

Restorative Justice and LAUSD's School Climate Bill of Rights:
Shifting Paradigms from Punishment to Healing



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Abstract

In 2013, the Los Angeles Unified School District (LAUSD) voted for the passage of a School Climate Bill of Rights. This bill defines eight major rights granted to all students in the Los Angeles public school system related to the school learning environment. It states that restorative justice (RJ) must be used as an alternative to exclusionary school discipline and stipulates that all schools in the district will engage in the use of restorative practices by 2020. Restorative justice practices are based on a variety of indigenous peacemaking practices from around the world which focus on repairing harm, elevating the voices of all involved parties, and transforming community relationships through dialogue and collaborative accountability measures. In contrast, traditional methods of exclusionary discipline in schools like suspension and expulsion have a vast range of negative impacts on student outcomes, push students into the school-to-prison-to-deportation pipeline, and disproportionately harm students of color, especially Black students, and students with disabilities. The purpose of this study is to examine the extent to which LAUSD has successfully implemented restorative justice on its campuses, and further, to determine how the district can improve its use of Restorative Practices in order to achieve a more racially just and positive experience for all LAUSD students. This study finds the use of RJ as a method of improving the school learning environment (school climate) and reducing harmful school discipline practices to be an effective disruptor to the school-to-prison-to-deportation pipeline. Ultimately, this study presents a set of policy recommendations to the district that, if adopted, would improve school climate and reduce disproportionalities in the use of exclusionary school discipline in Los Angeles public schools.

Introduction

School discipline and school safety have become hot topics in recent years (Brown 2020; Harper 2020; Stern and Rogers 2019; Samaha 2018; Hirschfield 2018; Gregory, Skiba, & Medriatta 2017; Okilwa, Khalifa, & Briscoe 2017; Diliberti, Hansen, Jackson, and Kemp 2017; Heitzeg 2014; Schept, Wall, & Brisman 2014). Between “tough on crime” policies permeating every level of decision-making to a rise in mass shootings at schools, school districts across the country have turned to harsher discipline, surveillance and policing of their students (Vitale 2017). Los Angeles Unified School District (LAUSD) is no exception. Through methods of exclusionary discipline¹ like suspension and expulsion, LAUSD students—especially students of color—are pushed out of school and often unjustly criminalized by school staff (CADRE 2017; Robert & Okilwa 2018). The over policing of youth at school has a strong negative impact on students’ mental health, academic performance and overall school safety (Etow et. al 2020). Additionally, there are collateral consequences of school discipline that can manifest for students who are non-citizens—for these students, prison is not the end of this toxic pipeline as involvement with school discipline and law enforcement can lead to contact with Immigration and Customs Enforcement and even detention or removal proceedings (Pineda 2021; Mendoza 2021). To address these concerns, community members, mental health professionals, and educators have begun to advocate for the use of restorative justice, a multi-tiered² response to intervention set of practices based on the principles of repairing harm elevating stakeholder voices, and transforming community relationships that are used to improve school learning environment and student behavior (Etow et. al 2020; González 2015; Losen 2014).

¹ See “*Exclusionary Discipline and the School-to-Prison-to-Deportation Pipeline*” section for more information on exclusionary discipline.

² Please refer to **Appendix G** for more information about multi-tier (Tier 1- 3), response to intervention (RTI) restorative practices.

The fundamental principle that underlies this research is the belief that all students learn best when they feel their school is safe, and where they feel that the processes for resolving conflict are transparent and humane. This research investigated LAUSD's policies about restorative justice, specifically the 2013 School Climate Bill of Rights, in order to gain a better sense of how restorative justice is being used to foster school safety and student well-being in LA public schools. In order to justify the focus on the RJ stipulation in the 2013 Bill, this study evaluated restorative justice as both a student support system and an alternative to exclusionary discipline. It examined the implementation and details of LAUSD's restorative justice programming through a synthesis of interviews and scholarship about the topic. It sought to determine how LAUSD can improve its restorative justice policies and practices to make them more responsive to the needs of the communities it serves, in order to create a set of policy recommendations regarding this issue. Ultimately, this study argues that the district must strengthen its commitment to restorative practices through the policy recommendations presented below.

To answer the question of how the district can improve its implementation of the 2013 School Climate Bill of Right's restorative justice stipulation and effectively argue for the adaptation of the policy recommendations provided below, the study first provides a brief explanation of the political, theoretical, and historical context of restorative justice and disciplinary disparities in Los Angeles public schools, and highlights the need for more comprehensive school climate policies in order to justify this research. To understand how to bolster the efficacy of restorative policies the study further examines the scholarship around school discipline and restorative justice in schools to identify what experts have found to be "best practices" in implementing restorative practices in the setting of public education.

Additionally, interviews with experts, system-impacted young people, district policymakers, and student RJ practitioners were analyzed for common themes to connect theory and other scholars' analysis of restorative justice programs in districts across the country to the specific landscape of the Los Angeles public school system. Finally, this study presents an argument for the adaptation of a comprehensive set of recommendations regarding new directions LAUSD should pursue in order to improve upon the 2013 School Climate Bill of Rights and its subsequent implementation of restorative practices.

Literature Review

The literature review included in this study serves to provide information and framing for the analysis of findings and policy recommendations that can be found in upcoming pages. It presents scholarship on exclusionary discipline, the school-to-prison-to-deportation pipeline, and the history and current use of restorative justice to establish context for further information on the state of discipline and school climate policies in Los Angeles public schools.

Exclusionary Discipline and the School-to-Prison-to-Deportation Pipeline

Exclusionary discipline can be broadly defined as “any type of school disciplinary action that removes or excludes a student from his or her usual educational setting” (APA 2021, 1). Please refer to **Appendix B** for a detailed description of the most common forms of exclusionary discipline. The issue of disciplinary actions in school is of the utmost importance to students' success and experience of K-12 education. Research has found that there is a strong correlation between school discipline, academic disengagement, and involvement in the criminal justice system (Ramey 2016; Monahan et. al 2014; González et. al 2019). Students who experience just

one suspension are twice as likely to be involved in the criminal justice system than those who received no harsh discipline (Ramey 2016). The racialized practice of exclusionary school discipline is so detrimental to students that it has come to be considered a public health crisis: nearly half a century's worth of research shows that commonly practiced school discipline like suspension, expulsion, and referrals to law enforcement are not only ineffective at keeping schools safe and orderly, but also exacerbate intergenerational trauma, and health and economic disparities faced by Black families, Indigenous, Latino, and other non-white communities (Etow et. al 2020). The National Education Association defines the school-to-prison pipeline as

the policies and practices that are directly and indirectly pushing students of color out of school and on a pathway to prison, including, but not limited to: harsh school discipline policies that overuse suspension and expulsion, increased policing and surveillance that create prison-like environments in schools, overreliance on referrals to law enforcement and the juvenile justice system, and an alienating and punitive high-stakes testing-driven academic environment (NEA 2016).

For the purposes of this study, this term and definition is expanded to include recognition of the collateral consequences of school discipline that can manifest for students who are non-citizens. For these students, prison is not the end of this toxic pipeline as involvement with school discipline and law enforcement can lead to detention or removal proceedings. As such, this study uses the term school-to-prison-to-deportation pipeline to honor the additional harms that youth residing in the United States without citizenship face when it comes to being disciplined or pushed out of school. Communities and scholars have increasingly looked to restorative justice as an alternative to exclusionary discipline, a barrier to the school-to-prison-to-deportation pipeline, and as a preventative measure to foster a safe environment for all students and staff.

The History of Restorative Justice and its Use Today

The restorative justice movement in North America can be seen as stemming from four main sources: indigenous practices of justice, other faith communities, the prison abolition movement, and the alternative dispute resolution movement, and was first used in the United States within the criminal and juvenile justice systems (Leung 1999). The foundation of what is now known as restorative justice has been and continues to be practiced in various ways by indigenous nations across the globe for centuries. Indigenous scholar Carol A. Hand writes that in many nations indigenous to North America, “if an act of violence or dishonesty disrupted the community, the community as a whole sought a way to restore balance” (2012). Like today's “restorative justice,” Native peacemaking often brings together multiple parties to work towards a comprehensive solution (Mirsky 2004).

The actual term “restorative justice” has been present in academic discourse since at least the 1830’s in England, Ireland and the United States of America (Gade 2018). One of the oldest explicit definitions of restorative justice (in the way it was conceptualized during that time) can be found in Floyd R Mechem’s 1916 “An Inquiry Concerning Justice,” which defines the term as “justice administered by the judicial machinery which restores man to his proper rights.” Later on, in the 1950s, a psychologist named Albert Eglash uplifted the term due to his belief in its rehabilitative value and the need he saw for his incarcerated clients to be accountable for their behavior (Lorren n.d.). Eglash is credited with inspiring American criminologist Howard Zehr, known to some as the grandfather of restorative justice, to advocate for the use of RJ to repair the harm of crime by engaging survivors, offenders, and community members (Lorren n.d.). The theory most strongly associated with restorative justice practices and principles is Braithwaite’s 1989 “reintegrative shaming theory” (Wilson, Olaghere, and Kimbrell n.d.). The theory of reintegrative shaming requires community acknowledgement and condemnation of the harm that

was done. It then works by forgiving the offender for their actions and reintegrating them back into the community once they have made amends and repaired the harm with the victim and society. This theory emphasizes that shaming of offenders to the community must be reintegrative, not stigmatizing. Other theories related to today's restorative justice practices include procedural justice theory, defiance theory, exchange theory and social disorganization theory (Wilson, Olaghere, and Kimbrell n.d.).

In order to argue for the adaptation of more comprehensive implementation of restorative justice practices in LAUSD, it is important to understand how LAUSD defines restorative justice for the district's purposes. The School Climate Bill of Rights states that

Practices that resolve school disciplinary incidents by having personnel trained in restorative approaches and all parties involved come together, identify the harm that was caused, and determine who was responsible. The group, generally through a circle conferencing process, then develops a shared process for repairing harm and addressing root causes to prevent future harm (Garcia 2013, 3).

District literature further explains RJ as “a philosophy and an approach to discipline that moves away from punishment toward restoring a sense of harmony and well-being for all those affected by a hurtful act” by providing families, schools, and communities “a way to ensure accountability while at the same time breaking the cycle of retribution and violence” (LAUSDa. n.d.).

Today, the practice of restorative justice is typically based on the three main principles of repairing harm, involving stakeholders, and transforming community relationships (González 2015). Other important principles of restorative justice include offender accountability for wrongdoing, respect for all participants, and centering victims (Wilson et. al 2017). Restorative justice is based on the principle that people are resilient, and that harm can be addressed and

prevented through dialogue and the formation of healthy relationships. Talking circles and mediated discussions between relevant parties are two common forms of restorative justice today that are used to foster the accountability of perpetrators and the healing of victims and impacted communities while reducing harm and minimizing rates of involvement with the juvenile justice system (Strang 2013; Latimer, Dowden, & Muise 2005; Wilson, Olaghere, & Kimbrell n.d.; Umbreit, Vos, & Coates 2006). As further described in **Appendix A**, restorative practices can be used in a variety of settings. Uses of RJ may include preventative mechanisms or conflict resolution approach within schools or in neighborhood and community-based settings, diversions strategy or alternative-sentencing approaches in the justice system, and within residential treatment settings, among others (Wilson et. al 2017).

In the criminal and juvenile justice systems, there is evidence that RJ is effective in increasing victim's satisfaction with the outcome of their case and overall perception that justice was served, reducing recidivism and rates of incarceration, and fostering stronger communities (Leung 1999). This study focuses on restorative justice as a way to address school climate and disproportionalities in who enters the school-to-prison-to-deportation pipeline in part because evaluations of many RJ school programs across the country have *also* found that restorative practices can result in reduced suspension and expulsion rates, decreased disciplinary referrals, and improved academic achievement (Losen et. al 2014; Schiff 2013). LAUSD, in accordance with education researchers and scholars, posits that restorative justice practices lower suspension and expulsion rates, and foster positive school climates, with the goal of "eliminating racially disproportionate discipline practices" (LAUSDa. n.d.). Exclusionary school discipline forces Black students out of school at rates higher than their white peers no matter what specific kind of punishment was used, what type of school the student attended, or the socio-economic status of the student's family (Etow et. al 2020). This disparity has been shown to begin as early as

preschool (Etow et. al 2020). Implementing restorative justice practices as an alternative dispute resolution method is being touted as a way that schools can end a pattern of disproportionately disciplining Black and Latino students and “create an environment that fosters success for all children” (Wood 2014, 1). After the careful implementation of whole-school, multi-tier restorative justice practices, the risk for suspensions drop for all racial groups, with the largest decline in disciplinary action for Black students (González 2015). RJ in schools can not only reduce suspensions and racial disparities in discipline, but it also leads to consistent growth in academic success (González 2015; Losen et. al 2014). Please refer to **Appendix A** for a detailed explanation of typical restorative practices, and **Appendix G** for an elaboration on whole-school/multi-tier RJ.

This study aims to identify tactics for eliminating discrepancies in school discipline and ending the school-to-prison-to-deportation pipeline through more comprehensive whole-school restorative practices across all systems of student support. First, background on Los Angeles Unified School District and the 2013 School Climate Bill of Rights is provided to set context for the methodologies, findings, and policy recommendations that follow.

Background

Office for Civil Rights Compliance Investigation of Racial Inequities in LAUSD

In 2011, the U.S. Department for Education’s Office of Civil Rights (OCR) conducted a compliance investigation of the Los Angeles Unified School district to examine the district’s “provision of resources and opportunities” to schools with predominantly Black students, as compared to schools with predominantly white students, due to “glaring disparities” within the district (Robert and Okilwa 2018, 1). The Office found that not only were resources being disproportionately funneled to predominantly white schools, Black students were under

represented in referrals for Gifted and Talented Education (GATE) programs, and teaching staff in schools with predominantly Black students had lower attendance and lower efficacy than teachers at schools with predominantly white students, but that there was “a higher level of suspensions and expulsions of African American students compared with white students” (Robert and Okilwa 2018, 4). In the 2010-2011 school year, Black students were suspended and expelled at much higher rates than white students: despite being only 10% of the population, Black students represented 26% of suspensions in the district and 24% of referrals for expulsion, while white students were 9% of the population but only 5% of suspensions and 4% of referrals for expulsion (Robert and Okilwa 2018). Additionally, students with disabilities accounted for 9.6% of the district enrollment but made up 24.6% of the district’s suspensions during the same time period (Lim 2021). The OCR investigation prompted LAUSD reforms at both the district and campus level, one of which was the School Climate Bill of Rights (Robert and Okilwa 2018).

Los Angeles Unified School District and the School Climate Bill of Rights

In response to the OCR’s findings, concern over “the horror show that was suspension and expulsion,” the extreme racial disparities that existed within LAUSD’s discipline system, and the growing threats of lawsuits over these disparities, LAUSD decision makers scrambled to find ways to address these issues (Zimmer 2021; Activist 1 2021). In May of 2013, the Los Angeles Unified School District adopted a School Climate Bill of Rights and committed to implementing restorative justice (RJ) practices in all schools by 2020 (LAUSDa. n.d.). The Bill stated that beginning in the 2015-2016 school year, all schools would have developed and begun using restorative justice approaches as an alternative to traditional school discipline (LAUSDa. n.d.). Restorative justice would be used as “an intervention consistent with the School-Wide

Positive Behavior Intervention Support (SWPBIS/PBIS) policy for all school disciplinary incidents unless a recommendation for expulsion was required as under California Education Code Section 4891” (LAUSDa. n.d.).

The LAUSD’s 2013 School Climate Bill of Rights states that:

By 2020, as an alternative to traditional school discipline, all schools shall develop and implement restorative justice defined as: Practices that resolve school disciplinary incidents by having (personnel trained in restorative approaches) and all parties involved come together, identify the harm that was caused, and determine who was responsible. The group, generally through a circle conferencing process, then develops a shared process for repairing harm and addressing root causes to prevent future harm. Restorative Justice will be used as an intervention consistent with the SWPBIS policy for all school disciplinary incidents unless a recommendation for expulsion is required as under California Education Code Section 48915 (García 2013, 3).

The 2013 Bill of Rights also adds that “students have the right to safe and healthy school environments that minimize the involvement of law enforcement, probation and the juvenile and criminal justice system, to the greatest extent possible and when legally feasible,” and that “alternatives to suspension strategies will be used for all students in a consistent and age-appropriate manner prior to any suspensions, except those limited offenses where suspension is required under California Education Code §48915(c).” As of 2013, no student in LAUSD was supposed to be suspended or expelled for a “willful defiance” (48900(k) offense and would instead be directed to restorative justice facilitators or other forms of intervention (LAUSDa. n.d.).

Serving over 600,000 students in kindergarten through twelfth grade at over 1,000 schools and more than 200 independently-operated public charter schools, LAUSD is the second largest school district in the country, only smaller than New York City’s. The public school district includes the City of Los Angeles, as well as all or parts of 31 municipalities and several unincorporated regions of Southern California (LAUSDb. n.d.). 99 languages other than English are spoken in L.A. Unified schools and in the 2019-2020 school year the district had 123,579

students who were English learners, 92.3% of whom identified their primary language as Spanish. The district serves mostly students of color (73.4% Latino, 10.5% white, 8.2% Black, 4.2% Asian, 2.1% Filipino, less than 1% American Indian or Alaskan Native, Native Hawaiian or Pacific Islander, with 1% of students unreported), and employed over 66,000 people in the 2019-2020 school year. Nearly 80% of LAUSD students qualified for free or reduced price lunch in the 2019-2020 school year based on federal poverty guidelines (LAUSD 2020). These demographics regarding the socio-economic status, citizenship status, and racial/ethnic makeup of the district are relevant because, despite the updates to LAUSD's school discipline policies codified in the years after the OCR compliance investigation, the disparities in who is being funneled into the school-to-prison-to-deportation-pipeline still plague the district. Between 2014 and 2017, the Los Angeles School Police Department (LASPD) made 3,389 arrests while issuing 2,724 citations and 1,282 diversions (Allen et. al 2018). Black youth made up 25% of the total arrests, citations, and diversions, despite being less than 9% of LAUSD's student population (Allen et. al 2018). Boys of color made up 76% of all LASPD involvement, and elementary and middle-school age youth accounted for 1 in 4 of all arrests (Allen et. al 2018). Suspension rates at LAUSD schools continue to be disproportionately higher for Black students and students with disabilities relative to their percentage of enrollment (Allen et. al 2018).

Research shows that the disparities in discipline displayed above can be reduced or eliminated through the use of whole-school restorative justice practices (González 2015; Vitale 2017; Fronius et. al 2019; Losen et. al 2014). However, restorative justice experts and advocates do acknowledge that RJ can be difficult to implement in schools and that when implemented poorly, it can have underwhelming results. Conflicting philosophies and a culture of punishment can sometimes hinder the implementation of restorative practices and undermine its progress: teachers requesting suspensions, students expecting punishments, distrust between educators and

students are common signs of issues in the implementation of school RJ practices (Denver School-Based Restorative Practices Partnership n.d.). However when planned, implemented and maintained properly, the use of restorative justice to improve school climate and student success is one of the most promising strategies for ending the school-to-prison-to-deportation pipeline. This study makes use of the qualitative research methods described below in order to collect the information needed to achieve its stated goal of determining how LAUSD can improve the implementation of restorative justice practices on its campuses.

Methods

This study is guided by the question of how LAUSD can utilize restorative justice practices in its schools to more effectively in order to reduce disparities in discipline, improve school climate, and provide a better education experience for students across the district. The interview-based findings in this study are grounded in the transformative paradigm, which “centers the lived experiences of those who have been traditionally marginalized by systemic oppression,” in this case, by asking young adults to share their experiences related to school discipline and the school-to-prison-to-deportation pipeline and restorative practices (Linder & Rodriguez 2012, 386). To supplement the insight gained by existing scholarship on this issue and to better apply other scholars’ findings to the setting of LA public schools, I also interviewed a variety of other district stakeholders: community-based activists who have knowledge of LAUSD’s approach to RJ, experts on restorative justice in schools, LAUSD restorative justice facilitators, student restorative justice practitioners, and district policy-makers. While the focus of this research is on the LAUSD’s restorative justice programs, it is necessary to take a comparative approach: accordingly I have drawn on interviews with and scholarship by

individuals with experience in selected school districts around the country in order to provide a broader context through which to improve the specific landscape of RJ in this district.

As previously stated, stakeholders who were interviewed included former LAUSD students, former students from outside the district who have significant experience with the school-to-prison-to-deportation pipeline and/or restorative justice in keeping with the transformative paradigm of research. These former students are all in their 20s and identify as formerly incarcerated, immigrant or child of immigrants, English as a second language learner (ESL), queer, cis/het, Black, Latino/a, white, female, or male, and were raised in households ranging from low income or experiencing poverty to high income, in inner cities or more suburban areas, and across Los Angeles. **Appendix C** provides a more in depth description of the stakeholders who were interviewed for this study. Their responses to semi-structured, snowball-style interview questions helped to inform the findings and policy recommendations presented below.

By collaborating with these interviewees, this study worked to co-constructing meaning from the commonalities that arose from their responses (Linder & Rodriguez 2012). It identified common themes that relate to the implementation of restorative justice in schools across interviews— themes which, in combination with existing scholarship, form the basis of the recommendations presented below. Interviews included questions about how RJ works in LAUSD and what the implementation process looked like, whether RJ is an effective method at addressing harmful behaviors at school and serving as a barrier to the school-to-prison-to-deportation pipeline, what challenges the district has faced in the implementation and fruition of LAUSD's restorative justice policies, how to garner more teacher and administration buy-in in regards to RJ, how to better involve parents and the community outside of school campuses in

restorative processes, and what could be done to improve LAUSD's restorative justice policy. As the project progressed, interviewees were also asked about the validity of certain ideas for potential policy recommendations, many of which are presented below in response to their feedback. Interviewees were asked to read and sign Informed Consent Forms to notify them of the scope of the project and their rights regarding the interview process. Due to COVID-19, all interviews were conducted over Zoom, FaceTime, or telephone. Some interviewees are identified only as "LAUSD employee" or "Teacher," with little to no further information about their identity in order to preserve their anonymity, as per their requests. Others suggested that their name, professional titles, and life experiences be included in this project to provide context of their expertise regarding these topics.

Limitations

The Los Angeles Unified School District has its own process for approving outside research on the district, a process which is facilitated by the district's Committee for External Research Review (CERR). Because of time limitations, exacerbated by LAUSD internal deadlines, deadlines established by UEP and the college, and COVID-19 considerations³, this research proposal was not submitted to the district's CERR. This means that district resources were not available to the study, and that the opportunities for interviewing were somewhat more limited than they would have been otherwise. The study is also significantly limited by its requirement that all interview subjects must be age 18 or older, meaning that current students' perspectives on this topic are sorely lacking in this project. Due to COVID-19, none of the

³ According to the district's CERR website page, "due to the difficulties experienced by our school and District communities during 2020, we will be approving only a select few proposals from every submission" (LAUSD CERR 2020).

benefits of conducting research in person were available to serve the success of this project. LA Unified is a huge and complex institution, with a plethora of inconsistencies and its own limitations. With additional time, many more topics from context, to theory, to findings and recommendations could have been covered much more in depth.

This project was not funded. As such, interviewees were not compensated monetarily. Although all interview subjects were informed of this limitation and still agreed to participate, the importance of honoring peoples' time and contributions cannot be understated. Many of these interviewees took time out of their incredibly busy schedules to share their knowledge in service of this project. Additionally the topics of school discipline, the school-to-prison-to-deportation pipeline, and other forms of harm that students can experience at school often led to difficult discussions. These interviewees all deserved to be compensated for their emotional labor, time, and expertise. Despite these challenges and limitations, this study still achieved its goal of creating a comprehensive collection of community and district employee voices in order to answer its stated research question.

Findings

This project aims to better understand LAUSD's use of restorative justice, and its efficacy as an alternative to suspension, expulsion, and referrals to law enforcement. It also explores the potential for expanding the use of restorative justice under the 2013 School Climate Bill of Rights in order to end the school-to-prison-to-deportation pipeline and improve students' experiences at school. As stated in the Methods section above, interviews were conducted with former LAUSD students, young adults who were formerly incarcerated during their school-age years, experts on restorative justice, community activists, and LAUSD policy-makers, educators,

and restorative justice facilitators. Interviews were centered on the subject's knowledge of the topics discussed above, and all interviews included discussions of how LAUSD's restorative and disciplinary practices could be improved. The following common themes arose during these discussions:

A lack of uniformity and accountability in the practice of restorative justice in the district.

The importance of addressing systemic and intergenerational harms.

Insufficient training and lack of community trust for RJ facilitators

The necessity of community-based and culturally relevant restorative practices.

These commonalities reflect what one community member and activist called “a disconnect between the vision that the district has for [RJ] implementation vs. the vision that the community has for implementation.” Collectively, these discussions highlighted the state of restorative practices in LAUSD and the directions the district should take in the future to improve its policies on school climate. The remainder of this section further explains and examines these findings in preparation for policy recommendations that can address these findings.

Lack of Uniformity and Continuity in Restorative Practices

Although the School Climate Bill of Rights mandated that every school in LAUSD incorporate restorative justice into their school safety practices by 2020, many schools in the district do not have a restorative justice teacher, facilitator, or advisor. This lack of consistency and commitment is addressed in a key aspect of this study's recommendations by ensuring that each LAUSD has its own RJ advisor: “the biggest investment [needed to improve the use of RJ

in LAUSD] would have to come around on restorative justice counselors” (Perez 2021).

According to Kosnett Law Firm, a firm involved in litigation regarding schools’ use of discipline throughout California, the district initially only budgeted funds for five restorative justice counselors as a result of the 2013 Bill, raising that number to 25 RJ professionals after community efforts pressured the district to strengthen its commitment to the implementation of the Bill’s stipulations around the use restorative practices (Kosnett n.d.) This means that multiple schools must share an advisor, calling them to campus only when specific incidents occur. The district is broken up into six “local districts”⁴, each served by a restorative justice advisor, which can span distances over 20 miles— Local District South alone holds roughly 140 schools and seven Communities of Schools, which are smaller groupings of schools within the local district (Local District South. Nd.; Romero 2019). This approach is antithetical to the whole school restorative justice model, and can harm students’ understanding of restorative values (Teacher 1 2021). An LAUSD parent and the in-house restorative justice teacher at a LA Unified high school, from where she is also a fourth generation graduate, highlighted this discrepancy:

Something that is concerning to me for other school sites is that the district model as I understand it is that if a school needs some support they call in a local district coach. And so that might look like a person coming in supporting, not necessarily for the same reasons that I've said like for harmed peer-to-peer relation.... My kiddo is going to a public school [in the district] and so I wish his school had a designated restorative practitioner (Teacher 1 2021).

⁴*Local District South* serves the communities of San Pedro, Wilmington, Lomita, Harbor City, Carson, Gardena, and select geographic regions of Los Angeles. *Local District Northeast*: Sun Valley, Panorama City, Van Nuys, Valley Glen, Sunland, Tujunga, North Hollywood, Valley Village, parts of San Fernando, and Sylmar. *Local District West*: Fairfax, Hollywood, Hamilton, West LA, Venice, Mid-City, Westchester, Crenshaw-Dorsey. *Local District Northwest*: Lake Balboa, Encino, Canoga Park, West Hills, Winnetka, Chatsworth, Porter Ranch, Northridge, Reseda, Woodland Hills, Granada Hills, North Hills, San Fernando, Mission Hills, Panorama City, and Tarzana. *Local District Central*: Downtown, MacArthur Park, Eagle Rock, Highland Park, Glassell Park, Los Feliz, Jefferson, South Central, Koreatown, parts of Mid-City, Vermont Square. *Local District East*: Bell, Cudahy, Maywood, Boyle Heights, East Los Angeles, Huntington Park, Vernon, Walnut Park, Lincoln Heights, El Sereno, South Gate.

The same teacher noted that during a time when her school was without any kind of restorative leader for just one semester, it really hurt the students and the climate of the school (Teacher 1 2021). When schools do not have their own in-house restorative justice advisor, their students and their campus climate suffers— even if the local district coach is able to make an appearance on that campus each semester.

In addition to needing more uniformity in modes of practice among schools and more of a continuous restorative presence on campus on a day-to-day basis, another educator noted the importance of continuity throughout the years:

These values and practices have to start from kindergarten because when you change up the discipline system you go grades one through 8 and you know it's one way, and then you come into high school and then all of a sudden you're doing restorative practices there's some disconnects there... there's a significant amount of foundational work that has to take place if you know if restorative practices are to be successful (Zimmer 2021).

As a district with a relatively high student mobility rate, LA Unified must consider how the movement of students between different schools and different parts of the District affects the impact of their restorative justice programming, and adjust their policies accordingly (Daunter & Fuller 2011).

Importance of Addressing Systemic and Intergenerational Harms

The growing movement for restorative justice in schools is just one of many needed reforms in LAUSD. Changing discipline practices alone will not mitigate the effects of decades of institutional racism both in our education system and outside of schools, and it may not be enough to transform every teacher, administrator, and student in the district. Restorative justice scholar and former teacher Hilary Lustick writes that, “the current discourse on restorative practices does not allow for critical questions concerning power and social reproduction in the

context of the restorative conference,” and this sentiment was reflected during interviews with people familiar with LAUSD’s restorative practices (Lustick 2017, 309).

I started to notice a major gap in the implementation of restorative justice at the [LAUSD] school sites... it lacked accountability in the sense that restorative justice is about addressing the root causes of harm, not the symptoms of the harm, right? So the school was interested in what they call conflict resolution peer to peer, teacher and peer but not system and students... so they won’t address any of the more systemic harms that were there” (Activist 1 2021).

Although restorative practices are meant to foster “systemic changes in how educators think about the role of school discipline” and other structures of power, some subjects felt that LAUSD’s restorative practices, like traditional disciplinary methods, focus too much on student actions and not enough on uncovering and addressing the circumstances beyond the individual that may be the cause behind certain behaviors (Losen et. al 2014, 7):

There's systemic reasons why these tendencies, these habits can be found in certain neighborhoods as opposed to others. There's reasons why there's more youth being arrested in some communities as opposed to others, there's reasons why we find more violence in some communities as opposed to others... But it's always been failed to be considered... getting an overall understanding as to all the events that led up to these incidents, not just based off the individual alone, but like what does your community look like? What's your environment at home look like?... Do you have mental health services being provided?... Is your community part of a gang injunction?... I think a lot of the people that are carrying out the restorative justice practices in these schools aren't doing these things... they're, I think, oblivious that all these systems have been a main, root cause in traumatizing, in harming and even disposing of our youth (Pineda 2021).

The importance of having restorative justice advisors understand the entire ecosystem and histories of the youth and communities they serve cannot be overstated. In the upcoming pages, recommendations are provided on how to shift restorative justice practices from solely focusing on student-to-student or individual-on-individual actions to fostering more culturally relevant and community based restorative practices.

Insufficient Training and Lack of Trust for RJ Facilitators

Some interviewees brought up concerns about the qualifications and training of restorative justice facilitators. One interviewee referred to the district's RJ implementation as simply checking off boxes on a checklist by assuming that as long as the two day training and workshops are provided to each school, Reported one activist: "the deficits [of the district's program included] their idea of training was you train for two days, and now you're a sort of justice leader.... getting a certificate doesn't mean shit— You know two day training, does it qualify you to be a sort of justice counselor?" (Activist 1 2021). Another activist and formerly incarcerated young adult echoed this distrust, as well as a frustration over the omission of facilitators who may be more suited for the job:

there are trained restorative justice practitioners who you know, believe in the [RJ] model, who have the resources, have the means to see it carried out in the way that it was envisioned. Instead of them, the school district the schools they gave those positions to people who were already working in the schools. And then you see restorative justice unfolding or being rolled out in a way that's subpar, very ineffective (Pineda 2021).

This report proposes policy changes that would address both the actual and perceived insufficiencies of the current restorative justice practitioner position in a variety of ways. The district must keep in mind that the heightened presence of respected community members and increased involvement of parents and students provides legitimacy and comfortability to school RJ practices. No one does community-building better than one's own community.

Importance of Community-based and Culturally Relevant Restorative Practices

Restorative justice works best when there is pre-existing trust and respect between parties. Kent Mendoza is a former LAUSD student who was formerly incarcerated in California correctional facilities and ICE detention as a young person as a direct result of the districts school-to-prison-to-deportation pipeline and is now a community activist and policy advocate

with the Anti-Recidivism Coalition.⁵ He spoke to the importance of schools collaborating with members of the community that they serve:

Schools need to look into the alternatives that exist in the community. They need to look into non-profit organizations that currently do alternative work around how to de-escalate the situation or how to really address the real problem... schools need to really partner with populations, there are some organizations like ARC [Anti-Recidivism Coalition] like all these other organizations, right they already exist. They need to really be more in communication with them and bring collaboration. And then also establish a curriculum, or not necessarily curriculum but build off programs or projects or curriculum from those organizations that maybe have models meant to shape and provide guidance (2021).

Mendoza and others also stressed *who* from the community outside a school should help serve as restorative justice facilitators, climate coaches, and mentors, adding that it often takes a team effort to keep students healthy and safe.

The youth are going to respect people [from the community]. They have credibility, you know. And if you are known for being doing great things in the community and you bring the fact that you've been in contact with the system then you could communicate with them in that way. That's what the kids are going to be looking for... I feel like that's what they need, like real credible messengers, real credible mentors (Mendoza 2021).

Activists say that community members, especially people who have been through the school-to-prison-to-deportation pipeline themselves or are otherwise system-impacted, are willing to do more for youth than people who are hired by the district and may not share lived experiences with students or their families— “you have community members who are willing to do what they can to bring forth the resources necessary to address the harm that's caused... [school officials] weren't willing to do any of that. They weren't willing to go the extra mile that

⁵ Los Angeles' Anti-Recidivism Coalition is a community-based organization which advocates for fair policies in the juvenile and criminal justice systems and provides a supportive network and reentry services to formerly incarcerated individuals.

these people [who are more community oriented] would,” even if they may have their own struggles (Pineda 2021).

Concerns were also raised about the district ignoring or glossing over the cultural roots of restorative justice itself. One employee reported that what is greatly missing from LAUSD’s implementation of restorative practices is an emphasis on where this restorative justice philosophy actually came from— First Nation communities and indigenous communities around the world. They suggested that every community circle should start with recognizing the origins of restorative practices that so that students understand where this practice comes from (LAUSD Employee 2). The Los Angeles Unified School District occupies the land of the Ventureño, Gabrieleño-Tongva, and Fernandeno people (LA NAIC, n.d.). According to the Los Angeles Native American Indian Commission, California is home to more people of Native heritage than any other state in the United States, and the City of Los Angeles holds the second largest percentage of Native Americans in the United States. Los Angeles County is home to more Native Americans and Alaska Natives than any other county in the United States (n.d.). Even regardless of these facts, it is crucial that students and staff participating in restorative practices have a strong understanding and respect of the foundations and creators of these practices, wherever they are located (LAUSD Employee 2).

This study found that there is a lack of uniformity and accountability in the practice of restorative justice in the Los Angeles Unified School District. It also found that the district must find ways to better address systemic, community, and intergenerational harms. Additionally, the need for community-based and culturally relevant restorative practices which center students and families was highlighted throughout this study. The study also found a very common concern among community members and school staff regarding insufficient training and their ability to

truly implement restorative justice on campus. Ultimately, all of these concerns can be addressed by the district doubling down on its commitment to whole-school restorative justice implementation, and increasing funding for restorative justice administrator positions to enforce accountability and continuity in practice, hiring restorative justice advisors for every school, enlisting the support of community leaders and student RJ practitioners, and setting the stage for a lifetime of success by implementing restorative values in early childhood education centers. Below, recommendations on how to address the issues raised above in order to improve LAUSD's restorative practices are explained with the goal of honoring the lived experiences of incarcerated young people and impacted community members.

Policy Recommendations

Findings from the interviews synthesized above, along with an analysis of relevant scholarship and research studies, highlight the need for updates to the 2013 School Climate Bill of Rights and LAUSD's restorative justice practices. The recommendations described below aim to address this study's findings in alignment with the stated goal of improving LA Unified's restorative justice policy to be more reflective of student and community needs. Stressing the importance of whole-school restorative justice, these recommendations take a three-pronged approach to successful implementation of restorative practices.

The first set of recommendations builds on the existing framework of district employees managing the training and facilitation of restorative justice practices, and suggests that more restorative justice advisors are needed as well as a new administrative position of Restorative Justice Administrator for each Community of Schools. The second set of recommendations emphasizes the need for more community involvement in the implementation of restorative

practices throughout the district, in keeping with Dr. Karen Mapp's framework of Dual Capacity-Building which posits that parent and community ties "have a systemic and sustained effect on learning outcomes for children and on whole school improvements" (Mapp & Kuttner 2013, 5). This study advocates for building stronger partnerships between LA public schools, employees at community based organizations, and other trusted community leaders to foster a more culturally relevant and location-specific restorative practice. The third approach to making effective use of restorative justice in schools that is recommended is to develop student leadership by providing training for student RJ practitioners, under the supervision and guidance of the restorative justice advisor. Additionally, it is recommended that restorative practices be significantly expanded in the curriculum of LAUSD's Early Childhood Education Centers (ECECs) in order to set a strong foundation for the continuation of restorative values and practices throughout a child's time in school. Each of these recommendations are explained in more depth in the following pages.

Recommendation 1: Improve Restorative Justice Readiness for Whole-School Implementation

Restorative justice readiness (RJR) is "the measure of beliefs aligned with foundational RJ principles and values concerning harm, needs, obligations, and engagement" (Greer 2018, iii). Research indicates that implementing and sustaining RJ in schools can be severely hindered by a lack of "buy-in" lack of willingness to implement restorative practices, or a misalignment between the values of school staff and the principles of restorative justice (Greer 2018; Liberman & Katz 2017; Mayworm et al. 2016; Rubio 2018). Instead of stand-alone RJ practices (like calling in district RJ coordinators for specific incidences of harm or one-off trainings) LAUSD should commit to whole-school models of RJ implementation that address school climate and

use a continuum of practices to prevent and respond to harms, both individual and systemic (Greer 2018; McCluskey et al. 2008).

Expand In-House Restorative Justice Advisors

Despite the fact that the LA Unified School Board voted to remove school police from all LAUSD schools, only 53 schools, all secondary schools, are being funded to hire climate coaches and restorative justice advisors (Murray 2021). When removing police from being stationed on school campuses, strong supports must be in place to ensure student safety. As one formerly incarcerated youth activist stated, “we talk about dismantling. We talk about tearing down. But we have to also talk about building and creating and putting something in its place, you know, creating alternatives” (Pineda 2021). It is crucial that the district expands their new initiative to all schools in LAUSD, prioritizing in order of highest suspension and expulsion rates and grade level (first all high schools, then middle schools, then elementary). Additionally, restorative justice advisors should be hired in accordance with the LAUSD School Police Task Force’s recommended hiring practices for climate coaches— prioritizing the hiring of community members to serve as RJ facilitators at their local schools and partnering with “existing community organizations with a demonstrated history of working with Black and/or other impacted youth” to implement restorative practices on school campuses (Williams 2021, 3).

It is crucial to expand the number of restorative justice advisors in cover each school in the district because researchers have found that it is “simply not feasible, or sustainable, to train existing administrators or mental health staff [already in schools] and ask them to take on restorative justice practicing in addition to their existing responsibilities” due to the time-intensive nature and emphasis on relationships that RJ practices rely on (Anyon 2016, 4;

Noguera 1995). Participants in a study of the Denver Public School District’s restorative justice implementation and practices all agreed that at least one, full-time coordinator of restorative practices was necessary in schools that ranged in size from roughly 300 to 1000 students (Anyon 2016). This person’s responsibilities “usually included building relationships with students throughout the school, facilitating formal conferences or mediations, following up on repair agreements, and providing training or coaching to staff” (Anyon 2016, 4). Put simply, restorative justice and other behavioral supports work best when they are facilitated by a trusted member of the community in which the school is situated (Wilson et. al. 2017; Noguera 1995).

When LAUSD RJ coordinators are responsible for many schools, and therefore have less capacity to have steady and reliable presence on individual campuses, they have less of the necessary pre-existing trust, respect, or knowledge of the students or teachers involved to effectively handle conflict. If LAUSD is serious about reducing rates of exclusionary discipline and improving the social-emotional health of its students, the district must invest in facilitators who are fully equipped to engage in difficult but transformative conversations and restorative conferences.

Clarifying the Role of Restorative Justice Advisor

A large part of the role of Restorative Justice advisor must be dedicated to RJR and implementing whole-school restorative values. They should be tasked with creating justice-based leadership through as many channels as possible (from student leaders, to parents and community stakeholders) to ensure the widespread nature and longevity of the program. As one RJ teacher put it, “it’s not just the person, it’s the way of being” (Teacher 1 2021). In addition to district professional development, RJ advisors must be available sharing and creating curriculum to help teachers imbue their classrooms and pedagogy with the school-wide values of restoration

and justice. RJ advisors must go far beyond just addressing incidences as they come up. They should reserve time to teach youth the details of restorative practices and how to facilitate those practices and values themselves:

We were first beginning with community building circles and having them [students] do that in small groups, so my two scholars that graduated, they were able to do small group community building circles with the hope to be able to have them go into advisory and co-facilitate community building circles with the advisor or whoever is the elder teacher in the space (Teacher 1 2021).

Advisory periods, breakfast/pre-school, lunch period, and after school time should be considered for this sort of community building, training and capacity-building with students. If at any point in time during the day something is to occur with a young person on campus, whether it be in the classroom or out on the yard, the restorative justice advisor should act as one of the first interventions depending on the type of incident. For example, if the incident involves physical harm between two or more individuals, or the potential for physical harm, the campus climate coach should intervene first, followed by medical professionals if necessary and the restorative justice advisor. In many other cases, the advisor may be the first point of contact and serve as a liaison between relevant parties, even if no traditional method of restoration is needed:

A lot of the times I would support teachers in their classroom whenever some kind of harm had occurred, so that might look like a scholar may have said something off color that was harmful to the teacher, another peer. Sometimes it could be, maybe a teacher being like 'I'm concerned about this kid, they shared something in an assignment'... but my practice is to support beyond that, so coming in with the initial support for whatever reason that might be and then also making sure I'm following up to ensure that the community is not harboring any toxicity or harm so that that can be restored to balance, not just one and done (Teacher 1 2021).

Advisors must work with school staff and administrators to create a system through which they can be available to students and staff at any point throughout the day. They must work closely with their school's climate coaches, medical staff, mental health professionals, social workers, paraprofessionals, and other relevant support staff to ensure that all parties involved in a

restorative process are receiving the appropriate wrap-around supports. Additionally, schools and the district must support advisors in community outreach initiatives to further strengthen the ties between community members, community-based organizations, service providers, and the school community:

The RJ room is very close to our Parents Center and I work very closely with our parents and our parents rep as well as our community liaison. I did professional development with our community partners for them to understand what is RJ and what are some practices, some restorative strategies that you can implement as a service provider for our kids and families when you need them (Teacher 1 2021).

Establish New Restorative Justice Administrator Position

As the findings above have shown, buy-in and extensive knowledge of restorative justice practices by administrators is a key component in a successful school-wide restorative community. Because “the adoption of a restorative justice approach to discipline oriented within individual school communities coupled with strong school leadership can reduce racial disproportionality in school discipline,” and the reality that existing school administrators should not be charged with bearing the full weight of additional RJ-related responsibilities, it is recommended that each Community of School in the district (small groups of about seven schools located within the same neighborhood or area) hire a new leadership position in charge of implementing and regulating restorative practices within those schools, in addition to a RJ Advisor at each school (Losen et. al 2014, 7; Barbosa 2021). While Local Districts in LAUSD each have restorative justice advisors who are meant to assist schools with RJ implementation, it is currently up to individual administrators to hold their teachers and staff accountable for properly using restorative practices in their classrooms or other work. Given that research suggests a “strong vision and commitment to restorative practices by school leadership is essential for building restorative practices school-wise,” there must be more investment in

ensuring that there is a system in place which works to ensure the presence of administrators who are experienced in and dedicated to restorative justice (Webber et. al. 2020, 13). With the importance of school leadership commitment to RJ in mind, the district should create a new position of Restorative Justice Administrator that functions similarly to how other subject-specific administrators (administrators who are charged with overseeing the Community's success in English language arts or math for example) are already functioning at Communities of Schools (Barbosa 2021). As administrators, they would be charged solely with ensuring the proper implementation and use of restorative practices on their Community's campuses, including holding other LAUSD employees accountable for fulfilling their job duties regarding RJ (Barbosa 2021). As restorative justice leadership, they must remain up to date on evidence-based, best practices around the use of restorative justice and RJ-related professional development opportunities (Mora 2021). This position would collaborate with Dean of Students, Principals and Assistant Principals, mental health workers, school counselors, and other support staff in their Community of Schools in order to foster a continuum of restorative values across the various other forms of student support systems that are utilized by the district (Zimmer 2021). These RJ Administrators should also be charged with communicating with parents & families and ensuring that the Community of Schools' RJ practices are responsive to the desires of the community in regards to RJ at school. The position would work with other RJ Administrators in the district, as well as community based organizations, to proactively identify tensions both within the schools they serve and between their community & other communities across LA and would help coordinate restorative dialogues or circles between their community and other communities/parts of LA when needed (see more about this below). RJ Administrators would support other administrators like Principals when it comes to fostering a restorative

climate among staff—helping to synthesize restorative justice with other already established behavioral and socio-emotional support practices like PBIS, holding check-ins with teachers, facilitating circles with teachers and staff, and making sure that restorative practices are held consistent among school employees and other administrators. Ultimately, this position would be in charge of all things RJ at their Community of Schools, relieving pressure off already overworked school administrators, and would provide an additional accountability mechanism which manages both oversight of staff and complaints/concerns by parents & families. As an additional position, these administrators would not replace already existing staff members in the district.

While this position would be considered to be a higher-level administrative position and is designed in part to serve as an accountability mechanism, it is important to note that a strictly top-down, prescriptive approach to restorative practices is antithetical to true restorative values. Therefore, it is crucial that the district commit to recruiting people for this position who are very well-versed in the practices and values of restorative justice in order to ensure that an appropriate balance of RJ support, and holding staff accountable for the proper use of RJ, is achieved.

Recommendation 2: Allowing Schools the Autonomy to Partner with CBOs

Another key factor in the success of restorative justice in schools is the buy-in and involvement of community members, and the ability of students to engage in restorative practices with practitioners with whom they have shared lived experiences. Some LAUSD schools are privileged to have teachers and restorative justice advisors—of those schools that do have their own, in-house advisor—who were raised in the neighborhoods they now serve or otherwise have similar life experiences or cultural backgrounds as their students. Unfortunately,

this is not always the case, and even staff members who are from the community they serve are not guaranteed to a) have a good understanding of the circumstances students are facing now b) attend to the structural and systemic reasons behind student actions c) have students best interests in mind. One system-impacted young adult and community organizer stated that it is important to note that sometimes “even if they [school staff] are from the communities [that they serve], they treat their communities as problems and not people” (Pineda 2021).

Fortunately, there are dozens of community based organizations and groups that have been engaging youth who reside within LAUSD boundaries in restorative and transformational practices for decades. LAUSD should partner with community based organizations in order to help expand these CBOs’ existing restorative work with youth and connect their work to all school communities in order to provide a community based continuum of restorative practices and support:

The schools that have been the most successful at restorative justice and implementing restorative justice has really been the schools that have brought in external partners that are extremely well versed in restorative justice— they bring in partners... [these community partners] have been a tremendous asset in training school sites on really authentically doing restorative justice, and some of them have even been contracted by school sites to provide an actual restorative justice coordinator for the school site (Perez 2021).

As the findings above describe, students and families may be more responsive to practicing and mentoring conducted by well-respected members of the community than they would be to folks hired by the district—especially students of certain more “at-risk” demographics like system impacted or formerly incarcerated students. Like students, community leaders are also well positioned to have the important conversations about systemic oppressions and identity-based struggles that are necessary for true restorative justice, and could support students in identity-based dialogues. People who have a history of serving their community or being a leader

in their community may feel more connected to the best interests of students from their area, and vice versa.

LAUSD should allow schools the autonomy to enter into contracts with willing CBOs and other community entities in order to support trusted community leaders in their work as youth (and/or parent) advocates, mentors, and community interventionists/peacemakers. It is recommended that the model for increased autonomy of schools be based on LAUSD's Pilot Schools, which currently have more autonomy over their budget, campus policies, and hiring practices (Perez 2021). One example of Pilot Schools successfully partnering with CBOs to implement and practice restorative justice is Esteban Torres High School, which partners with the California Conference for Equality and Justice to administer additional restorative justice trainings on the multi-school campus and even facilitate restorative circles (Perez 2021).

External operators of LAUSD schools like the Partnership for LA Schools have also proved that increased autonomy and flexibility can allow for effective partnerships with CBOs, which has fostered a "more authentic implementation of restorative justice" at those school sites (Perez 2021). Perez and other LAUSD employees note that schools under the management of the Partnership like Roosevelt High School and Mendez High School, "restorative justice looks great, because those schools have more autonomy and flexibility" (Perez 2021; Teacher 1 2021). These organizations and individuals should work with RJ Administrators, student practitioners, RJ advisors and other support staff to serve as parent liaisons and representatives, student allies, and help facilitate certain RJ circles when needed. Given that every school and community is different, there must be flexibility in how this partnership would look based on the needs of the area's students and parents.

As parent/community liaisons, members of CBOs and community leaders should assist in parent engagement and education around RJ to help students continue restorative communication at home: a principal engaged in restorative practices in Baltimore noted in a study of the program that “it is hard to build relationships with parents, but restorative practices can help. Furthermore, once restorative practices become a school’s culture, students bring the practices home” (Webber et. al. 2020, 24). Community leaders could also coordinate with RJ Administrators to bring together students from different areas in Los Angeles and to mediate conflict as impartial participants especially in more serious incidents of harm, potential for serious harm, or gang-related tensions. See **Appendix D** for two examples of how community leaders or organizations would serve as district partners in specific instances, developed in collaboration with youth justice organizer Josue Pineda and former student RJ practitioner Taylor Elam (2021). See **Appendix D** for information on community-based organizations in the Los Angeles Unified School Districts who have pre-existing relationships with communities throughout Los Angeles and who are already engaged in restorative justice and conflict mediation work outside of schools, who may be candidates for the partnership with LAUSD described above.

These partnerships between the district and grassroots organizations could also provide a mechanism for career development of CBO restorative justice trainers and facilitators if desired. Offering certifications, assistance with higher education attainment, and other forms of career pathways could be a great way to support community members in their work as community leaders and restorative justice advocates, especially those who are formerly incarcerated themselves. Given the recent backlash against the potential hiring of former LASPD officers to serve as Climate Coaches and RJ Advisors through the district’s Black Student Achievement

Plan, partnering with local community based organizations to improve school climate could go a long way in regaining the trust of students and concerned community members.

Recommendation 3: Student-Led Restoration and Student Practitioners

In order to increase student buy-in of restorative justice and increase the capacity of each school to practice RJ on a wider scale, LAUSD should move away from a top-down approach and its reliance on district employees to facilitate restorative circles and other RJ practices (LAUSD Employee 2). In addition to restorative justice support staff and teachers who are trained in restorative practice, LAUSD should continue invest more in the development of student RJ practitioners in all or most district schools (LAUSD Employee 2). Student practitioners may be able to engage their peers who may not trust authority figures like a staff RJ facilitator (Elam 2021). In one LAUSD school which supports its students in becoming RJ leadership, the program began as a teacher driven model, and there was no buy-in— “they were just doing the motions.” Once student leaders were brought in, the program⁶ improved, “as long as it’s student-centered” (LAUSD Employee 2). In this school, students did not lead circles or mediations right away. Teachers (trained by the district and their schools RJ Advisor) begin by modeling these restorative practices, and slowly transition so that there is then a student leader and the teacher facilitating circles together, and “then students themselves will begin asking if they can lead circles themselves” (LAUSD Employee 2). LAUSD student practitioners would also assist staff restorative justice advisors in training teachers and other staff in order to foster trust around restorative practices on campus: if other students know that their well-respected

⁶ It is important to note that, within three years of implementing this student-centered model, this school (which serves specifically at-risk youth, youth re-entering after incarceration and students on probation, and students who have been expelled or transferred from other district schools) **has experienced zero fights on campus.**

peers have a hand in training teachers and other authority figures they may be more trusting of the school's restorative process (Elam 2021; Barbosa 2021). The use of student practitioners providing RJ expertise and advising to teachers can also significantly benefit the practice itself by infusing students' lived experiences and specific needs into the training, ensuring that the training curriculum is not a "one size fits all" and is individualized to the students and communities each school serves.

This model may work best among high schoolers but could also include middle schoolers and even students at an elementary level, with adjusted levels of staff involvement depending on the participants' age (Elam 2021). Schools should ask teachers, staff, administrators, and students to nominate students for these positions. These nominations may be a combination of identifying students who have displayed behavioral problems or who would benefit from the curriculum, along with students who are more successful academically and/or socially (Molina 2015; Elam 2021). One LAUSD employee noted that schools should try to recruit the students who are struggling or who are most vulnerable to getting pushed out of school into the school-to-prison-to-deportation pipeline to be practitioners: "the people that you need to lead restorative justice are the people that are that are actually in the trenches with an understanding of where these kids are coming from" (LAUSD Employee 2021).

Students often have a better understanding of the hardships their peers may be experiencing, may have shared lived experiences with their peers, and have knowledge of the overall landscape of their community outside of school walls than teachers or staff. Because of this knowledge, student practitioners will be trained by their school's RJ Advisor to be advocates for their peers, especially when mediation between students and LAUSD employees is needed but also peer-to-peer (Elam 2021). They are also well positioned to have the important

conversations about systemic oppressions and identity-based struggles that are foundational to true restorative justice values, and could foster circles or support groups for specific identities (González 2021; Elam 2021). Student practitioners can provide a crucial link between other students, LAUSD employees, and parents & families, and can help to ensure the longevity of restorative practices on campus by passing institutional knowledge of RJ practices down to their younger peers (Teacher 1 2021; LAUSD Employee 2). These student practitioners can take significant burden off of RJ advisors to facilitate circles and mediate student-to-student conflict, allowing campus RJ Advisors to focus more on addressing the whole-school climate through teacher/staff training, mentoring, collaborating with community leaders, and parent engagement, among other duties. Examples of the student-led restorative practice model can be seen in certain LAUSD schools already (Teacher 1 2021; LAUSD Employee 2). Other successful models include the Oakland Unified School District, some Milwaukee Public Schools (MPS), and a successful pilot program in Ann Arbor Public Schools (AAPS), (Yusem et. al 2020; González et. al 2018; Slagter 2016). In these districts, student-led RJ programs have utilized a combination of a designated class period that student practitioners can sign up for, passing period time, time before and after school, and lunch period to hold circles, provide training or advice to teachers, and mentor/check-in with other students (Elam 2021; Vo 2016; Molina 2015). Restorative justice advisors and administration, as well as school counselors, should assist student practitioners in figuring out the best ways to engage their peers in the RJ process without having them miss valuable classroom instruction. A student practitioner in AAPS noted that “since [a school counselor involved in the RJ pilot program] had been scheduling [student class schedules] for so many years, she knew the science behind ‘how can I take this student out of this class’” without negatively impacting their academic growth (Elam 2021). By framing these practitioner positions

as a voluntary opportunity to serve the school community with little incentive beyond free intensive facilitation training and a chance to make a positive impact on their peers, students say practitioners are more likely to be genuinely caring and passionate about restorative justice (rather than participating for money or accolades) (Elam 2021). LAUSD employees reported that the use of student RJ practitioners also improved outcomes for the individual practitioners, saying that if [RJ at schools] is done properly, you would have students running these community circles which can give them an array of skills like leadership, growth mindset, empathy (2021).

Implementing the use of student restorative justice practitioners is recommended as a way to address some of the concerns presented in the findings section of this study. An examination of a charter school in MPS which trained students in restorative justice facilitation found that student's leadership position in the facilitation of RJ "supported an increasingly cohesive continuum of practices at the primary, secondary, and tertiary tiers,"⁷ kept the practice grounded in community and local culture, fostered more trust between school and families, and provided an additional mechanism to hold teachers and administration accountable for the successful implementation of RJ at the school (González et. al 2018, 6).

Recommendation 4: Restorative Practices in LAUSD's Early Childhood Education Centers

A large part of restorative justice at schools must be proactive: establishing expectations, values, and healthy methods of communications from an early age to prevent incidents of harm and to set a foundation for Tier 3 incident-based RJ interventions if necessary. Studies, as well as research conducted for this project, find that some students who engaged in restorative practices only high school felt that they were too old or too "set in their ways" to fully benefit from RJ and

⁷ See **Appendix G** for a description of these tiers.

recommended that RJ in schools start at a much younger age (Gregory & Evans 2020; Webber et. al. 2020; Elam 2021; Zimmer 2021). This precedent for equity-based restorative values and communication should start as early as possible and as such, LAUSD should require all early childhood education center (ECEC) teachers, administrators, and support staff to attend bi-monthly trainings on restorative practices with a focus on Tier 1 community-building and social-emotional health. The district should also require that the tenets of restorative justice be added/integrated into ECEC curriculum, and could utilize an adaptation of the early childhood education restorative justice model used by the Burlington School District (BSD). In this district, preschoolers begin participating in short 5 minute circles early in the school year, and working up to 10 minute circles by the end of the year, with their teachers facilitating up to two or three short circles in a day, once or twice a week (Bedinger 2020). These early childhood restorative circles should be designed to foster relationship and community building, build self-regulation skills, and help students become comfortable communicating their feelings and needs in healthy ways (Bedinger 2020). Basic restorative conflict resolution skills can also be slowly introduced and practiced as children become more familiar with their peers and the modes of communication that are exemplified in restorative circles.

A Note About Funding

According to a job posting from LAUSD for the position of Local District Northeast Restorative Justice Advisor, the salaries of such positions are roughly \$77,000 to \$96,000 per year. However, some schools may not need additional funding to pay their RJ facilitators' salaries. For example, Carpenter Community Charter school, an elementary school serving predominantly white students in Studio City where the average income is over \$75,000 and roughly 50 percent of residents 25 and older have a four-year higher education degree, pays the

salaries of its three restorative justice coordinators with funds generated by the area’s wealthy parents through donations and fundraisers (NCES, LA Times). Despite the fact that the district does not pay for these positions, nor does it pay for other enrichment programs like arts and music that are also paid for by “Parents for Carpenter,” the 500th highest-need elementary school in LAUSD actually received more supplemental and concentration equity funding per “targeted student population” (TSP) student than each of the 75 highest-need elementary schools in the district (Partnership 2021). Closing funding loopholes and correcting budgetary inefficiencies would go a long way in generating funding for restorative justice positions. It is recommended that LA Unified remove the “hold harmless” stipulations that cause the funding discrepancies such as explained above, and reinvest funds into expanding the Black Student Achievement Plan and creating a more equitable Student Equity Need Index (SENI)⁸ funding formula (Partnership 2021). It is also recommended that State Local Control Funding Formula (LCFF) funds be examined and apportioned more intentionally by the district, as not all of the money generated by students by LCFF is actually sent to their schools: In 2019-20, East LA’s Roosevelt High School⁹ generated over \$17 million of State LCFF funds for LAUSD, but only receives \$15.7 million of those funds (Partnership 2021).

Studies have shown that higher-need schools are often designated a smaller percentage of the funds their students generate than many of their more affluent counterparts. Highest need schools received only 72% of the dollars their students generated, while many lesser-need schools received, in many cases, over 85% of the funds their students generated (Partnership 2021). Due to discrepancies like this, and policies like hold harmless, schools are not receiving

⁸ The Student Equity Need Index (SENI) was adopted in 2018 and is a research-based index “that uses a comprehensive approach to rank LA Unified’s schools according to need” (Partnership 2021, 4).

⁹ The restorative justice teacher position at Roosevelt High School is funded primarily by an outside grant, not by the District— at least for now (Teacher 1).

the funding that is technically available to them. LAUSD must re-examine its budget and funding formulas with a racial-equity lens to find areas where inefficiencies can be removed and more money can be designated for restorative justice teachers and restorative justice professional development. Additionally, the district should consider making use of some of the billions of dollars being provided to it by the Biden administration this summer to fund the recommendations set out in the pages above, as well as work with the Youth Justice Work Group (YJWG) of Los Angeles County to make good use of the available funds¹⁰ designated by their plan for restorative justice and youth development (YJWG 2020).

Conclusion

This study joins a growing canon of research and scholarship regarding the use of restorative justice in K-12 schools by examining LA Unified School District's use of RJ and attempting to answer the question of how the district can improve its restorative practices. There have been similar evaluations conducted of other districts across the country (see Losen et. al. 2014; González 2015; the Denver School-Based Restorative Practices Partnership report 2017; CADRE 2017; and Fronius et. al. 2019, among others). This project is the most recent qualitative investigation of this district's RJ policy. While this study provides a snapshot of how restorative justice is implemented in LAUSD, as well as certain community members' and district employees' opinions on the LA Unified's restorative practices, there is much work left to be done to improve the experience of youth at school. In order to fully see the positive impacts of restorative practices to fruition, LAUSD itself must invest in a thorough examination of its discipline and restorative policies and more specifically, work to identify how the district can

¹⁰ These funds come in the form of "Juvenile Justice Realignment Block Grants" apportioned to the Los Angeles County by *Senate Bill 823* as part of California's closure of the state's Division of Juvenile Justice.

close the gap between written policy and actual practice in its schools. Such research would best be achieved through a partnership with an external, impartial research organization, and must be paired with a strong commitment to actually act on the findings of the study. Looking forward, the district should also leverage its relationships with local education and teacher training masters programs (like those at UCLA, USC, and Loyola Marymount) to encourage the institutions that are charged with educating teachers of the future to provide a comprehensive emphasis on restorative practices in schools in order to more proactively prepare educators for whole school implementation of restorative justice who may go on to serve the district. It is in the district's best interest to support the formation of a workforce of restorative justice practitioners and teachers. Similarly, the district should look into the possibility of encouraging the educational support programs that it partners with like AmeriCorps, GEARUP 4LA, CityYear, and Teach for America, to incorporate additional instruction on restorative practices into their training curriculum. These kinds of special programs often have additional funding outside of LAUSD's usual expenses and must incorporate restorative justice into all of their trainings to further ensure a continuum of restorative values among all support staff who come in contact with Los Angeles students. Additional research should include examining how these sorts of district-adjacent or special district programs can play a role in fostering whole school RJ implementation, as well as how restorative justice should best be continued during the district's summer break.

Restorative justice cannot be the solution to all of the problems that plague our education system and communities at large. It can however, be more than what LAUSD is currently achieving. This report posits restorative justice to be a viable alternative to exclusionary discipline, and a strong barrier between students and the school-to-prison-to-deportation pipeline.

Beyond discipline, restorative justice also is a unique and promising approach to improving the mental health and school experience of students, teachers, and others who are engaged with the Los Angeles Unified School District. While the restorative justice stipulation in the 2013 School Climate Bill of Rights was written with great intentions, the implementation and practice of RJ in LAUSD has been largely up to individual school administrators which has led to disparate impacts on students and a lack of the necessary cohesivity of restorative values between schools. Those administrators who have embraced restorative justice and leaned into the community-based restorative practices have seen great successes with their restorative justice programs, while other less enthusiastic school leaders may see less of an impact. With the School Board's recent decision to pull police out of schools, the collective trauma of the last 13 months, and LAUSD Superintendent Beutner working to reopen campuses as soon as possible, the District must act quickly to ensure that its disciplinary and behavioral policies like the 2013 School Climate Bill of Rights are being properly implemented so that students and staff feel safe and welcome on campus.

Appendix A: Restorative Justice Practices

Restorative justice can take many forms, especially in the context of schools. It is important to note that restorative practices are not a new method of community building and conflict resolution—iterations of restorative justice practices have been and are used by the indigenous peoples of New Zealand and West Africa, as well as by First Nation Peoples in North America (Webber et. al 2020). Restorative practices are meant to influence participants to shift their mindset from one that is punitive and blaming to one that is more reflective and inclusive (Webber et. al 2020). This appendix describes three main elements of restorative justice (proactive, reactive, and informal/affective statements), then goes on to explain specific types of practices which may occur both proactively or reactively.

Proactive Circles

Restorative practices improve the climate of a school community and lead to improved student outcomes. The most commonly known restorative practice is restorative circles. In proactive restorative circles, participants sit in a circle with a trained facilitator and discuss a topic of interest by using an open-ended question prompt. Facilitators may use a “talking piece” and the person who holds the talking piece has the floor. Discussions and analyses of readings, current events, or other relevant content can also occur within this kind of circle. Proactive circles help students develop critical thinking and analytical skills, as well as provide them a space to address systemic harms (Webber et. al 2020). They also help teachers get to know their students and understand them in a more personal way, creating a sense of community that improves the teaching and learning experience and allowing staff to address the needs of individual students more effectively (LAUSD Employee 2). In order to implement whole-school restorative practices and prevent misbehavior on campus, schools should hold proactive circles among all students and adults regularly (Webber et. al 2020).

Reactive Circles

Restorative circles are also used to resolve conflicts that arise in school. Reactive circles are meant to repair relationships and help participants think about the impact they have on others, and can be used to address many different kind of conflicts (Webber et. al 2020). They provide a safe space for students, school staff, and families to discuss ways conflicts might be handled differently in the future. In this process participants also sit in a circle. Each person is given the opportunity to explain their actions and discuss the impact that the conflict had on them. Reactive circles can also be used where one party is the clearly the wrongdoer, during which the harmed party and the wrongdoer are both given opportunities to speak (Webber et. al 2020). The wrongdoer hears firsthand the harm that others have suffered due to their actions. By the end of the circle, a plan of action for accountability and healing is usually agreed upon by all participants (Webber et. al 2020).

Restorative circles with a clear offender and victim are sometimes called victim-offender mediation (VOM), victim-offender conferencing (VOC) or victim offender dialogue (VOD) (Wilson, Olaghere, & Kimbrell 2017). VOM is defined as “a process through which willing participants have the opportunity to meet face-to-face in a structured and safe setting with the assistance of a third-party mediator”, with the goal of holding the offender directly accountable

for their actions while providing both the victim and the offender with the opportunity to have their voice heard (Wilson, Olaghere, & Kimbrell 2017, 23).

Other examples of similar restorative justice practices include group conferencing (like family group conferencing, community group conferencing) and circles (peace circles, sentencing circles, etc.). Group conferencing involves the victim and the offender, as well as family or support people for the involved parties, a facilitator, and when appropriate, other participants from the community (Wilson, Olaghere, & Kimbrell 2017.). Group conferencing places a strong emphasis on family involvement and participation. Circles, like group conferences, may involve a similar list of participants (victim, offender, support people, etc.), but may also involve a larger number of community representatives (Wilson, Olaghere, & Kimbrell 2017.). In family group conferencing, the family or community of individuals affected by a crime or misbehavior are brought together to discuss the harm caused and work together to resolve and repair the harm. This usually includes an offender and victim as well as their support system, like family and friends (Wilson, Olaghere, & Kimbrell 2017). In a conference led by a trained facilitator, all parties involved in the conference discuss the crime and the impact it had on them (Wilson, Olaghere, & Kimbrell 2017.)

Other restorative justice programs include reparative boards and other community-based programs. Community reparative boards, also known as community accountability boards, community panels, victim impact panels, neighborhood boards, and youth panels are typically made up of a small group of citizen volunteers who conduct face-to-face meetings with an offender who may be ordered by the court to participate in the program (Wilson, Olaghere, & Kimbrell 2017.). The boards develop an agreement of imposed sanctions the offender must meet to make reparations for their crime (Wilson, Olaghere, & Kimbrell 2017.)

Informal Restorative Practices and Affective Statements

There are many ways to infuse restorative practices regularly and informally throughout the school day. Affective statements and questions are powerful tools for building restorative classrooms and schools. Minor classroom disruptions, students disengaging from lessons or arguing with one another, and even students talking back to the teacher will not usually require the use of a circle for resolution. In these instances, educators can use affective statements to address the behavior. Affective statements are “expressions related to feelings and emotions that can be used for specific positive and negative feedback.” (Maryland Commission 2018, 46). They provide a communication technique to reinforce positive behavior and redirect negative behavior in the moment that the undesirable behavior occurs. Affective statements often take the form of an “I-statement,” where teachers, students, or other school staff would share how the behavior in question affects them, an explanation of why, and a call to action (Webber et. al 2020).

Appendix B: Common Methods of Exclusionary School Discipline

<i>In school suspension (ISS)</i>	Students are removed from the classroom and typically held in a room without instruction or conversation. Many schools forbid students from doing school work during ISS as well, denying the opportunity for students to make up for the class time they miss or participate in their education.
<i>Out of school suspension (OSS)</i>	Students are removed from the classroom and forbidden from returning to campus until a certain date. Appearance on school grounds during OSS may lead to referral to law enforcement, arrest, or prosecution.
<i>Diversion referral</i>	After a student commits certain legal infractions, often more minor, the student may be referred to the Los Angeles School Police Department (LASPD). They may offer a diversion referral as an alternative to arrest, in which case a Student Action Plan is created with recommendations on improving the students behavior and the student may be able to avoid entering the school-to-prison-to-deportation pipeline.
<i>Expulsion</i>	Students are forbidden from attending school and forcibly unenrolled. They may be able to go to another school in their district, be forced to switch school districts, attend private school, or they may simply drop out and not return to any school. This may also occur in the form of a “suggested unenrollment” where students are pressured to drop out in order to avoid having an expulsion added to their record.
<i>Arrest referral/arrest</i>	After being suspected or accused of committing a legal infraction, students may be referred to the LASPD (usually by school staff, in-house resource officers, or school administrators) where they are taken into custody and legal proceedings may begin.

Appendix C: Interview Participants

<i>Name</i>	<i>Title</i>	<i>Employer</i>	<i>Relevant Experience</i>
Steve Zimmer	Senior Advisor on Education Policy	Office of Mayor Eric Garcetti	<ul style="list-style-type: none"> • Education policy expert • Co-authored the 2013 School Climate Bill of Rights • Former LAUSD School Board member (District 4) • Former President of the LA Board of Education. • Former LAUSD teacher • Former LAUSD counselor
Tanya Ortiz Franklin, J.D.	LAUSD School Board Member, District 4 (South LA, Watts, Gardena, Torrance, Carson, Harbor City, Lomita, Wilmington and San Pedro)	Los Angeles Unified School District	<ul style="list-style-type: none"> • Former Teacher Development Specialist, Director of School Culture and Restorative Communities, and Senior Director of the Partnership for Los Angeles Schools. • Legal Intern with Public Counsel during the organization's heavy involvement in the adoption of the 2013 School Climate Bill of Rights. • Former LAUSD teacher • Former LAUSD student
Gabriella Barbosa, J.D.	Policy Director	The Children's Partnership	<ul style="list-style-type: none"> • Former Policy Director for the LA School Board District 5 • Former Director of Advocacy and Public Policy at the Alliance for a Better Community • Former Equal Justice Works Fellow at Public Counsel during the organization's involvement with the School Climate Bill of Rights. • Former LAUSD teacher • Former LAUSD student.
Thalia González, J.D.	<ul style="list-style-type: none"> • Associate Professor • Senior Scholar in the Center on Poverty and Inequality 	<ul style="list-style-type: none"> • Occidental College Politics Department • Georgetown University Law Center 	<ul style="list-style-type: none"> • Expert on restorative justice, school discipline, juvenile justice, conflict resolution and education policy • Advisory Committee member for the Restorative Justice Research Institute • Advisory Board member for the Restorative Justice Center at the University of San Diego.
Hilary Lustick, Ph.D	Assistant Professor of Research and Evaluation in Education	University of Massachusetts Lowell College of Education	<ul style="list-style-type: none"> • Expert in restorative practices, social emotional learning, and other preventative approaches to school discipline and climate.

			<ul style="list-style-type: none"> • Expert in restorative justice implementation in urban public schools • Former Assistant Professor of Educational Leadership and School Improvement, Texas State University • Former public school teacher and community organizer
Kent Mendoza	Manager of Policy and Community Organizing	Anti-Recidivism Coalition (ARC)	<ul style="list-style-type: none"> • Committee member for California’s State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJD) • Community Representative for the Los Angeles County Juvenile Justice Coordinating Council (JJCC) • Consultant for the Youth Justice Reimagined Planning Team and Youth Justice Work Group (LA County Board of Supervisors/W. Haywood Burns Institute) • Spokesperson for the Campaign for Youth Justice (CFYJ) • Former ARC Policy Coordinator, Community & Member Relations Coordinator, and Member Board advocate • Former LAUSD student • Former juvenile lifer under the Department of Juvenile Justice and Immigration & Customs Enforcement • Self-identified survivor of LAUSD’s school-to-prison-to-deportation pipeline
Josue (Swey) Pineda	Youth Justice and Street Scholar Organizer	Resilience OC	<ul style="list-style-type: none"> • Center on Juvenile and Criminal Justice Next Generation Fellow (NGF) • Former juvenile lifer • Self-identified survivor of the school-to-prison pipeline
Taylor Elam	B.A. graduate in psychology	Oakland University	<ul style="list-style-type: none"> • Former Training and Mediation Intern with the Dispute Resolution Center (DRC) • Former Restorative Justice Practitioner with Ann Arbor Public Schools (AAPS)
Myles McGuire	Community activist and artist		<ul style="list-style-type: none"> • Former Restorative Justice Practitioner with Ann Arbor Public Schools (AAPS)
Isa Gutierrez	B.A. student in Media, Arts, and Culture, and Economics	Occidental College	<ul style="list-style-type: none"> • Former LAUSD student

Isaac Vendig	B.S. graduate in Environmental Sciences	University of California Berkeley	<ul style="list-style-type: none"> • Former LAUSD student
Jack Berman	B.A. student in Mechanical Engineering	California State Polytechnic University Pomona	<ul style="list-style-type: none"> • Former LAUSD student
Teacher 1	Restorative Justice Teacher	Los Angeles Unified School District	<ul style="list-style-type: none"> • Restorative justice expert • Former LAUSD subject matter teacher, former LAUSD student, LAUSD parent
LAUSD Employee 1			
LAUSD Employee 2			
Community Activist 1			<ul style="list-style-type: none"> • Holds extensive knowledge of restorative practices, community-based education, and LAUSD's use of restorative justice

Appendix D: Scenarios of CBO/Community Leadership Participation in District Restorative Practices¹¹

Scenario 1: Two groups or gangs from different neighborhoods/schools are engaged in conflict and someone (whether it's a student, teacher, support staff, RJ advisor or admin, or community leader) brings this tension to the attention of one of the schools in question. The RJ administrators from both schools meet with community leaders/CBOs who are familiar with each community or gang, as well as student practitioners from each school who are familiar with the climate or tension and any other relevant parties to discuss the best approach (Elam 2021). CBO facilitators work with all parties to facilitate a restorative dialogue between the two gangs at a neutral area—community leaders from both neighborhoods are present, as well as parents, student practitioners, and school RJ advisors or admin if needed (Pineda 2021). These community leaders/CBO facilitators, due to their knowledge of the gang from their area, their position of being well-respected in the community and/or having shared lived experiences, and their expertise in RJ & peacemaking can foster open and honest dialogue between groups in order to prevent any harmful incidents from occurring both in school & outside of school (Pineda 2021).

Scenario 2: There is a grievance between a teacher and a parent. In place of a disruptive person letter, the parent is invited to a restorative justice conference or process (Barbosa 2021). The conference is scheduled for a time that works best for the parent, and transportation support is provided if needed. In attendance are 1. The parent 2. The teacher 3. A leader from a CBO or community that serves as a parent advocate/support to the parent (Elam 2021) 4. A school RJ Advisor or RJ Administrator 5. An impartial teacher who is also trained in RJ to serve as a teacher advocate, if the teacher in question so desires (Elam 2021). The RJ facilitator allows both sides to be heard, with support from the parent & impartial teacher advocates. The restorative process unfolds with all parties being equally represented and supported (Elam 2021).

¹¹ Developed in collaboration with youth justice organizer Josue Pineda and former student RJ practitioner Taylor Elam.

Appendix E: Note on Potential CBO Partners

The Los Angeles Intervention Coalition is comprised of 14 peacemaking and violence prevention community-based organizations or groups (a 15th organization does work outside of the district) working across LA County to “create peace and reduce violence.” Many of these groups even have a focus on mediating youth conflict or already provide mentoring and youth support services to youth in LA County. One or two even partner with schools already. This study found that there are Los Angeles Intervention Coalition organizations based in every Local District in LAUSD. These organizations might be a good place to start when reaching out to communities for leadership partners. Organizations like Brothers Sons Selves (BSS), Youth Justice Coalition (YJC), LA Youth Uprising, South Central Youth Empowered Thru Action (SCYEA), the Anti-Recidivism Coalition and many others across LA County also engage in justice-oriented work with youth including mentorship and restorative practices and could potentially provide their expertise and support to the district (if they are willing), and if sufficiently compensated by LAUSD (Mendoza 2021; Perez 2021; Pineda 2021).

As mentioned in the recommendations above, some schools already partner with external organizations to train their school staff or even facilitate restorative justice practices (Perez 2021). Community-based organizations like the California Conference for Equity and Justice (CCEJ) have engaged in partnerships with LA public schools to successfully implement restorative practices in a way that is responsive to the community being served (Perez 2021). One such example is a partnership between the Esteban E. Torres high school complex and CCEJ (Perez 2021). Given this study’s findings that more community-based partnerships and higher quality training is needed to ensure the success of RJ at LAUSD, the district should continue to invest in these types of partnerships.

Appendix F: 2013 School Climate Bill of Rights (bill text)

There are eight major rights outlined in the 2013 School Climate Bill of Rights, as listed below (Garcia 2013, 3-6).

1. *Alternative to School Suspension*: Unless suspension is required under category 1 (also known as Ed. Code §48915(c)), no student shall be suspended until a school demonstrates that it has exhausted all alternatives to suspension, as outlined in the Discipline Matrix. All students shall have the right to in and out of school alternatives to suspensions.
2. *Disruption/Willful Defiance*: Beginning Fall 2013, no student shall be suspended or expelled for a “willful defiance” (48900(k) offense).
3. *Restorative Justice*: By 2020, as an alternative to traditional school discipline, all schools shall develop and implement restorative justice defined as: Practices that resolve school disciplinary incidents by having (personnel trained in restorative approaches) and all parties involved come together, identify the harm that was caused, and determine who was responsible. The group, generally through a circle conferencing process, then develops a shared process for repairing harm and addressing root causes to prevent future harm. Restorative Justice will be used as an intervention consistent with the SWPBIS policy for all school disciplinary incidents unless a recommendation for expulsion is required as under California Education Code Section 48915. Beginning 2015 and every year thereafter, the district shall provide training to school sites identified by the Superintendent based on suspension data in restorative justice as defined above within 60 days of:
 - a. Finding that any school has more than 15% of a particular subgroup or 10% of overall students, suspended, or 10% of a particular subgroup or 10% of overall students, arrested or given citations, from the prior school year. Such finding shall be made each October based on data collected from the prior year.
 - b. Such training shall ensure that any student who requests this as an alternative to be utilized in the school shall have the right to have restorative justice utilized to address the harm to the school community and reintegrate the student. .
4. *Data*: Every student and parent shall have a right to obtain the following aggregate data on discipline in the District on a monthly basis using website publishing by service area centers:
 - a. In and Out-of-school suspension, involuntary transfer, opportunity transfer, expulsion, citation, police complaints, arrests and schoolbased arrest data for the school-site or the District for three months to a year preceding the request and the number of instructional days and amount of Average Daily Attendance funding lost to suspension, transfer, expulsion and arrest.
 - b. Such data shall be disaggregated by all subgroups, including race, ethnicity, ELL status, disability and gender (include legal definition of gender), by socio-economic status and by offense, but shall be provided in a way to maintain the privacy of individual students.
5. *School Wide Positive Behavior Intervention and Support*:
 - a. All students shall have the right to School-Wide Positive Behavior Interventions and Supports (SWPBIS) that reduce suspensions, increase attendance, improve test scores and has buy in and support from all school personnel.

- b. All students and parents have the right to file formal complaints if SWPBIS is not implemented in 60 days of student's request on campus. A finding of the failure to fully implement shall be redressed through an on-site process involving parents and students to develop a school-site implementation plan and the training and other tools necessary to resolve the failure to fully implement within 130 days. The failure to fully implement can be identified by the failure to among other things:
 - a. Include parents in the implementation efforts and provide training to parents on SWPBIS
 - b. To set publicly measurable outcomes and benchmarks for decreasing the number of students for each race and ethnic subgroup that are referred to the office, suspended, involuntarily transferred, or expelled from school;
 - c. To have a school-based team, which includes a parent, to guide the implementation efforts;
 - d. Have a clear set of positive behavior rewards and a positive behavior system that is evident and used by all staff and known to all students;
 - e. Have objective and simple behavior expectations that are defined and taught;
 - f. Have a three tiered intervention system with clear interventions available at each level and a system for identifying student in need and objectively and consistently providing such interventions;
 - g. Regularly collect and analyze discipline data and share it with the school community to inform their disciplinary practices and procedures.
6. *Defining role of police on campus and limiting involvement in non-threatening school discipline actions:* The District recognizes the serious potential consequences for youth of law enforcement and juvenile court involvement and wishes to prevent unnecessary criminalization of student behaviors at school. Students have the right to safe school environments that minimize the involvement of law enforcement, probation and the juvenile and criminal justice system, to the greatest extent possible.
- a. The District shall review and evaluate all current school police policies, practices and training relating to the equitable treatment of students. The District shall furthermore review the data on the use of school-based citations and arrests and identify and remedy frequent use at individual school sites.
 - b. The District is committed to a non-criminal enforcement model that supports strategic problem-solving models rather than citation and arrest driven enforcement.
 - c. The majority of student conduct shall be handled administratively utilizing school-based interventions that are intended to maximize student engagement in the classroom and school setting.
 - d. To the greatest extent possible, and in lieu of the use of citations and arrests, schools shall implement school-wide positive behavior interventions and supports and restorative justice programs that improve school safety and academic performance.
 - e. Clear guidelines regarding the roles and responsibilities of campus police officers on campus shall be established and shall contain criteria to properly distinguish administrative responses to student conduct pursuant to school district policies and state law, from criminal responses.
 - f. District policy regarding school police shall be updated and each year school safety plans shall be reviewed consistent with district policy to include clear guidelines regarding the roles and responsibilities of campus police officers and

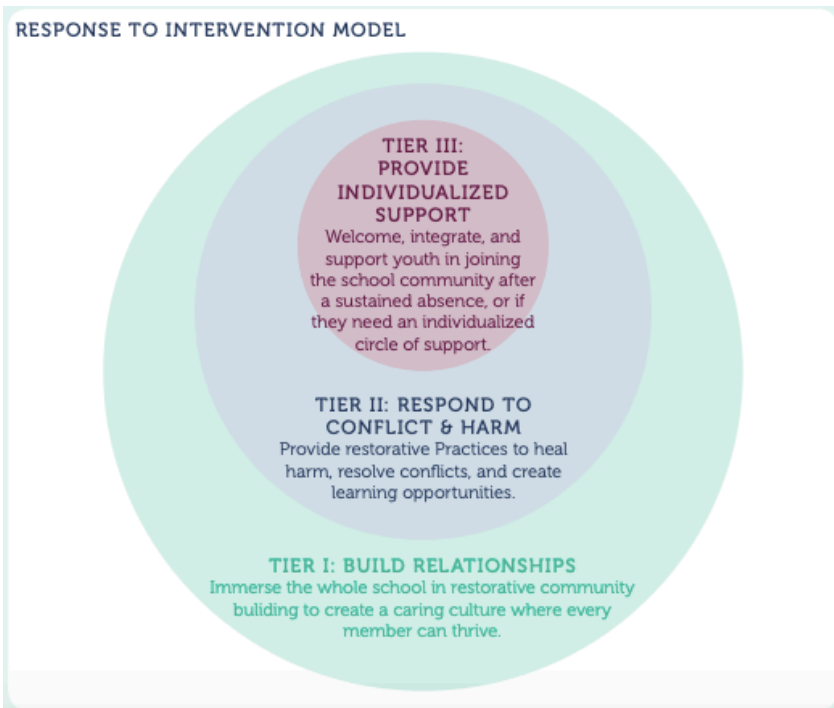
contain criteria to properly distinguish administrative responses to student conduct pursuant to school district policies and state law, from criminal responses.

7. *Appeals to Suspensions and Grievance Process:*

- a. To ensure that students and parents understand and have notice of their existing right pursuant to suspension policy (BUL-3819, pg. 14) and state and federal law, to appeal their suspensions, when suspension notifications are issued to parents/guardians, this notification will include clear information on the steps and timeline to initiate a suspension appeal.
8. *Healthy, Holistic School Environments:* All students have the right to holistic, healthy school environments that support students in all aspects of their health and well-being. The Superintendent shall work with community, business, and philanthropic partners to ensure schools have access to full service community schools.

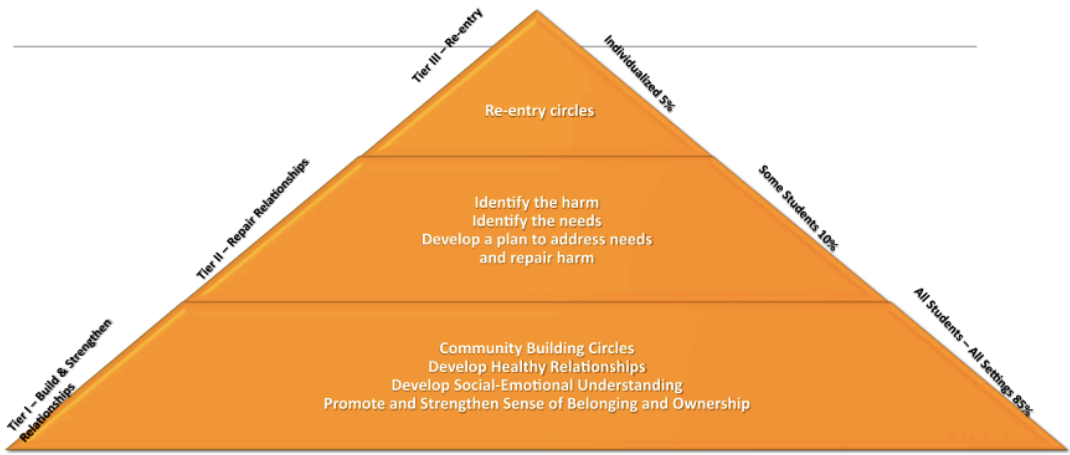
Appendix G: Multi-Tier Restorative Practices (Response to Intervention)

Multi-tier restorative practices are used to implement whole-school restorative justice values, as opposed to than single tier restorative justice which focuses solely on “reactionary” RJ practices used only for individual instances of harm (see Appendix A for more information on restorative practices). Tier 1 through 3 are described below. Some prefer to see this whole-school RTI/RJ model as concentric circles, while others view it as a triangle or pyramid tier.



12

Restorative Justice Whole-School Approach



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¹² Webber et. al 2020.
¹³ CADRE 2017.

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