

A RESTORATIVE  
APPROACH TO  
CAMPUS CONDUCT

Boston University  
Day 1

RK Resolution

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Rachel King, Ph.D.  
Restorative Justice  
Practitioner

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INTRODUCTIONS



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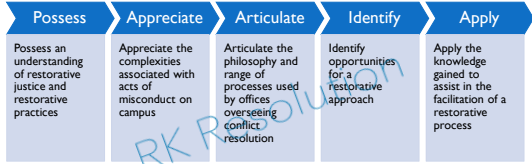
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## LEARNING OUTCOMES

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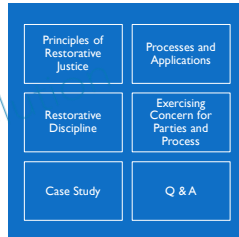
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## AGENDA



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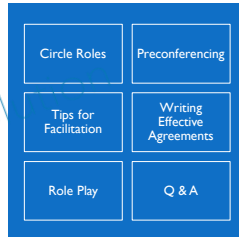
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## DAY 2



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RK Resolution  
TRAINING &  
EXPECTATIONS

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- Who did it?
- What law/policy was broken?
- How should they be punished?

Adapted from H. Zehr (2002)

## RETRIBUTIVE JUSTICE SYSTEM

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## RESTORATIVE WAY OF THINKING

- What is the harm?
- What needs to be done to repair the harm?
- Who is responsible for this repair?

Adapted from H. Zehr (2002)

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## LET'S TAKE AN EXAMPLE

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ROLES AND POWER

RK Resolution

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RESTORATIVE TRIANGLE

RESPONSIBLE PARTY

HARMED PARTY

COMMUNITY

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RK Resolution

- Variations in process and purpose
- Set of principles and values

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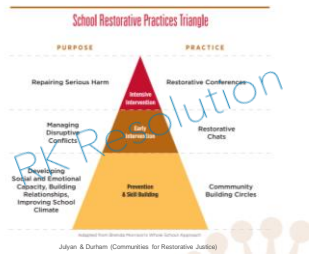
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5 R's  
OF  
RESTORATIVE  
PRACTICE

- Relationship
- Respect
- Responsibility
- Repair
- Reintegration

B. Title (2011)

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INTERCONNECTION



INDIGENOUS ROOTS

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THE  
IMPACT OF  
RESPONSE

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## A NOTE ON TERMINOLOGY

- Appreciate the connotations and distinctions
- Person-centered language
- Impact of labels

Complainant  
Victim  
Survivor

Affected  
Party /  
Person

Perpetrator  
Respondent  
Accused

Offender  
Person  
Responsible

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## DEFIANCE THEORY



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## REINTEGRATIVE SHAMING

## DISINTEGRATIVE SHAMING

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RESTORATIVE  
APPROACH

- Relational
- Addresses harms, needs and obligations
- Collaborative
- Equal concern for harmed and responsible parties

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RELATIONAL

- Relationships over rules
- Does not negate the importance of written community expectations
- Prioritizes the people behind those rules
- Reinforces the role of community

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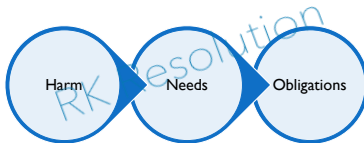
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UNPACKING:



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### A RESTORATIVE APPROACH

- Uses collaborative processes
- Engages stakeholders
- Gives voice
- Does not always mean bringing people together physically

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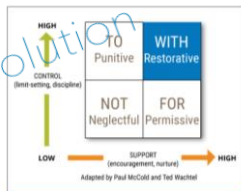
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### SOCIAL DISCIPLINE WINDOW

The fundamental unifying hypothesis of restorative practices is that "human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things with them, rather than to them or for them."

This hypothesis maintains that the punitive and authoritarian to mode and the permissive and paternalistic for mode are not as effective as the restorative, participatory, engaging with mode (Wachtel, 2005).



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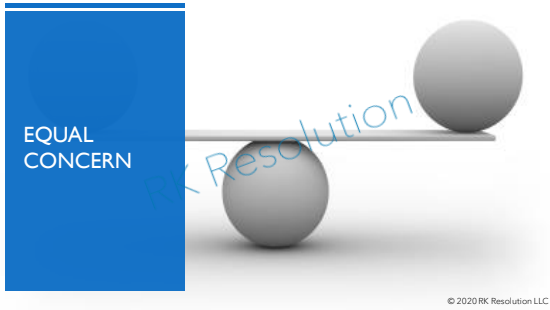
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## APPLYING A RESTORATIVE APPROACH



- Relational
- Addresses harms, needs, and obligations
- Collaborative
- Equal concern for harmed and responsible parties

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## EQUAL CONCERN ~ HARMED PARTIES

- Giving voice
- Identifying needs
  - Such as?
- Whose responsibility is it to meet those needs?



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## EQUAL CONCERN ~ RESPONSIBLE PARTIES

- Acceptance of responsibility
- Voicing the harm
- Addressing causes\*
- Reintegration



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# IMPLICATIONS

## RESPONDENTS & COMPLAINANTS

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# CONCERN FOR COMMUNITY

- How broadly do we define community?
- Who is impacted and how?
- What are the needs?
- Whose obligation is the repair?
- Fundamental role in reintegration



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# NOT A ONE-SIZE FITS ALL

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PUTTING  
PEOPLE FIRST  
DOES NOT  
MEAN  
INFRINGING ON  
THEIR RIGHTS

- Flexibility in process
- Mechanisms to be collaborative
- Confrontation vs. collaboration
- RJ in a virtual space

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OPPORTUNITIES FOR A RESTORATIVE LENS

- Intake processes
- Interviews/Investigations
- Sanctioning
- Facilitated dialogue

Not “just” embedding principles

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BACK TO  
OUR EXAMPLE

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IN GROUPS



Consider the restorative principles



What might be the:  
Harms?  
Needs?  
Obligations?



What information would you need to help you consider options?

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A NEW REPORT

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QUESTIONS

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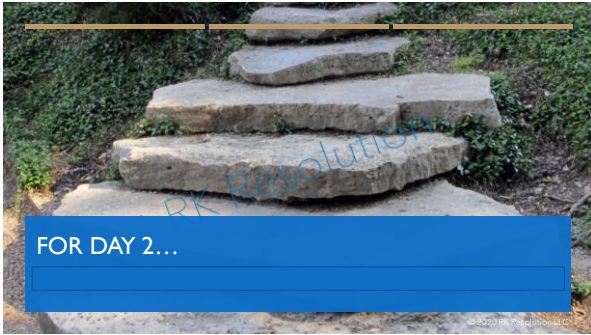
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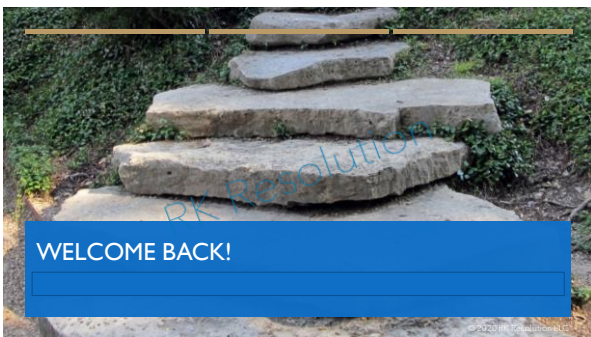
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# AGENDA

Circle Roles	Preconferencing
Tips for Facilitation	Writing Effective Agreements
Role Play	Q & A

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# THE FIGHT

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Taylor and Alyjah live in the same residence hall and have had an issue with each other that has been escalating throughout the semester. Taylor used to see someone who is now dating Alyjah and Alyjah has been posting messages on social media that don't name Taylor directly, but Taylor feels strongly are about them.

On Thursday night, both had been drinking when they passed each other in the hall. Alyjah gave Taylor a look and muttered something Taylor couldn't hear. Taylor asked what Alyjah said and Alyjah responded "nothing," smiling. Taylor then shoved Alyjah into the wall.

A fight unfolded in front of the Residence Hall Director's apartment, who came out to separate the two and ended up getting struck in the face by Taylor. The RD sustained minor injuries and had to get medical attention. When campus police arrived, both students were belligerent and ended up getting temporarily removed from the hall.

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**BEFORE  
A CIRCLE  
PROCESS**

Assessing  
Appropriateness

Harmed  
persons'  
willingness,  
availability

Responsible  
persons'  
willingness,  
availability

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**PRE-CONFERENCING**

- Establish rapport
- Prepare participants
- Explain the process and goals
- Identify needs
- Assessing for issues
- Ascertain assets

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- Physical safety
- Emotional and psychological safety
- Considerations re. police presence
- Physical location of circle
- Listening re. risk of harm
- Transparency

**SAFETY**

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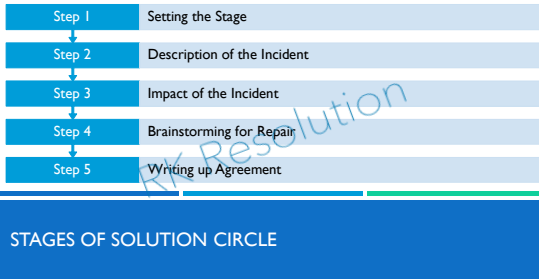
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ROLES

- Facilitator / Circle Keeper
- Co-facilitator
- Community Members
- Harmed Party
- Responsible Party
- Support Persons
- Other Involved Parties (law enforcement, responding staff member)

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## FACILITATOR ROLE

- A guide
- Keeper of restorative principles
- Sets welcoming tone
- Maintains a safe space
- Co-constructs and supports ground rules
- Manages airtime
- Utilizes active listening skills

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## CIRCLE STRATEGY

- Assigning seats
- Greeting and introductions
- Questioning
  - Person Responsible
  - Person Harmed
  - Administrator/Officer
  - Support Persons



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## ROLE PLAY I: THE FIGHT

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## TIPS FOR FACILITATION

Active Listening Strategies

Responsible Parties

Harmed Parties

Creating Effective Restorative Agreements

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## ENHANCING COMMUNICATION

Summarizing

Paraphrasing

Reframing

Separating

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- Getting the story
- Follow-up questions
- Strategies if not fully accepting responsibility
- Thank for contributions

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## RESPONSIBLE PARTIES IN CIRCLE

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## HARMED PARTIES IN CIRCLE

- Encourage *Verbal and non-verbals*
- Paraphrase and Summarize
- Statements to avoid
- Cognizant of victim blaming

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## FACILITATING EFFECTIVE AGREEMENTS

- Preface brainstorm
- Number of items
- Timeline for completion
- Items to avoid
- Items to include



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Specific  
Measurable  
Achievable  
Realistic  
Timely

FACILITATING  
EFFECTIVE  
AGREEMENTS

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ROLE PLAY 2:  
FINANCIAL ASSISTANCE

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A student raises their voice and swears in Office of Financial Assistance over being told by a staff member they didn't complete all the necessary financial aid paperwork. They throw a pen across the counter and walk out, slamming the door behind them.

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Joanne works in the Office of Financial Assistance and called over to campus police after a student, Naomi, had what Joanne called a violent outburst. Joanne described Naomi as unstable and said she needs to be banned from the office or preferably kicked out of school for the way that she behaved. Joanne said she does not feel safe returning to work until she knows Naomi has been banned and she also put in a request for a panic button. The rest of the staff heard what happened too, particularly the yelling and when the door slammed.

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## FACILITATOR INTEGRITY

Impartiality

Conflict of interest

Not promising outcomes

Cultural awareness

Upholding privacy

Recognizing when not appropriate facilitator

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## QUESTIONS

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RK Resolution



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