

<b>Procedure Title</b>	<b>Restorative Measures Conferences Protocol</b>		
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<b>References</b>			
Restorative Justice - A Manual for Teachers, School Administrators, Police, Court Personnel, Community Organizations and Concerned Citizens BP 6820-D and AP 6820-D "Safe Schools"; BP 6821-D and AP 6821-D "Anti-Bullying"; AP 6825-D "Progressive Discipline"			

**Procedure:**

**Rationale:**

This protocol has been developed by a committee comprised of a partnership between Bluewater District School Board, Bruce-Grey Catholic District School Board and The Family Y Owen Sound and District Youth Justice Circle Program.

The program uses "conferencing" to address a wide variety of harm done in school settings including: bullying, vandalism, truancy, threatening or other conduct inconsistent with the moral tone of the school. It focuses on the needs of the victims, the needs of the school community and ways in which these needs may be met in a healing and constructive manner.

This protocol will be reviewed on a three year cyclical basis.

**Procedure:**

**Please see attached "School-Based Restorative Measures Conferences Best Practice Protocol"**

**Bluewater District School Board**



**School-Based**

**Restorative Measures**  
**Conferences**

**Best Practice**

**Protocol**

**May 2005**

**A program of community partnerships:**  
Bluewater District School Board  
Bruce-Grey Catholic District School Board  
Owen Sound and Area Family Y: Youth Justice Circle Program

# BEST PRACTICE

## Protocol for School-Based Restorative Measures Conferences

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### Acknowledgement

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## ***Introduction***

Restorative Justice is a way of viewing justice that puts the emphasis on repairing harm caused by conflict and offense. In this approach, the term “offence” is understood as a violation of people and relationships and a disruption of the peace of the community.

Restorative justice is collaborative and inclusive. It usually involves the participation of victims, offenders and the community affected by the offence in finding solutions that seek to repair harm done and promote community harmony.

The core values underlying restorative justice are important in guiding restorative practice processes. They include, but are not limited to equality, respect, honesty, trust, dignity, humility, balance, cultural diversity and sensitivity, empowerment, building understanding, encouraging accountability and providing an opportunity for healing in a safe environment.

A restorative justice process for youth encourages the young person to take responsibility for his or her harmful behaviour in a meaningful way, to gain insight into the causes of that behaviour and its effect on others, to change that behaviour and to be accepted back into the community. When victims choose to participate, the process gives them a forum to ask questions, receive answers, gain understanding, explain the impact of the offense on them and contribute to the outcome of the process. The process may result in the victim receiving some sort of reparation such as an apology, restitution, and services in a safe environment. Participating in a restorative process can assist the victim in seeking closure.

A restorative justice process for youth is one in which the parties with a stake in a particular offence (usually the victim, the young person who offends, and other affected community members) are supported and voluntarily participate, with the assistance of an impartial person(s) trained in facilitating restorative practices, in a discussion of the circumstances surrounding an offence. The purpose is to understand the underlying causes of the offending behaviour and the effects on those who have been harmed, and to address the needs of the parties for reparation and healing.

A Restorative Practices Group Conferencing model takes a school offence and turns it into a “teachable moment”. The result is that youth are educated as to the impact their actions have had on others, they are held accountable for their actions in a meaningful and constructive way, and they are given the opportunity to make amends to their victims.

In a school community that supports the restorative justice philosophy, the emphasis is placed on building students’ capacities. The emphasis is on understanding self and others and the ability to build positive healthy relationships. Violations create obligations between people; we need to teach students how to make things right again. By using a restorative approach to school misbehaviour and violence we build capacity in our students. When we build community capacity in our schools, when we use a restorative approach to misbehaviour and violence, we emphasize learning over punishment and reintegration over exclusion.

Best practice based restorative justice processes have the potential to provide the community with an opportunity to articulate its values and expectations, to assist the community in understanding the underlying causes of crime and to determine what can be done to repair the damage caused. In doing so, it contributes to community well being and potentially reduces future offences.

## **Preamble**

Bluewater District School Board, Bruce Grey Catholic District School Board and the Owen Sound & Area Family YMCA Youth Justice Circle Program are organizations who see value in the concept of Restorative Justice and who share a desire to promote this philosophy with youth. Together these organizations plan, through a partnership program, to provide education regarding the concept of Restorative Justice, and to ensure that students and staff of all Public and Catholic schools within Grey and Bruce Counties have access to Group Conferences as an option for resolving conflict within their school communities. This program will be delivered in a manner that respects all parties involved, while continually striving to achieve “best practice” with regards to service provision.

The School-Based Restorative Measures Group Conferencing Program is a unique partnership between Bluewater District School Board, Bruce-Grey Catholic District School Board and The Family Y Owen Sound and District Youth Justice Circle Program.

This program uses “conferencing” to address a wide variety of harm done in school settings including: bullying, vandalism, truancy, threatening or other conduct inconsistent with the moral tone of the school. It goes beyond the usual consequences of suspension/expulsion and focuses on the needs of the victims, the needs of the school community and ways in which these needs may be met in a healing and constructive manner.

The conferencing model also offers a reintegration of the offender back into the school community with the supports necessary for success. Students are educated as to the impact their actions have had on others, they are held accountable for their actions in a meaningful and constructive way, and they are given the opportunity to make amends to their victims.

In the best case scenario, conferences will occur at a school during the regular school day or at a mutually agreed upon location ie; church or other appropriate community facility. In order to facilitate the participation of all parties, it may be necessary to hold conferences outside of school hours.

This protocol has been written to guide our actions when convening Restorative Measures Group Conferences in an effort to resolve conflict within the school setting, and to uphold the integrity of the Community Justice Forum (RCMP) Model of group conferencing.

## **Goals of the School-Based Restorative Measures Conference**

- to educate youth as to the impact their actions have had on others
- to hold youth accountable for these actions in a meaningful and constructive way
- to provide youth with a means to make amends to their victims
- to provide an opportunity for the victim to be heard while arriving at ways to repair the harm

## **Objectives of the School-Based Restorative Measures Conference**

- to maintain a safe and positive learning environment
- to help keep youth connected to their schools
- to decrease the disruption to the educational programs of offenders and victims
- to provide community-based alternatives to the court system
- to offer the victim and offender support and resolution
- to address the root causes of violence and to provide opportunities to repair harm done
- to strengthen home, school, police and community partnerships
- to assist school communities in finding solutions to key safety issues
- to reduce the financial, emotional and quality of life costs of anti-social behaviour

## **Eligible Offences for a School-Based Restorative Measures Conference**

Incidents referred to a Conference may include, but are not limited to, the following:

- bullying
- truancy
- uttering threats
- vandalism or willful destruction of school property
- hate motivated violence
- conduct injurious to the moral tone of the school
- a pattern of refractory conduct

## **Statement of Eligibility for the School-Based Restorative Measures Conference**

To be eligible for a School-Based Restorative Measures Conference, typically the offending student must be between 12 and 19 years of age and attending grade 6 through 12 in a Bluewater District School Board or Bruce-Grey Catholic District School Board school. **Referral to the School-Based Restorative Measures Conference is always made at the discretion of the school principal/designate, and is *purely voluntary* for all participants involved.**

It is important that students are not going through a similar process in the “Youth Justice System” for the same offence. When police are involved and have decided not to proceed further, referral to the School-Based Restorative Measures Conference may be considered if judged appropriate.

Students who are designated exceptional through an I.P.R.C. process, may participate in the conferencing process and may, at the discretion of the principal, require an additional specialized person to support them through the process.

The offending student must:

- Admit responsibility for their action
- Demonstrate a sense of remorse
- Be open to repairing the harm that has been done

The offending student and their parent(s)/guardian(s) (if the student is under the age of 18) must be in agreement with, and make application to take part in a School-Based Restorative Measures Conference.

In order that a School-Based Restorative Measures Conference take place, the victim of the act must be willing to attend and participate in the process with their parent(s)/guardian(s) (if under the age of 18) and support people.

## **Composition of the School-Based Restorative Measures Conference**

Where a School-Based conference is initiated it will include:

2 trained co-facilitators (R.C.M.P. Community Justice Forum training)

- Victim(s)
- Victim(s) parent(s)/guardian(s)
- Victim support people, e.g. relative, family friend, teacher
- Offender(s)
- Offender(s) parent(s)/guardian(s)
- Offender support people, e.g. relative, family friend, teacher, community worker
- Principal/designate may attend as observer if not involved in the conference in another capacity

## **Roles and Responsibilities**

### **1. School Board Coordinator**

- Be fully trained and certified as an R.C.M.P. Community Justice Forum facilitator
- In consultation with Administrator/Designate determine appropriateness of Conference
- Receive Conference referrals and maintain statistics
- Ensure timely coordination of conference
- Determine, invite and brief conference participants on their role in the conference
- Gather necessary written consents from offender's/parents/guardians
- Liaise with Family 'Y' Coordinator and partner School Board coordinator on referrals, after consents have been obtained
- Liaise with Family 'Y' Coordinator to access pool of voluntary facilitators
- Arrange conference date, time and location
- Provide necessary forms (agreement, surveys) for conference
- Monitor conference agreement
- Report back to Administrator regarding the outcome of the agreement
- Meet twice yearly with Family Y Youth Justice Circle Coordinator to review and support partnership program
- Report to Senior Administration yearly or as requested
- Provide Board/School in-services as required
- Provide R.C.M.P. Community Justice Forum facilitator training to School-Based Program
- When appropriate, designate School Board Convener to assist with any/all of above duties
- Hold a yearly School Board Convener meeting to review and support program where applicable

### **2. School Board Convener** (*possible future position*)

- Be fully trained and certified as an R.C.M.P. Community Justice Forum facilitator
- Carry out duties as assigned by School Board Coordinator
- Be willing to undergo additional training as available/requested
- Attend yearly School Board Convener meetings where applicable

### **3. Youth Justice Circle Coordinator, Owen Sound & Area Family YMCA**

- Be fully trained and certified as an R.C.M.P. Community Justice Forum facilitator
- Liaise with BWDSB and BGCDSB Coordinators once consents have been given with regards to Court-based YMCA Youth Justice Circle Program referrals (pre or post charge) which involve a school related incident
- Liaise with BWDSB and BGCDSB Coordinators (once consents have been received) regarding referrals to School-Based Restorative Measures Program
- Liaise with School-Based Coordinators to provide volunteer facilitators for school based Conference if requested
- Provide training to School-Based Restorative Measures Program if requested
- Meet twice yearly with BWDSB and BGCDSB Coordinators to review and support partnership program
- Report to Ministry of Attorney General regarding BWDSB/BGCDSB/Family YMCA partnership twice yearly
- Report to Y Administration regarding BWDSB/BGCDSB/Family YMCA partnership as requested

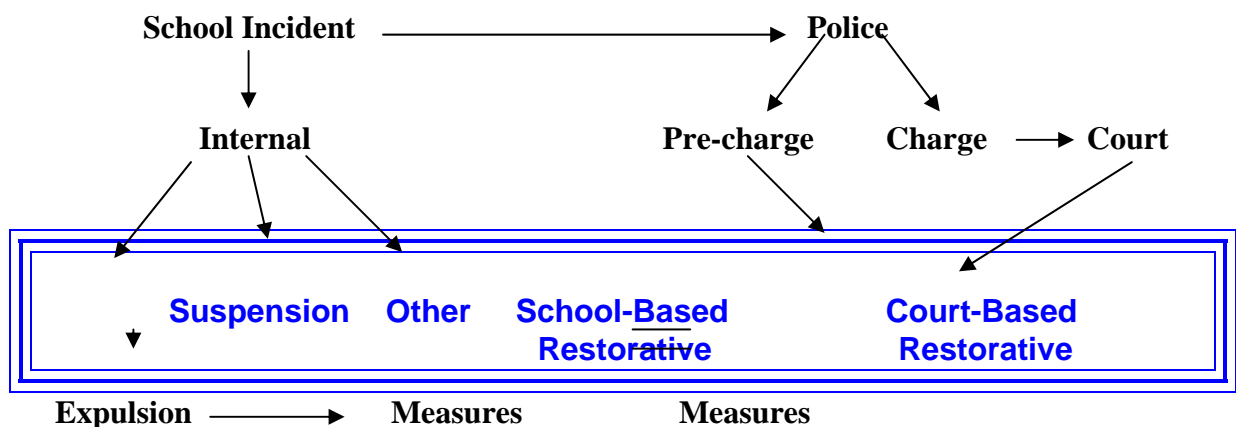
### **4. School Administrator/Designate**

- Determine that an 'incident' has taken place
- Determine appropriateness of conference intervention through investigation of incident and discussion with all parties involved
- Obtain verbal consents to proceed with the conference process from both victim's and perpetrator's parents/guardians
- Notify School Board Coordinator of intent to process a conference
- Support implementation of conference
- Monitor conference process through communication with School Board Coordinator/Convenor
- Encourage and support staff training
- On Board request, attend ½ day in-service with option to attend Summer Institute Facilitator Training

## 5. Voluntary Facilitator

- Successfully complete three day R.C.M.P. Community Justice Forum facilitator training
- Be willing to provide a current Criminal Reference Check
- Observe a minimum of two Restorative Measures Conferences / Youth Justice Circles (Youth Justice Circle facilitators)
- Co-facilitate a minimum of two Restorative Measures Conferences/Youth Justice Circles in the company of an experienced facilitator prior to assuming the lead role at a Conference
- Co-facilitate Restorative Measures Conferences as requested
- Work with co-facilitator to ensure Conference Agreements forms are completed and returned to Coordinator/Convenor
- Work with co-facilitator to ensure Conference survey evaluations are completed and returned to Coordinator/Convenor
- Be willing to undergo additional training as available/requested

### Referral Process to a Restorative Measures Conference



## School-Based and Police/Court Paths to Restorative Measures Conferences

