

**DESIGNING, MARKETING AND IMPLEMENTING A SCHOOL-BASED RESTORATIVE JUSTICE PROGRAM: LESSONS LEARNED IN FAIRFAX COUNTY, VIRGINIA**

David T. Deal  
Northern Virginia Mediation Service  
Falls Church, VA  
703-641-4747 [dtdeal@cox.net](mailto:dtdeal@cox.net) [www.dealwork.us](http://www.dealwork.us)

Joan Packer  
Fairfax County Public Schools  
Falls Church, VA  
571-423-4273 [Joan.Packer@fcps.edu](mailto:Joan.Packer@fcps.edu)

International Institute for Restorative Practices  
12<sup>th</sup> World Conference  
Bethlehem, PA  
October 21-23, 2009

## **LESSONS LEARNED**

### **Background**

The Northern Virginia Mediation Service-Fairfax County Public Schools Project ("NVMS-FCPS Project") started out as a purely NVMS project directed at a juvenile justice system in Northern VA using the classic victim-offender conferencing model.

Fairfax County, Virginia, a large, diverse county, was chosen as the candidate for a pilot program. However, local juvenile justice judges, whose buy-in was essential, had little information about restorative justice and county juvenile justice personnel were unenthusiastic about the process. It became apparent that a court-based pilot project was premature.

Some FCPS veterans on the NVMS design group suggested the effort be shifted from the county courts to the FCPS, placing the emphasis on school discipline conflicts. The underlying rationale was threefold: 1. the FCPS had already begun to explore restorative practices (e.g., peer mediation); 2. a restorative justice-hospitable flagship school was identified; and, 3. school-based restorative justice was an opportunity to generate outcome data to improve the school-based project and could facilitate later application of restorative justice principles to the courts' juvenile justice system.

After several meetings with FCPS officials at headquarters and the principal at the flagship school the NVMS-FCPS Project was born. When Fairfax County later also awarded NVMS a two-year grant for the Project, "Restoring Relationships Among Youth," the Project was well underway.

What follows are several lessons learned in the marketing and implementation areas distilled from our experiences after completion of the Project's first year.

### **Marketing**

- 1. Enthusiasm at school system headquarters for a Restorative Justice program does not guarantee referral of cases at specific schools.**
  - While school system headquarters buy-in is essential, school principals are the gate keepers, wielding broad discretion for choices affecting their student body.
- 2. School systems are complex and a Restorative Justice program must be woven in to succeed.**
  - Diverse organizational units and pre-existing policies must be dealt with; and a memorandum of understanding may be essential.
  - Layers of programming generate extraordinary demands on teacher time and energy. For example, Fairfax County mandates an Annual Improvement Plan, the School Plan, myriad departmental responsibilities, and several other common programs that demand teacher attention, e.g., Character Education, Positive Behavior Support (PBS), Responsive Classroom, Conflict Resolution Initiative, Professional Learning Communities, etc.
  - The cooperation of certain county agencies outside the school system itself may be of paramount importance (e.g., county police department).

**3. Expect resistance in applying Restorative Justice.**

- Good briefing and training does not automatically resolve matters that may be barriers to application of Restorative Justice: confidentiality issues, teacher ownership of the conflict resolution process and performance pressures.
- Be aware of the central tendency to revert to zero tolerance strategies that do not work but allow quick case disposition.

**4. Market expansively.**

- Visit individual schools for briefings; individual schools may present markedly different situations in family income, cultural diversity, relevant history, etc. Additionally school leadership changes frequently, which may necessitate revisiting over time.
- Engage other agencies that may have a school presence (e.g., Fairfax County has School Resource Officers from the police department on site).
- Engage parent teacher associations; typically parents have a sharp interest in averting punitive disciplinary measures.
- For large school systems, consider engaging intermediate school professionals (e.g. multi-school cluster directors).
- Stay alert for marketing opportunities outside the local school system to bolster program credibility, such as neighboring communities and elsewhere via associations, journals, conferences, etc.

**5. Custom tailor marketing presentations to the occasion.**

- Briefing opportunities to secure buy-in are not training events; presenters need to strike a careful and respectful balance between “What do you need?” and “Here’s what we can do for you.”
- Audience composition: Principal and assistant principals? Department chairs? PBS Committee, etc.
- Available timeframe: How long? After school time? During school time?
- Prevailing leadership, mindset, history and culture at that location. For example, how does the school regard Zero Tolerance policies?

**6. Use marketing themes that meet school professionals’ existing needs.**

- Restorative practices (RPs) complement other more traditional strategies; sometimes prompt suspension or expulsion or some other form of intervention is the appropriate approach.
- RP’s do not interfere with school officials’ prerogatives.
- Outside RP help may be especially appropriate where the school official does not have ample time or may be unable to assume the role of a neutral.
- If internal professionals are skilled, outside facilitators need not be enlisted.
- School officials can observe or co-facilitate in an RP process.
- RPs complement other system-wide program initiatives (e.g., Character Education, Positive Behavior Support, Responsive Classroom, etc.).

**Implementation**

**7. One size does not fit all.**

- Restorative Justice embraces a continuum of RPs: simple restorative inquiries, various types of circles and full-blown conferencing.
- Form Follows Function; pay attention to school needs on a case-by-case basis.

**8. RPs are not limited to after the fact resolution of discipline problems.**

- A Restorative Justice approach can be integrated into a school's overall intervention strategy.
- RPs can prevent harm; some RPs (e.g., circles) have great potential in addressing emerging concerns before they evolve into discipline problems.
- RPs can facilitate re-entry to the school community.
- Where the school-based Restorative Justice program involves a school system and an outside service provider, objectives need to be harmonized. For example, an outside service provider may focus principally on intervention whereas a school system may focus on both prevention and intervention.

**9. Think expansively in planning training.**

- Training should be linked to the needs of the particular school system and schools being served, considering: size, cultural diversity, household income, existing conflict patterns, etc.
- Training should not be limited to outside facilitators, but can include teachers, counselors and school resource officers who, once aware of the potential for restorative practice, are more likely to divert cases away from traditional disciplinary approaches or even undertake RPs themselves.
- To avert a “one size fits all” view, training should address a range of RPs (e.g., restorative inquiries, class meetings, dialogue circles and conferences), all of which are based on core restorative justice principles and a culture of mutual respect.
- Training, especially for school staff, can be tailored to meet time and schedule needs.

**10. Where school officials prefer to apply RPs themselves without outside help, try to avert well-intended but inappropriate shortcuts (e.g., conferencing without pre-conferencing).**

- Offer post-training consulting help.
- Be available for debriefing.
- Promote observation and co-facilitation until the on-site school professional is comfortable and competent.

**11. Be wary of victim-offender labeling in school-based Restorative Justice.**

- Despite the common victim-offender dichotomy in the classic, crime-oriented Restorative Justice conferencing model, school-based Restorative Justice cases often involve no clear victim or offender.
- Labeling can itself be harmful and is usually unnecessary; focus on what happened and what harm was done.

**12. Even where full blown Restorative Justice conferencing is appropriate, normal school schedules may make lengthy pre-conferencing impracticable.**

- Be flexible; again Form Follows Function.
- Abbreviated pre-conferencing may suffice; telephone pre-conferencing can work well.

**13. School officials and parents have a powerful role in Restorative Justice.**

- School official and parent involvement can contribute to making a safe and supportive structure.
- Where school age students are involved, parental or designated adult involvement is a likely requirement; less so where a simple RP is used, but more so where a more formal RP (e.g., full blown conferencing) is used.
- Parents or other family-related adults can also be allies during the conflict resolution process itself and may be key to compliance if some follow up actions are agreed upon. .

**14. Be alert to opportunities for using RPs to resolve conflicts among school professionals, but tread carefully.**

- On site school professionals who have personally experienced the utility of a Restorative Justice approach can be your best advertisement and are more likely to refer cases.
- However, be mindful of your principal audience (i.e., students) and avoid drifting into handling workplace disputes for which the school system has other resolution processes in place.

**15. Use well-developed forms and procedures.**

- Flexibility is a virtue, but ad hocracy is not a friend.
- Forms and procedures developed beforehand display organization, may illuminate the process for first-time referrers and parents, and free facilitators to focus on the conflict resolution process.

**16. Use sound evidence-based outcome measures to monitor program performance.**

- Post-process participant surveys, while qualitative, are a minimum; urge facilitators to administer the survey immediately upon completion of the process.
- Documented facilitator debriefing and participant testimonials, while qualitative, are an especially rich source of performance information.
- Make full use of school system statistics (e.g., teacher/clinic/counseling referrals, in school detentions, interclass time outs, suspension and expulsion rates, incidence of fighting and bullying, truancy rates) to obtain at least an indirect measure of performance.
- Continued financial support of a Restorative Justice program, especially in a down economy, is likely to depend on sound outcome measures that have demonstrable dollar significance.

**17. Share experiences with the entire Restorative Justice facilitator pool.**

- Regular meetings of the facilitator pool are a good opportunity for mini-training events, drawing on recent restorative justice experiences.
- Maintenance of an open-ended, lessons learned-type log is a valuable resource, especially as the composition of the facilitator pool turns over.

**18. Be open to the successes and failures of school-based Restorative Justice programs elsewhere.**

- School-based restorative justice programs are proliferating and underlie a growing literature in the United States and abroad; they deserve careful monitoring to complement your program's lessons learned.
- However, what works in one location may not work elsewhere.

**19. Use training and marketing for a restorative justice program to model the mutual respect which lies at the core of Restorative Justice.**

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## **BACKGROUND INFORMATION**

The lessons learned described above draw on a collaborative demonstration project involving the Fairfax County Public Schools and the Northern Virginia Mediation Service (NVMS). The project draws on a generous, two-year grant, "Restoring Relationships Among Youth", in support of using restorative justice in county schools from the Fairfax County Board of Supervisors via the Consolidated Community Funding Pool.

The Fairfax County Public Schools (FCPS) comprise the nation's 13<sup>th</sup> largest school system and includes over 200 public schools serving a sprawling and diverse county in Northern Virginia.

The Northern Virginia Mediation Service (NVMS), located in the City of Fairfax, Virginia, is a non-profit organization offering a wide range of alternative dispute resolution services to the multi-county Northern Virginia community. These services include restorative justice, group facilitation, mediation of family, civil court, workplace, commercial and community disputes, and training in professional dispute resolution skills. For more information about the organization, visit the NVMS website at [www.nvms.us](http://www.nvms.us).

## **ADDITIONAL RESOURCES**

### **NVMS-FCPS Project Documentation**

For a full set of the forms, procedures, memorandum of understanding and brochure used in the NVMS-FCPS School-Based Restorative Justice Demonstration Project in electronic format, contact Joan Packer or David Deal as shown below.

### **Organizations**

Restorative Justice Online, [www.restorativejustice.org](http://www.restorativejustice.org). Offers a world view of restorative justice news; this includes a searchable Online RJ Library of over 9,000 items, including many school-related materials.

International Institute for Restorative Practices, [www.iirp.org](http://www.iirp.org). Includes a searchable online IIRP Collection containing many school-related items; see also [www.safersanerschools.org](http://www.safersanerschools.org)

National Centre for Restorative Justice in Youth Settings, [www.transformingconflict.org](http://www.transformingconflict.org). UK-oriented web site offering a discerning list of materials focusing heavily on school settings.

### **General Information**

Lorraine Stutzman Amstutz & Judy H Mullet, *The Little Book of Restorative Discipline for Schools*, (Intercourse, PA: Goodbooks, 2005). One of an increasing number of excellent books and materials addressing school-based restorative practices.

## **CONTACT INFORMATION**

### **David T. Deal**

Northern Virginia Mediation Service  
Deal Consulting & Dispute Resolution  
3407 Walnut Hill Court  
Falls Church, VA 22042  
703-641-4747  
703-231-4377 cell  
703-750-3188 fax  
[dtdeal@cox.net](mailto:dtdeal@cox.net)  
[www.dealworks.us](http://www.dealworks.us)

### **Joan Packer**

Conflict Resolution Specialist  
Student Safety and Wellness Office  
Fairfax County Public Schools  
8115 Gatehouse Road, Suite 3600  
Falls Church, VA 22042  
571-423-4273  
571-423-4277 fax  
[Joan.Packer@fcps.edu](mailto:Joan.Packer@fcps.edu)

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