

**HOUSE RESOLUTION URGING RESTORATIVE JUSTICE
IN UTAH'S EDUCATION SYSTEM**

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sandra Hollins

LONG TITLE

General Description:

This resolution of the House of Representatives encourages the State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools.

Highlighted Provisions:

This resolution:

▶ encourages the State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools as a way to help Utah's students stay in school and deal with their challenges in a healthier and more constructive way; and

▶ encourages the State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools as a means to help school districts better manage their student disciplinary issues.

Special Clauses:

None

Be it resolved by the House of Representatives of the state of Utah:

WHEREAS, the pressure to do well in school and to comply with the expectations of parents and teachers can create great challenges and increased stress in a student's life;

WHEREAS, the necessity and challenge of forging meaningful friendships can add to



28 the difficulties students face;

29 WHEREAS, a student's struggles can be further aggravated by the death of a parent, a
30 divorce, abuse, or other traumatic circumstances and can sometimes lead to misbehavior in
31 school;

32 WHEREAS, suspension and expulsion, traditional methods of addressing disciplinary
33 issues in primary and secondary schools, punish misbehavior but fail to address its underlying
34 causes;

35 WHEREAS, restorative justice is an innovative approach to offensive and inappropriate
36 behavior that addresses the root causes of the behavior issues;

37 WHEREAS, restorative justice has been used extensively both as a means to divert
38 people from criminal justice systems and as a program for convicted offenders already in the
39 adult or juvenile justice systems;

40 WHEREAS, restorative justice, in a school setting, shifts the emphasis from managing
41 behavior to focusing on the building, nurturing, and repairing of relationships while retaining
42 the ability to hold misbehaving students accountable;

43 WHEREAS, in the school setting, restorative justice often serves as an alternative to
44 traditional discipline such as suspension, expulsion, and referral to police;

45 WHEREAS, restorative justice is a nonpunitive approach to handling a wide range of
46 conflict;

47 WHEREAS, restorative justice brings together the offender and the harmed party into a
48 setting called a conference or circle, in company with a teacher or administrator and other
49 students;

50 WHEREAS, in a circle, participants involved in or impacted by the harmful actions,
51 including the victim and the offender, talk about the harm caused and what can be done to
52 make things right;

53 WHEREAS, in a typical circle, a teacher or mediator asks nonjudgmental, restorative
54 questions like, "What happened? How did it happen? What can we do to make it right?" and
55 the students develop a plan of action;

56 WHEREAS, restorative justice puts repairing harm done to relationships and people
57 above the need for assigning blame and dispensing punishment, without minimizing the harm
58 caused by misbehavior;

59 WHEREAS, restorative justice represents a shift in how discipline is applied,
60 increasing student perceptions about fairness of educator actions and leading to greater
61 compliance, as students see the school order as having legitimacy;

62 WHEREAS, the success of restorative justice programs in schools across the United
63 States suggests that a strict focus on "paying the offender back" can leave the victim without
64 closure or fail to bring resolution to the harmful situation;

65 WHEREAS, multiple empirical studies reveal a decrease in harmful behavior after
66 implementing some type of restorative justice program;

67 WHEREAS, one program manager of restorative justice for a school district has said,
68 "Restorative Justice addresses the harm caused by the offense and the harm revealed by the
69 offense. When you get these kids talking you learn about the traumas they have faced. Maybe
70 their brother was killed or their father was sent to prison. If you can get to the root of the cause
71 of the offense, you're truly stopping the cycle";

72 WHEREAS, Utah's students and its schools can benefit from restorative justice
73 programs; and

74 WHEREAS, restorative justice can help Utah's school children to successfully navigate
75 the challenges of life and learning and provide them tools that will help them assume the
76 responsibilities of adulthood:

77 NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the
78 state of Utah encourages the State Board of Education and Utah's school districts to implement
79 restorative justice programs in Utah's public primary and secondary schools as a way to help
80 Utah's students stay in school and deal with their challenges in a healthier and more
81 constructive way.

82 BE IT FURTHER RESOLVED that the House of Representatives of the state of Utah
83 encourages the State Board of Education and Utah's school districts to implement restorative
84 justice programs in Utah's public primary and secondary schools as a means to help school
85 districts better manage their student disciplinary issues.

86 BE IT FURTHER RESOLVED that a copy of this resolution be sent to each of Utah's
87 school districts and to the State Board of Education.

**Legislative Review Note
Office of Legislative Research and General Counsel**