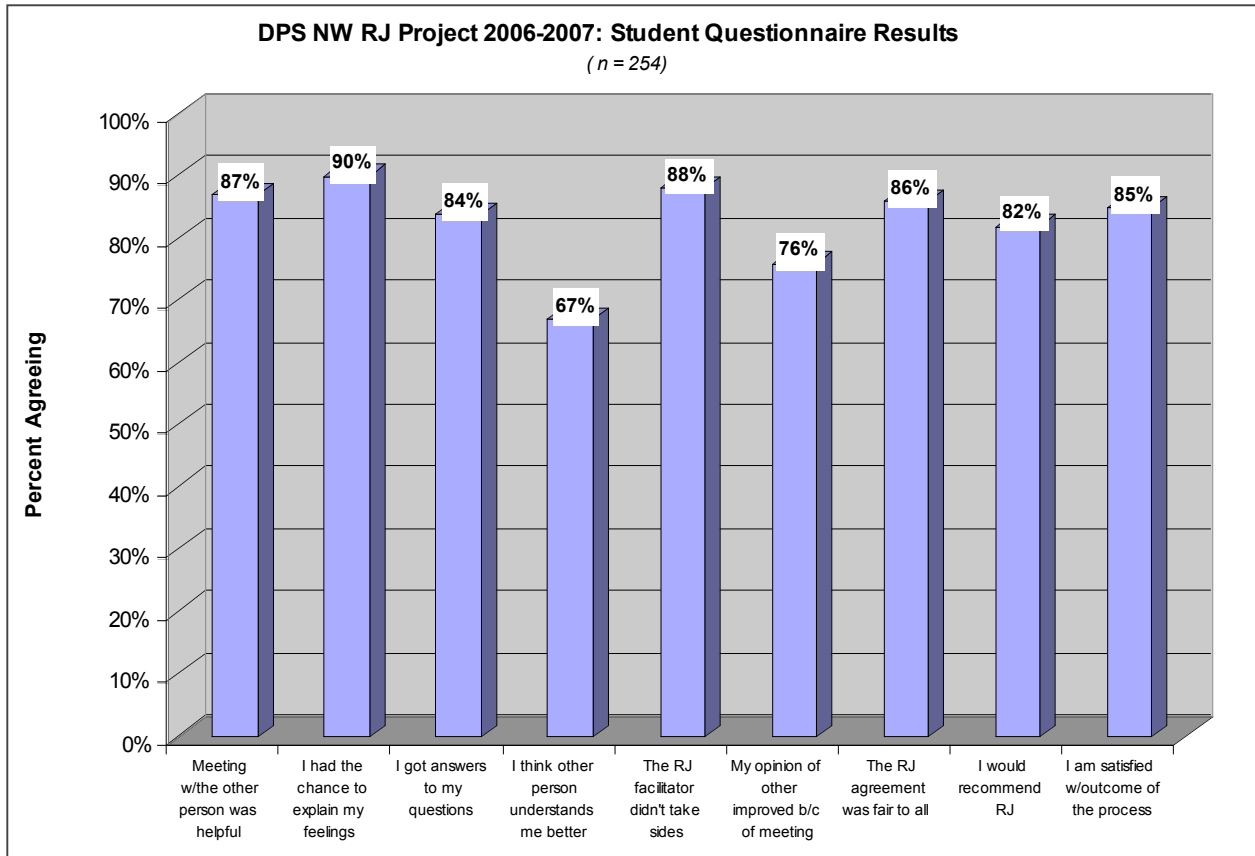
Most of the infractions (52%) were described as “Interpersonal Conflict,” which included nonphysical, verbal conflict, most typically arguments and rumors. Twenty-five percent were “physical” altercations, that including pushing, shoving, and fights. Twenty percent of the infractions were described as “verbal harassment” which were more intense than verbal conflicts and included such offenses as racial slurs and insults. The remaining five percent of the infractions were classified as “damage to property or theft” (3%) and “other (2%). Forty-three of the cases referred were known to be in lieu of out-of-school suspension.

Forty-one parents and eight “other” family members attended the RJ conference process, and 111 direct telephone contacts were made with parents about the process. Forty-four teachers and other school staff members participated in the conferences (which often were centered on student-teacher conflicts). Seventy-seven students other than those referred participated in the conferences, and volunteer RJ facilitators participated in 43 instances over the course of the year.

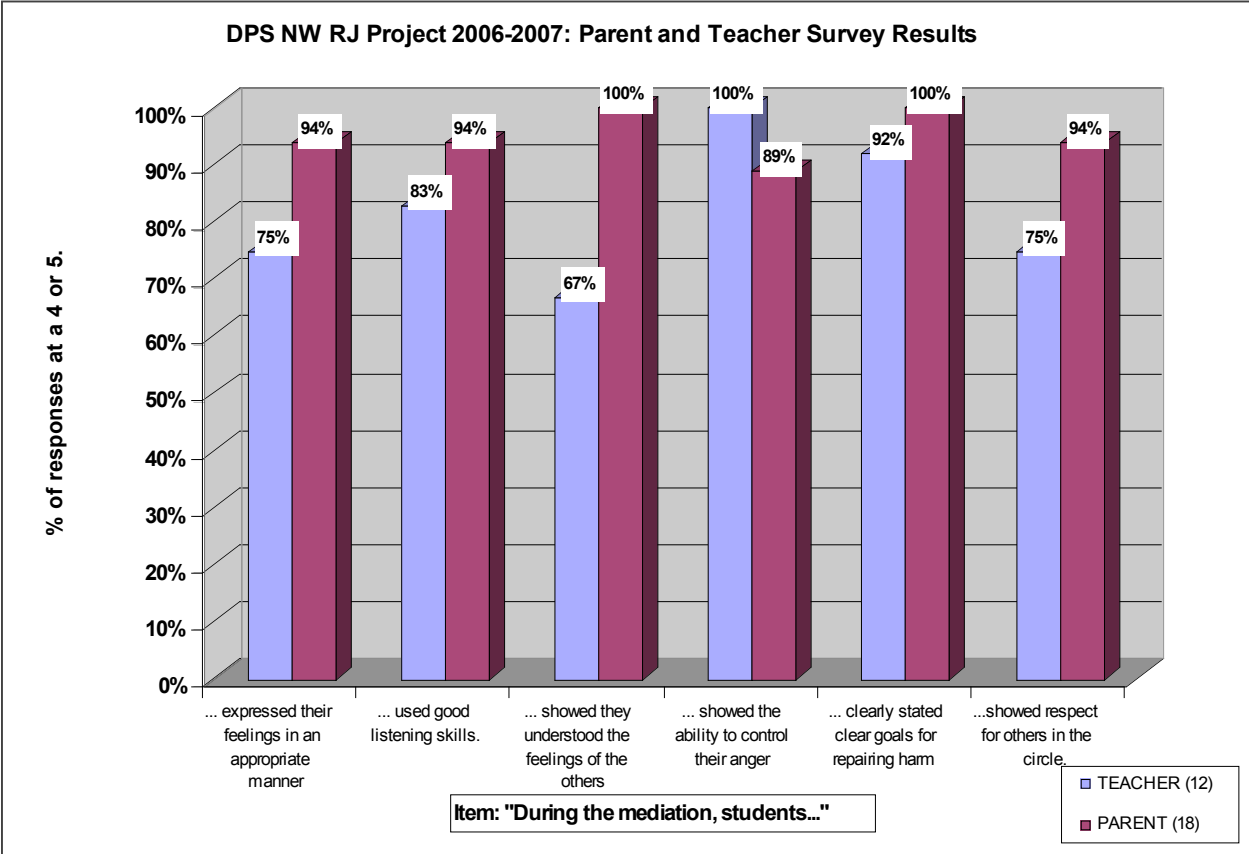


The majority of the results of the process (51%) included the creation of a “restorative agreement.” In 14% of the cases, a complete “restorative group conference” was held, which involved at least four individuals, who may have included other students, teachers, administrators, or community members. The chart above shows the percentage of referred cases by their outcomes. The “handshake agreement” was a result of individual meetings with students (the “preconference assessment”) that ended in students working out the situation without the formal restorative agreement. The 12% of cases that ended up in “preconference assessment” did not complete the process beyond the first meeting with the RJ coordinator. A small percentage of students were referred for the RJ process but were not seen for some reason. Two percent of the cases were between family members and their children, and a family-based agreement was created as a result.

Students were surveyed about their experiences of the mediation process, as were participating teachers, parents, and others. As is shown in the following chart, participating students strongly endorsed the RJ process in terms of its fairness, help in the situation, assistance in improving relationships with other students, and their willingness to recommend the process to other students.



In addition to these strong endorsements, parents and teaches also gave positive feedback about what they saw in the RJ mediation process. Parents and teachers that completed the survey largely agreed or strongly agreed that students showed good listening skills, appropriate anger control, respect for others, and clearly stated goals and actions to address the harm done in the referring incident. The chart following is indicative of the impact the process has had on participating students that is clear to observing adults in the role of teacher or parent.



Outcomes

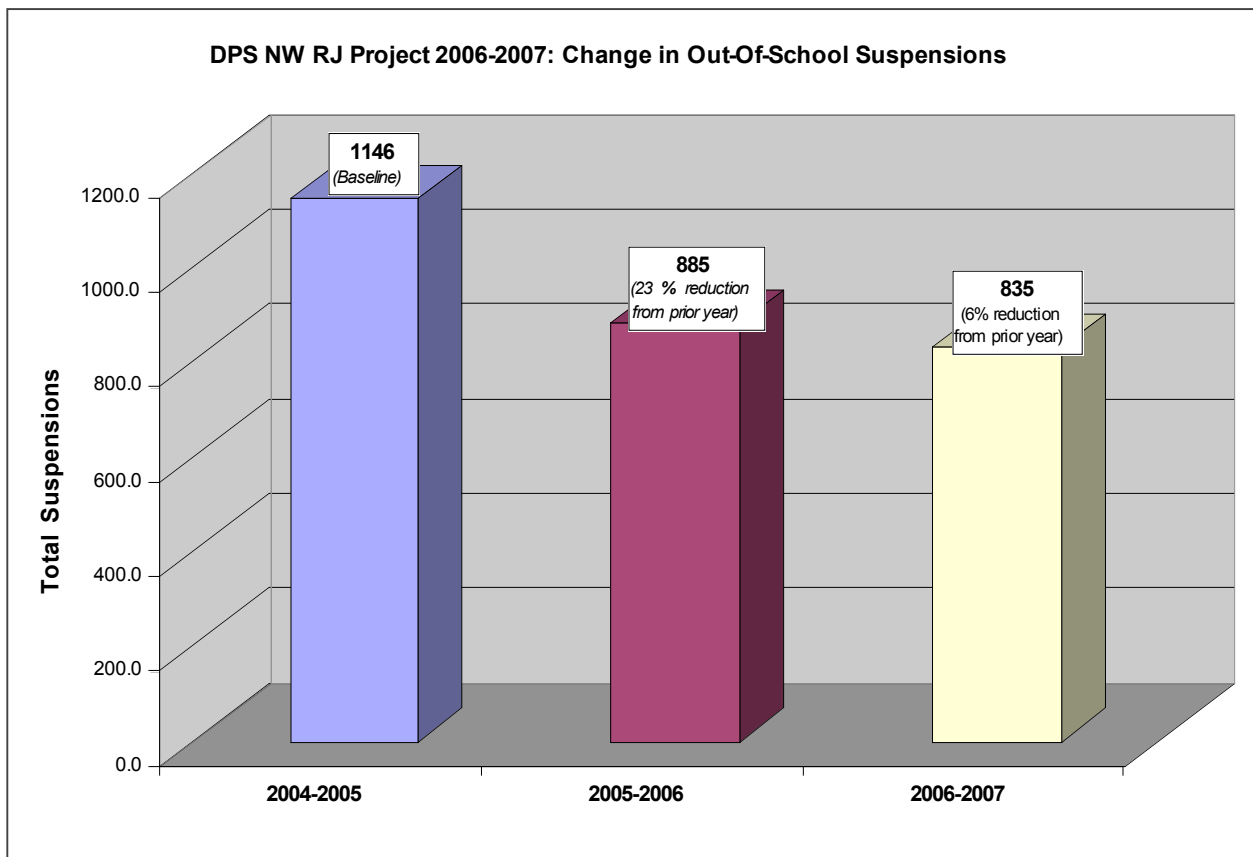
The first year of the project had the following goals for school-wide reform and results:

- Reduce out-of-school suspensions by 20% from prior year (2005-2006) in each participating school
- Reduce expulsions by 20% from prior year in each participating school
- Reduce tickets and arrests by 40% from prior year in each participating school
- Involve 100% of primary family members in Restorative Justice (RJ) meetings
- 100% of students will inform their parents of the RJ meetings and results

The Colorado Department of Education further directed that individual participating student outcomes in school attendance, academics, and behavior be reported for compliance with grant objectives.

## School-wide Discipline

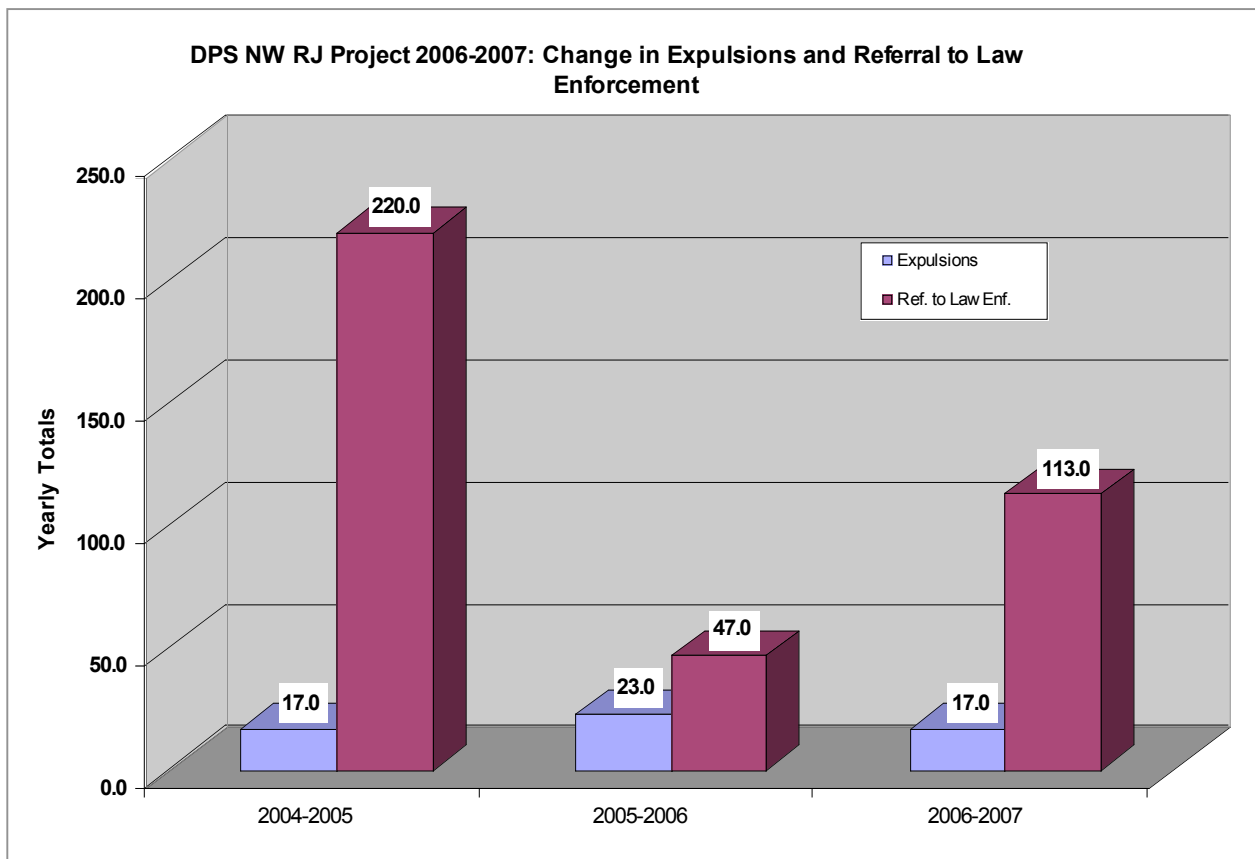
As stated earlier, the project was not fully implemented this first year. Due to the time needed to post for, interview, and train new staff, only NHS had a coordinator in place for the entire school year. (NHS was the location of the pilot project on which this larger program was based). Additionally, due to the late start, the continuum of prevention activities that is the cornerstone of this project was not fully implemented in any of the four schools. Specifically, the schools did not have the in-school suspension alternative in place or the community outreach to parents. Therefore, it was not expected that the goals for school-wide impact would be seen to the degree initially projected.



Despite the short time that the program was implemented, a reduction in combined out-of-school suspensions was noted, as shown above. Combining the numbers from year to year across the four schools, there was a 6% reduction from the year prior to the grant to the 2006-2007 school year. The changes from year to year in out-of-school suspensions ranged from a reduction of 66% at Horace Mann MS to an increase of 59% at North HS. Lake MS and Skinner

MS had slight decreases in out-of-school suspensions. It is likely that the dramatic increase of suspensions at NHS is due to the change in both principal and assistant principalships in the past year. It is expected that with a full year of implementation and the support of the in-school suspension alternatives, the reductions will approach the target of 20% by the end of year two.

Expulsions were also reduced in all of the schools with the exception of NHS. Reductions ranged from 100% fewer at Skinner MS to 43% fewer at Horace Mann MS. Cumulatively, there were 26% fewer students expelled across the four schools in the 2006-2007 school year than in the year prior, meeting the project goal for year one. These changes are shown in the chart following.



Ticket and arrest data were not complete for all schools to establish comparisons at this point in time. Instead, for the first year a comparison of school-based referrals to law enforcement was made. As with the other discipline variables discussed, all schools showed reductions in referrals to law enforcement with the exception of NHS. The significant increase at North erases the positive effects noted at Horace Mann (-30%), Lake, (-13%), and Skinner MS (-

37%). Although none of the schools reached the target of a 40% reduction in the first year, these changes are significant given the short duration of implementation, and are expected to improve with full implementation next year.

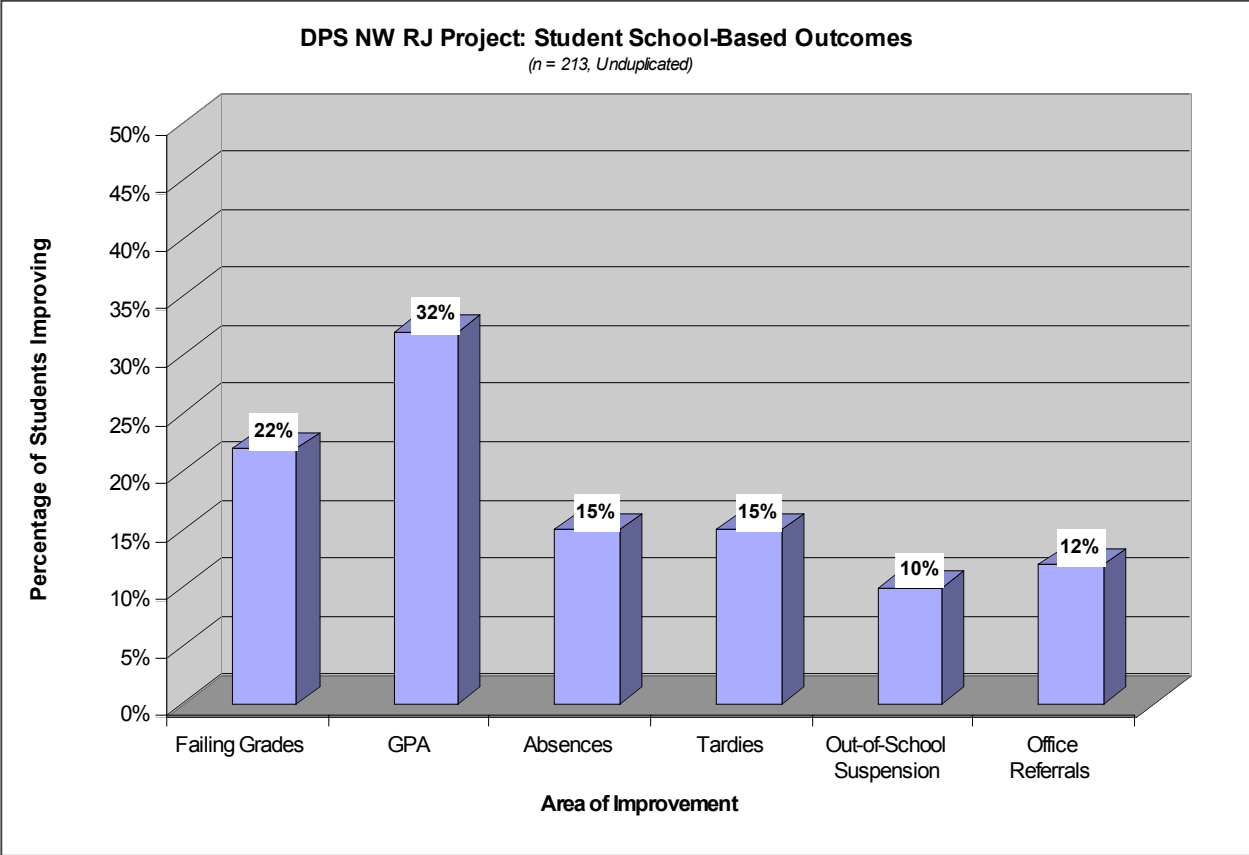
### Individual Student Outcomes

As part of compliance with the terms of the funding from CDE, student level data on RJ participants was collected, including number of out-of-school suspensions, absences, tardies, GPA, and failing grades in the first semester and second semester of the school year. It should be noted that although the long-term vision of the RJ program and its reform effects in DPS is one of universally successful students, such an impact would not be expected a) as an immediate result of an RJ intervention, or b) without the school-wide culture shift that will be achieved as the RJ approach and philosophy become fully integrated into each school and are applied by every teacher, administrator, and employee within the building.

Positive changes were noted for some students that participated in the RJ mediations and conferences, but at this time in the project implementation, it is not clear if these changes were due to the program or are, in fact, any different than what may be seen in the general student population at each school. These questions will be addressed in the following years of the project evaluation.

The chart following illustrates the percentage of students served through the RJ process that showed improvements in all areas tracked this first year. The largest percentage of students improved their GPA from the first semester to the second semester, and the smallest improvement was noted in the number of out-of-school suspensions for students served. As stated above, these variables were tracked as part of the requirements of funding from CDE, and do not necessarily reflect the ultimate “success” of the project or attest to its impact on students or lack thereof.





**Parent Involvement**

Students were surveyed two weeks after the RJ process to determine their follow up and communication about the process with others. Forty-three parents and eight other family members were counted as participating in the RJ processes across the four schools. In the sample of 254 follow up surveys completed by students (80%), 25% reported that their parents were present in the mediation, and the remainder reported that they informed their parents if they were not present. This meets the project goal for parent knowledge by students reporting the RJ process, but is far from the goal of 100% direct parent participation in the process (16%). As noted above, parent outreach efforts were not fully implemented the first year, and it is expected that the participation rate of parents will increase as those efforts are put in place.

**Student Follow Up**

Students were also asked about their recollection of the RJ process, the precipitating incident, the agreement, and the current status of the relationship with the others involved in the

incident. Seventy-two percent reported that they completed all of their part of the agreement, while 63% reported that the others involved completed their part. The majority of students reported that the relationship with the others involved was better as a result of the RJ process, and that they would recommend the process to others.

<b>Follow up question</b>	<b>% “yes”</b>
1. I remembered the incident	97%
2. I remembered the agreement	92%
3. I completed the agreement	72%
4. Other person completed the agreement	63%
5. The relationship with the other student is better.	76%
6. Did mediation help the relationship?	91%
7. Did you learn anything from process?	87%
8. Have you used learning in another situation?	69%
9. Were your parents present?	25%
10. Did you tell your parents if not present?	75%
11. Would you recommend the process to others?	88%

### Summary

The first year of the DPS NW Restorative Justice Project was marked by the successful launching in all three middle schools and their feeder system high school. Due to the time-consuming process of posting, interviewing, hiring, and training of the RJ coordinators, only NHS had staff in place the entire school year (this individual was placed in the prior year as part of a pilot effort). Despite the challenge of time and system, over three hundred referrals were made for RJ services, involving an unduplicated count of 213 students. The majority of cases referred were described as non-physical, isolated cases of “interpersonal conflict,” which were the targeted offenses for the original project proposal. Over half of the cases ended up in a formal “restorative agreement,” and according to self report, the majority of the agreements were followed by all parties.

Students, parents, and teachers gave strong endorsement for the RJ process in terms of its

fairness, helpfulness with solving the conflict, and aid in improving understanding. Additionally, parents and teachers reported students' demonstration of good listening skills, empathy, anger control, respect, and appropriate reparative action planning as a result of the mediation and conferences. Forty-three parents directly participated in the RJ process, and students reported telling their parents if they were not present. The majority of students (91%) agreed that the mediation helped the relationship with the other person or persons involved in the original incident. Nearly 90% stated that they would recommend the RJ process to other students.

All of the middle schools showed reductions in out-of-school suspensions, expulsions, and referrals to law enforcement compared to the prior year's total. North High School saw increases in all measures, but this is attributed to dramatic systemic changes in that building in part due to new leadership in the implementation year. Nearly a third of individual student participants showed growth academically as measured by GPA, and some portion also improved in measures of attendance and behavior.

### Recommendations

The second year of the project will be important to fully implementing the continuum of interventions, parent involvement, and community outreach described in the original project proposal.

- Each school will have a paraprofessional to work in tandem with the RJ coordinator to design with the school team an intervention and prevention-based pass room to serve as an in-school suspension alternative. It will be critical to work closely with the teams in each building to assure that the pass room is a place for refocusing, critical thinking, learning, and reflection by student, according to the RJ philosophy, rather than a place for purely "punishment."
- Outreach to the community in terms of education about the discipline system reform brought by RJ, as well as recruitment of community volunteers will be necessary to assure the eventual long-term sustainability of the new "discipline policy" addressed in part by the RJ philosophy.
- Parent involvement through continued outreach, collaboration, and involvement in the RJ implementation are necessary as well to assure the "buy-in" from the school, community, and for long-term sustainability.

The *Denver Public Schools Student Services Restorative Justice and Disciplinary Reform Project* is funded in part by the Colorado Department of Education. This report was prepared as part of an external evaluation of the project. Opinions expressed here are those of the author, and do not necessarily reflect positions of the Restorative Justice Program, the Denver Public School District, or the Colorado Department of Education.

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