

Reformation of School-to-Prison Pipeline Through Restorative Justice

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Abstract. The purpose of this research is to reform the University of Utah's school-to-prison pipeline (STPP) on American Indian (AI) students by implementing the Restorative Justice (RJ) approach. AI students are plagued with high attrition and suspension rates, poor academic achievement, limited tuition assistance, and unequal treatment of the criminal justice systems. RJ has been adopted successfully in the United States through criminal proceedings and K-12 education, however it is being utilized at a very low rate in colleges and universities. Strategies to administer RJ at the University of Utah will be explored as well as its notable benefits.

Keywords: restorative justice, tcu, criminal justice, American Indian students

1 Background

STPP have negatively impacted students of color, most especially AI students who are harshly sanctioned on campus or even arrested for relatively minor offenses. Statistics have shown that AI students in Utah are 7.5 times more likely to be expelled and 8 times to be taken into law enforcement than their white counterparts (Walsh, 2015). In addition, 30% of AI students with disabilities received disciplinary actions resulting in disengagement, lack of access to financial aid, and eventually dropping out (Tirado, 2018). The prevalence of STPP in Utah continues to emerge and the correlation between the pipeline and achievement gap are alarmingly high. Walsh (2015) pointed out that many schools have zero tolerance policies in relation to drugs and other activities that direct them to the juvenile justice system as a form of intervention. According to McCarter (2017), despite the initiatives of STPP to improve campus safety, students have a greater risk of gang involvement, behavioral problems, juvenile delinquencies, and school withdrawal. The disciplinary measures of STPP for AI students are disproportionate and also the most marginalized group in Utah (Racially Just Utah, 2017). Thus, the campus becomes a negative or traumatic experience for them and the supportive learning environment disintegrates (Grobsmith, 1994). It is important to understand these concerning trends and AI students are entitled to support when they go through difficult situations. Their exclusion has been kept in silence for decades and a community inclusive approach will result in their success.

2 Policy

RJ is a methodology and theory of justice that focuses on relationship-building, repairing and addressing harm, and providing accountability through a facilitated conflict resolution process (Rinker & Jonason, 2004). In addition, it builds strong community ties within the campus environment to ensure that everyone feels valued and can thrive. Howard Zehr is the pioneer of this contemporary principle and also an American criminologist who have successfully imparted RJ throughout numerous academic centers (Umbreit, 2011).

The RJ intervention process in college and university settings are pragmatic and community-centered in structure to address the student's behavior due to policy or law violations (Rinker & Jonason, 2004). Using the three pillars of RJ, it is built into a three-tiered approach: 1.) community; 2.) repair harm; and 3.) reintegration (Zehr, 2002). Tier one involves staff training held by skilled RJ coordinators and considered as the foundational stage; tier two is the intervention process that occurs in a conference setting that functions in a co-facilitated dialogue between the victim and offender; and tier three is an important step in which the students will be reintroduced into the campus environment to ensure they are back on track academically and mentally (Zehr, 2002). The key to this process is accepting responsibility and reinforcing a sense of community through difficult conversations. Schools are implementing RJ practices in student success centers across the United States in order to reduce suspension, dropout, and incarceration (Gregory & Evans, 2020). It also aims to reduce racial disparities and increase access for marginalized students while providing an equitable and supportive environment for them (Gregory & Evans, 2020).

3 Analysis

RJ allows students to identify the conflict and determine the source of the issue such as insecurity, anger, or social pressures. Its restorative principles led to the following: 1.) healthier campus climate in the community, increased social-emotional learning, active listening, and conflict resolution for practitioners; 2.) honoring and preserving the dignity of the students; and 3.) fostering justice and equity on campus through authentic accountability (Gregory & Evans, 2020). According to WestEd Justice & Prevention Research Center (2019), RJ led to a significant drop of suspension rates for underrepresented students including those with disabilities, 83% reduction in misbehavior, and improvement in class attendance by 64%.

However, the limitations for this practice remain as an inherent challenge for students and postsecondary institutions. There are only 8% of institutions

that utilize RJ as a form of discipline (Clark, 2014). Many campuses are reluctant to necessitate a new mindset or change the disciplinary procedures. Thus, student development is not maximized and institutions are using the traditional justice proceedings as forms of measure (Karp, 2004). Another limitation is the laborious process that requires more additional resources such as funding and personnel (Clark, 2014). According to Huston (2015), RJ cases take more time to administer and institutions with larger caseloads will be impossible to accomplish operationally. In addition, RJ must not be applied in every violation of the campus policies but it is an effective alternative method of discipline. Therefore, further quantitative research is needed in order to expand RJ to a wider scale in higher education. In hindsight, the implementation of RJ is achievable and essential as a form of support for students. The significant statistics and positive data results are evident and should be considered as a recommended policy.

4 Conclusion

In conclusion, RJ promotes a stronger sense of campus community, improves student outcomes, and mitigates the growing racial disparity that negatively impacts underrepresented students. It is designed to repair harm and reintegrate students in a holistic manner. The issue of STPP and its disciplinary measures toward AI students at the University of Utah needs to be resolved. The problems of student attrition, cost barriers to financial aid, and retention should not be overlooked. Through the application of RJ as a useful approach, practitioners must be adequately trained, prepared to facilitate difficult conversations with students, and remain accountable by keeping track of their progress. The challenges to implement RJ in postsecondary institutions require patience and great collective effort. Institutions play an influential role in fostering a supportive environment for all students regardless of their race and background.

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