DAVID Y. IGE GOVERNOR



DR. CHRISTINA M. KISHIMOTO SUPERINTENDENT

STATE OF HAWAI'I DEPARTMENT OF EDUCATION P.O. BOX 2360 HONOLULU, HAWAI'I 96804

> Date: 04/06/2021 Time: 02:00 PM Location: 309 Via Videoconference Committee: House Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Resolution: SCR 0151, SD1 ENCOURAGING THE DEPARTMENT OF EDUCATION, COMPLEX AREAS, AND CHARTER SCHOOLS TO IMPLEMENT SCHOOL-WIDE RESTORATIVE PRACTICES IN THE STATE'S PUBLIC AND CHARTER SCHOOLS.

Department's Position:

The Hawaii State Department of Education (Department) supports SCR 151, SD1 to encourage the implementation of school-wide restorative justice initiative practices in Hawaii's public schools.

The Department acknowledges the importance of creating a positive school climate in which students are provided a safe and engaging learning environment. Restorative practices can help to achieve this positive school climate by:

- 1. Taking proactive measures to develop a nurturing and empathetic school community,
- 2. Providing clear and actionable expectations and procedures that encourage appropriate behaviors and discourage problematic ones, and
- 3. Instituting fair and effective practices that provide both accountability and support to those who have engaged in transgressive behaviors.

Restorative practices support the overarching goal of strengthening school climate. Schools can accomplish this by building community through nurturing healthy relationships among both students and educators, developing a restorative mindset in adults and students, and responding to harm whenever it occurs and between whomever it occurs. The repair of harm and restoring of relationships are most closely linked to the purposes and intentions of restorative justice, but should be provided in the larger context of a positive school climate and should be viewed as an integral part of restorative practice in the school.

Schools are encouraged to implement school-wide restorative justice practices within the Hawaii Multi-Tiered System of Support, a framework that is required in all Department schools. This framework outlines the appropriate support and resources that address the needs of the

whole child in the areas of academics, behavioral, social-emotional, and physical well-being.

The Hawaii Multi-Tiered System of Support takes a tiered approach that is focused on the entire school environment and provides a continuum of support for those who need it most. It provides a behavioral framework that can support all students by establishing a positive school-wide climate and culture. Schools will establish school-wide behavior expectations, implement reinforcement programs to encourage expected behaviors, and create procedures to discourage problematic behaviors. Commonly used evidence-based practices include Positive Behavior Interventions and Supports, Social Emotional Learning, and Character Education.

In addition, trauma-informed practices are also beginning to be incorporated into restorative justice efforts to ensure students are learning in supportive and compassionate school settings that prioritize resilience and mental health, as well as physical, psychological, and emotional safety to foster connection and success. Schools that are trauma-informed promote physical and emotional safety in relationships and in the environment, reducing trauma-related triggers in the school environment and eliminating potentially retraumatizing practices.

The Department recognizes the potential of implementing restorative justice practices to create positive learning environments in its schools. Thus, the Department of Education supports resolution SCR 151, SD1.

Thank you for the opportunity to submit testimony on SCR 151, SD1.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

<u>SCR-151-SD-1</u> Submitted on: 4/1/2021 4:14:13 PM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	We Are One, Inc www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support SCR151 SD1 for Restorative Justice in schools, and everywhere else.

www.WeAreOne.cc

I strongly support SCR 151 Senate concurrent resolution

Restorative Justice Fact Sheet

Case example: Denver Public Schools1

"The Denver Public Schools Restorative Justice Project was implemented to positively and effectively address the growing number of out-of-school suspensions in the district. In the 2004-2005 school year, this number approached 15,000 across the district, a number that has not been seen since."

The report from 2008-2009 (the fourth year of the program) show these results, comparing the first quarter and the last quarter of the 2008-2009 school year:



 All data from "DPS Restorative Justice Project: Year Three" Year End Report, 2008-2009, prepared and submitted to Denver Public Schools by Myriam L. Baker, Ph.D., Outcomes, Inc. Found online at http://www.restorativejustice.colorado.org/restorative-justice-in-schools html.

KEY POINTS

Restorative justice builds community.

Restorative justice puts punishment aside and looks at what have been the obligations resulting from the harm and what needs to be done to make it right.

Restorative justice builds the community rather than the opposite.

Restorative justice does not go easy on harm but rather looks at the actual obligations resulting from the incident and finds collaborative appropriate complete solutions to most fully restore the harm done.

Restorative justice holds wrongdoers accountable to a higher level than punishment and rewards can

Research and statistics prove that it reduces discipline problems significantly over 50%, and in Denver with a 90% decrease in suspension and 50% reduction in absences

Research and statistics prove that it increases graduation rates and decreases dropouts

Research and statistics prove that restorative justice increases success, showing increased GPA numbers

Restorative justice teaches students to solve conflicts in their lives and will bring greater peace to our world as a result

Restorative justice is focused on relationships and the building of community so that when something happens there is something to restore.

If you really think about it - punishment and rewards don't really work very well and do not teach what we want to teach our children about responsibility and problem solving and more

Restorative Justice can be done by the individual on an interpersonal level all the way up to a community conference, depending on the nature and degree of harm.

Restorative justice is dependent on the offender taking responsibility and therefore is not used unless that is present; if the offender does not admit guilt then in that case the usual system of justice is used. Restorative justice is not a substitute but rather an add-on to the current justice/discipline system. It does not replace the current system, therefore is safe and effective

Statistics and research show that suspension and expulsion ultimately lead to a much higher chance of that person being incarcerated later in their life; restorative justice decreases this need by 90%. This is the so-called school to prison pipeline.

Restorative justice costs less than traditional justice system and decreases the chances of students later becoming incarcerated and decreases recidivism which decreases the cost for our society and decreases time spent in student behavior management ultimately. The whole field of restorative practices and of restorative justice empowers teachers and students and people to a more peaceful way to relate to each other.

Restorative justice is desperately needed in our world right now because there is so much violence and conflict without end.

Genesis Young MD & Director Teran James Young Foundation Inc 501c3



Benefit-Cost Results

Restorative justice conferencing Adult Criminal Justice

Benefit-cost estimates updated December 2018. Literature review updated February 2017.

Current estimates replace old estimates. Numbers will change over time as a result of model inputs and monetization methods.

The WSIPP benefit-cost analysis examines, on an apples-to-apples basis, the monetary value of programs or policies to determine whether the benefits from the program exceed its costs. WSIPP's research approach to identifying evidence-based programs and policies has three main steps. First, we determine "what works" (and what does not work) to improve outcomes using a statistical technique called meta-analysis. Second, we calculate whether the benefits of a program exceed its costs. Third, we estimate the risk of investing in a program by testing the sensitivity of our results. For more detail on our methods, see our Technical Documentation.

Program Description: Restorative justice conferences are face-to-face meetings, typically between the victim and the convicted individual, facilitated by a professionally trained mediator. The purpose of conferences is to discuss the harm done and to come to an agreement between all parties about reparations. Conferences may also include other supporting persons or community members to resolve the harm done by the convicted individual. Conferences can take place during incarceration, before sentencing following a guilty plea, as a diversion program, or during re-entry. This intervention is brief, typically one or two conferences that last an hour or two.

	Benefit-Cost Summary Statistics Per Participant					
Benefits to:						
Taxpayers	\$868	Benefit to cost ratio	\$2.01			
Participants	\$0	Benefits minus costs	\$1,145			
Others	\$1,535	Chance the program will produce				
Indirect	(\$128)	benefits greater than the costs	57 %			
Total benefits	\$2,274					
Net program cost	(\$1,129)					
Benefits minus cost	\$1,145					

The estimates shown are present value, life cycle benefits and costs. All dollars are expressed in the base year chosen for this analysis (2017). The chance the benefits exceed the costs are derived from a Monte Carlo risk analysis. The details on this, as well as the economic discount rates and other relevant parameters are described in our **Technical Documentation**.

Detailed Mo	onetary Benefit Est	imates Per Pa	rticipant		
Benefits from changes to:1		Be	nefits to:		
	Participants	Taxpayers	Others ²	Indirect ³	Tota
Crime	\$0	\$868	\$1,535	\$432	\$2.83
Adjustment for deadweight cost of program	\$0	\$0	\$0	(\$560)	(\$560
Totals	\$0	\$868	\$1,535	(\$128)	\$2,274

¹In addition to the outcomes measured in the meta-analysis table, WSIPP measures benefits and costs estimated from other outcomes associated with those reported in the evaluation literature. For example, empirical research demonstrates that high school graduation leads to reduced crime. These associated measures provide a more complete picture of the detailed costs and benefits of the program.

²"Others" includes benefits to people other than taxpayers and participants. Depending on the program, it could include reductions in crime victimization, the economic benefits from a more educated workforce, and the benefits from employer-paid health insurance.

3"Indirect benefits" includes estimates of the net changes in the value of a statistical life and net changes in the deadweight costs of taxation.

Detailed Annual Cost Estimates Per Participant					
	Annual cost	Year dollars	Summary		
Program costs	\$1,078	2013	Present value of net program costs (in 2017 dollars)	(\$1,129)	
Comparison costs	\$0	2013	Cost range (+ or -)	10 %	

Per-participant cost from the Dispute Resolution Center of Thurston County: 2013 Annual Report. Olympia, WA.

The figures shown are estimates of the costs to implement programs in Washington. The comparison group costs reflect either no treatment or treatment as usual, depending on how effect sizes were calculated in the meta-analysis. The cost range reported above reflects potential variation or uncertainty in the cost estimate; more detail can be found in our Technical Documentation.



The graph above illustrates the estimated cumulative net benefits per-participant for the first fifty years beyond the initial investment in the program. We present these cash flows in non-discounted dollars to simplify the "break-even" point from a budgeting perspective. If the dollars are negative (bars below \$0 line), the cumulative benefits do not outweigh the cost of the program up to that point in time. The program breaks even when the dollars reach \$0. At this point, the total benefits to participants, taxpayers, and others, are equal to the cost of the program. If the dollars are above \$0, the benefits of the program exceed the initial investment.

		Meta-	Analysis o	f Progr	am Effe	ects					
Outcomes measured Trea		No. of effect	Treatment N	Adjusted			tandard erro st analysis	ors used ir	n the	size (rand	ted effect
		sizes	First time ES is e		First time ES is estimated Second time ES is estimated		is	model)			
			ES	SE	Age	ES	SE	Age	ES	p-value	
Crime	30	6	266	-0.072	0.154	32	-0.072	0.154	42	-0.072	0.641

Meta-analysis is a statistical method to combine the results from separate studies on a program, policy, or topic in order to estimate its effect on an outcome. WSIPP systematically evaluates all credible evaluations we can locate on each topic. The **outcomes** measured are the types of program impacts that were measured in the research literature (for example, crime or educational attainment). **Treatment N** represents the total number of individuals or units in the treatment group across the included studies.

An effect size (ES) is a standard metric that summarizes the degree to which a program or policy affects a measured outcome. If the effect size is positive, the outcome increases. If the effect size is negative, the outcome decreases.

Adjusted effect sizes are used to calculate the benefits from our benefit cost model. WSIPP may adjust effect sizes based on methodological characteristics of the study. For example, we may adjust effect sizes when a study has a weak research design or when the program developer is involved in the research. The magnitude of these adjustments varies depending on the topic area.

WSIPP may also adjust the second ES measurement, Research shows the magnitude of some effect sizes decrease over time. For those effect sizes, we estimate outcome-based adjustments which we apply between the **first time ES is estimated** and the **second time ES is estimated**. We also report the **unadjusted effect size** to show the effect sizes before any adjustments have been made. More details about these adjustments can be found in our Technical Documentation.

Citations Used in the Meta-Analysis

Shapland, J., Atkinson, A., Atkinson, H., Dignan, J., Edwards, L., Hibbert, J., ... Sorsby, A. (2008.). Does restorative justice affect reconviction: The fourth report from the evaluation of three schemes (Ministry of Justice Research Series). Sheffield, United Kingdom: University of Sheffield, Centre for Criminological Research.

Sherman, L.W., Strang, H., & Woods, D.J. (2000). Recidivism patterns in the Canberra Reintegrative Sharning Experiments (RISE). Canberra, Australia: Centre for Restorative Justice, Research School of Social Sciences, Australian National University.

For further information, contact: (360) 664-9800, institute@wsipp.wa.gov Printed on 06-26-2019

Washington State Institute for Public Policy

The Washington State Legislature created the Washington State Institute for Public Policy in 1983. A Board of Directors-representing the legislature, the governor, and public universities-governs WSIPP and guides the development of all activities. WSIPP's mission is to carry out practical research, at legislative direction, on issues of importance to Washington State.

<u>SCR-151-SD-1</u> Submitted on: 4/1/2021 4:27:00 PM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Figueira	Individual	Support	No

Comments:

I support SCR151

Mahalo

SCR-151-SD-1

Submitted on: 4/1/2021 4:57:18 PM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Support	No

Comments:

Support

The current system is not equitable. All students need a better path. The state continues to have it backwards. Instead of building more prisons, invest in the schools and communities at early age. Restorative Justice practice works.

<u>SCR-151-SD-1</u> Submitted on: 4/2/2021 2:50:37 AM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Kneisler	Individual	Support	No

Comments:

Please support this bill and create a more responsible ability to heal injustices. Pass SCR 151!

aloha and thank you for making our community wonderful!

John Kneisler

<u>SCR-151-SD-1</u> Submitted on: 4/2/2021 7:43:52 AM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason schwartz	Individual	Support	No

Comments:

I affirm my strong support for this important bill. Our youth deserve a better future, and this can help!!!!!

<u>SCR-151-SD-1</u> Submitted on: 4/2/2021 4:15:57 PM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sulara James	Individual	Support	No

Comments:

I wholeheartedly support SCR151, which is based on problem solving and conflict resolution rather than on punishment, will support greater peace in our young people, our community, and in our world.

<u>SCR-151-SD-1</u> Submitted on: 4/2/2021 8:35:19 PM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce Lowrey	Individual	Support	No

Comments:

I strongly support SCR 151 Senate Concurrent Resolution

KEY POINTS

Restorative justice builds community.

Restorative justice puts punishment aside and looks at

what have been the obligations resulting from the harm

and what needs to be done to make it right.

Restorative justice builds the community rather than the opposite.

Restorative justice does not go easy on harm but rather

looks at the actual obligations resulting from the incident

and finds collaborative appropriate complete solutions to

most fully restore the harm done.

Restorative justice holds wrongdoers accountable to a

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90% decrease in suspension and 50% reduction in absences

Research and statistics prove that it increases graduation rates and decreases dropouts Research and statistics prove that restorative justice increases success, showing increased GPA numbers Restorative justice teaches students to solve conflicts in their lives and will bring greater peace to our world as a result

Restorative justice is focused on relationships and the building of community so that when something happens there is something to restore.

I want to teach our children about responsibility and problem solving and more.

Restorative Justice can be done by the individual on an interpersonal level all the way up to a community conference, depending on the nature and degree of harm.

Restorative justice is dependent on the offender taking responsibility and therefore is not used unless that is present; if the offender does not admit guilt then in that case the usual system of justice is used. Restorative justice is not a substitute but rather an add-on to the current justice/discipline system. It does not replace the current system, therefore is safe and effective Statistics and research show that suspension and expulsion ultimately lead to a much higher chance of that person being incarcerated later in their life; restorative justice decreases this need by 90%. This is the so-called school to prison pipeline.

Restorative justice costs less than traditional justice system and decreases the chances of students later becoming incarcerated and decreases recidivism which decreases the cost for our society and decreases time spent in student behavior management ultimately. $\hat{a} \in \langle$

The whole field of restorative practices and of restorative justice empowers teachers and students and people to a more peaceful way to relate to each other. Restorative justice is desperately needed in our world right now because there is so much violence and conflict without end.

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SCR-151-SD-1

Submitted on: 4/4/2021 7:50:21 AM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Allison	Individual	Support	No

Comments:

Please support this effort to improve the lives of our students. Restorative Justive provides a more positive way to deal with conflict and leads to upleveled outcomes for the students, teachers, administrators, familys and the community. Then there can be more positive use of everyones ' time and attention to teacing and leaning.

Mahalo

<u>SCR-151-SD-1</u> Submitted on: 4/4/2021 10:55:45 AM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Duane Elliott	Individual	Support	No

Comments:

I support this bill having restorative pracitces in the HI school system.

Mahalo

Duane Elliott

SCR-151-SD-1

Submitted on: 4/4/2021 8:51:58 PM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Amanda Jobbins	Individual	Support	No

Comments:

I fully support implementing school-wide restorative justice practices, and as a former educator I am very excited by this proposition.

Indigenous people, like the New Zealand Maori, have used restorative justice for hundreds of years.

In Oakland, California a pilot restorative justice program was implemented in a failing middle school. Within 3 years violence was decreased by 87%. There are innumerable other positive examples across schools and communities throughout the world.

Mahalo

<u>SCR-151-SD-1</u>

Submitted on: 4/5/2021 9:11:57 AM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Manske	Individual	Support	No

Comments:

Greetings,

There is a long tradition in Hawai'i of communities discovering restorative solutions to conflict. School communities need these restorative solutions now!

What sense does it make to punish children by depriving them of time in school through suspensions or expulsions? I can think of no other strategy more self-defeating!

If the purpose of schools is to provide safe communities of learning in order to support children in becoming productive members of society, how does it make sense to deprive any child of that education as punishment for misbehavior?

We need to implement proven systems of restoration rather than punishment!

https://www.wested.org/wp-content/uploads/2019/04/resource-restorative-justice-in-u-s-schools-an-updated-research-review.pdf

School communities should be provided with all necessary resources to train staff, teachers, and children in practices and processes that constructively address behavioral problems. Ample research exists to demonstrate that punishment rarely if ever, works. Rather than decrease the likelihood of future problems, punishment actually increases the likelihood of escalating behavioral issues, sadly culminating in a school to prison pipeline that is costly to society.

How about we focus instead on healing and reconciliation strategies that address underlying behavioral problems within individuals, families, and social systems?

These strategies have been time tested, including Ho'oponopono, mediation, restorative dialog, restorative circles, and other connecting strategies that teach what we most want children to learn: to take responsibility for harms they inflict, make repairs, rebuild relationships, and increase peace in schools and in communities.

Please consider sending a clear message to the Department of Education to implement restorative solutions for the sake of our children, and our community. In the long run, it will save not only money, but save lives!

Jim Manske

Ha'iku, Hawai'i

I strongly support SCR 151 Senate concurrent resolution

Restorative Justice Fact Sheet

Case example: Denver Public Schools1

"The Denver Public Schools Restorative Justice Project was implemented to positively and effectively address the growing number of out-of-school suspensions in the district. In the 2004-2005 school year, this number approached 15,000 across the district, a number that has not been seen since."

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Restorative justice is desperately needed in our world right now because there is so much violence and conflict in our world

Thank you for your consideration

David Litman



Benefit-Cost Results

Restorative justice conferencing Adult Criminal Justice

Benefit-cost estimates updated December 2018. Literature review updated February 2017.

Current estimates replace old estimates. Numbers will change over time as a result of model inputs and monetization methods.

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Adjustment for deadweight cost of program	\$0	\$0	\$0	(\$560)	(\$560
Totals	\$0	\$868	\$1,535	(\$128)	\$2,274

¹In addition to the outcomes measured in the meta-analysis table, WSIPP measures benefits and costs estimated from other outcomes associated with those reported in the evaluation literature. For example, empirical research demonstrates that high school graduation leads to reduced crime. These associated measures provide a more complete picture of the detailed costs and benefits of the program.

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		Meta-	Analysis o	f Progr	am Effe	ects					
Outcomes measured	Treatment age	No. of effect	ct N	Adjusted effect sizes and standard errors used in the benefit-cost analysis				n the	Unadjusted effect size (random effects		
	size	sizes		First time	First time ES is estimated		Second time ES is estimated		is	model)	
				ES	SE	Age	ES	SE	Age	ES	p-value
Crime	30	6	266	-0.072	0.154	32	-0.072	0.154	42	-0.072	0.641

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Citations Used in the Meta-Analysis

Shapland, J., Atkinson, A., Atkinson, H., Dignan, J., Edwards, L., Hibbert, J., ... Sorsby, A. (2008.). Does restorative justice affect reconviction: The fourth report from the evaluation of three schemes (Ministry of Justice Research Series). Sheffield, United Kingdom: University of Sheffield, Centre for Criminological Research.

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Submitted on: 4/6/2021 11:37:57 AM Testimony for EDN on 4/6/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Matt Lannis	Individual	Support	No

Comments:

This is an incredible important step to bringing our values of compassion and care into our educational institutions. Please support this bill.

Respectfully,

Matt Lannis