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**MEMORANDUM**

August 30, 2011

**TO:** Legislative Task Force to Study School Discipline  
**FROM:** Hillary Smith, Senior Research Assistant, 303-866-3277  
**SUBJECT:** Restorative Justice Programs in Denver Public Schools

This memorandum provides statistics related to the use of restorative justice programs in Denver Public Schools. Although many school districts in Colorado offer restorative justice programs, staff research indicates that districts do not necessarily track or report the results of the programs. Among districts that do report data, the statistical analysis and reporting methods vary widely, making it difficult to compare results. Furthermore, no statewide studies have been conducted comparing the operation or results of the various districts' programs. This memorandum summarizes the results of the Denver Public School (DPS) district's restorative justice program, as its reports are the most comprehensive.

### **Restorative Justice in Denver Public Schools**

**Background.** DPS first implemented its Restorative Justice Project in early 2005 at selected sites in northeast Denver. The project was supported entirely with district funds. Following the success of the pilot programs, the district received additional funds in 2006 from a Colorado Department of Education Expelled and At-Risk Students Services grant. The program continued to expand, serving six middle schools and one high school in the 2009-10 academic year.

**Operation of the restorative justice program.** Each of the participating schools is assigned a full-time restorative justice coordinator, who is responsible for attempting to divert cases that may otherwise end in student suspension or arrest. When a case is referred to a coordinator, he or she discusses the case with the person who referred it (*e.g.* a teacher, security officer, parents, mental health staff, or other students) in order to determine if restorative justice would be appropriate. As part of this preliminary investigation, the coordinator must determine if all parties are willing to participate in restorative justice. Once this has been determined, several meetings take place. The meetings may include only the student or students involved, or it may include parents, school administrators, teachers, and outside community members. Generally, the meetings result in a contract that specifies what each party will do to resolve the case. The operation of the program may vary among schools.

**Reports.** At the end of the academic year, a final report compiles statistics from each school's restorative justice project. For the 2009-10 academic year, only an executive summary was

completed (Attachment A). The most recent full report is from the 2008-09 academic year (Attachment B). The executive summary for the 2010-11 academic year will be released in early September, with a full report to follow shortly thereafter. Each report provides information concerning the demographics of the students involved in restorative justice projects, as well as program outcomes and impacts. Aggregate information concerning the total change in school suspensions and expulsions is included.

Unlike prior reports, the 2008-09 and 2009-10 reports analyze program outcomes and impacts for a small sample of students who participated in at least three restorative interventions over the course of the school year. A brief summary of the specific outcomes for the past two academic years is provided below.

**Academic performance.** The 2009-10 executive summary is the only report to discuss the Restorative Justice Project's effect on academic performance. According to the report, in a sample of 239 students who participated in at least three restorative interventions over the academic year, failing grades decreased by half for 30 percent of the students.

**School attendance and timeliness.** Table 1 below summarizes the school attendance and timeliness of the sample students for the 2008-09 and 2009-10 academic years. To calculate the results, period absences and "tardies" were compared from the first and second semesters of the school year. Tardies are defined by local school district policies, but generally indicate that a student has entered a class after the scheduled start time. In both years, approximately 30 percent of sample students saw improved attendance, with the number of period absences decreasing 50 percent in 2008-09 and 64 percent in 2009-10.

**Table 1**  
**School Attendance and Timeliness for a Sample of DPS Students in Restorative Justice Programs from Academic Year 2008-09 through Academic Year 2009-10**

Measure of Attendance	2008-09 Academic Year	2009-10 Academic Year
Absences	<ul style="list-style-type: none"> <li>The absence rate improved for 30 percent of students who had at least three Restorative Justice (RJ) interventions.</li> <li>The number of period absences for students who received at least three interventions decreased by 50 percent, from a first semester average of 65 per student, to a second semester average of 34 per student.</li> </ul>	<ul style="list-style-type: none"> <li>The absence rate improved for 31 percent of students who had at least two RJ interventions.</li> <li>The number of period absences for students who received at least two RJ interventions decreased by 64 percent, from a first semester average of 72 per student, to a second semester average of 44 per student.</li> </ul>
Timeliness (tardies)	<ul style="list-style-type: none"> <li>The number of school tardies for the sample population decreased by 60 percent, from a first semester average of approximately 18 per student, to a second semester average of 6 per student.</li> </ul>	<ul style="list-style-type: none"> <li>Timeliness was improved for 35 percent of students who received at least three RJ interventions.</li> <li>The number of school tardies for the sample population decreased by 47 percent, from a first semester average of 19 per student, to a second semester average of 10 per student.</li> </ul>

Source: Baker, Myriam L., "DPS Restorative Justice Project Report: Year Three Year End Report 2008-2009," Outcomes Inc., 2009; Baker, Myriam L., "DPS Restorative Justice Project Report: Year Four Executive Summary 2009-2010," Outcomes Inc., 2010.

**School behavior and discipline.** Table 2 summarizes the school behavior and discipline outcomes of the sample population for the 2008-09 and 2009-10 academic years. To measure the results, office referrals and suspensions were compared from the first and second semesters of the school years. In both years, the number of office referrals and suspensions decreased by almost 90 percent.

**Table 2**  
**Change in Student Behavior and Discipline in a Sample of DPS Students in Restorative Justice Programs from Academic Year 2008-09 through Academic Year 2009-10**

Measure of Behavior	2008-09 Academic Year	2009-10 Academic Year
Office Referrals	<ul style="list-style-type: none"> <li>Office referrals were reduced for nearly 50 percent of the sample population.</li> <li>The number of office referrals for the sample population decreased by 90 percent, from a first semester average of 1.4 per student, to a second semester average of one referral for every ten students.</li> </ul>	<ul style="list-style-type: none"> <li>Office referrals were reduced for 20 percent of the sample population.</li> <li>The number of office referrals for the sample population decreased by 88 percent, from a first semester average of two per student to a second semester average of one referral for every five students.</li> </ul>
Suspensions	<ul style="list-style-type: none"> <li>Suspensions were reduced for 30 percent of the sample population.</li> <li>The number of suspensions decreased by 87 percent, from a first semester average of 1.5 per student to a second semester average of one for every five students.</li> </ul>	<ul style="list-style-type: none"> <li>Suspensions were reduced for 13 percent of the sample population.</li> <li>The number of suspensions decreased by 89 percent, from a first semester average of more than one per student to a second semester average of one for every six students.</li> </ul>

*Source: Baker, Myriam L., "DPS Restorative Justice Project Report: Year Three Year End Report 2008-2009," Outcomes Inc., 2009; Baker, Myriam L., "DPS Restorative Justice Project Report: Year Four Executive Summary 2009-2010," Outcomes Inc., 2010.*

**Student social skills competencies.** DPS uses two instruments to measure the impact of involvement in restorative justice interventions on student skills, coping, adaptability, and problem behavior. Students in the sample population completed the "Youth EQ Scale" at the end and beginning of each school year, and were also assessed at the beginning and end of each school year by teachers using the "Social Skills Rating System." The Youth EQ Scale measures students' responses in the areas of intrapersonal issues, interpersonal issues, adaptability, stress management, and total emotional quotient. The Social Skills Rating System includes scales of externalizing, internalizing, overall problem-solving, assertion, cooperation, self-control, and overall social skills.

According to the 2008-09 year end report, 49 percent of the sample population in the 2008-09 academic year indicated an increased total emotional quotient, defined as efficacy in dealing with daily social emotional demands as well as maintaining an overall positive mood. In the same time period, teachers rated over 50 percent of the sample population as improved in their overall social skills. More specific detail is available in Attachment B. Specific breakdowns of the survey responses are not yet available for the 2009-10 academic year, but the executive summary indicates that nearly half of the sample population indicated that their adaptability and stress management

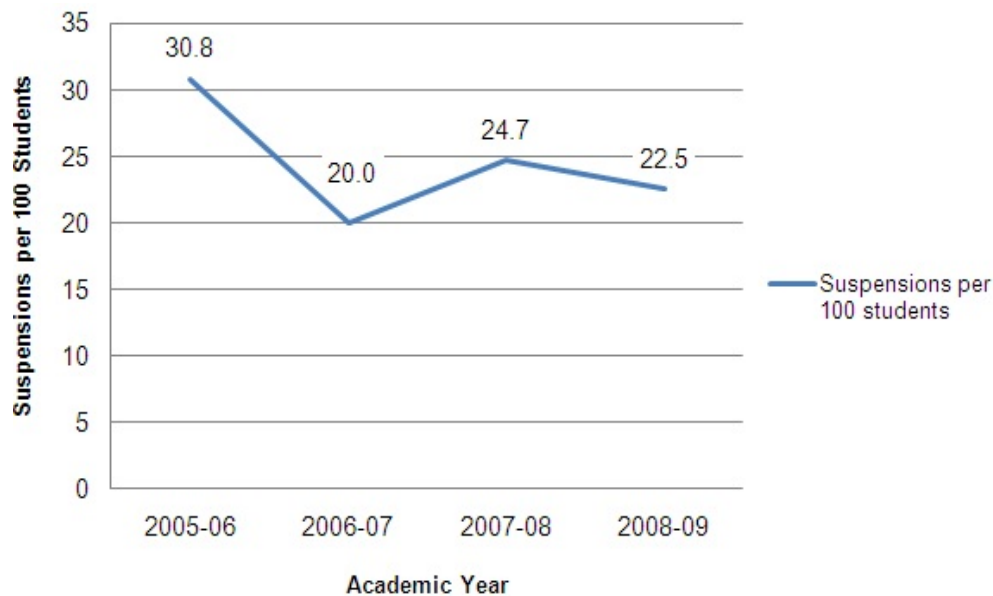
improved, and teachers indicated that 62 percent of the sample population showed improvement as measured by the Social Skills Rating System, particularly in the areas of externalizing behavior and self-control.

**School-wide outcomes.** According to the DPS reports, the overarching goal of the DPS Restorative Justice Project is to reduce suspensions and expulsions from school. By reducing these disciplinary actions, the project aims to reduce the number of tickets issued by community law enforcement and subsequent arrests. In the 2008-09 academic year, 220 of the cases referred for restorative justice interventions were known to be in lieu of suspension, and an additional 11 cases had a reduced length of suspension due to the students' participation in the restorative justice process.

In order to calculate school-wide outcomes, DPS tracks enrollment at each school participating in the project as well as the number of disciplinary incidents, such as suspensions, expulsions, and tickets or arrests, in order to calculate any changes in the rate of each type of disciplinary response. At the end of the 2008-09 academic year, the rate of suspensions per 100 students across the seven schools that participated in the Restorative Justice Project had declined by 10 percent. The report notes that during the same time period, there was a reduction of over 40 percent in suspensions across the entire district. The report suggests that the Restorative Justice Project has helped implement changes in discipline policy on a district-wide level.

Figure 1 illustrates the change in the rate of suspensions at DPS Restorative Justice Project schools from the 2005-06 academic year to the 2008-09 academic year. The data from the 2009-10 academic year has not yet been incorporated, though the executive summary indicates that total suspensions have decreased by 45 percent since the 2008-09 academic year.

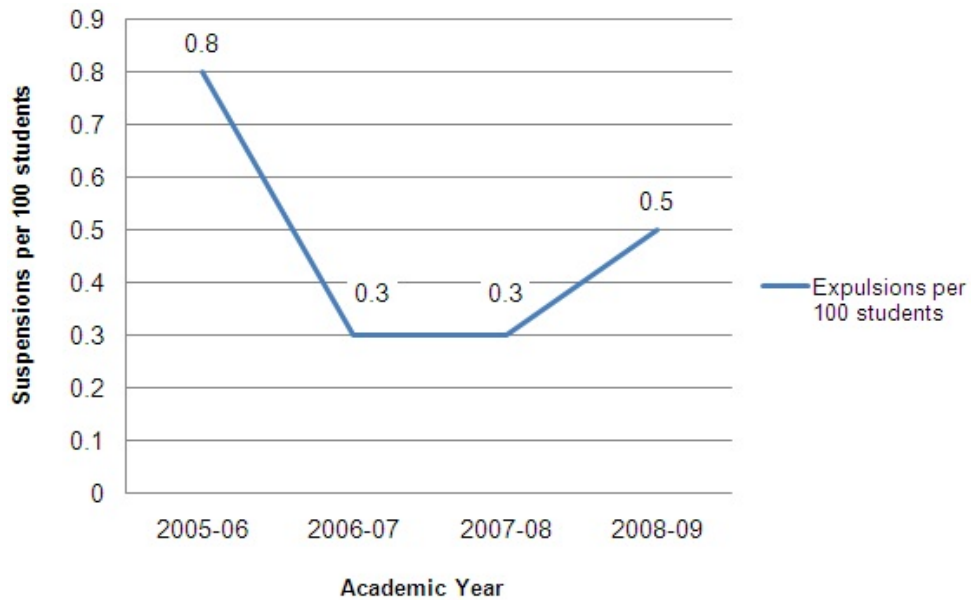
**Figure 1**  
**Rate of Suspensions at DPS RJ**  
**Project Schools from Academic Year 2005-06 through Academic Year 2008-09**



Source: Baker, Myriam L., "DPS Restorative Justice Project Report: Year Three Year End Report 2008-2009," Outcomes Inc., 2009

Figure 2 illustrates the change in the rate of expulsions at DPS Restorative Justice Project schools from the 2005-06 academic year to the 2008-09 academic year. The data from the 2009-10 academic year has not yet been incorporated, but the executive summary indicates that total expulsions have decreased by 50 percent since the 2008-09 academic year.

**Figure 2**  
**Rate of Expulsions at DPS RJ Project Schools from Academic Year 2005-06 through Academic Year 2008-09**



Source: Baker, Myriam L., "DPS Restorative Justice Project Report: Year Three Year End Report 2008-2009," Outcomes Inc., 2009

# DPS Restorative Justice Project: Year Three

Year End Report

2008-2009

September 16, 2009

Prepared and Submitted to Denver Public Schools

By:

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## Introduction

The Denver Public Schools Restorative Justice (RJ) Project was implemented to positively and effectively address the growing number of out-of-school suspensions in the district. In the 2004-2005 school year, this number approached 15,000 across the district, a number not seen since. The DPS RJ Project is inspired by the philosophy and practices of restorative justice, which puts repairing harm done to relationships and people over and above the need for assigning blame and dispensing punishment. Key values include creating a culture of respect, accountability, taking responsibility, commitment to relationships, collaboration, empowerment, and emotional articulacy. Key skills include active listening, facilitating dialogue and problem-solving, listening to and expressing emotion and empowering others to take ownership of problems.<sup>i</sup> There are a variety of restorative interventions that can be used in the schools, ranging from brief on the spot mediations, to all out group conferencing, where multiple parties are present.

The philosophy of restorative intervention in the schools is to address the harm committed and teach students empathy and social problem solving skills that will prevent the occurrence of inappropriate behavior in the future. The four steps that are part of any level of restorative intervention include 1) identification of the harm done to person(s) or property; 2) identification of all affected parties; 3) problems solving, which involves each party having an opportunity to share their story and be heard; and 4) development of a course of action (which may involve a contract) that will address the harm and teach a new way of dealing with the issue in the future. The practice stems from victim-offender mediation strategies in the criminal justice system, and has become increasingly considered for school-based interventions as a more meaningful way to respond to incidents that would otherwise result in “punishment” (such as out-of-school suspension) that carry little meaning for students, and do not teach alternative

behaviors or problem-solving strategies. Participation in restorative practices must be, by definition, voluntary with an agreement for mutual respect in order to work toward a solution.

The DPS RJ project was initially implemented in early 2005 at selected sites in Northeast Denver. Based on the success of the pilot, a proposal for funds from the Colorado Department of Education, Prevention Initiative's Expelled and At-Risk Students Services grant was presented for consideration in 2006. The proposal was funded in part by the Department of Education and supported with other funds from Denver Public Schools. The program was then expanded to target three middle schools in northwest Denver (Horace Mann, Lake, and Skinner), feeding into North High School. Early successes in the first year of the program led to a collaboratively-funded expansion in year two (2007-2008) to southwest Denver to include an additional two middle schools (Kunsmiller and Rishel) feeding into Abraham Lincoln High school. In year three, Horace Mann opted out of further participation, and Martin Luther King Early College in northeast Denver was added as a seventh site.

Each of the schools has been assigned a full-time RJ coordinator that is responsible for all aspects of the implementation of the practices and interventions at their building level. Some schools have matched support for the program by funding the position of a paraprofessional to assist the RJ coordinator in their work. Essential duties of the coordinator position include working closely with building-level administration, especially those involved in disciplinary referrals and consequences. As part of the work with the disciplinary team, coordinators divert cases that may otherwise end up suspended out of school, or referred to law enforcement where they may be ticketed or arrested. As each case is referred to the RJ coordinator, they investigate known facts from the source of the referral, which may be teacher, administrator, security officer, parents, mental health staff, or the students themselves. This initial step is known as the *preconference assessment*, and serves to determine if the case is appropriate for restorative



intervention, including determination of all parties' voluntary willingness to participate. At this time, if the case appears appropriate, a meeting will be set that may include only the student(s) involved, and potentially their parents, school administration, teachers, and outside community members.

The process can take several days to weeks to conclude, as in some cases more than one restorative circle, conference, or mediation may be needed to conclude the process. Often, a contract is made between involved parties that specifies what each will do (which may be as simple as agreeing to stay away from one another, or as involved as community service, letters of apologies, and other reparations).

Due to the variety of school leadership styles and school improvement plan goals, the program may look different in some buildings. For example, Skinner MS utilizes the RJ coordinator and paraprofessional almost exclusively to provide classroom-based education, prevention, and intervention. Most of the other participating schools use the RJ coordinator as a more active participant in their response to student discipline referrals, but most coordinators also conduct anger management and other psychoeducational groups with frequently-offending students, and may also supervise training for peer mediators. Professional development for teachers and other school personnel is another primary activity in some schools, as well as classroom-based prevention and skills training.

### Demographics

The Denver Public Schools Restorative Justice (RJ) Project served 1235 students in the 2008-2009 school year (over a third more compared to the 812 served in 2007-2008). Students served by restorative interventions attended Martin Luther King (MLK) Middle School (227), North High School (236), Lake Middle School (237), Skinner Middle School (23), Abraham Lincoln High School (238), Rishel Middle School (170), and Kunsmiller Middle School (104).

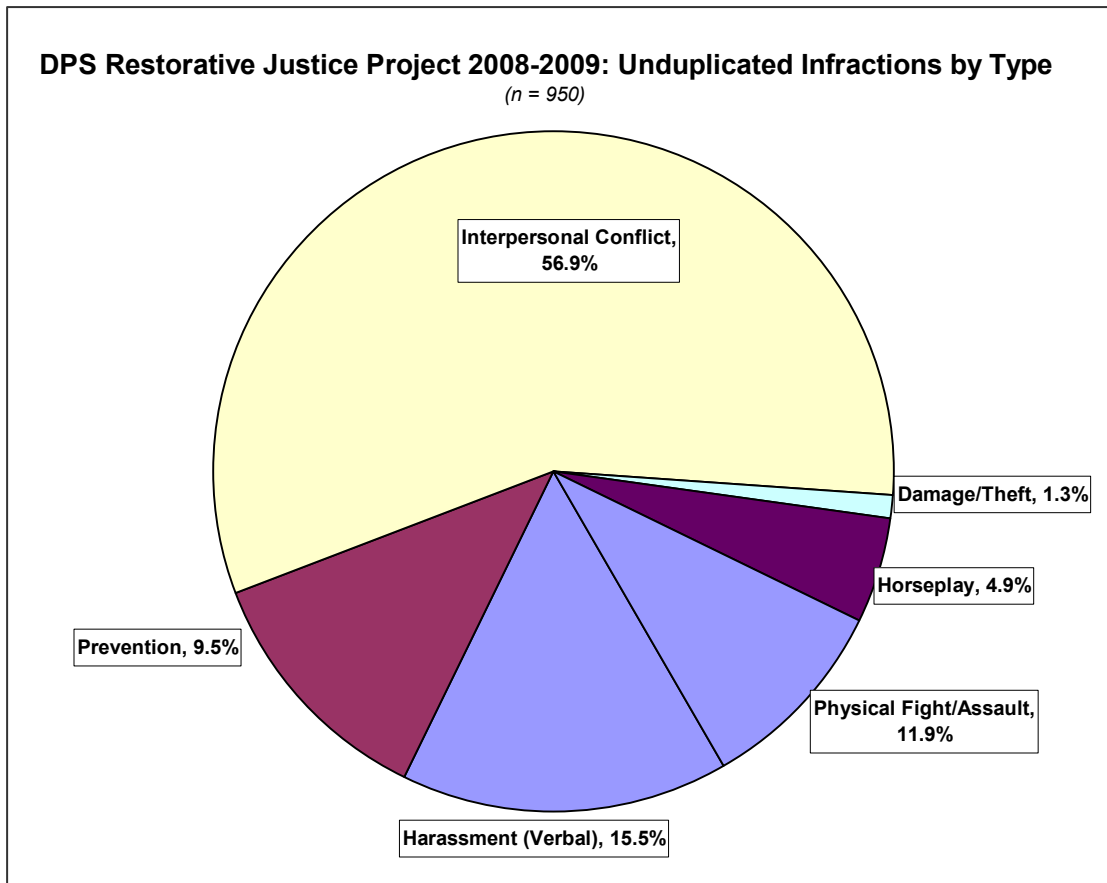
Each of the schools logged between 100-240 cases, with the exception of Skinner Middle School, which has a markedly different level of implementation based almost entirely on classroom-based education and prevention. Seventy-eight percent of the students were Hispanic/Latino, 13% were Black, 7% were White, and the remainder was of other or mixed ethnic heritage. Of the total students served, there were approximately 41% boys and 59% girls.

### Program Processes

#### Infractions Leading to Restorative Referrals

Over 950 unduplicated cases of various infractions involving 1235 students were processed through restorative interventions at the seven schools. Thirty-eight infractions were community-based, but addressed by the restorative coordinators in the schools. Most of the infractions (57%) were described as “interpersonal conflict,” which included nonphysical verbal conflict, most typically arguments and rumors. Twelve percent were “physical” altercations, that including pushing, shoving, and fights; 16% were described as “verbal harassment” which were more intense than verbal conflicts and included such offenses as racial slurs and insults, and the remaining 16% were classified as “horseplay” (5%), “damage to property or theft” (1%), and preventative efforts such as anger management groups, gang prevention, and peer mediation training (10%). The chart following illustrates the breakdown of infractions across the schools proportionally.

Chart 1. DPS RJ Project: Cases by Infraction 2008-2009

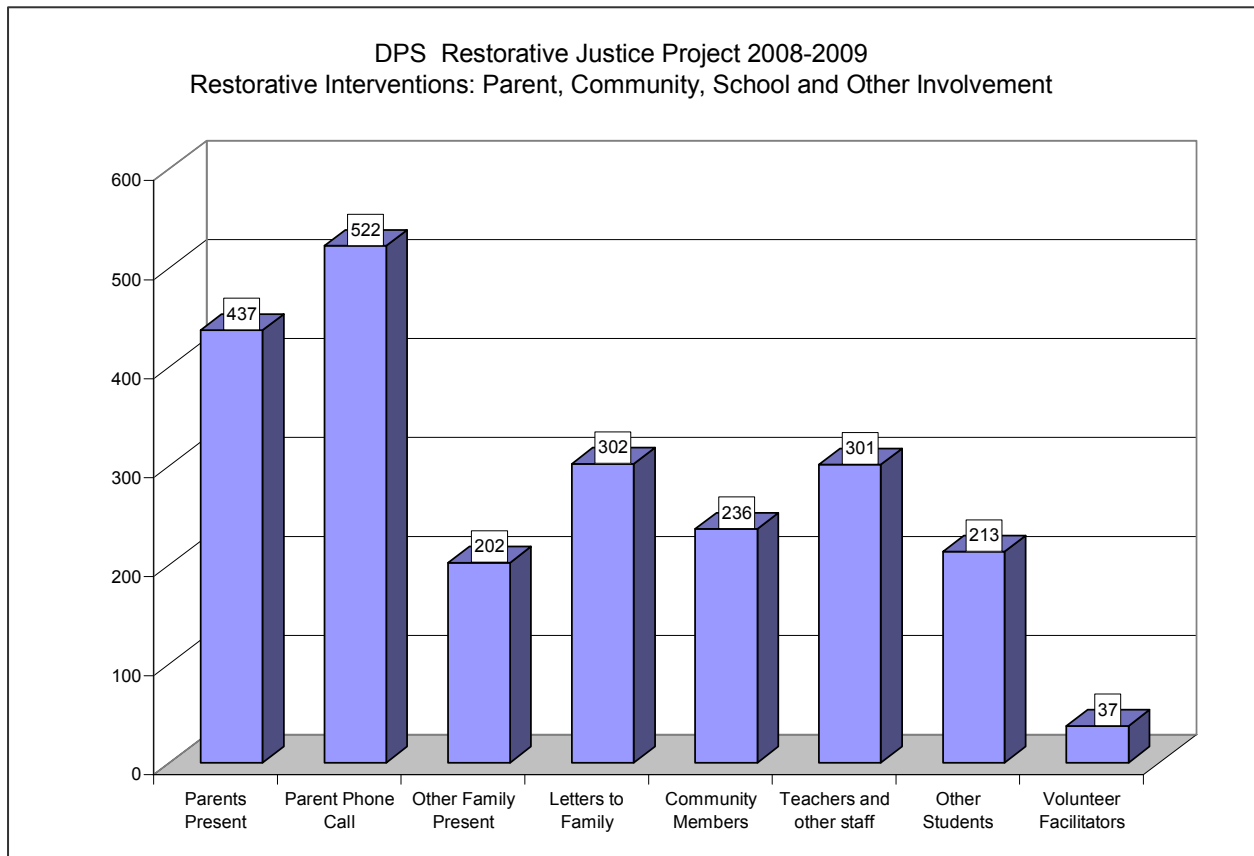


Family, School, and Community Involvement

Family and community involvement are a requirement of the state funding supporting the project, key to the philosophy of restorative interventions, and a value held in Denver Public Schools. Coordinators make substantial efforts to include primary caregivers and other family members as much as possible in the restorative interventions. Additionally, community members impacted by the offenses, as well as other students or adults in the school are included when appropriate.

Four hundred thirty-seven parents and 202 other family members attended the interventions with their students, and 522 direct telephone contacts were made with parents about the process. In addition to contacts with parents about the restorative process, nearly 800 other individuals were involved from the community and school. Chart 2 below clearly illustrates the high level of involvement from the school and greater community achieved this year.

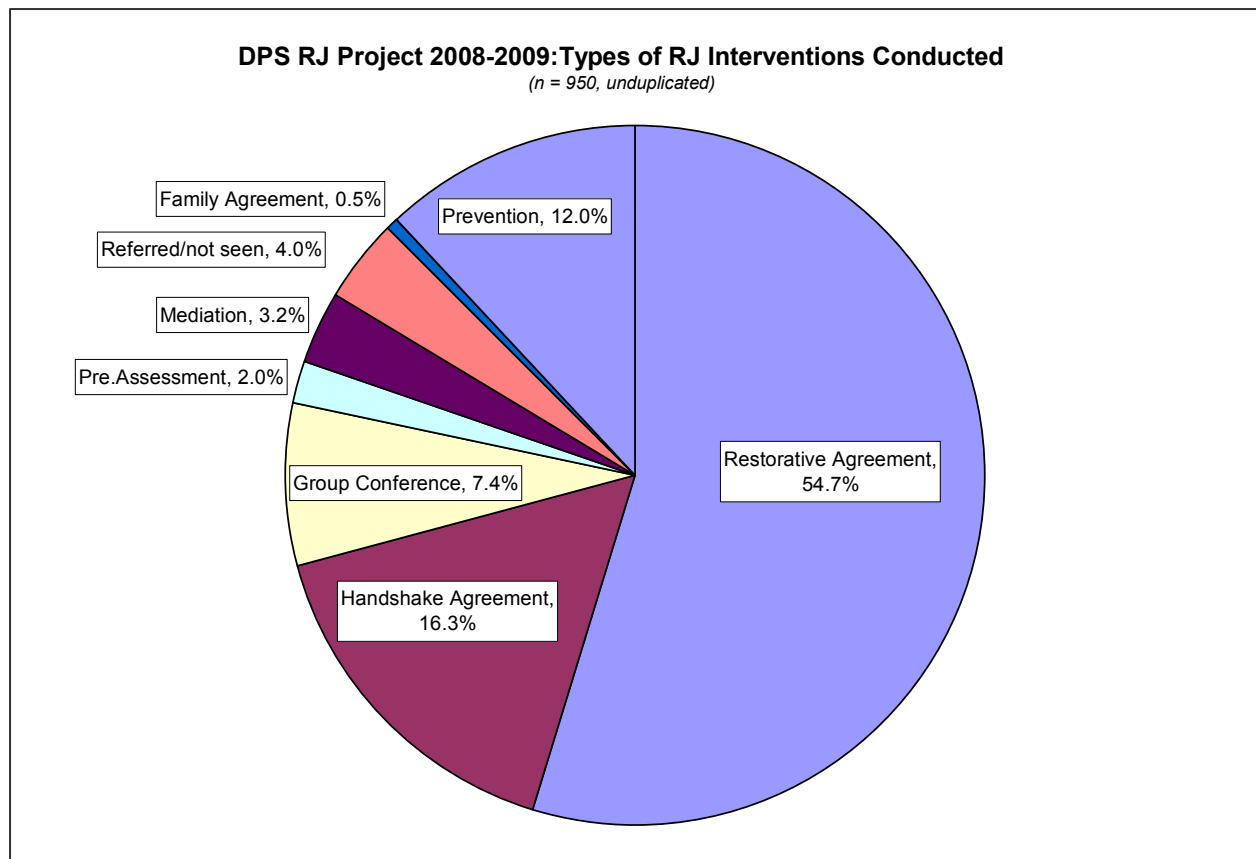
Chart 2. DPS RJ Project: Family, Community, and School Involvement 2008-2009



## Implementation of Restorative Practices

The majority (55%) of the interventions conducted as a result of the referrals included the creation of a “*restorative agreement*,” which is a formal, written agreement of next steps for reparation agreed upon by all parties. Formation of a “*handshake agreement*” (17%), a less formal agreement between the parties involved was a common outcome as well. “*Group conferences*,” which are the most formal process involving several parties, potentially including parents, teachers, other students, and community members accounted for close to 8% of the case outcomes. Chart 3 below further details the actions that resulted from the referrals made.

Chart 3. DPS RJ Project: Types of Restorative Interventions Conducted 2008-2009



## Program Outcomes and Impacts

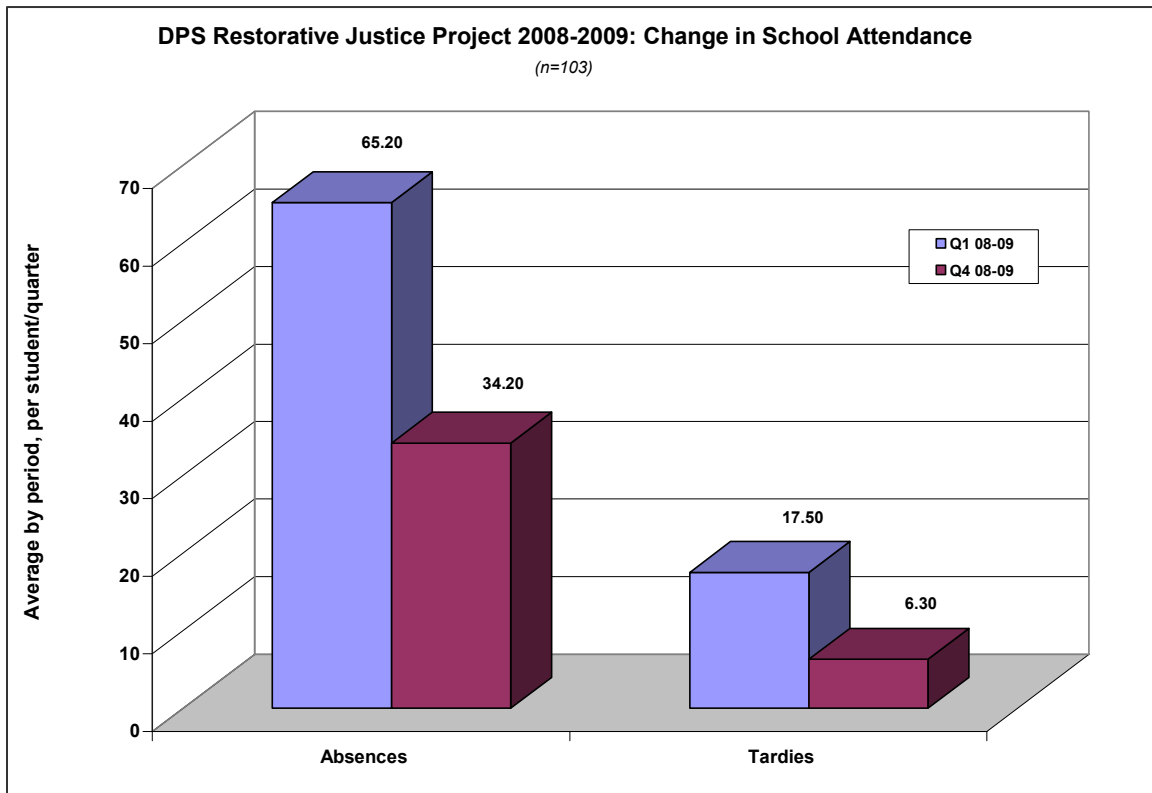
### Student Outcomes

A sample of 311 students that participated in at least three restorative interventions over the course of the school year was used to assess the impact of involvement in multiple instances of restorative interventions on such measures as school discipline, attendance, and social skills. The sample was pulled after determining in the first two years of the project that significant change in the short term was far less likely to be observed in students that had been involved in only one restorative intervention. Thirty-seven percent of the sample participated in three interventions over the course of the year, 15% participated in four, 8% were in five, 9% were in six, and 7% were in seven or more. Twenty-five percent of the student sample were regular participants in prevention activities such as peer mediation training, gang prevention, or anger management groups.

### School Attendance and Timeliness

School attendance was measured as an indicator of school engagement. Period absences were compared from the first quarter of the school year to the last quarter. Over 30% of the student sample showed improvement in school attendance and timeliness to school. The improvements for students that improved was dramatic, as evidenced by a reduction of nearly 50% in period absences per quarter and over 60% in period tardies per quarter, as shown in Chart 4 following.

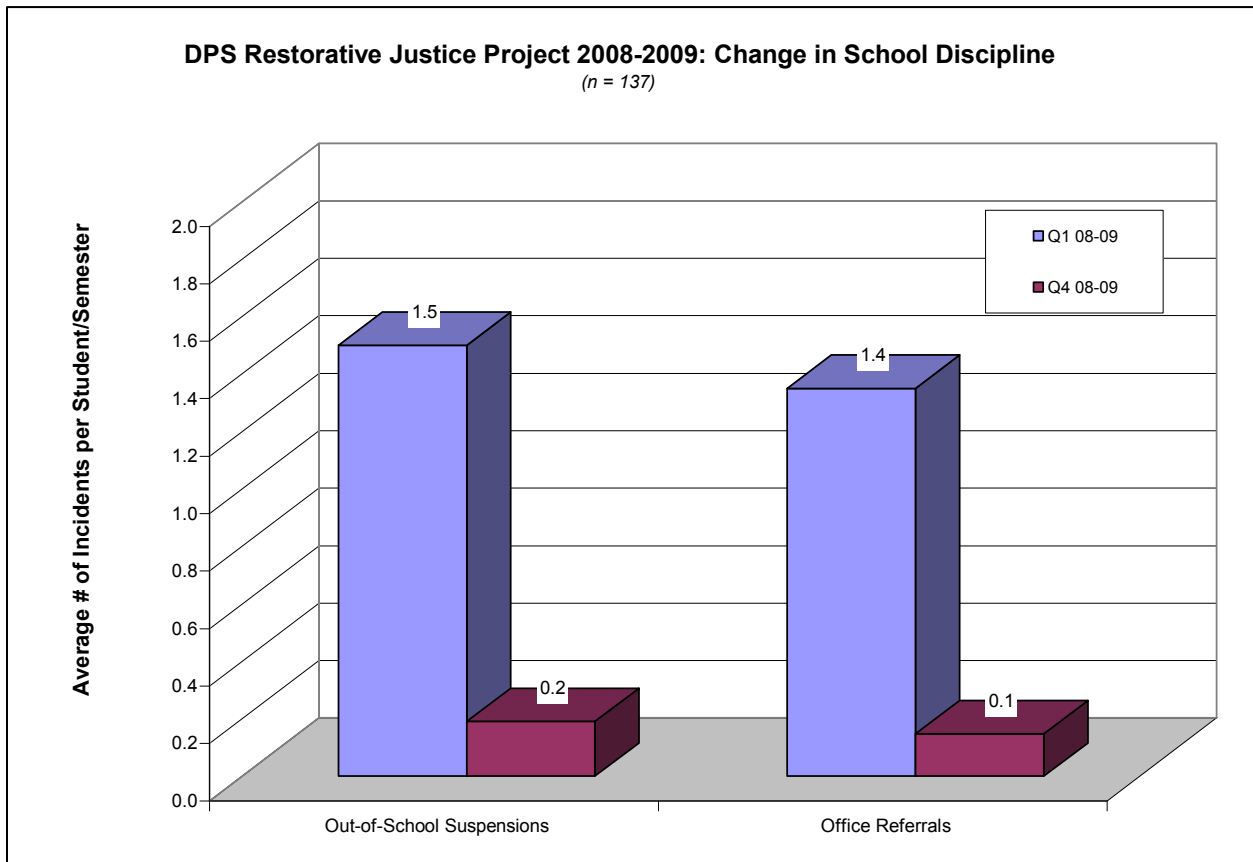
Chart 4. DPS RJ Project: Improvements in School Attendance and Timeliness 2008-2009



### School Behavior and Discipline

Office referrals logged in the student records and out-of-school suspensions were compared for the sample of students between the first semester of the school year and the last. It was hypothesized that this measure in particular would show the biggest impact of participation in restorative interventions. This proved to be true, as nearly half of the sample had significantly reduced office referrals in the second semester compared with the first, and 30% reduced the average number of out of school suspensions they received. The impact for students responding positively to the interventions was again dramatic, as shown in Chart 5. There was a near 90% reduction in average instances of office referrals and out-of-school suspensions in this sample of students.

Chart 5. DPS RJ Project: Improvements in School Behavior and Discipline 2008-2009



### Student Social Skills Competencies

Two instruments were used to measure the impact of involvement in restorative interventions on student social skills, coping, adaptability, and problem behavior. As with improvements in school-based behavior and discipline referrals, it was hypothesized that students with more intensive involvement in restorative interventions would show change on their own awareness and personal level of social competencies, as well as their level of competence observed by others. The *Youth EQ Scale*<sup>ii</sup> © was completed by students that were either being seen regularly as part of ongoing prevention efforts, or those students that had at least two separate infractions that were handled through the restorative justice coordinator. The

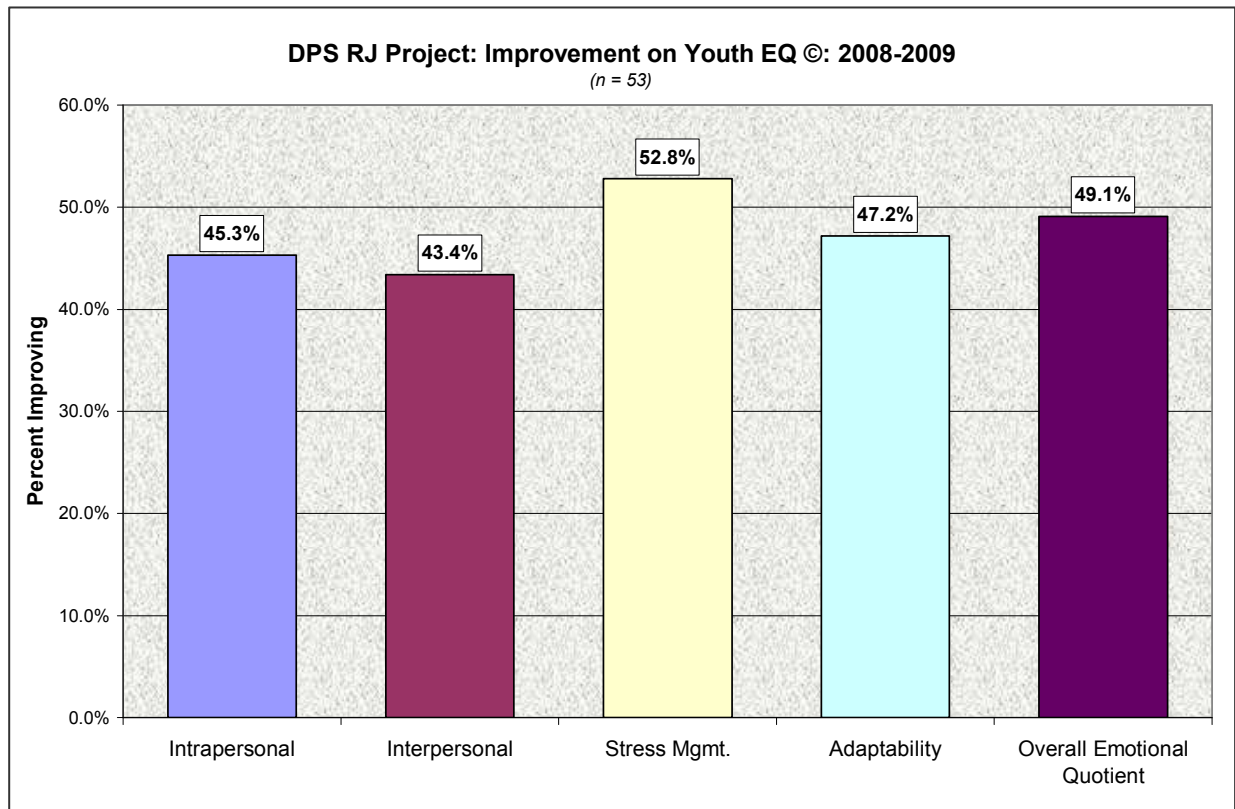


students completed the self-report scale of 30 items at the beginning of the year and again at the end of the year. There are five constructs measured by the *Youth EQ Scale*, described below:

- Intrapersonal scale: Understanding of one's own emotions and the ability to express and communicate feelings and needs to others appropriately.
- Interpersonal Scale: Ability to have satisfying interpersonal relationships. Ability to be a good listener and understand and appreciate the feelings of others.
- Adaptability Scale: Ability to be flexible, realistic, and effective in managing change, as well as finding positive ways of dealing with everyday problems.
- Stress Management Scale: Ability to remain calm and work well under pressure, rarely being impulsive. Ability to respond to a stressful event without an emotional outburst.
- Total Emotional Quotient (EQ): Efficacy in dealing with daily social emotional demands as well as overall positive mood.

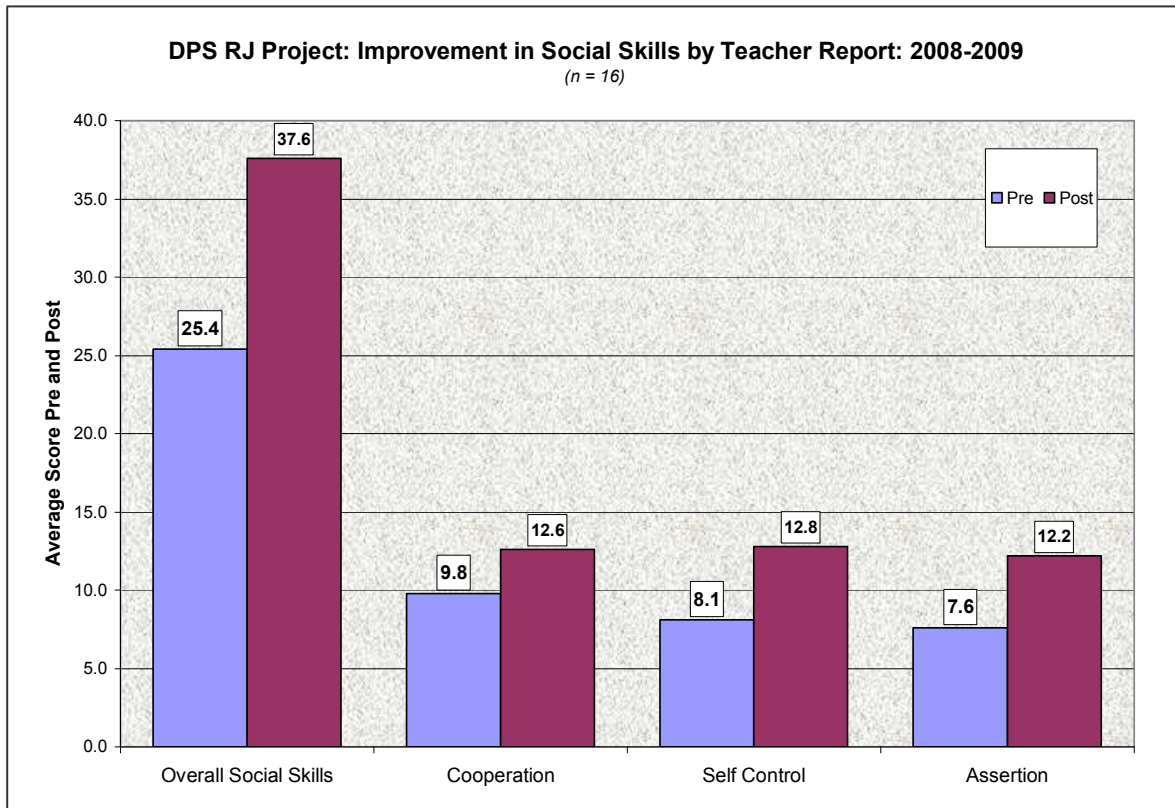
As shown in the chart below, nearly half of the students showed an increased *Total EQ*, and over 50% improved their *Stress Management*, suggesting that these students perceive improvement in their skills in dealing appropriately with the types of interpersonal conflicts referred to restorative interventions in the schools.

Chart 6. DPS RJ Project: Improvements in Student-Rated Emotional Quotient 2008-2009



The *Social Skills Rating System* ©<sup>iii</sup> (SSRS) was used as another measure of student behavioral change observed by others. Teachers completed the survey, which includes scales of *Externalizing, Internalizing, Overall Problems, Assertion, Cooperation, Self-Control, and Overall Social Skills* on the same schedule students were rating themselves with the *Youth EQ*. Teachers rated over 50% of the students as improved in their *Overall Social Skills*, as measured by a post to pretest comparison of scores. Additionally, teachers indicated that 50% showed improvement on the remaining subscales. Average improvements by subscale are shown on Chart 7 below.

Chart 7. DPS RJ Project: Improvements in Teacher-Rated Social Skills 2008-2009



### School Level Outcomes

The overarching goal of the DPS Restorative Justice Project is to reduce suspensions and expulsions from school. Further, by reducing these building-level discipline indicators, the project aims to reduce the numbers of tickets issued by community law enforcement and subsequent arrests. This year, two hundred twenty of the cases referred for RJ interventions were known to be in lieu of out-of-school suspension, and an additional 11 cases had reduced length of suspension due to participation in the RJ process. At North High School, two cases were referred for restorative interventions as a condition for no ticket issued by building law enforcement.

It is important to note that there are multiple influences on school building discipline numbers that cannot be impacted by the Restorative Justice project alone. Perhaps most

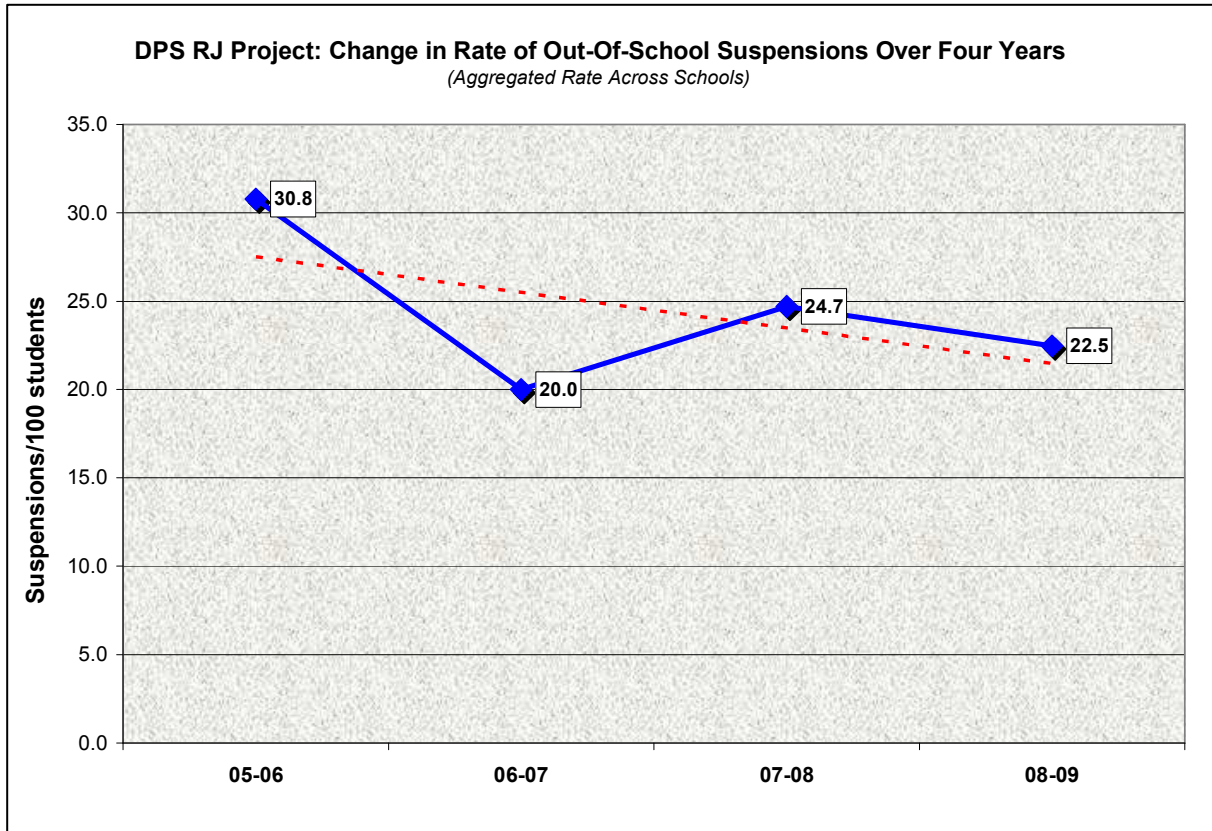
influential is the change of administrative personnel that are the gatekeepers for how cases of disciplinary referral are handled. Several schools in this project have experienced multiple changes in these staff positions in the three short years the project has been underway. Changes to school composition, such as expansion from grades 6-8 to 6-12 or ECE-8 can also impact disciplinary referrals and outcomes.

Enrollment at each school participating in the project has been tracked as well as the number of disciplinary incidents (out-of-school suspensions, expulsions, and tickets/arrests) in order to calculate any changes in the rate of each type of disciplinary response. This provides a more representative measure of the schoolwide impact of the Restorative Justice Project, rather than numbers of incidents alone. As is shown in Chart 8 following, the rate of suspensions per 100 students across the seven schools as shown a steady downward trend of nearly 10% compared with the baseline established in 2005-2006, prior to the beginning of the project. The trend line for prediction of the anticipated rate in future years is indicated in red, and is based on changes recorded so far. Reductions in out-of-school suspensions in the past year ranged from 6% up to 44% when considered individually by school.

Another important note to consider is that since the baseline year (2004—2005) prior to the expansion of the project from one or two schools to seven targeted sites and multiple district level trainings, there has been a reduction of over 40% in out-of-school suspensions *across the district*. This equates to a reduction of over 5400 suspensions in the 2008-2009 school year when compared with our baseline year, or about 1000 fewer suspensions per year since baseline. Although the RJ project is not solely responsible for these changes, it has definitely been a springboard for changes on the district level in the intent and implementation of discipline policy. DPS' most recent policy that clearly states the expectation for a more restorative approach to discipline, and movement away from prior punitive philosophies, is attached as an

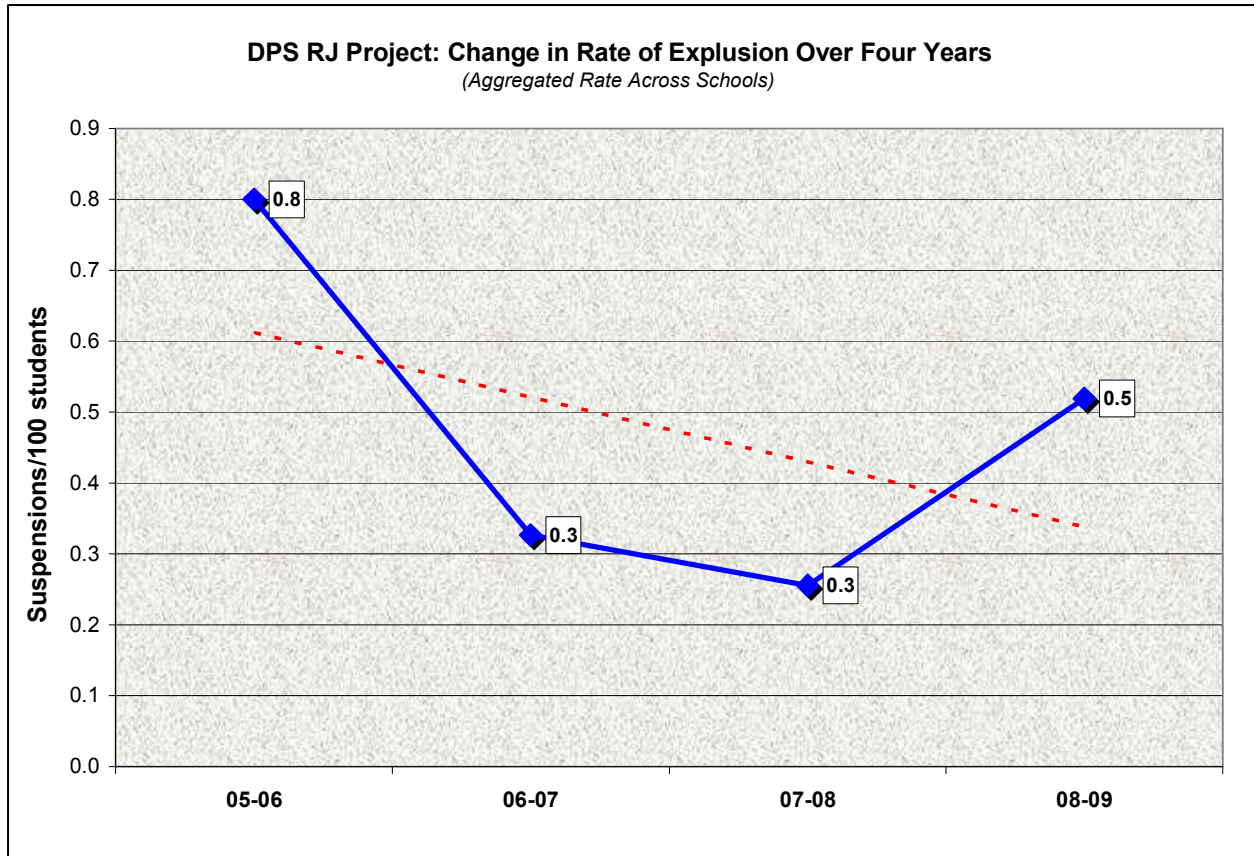
addendum to this document. Page 23 in particular illustrates the changes in intention of discipline in the district, as well as the now-stated inclusion regarding restorative approaches.

Chart 8. DPS RJ Project: Change in Out-of-School Suspension Rate over Time



Expulsions from school have likewise shown a trend downward since the beginning of the project from a baseline of nearly one per hundred students to a current rate of one per two hundred. The predicted trend line suggests that this rate will continue to decrease given the four years of data collected to date. Analysis of expulsions in the prior two years only shows that three schools showed dramatic reductions in expulsion numbers, ranging from 32% to 75% fewer than recorded in 2007-2008. Chart 9 illustrates the trends in expulsions aggregated across the participating buildings.

Chart 9. DPS RJ Project: Change in Expulsion Rate over Time



The final metric originally proposed as a measure of the program’s impact on schools was the number of tickets and arrests made by community and building law enforcement and rate of occurrence in the student population. These data have been questionable in their accuracy to this point, as building level law enforcement report far different numbers than have been provided by the umbrella law enforcement statistics department. At this time, these data are not reported due to these unresolved and heretofore unexplained discrepancies.

## Summary

The third year of the DPS Restorative Justice Project was marked by the successful continuation of the program in the three schools that began in 2006-2007. Three schools added in 2007-2008 continued into their second year, and one new school started the program in 2008-2009 (MLK), as Horace Mann Middle School opted out of the program. Despite the changes in personnel, locations, and oversight at the building level, over two thousand referrals were made for RJ intervention and prevention efforts, involving an unduplicated count of 1235 students. Nearly 240 of these cases were in lieu of suspension or provided for reduced out of school suspension as a result of the referral. 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.

Four hundred thirty-seven parents directly participated in the RJ process, as well as 202 other family members. In addition to contacts with parents about the restorative process, nearly 800 other individuals were involved from the community, school, and families. Students with multiple instances (3+) of involvement in restorative interventions showed improvements in school engagement as measured by school attendance and timeliness. Over half of this sample of students showed significant improvements in the average number of office referrals and out-of-school suspensions received after beginning RJ interventions. Students also showed improvements in self-rated emotional competences, as well as improvements in social skills and behavior reported by teachers.

Measurement of school level impact continues to be a gray area, due to the multiple potential influences on school discipline numbers such as out-of-school suspensions, expulsions, and tickets/arrests. However, trends in rates of suspensions and expulsions have shown a steady

downward trend at these schools and across the district, that is likely to continue based on the four years of data available.

District level impact has been noted in cumulative reductions in out-of-school suspensions of over 40% compared with baseline, as well as a formalized mandate to approach discipline with a more restorative, rather than punitive, intent.

### Recommendations

Although it is recognized that the implementation of the DPS RJ project is intended to be as individualized as the schools it serves, yearly interviews, observations, and analysis of the data from each school suggest some areas of inconsistency that if addressed, would likely maximize the impact of the project. These include:

1. A more intensive focus on team-building between the RJ coordinator and the existing school leadership team in order to improve communication and collaboration in the approach to school culture and response to discipline referrals.
2. Stronger emphasis on inservice and education of school personnel to improve the referral process of cases appropriate for restorative interventions.
3. Increased emphasis on the preventative nature of restorative practices and integration into the classroom.



The Denver Public Schools Restorative Justice Project is funded in part through a grant from the Colorado Department of Education; Prevention Initiatives *Expelled and At-Risk Students Services* program. Opinions and conclusions in this document are those of the author and do not necessarily represent the point of view of Denver Public Schools or the Colorado Department of Education.

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## **Policy JK- Student Discipline**

<http://www.dpsk12.org/policies/Policy.aspx?-db=policy.fp3&-format=detail.html&lay=policyview&-sortfield=File&-op=eq&Section=J&-recid=32883&-find=>

### **I. Introduction**

A. the Board of Education supports the mission of the Denver Public Schools ("District"), which is to provide all students the opportunity to achieve the knowledge and skills necessary to become contributing citizens in our diverse society. Students should have the opportunity to develop their skills, knowledge, and competencies in a nurturing and accountable school setting. Students should receive effective and engaging teaching, with differentiated curriculum, instruction, and assessment designed to address the needs of our diverse learners. Students have a right to attend schools that are safe and free from unnecessary disruption. The Board believes that proper student conduct, reinforced by an effective discipline program, is essential to create and maintain a positive school climate. This is the joint responsibility of students, staff, parents, and the community.

### **II. Purpose**

A. The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff are responsible and respectful. B. The purpose of this policy is to support school discipline that:

- i. Maintains safe and orderly learning communities;
- ii. Assures consistency across all schools in the district;
- iii. Defines and communicates expectations for student behavior;
- iv. Defines and communicates expectations for staff responsibility related to school discipline;

- v. Balances the needs of the student, the needs of those directly affected by the behavior, and needs of the overall school community;
- vi. Assures equity across racial, ethnic, and cultural groups, as well as all other protected classes (gender, color, national origin, ancestry, religion, age, disability, sexual orientation, and gender identity).

### **III. General Principles**

- A. School discipline is best accomplished by preventing misbehavior before it occurs, and using effective interventions after it occurs.
- B. School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students and are actively engaged in their lives and learning.
- C. Effective school discipline maximizes the amount of time students spend learning and minimizes the amount of time students cause disruption or are removed from their classrooms due to misbehavior.
- D. School discipline should be reasonable, timely, fair, age appropriate, and should match the severity of the student's misbehavior. School discipline that is paired with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community, and is more likely to result in getting the student re-engaged in learning.
- E. Effective discipline is built on consistent and effective classroom management, and is supported by a positive school climate. The vast majority of disciplinary issues should be addressed at the classroom level by teachers; however, behaviors that cannot be addressed at this level should receive more targeted and intensive interventions, as determined by an individualized assessment.
- F. the District serves a diverse community. In order to serve all students and to prepare them to

be members of an increasingly diverse community, school and staff must build cultural competence. We must strive to eliminate any institutional racism and any other discrimination that presents barriers to success.

G. Student conduct which may be subject to disciplinary action includes those occurring during either curricular or extracurricular activities, in classrooms, in school buildings, on school grounds, or in school vehicles, when such conduct is detrimental to the school environment and to the welfare or safety of other students or school personnel.

#### **IV. General Statement of the Policy**

A. the District's system of discipline is built on personal accountability, which is understood to mean:

- i. Recognizing that misbehavior damages relationships between the person or persons who misbehaved, the person harmed by the behavior, and the community as a whole;
- ii. Having an opportunity to repair harm done and restore relationships whenever possible, as opposed to excluding the person who misbehaved;
- iii. Building personal responsibility by helping individuals develop empathy, self-control, and motivation.

***B. School discipline interventions should be guided by the following principles:***

- i. Practicing early identification and assessment of struggling students before they fall behind;***
- ii. Using a problem solving process to provide interventions matched to student needs;***
- iii. Ensuring timely progress monitoring and feedback;***
- iv. Delivering scientific, research-based interventions with fidelity.***

***C. There are three types of intervention strategies that are available: Administrative, Restorative, and Skill-based/Therapeutic.*** Teachers and administrators should consider utilizing

different types of strategies, or multiple strategies simultaneously, to deal with misbehavior, especially for 2nd or 3rd offenses.

D. The District will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior.

E. District employees must abide by all applicable federal and state statutes and city ordinances, plus all relevant Board policies and procedures when dealing with disciplinary matters.

F. Every student is required to follow this policy and accompanying procedures.

G. All students are held to high standards of behavior, and adults maintain such standards by teaching, modeling, and monitoring behavior, and by correcting misbehavior as necessary. Students should have input in the development of discipline rules for their school and classrooms.

H. Schools should minimize the use of out-of-school suspensions, recommendations for expulsion, and referrals to law enforcement, to the extent practicable while remaining consistent with state statute, local ordinances, and mandatory reporting laws. It is a goal of the Denver Public Schools and the Board of Education that the juvenile and criminal justice systems be utilized less frequently to address school-based misconduct.

I. Discipline procedures must guarantee due process to all students and must be enforced uniformly, fairly, consistently and in a manner that does not discriminate on the basis of ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, age, or disability.

J. This policy and accompanying procedures are intended to help the District eliminate racial and ethnic disparities, and any other protected class disparities, in school discipline, while improving behavior, school climate, and academic achievement for all students.

K. Accurate and complete data collection is essential for administering an effective school discipline policy. It assists with identifying problems, crafting solutions, and monitoring progress.

L. The Board of Education hereby adopts this policy and accompanying procedures / regulations as the safe schools plan for the District as mandated by C.R.S. 22-32-109.1. Schools are free to implement their own Codes of Conduct so long as those plans are not in conflict with this policy, accompanying regulations, or other Board policies, and those codes have been approved by the Superintendent or a designee.

M. The District shall post this policy on the District web site and in each school. A copy of this policy and accompanying procedures shall be readily available in each school's administration office, in both Spanish and English. Copies of this policy, its accompanying procedures / regulations, and school rules will be made available, upon request, to each student and parent/guardian, and, upon request, promptly translated in a language that the parent/guardian can understand. N. The Superintendent, or a designee, shall develop such procedures as may be needed for the implementation of this policy. Adopted January 14, 1994

Revised September 5, 1996	C.R.S. 18-18-407(2)
Revised June 18, 2000	C.R.S. 22-32-102(1)(W)
Revised June 21, 2001	C.R.S. 22-32-209
Revised November 15, 2001	
Revised December 18, 2003	C.R.S. 22-32-110(2)(3)(4)
Revised August 21, 2008	C.R.S. 22-32-126
LEGAL REFS: C.R.S. 18-12-105.5	C.R.S. 22-33-105
C.R.S. 18-18-102	C.R.S. 22-32-106
C.R.S. 18-18-406	C.R.S. 22-32-109.a(2)(a)X

20 USC 88921

C.R.S. 22-32-109.1 (adoption and  
enforcement of safe school plan, including

conduct and discipline code and disciplinary  
removal from classroom)

## Endnotes

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<sup>i</sup> Restorative Approaches. Retrieved online from

[http://www.transformingconflict.org/Restorative Approaches and Practices.htm](http://www.transformingconflict.org/Restorative_Approaches_and_Practices.htm)

<sup>ii</sup> Bar-On, R., & Parker, J. (2000) *BarOn Emotional Quotient Inventory: Youth Version (BarOn EQ-i:YV)*. MHS: North Tonawand, NY.

<sup>iii</sup> Gresham, F.M, & Elliott, S.N. (1990) *Social Skills Rating System*. AGS: Circle Pines, MN.



# DPS Restorative Justice Project: Year Three

Year End Report

2008-2009

September 16, 2009

Prepared and Submitted to Denver Public Schools

By:

Myriam L. Baker, Ph.D.  
*Outcomes, Inc.*

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## Introduction

The Denver Public Schools Restorative Justice (RJ) Project was implemented to positively and effectively address the growing number of out-of-school suspensions in the district. In the 2004-2005 school year, this number approached 15,000 across the district, a number not seen since. The DPS RJ Project is inspired by the philosophy and practices of restorative justice, which puts repairing harm done to relationships and people over and above the need for assigning blame and dispensing punishment. Key values include creating a culture of respect, accountability, taking responsibility, commitment to relationships, collaboration, empowerment, and emotional articulacy. Key skills include active listening, facilitating dialogue and problem-solving, listening to and expressing emotion and empowering others to take ownership of problems.<sup>i</sup> There are a variety of restorative interventions that can be used in the schools, ranging from brief on the spot mediations, to all out group conferencing, where multiple parties are present.

The philosophy of restorative intervention in the schools is to address the harm committed and teach students empathy and social problem solving skills that will prevent the occurrence of inappropriate behavior in the future. The four steps that are part of any level of restorative intervention include 1) identification of the harm done to person(s) or property; 2) identification of all affected parties; 3) problems solving, which involves each party having an opportunity to share their story and be heard; and 4) development of a course of action (which may involve a contract) that will address the harm and teach a new way of dealing with the issue in the future. The practice stems from victim-offender mediation strategies in the criminal justice system, and has become increasingly considered for school-based interventions as a more meaningful way to respond to incidents that would otherwise result in “punishment” (such as out-of-school suspension) that carry little meaning for students, and do not teach alternative

behaviors or problem-solving strategies. Participation in restorative practices must be, by definition, voluntary with an agreement for mutual respect in order to work toward a solution.

The DPS RJ project was initially implemented in early 2005 at selected sites in Northeast Denver. Based on the success of the pilot, a proposal for funds from the Colorado Department of Education, Prevention Initiative's Expelled and At-Risk Students Services grant was presented for consideration in 2006. The proposal was funded in part by the Department of Education and supported with other funds from Denver Public Schools. The program was then expanded to target three middle schools in northwest Denver (Horace Mann, Lake, and Skinner), feeding into North High School. Early successes in the first year of the program led to a collaboratively-funded expansion in year two (2007-2008) to southwest Denver to include an additional two middle schools (Kunsmiller and Rishel) feeding into Abraham Lincoln High school. In year three, Horace Mann opted out of further participation, and Martin Luther King Early College in northeast Denver was added as a seventh site.

Each of the schools has been assigned a full-time RJ coordinator that is responsible for all aspects of the implementation of the practices and interventions at their building level. Some schools have matched support for the program by funding the position of a paraprofessional to assist the RJ coordinator in their work. Essential duties of the coordinator position include working closely with building-level administration, especially those involved in disciplinary referrals and consequences. As part of the work with the disciplinary team, coordinators divert cases that may otherwise end up suspended out of school, or referred to law enforcement where they may be ticketed or arrested. As each case is referred to the RJ coordinator, they investigate known facts from the source of the referral, which may be teacher, administrator, security officer, parents, mental health staff, or the students themselves. This initial step is known as the *preconference assessment*, and serves to determine if the case is appropriate for restorative

intervention, including determination of all parties' voluntary willingness to participate. At this time, if the case appears appropriate, a meeting will be set that may include only the student(s) involved, and potentially their parents, school administration, teachers, and outside community members.

The process can take several days to weeks to conclude, as in some cases more than one restorative circle, conference, or mediation may be needed to conclude the process. Often, a contract is made between involved parties that specifies what each will do (which may be as simple as agreeing to stay away from one another, or as involved as community service, letters of apologies, and other reparations).

Due to the variety of school leadership styles and school improvement plan goals, the program may look different in some buildings. For example, Skinner MS utilizes the RJ coordinator and paraprofessional almost exclusively to provide classroom-based education, prevention, and intervention. Most of the other participating schools use the RJ coordinator as a more active participant in their response to student discipline referrals, but most coordinators also conduct anger management and other psychoeducational groups with frequently-offending students, and may also supervise training for peer mediators. Professional development for teachers and other school personnel is another primary activity in some schools, as well as classroom-based prevention and skills training.

### Demographics

The Denver Public Schools Restorative Justice (RJ) Project served 1235 students in the 2008-2009 school year (over a third more compared to the 812 served in 2007-2008). Students served by restorative interventions attended Martin Luther King (MLK) Middle School (227), North High School (236), Lake Middle School (237), Skinner Middle School (23), Abraham Lincoln High School (238), Rishel Middle School (170), and Kunsmiller Middle School (104).

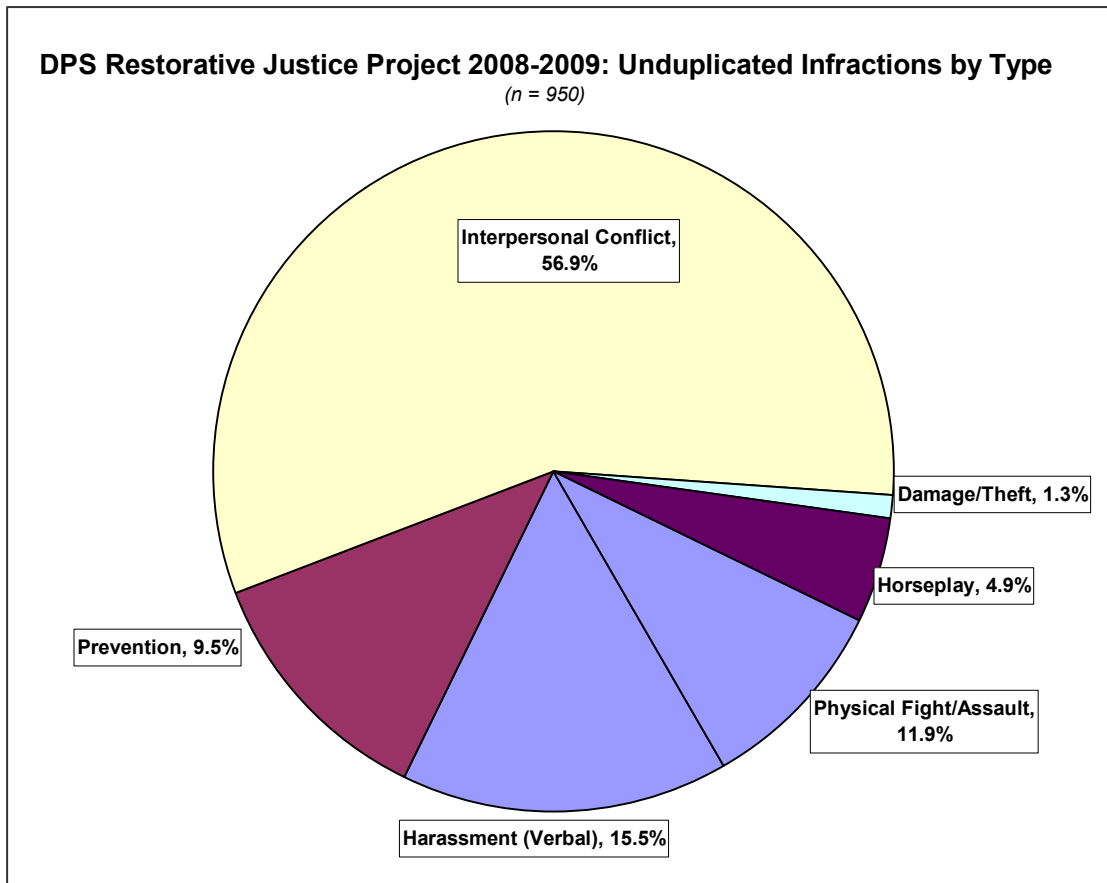
Each of the schools logged between 100-240 cases, with the exception of Skinner Middle School, which has a markedly different level of implementation based almost entirely on classroom-based education and prevention. Seventy-eight percent of the students were Hispanic/Latino, 13% were Black, 7% were White, and the remainder was of other or mixed ethnic heritage. Of the total students served, there were approximately 41% boys and 59% girls.

### Program Processes

#### Infractions Leading to Restorative Referrals

Over 950 unduplicated cases of various infractions involving 1235 students were processed through restorative interventions at the seven schools. Thirty-eight infractions were community-based, but addressed by the restorative coordinators in the schools. Most of the infractions (57%) were described as “interpersonal conflict,” which included nonphysical verbal conflict, most typically arguments and rumors. Twelve percent were “physical” altercations, that including pushing, shoving, and fights; 16% were described as “verbal harassment” which were more intense than verbal conflicts and included such offenses as racial slurs and insults, and the remaining 16% were classified as “horseplay” (5%), “damage to property or theft” (1%), and preventative efforts such as anger management groups, gang prevention, and peer mediation training (10%). The chart following illustrates the breakdown of infractions across the schools proportionally.

Chart 1. DPS RJ Project: Cases by Infraction 2008-2009

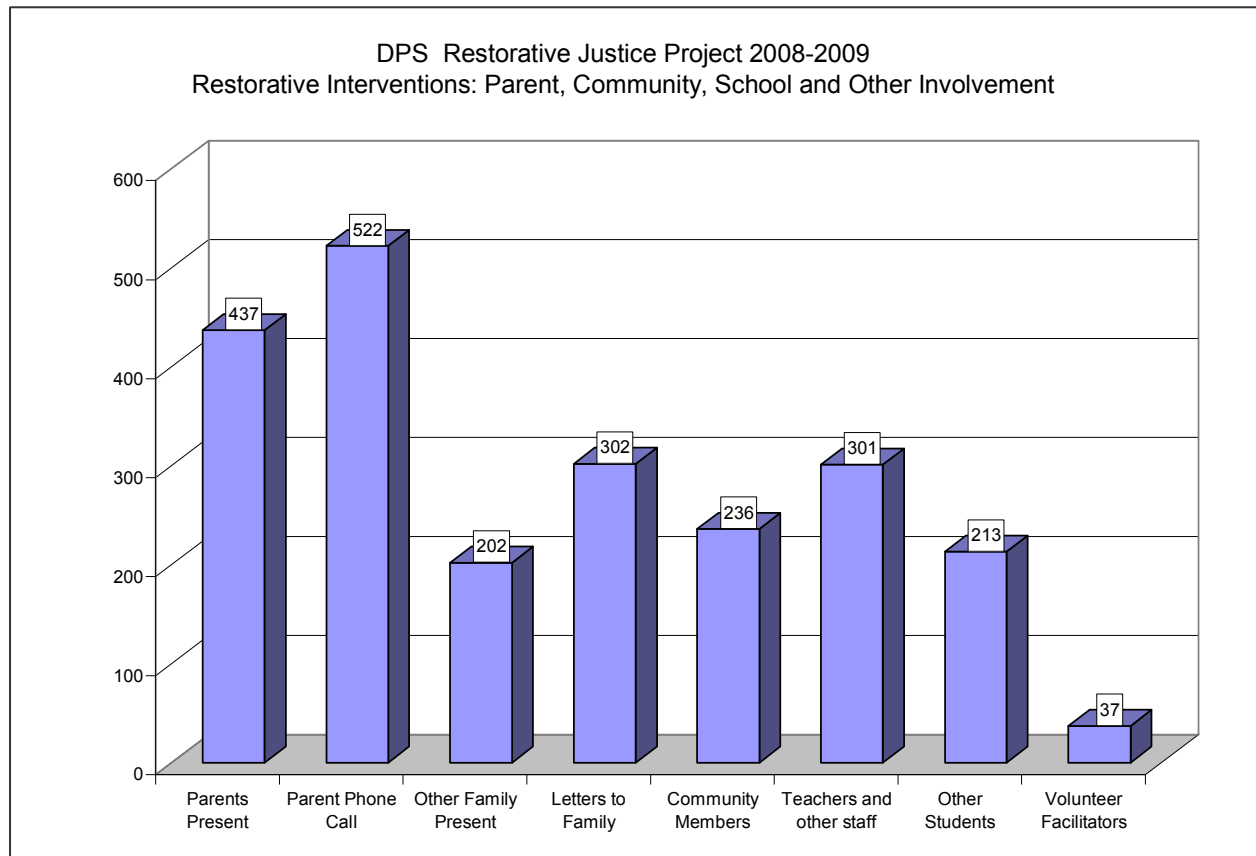


Family, School, and Community Involvement

Family and community involvement are a requirement of the state funding supporting the project, key to the philosophy of restorative interventions, and a value held in Denver Public Schools. Coordinators make substantial efforts to include primary caregivers and other family members as much as possible in the restorative interventions. Additionally, community members impacted by the offenses, as well as other students or adults in the school are included when appropriate.

Four hundred thirty-seven parents and 202 other family members attended the interventions with their students, and 522 direct telephone contacts were made with parents about the process. In addition to contacts with parents about the restorative process, nearly 800 other individuals were involved from the community and school. Chart 2 below clearly illustrates the high level of involvement from the school and greater community achieved this year.

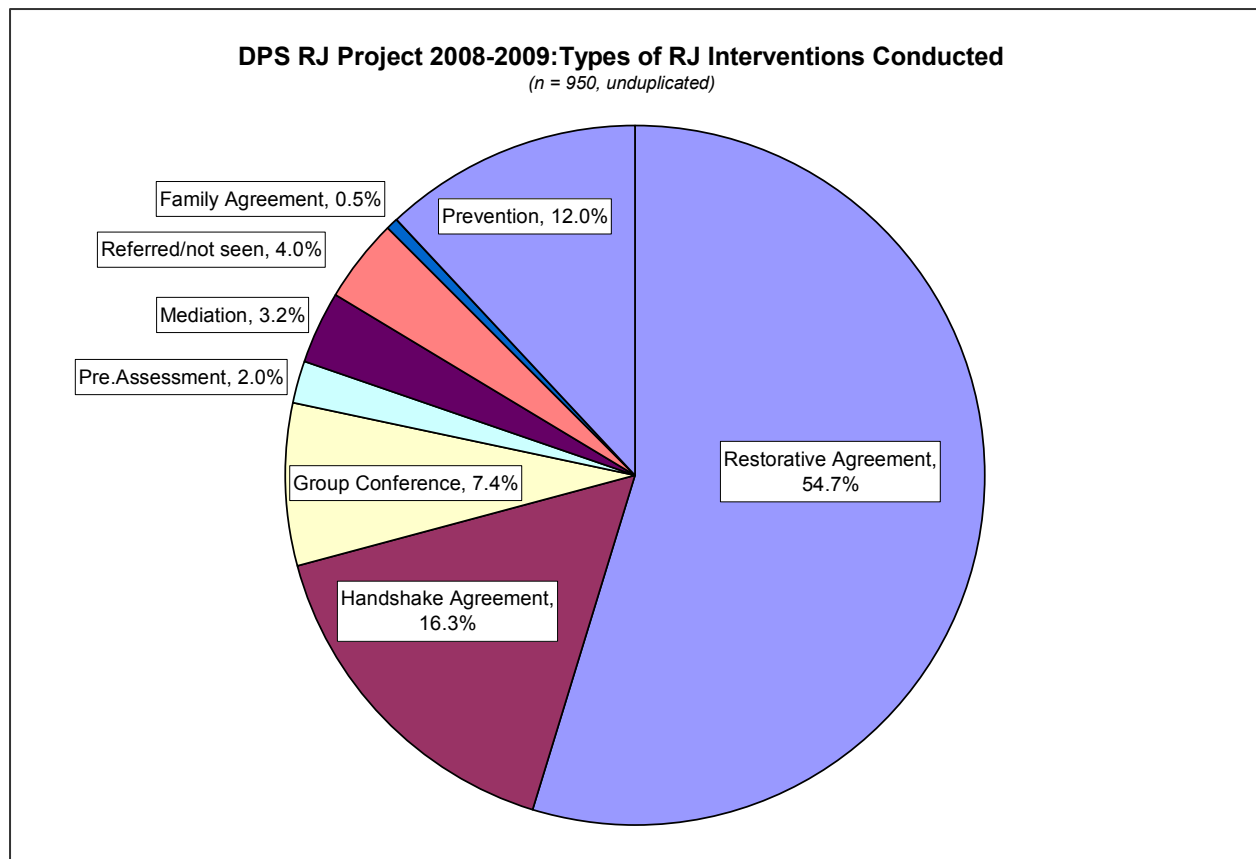
Chart 2. DPS RJ Project: Family, Community, and School Involvement 2008-2009



## Implementation of Restorative Practices

The majority (55%) of the interventions conducted as a result of the referrals included the creation of a “*restorative agreement*,” which is a formal, written agreement of next steps for reparation agreed upon by all parties. Formation of a “*handshake agreement*” (17%), a less formal agreement between the parties involved was a common outcome as well. “*Group conferences*,” which are the most formal process involving several parties, potentially including parents, teachers, other students, and community members accounted for close to 8% of the case outcomes. Chart 3 below further details the actions that resulted from the referrals made.

Chart 3. DPS RJ Project: Types of Restorative Interventions Conducted 2008-2009





## Program Outcomes and Impacts

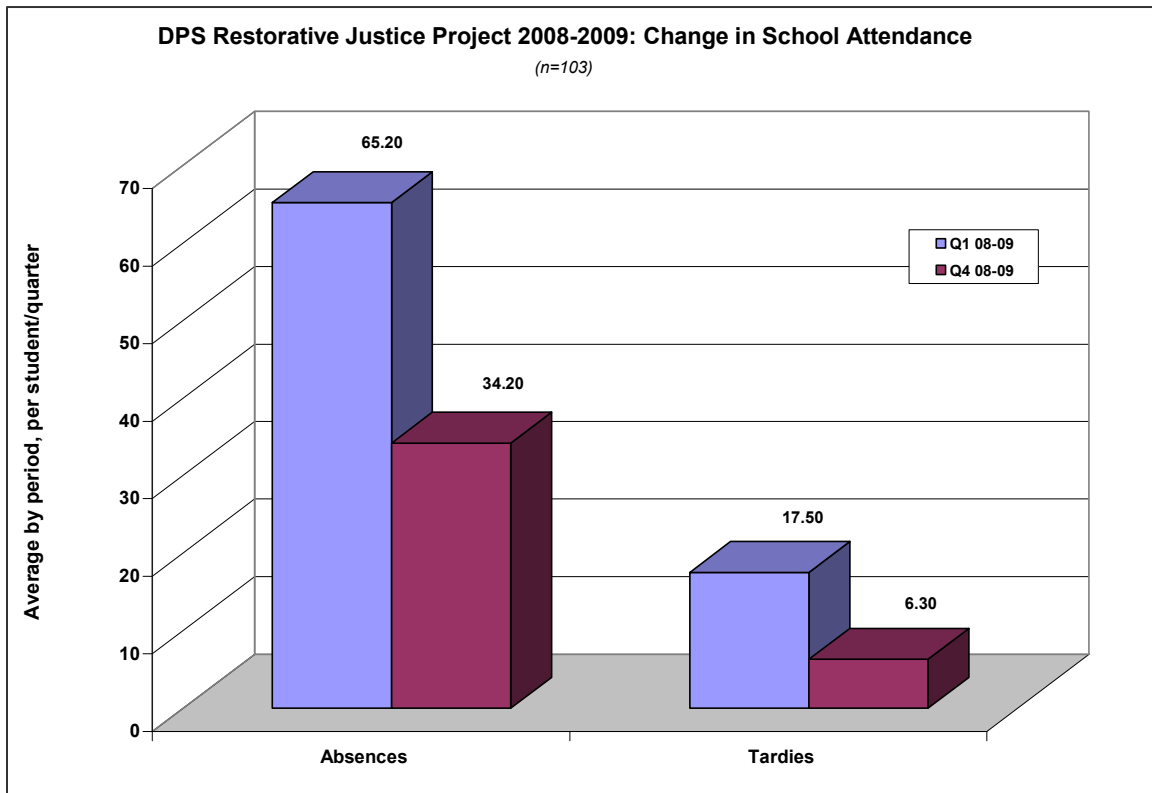
### Student Outcomes

A sample of 311 students that participated in at least three restorative interventions over the course of the school year was used to assess the impact of involvement in multiple instances of restorative interventions on such measures as school discipline, attendance, and social skills. The sample was pulled after determining in the first two years of the project that significant change in the short term was far less likely to be observed in students that had been involved in only one restorative intervention. Thirty-seven percent of the sample participated in three interventions over the course of the year, 15% participated in four, 8% were in five, 9% were in six, and 7% were in seven or more. Twenty-five percent of the student sample were regular participants in prevention activities such as peer mediation training, gang prevention, or anger management groups.

### School Attendance and Timeliness

School attendance was measured as an indicator of school engagement. Period absences were compared from the first quarter of the school year to the last quarter. Over 30% of the student sample showed improvement in school attendance and timeliness to school. The improvements for students that improved was dramatic, as evidenced by a reduction of nearly 50% in period absences per quarter and over 60% in period tardies per quarter, as shown in Chart 4 following.

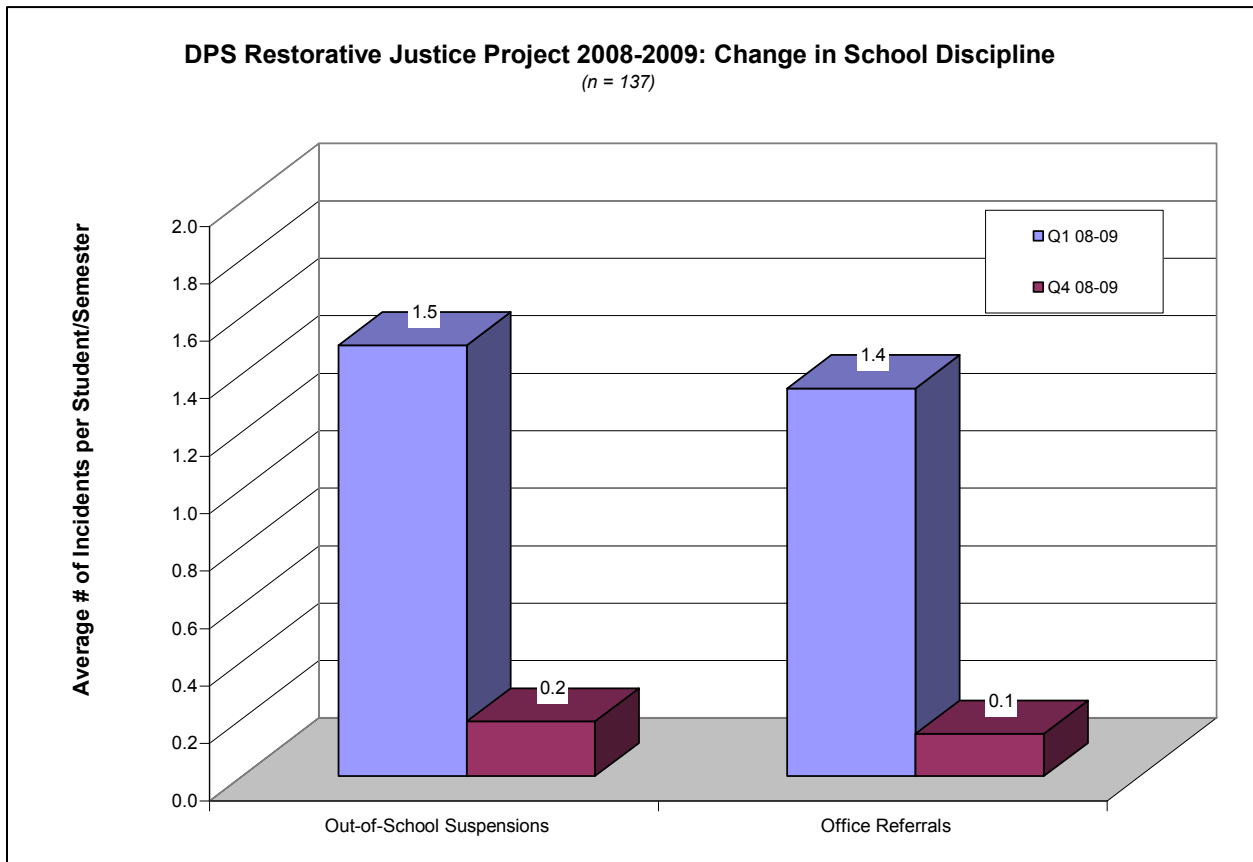
Chart 4. DPS RJ Project: Improvements in School Attendance and Timeliness 2008-2009



### School Behavior and Discipline

Office referrals logged in the student records and out-of-school suspensions were compared for the sample of students between the first semester of the school year and the last. It was hypothesized that this measure in particular would show the biggest impact of participation in restorative interventions. This proved to be true, as nearly half of the sample had significantly reduced office referrals in the second semester compared with the first, and 30% reduced the average number of out of school suspensions they received. The impact for students responding positively to the interventions was again dramatic, as shown in Chart 5. There was a near 90% reduction in average instances of office referrals and out-of-school suspensions in this sample of students.

Chart 5. DPS RJ Project: Improvements in School Behavior and Discipline 2008-2009



### Student Social Skills Competencies

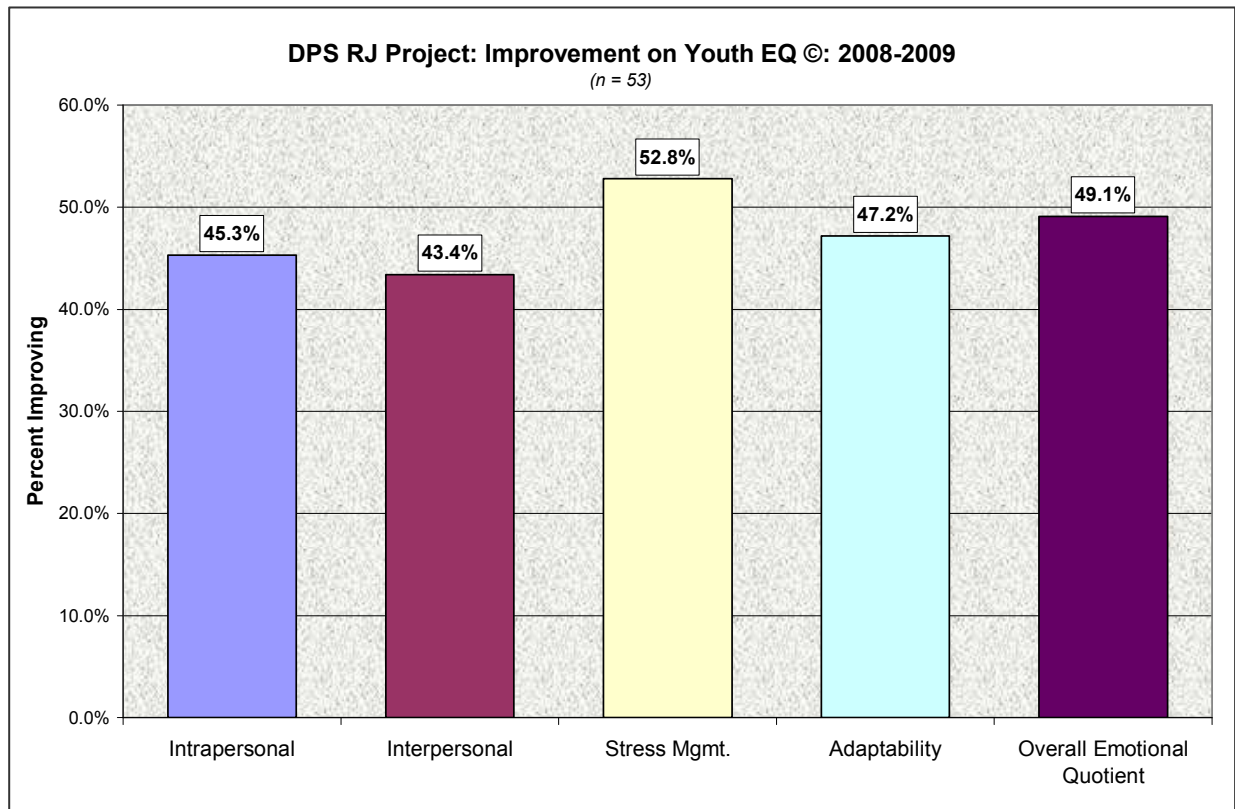
Two instruments were used to measure the impact of involvement in restorative interventions on student social skills, coping, adaptability, and problem behavior. As with improvements in school-based behavior and discipline referrals, it was hypothesized that students with more intensive involvement in restorative interventions would show change on their own awareness and personal level of social competencies, as well as their level of competence observed by others. The *Youth EQ Scale*<sup>ii</sup> © was completed by students that were either being seen regularly as part of ongoing prevention efforts, or those students that had at least two separate infractions that were handled through the restorative justice coordinator. The

students completed the self-report scale of 30 items at the beginning of the year and again at the end of the year. There are five constructs measured by the *Youth EQ Scale*, described below:

- Intrapersonal scale: Understanding of one's own emotions and the ability to express and communicate feelings and needs to others appropriately.
- Interpersonal Scale: Ability to have satisfying interpersonal relationships. Ability to be a good listener and understand and appreciate the feelings of others.
- Adaptability Scale: Ability to be flexible, realistic, and effective in managing change, as well as finding positive ways of dealing with everyday problems.
- Stress Management Scale: Ability to remain calm and work well under pressure, rarely being impulsive. Ability to respond to a stressful event without an emotional outburst.
- Total Emotional Quotient (EQ): Efficacy in dealing with daily social emotional demands as well as overall positive mood.

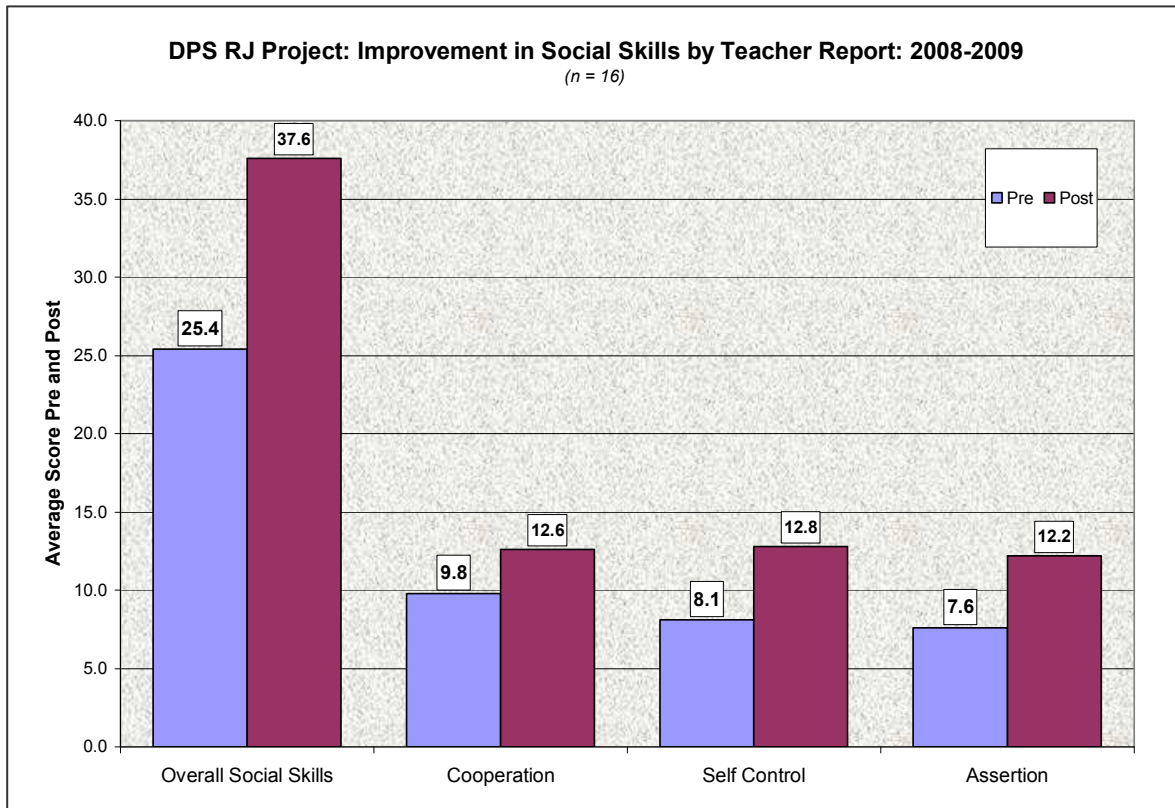
As shown in the chart below, nearly half of the students showed an increased *Total EQ*, and over 50% improved their *Stress Management*, suggesting that these students perceive improvement in their skills in dealing appropriately with the types of interpersonal conflicts referred to restorative interventions in the schools.

Chart 6. DPS RJ Project: Improvements in Student-Rated Emotional Quotient 2008-2009



The *Social Skills Rating System* ©<sup>iii</sup> (SSRS) was used as another measure of student behavioral change observed by others. Teachers completed the survey, which includes scales of *Externalizing*, *Internalizing*, *Overall Problems*, *Assertion*, *Cooperation*, *Self-Control*, and *Overall Social Skills* on the same schedule students were rating themselves with the *Youth EQ*. Teachers rated over 50% of the students as improved in their *Overall Social Skills*, as measured by a post to pretest comparison of scores. Additionally, teachers indicated that 50% showed improvement on the remaining subscales. Average improvements by subscale are shown on Chart 7 below.

Chart 7. DPS RJ Project: Improvements in Teacher-Rated Social Skills 2008-2009



### School Level Outcomes

The overarching goal of the DPS Restorative Justice Project is to reduce suspensions and expulsions from school. Further, by reducing these building-level discipline indicators, the project aims to reduce the numbers of tickets issued by community law enforcement and subsequent arrests. This year, two hundred twenty of the cases referred for RJ interventions were known to be in lieu of out-of-school suspension, and an additional 11 cases had reduced length of suspension due to participation in the RJ process. At North High School, two cases were referred for restorative interventions as a condition for no ticket issued by building law enforcement.

It is important to note that there are multiple influences on school building discipline numbers that cannot be impacted by the Restorative Justice project alone. Perhaps most

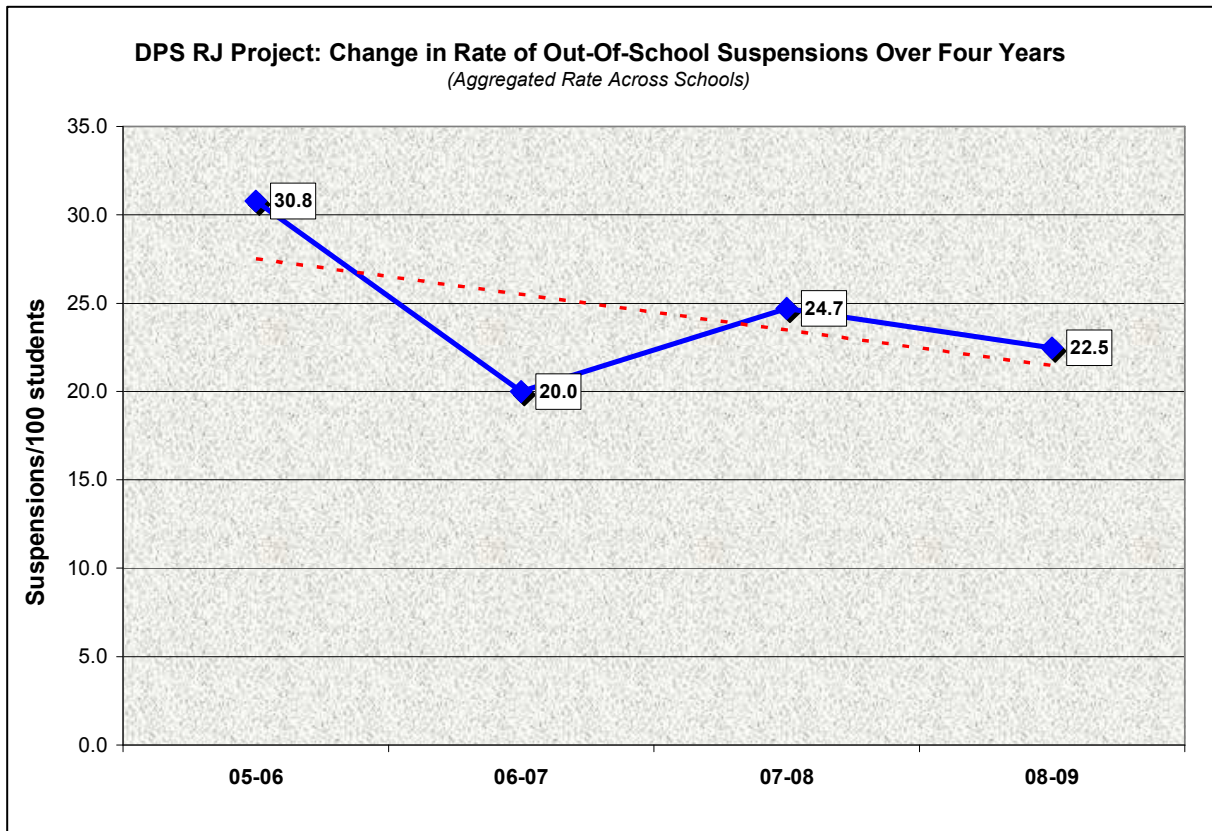
influential is the change of administrative personnel that are the gatekeepers for how cases of disciplinary referral are handled. Several schools in this project have experienced multiple changes in these staff positions in the three short years the project has been underway. Changes to school composition, such as expansion from grades 6-8 to 6-12 or ECE-8 can also impact disciplinary referrals and outcomes.

Enrollment at each school participating in the project has been tracked as well as the number of disciplinary incidents (out-of-school suspensions, expulsions, and tickets/arrests) in order to calculate any changes in the rate of each type of disciplinary response. This provides a more representative measure of the schoolwide impact of the Restorative Justice Project, rather than numbers of incidents alone. As is shown in Chart 8 following, the rate of suspensions per 100 students across the seven schools as shown a steady downward trend of nearly 10% compared with the baseline established in 2005-2006, prior to the beginning of the project. The trend line for prediction of the anticipated rate in future years is indicated in red, and is based on changes recorded so far. Reductions in out-of-school suspensions in the past year ranged from 6% up to 44% when considered individually by school.

Another important note to consider is that since the baseline year (2004—2005) prior to the expansion of the project from one or two schools to seven targeted sites and multiple district level trainings, there has been a reduction of over 40% in out-of-school suspensions *across the district*. This equates to a reduction of over 5400 suspensions in the 2008-2009 school year when compared with our baseline year, or about 1000 fewer suspensions per year since baseline. Although the RJ project is not solely responsible for these changes, it has definitely been a springboard for changes on the district level in the intent and implementation of discipline policy. DPS' most recent policy that clearly states the expectation for a more restorative approach to discipline, and movement away from prior punitive philosophies, is attached as an

addendum to this document. Page 23 in particular illustrates the changes in intention of discipline in the district, as well as the now-stated inclusion regarding restorative approaches.

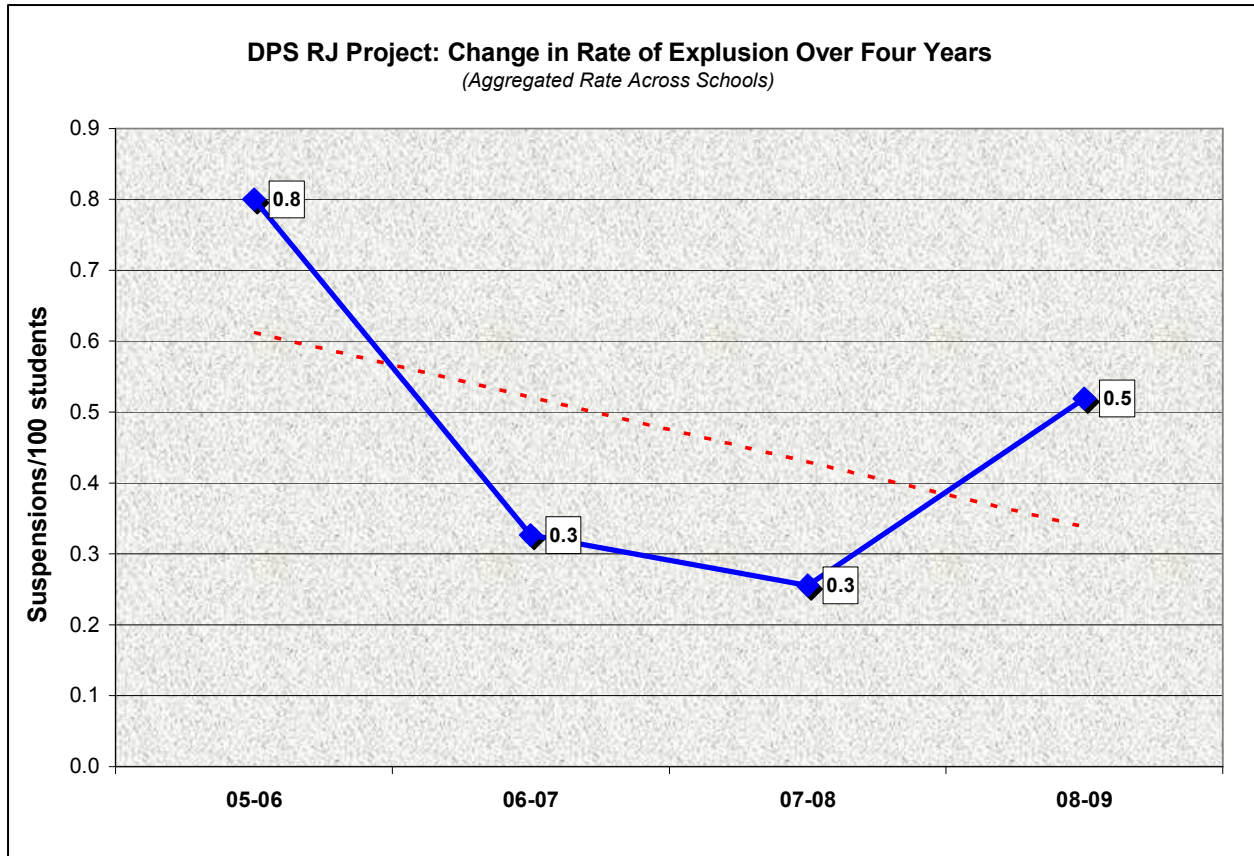
Chart 8. DPS RJ Project: Change in Out-of-School Suspension Rate over Time



Expulsions from school have likewise shown a trend downward since the beginning of the project from a baseline of nearly one per hundred students to a current rate of one per two hundred. The predicted trend line suggests that this rate will continue to decrease given the four years of data collected to date. Analysis of expulsions in the prior two years only shows that three schools showed dramatic reductions in expulsion numbers, ranging from 32% to 75% fewer than recorded in 2007-2008. Chart 9 illustrates the trends in expulsions aggregated across the participating buildings.



Chart 9. DPS RJ Project: Change in Expulsion Rate over Time



The final metric originally proposed as a measure of the program’s impact on schools was the number of tickets and arrests made by community and building law enforcement and rate of occurrence in the student population. These data have been questionable in their accuracy to this point, as building level law enforcement report far different numbers than have been provided by the umbrella law enforcement statistics department. At this time, these data are not reported due to these unresolved and heretofore unexplained discrepancies.

## Summary

The third year of the DPS Restorative Justice Project was marked by the successful continuation of the program in the three schools that began in 2006-2007. Three schools added in 2007-2008 continued into their second year, and one new school started the program in 2008-2009 (MLK), as Horace Mann Middle School opted out of the program. Despite the changes in personnel, locations, and oversight at the building level, over two thousand referrals were made for RJ intervention and prevention efforts, involving an unduplicated count of 1235 students. Nearly 240 of these cases were in lieu of suspension or provided for reduced out of school suspension as a result of the referral. 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.

Four hundred thirty-seven parents directly participated in the RJ process, as well as 202 other family members. In addition to contacts with parents about the restorative process, nearly 800 other individuals were involved from the community, school, and families. Students with multiple instances (3+) of involvement in restorative interventions showed improvements in school engagement as measured by school attendance and timeliness. Over half of this sample of students showed significant improvements in the average number of office referrals and out-of-school suspensions received after beginning RJ interventions. Students also showed improvements in self-rated emotional competences, as well as improvements in social skills and behavior reported by teachers.

Measurement of school level impact continues to be a gray area, due to the multiple potential influences on school discipline numbers such as out-of-school suspensions, expulsions, and tickets/arrests. However, trends in rates of suspensions and expulsions have shown a steady

downward trend at these schools and across the district, that is likely to continue based on the four years of data available.

District level impact has been noted in cumulative reductions in out-of-school suspensions of over 40% compared with baseline, as well as a formalized mandate to approach discipline with a more restorative, rather than punitive, intent.

### Recommendations

Although it is recognized that the implementation of the DPS RJ project is intended to be as individualized as the schools it serves, yearly interviews, observations, and analysis of the data from each school suggest some areas of inconsistency that if addressed, would likely maximize the impact of the project. These include:

1. A more intensive focus on team-building between the RJ coordinator and the existing school leadership team in order to improve communication and collaboration in the approach to school culture and response to discipline referrals.
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### **II. Purpose**

A. The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff are responsible and respectful. B. The purpose of this policy is to support school discipline that:

- i. Maintains safe and orderly learning communities;
- ii. Assures consistency across all schools in the district;
- iii. Defines and communicates expectations for student behavior;
- iv. Defines and communicates expectations for staff responsibility related to school discipline;

- v. Balances the needs of the student, the needs of those directly affected by the behavior, and needs of the overall school community;
- vi. Assures equity across racial, ethnic, and cultural groups, as well as all other protected classes (gender, color, national origin, ancestry, religion, age, disability, sexual orientation, and gender identity).

### **III. General Principles**

- A. School discipline is best accomplished by preventing misbehavior before it occurs, and using effective interventions after it occurs.
- B. School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students and are actively engaged in their lives and learning.
- C. Effective school discipline maximizes the amount of time students spend learning and minimizes the amount of time students cause disruption or are removed from their classrooms due to misbehavior.
- D. School discipline should be reasonable, timely, fair, age appropriate, and should match the severity of the student's misbehavior. School discipline that is paired with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community, and is more likely to result in getting the student re-engaged in learning.
- E. Effective discipline is built on consistent and effective classroom management, and is supported by a positive school climate. The vast majority of disciplinary issues should be addressed at the classroom level by teachers; however, behaviors that cannot be addressed at this level should receive more targeted and intensive interventions, as determined by an individualized assessment.
- F. the District serves a diverse community. In order to serve all students and to prepare them to

be members of an increasingly diverse community, school and staff must build cultural competence. We must strive to eliminate any institutional racism and any other discrimination that presents barriers to success.

G. Student conduct which may be subject to disciplinary action includes those occurring during either curricular or extracurricular activities, in classrooms, in school buildings, on school grounds, or in school vehicles, when such conduct is detrimental to the school environment and to the welfare or safety of other students or school personnel.

#### **IV. General Statement of the Policy**

A. the District's system of discipline is built on personal accountability, which is understood to mean:

- i. Recognizing that misbehavior damages relationships between the person or persons who misbehaved, the person harmed by the behavior, and the community as a whole;
- ii. Having an opportunity to repair harm done and restore relationships whenever possible, as opposed to excluding the person who misbehaved;
- iii. Building personal responsibility by helping individuals develop empathy, self-control, and motivation.

***B. School discipline interventions should be guided by the following principles:***

- i. Practicing early identification and assessment of struggling students before they fall behind;***
- ii. Using a problem solving process to provide interventions matched to student needs;***
- iii. Ensuring timely progress monitoring and feedback;***
- iv. Delivering scientific, research-based interventions with fidelity.***

***C. There are three types of intervention strategies that are available: Administrative, Restorative, and Skill-based/Therapeutic.*** Teachers and administrators should consider utilizing

different types of strategies, or multiple strategies simultaneously, to deal with misbehavior, especially for 2nd or 3rd offenses.

D. The District will make every reasonable effort to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid negative behavior.

E. District employees must abide by all applicable federal and state statutes and city ordinances, plus all relevant Board policies and procedures when dealing with disciplinary matters.

F. Every student is required to follow this policy and accompanying procedures.

G. All students are held to high standards of behavior, and adults maintain such standards by teaching, modeling, and monitoring behavior, and by correcting misbehavior as necessary. Students should have input in the development of discipline rules for their school and classrooms.

H. Schools should minimize the use of out-of-school suspensions, recommendations for expulsion, and referrals to law enforcement, to the extent practicable while remaining consistent with state statute, local ordinances, and mandatory reporting laws. It is a goal of the Denver Public Schools and the Board of Education that the juvenile and criminal justice systems be utilized less frequently to address school-based misconduct.

I. Discipline procedures must guarantee due process to all students and must be enforced uniformly, fairly, consistently and in a manner that does not discriminate on the basis of ethnicity, race, color, religion, national origin, ancestry, gender, sexual orientation, age, or disability.

J. This policy and accompanying procedures are intended to help the District eliminate racial and ethnic disparities, and any other protected class disparities, in school discipline, while improving behavior, school climate, and academic achievement for all students.



K. Accurate and complete data collection is essential for administering an effective school discipline policy. It assists with identifying problems, crafting solutions, and monitoring progress.

L. The Board of Education hereby adopts this policy and accompanying procedures / regulations as the safe schools plan for the District as mandated by C.R.S. 22-32-109.1. Schools are free to implement their own Codes of Conduct so long as those plans are not in conflict with this policy, accompanying regulations, or other Board policies, and those codes have been approved by the Superintendent or a designee.

M. The District shall post this policy on the District web site and in each school. A copy of this policy and accompanying procedures shall be readily available in each school's administration office, in both Spanish and English. Copies of this policy, its accompanying procedures / regulations, and school rules will be made available, upon request, to each student and parent/guardian, and, upon request, promptly translated in a language that the parent/guardian can understand. N. The Superintendent, or a designee, shall develop such procedures as may be needed for the implementation of this policy. Adopted January 14, 1994

Revised September 5, 1996	C.R.S. 18-18-407(2)
Revised June 18, 2000	C.R.S. 22-32-102(1)(W)
Revised June 21, 2001	C.R.S. 22-32-209
Revised November 15, 2001	
Revised December 18, 2003	C.R.S. 22-32-110(2)(3)(4)
Revised August 21, 2008	C.R.S. 22-32-126
LEGAL REFS: C.R.S. 18-12-105.5	C.R.S. 22-33-105
C.R.S. 18-18-102	C.R.S. 22-32-106
C.R.S. 18-18-406	C.R.S. 22-32-109.a(2)(a)X

20 USC 88921

C.R.S. 22-32-109.1 (adoption and  
enforcement of safe school plan, including

conduct and discipline code and disciplinary  
removal from classroom)

## Endnotes

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<sup>i</sup> Restorative Approaches. Retrieved online from

[http://www.transformingconflict.org/Restorative Approaches and Practices.htm](http://www.transformingconflict.org/Restorative_Approaches_and_Practices.htm)

<sup>ii</sup> Bar-On, R., & Parker, J. (2000) *BarOn Emotional Quotient Inventory: Youth Version (BarOn EQ-i:YV)*. MHS: North Tonawand, NY.

<sup>iii</sup> Gresham, F.M, & Elliott, S.N. (1990) *Social Skills Rating System*. AGS: Circle Pines, MN.