



Incorporating Restorative Practices in Investigation and Student Support Meetings

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Introductions

- **About the facilitators:**
 - Our stake in this work;
 - Our story;
 - How we position ourselves in Title IX.
- **About the participants:**
 - Your stake in this work;
 - Your story;
 - How you position yourselves in Title IX.



Centering Activity

Take the next 5 minutes to free write (on paper, on your computer, or phone) about your relationship to this work.

Consider:

- **How do my identities impact how I show up in the interview process?**
- **What does this mean for me in my role?**
- **What are you noticing about your reflections? (i.e., ease, discomfort, alignment, curiosity?)**

What do we mean when we say, Restorative Justice (RJ)?



Based on the foundational belief that people want to make amends for wrongdoing for 2 reasons: to return to the community and return a community to its relational balance (Anderson, 2020, p. 144).



Well-defined communities which work to promote an ethos of care (Sebok & Goldblum in Anderson, 2020, p. 144).



RJ is rooted in community and necessitates a sense of shared belonging and desire to be in community

“When we expect restorative justice to solve problems that institutions neglect, the work gets watered down”

Desireé Anderson, Co-opting Restorative Justice in Higher Education

Disclaimer

RJ requires community commitment and folks to appreciate their role in the community: it cannot be “done” to or with folks without their consent.

Setting Realistic Expectations...



RJ is not something you can learn and then be an “expert:” it is a *practice*

RJ focuses on *restoring* harm, not punishment

This next hour(ish) won’t make you an expert, or “train” you, but it does aim to ignite your interest and appeal to your “why”

RJ is not a “fix:” for larger structural issues that institutions neglect

Informal Resolution 106.45(b)(9)

“At any time prior to reaching a determination regarding responsibility the recipient may facilitate an informal resolution process...”



Investigation of a Formal Complaint 106.45(b)(5)

- ✓ Burden of proof on University;
- ✓ Equal opportunity to present witnesses, evidence;
- ✓ Not restrict discussion of allegations;
- ✓ Same opportunity to have others present;
- ✓ Written notice;
- ✓ Same opportunity to inspect and review evidence;
- ✓ Investigation Report;

The Investigation Meeting Overview

Key Components of the Meeting:

- Introductions
- Overview of process
- Purpose of investigatory meeting
- Questions from the parties
- Restorative questions
- Next steps
- Conclusion



The “Restorative Questions”

For those who have been harmed

1. What happened?
2. How were you affected?
3. How is the incident still affecting you now?
4. What do you need to have happen to make things right?
5. Is there anything else you want to share about the impact?

For those who did the harm

1. What happened?
2. What were you thinking/feeling at the time?
3. Who has been affected/harmed by your actions?
4. How do you feel about the incident?
5. What can be done to make things right?

What other, similar questions, have you used?



Conflict of Interest & Bias

106.45(b)(1)(iii)

Designated individuals do not have a conflict of interest or bias ...

- For/ Against complainants or respondents, generally.
- Individual complainant or respondent

Training on bias



In the Spirit of Practicing

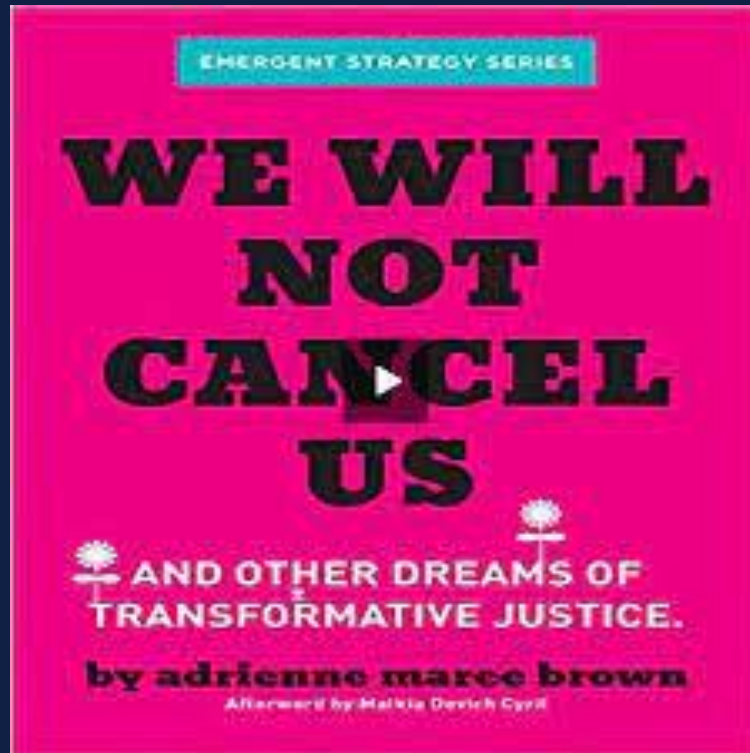
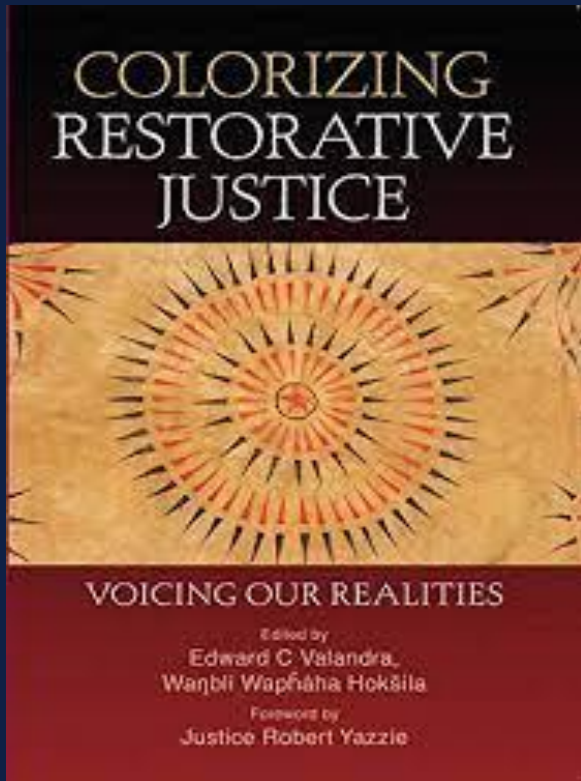


1. Think of an example of something important in your life (that you feel comfortable sharing)
2. Partner 1 is the investigator and Partner 2 is the person experiencing something important
3. Partner 1 will lead the investigation, and Partner 2 will respond
4. Switch after no more than 10 minutes per person

Again, RJ is a practice

The following slide includes *some* ways to inform your practice

Accounts to follow & Books to read



@accountabilitymapping

@triadrestorativejustice

@amplify.rj

@restorativejusticeeducation

Book: Colorizing Restorative Justice

Book: We Will Not Cancel Us



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Thank you!

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