

# Applying Restorative Justice to Higher/Tertiary Education in the U.S.

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IIRP 13th World Conference

October 14, 2010

# Overview

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- Student Affairs in U.S. Higher Education
- Judicial Affairs/Student Conduct
- University RJ Programs
- Restorative Justice/Student Learning
- Community Circle Program, University of Michigan, Ann Arbor, U.S.

# U.S. Higher Education Milestones

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- Colonial Colleges
  - Starting with the founding of Harvard 1636
- Land-Grant Institutions
- Gott v. Berea
- Dixon v. Alabama
- CAS Standards
- Student Learning Imperative

# Judicial Affairs/Student Conduct

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- Always misconduct
- Birth of formal judicial affairs/conduct personnel, 1961
- Disciplinary → legalistic → conflict resolution
- Promote moral and ethical development
- Growth in complexity & formation of national organization

# Restorative Justice Programs in U.S. Higher Education

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- Models: conduct boards, conferences, harm-focused conversations
- Restorative Conferences: facilitators, respondent(s), harmed parties, respondent support
  - Colorado State University, Judicial Office
    - Victim/Offender Restorative Conferences
  - University of Michigan, Housing
  - University of Colorado at Boulder, Municipal Connection
    - Large student impact on surrounding town
    - Representative harmed parties

# Restorative Justice & Student Learning

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- Situating learning in the learner's experience (Baxter Magolda 2004)
- One study found (Meagher 2009),
  - Changed how they viewed themselves & others
  - Feeling of resolution
  - Learned new information & skills
  - Changed behaviors

# Changed How They View Themselves & Others

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- “It made me not as bitter to my neighbors that called either, ’cause when we were talking about everything, it made me kind of realize it was my fault. I wasn’t as much like, ‘I hate those neighbors. They need to move out.’ . . . so it made me feel a lot more—put more blame on myself than “I hate them” kind of thing.” JAMIE

# Feeling of Resolution

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- “It is a cleansing process, and after you’re done, it won’t—I’m not gonna say it won’t be on your mind ever again, but it is dramatically decreased, the amount of time that you spend thinking about like what happened what you would’ve done. And you know, I think that most people, when they do something wrong, they have regrets, and they feel bad about the ways they’ve affected their own lives, but also other people that they’ve affected. So, mostly I would just say it’s just a cleansing process. You feel a lot better coming out the other end.” FARM BOY

# Learned New Information & Skills

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- “The restorative process kind of instilled the notions of being a decent person, a civil human being, and sort of like a team player, like we’re all in this together, and through communication, we can work most of our problems out that we have and really move on from any mishaps or any unfortunate occurrences that have happened in the past.” BILLIAM

# Changed Behavior

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- “Like, I haven’t been into a fight since, and, like I said before, I mean, I’ve been in quite a few . . . . Whereas, in the past, had that guy just said somethin’ to me like he did that night . . . when he made that racial remark towards me, I woulda just hit him, you know, and I would’ve fought him, and I wouldn’t have thought about it, you know, for a second. But right in that moment, I was like, “This is not worth it.” You know, I thought beyond the fact that, like, “Okay, this guy’s just ignorant.” Like, “Whatever he has to say, you know, it doesn't matter.” So, it really changed me from that perspective.” ANTONIO

# Community Circles Program, University of Michigan

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- Housing/Residence Education
- CLAM
- Student Facilitators
- Conference Model
- Howard Zehr & IIRP Conference Training



# UM Housing RJ History

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- Restorative justice principles infused in housing conflict resolution processes in 2003
- Piloting the Community Circles Program
  - Recruited and trained facilitators in Fall 2007
  - Cases began in Winter 2008 with 13 respondents
- Since then:
  - Academic Year 2008-09 — 51 respondents
  - Academic Year 2009-10 — 64 respondents
  - Currently have 26 student facilitators

Vander Velde, S., Gallagher, M., & Costa, A. (2010).

# Restorative Justice Principles

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Karp & Allena  
2004

# Resolution Options in UM Housing

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## Arbitration:

- One-on-One meeting conducted by the hearing officer with those who caused the harm (respondent) to determine what restorative measures can be taken to repair the harm committed.

## Community Circle:

- Group meeting involving the respondent(s), impacted parties, and any other affected party. All work together to come up with a resolution that will repair the harm done to the community. The dialogue is structured by two student facilitators.

Vander Velde, S., Gallagher, M., & Costa, A. (2010).

# Student Respondent

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- Student (respondent) violates a CLAM policy
- Judicial administrator reviews incident report & determines if a CC is appropriate
- Arbitration or community circle is offered if accountability is taken by the respondent
- Information regarding the process is given & the respondent chooses to resolve it through CC
- Participates in community circle
- Fulfills community agreement & incident is removed from student record

# Impacted Parties

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- Residence Hall Director
- Resident Assistants
- Other Community Members
- Roommates
- Neighbors
- Housekeeping
- Police Officers
- Coaches
- Impact Statements

# Student Facilitators

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- Competitive selection process
- University Housing residents
- Day-long retreat/continued training
- Scheduling
- Co-facilitate circles using conversation guide & write agreement

# Community Circles Process

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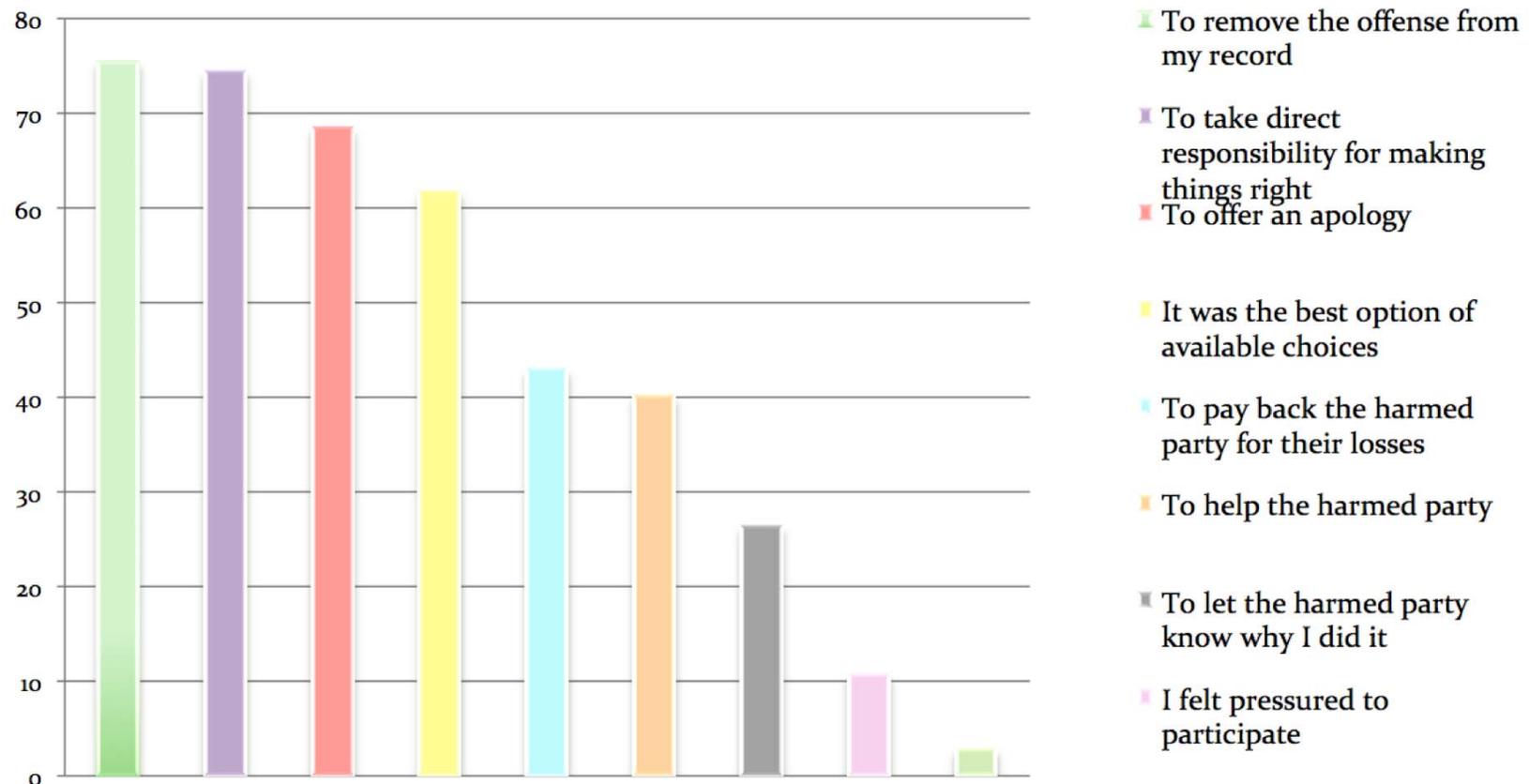
- Welcome and Introduction
  - Ground Rules discussed
- Telling the story
  - Respondents and impacted parties review their involvement with the incident
  - Impact statements from absent impacted parties are read
  - Levels of community harm are explored by Circle participants
- Options to repair harm are discussed
- Restorative agreement is created
- Circle is closed

Vander Velde, S., Gallagher, M., & Costa, A. (2010).

# UM Respondent Survey Demographics

- Age
  - Range: 17-21
  - Mean: 18.37
- Gender
  - 67.7% are male
- Year in school
  - 90% are freshmen
- Most common majors:
  - 32.6% Undecided
  - 30.3% Engineering
- GPA
  - Range: 2.4—4.0
  - Mean: 3.32
- Race/ethnicity (self-identified)
  - 67.7% Caucasian
  - 15.1% African American/black
  - 9.7% Asian
  - 7.7% other

# UM Respondent Reasons for Participating in CCs



Vander Velde, S., Gallagher, M., & Costa, A. (2010).

# UM Respondent Results

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- 93.9% felt sorry for what they did
- 95% felt responsible for their alleged violation
- 92.1% satisfied with their circle experience
- 77.8% felt they benefited from meeting with the harmed parties
- 98% felt the community agreement was fair
- ~80% felt they had a strengthened sense of community

# Student Respondent Statements

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- I respect the Hall Directors and Resident Advisors more.
- I feel better that the issue has been resolved.
- I don't want to drink as much.
- My impact was greater than I thought.
- I feel better as a person.
- I need to be held accountable for my and my friends' actions since many people are affected.
- Knowing that community cares makes the community seem stronger.

# UM Impacted Parties Results

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- Main reasons for participating:
  - To support other students or staff members
  - To explain harms caused to the community
  - To talk to the respondent student
- 88.64% were satisfied with the Community Circle
- 98% felt the agreement was fair
- “Overall, I was happy with the community circle - it offered the respondent the chance to learn from his actions, and to get a little enjoyment out of the restorative measures he received. I also felt that it was a good opportunity for the harmed individual to voice their thoughts, which was definitely needed.”

# UM Conclusions

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- Program evaluation indicates general success
- Vast majority of participants (respondents as well as impacted parties) benefited from the meeting
- Hearing input from others leads respondents to:
  - A greater understanding of the impacts of the incident
  - A sense of responsibility to repair the community harm, and ownership in their plans for reparations
  - A stronger sense of community in University Housing
- Turning conduct violations into educational experiences and opportunities for personal growth

Vander Velde, S., Gallagher, M., & Costa, A. (2010).

# STARR Project (current & future research)

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- Student Accountability Restorative Research
- **Goal:** To evaluate student learning and change as a result of participation in student conduct processes especially comparing outcomes for administrative hearings, student conduct board hearings, and restorative practices.
- **Method:** Collect data on a set of cases from a variety of student conduct processes on multiple campuses. Data would include post-participation surveys of student offenders and case management data.
- Offender, Participant, and Case Administrator surveys
- David Karp (principal investigator)

# Questions & Follow-Up Method

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- Group Email Response to ?s
- Contributors:
  - **Stacy Vander Velde**, Assistant Director for Student Conduct & Conflict Resolution, University of Michigan, Community Circle Program & Data, [stacyml@umich.edu](mailto:stacyml@umich.edu)
  - **Pete Meagher**, Assistant Dean, Reed College, Dissertation Research, [pete.meagher@gmail.com](mailto:pete.meagher@gmail.com)
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# THANK YOU! Resources

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- Karp, D.R. (2004). Introducing restorative justice to the campus community. In D. Karp & T. Allena (Eds.), *Restorative justice on the college campus: Promoting student growth and responsibility, and reawakening the spirit of campus community* (pp. 5-15). Springfield, IL: Charles C. Thomas.
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- Vander Velde, S., Gallagher, M., & Costa, A. (May 18, 2010). Restorative justice in residence education: The community circles program. Presentation. Univeristy of Michigan.
- Zehr, H. (2002). *The little book on restorative justice*. Intercourse, PA: Good Books.

# What are Community Circles?

Community Circles are a method of conflict resolution based on principles of restorative justice. The foundations of restorative justice focus on repairing the harm, to self and the community, caused by misconduct. The process involves a meeting – a community circle – between those who caused the harm (the respondent), those who were impacted, and any other affected parties.

The goal of this meeting is to **repair the harm**, rebuild trust, and understand how one's actions affect others. Each session lasts about an hour and a half and is led by trained student facilitators.

## Benefits of Participating

- Repairing damaged relationships
- Helping impacted parties to have a say in the process
- Assisting those who caused the harm to feel better about themselves and those around them
- Removing the incident from the student's record if the restorative agreement is successfully completed
- Changing community impacts from negative to positive

## Outcomes of the Community Circle Program

After participating in a community circle, students will:

**Recognize** how an individual's actions affect others

**Learn** how to **make things right** when harm occurs

**Understand** the philosophy of restorative justice

**Develop** better conflict resolution and communication skills

**Appreciate** how to speak to someone after a disagreement



### Housing Student Conflict Resolution

1500 Student Activities Building

515 East Jefferson Street

Ann Arbor, MI 48109

Phone: (734) 647-4718

Fax: (734) 763-2313

E-mail: [HSCRprocess@umich.edu](mailto:HSCRprocess@umich.edu)

# Community Circle Program



**Rebuilding Relationships...**

**Strengthening Community.**



**Housing Student Conflict Resolution**

Residence Education, University Housing



## Restorative Justice Key Concepts

**Harm:** Harm may include physical damage to person or property, but it often involves damage that is less visible. While the tangible effects of physical harm may fade with time, other types of harm do not fade as fast, including:

- Fear of others
- Loss of self-esteem
- Loss of reputation
- Ongoing anxiety
- Academic disruption
- Damaged relationships

**Repairing the Harm:** Making things right is the goal of restorative justice. There are a number of ways that this can occur, including:

- An apology (written or verbal)
- Repairing damaged property
- Educational project for personal growth
- Community service project (related to incident)

*“Restorative justice encourages outcomes that promote responsibility, reparation, and healing for all.”*

-Howard Zehr,  
*The Little Book of Restorative Justice*

## Community Circle Referral Process

1. Hall director/hearing officer reviews the incident and decides if the case is appropriate for a community circle.
2. The respondent student accepts responsibility and agrees to participate.
3. The community circle is scheduled with assistance from HSCR staff.
4. The circle occurs. A written agreement is created for the respondent to complete.
5. Once the responsibilities outlined in the agreement are fulfilled, the community circle process is complete and the case is closed.

## Respondent Reactions

- *“It really helped us open up to what happened, and made us learn how to fix it and make better decisions.”*
- *“I feel that we are giving back to those affected.”*
- *“It’s the best learning experience. Everyone will benefit from this meeting.”*
- *“By hearing it directly from [the community,] it helped me realize how I affected them. It was a reconciling experience.”*
- *“It is a positive and reflective process with good results.”*

## Community Circle Step-by-Step

*No two community circle meetings are alike, but there is a process that is followed:*

**Welcome** – Participants are greeted; goals and ground rules are reviewed.

**Telling the Story** – Each participant is able to share their thoughts and feelings about the incident. Levels of harm will be discussed.

**Brainstorming Options** – After everyone has discussed the incident, participants will brainstorm options to repair the harm caused by the misconduct.

**Restorative Agreement** – With input from the entire group, a restorative agreement is finalized that includes an outline of how and when tasks/projects will be completed.

**Closure** – Facilitators provide formal closure to the circle, including offering information on agreement accountability and opportunities for follow-up. Each participant will also be asked to fill out an evaluation of the session.