

Date of Hearing: March 13, 2019

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
ACR 8 (Weber) – As Introduced January 7, 2019

SUBJECT: Restorative Practices in School Awareness Month

SUMMARY: Designates September 2019 as Restorative Practices in School Awareness Month. Specifically, **this resolution:**

- 1) States that pupils, staff, administrators, parents, and guardians have a right to a safe, collaborative, healthy, and healing school environment.
- 2) States that schools should strive to be sanctuaries for pupils, staff, parents, and guardians within our communities.
- 3) States that pupils, staff, parents, and guardians have a right to resolve conflict and harm through restorative practices and restorative justice over traditional punitive disciplinary measures.
- 4) States that prioritizing restorative practices and restorative justice over traditional methods affords all pupils with the best possible opportunity to succeed both academically and socially.
- 5) States that training and development are essential for effective restorative practices implementation, and pupils, staff, and administrators have the right to comprehensive training and development in restorative practices and restorative justice.
- 6) States that restorative practices and restorative justice can only thrive if administrators and educators are given the time, tools, and staff to execute a developed program.
- 7) States that pupils, parents, guardians, and educators have the right to give their opinions and have their voices heard and reflected in the decisions and recommendations of a school regarding its disciplinary measures.
- 8) States that pupils, parents, guardians, and educators have the right to efficient and transparent implementation of restorative practices and restorative justice programs, including uniform data keeping and evaluation of those programs, because transparency is essential to a successful program.
- 9) Designates the month of September 2019 as Restorative Practices in School Awareness Month in California, and supports the rights of pupils, staff, administrators, parents, and guardians to use restorative practices and restorative justice methods in addressing harms over traditional punitive disciplinary measures.
- 10) Requires the Chief Clerk of the Assembly to transmit copies of this resolution to the author for appropriate distribution.

EXISTING LAW:

- 1) Authorizes or requires a principal or a superintendent of schools to suspend or expel a student committing any of a number of specified acts. (Education Code (EC) Sections 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48915)
- 2) Specifies that suspensions shall be imposed only when other means of correction fail to bring about proper conduct. Specifies that other means of correction include, but are not limited to, a conference between school personnel, the pupil's parent or guardian, and pupil; referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support services personnel; study teams or other intervention-related teams; referral for a psychosocial or psychoeducational assessment; participation in a restorative justice program; a positive behavior support approach with tiered interventions; after school programs that address behavior issues; or other alternatives involving community service. (EC Section 48900.5)

FISCAL EFFECT: The Office of Legislative Counsel has keyed this resolution as non-fiscal.

COMMENTS:

Background. Restorative justice is a set of principles and practices grounded in the values of showing respect, taking responsibility, and strengthening relationships. Restorative practices, applied on a schoolwide context, are used to build a sense of school community and resolve conflict by repairing harm and restoring positive relationships. School districts that have restorative justice programs have seen reductions in the number of out-of-school suspensions.

Need for the bill. According to the author, “Restorative approaches enable students who have been harmed to convey the impact of the harm to those responsible. This approach often leads to a positive shift in campus climate and allows students to acknowledge the impact of their behavior and make amends.”

Prior Legislation.

ACR 275 (Weber) of the 2017-2018 Session would have designated the month of September 2018 as Restorative Practices in School Awareness Month in California. This bill was held in the Assembly Rules Committee.

ACR 256 (Reyes) Chapter 166, Statutes of 2018, designated July 27, 2018, as California Bullying Prevention Day and stated that restorative justice may be an effective strategy to prevent bullying.

AB 2489 (McCarty), of the 2016 Session, would have required the California Department of Education to evaluate the implementation of restorative justice practices in school districts, in consultation with specified stakeholders, and develop standard models or develop recommendations for effective implementation. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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