

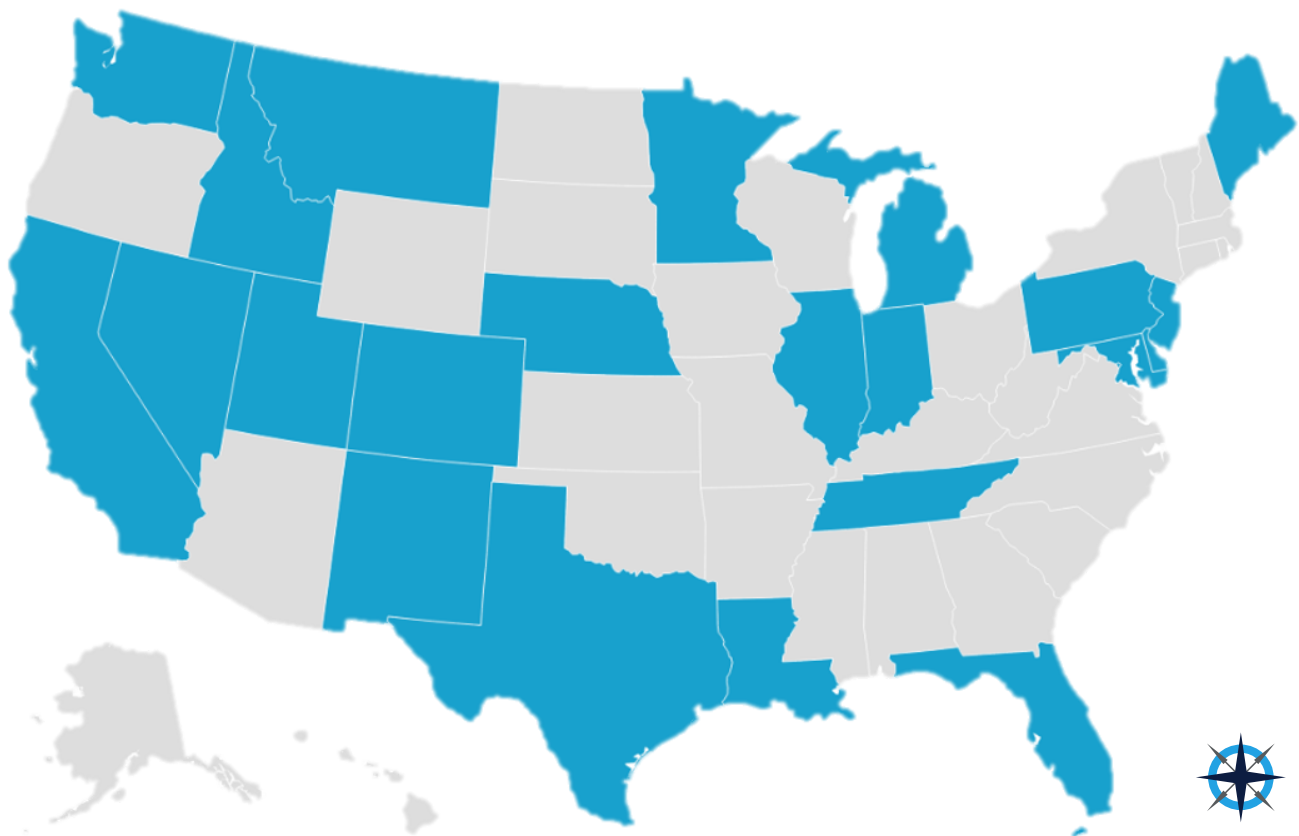
## School-Based Restorative Justice Legislative Trends

**Our state-by-state analysis found that 21 states and the District of Columbia have adopted laws that support the use of school-based restorative justice (RJ).**

Studies indicate that school-based RJ improves school climate and connectedness, promotes student health and wellbeing, lowers rates of discipline, and reduces racial disparities in school discipline. Over the past decade, legislators have increasingly supported school-based RJ.

Key legislative trends are presented as a map in **Figure 1**; categories of laws are summarized in **Table 1**. Collectively, the 38 laws illustrate a range of support for school-based RJ, including training, funding, and other contexts beyond responses to student behavior.<sup>1</sup>

**Figure 1: 21 States and the District of Columbia Have Enacted School-Based RJ Legislation.**



■ States **with** laws supporting RJ

■ States **without** laws supporting RJ

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**Table 1: Our Analysis Reveals 6 Main Categories of RJ Requirements Across US Jurisdictions.**

Types of Requirements	Jurisdictions	Examples
<b>RJ as Whole-School Model</b>	MD, ME <sup>2</sup>	RJ practices are integrated throughout the school to create healthy school climates, repair relationships, address conflict, and support re-entry and reintegration. <sup>3</sup>
<b>RJ as Alternative to Exclusionary School Discipline</b>	CA, CO, DC, FL, ID, ME, MD, MI, NE, NV, NJ, TN, TX <sup>4</sup>	
Presumptive Response	CO, MI <sup>5</sup>	RJ is identified as the primary response to student behavior and alternative to exclusionary school discipline. <sup>6</sup>
Require Consideration	CA, DC, ME, MD, NV, NJ, TN <sup>7</sup>	School officials are required to consider RJ as an alternative disciplinary consequence to exclusionary school discipline. <sup>8</sup>
Permit Consideration	FL, ID, NE, TX <sup>9</sup>	School officials are permitted to consider RJ as an alternative disciplinary consequence to exclusionary school discipline. <sup>10</sup>
<b>Culturally Competent &amp; Trauma-Informed RJ</b>	IN, MD, NJ <sup>11</sup>	RJ is explicitly modified as either culturally competent or trauma-informed in the law. <sup>12</sup>
<b>RJ in Professional Development</b>	CA, DC, DE, IL, IN, LA, MD, PA, TX, UT, WA <sup>13</sup>	
Mandatory	CA, DC, IN, LA, PA, TX, UT, WA <sup>14</sup>	RJ training is a mandated component of professional development for educators and other school personnel. <sup>15</sup>
Optional	CA, DE, IL, MD <sup>16</sup>	RJ training is an optional component of professional development for educators. <sup>17</sup>
<b>Funding for School-Based RJ Programs</b>	CA, DC, IL, MD, MT, NJ, PA <sup>18</sup>	State educational agencies may provide grant funding to local education agencies, individual schools, or non-profit organizations to support school-based RJ programs in such areas as professional development, technical assistance, and hiring RJ professionals. <sup>19</sup>
<b>Data Collection on School-Based RJ Practices</b>	DE, MD <sup>20</sup>	Data collection is required, including student participation and demographic data, program quality, and implementation of RJ programs. <sup>21</sup>

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## Next Steps

States that pursue innovative approaches to school-based RJ provide school districts with important tools to address school climate, student health and wellbeing, school safety, discipline disparities, and the negative effects of punitive discipline.

### New policy reform efforts should focus in the following areas:

- **Promotion of whole-school RJ models.**
- **Integration of culturally competent** and trauma-informed RJ practices.
- **Decreased reliance on exclusionary school discipline** for student behavior.
- **Preference for RJ** as the primary response to student behavior.
- **Increased RJ trainings** and professional development for educators and school staff.
- **Development of integrated plans** for RJ and multi-tiered systems of support.
- **Increased funding** for district- and school-level RJ practices.
- **Collection of data on the effectiveness** of non exclusionary disciplinary approaches.
- **Collection of data on best practices** of implementation of RJ.
- **Open and transparent review** of the use of restorative approaches disaggregated by race, ethnicity, gender, disability status, eligibility for free or reduced-price meals (or an equivalent measure of socioeconomic status), English-language proficiency, and type of discipline.



### Sample Statutory Definition of RJ: Illinois<sup>22</sup>

**“Restorative measures”** means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that:

1. Are adapted to the particular needs of the school and community,
2. Contribute to maintaining school safety,
3. Protect the integrity of a positive and productive learning climate,
4. Teach students the personal and interpersonal skills they will need to be successful in school and society,
5. Serve to build and restore relationships among students, families, schools, and communities, and
6. Reduce the likelihood of future disruption by balancing accountability with an understanding of students’ behavioral health needs to keep students in school.

**For a full list of laws and citations included in this fact sheet, please visit:**  
<https://bit.ly/gtowngenderjust-rjtrends>

This fact sheet was compiled by Thalia González, Nikola Nable-Juris, Rhea Shinde, and Rebecca Epstein, and designed by Becca Shopiro. Support for this fact sheet was provided by the Robert Wood Johnson Foundation. The views expressed here do not necessarily reflect the views of the Foundation.