

# Beyond Punishment: Building Bridges Through Restorative Justice

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Embracing Resilience Consulting

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Mountain Plains (HHS Region 8)

MHTTC

Mental Health Technology Transfer Center Network

Funded by Substance Abuse and Mental Health Services Administration

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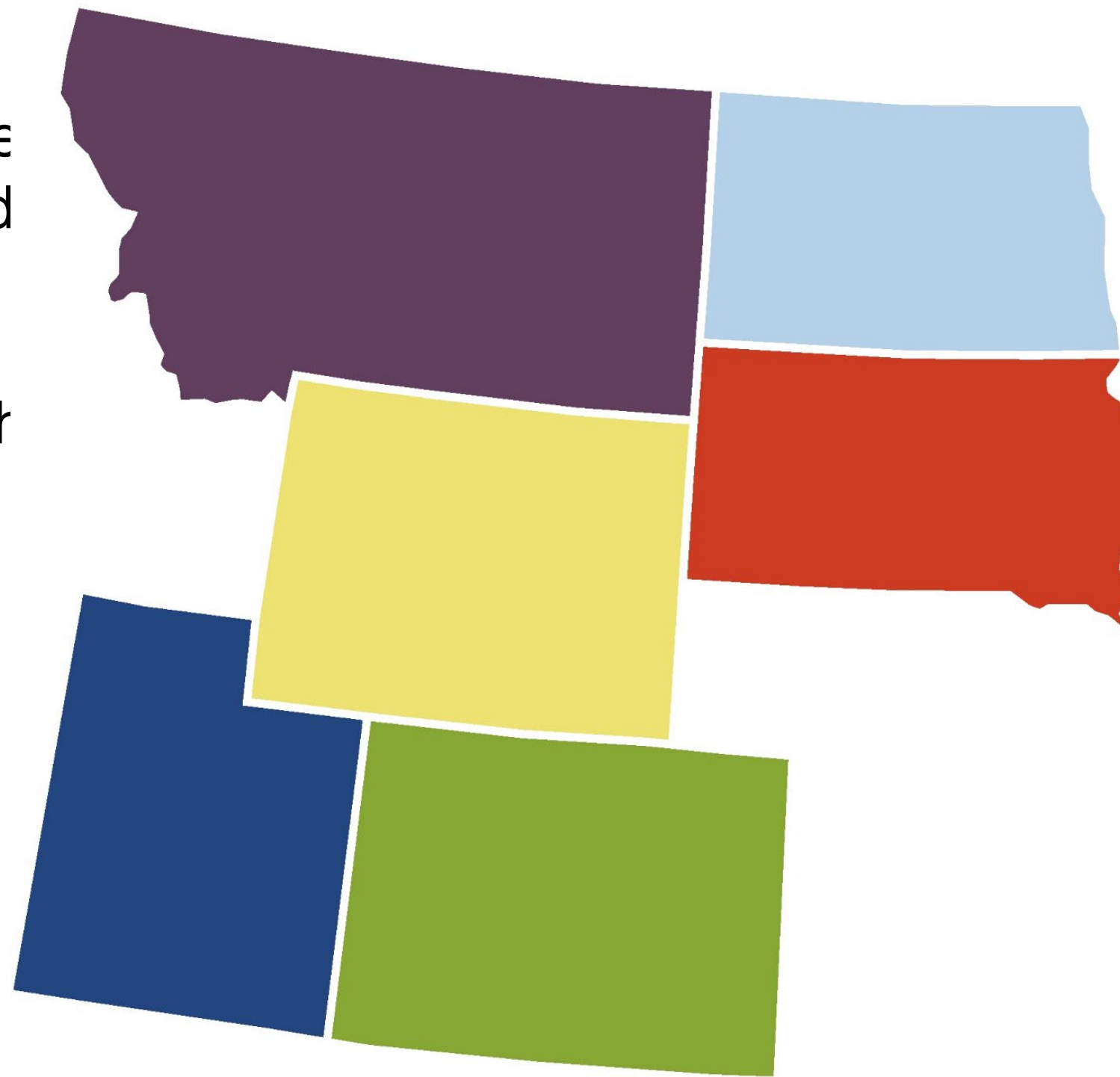
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# The Mountain Plains Mental Health Technology Transfer Center

The Mountain Plains Mental Health Technology Transfer Center (Mountain Plains MHTTC) provides training and technical assistance to individuals who serve persons with mental health concerns throughout Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming).

We belong to the Technology Transfer Center (TTC) Network, a national network of training and technical assistance centers serving the needs of mental health, substance use and prevention providers. The work of the TTC Network is under a cooperative agreement by the Substance Abuse and Mental Health Service Administration (SAMHSA).



# Land Acknowledgement Statement

Today, the University of North Dakota rests on the ancestral lands of the Pembina and Red Lake Bands of Ojibwe and the Dakota Oyate - presently existing as composite parts of the Red Lake, Turtle Mountain, White Earth Bands, and the Dakota Tribes of Minnesota and North Dakota. We acknowledge the people who resided here for generations and recognize that the spirit of the Ojibwe and Oyate people permeates this land. As a university community, we will continue to build upon our relations with the First Nations of the State of North Dakota - the Mandan, Hidatsa, and Arikara Nation, Sisseton-Wahpeton Oyate Nation, Spirit Lake Nation, Standing Rock Sioux Tribe, and Turtle Mountain Band of Chippewa Indians.



The MHTTC Network uses affirming, respectful and recovery-oriented language in all activities. That language is:

STRENGTHS-BASED  
AND HOPEFUL

INCLUSIVE AND  
ACCEPTING OF  
DIVERSE CULTURES,  
GENDERS,  
PERSPECTIVES,  
AND EXPERIENCES

HEALING-CENTERED AND  
TRAUMA-RESPONSIVE

INVITING TO INDIVIDUALS  
PARTICIPATING IN THEIR  
OWN JOURNEYS

PERSON-FIRST AND  
FREE OF LABELS

NON-JUDGMENTAL AND  
AVOIDING ASSUMPTIONS

RESPECTFUL, CLEAR  
AND UNDERSTANDABLE

CONSISTENT WITH  
OUR ACTIONS,  
POLICIES, AND PRODUCTS

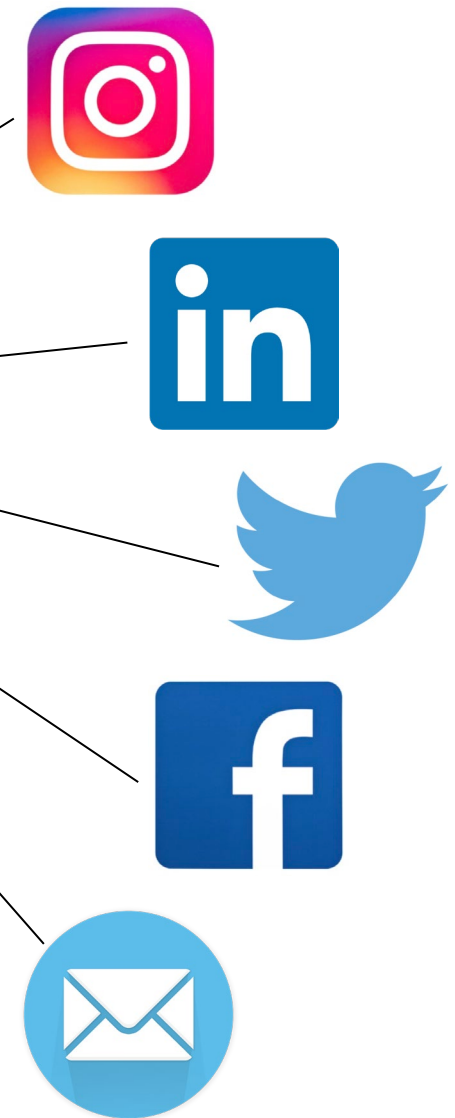
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**SCAN ME**



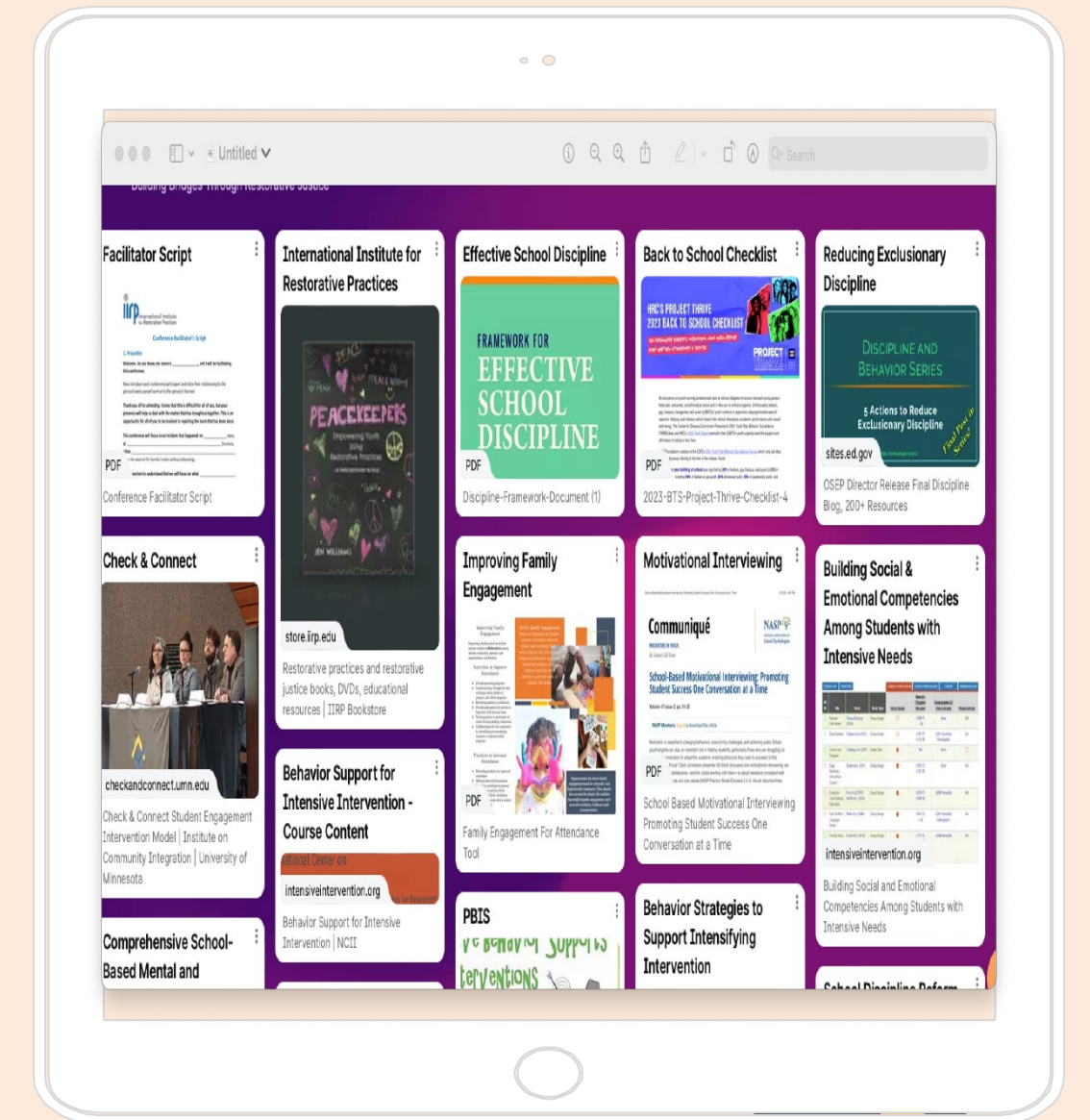
# Beyond Punishment: Building bridges Through Restorative

## Justice



# Please join the Padlet

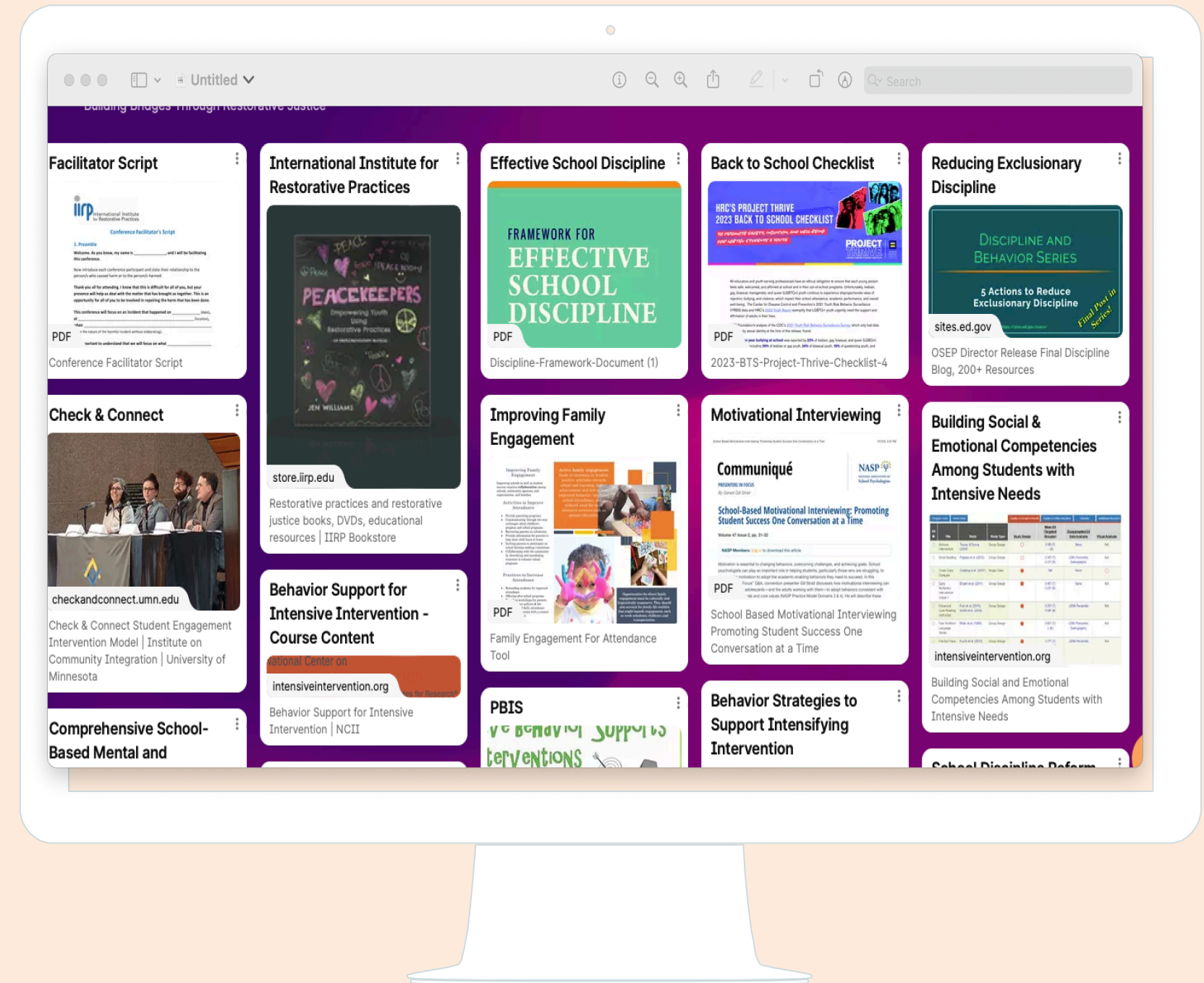
<https://tinyurl.com/DrDBeyondPunishment>





# Please join the Padlet

## <https://tinyurl.com/DrDBeyondPunishment>



# Housekeeping



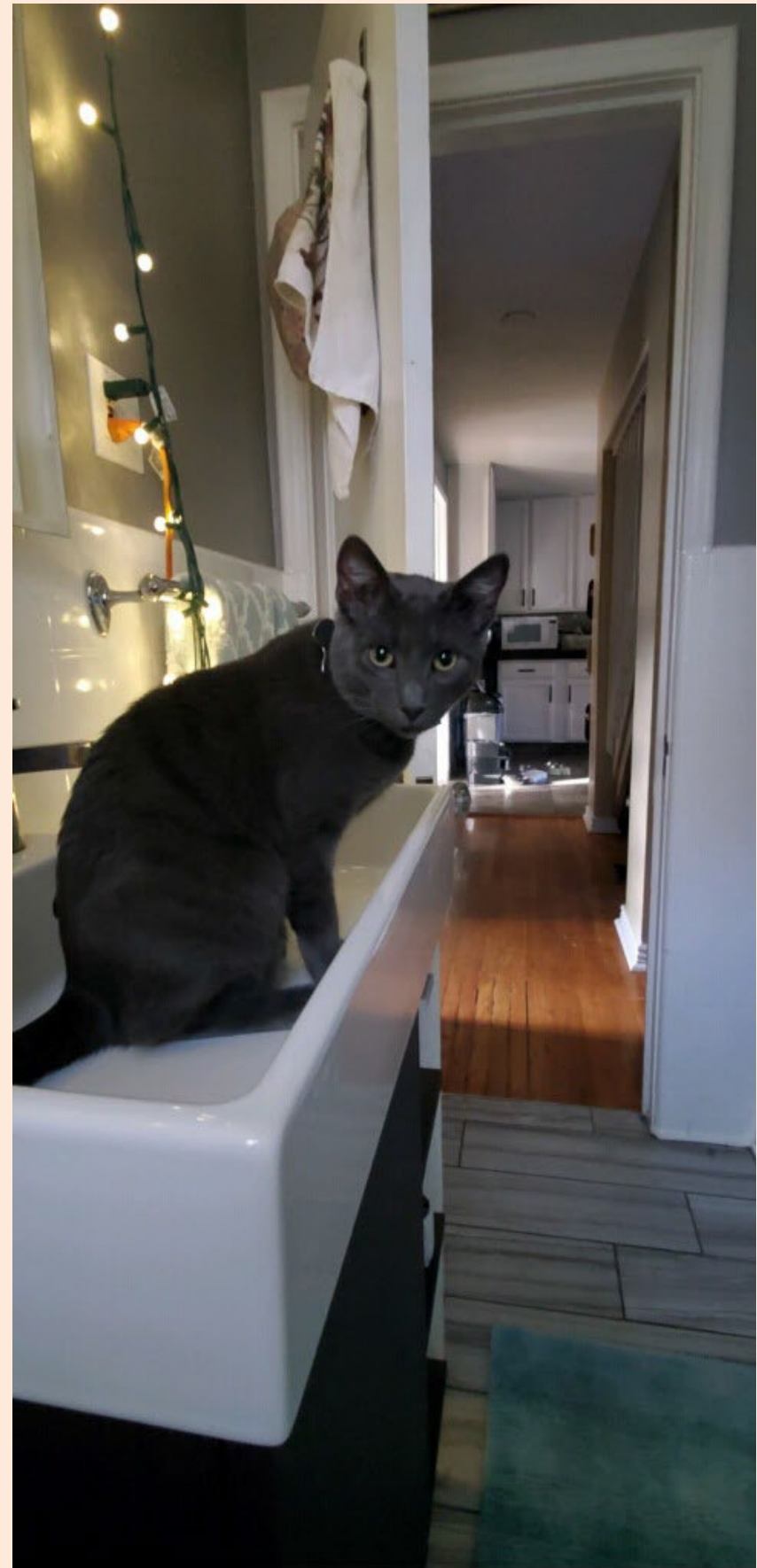
- Please mute your microphone
- Feel free to raise your hand
- Please utilize the chat box

# Hello!

I am Dr. Casey Dupart, PsyD, BCBA, CCTP



K12 Leader | School Psychologist | Behavior Analyst (BCBA) | Certified Clinical Trauma Professional



# Topics Covered

01

Why Restorative Justice?

02

Implementation across  
Multi-Tiered System of  
Supports

03

Restorative Justice  
Conferencing

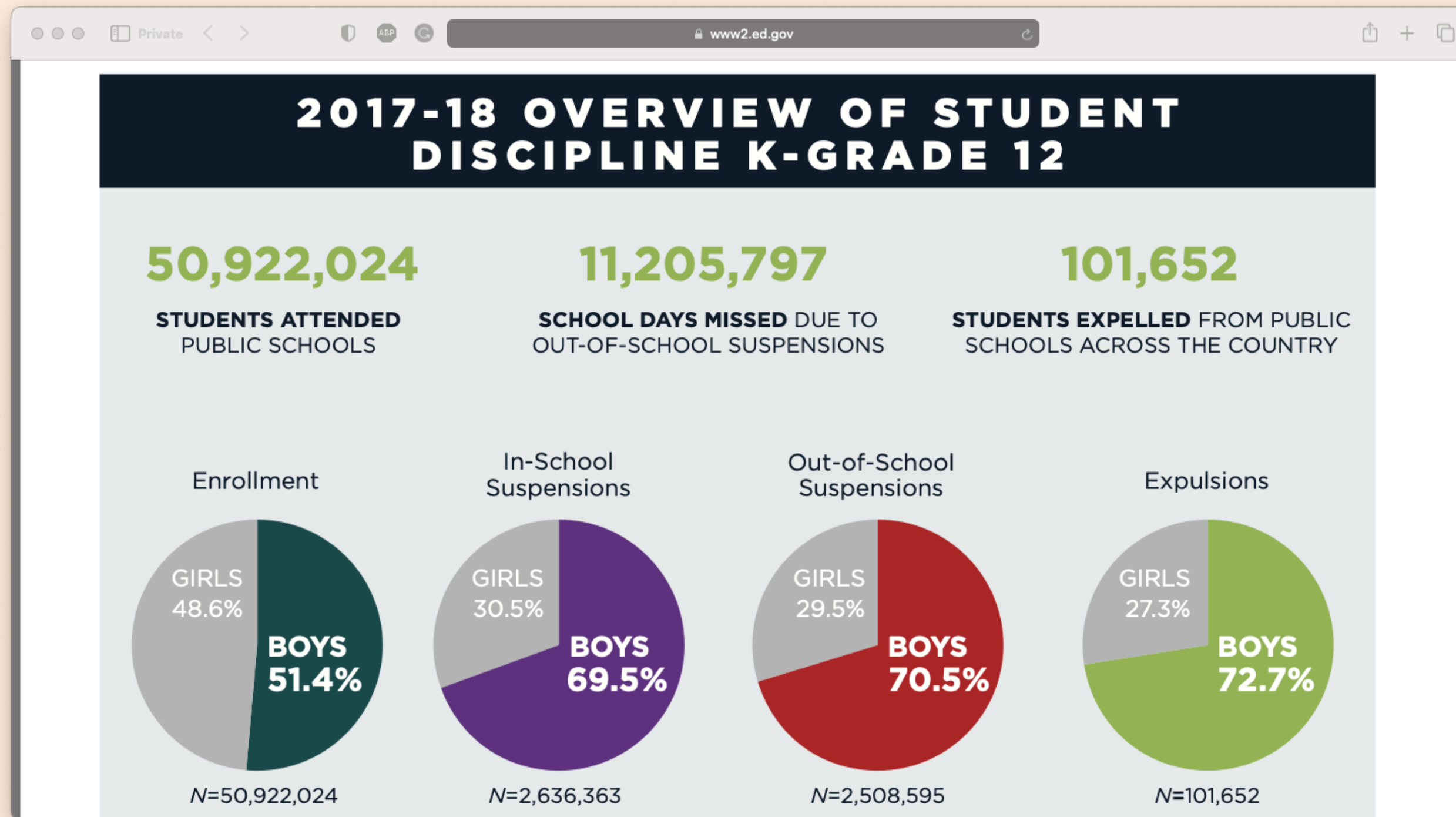




**Let's Start with a 2 word  
check-in & your location**

# Why do we need Restorative Justice?



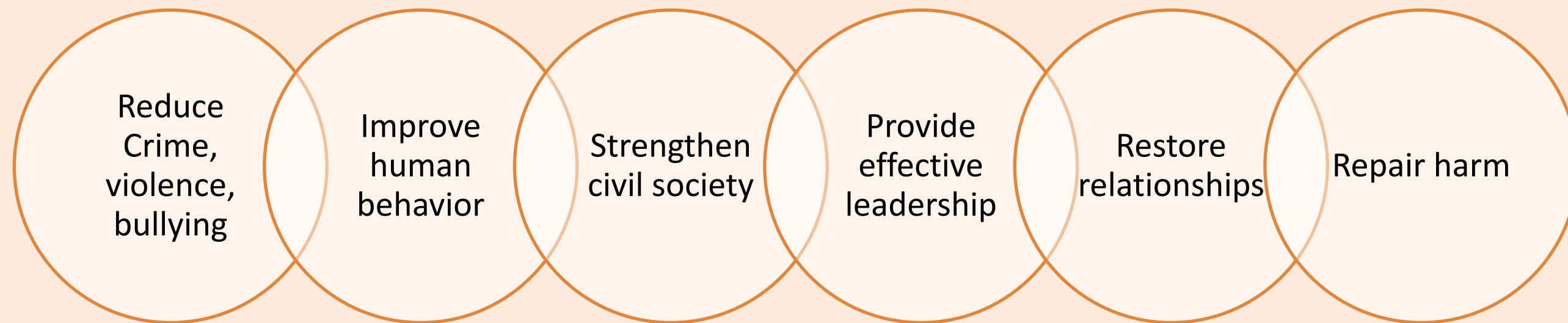


- Black students are suspended **3 times** as often as White students
- Students with disabilities are suspended twice as much as students without disabilities
- Zero tolerance policies are root cause of many of suspensions & expulsions affecting **minoritized** populations the most



# Why does this matter?

With restorative justice we can strengthen relationships between individuals, as well as social connections within communities. We all need strong & meaningful relationships to thrive.



# Why does this matter?

Removing students from their educational settings instead of using alternative forms of discipline has many negative effects including the likelihood of entering juvenile justice or being funneled into the school-to-prison pipeline.



# Suspension Outcomes

Tends to support  
labeling of students

Temporary bandaid  
approach

Victims get little from  
the process

Little accountability

Not typically a teaching  
tool

Place high-risk students  
out in the community  
which could lead to  
higher dropout rates &  
commitment of crimes

“Either we spend time meeting children’s emotional needs by filling their cup with love or we spend time dealing with the behaviors caused from their unmet needs. Either way we spend the time.”

## Reflect

How are you currently  
implementing restorative justice?

# Restorative Practices

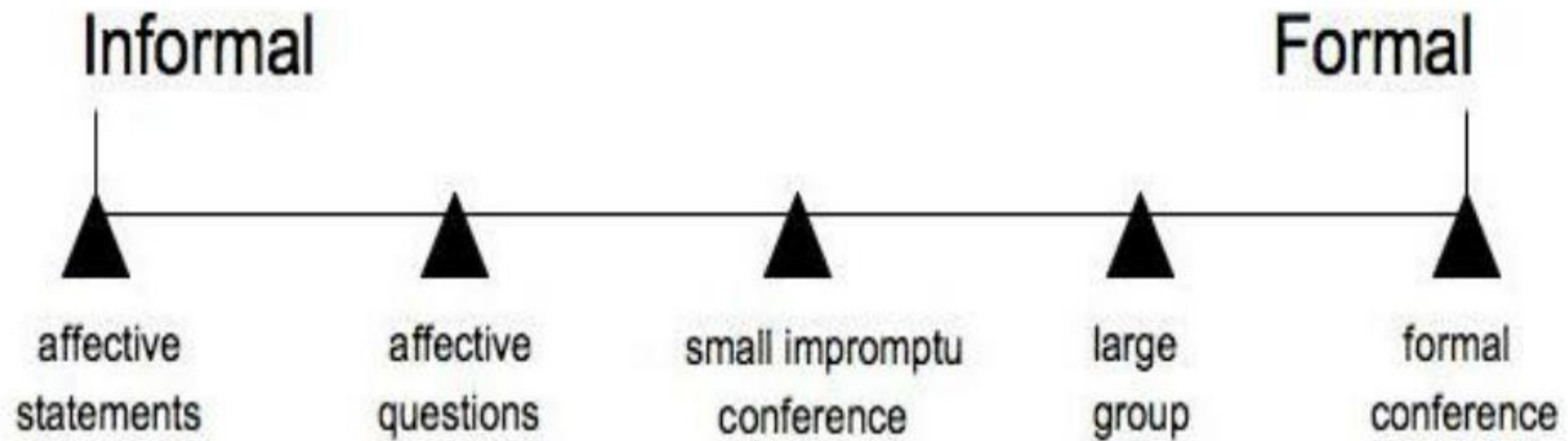


# Restorative Practices

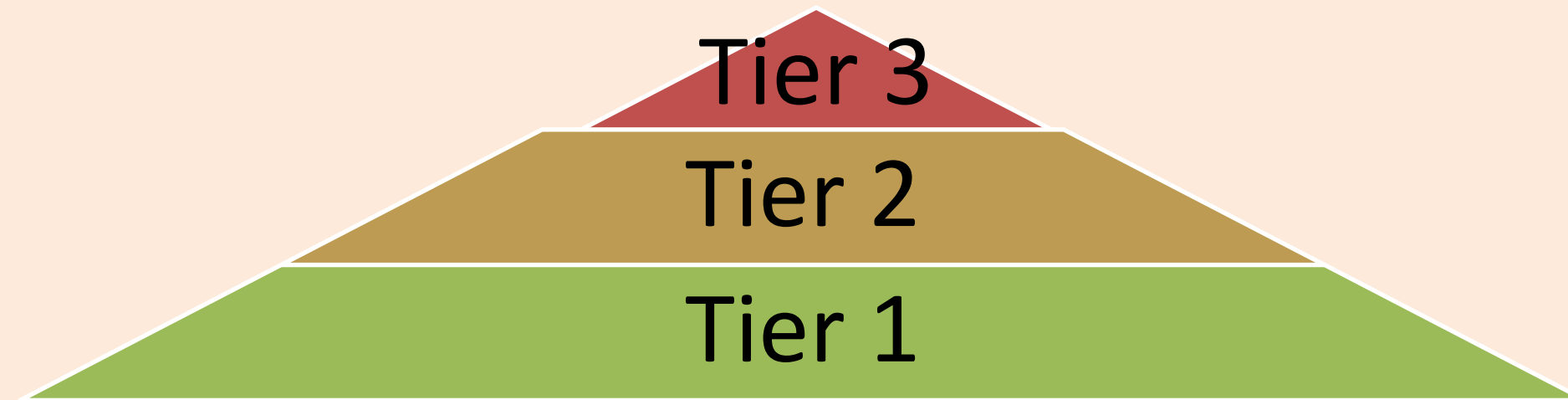
- Relevant to education, social work, psychology, counseling, parenting, organizational leadership
- Management & motivation of human beings with social discipline
- People are happier, more productive, more cooperative and more likely to make positive changes when those in authority do things WITH them, rather than TO them or FOR them



# Restorative Practices Continuum



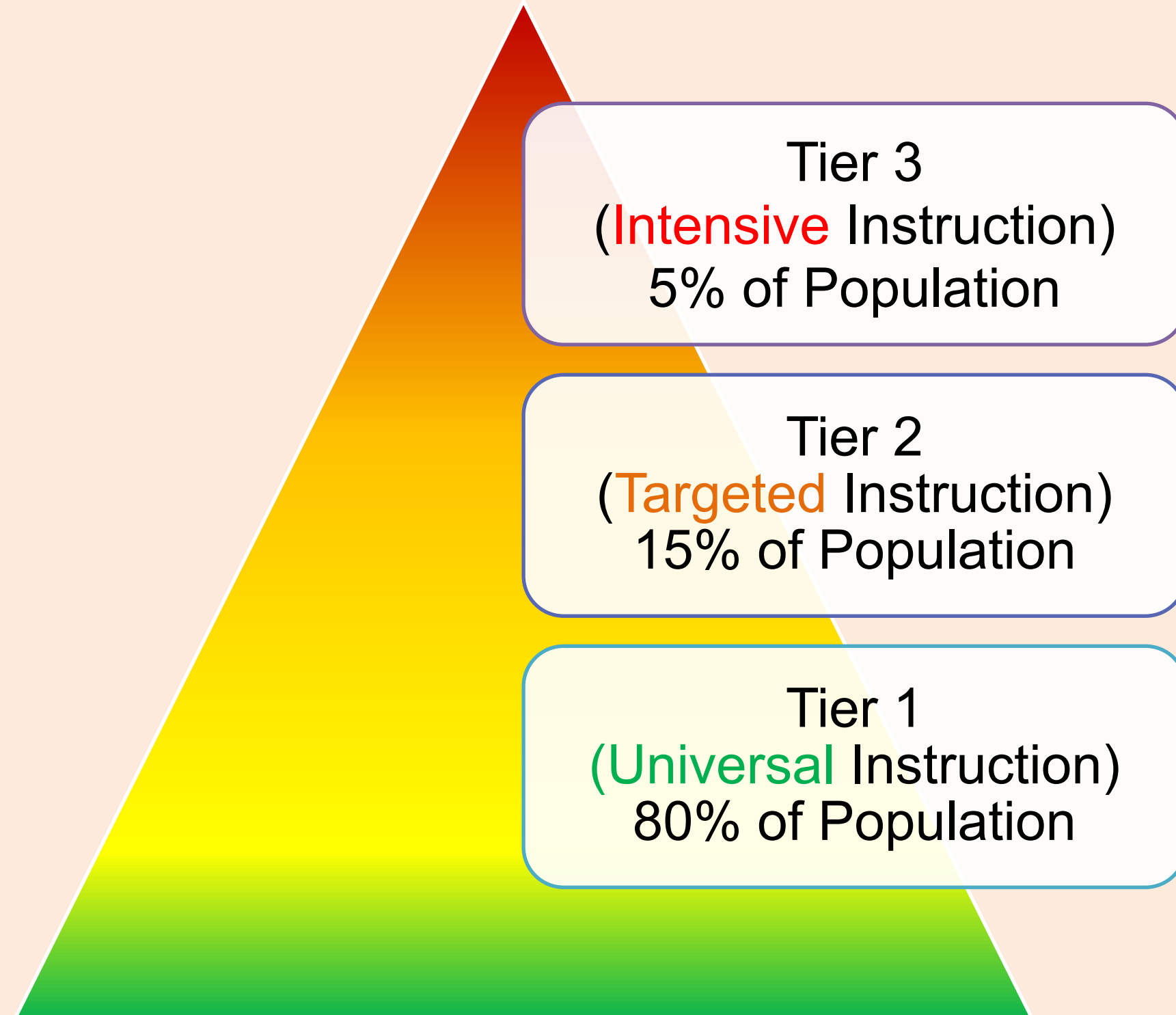
# Incorporate within a Multi-Tiered System of Support



# **Multi-Tiered System of Support**

Multi-Tiered System of Supports is a framework for implementing systemic, evidence-based practices to maximize student achievement in academics and behavior

# MTSS Breakdown



# MTSS & Restorative Justice Work Well *Together*

School climate is built  
around relationships, but  
relationships are tough to  
develop

This is even more  
challenging during & after  
conflict



Holds Students  
 Accountable

Develops an  
 Inclusive School  
 Environment

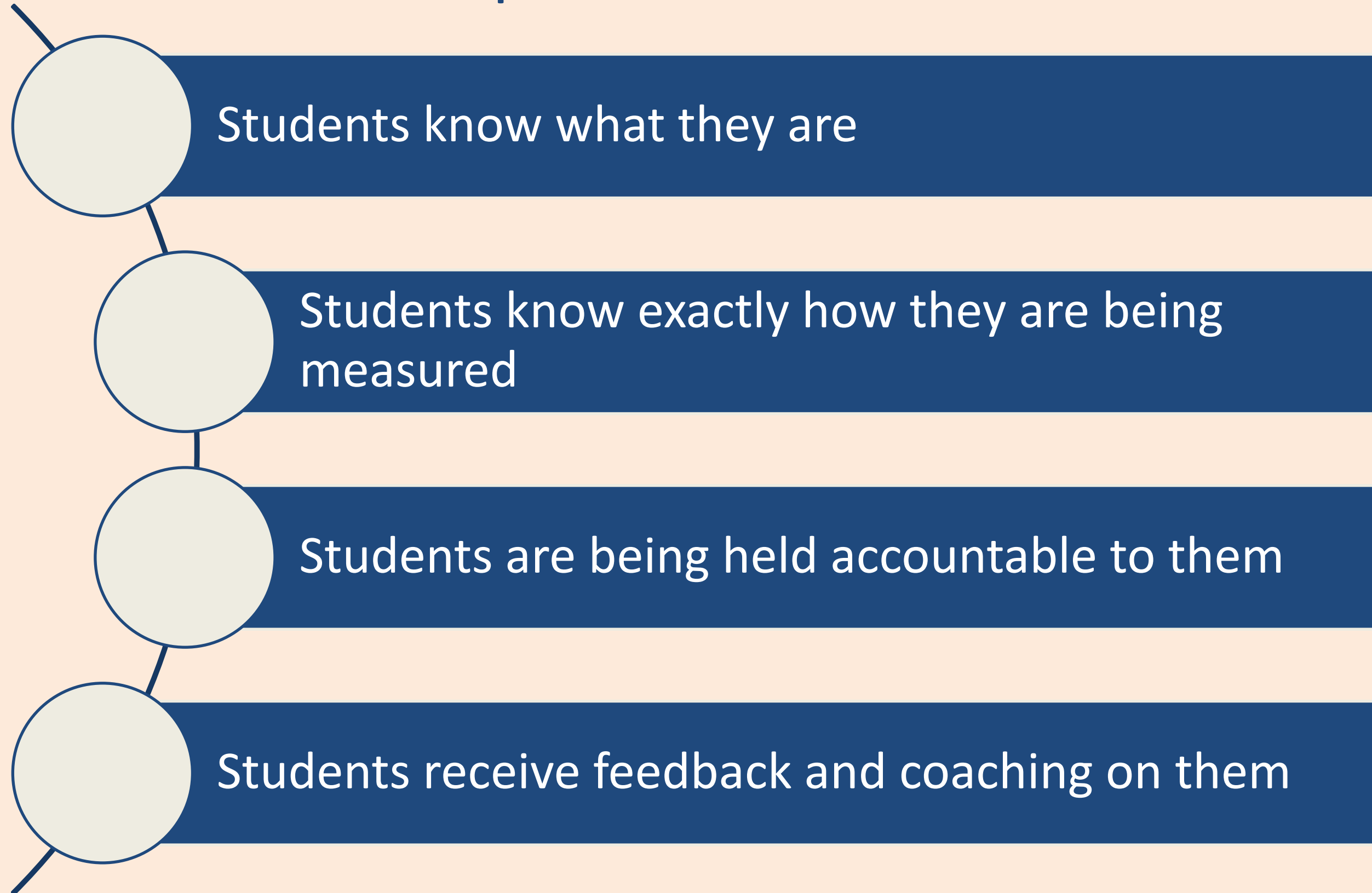
Maintains &  
 Strengthens  
 Relationships

Enhances  
 Classroom  
 Culture

# Monitoring Progress

- **Attendance**
  - Grade-level
  - Teacher by teacher comparison
  - Tardiness
  - Grade-level tardiness
  - Tardiness by class hour
- **Subject Mastery**
  - In-class testing
  - Formal standardized testing
  - Practice standardized testing
- **Discipline**
  - Referrals to office
  - Suspensions
  - Expulsions
  - Referral Codes
  - Repeat offenders

## Behavioral Expectation Considerations







**Tier 1**

**Universal**

## Use Restorative language throughout the building

### Respect

- Respect one another's insights & emotions.

### Relationships

- Human issues are usually relatable, and relationships can be built through common understanding.

### Responsibility

- Both parties involved in negative behaviors need to own their actions and consequences to move forward.

### Repairing the Harm

- Requires agreement. Coming up with inclusive solutions instead of suspending students or sending them to detention.

### Reintegrating

- Check-in with students after conflict when returning to class. A plan for returning is crucial.

- Practice circles to create a culture of restorative practices – “*Circle Up*”
  - Beneficial for checking-in, *not only for during conflict*
  - “Talk when you have the talking piece. Right now we are focusing on the distractions that were happening in class. Who wants to start?”
  - Give students opportunity to hold each other accountable, discuss ways to repair the harm, & continue on with day.
- Create clear & consistent expectations
  - Allowing students to opt out
  - Remember restorative practices **center** around respect



## School Climate Considerations

- Evaluate: Maintain an open dialogue with school staff to implement a restorative culture shift
- Openly discuss how adult behavior affects student interactions
- Discuss role of implicit bias
- **Leadership** meets with staff who demonstrate potentially damaging behaviors



# Reflect

What are some ways you can incorporate restorative justice universally?





**Tier 2**

**Targeted**

- Execute restorative mediations regularly
  - Open-ended questions for guidance – “What was happening before....?””
  - “Thanks for sharing. That must have been tough.”
  - Assign a plan of Action – “If this happens..this is what the consequence will be.”
  - Record what happens
  - **Inform necessary stakeholders**
- Allow students to participate in decision making & repair the harm
- Actively encourage *growth mindset* thinking
  - Develops more resilient learners
  - Students more likely to take responsibility for their actions when they have a capacity to learn & do better next time
  - Assist with holding each other accountable
- Group & individual instruction



- Students can monitor their own progress through reflection sheets or short essay responses

What is one thing you did well this week?

What is one thing you could have done better this week?

What is one behavior you are proud of?

What is one behavior you wish you could redo?

What is your favorite moment from this week?





Tier 3

**Intensive**



- Individualized
- Functional behavior assessments to determine any environmental factors that maintain the behavior
- Wraparound support that involves collaboration between school & community service providers
- Student progress monitored frequently (hourly to daily) with measures specifically matched to student's goals
- As needed, teacher practices are modified
  - Humanize curriculum
  - Bring culture to classroom



“Challenging behavior occurs when the demands and expectations being placed upon a child outstrip the skills, he has to respond adaptively.”





## Reflect

**What are some strategies you  
can incorporate across the  
tiers?**

# Restorative Justice Conferencing

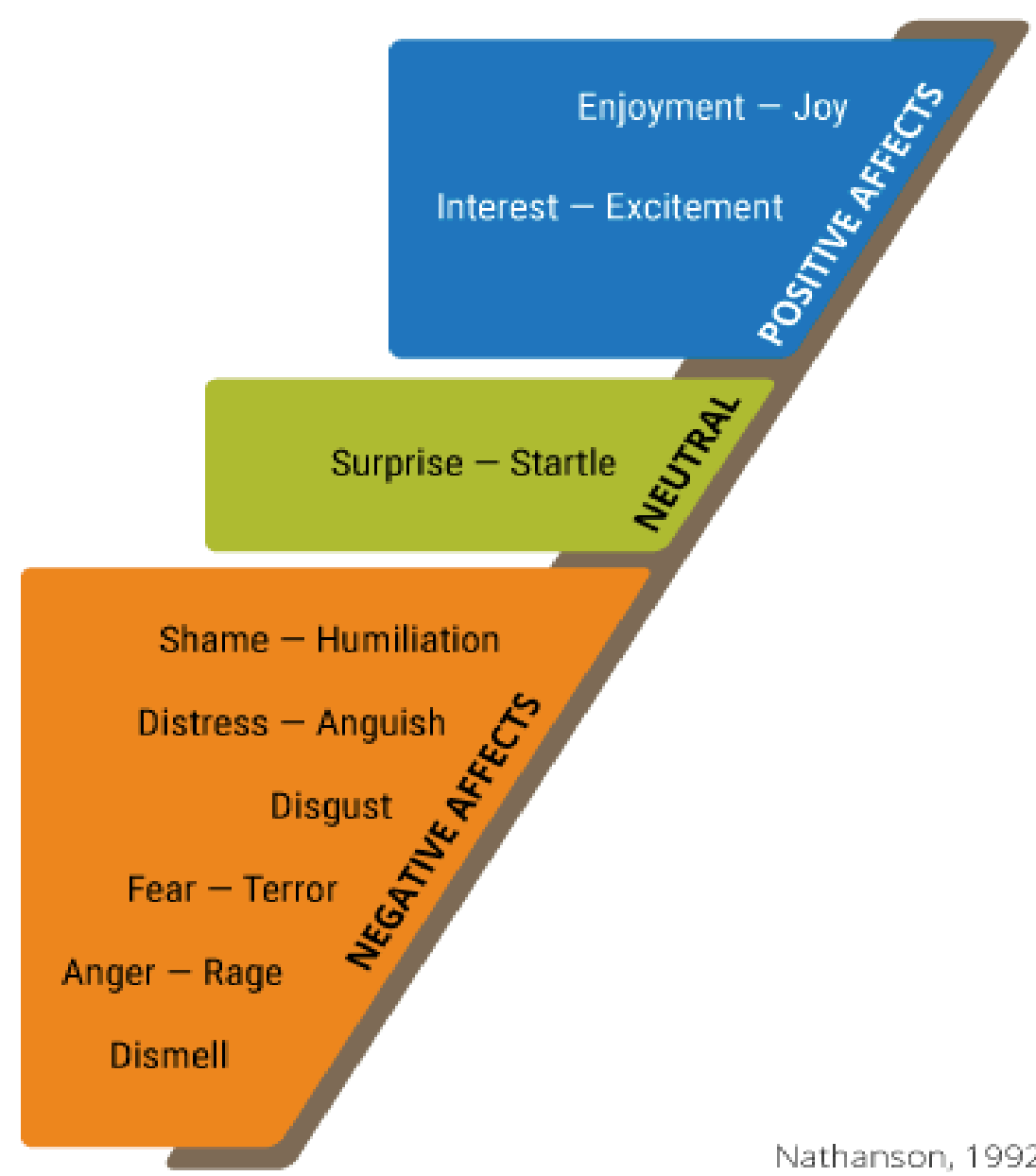


# Silvan Tomkin's Psychological Theory of Human Affect

Articulated by Donald Nathanson



# The Nine Affects



Nathanson, 1992

# Reintegrative Shaming

- John Braithwaite's sociological theory of "reintegrative shaming"
- Western society response to wrongdoing is more harmful than positive
- Schools & courts punish & humiliate offenders without offering a way to make amends, right the wrong, or shed their "offender" label
- *Result:* join others in community who feel excluded from mainstream – become source of persistent problems



# Conferencing Considerations

- Conference script emphasizes distinction *“It is important to understand that we will focus what (offender name/s) did and how that unacceptable behavior has affected others. We are not here to decide whether (offender name/s) is/are good or bad.”*

# Conferencing Considerations

- Facilitators should explain conference process & contact **ALL** supporters
- Who will be present
- What will be asked
- What can victims reasonably expect
- **Benefits for victim**
  - Telling the offender how they were affected
  - Holding the offender accountable
  - Having a say in how to repair harm
  - Possibly receiving an apology & restitution
  - Asking offender questions about the offense

# Conferencing Considerations

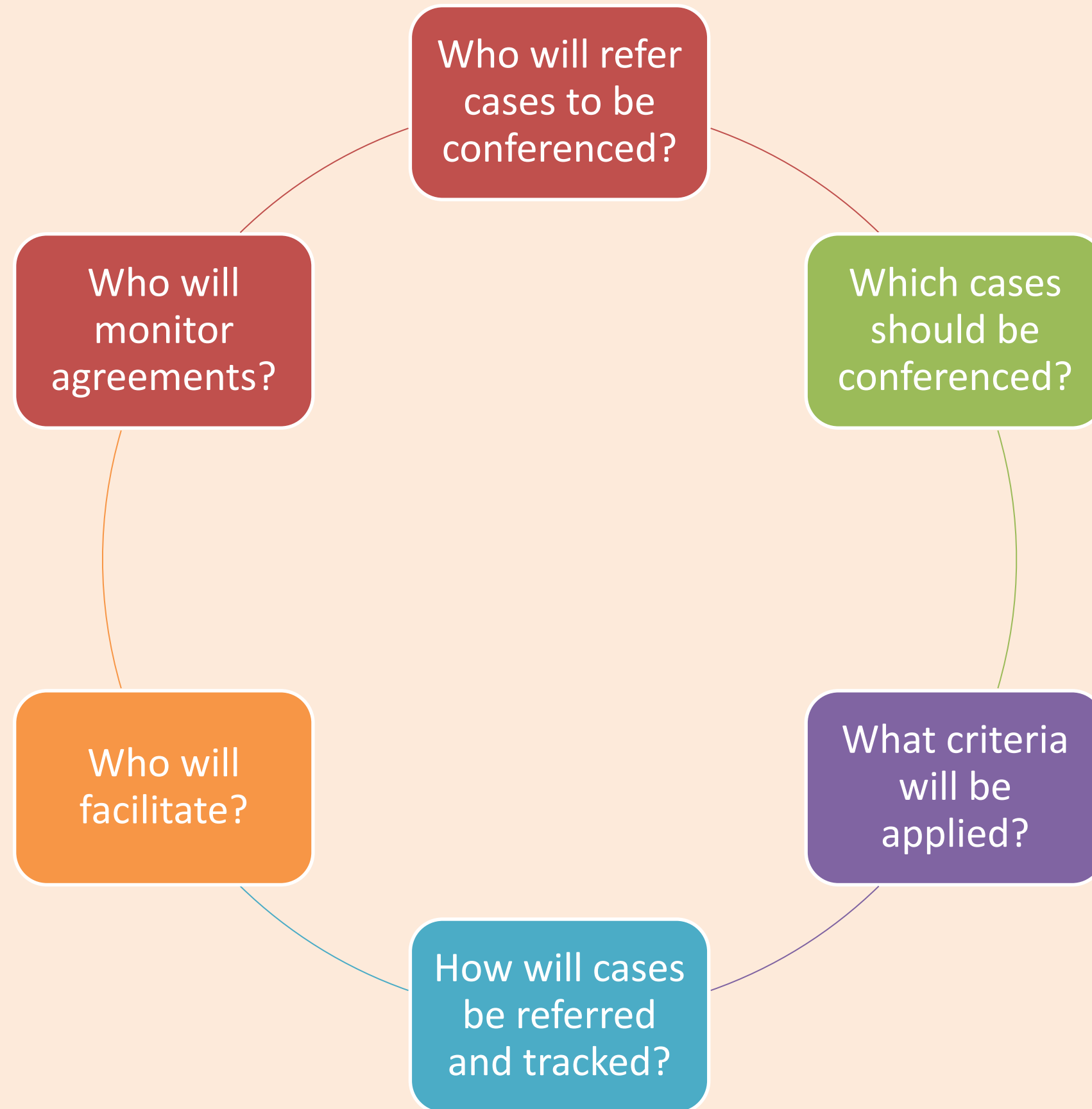
- Stay within the script
  - Speak clearly, avoid bureaucratic, legalistic & professional jargon
- Allow for emotion
  - Intervene only when emotions are stigmatizing or abusive
- Redirect eye contact
- Translators for those who may not speak English
- Inappropriate signs of approval
  - Facilitators are neutral

# Handling Refusals

- Remember participation is **voluntary**
- When presence is not critical - can proceed
- When victim or offender declines
  - can ask them to participate in a hearing or panel proceeding
- When victim declines
  - conference can be held with offenders, supporters, and secondary victims



# Define Your Program



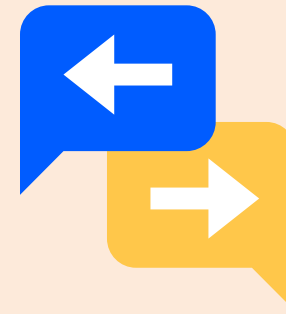
# Implementation Pushback to Consider





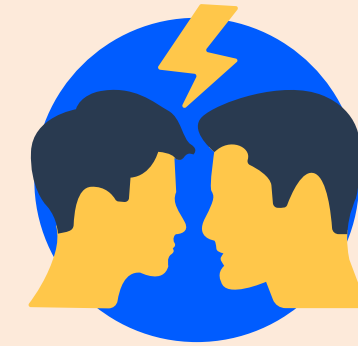
## This isn't My Job

Student success is everyone's job. A successful school culture starts with relationships focusing on participation & investment from everyone.



## Where can I find the time?

The more time you dedicate to creating successful students who feel heard, the easier your job will be. If you do not dedicate time up front to fully resolve conflict, offer closure, and create a plan to prevent repeated behaviors, you will spend more time on this in the future.



## This won't Work

You have influence over buy-in as a collective. Provide affirmation. Encourage communication. Be patient.



**THANK YOU FOR LISTENING!**  
**Reach out for any questions.**



**WEBSITE**

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