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## Fostering Accountability and Repairing Harm: A Program Evaluation of Restorative Justice at the University of Denver

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# Fostering Accountability and Repairing Harm: A Program Evaluation of Restorative Justice at the University of Denver

## Abstract

Restorative Justice is a practice that incorporates harmed parties and the greater community in resolving harm or conflict, the ultimate goal of restorative justice being to make things right. This practice has been used increasingly in student conduct processes on college campuses across the United States. This doctoral research paper serves to evaluate the restorative justice program housed at the University of Denver, which has been using this process since 2012. Utilizing a responsive evaluation framework, the evaluation process consisted of interviews with program stakeholders, university staff and faculty members with a long term interest in the success of the program; observations of restorative justice conferences; interviews with students who had gone through the restorative justice process; and analysis of relevant documents and resources. The themes that emerged from this evaluation were grouped into three categories, each with subcategories. The first category involves motivations for pursuing restorative justice including disciplinary status, and guilt and remorse. The second is conferencing experiences, which included conference participants and community as well as conferencing logistics. The third is outcomes, which included reflections on harm, reflections on community, and learning from the process. Overall, the data indicated positive perceptions of the restorative justice process from students, and a greater understanding of the impacts that their actions had. This is followed by recommendations for program stakeholders, ranging from adjustments to the preconference preparation process to additional staffing and resources to support the growth of the restorative justice program.

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Presented to

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University of Denver

In Partial Fulfillment of the Requirements for the Degree

Doctor of Education

By

Ryan Smith

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Advisor: Dr. Ryan Gildersleeve

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Title: Fostering Accountability and Repairing Harm: A Program Evaluation of Restorative Justice at the University of Denver

Advisor: Dr. Ryan Gildersleeve

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### **Abstract**

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This practice has been used increasingly in student conduct processes on college campuses across the United States. This doctoral research paper serves to evaluate the restorative justice program housed at the University of Denver, which has been using this process since 2012.

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## **Introduction**

The idea that members of a community can come together and engage in dialogue to solve problems and to hold accountable those who have caused harm is one that is as old as human civilization. It is only in recent years that scholars have attempted to understand this idea and how it has been used. One way in which these processes have been used, termed restorative justice, has provided a method for communities to identify ways to address wrongdoing and to provide opportunities for community members to express the harms or impacts of one member's actions. Ultimately, the goal of the RJ process is to provide a means for the offender to make amends, to regain the trust of the community, and to make things right (Zehr, 2015).

This practice has been adopted by those who administer disciplinary processes within higher education. The rapidly changing field of student conduct aims to develop robust and educational responses to college student misbehavior. While university regulation of college student misbehavior is not new, its professionalization and resulting research into effective methodology and emerging best practice is relatively new. Increasingly, universities have adopted restorative processes in order to respond to misbehavior, which roots the conversation into the impact of the behavior on the community and facilitating a community-based response to wrongdoing as opposed to what most conduct administrators would deem as an educational, or administrative response.

### **What is Restorative Justice?**

Restorative Justice is defined by Howard Zehr (2015) as “a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible” (p.

37). While Restorative Justice is not a new idea, it is one that has garnered increased interest within various spheres in the western world. This interest has grown within the criminal justice and legal realms, as well as in K-12 education to address conflicts and harm in educational spaces (Karp & Breslin, 2001; Karp & Conrad, 2005; Karp, 2015). There has also been increased interest within higher education, especially among student conduct and housing professionals for addressing the personal and community impact resulting from wrongdoing on the part of the student (Clark, 2014; Karp & Conrad, 2005; Goldblum, 2004; Karp, 2015; Dahl, Meager & Van der Velde, 2014). This can manifest as both a philosophy that informs a greater process for addressing wrongdoing, as well as through the practice of restorative justice conferencing. A restorative justice conference is a process that intentionally incorporates perspectives of harmed parties and community members to address policy violations (Zehr, 2015).

Braithwaite (1989) used the term *reintegrative shaming* to explain the phenomenon that ultimately occurs through restorative justice. Instead of individuals being shamed through stigmatization – which may result from the isolation achieved through institutions like prison or separation from one’s community (*disintegrative shaming*), he emphasized a process that resembles punishment as it occurs in a family through initial disapproval, followed by reacceptance. Braithwaite (1989) noted that “the nub of deterrence is not the severity of the sanction but its social embeddedness; shame is more deterring when administered by persons who continue to be of importance to us; when we become outcasts, we can reject our rejectors and the same no longer matters to us” (p. 55). This is ultimately the foundation for restorative justice, meaning that a sense of community is important for a wrongdoer, both in terms of effective forms of punishment, and also in terms of reducing instances of recidivism. In order for

this to happen, however, the wrongdoer must have opportunities to repair the harm caused to both individuals and the community, as well as opportunity for reacceptance.

### **Student Conduct in Higher Education**

Student conduct traces its roots to early American colleges, where college administrators - then acting *in loco parentis* or in the place of parents - were responsible for the behavior of college students and required a mechanism to address misbehavior (Cohen & Kisker, 2010). The process has evolved significantly since then, navigating various external influences including legislative and judicial pressures, the changing developmental needs of students, and the nature of higher education. The Supreme Court decision *Dixon v. Alabama* in 1961 effectively ended the idea of *in loco parentis* and established the need for a fair hearing process for campus disciplinary proceedings. This decision also prompted the need for professionalization with the practice of student conduct; the Association of Student Conduct Administration was later established in 1987, further supporting the professionals in this field.

The adoption of restorative justice into the practice of student conduct has been a relatively recent change, but one that generally suits the nature and community found on college campuses (Karp, 2005). Early adopters of restorative practices in higher education; including the University of Michigan, University of Vermont, and University of Colorado noted the success of restorative practices in K-12 education and juvenile justice systems and introduced the process in an attempt to create a dynamic student conduct system that was focused on student accountability and the reparation of harm (Karp, 2015; Goldblum, 2009). Restorative justice creates community and deepens bonds through interaction with offenders, victims, and community members leading to further connection and options for restitution that are

meaningful, practical, and symbolic (Schweigert, 1999). Additionally, the concept of restorative justice relies on these bonds and a sense of connectedness to be successful. The campus context provides a good setting for these processes, as they are “well-defined communities” meaning that they are good candidates for restorative justice processes (Karp, 2005, p. 315). Many institutions of higher education have adopted restorative justice models, however they vary depending the nature and size of the institution, as well as the nature of the institution’s conduct process.

In addition to restorative justice’s potential community impact, it can lead to greater student satisfaction with the process and lower recidivism rates (Dahl, Meagher, & Vander Velde, 2014). Institutions have used restorative justice to address a variety of issues from neighborhood disturbances and parties to academic misconduct (Kara & McCalister, 2010). A study of student conduct processes at 18 institutions of higher education found that restorative conduct processes had statistically significantly greater student impact on all six of their learning measures including self-authorship, active accountability, interpersonal competence, social ties to the institution, procedural fairness, and closure – than did other forms of student conduct adjudication (Karp & Sacks, 2010).

### **Restorative Justice at the University of Denver**

The Office of Student Rights and Responsibilities incorporated restorative justice into its case resolution process in 2012, introduced and implemented by graduate students from the Higher Education and Conflict Resolution programs at the institution. Student Rights and Responsibilities is tasked with upholding the policies contained in the University of Denver’s Honor Code, including academic misconduct, violations of housing policies, and other violations of policies on the part of students (University of Denver, 2017). The restorative justice program

is coordinated by a staff member in the office with the support of graduate students from different areas of the university. Student Rights and Responsibilities staff members train facilitators in the process.

The office offers three pathways for case resolution. The first is an individual administrative meeting with a student conduct administrator. This can include a member of the Student Rights and Responsibilities staff or a member of the Housing and Residential Education staff. The majority of violations are adjudicated in this manner. The second option is a Student Accountability Board. This option is generally reserved for issues where there is contention, there are facts in dispute, or a student is facing dismissal from the institution. The third option is restorative justice. Restorative justice is a voluntary process, and students are eligible if they take responsibility for their actions, exhibit a desire to explore and address the impact of their actions, and exhibit a desire to move address a community need (University of Denver, 2018). The total number of cases has been rising every year, as has the number of restorative justice conferences. In the 2016 - 2017 academic year, there were a total of 962 conduct cases and 26 restorative justice conferences (University of Denver, 2018).

	2013-2014	2014-2015	2015-2016	2016-2017
Total Number of Cases	1168	1257	1341	962
Restorative Justice Conferences	11	26	25	26

Figure 1: Annual Cases, (University of Denver, 2018)

### **Evaluation Problem**

While there is growing support for RJ processes broadly, the research into the value or efficacy in addressing student misbehavior and its impact on campus communities is still limited (Karp & Sacks, 2014). RJ has been adopted to varying degrees on a number of campuses,

however each RJ program is very different in terms of both outcomes and implementation (Karp, 2015). While RJ has been a part of the student conduct process at the University of Denver for approximately seven years, there has been little assessment conducted on the process.

The resources that must be dedicated to a restorative justice process, however, are much greater than resources required for the traditional conduct process. A restorative justice conference generally requires multiple meetings with students, the involvement of individuals from across campus to participate, as well as outcomes that require a greater level of commitment from the student, student conduct staff members, and community members who have volunteered to partner with the student in the execution of the outcomes. With this greater commitment of resources, institutions of higher education must be able to evaluate and justify the added value received in return.

Limited assessment has been conducted on both the RJ and the broader student conduct process at DU. There is room for assessment to determine whether or not the additional resources required for a restorative justice process manifests in significantly greater student learning or community impact. Additionally, restorative justice has the potential to create a more inclusive process for addressing student misbehavior, providing additional avenues for those historically oppressed by western systems of justice with which a student conduct process is closely aligned (Simson, 2014; Hudson, 2006). A brief review of demographic data would demonstrate, however, that the majority of students who go through the RJ process at DU identify as white. This leads to questions about who the process serves, and who the process is intended to serve at a predominantly white institution.

## **Purpose Statement**

The purpose of this program evaluation is to evaluate the worth and merit of restorative justice to the conduct process at the University of Denver, to student respondents in the process, as well as to the greater campus community. Given this, the evaluation will explore the way in which students experience RJ and how the process helps students to understand the impacts of their actions.

### **Evaluation Questions**

The questions that served to guide the evaluation process include:

1. How do students experience the RJ process?
2. How do students understand the impacts of their actions as a result of their participation in the RJ process?

### **Evaluation Model**

This program was evaluated using a responsive standards-based evaluation model (Stake, 1973; 2004). This model of program evaluation at its core relies on a process of observing and reacting. Even at the risk of sacrificing precision and some evaluator objectivity, the purpose of responsive evaluation is to engage stakeholders and participants in a process of reacting to the data that emerges from the evaluation process (Stake, 1973). The amount of structure, and even the final product of the evaluation process will be dependent on the needs of the stakeholders. This allows for and requires some degree of flexibility in terms of planning and structure, allowing the evaluation to focus on issues as they emerge throughout the evaluation process (Stake, 1973).

### **Review of the Literature**

As the study of student conduct is relatively nascent, only recently have scholars begun to focus on measuring outcomes from these processes (Stimpson & Stimpson, 2008). Much of the literature on student conduct focuses on due process, legislative impacts, and historical study that provides context into its evolution (Swinton, 2008). Restorative justice literature, on the other hand, is broad and incorporates a wide array of restorative practices, including peace circles, victim offender mediation, and family group conferencing (Zehr, 2015). Much of this literature is relevant to the college setting, especially studies that focus on the impacts of RJ to victims, offenders, and the greater community (Karp, 2015). Literature more closely aligned to the college environment, educational spaces, and notions of justice in education provide analysis of the role that restorative justice can play in the educational system, and especially within higher education.

### **Theoretical Framework: Restorative Justice**

For the purpose of this study, restorative justice within student conduct is both the topic being studied and also the theoretical lens through which to view the problem and the process. Restorative justice literature will be discussed, as it presents the context through which the process will be evaluated. Restorative justice is a practice for addressing wrongdoing that shifts the focus on harm caused, and those impacted rather than simply punishment of the offender. It creates opportunities for offenders, victims, and communities to engage in the process to redress wrongdoing and it gives them a voice in the outcome of the process (Zehr, 2005; Zehr, 2015). While the focus of student conduct has traditionally been to educate and prevent reoffending (Karp & Frank, 2016), the nature of colleges and universities provide good opportunities to



implement restorative practices, thus creating space for impacted parties to be involved in the conduct process, and to provide avenues through which community can be built and fostered (Karp & Conrad, 2005).

Howard Zehr (2015) defines restorative justice as “an approach to achieving justice that involves, to the extent possible, those who have a stake in a specific offense or harm to collectively identify and address harms, needs, and obligations in order to heal and put things as right as possible” (p. 50). Zehr cautions against rigid definitions of RJ, instead encouraging scholars and practitioners to focus on unifying values (Zehr, 2015). Restorative justice can be conceptualized resting on three pillars: harms and needs, obligations, and engagement (Zehr, 2015). These are the three elements that must be addressed through RJ, including conferencing and other forms. This leads to what Zehr calls the “skeletal outline” of RJ, “restorative justice requires, at a minimum, that we address the harms and needs of those harmed, hold those causing harm accountable to “put right” those harms, and involve both of these parties as well as relevant communities in this process” (p. 37).

Restorative justice is grounded in Braithwaite’s (1989) concept of reintegrative shaming, or the idea that a wrongdoer can be punished, and then reintegrated back into the community rather than stigmatized. A closely-knit community provides an element of accountability, something people without community are lacking. When wrongdoers are stigmatized as a result of their actions, these accountability measures are not in place to prevent reoccurrences (Braithwaite, 1989). Viewing wrongdoing through a traditional retributive lens – one that simply sees punishment as recourse for wrongdoing - causes further isolation and stigmatization of wrongdoers, or disintegrative shaming (Braithwaite, 1989; Zehr, 1990). When individuals are stigmatized for their wrongdoing, according to Braithwaite, they will create communities

centered around this deviance, identifying with others who have been stigmatized (1989). When one views wrongdoing through the lens of restorative justice, however, not only do they acknowledge the individuals and communities impacted by the wrongdoing, but they put into effect a process to involve the wrongdoer in working to repair the harm caused. This, in effect, brings the wrongdoer back into the community, thus further strengthening bonds and more deeply integrating them (Zehr, 2005, p. 181).

Above anything else, RJ can be grounded in its fundamental values. Pranis (2007) identified the themes of “respect, individual dignity, inclusion, responsibility, humility, mutual care, reparation, and non-denomination” (p. 62). Additional underlying beliefs of RJ practitioners include the importance of relationships, interconnection and interdependence, “wisdom resides in each person,” and justice is healing (pp. 65-66). Additionally, Pranis emphasizes the role of values to RJ, which is essentially a values driven process. One could consider the drawbacks of such a broad definition of restorative justice but recognize that various restorative processes are connected through these values (Pranis, 2007).

Critiques of the restorative justice movement exist as well. Levrant, Cullen, Fulton & Wozniak (1999) caution that correctional reforms implemented in the past with the best of intentions have been corrupted by political forces. Restorative justice can weaken due process protections by circumnavigating current protections for individuals in the criminal justice system. Additionally, the possibility exists that offenders may be coerced into participating, and that harsher sanctions, or those that may be more difficult for offenders to complete, can be issued as a result. The authors also point out to racial or class biases that may impact who gets to participate in restorative justice, pointing out that minoritized or disenfranchised groups may not have the access to restorative justice, or may be treated unfairly without the protections and due

process built into the traditional criminal justice process (Leverant, Cullen, Fulton & Wozniak, 1999). Morris (2002) provided response to this critique, however, noting that critics tend to ignore much of the empirical data supporting the restorative justice, noting that current literature on restorative justice does allow for some misunderstandings to occur (Morris, 2002).

### **Measures of Restorative Justice**

Research pertaining to the effectiveness of RJ for both victims and offenders of crime has been fairly extensive. Connection to community, especially for youth going through restorative processes is vital (Willis, 2016). Additionally, studies have examined the impacts upon offenders, noting that race, class and other social considerations must be accounted for in RJ processes (Cook, 2006). One two-part study examined long term effects of RJ, including the chances of reoffending, noting that rates of recidivism were lower among RJ participants than offenders in traditional justice systems, however long-term predictors of recidivism were associated with the degree to which the process was considered to be restorative and the perceived fairness of the RJ process (Hipple, Gruenwald, & McGarrell, 2011; 2015).

Rodriguez (2007) used juvenile court data to study recidivism rates, comparing youth who went through a restorative justice process with those that had gone through a traditional juvenile justice system. When controlling for legal and extralegal variables, juveniles in the restorative justice system were .704 times less likely than offenders in the comparison group to recidivate (p. 366). Szmania and Mangis (2005) used a case study to examine expressions of remorse on the part of the offender. Comparing three expressions of remorse - one taking place in the courtroom, another in documented in a newspaper article written by the offender, and a third via victim offender mediation - the authors identified that restorative justice can “offer the

properly prepared criminal offender the best opportunity to offer an expression of remorse in his or her own voice” (p. 358). Remorse is an important element in harm reparation, allowing an offender to offer a sincere gesture and apology to those impacted by his or her actions (Szmania & Mangis, 2005).

Multiple meta analyses have also been conducted on restorative justice. One analysis conducted by Latimer, Dowden & Muise (2005) examined 22 unique studies that examined 35 restorative justice programs. Among the major conclusions were a high degree of satisfaction among victims, noting that in all but one of the thirteen studies of victims, victim satisfaction rates were higher than with traditional approaches. Offenders were also more satisfied with restorative justice processes, however less so than victims. Additionally, offenders required to pay restitution as a result of restorative justice complied at a higher rate, and recidivism was lower than other processes (Latimer, Dowden, & Muise, 2005).

Poulson (2003) reviewed seven studies that specifically examined twelve psychological outcomes of restorative justice including:

- *the perception that the criminal justice system was fair;*
- *satisfaction with the handling of the case;*
- *whether the participant felt that he or she has an opportunity to tell his or her story;*
- *the perception that his or her opinion was adequately considered;*
- *the perception that the judge or mediator was fair;*
- *the belief that the offender was held accountable;*
- *whether an apology was offered by the offender for forgiveness expressed by the victim;*

- *the participants perception that the outcome was fair;*
- *the participant's satisfaction with the outcome;*
- *whether the participant's of the other party's behavior improved;*
- *whether the victim was still upset about crime;*
- *whether the victim was afraid of revictimization (p. 177).*

In comparing results, Poulson noted that restorative justice outperformed the criminal justice system on all counts. Only in the measure of outcome satisfaction was the outcome not statistically significant, however in every other measure it was (Poulson, 2003).

Umbreit, Coates, & Vos (2002) examined 63 empirical studies in five countries and identified similar findings, noting that “taken as a whole, the studies reviewed here reflect remarkably consistent levels of victim and offender satisfaction with conferencing strategies” when victim offender mediation, family group conferencing, and restorative justice circles were compared (p. 13). Umbreit, Coates, & Vos (2002) reflect on issues of policy, definition, and expectations; noting that policy makers and restorative justice practitioners need to establish clear definitions of and uses for restorative justice within the wider criminal justice system. Additionally, the authors note the dangers of relying too much on measures of recidivism in evaluating programs, noting that programs that are simply striving for lower recidivism rates do not have to be restorative in nature, and also emphasizing the other factors that may contribute to recidivism outside of the adjudicatory process (Umbreit, Coates & Vos, 2002, p. 15).

The vast majority of the research on restorative justice contains promising, highly positive results (Bazemore & Ellis, 397). The measurement of restorative justice, however, is complex. Measures of RJ generally compare results to alternative processes, like court or incarceration. There are many external factors which cannot be controlled for when evaluating

restorative justice. Additionally, as the definition of what restorative justice is is inherently vague, evaluators must ensure that they are measuring the same thing consistently. Additionally, as stated previously, over reliance on recidivism as the sole measure to assess restorative justice also presents additional danger (Umbreit, Coates & Vos, 2002). As the field matures, measurement of restorative processes will also further develop, however practitioners must be mindful that the roots of restorative justice lie in its own values and principles, and measures of assessment must reflect this (Bazemore & Ellis, 397).

### **Student Conduct History and Practice**

As colleges were founded in the early colonies, their purpose was a broad based, generally religiously rooted education. Colonial America was heavily puritanical, and colleges, were interested in both intellectual and character formation of their charges (Cohen & Kisker, 2010). These early colleges, influenced by the English residential college, involved a high degree of interaction both inside and outside of the classroom (Cohen & Kisker, 2010). Additionally, students were young boys the age of today's high school student, and sometimes younger (Dannels, 1997). What developed was what Dannels (1997) calls the 'collegiate way',

*defined by its residential nature, away from the distractions of the town and permeated by paternalism required rigorous and extensive regulation of conduct... The early colonial college trustees, presidents, and faculty set about shaping the moral character and social manners of their students through long and detailed codes of conduct and rigid scheduling. No portion of the day was unaccounted for, and no misbehavior was too small to go unrecognized and unpunished. (p. 15).*

These early conduct systems also embraced the idea of *in loco parentis*, meaning that college authorities had the same rights and responsibilities as parents to impose discipline. Colleges could use corporal punishment, and in some cases were protected if this caused the death of a student (Dannels, 1997, p. 16).

Flogging was standard practice at Harvard University until the practice was eliminated in 1718 (Dannels, 1997). After this, the practice of “boxing,” where a student was required to kneel before his tutor who would then proceed to smack him on the ear was widely used (Dannels, 1997). With time, colleges were forced to adapt conduct processes to meet the needs and expectations of both new students and parents. As Cohen (2010) states “although the colleges at one time might have been places where families sent their unruly boys to be disciplined, the purposes of college-going and social strata from which the students came had broadened so that the repressive rules seem to have outlived their necessity” (75). Especially after independence, society had changed dramatically, and so had expectations on American colleges. Punishments such as public reprimands, confessions, fines, and loss of privileges were more widely used (Dannels, 1997).

One example of the challenges and multifaceted nature of the early conduct process can be seen at Harvard. Moore (1976) states that “the system of student discipline developed as a support for the educational purpose of the college, which was to train up a select group of young men to assume leadership roles in the ministry and magistracy of the Puritan Commonwealth of Massachusetts.” (650). The disciplinary system at Harvard reflected the rigid hierarchical social structure in place at the institution. Disciplinary processes evolved in a way that was ritualistic and reform oriented (Moore, 1976). What emerged from this structure was an unspoken agreement between students and administrators, where students did not challenge the university’s

right to make rules that governed their conduct, but they would “acknowledge the existence of the laws by breaking them with regularity” (Moore, 1976, p. 658). In response, the students accepted the punishments doled out by university administration as long as they did not involve expulsion or physical abuse (Moore, 1976).

Harvard University set precedent for how university conduct systems are administered, and the relationship that these systems have with local judicial systems (Burton, 2004). In their attempts to regulate students, and to maintain the relationship with the local community, tutors at Harvard were given broad authority in administering discipline to students both on and off campus, some tutors even becoming justices of the peace with the authority to hear cases involving students and non-students alike (Burton, 2004). Eventually this practice ended, and tutors narrowed their focus solely on student behaviors. The institution had a high degree of autonomy, however, and resisted judicial oversight of the process (Burton, 2004). This relationship between the university disciplinary process local authorities is still seen today, where universities have a lot of discretion in disciplining students that have violated local laws, with local or campus police referring students into this system rather than into local courts (Burton, 2004).

Thomas Jefferson, when founding the University of Virginia, initially rejected the paternalistic approaches of Harvard and European institutions, implementing a system of self-regulation among students (Wagoner, 1986). Jefferson, however struggled with how to structure the conduct system as well, and as early as 1822, Jefferson wrote to his friend Thomas Cooper:

*The article of discipline is the most difficult in American education. Premature ideas of independence, too little repressed by parents, beget a spirit of insubordination, which is the great obstacle to science with us, and a principle*



*cause of it's decay since the revolution. I look to it with dismay in our institution, as a breaker ahead, which I am far from being confident we shall be able to weather (Jefferson, quoted in Wagoner, 1986, p, 165).*

An alcohol fueled student rebellion took place in 1825, where a group of students broke windows, threw bottles of urine, and assaulted faculty members who attempted to intervene. Self-governance failed when the student body largely protected the students who were responsible, and the faculty threatened to resign en masse if the matter were not addressed. Jefferson convened a special session of the Board of Visitors - including former presidents James Madison and James Monroe - to examine the matter, requesting that the responsible students present themselves, in a hearing of sorts. Ultimately the responsible students came forward, and the ringleaders were expelled from the University (Wagoneer, 1986).

As the population of the United States shifted in the 19th century, becoming more egalitarian, the old methods of discipline, based upon a rigid hierarchy were no longer as effective (Dannels, 1997; Hessinger, 1999). In addition, students were older, and colleges were increasingly complex institutions, struggling for enrollment. Processes were developed to play into students' drive for recognition in a meritocratic system. This, in turn, a system of honors and demerits was created, with the University of Pennsylvania being one of the first institutions to implement what we would today call a conduct process (Hessinger, 1999).

A number of factors shaped the nature of the process into the second half of the 19th century and to today. These factors include the rise in influence of the German model, the subsequent evolution of the field of Student Development, and the increase of federal oversight in colleges and universities (Cohen & Kisker, 2010). The German university model, with increased focus on faculty research and academics, meant less focus on student behavior outside

of the classroom, including disciplinary matters (Cohen & Kisker, 2010). This, taken in combination with a university president's time spent elsewhere, ultimately led to the selection of specialists to address non-academic misbehavior (Dannels & Lowery, 2004). This led to the development of more subtle methods for student discipline. Sanctions became less severe over time, and there was an increase in the influence of student governments and honor systems on the disciplinary process (Hessinger, 1999; Dannels, 1997).

As the field of student development matured, discipline, ultimately carried out by Deans of Men and Deans of Women, and eventually Deans of Students, became increasingly nuanced and student centered (Schwartz, 1997). With the passage of the twenty sixth amendment in 1971, which lowered the voting age to 18 and essentially defined the age of adulthood, the idea of *in loco parentis* died (Cohen & Kisker, 2010, p. 344). Student Conduct eventually fell within the greater umbrella of student development and student-centered approaches to conduct were taken, a move away from punitive sanctioning of the past (Dannels, 1997).

In the 1960's, greater federal oversight through the courts made an impact on student conduct, including the 1961 Supreme Court decision of *Dixon v. Alabama* outlining procedural due process requirements for students at tax supported institutions (Marianelli, 1973, p. 125), and the *General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline*, which further clarified the guidelines presented in *Dixon*. These mandates introduced due process and fundamental fairness (Marianelli, 1973). Additionally, in creating process and accountability measures, they pushed conduct processes to be more legalistic (Stoner & Lowery, 2004). Colleges established what they called "judicial systems" that were adversarial in nature, mirrored the criminal process, and "focused primarily on the mechanism of disciplinary process to the detriment of the educative purpose" (Dannels & Lowery, 2004, p. 181).

Today, the field of student conduct continues to balance student development with “creeping legalism,” even though courts have historically provided colleges and universities with deference in conduct processes (Stoner and Lowery 2004). While there has been some movement towards increased court oversight, there are three trends that can still be observed in the relationship between courts and student conduct. The first is that courts recognize that an institutional student conduct process is not a court proceeding, and that they tend to be educational in nature. The second is that judicial procedures, including rules of evidence and other criminal procedures do not have a place within conduct processes. The third is that “educational models need to be applied when fact finding occurs in the student conduct arena” (Stoner & Lowery, 2004, p.7). Ultimately, overly legalistic conduct systems create an adversarial environment in which learning and development from the process are lost (Stoner & Lowery, 2004).

Colleges and universities have historically struggled with this balance between due process and development (Stoner & Lowery, 2004; Gehring, 2001). Gehring (2001) states that due process is a flexible concept, and can take many forms, including a meeting with a university administrator or a more formal hearing in front of a board of university community members. Each process will maintain a mix of procedural and developmental elements, however the least adversarial, and most developmental process allowable is recommended (Gehring, 2001). Additionally, elements such as formal rules of evidence, the right to counsel or cross examination are not necessary and would only add to the adversarial nature that conduct administrators should avoid (Gehring, 2001).

Conduct systems can fall into one of three classifications including formal, informal, or a mix of the two elements (Fitch & Murry, 2001). Formal conduct systems tend to be more

“legalistic and formal in nature” (Fitch & Murry, 2001, p. 190), and reflect the criminal court system. This is reflected in the language used in the process, and they tend to have higher elements of due process. This is contrasted with more informal conduct systems. Informal systems refrain from using words like *guilty* or *innocent* and may instead opt for words like *responsible* and *not responsible*. Lastly, mixed systems are a hybrid of the two, containing some formal and some informal procedural elements. Fitch & Murry (2001) compared these three systems based upon factors including number of cases, number of appeals, sanctions modified as a result of an appeal, recidivism, and lawsuits filed as a result of disciplinary action. Based upon these outcomes, the authors found no statistically significant differences within the processes (Fitch & Murry, 2001).

Neumeister (2017) advocates for a new conceptual framework for student conduct practice, based in Rest’s (1984) model of moral development, transformational leadership, and the transtheoretical (stages of change) model. Neumeister outlines four components of moral development, and outlines interventions tailored to the student’s own developmental level. These components include moral awakening, moral discernment, moral efficacy, and moral action (Neumeister, 2017). They range from a precontemplative state in moral awakening to moral action, where the student is ready to take action and to make behavioral changes (Neumeister, 2017). Neumeister (2017) asserts that in order to promote movement through the changes, a conduct process must create and maintain dissonance in students. After undergoing a conduct process, students will often engage in a modest, temporary behavior change, but not enough to engage in any meaningful long-term change (Neumeister, 2017).

Incorporating these elements, Neumeister (2017) then encourages a model where conduct officers will assess a student’s readiness for change, and to apply methods that will encourage

long term dissonance and behavior change. Students in the moral awakening stage, for example, may not be aware that their behavior is a problem. Sanctions for students in this stage may be based in brief motivational interviewing, BASICS (Brief Alcohol Screening and Intervention for College Students), and counseling referrals (Neumeister, 2017). Students in the moral discernment stage require interventions that provoke intellectual stimulation and self-reflection. Neumeister encourages the use of restorative justice for students at this stage. Students at the moral efficacy stage have made the decision to make changes but require the help of a conduct administrator to commit to and act on those changes. Neumeister suggests mastery experiences - like cognitive behavioral therapy, community service or mentoring relationships as helpful for students at this stage. Lastly, students in the moral action stage may not require a high-level intervention, as they have already made the decision to make changes and will likely have begun the process outside of the conduct process (Neumeister, 2017).

### **Effectiveness of Student Conduct Practice**

Given this history, as institutions have responded to student behavior, limited scholarship has been conducted around the ultimate goals and outcomes of student conduct processes, although some scholarship has been conducted on the extent that students are able to develop or demonstrate learning as a result of the conduct process (Stimpson & Stimpson, 2008; Swinton, 2008). Early studies of the conduct process indicated that students generally felt that their conduct process was fair and had been conducted in a courteous manner (Dollar, 1969). These studies also found, however, that a third of disciplined students did not identify anyone at the institution with whom they had established a connection, and a quarter did not establish a rapport with the individual who they had met with regarding for their disciplinary process (Dollar, 1969).

More recent studies have provided some mixed results. Howell (2005) conducted a multiple case study analysis incorporating ten students on three different campuses, identifying mixed results in terms of student learning. While most students expressed that they had learned in some capacity, it sometimes did not extend beyond institutional policies and how to avoid punishment in the future (Howell, 2005). Additional research as a part of a doctoral dissertation by Nelson (2017) could not conclude that learning happened as a result of the conduct process but did expand on undesirable results that emerge from a student conduct process, including “abilities to feign honesty and remorse,” and attempts to “manipulate procedural outcomes for the student’s own benefit” (p. 125).

Mullane (1999) examined the relationship between the process and educational outcomes. Mullane (1999) sampled students held responsible for minor policy violations, using a Defining Issues Test (DIT) to measure moral development, and an alternate measure of perceived procedural fairness. Higher DIT scores were correlated with higher perceptions of procedural fairness and educational value. It was ultimately found that educational value was a function of moral development, leaving room to question the effectiveness of the process itself when compared with the developmental states of the students (Mullane, 1999).

King (2012) expanded on Mullane’s work, using the same questionnaire designed to assess procedural fairness, and measured additional variables, including student’s perceptions on the value of sanctions, educational value, and fairness of the process. She identified the most significant positive relationship between the variables of educational value and fairness. Those students who perceived the process to be fair also noted the highest educational value. Additional results included the fact that students shared they found no value in the majority of sanctions

issued; the more frequently students engaged in a conduct process, the less value they ascribed to it; and women sampled found more value in the process than did men (King, 2012; Tyler, 2006).

When a student conduct process is examined through an alternative dispute resolution framework, it allows for a different perspective on the process and its evaluation. When considered a dispute resolution process, for example, student conduct most resembles binding arbitration (Rohrbacker, 2016). It is important to examine the student conduct process through multiple lenses, as Rohrbacher states that dispute resolution processes do not exist within a vacuum, however student conduct has existed in a vacuum for several decades (Rohrbacher, 2016, p. 194). The examination of student conduct processes through alternative lenses is an important practice, as not to establish a quasi-judicial proceeding, but to consider various aspects of student conduct that consider the goals of the process and allow them to be met (Rohrbacker, 2016).

Harper, Harris, and Mmeje (2005) synthesized research to better understand the overrepresentation of men among campus judicial offenders. These include pre-college socialization, the social construction of masculinities, male gender role conflict, developing competence and self-efficacy, context bound gendered social norms, and the environmental ethos and corresponding social behaviors. These past experiences, combined with the socialization that college men are exposed to once they arrive on campus, combine to create a culture that encourages men to fulfill these expectations. The authors encourage the evolution of developmental approaches to preventing and addressing detrimental male behavior, including the reconsideration of adversarial processes and the development of conduct processes that mitigate negative behaviors and further student development (Harper, Harris, & Mmeje, 2005, p. 580).

Ultimately, the degree to which conduct systems are utilized on college campuses, as opposed to referrals to the criminal justice system, lead to higher retention and graduation rates (Schuck, 2017). High rates of violent crime on campuses lead to decreased levels of student engagement. Schuck (2017) noted, however, that higher rates of referrals to a conduct system can explain a lot of the variation in graduation rates and can be used as a predictor of these rates, and notes the importance of aspects such as procedural justice (Tyler, 2006) and campus engagement in contributing to this finding (Schuck, 2017). The limited nature of these studies have helped somewhat to better understand what may increase the effectiveness of student conduct practice. Long term, or more comprehensive study of student conduct practice is made difficult by both the nature and the limited time of the interaction between students and the conduct process.

### **Restorative Justice in Student Conduct**

Multiple scholars have argued for the incorporation of Restorative Justice into student conduct processes (Allena, 2014; Clark, 2014; Karp & Conrad, 2005; Goldbloom, 2009; Karp, 2009, Neumeister, 2017). Karp and Conrad (2005) emphasize the university environment as a “well defined community,” facilitating internally coherent communities, and the ability to address behavior through restorative approaches. Similar to Zehr, Karp and Conrad (2005) outline three components necessary for restorative justice in campus communities, including repairing harm, earning trust, and building community (p. 315).

There are three disciplinary philosophies embedded in codes of student conduct, punitive, rehabilitative, and restorative (Karp & Frank, 2016). Punitive sanctions include warnings, probations, and loss of privileges; rehabilitative sanctions will typically include referrals to



counseling or educational opportunities; while restorative sanctions offer opportunities to repair harm, like community service or restitution (Karp & Frank, 2016). In addition, sanctions are typically structured in an hierarchy, starting with the most lenient, and gradually increasing in severity. This may cause increasing isolation as a student moves through a conduct process (Karp & Frank, 2016).

Through restorative justice, crime and wrongdoing can thus be approached through the creation of *relational ecologies*. Instead of focusing on sanctioning systems or deterrence measures, restorative justice “grounded in relational pedagogy, praxis, and discipline, employs a responsive regulatory approach that identifies social engagement as the key element for creating rich motivational ecologies that nurture bonds of belonging” (Morrison & Vaandering, 2012, p. 139). This relational approach can also be compounded with the idea of rehabilitation. Relational rehabilitation, as opposed to individual treatment, remove the isolation and stigma of rehabilitation, grounding it in community, thus increasing the chances of rehabilitation and reintegration (Karp & Frank, 2016).

There are three generally accepted models of practice for restorative justice in conduct processes (Karp, 2015 p, 24). The first is conferencing, where offenders and harmed parties come together to discuss the incident, it’s impact, and then to arrive at consensus on what the offender can to do address these impacts and to repair the harm (Karp, 2015). The second option is a restorative justice circle, which is similar to conferencing but involves a larger number of people, and may be more reflective of talking circles, processes adapted from Indigenous traditions to discuss issues that have impacted the greater community (Karp, 2015). The third model is the restorative justice board, this process incorporates restorative justice into the traditional student conduct board to address misbehavior (Karp, 2015).

Restorative practices can be implemented in a wide variety of ways, but for an institution to take a fully restorative approach to their student conduct process, they must fundamentally shift how they are willing to view the conduct process. The paradigm shift from a punitive system to a restorative one may be difficult, as administrators must shift from asking “what rule has been broken?” to asking, “what harm has been done?” Karp and Frank (2016) state,

*although expulsion may still be the outcome of a restorative process, such a decision is framed differently. From a punitive perspective, the question is asked: “Should the students be expelled?” In restorative justice, we ask, “What can the students do to restore our confidence in their continued membership in the university community?” Rather than imposing authoritative decisions on the students, we use collective problem solving with the students. This approach always seeks reparation and reintegration (p. 114).*

Restorative justice is not designed to be an “easy out.” Student respondents are still expected to go through a process that provides them with an opportunity to atone for their wrongdoing. The focus, however, is on harm reparation rather than punishment. Under restorative justice, for example, an expulsion is a “strategy for aggravated communities to meet a deeper need” (Karp & Frank, 2016, p. 114) instead of imposing punishment, isolation, or disintegrative shaming (Karp & Frank, 2016, Braithwaite, 1989).

Scholars have researched various aspects of restorative justice within student conduct. Academic integrity violations do not often involve a party who was directly harmed as a result of one’s actions, like physical violence or vandalism, however academic misconduct violates the core mission of the academy. The impact may be more symbolic than direct, but restorative justice can help both students and institutions to focus on this value (Karp, 2009). Restorative

justice approaches also promote the development of personal responsibility and accountability, as it shifts the “burden of responsibility” from the institution to the student (Kara & MacAlister, 2010, p. 447). It also allows the community impacted by a student’s actions – the academic community created in the classroom space – to deal with the misconduct directly, rather than through an administrative process (Kara & MacAlister, 2010).

Restorative justice has also been implemented in university housing, where the fostering a sense of community is one of the primary goals (McDowell, Crocker, Evett, & Cornelison, 2014). Students who were exposed to restorative justice through workshops indicated a higher ability to listen to the perceptions of others during conflict situations, however it did not indicate that students would be more inclined to go out of their way to engage or resolve conflict (McDowell, Crocker, Evett, & Cornelison, 2014). Another study by Dahl, Meagher, and Vander Velde (2014) examined the motivations and outcomes for students engaged in a restorative justice program. They identified that students who were initially motivated to pursue the process with restorative intentions were more satisfied with the process than students who were motivated by “personal goals or external pressure” (p. 376). Additionally, students who entered the process with these motivations reported a higher sense of community than students who did not. Ultimately, most students who participated in this study were highly satisfied, with 95% indicated that they would participate again (Dahl, Meager, & Vander Velde, 2014, p. 377).

While there is little research, there is growing support for the use of restorative justice to address issues of sexual misconduct on college campuses (Karp et. al, 2016; Williamsen, 2017). Williamsen, (2017) surveyed 21 student conduct, Title IX and, and victims advocate staff to determine what they felt were the needs of victims in the process. Themes that emerged included justice, healing, respondent accountability, and behavior change (Williamsen, 2017).

Additionally, Williamsen noted that participants shared that they desired a process that was distinct from the criminal justice process, one that addresses campus sexual violence, as well as individual behavior changes, emphasizing a restorative response to campus based sexual misconduct (Williamsen, 2017).

### **Measures of Campus Based Restorative Justice Programs**

Published measures of restorative justice within a student conduct process are limited. The most comprehensive study to date regarding outcomes from restorative justice approaches to student conduct was the STARR project (Karp & Sacks, 2014), which examined data from 18 colleges and 659 student conduct cases. The authors, comparing traditional conduct processes with restorative ones, identified the process as the most influential factor in student learning, measured on a scale of six factors: just community/self-authorship, active accountability, interpersonal competence, social ties to the institution, procedural fairness, and closure. Students who went through a restorative justice process indicated statistically significantly higher growth in all six of these areas than students who did not (Karp & Sacks, 2014).

Meager (2009) evaluated the experiences respondents in campus-based RJ programs, grouping responses into mediating factors, prior experience respondent's brought with them into a conference, which sometimes shaped the restorative justice conference process profoundly; the restorative session, which were generally respectful, supportive, and engaging; and the outcomes of the conference, which were generally positive (Meager, 2009). Matthews (2014) replicated the study examining harmed parties, grouping the results into the same three themes. Matthews ultimately found that mediating factors included a lack of preparation, nervousness, and curiosity. In the restorative session they experienced procedural fairness, a generally positive

experience, with some disinterest in the process. Outcomes for harmed parties included a learning experience, increased willingness to take action in the future and ultimately closure or relief (Matthews, 2014). Both of these studies were considered to be exploratory in nature, as little research has been done regarding these experiences (Meager, 2009; Matthews, 2014).

### **Student Discipline and Issues of Justice**

Approaches to school discipline in both K-12 and higher education followed the “get tough on crime” trend seen in the criminal justice system beginning in the 1970’s, signaling a shift away from the rehabilitative approach taken prior (Karp & Frank, 2016; Morrison & Vaandering, 2012; Levrant, Cullen, Fulton & Wozniak, 1999). This can be seen expressly in zero tolerance policies implemented at the K-12 level as a result of the Drug Free Schools and Communities Act (Simpson, 2014), and the US Gun Free School Zones Act, which expressly encouraged the use of suspension and expulsion as the primary means of discipline in schools (Morrison & Vaandering, 2012; Lustick, 2017). These zero tolerance policies, especially at the K-12 level, had a hugely disproportionate impact on communities of color (Simpson, 2014; Lustick, 2017). While rehabilitation in and of itself has not proven to be effective in lowering crime rates (Leverant, Cullen, Fulton & Wozniak, 1999; Karp & Frank, 2016), the impact of retributive responses to crime and wrongdoing are negligible and result in mass incarceration and stigmatization in the criminal justice process, and through high suspension rates and a school to prison pipeline in the K-12 system (Karp & Frank, 2016; Braithwaite, 1989, Rios, 2006).

When this system is viewed through the lens of Freire’s (2005) banking model of education, where teachers (or administrators) are viewed as a depositor, and students are viewed as depositories of knowledge, emphasizing memorization and repetition, it takes on a more

oppressive persona. The banking model treats students as “marginalized persons, who deviate from the general configuration of a good, organized, and just society. The oppressed are regarded as the pathology of the healthy society which must therefore adjust these incompetent and lazy folk to its own patterns by changing their mentality” (Freire, 2005, p. 74). If student conduct processes are, or have the potential to be oppressive systems, the incorporation of restorative justice can shift the focus of this process from oppression to freedom through its focus on connections and community response to harm and wrongdoing through the opportunity for students and educators to engage in dialogue to co-construct meaning (Morrison & Vaandering, 2012; Friere, 2005).

Lustick (2017), views school based restorative justice through a Foucauldian lens (Foucault, 1977), noting that a restorative justice process is still a process of control and accountability. Through this lens, she discusses accountability as the panopticon, and the conference as confessional (Lustick, 2017). When viewed through this lens, the circle process embodies Foucault’s panopticon, the ever-present element of surveillance, which is distributed evenly across an institution. By distributing power throughout the community, everybody thus becomes the surveillor, creating a system of ever present surveillance. Additionally, during a restorative justice conference, the offender is expected to not only discuss what happened, but to reflect upon who was harmed and why. This creates an opportunity to scrutinize not just the offender, but the “intimate motivations and emotions behind that behavior” (Lustick, 2017, p. 306). Ultimately, Lustick questions the ability of restorative practices to mitigate long standing institutionalized racism within the broader education system and encourages critical discourse around restorative practices and it’s claims to create such transformation (Lustick, 2017).

The broader restorative justice movement and agenda is ultimately about societal transformation (Johnston & Van Ness, 2007). In addition to the power of restorative encounters between victims and offenders, and the power of harm reparation, restorative justice can change the way people live their lives and interact with others. It also provides an opportunity for empowerment for individuals and communities, as a means to express their authentic voice and a process through which to discuss harm (Johnston & Van Ness, 2007).

## **Methodology**

### **Introduction**

The restorative justice process at the University of Denver was evaluated using a responsive evaluation methodology (Stake 1975, 2004). Two initial evaluation questions were developed, 1) how do students experience restorative justice at the University of Denver and 2) how do students understand the impacts of their actions as a result of their participation in the RJ process? Data was collected and analyzed using a case study approach, creating a rich description and deep understanding of the evaluand.

### **Evaluator Positionality**

After graduating with my master's degree in International Development, I took my first job working in student affairs in higher education. I accepted a role as a Residence Life Coordinator at the institution where I completed my undergraduate degree. I fully anticipated spending a few months working in this role, and then transitioning back into the field of international development, where I had intended to work. Looking back, I have been working in this field for over eight years, and I am working to complete a doctorate in the field. I enjoyed working in housing, but like many new professionals who work in this area, I dreaded having to carry out the disciplinary parts of my job. I quickly became comfortable in this role, and enjoyed the conversations that I was able to have with students. After six months on the job, and hearing only a handful of conduct cases, I decided to apply for an opening overseeing the conduct process for that institution. After serving in this role for a few years, I began working at the University of Denver.



Early on in my work with student conduct, I was drawn to restorative justice processes. My first real exposure to restorative justice came with a full day training on the subject, and this has been followed up by multiple subsequent trainings. Part of the reason why I was drawn to the University of Denver was because of their restorative justice process. In time, student conduct work can be draining. It is a high conflict role. Where your colleagues in student affairs roles work to build relationships with students, you work to correct behavior. In order to be successful in this type of work, you must be comfortable with conflict, with being the “bad guy,” and you must be able to see the good in students, even when your job entails you seeing them at their worst.

I facilitated my first RJC after having only observed one at DU. I really enjoyed the process, and the positive interactions that I was able to foster between students and community members. I remember my colleagues talking about the “RJ High.” I don’t know that I would frame it in those terms, but I always enjoyed being a part of a process where student respondents, harmed parties, and community members would end with a hug or a handshake. The longer I worked with RJ, the more questions I had. Things like, does this really work? Is this just a way for students to game the system? Are we being too lenient? Are students in a place developmentally to benefit from this type of process? How should the program grow, and what do we need to make that happen?

With the opportunity to conduct a program evaluation in order to complete my degree, I decided that this is what I wanted to examine. The more I had worked with RJ, and learned about it, the more I was drawn to it. I’ve conducted research in restorative justice, and I had the opportunity to teach a graduate level course on the subject. I’ve engaged with colleagues around

the country who do this type of work, and I have worked with community organizations doing restorative justice outside of higher education. This is something to which I am drawn.

With that, however, I saw the importance of due diligence when evaluating this program. If I believe in RJ, I need to recognize the biases that I have, and take steps to acknowledge these, counter them when necessary and possible, and to create a product that will be of benefit to the University of Denver. A truly honest evaluation can help to make the program better, and to make DU a model school for this type of program. While this evaluation is specific to DU, a solid evaluation model could be replicated to examine other RJ programs.

My affiliation with the University of Denver, and my passion for the topic will cloud my impartiality, but it also serves as an asset when evaluating the program. There is an element of connoisseurship to my approach. I have had to put my ego aside, and to critically examine practices that I put into place. With that, I understand the intricacies of this program better than anyone else, and I hope that this allows me to provide a truly honest, transparent, constructive, and critical evaluation of something that is important and meaningful to me, to the university community, and to the field of student conduct in higher education.

### **Defining Program Evaluation**

The Joint Committee on Standards for Education Evaluation defines program evaluation as “the systematic assessment of the worth or merit of an object” (Stufflebeam & Shinkfield, 2007, p. 9). Program evaluations are intended to provide an in depth understanding on one particular program. Results are not intended to be generalizable, but to focus on the worth or merit of a particular object, referred to as an evaluand. Stufflebeam and Shinkfield (2007) provide additional clarity on the meaning of value, worth, and merit as used in the Joint

Standards definition above. Value is at the very root of the word evaluation, and Stufflebeam and Shinkfield state that evaluations involve making judgement around values, and that evaluations are not value free. Evaluations must be rooted in “some defensible set of guiding principles or ideals and should determine the evaluand’s standing against these values” (p. 9).

Merit reflects a programs quality, asking the question does the evaluand accomplish what it sets out to accomplish? The criteria for this determination may reside in a programs goals, a discipline, or a broader service area. In the absence of specific established program goals, the merit of this program may be derived from the goals and intentions voiced by program stakeholders in combination with the goals of both the department and the broader division of Campus Life and Inclusive Excellence. Lastly, worth refers to a programs “combination of excellence and service in an area of clear need within a specified context” (Stufflebeam & Shinkfield, 2007, p. 10). Merit and worth, when taken together, can drive a program evaluation to ask the questions: does the program accomplish what it aims to accomplish, and does it do it well?

### **Program Evaluation Framework**

The program was evaluated using a standards based and responsive evaluation framework (Stake, 1975, 2004). A responsive evaluation is one where the evaluator spends a significant amount of time getting to know the program, it’s stakeholders and participants, and will focus on the program activities as opposed to whether specific program goals or objectives are being met (Stake, 2004). Underlying this, the evaluator and evaluation are responsive to the needs and concerns of the stakeholders and the data coming from the evaluation process. Responsive evaluation relies heavily on personal experience and interaction with stakeholders

and serves as a good model for evaluating program activity. While this may decrease the objectivity of an evaluation process, responsive evaluation relies heavily on evaluator interpretation, identifying key issues, and working to understand the complexity of an evaluand (Stake, 2004).

Stake (1973) states that an evaluation is responsive if it “(1) orients more directly to program activities than to program intents, (2) if it responds to audience requirements for information, and (3) if the different value perspectives of the people at hand are referred to in reporting the success and failure of the program” (p. 9). Responsive evaluation is based upon the actions of observing and reacting. An approach to evaluation is outlined through the process, but then the evaluation must be open to adapting given the information that is coming out of the evaluation process as well as the evaluator’s engagement with stakeholders.

As many evaluation models rely on the role of an independent outside evaluator, it is important to consider whether or not a particular evaluation model would fit with an internal evaluation process. Stake (2004) acknowledges that he has primarily focused his approach on external evaluators, but states that “internal evaluation occurs, whether or not formalized, and can follow most of the principles of responsive evaluation” (209). Stake states that external evaluations will likely be “superior,” but that internal evaluations can often be better for the organization (Stake, 2004, p. 209). This internal approach heavily influences the research paradigm. It also plays into the role and positionality of the researcher, limitations, ethical considerations of the research. These will all be described below.

Responsive evaluation is not a fixed model, it is more of an “attitude” (Stake, 2004, p. 86). The evaluation process is not a series of steps but encompasses twelve “recurring events” that would happen in the life of responsive evaluation. These events do not have to occur in any

particular sequence, and the evaluation process may actually revisit some of the events if feedback dictates that it will be necessary. The events are generally presented in a circle:

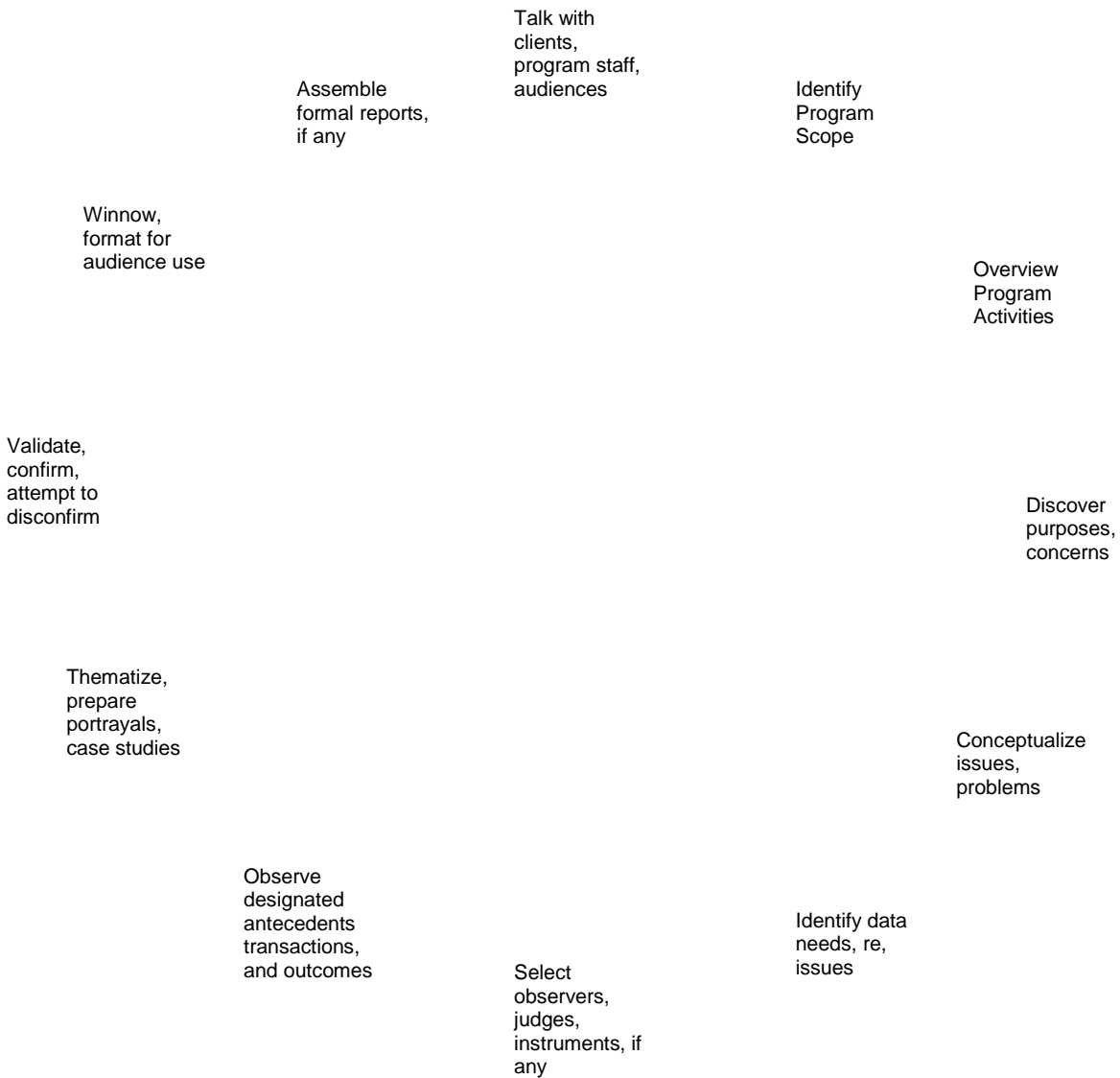


Figure 2: Responsive Evaluation Elements (Stake, 1975)

The adaptive nature of responsive evaluation creates a condition where the evaluator and stakeholders can engage in ongoing dialogue around the program being evaluated and create

space for an evaluation to evolve as additional information is gathered, or as the context changes (Stake, 1973).

I chose to use a responsive evaluation model for a few reasons. I had been overseeing the restorative justice program at the University of Denver for approximately two years and working at the university for approximately four years. I had a thorough understanding of the program, its activities, and contextual information that would provide helpful in conducting a thorough evaluation. Additionally, I felt that responsive evaluation aligned well with a restorative justice framework, which emphasizes an exploration of impact and the role of community (Zehr, 2005; Karp, 2012). A responsive evaluation involves engagement with the community, both in terms of the stakeholder group as well as in terms of evaluation participants in order to gather information and to provide opportunity to respond to the data collected. This requires the evaluator to engage with various stakeholder and participant groups.

### **Design Methodology**

Stake (2004) notes that a case study is the preferred methodology for a responsive evaluation approach. Case studies involve in depth analysis of a bounded case, the evaluand, which can be defined by parameters including a specific place and time. Case study research allows the researcher to engage with a system in real time, allowing them to gather information as the case proceeds (Creswell, 2013). This evaluation was conducted as an intrinsic single case study, where the RJ program served as the case (Stake, 1995). Data collection methods included interviews with program stakeholders, interviews with students who have gone through the restorative justice process, and observations of restorative justice conferences.

## **Participants**

**Program Stakeholders.** The evaluator identified five program stakeholders to provide their perspectives and input on the evaluation process and outputs. The five stakeholders identified were the Executive Director of Community Partnerships who was serving as Interim Director of Student Rights and Responsibilities at the time, the Executive Director of Housing and Residential Education, the Vice Chancellor of Campus Life and Inclusive Excellence, Campus Safety Sargent who serves as lead trainer in the department, and a faculty member who serves in the role as Faculty Director of the Honor Code. Each stakeholder was identified by the evaluator as someone with a significant stake in either the restorative justice process or its outcomes.

**Student Respondents.** Purposeful sampling was employed to identify students to participate in RJC observations and post RJC interviews. Students who elected to go through the RJC process were asked if they would be interested in participating in a program evaluation by the staff member overseeing the restorative justice process. If student said yes, the staff member would ask them to sign a FERPA release and provide their contact information to the evaluator.

Student Rights and Responsibilities staff members used Maxient to pull a list of each person who had gone through a restorative justice conference since academic year 2014-2015. From this list, staff members sent out an email inviting students to participate in the program evaluation. Consent forms were attached to the recruitment emails, and the evaluators contact information was included. Students who elected to participate in the evaluation were asked to email the evaluator directly.

## **Data Collection**

Data was collected in three phases. The first phase was the identification and interviewing of program stakeholders. The second phase was a documents analysis, which included analysis of Student Rights and Responsibilities documents including the university's Honor Code, the Student Rights and Responsibilities website, and other institutional documents that would help to highlight the context in which the restorative justice process exists. The third phase included the simultaneous interviewing of students who had gone through the restorative justice process previously, and observing restorative justice conferences as they were happening, making detailed notes. A total of three post RJC interviews were conducted, and three conferences were evaluated. Attempts were made to recruit additional students to participate in post RJC interviews, in particular, but no additional response was received.

**Program Stakeholders.** Recruitment emails were sent to each of the stakeholders requesting interviews. Every stakeholder responded to and accepted the interview request. A time was set up, and interviews occurred in each of the stakeholder's offices with the exception of the HRE staff member who came to the evaluator's office. Interviews were recorded and transcribed. Although names were not used in the data collection process, the data collected was kept associated with the role, as this helps to illuminate the role that each stakeholder plays within the process, and the importance of the process to different aspects on campus.

**Documents Analysis.** Documents collected for analysis were based upon the evaluators knowledge of the program, including information sent and available to students. An analysis of relevant documents began with the Student Rights and Responsibilities website, which includes information about the student conduct and restorative justice processes. The Honor Code is the document that contains all university policies and procedures as they relate to students, and this is where the authority for the restorative justice process is rooted. Student Rights and



Responsibilities staff also provided additional assessment data, which was reviewed as a part of this analysis.

**Student respondent interviews.** The staff member coordinating restorative justice within the Office of Student Rights and Responsibilities created a list of every student respondent who had gone through the restorative justice process in the past four years. This list was created in Maxient, the software used by the office to track student conduct cases. The staff member then sent a recruitment email to these students. Two additional recruitment emails were sent. One student responded stating that they were not interested in participating. Four additional students responded stating that they were interested in participating. One of these students did not respond to further emails. A total of three interviews were conducted with student respondents. I provided a consent form to each student via email and asked each student to sign the consent form and return it before each interview.

One student was able to meet and conduct her interview in person, the other two requested their interviews to take place over the phone. I recorded each interview and provided students the opportunity to choose a pseudonym. Interviews followed a semi structured interview format, following an interview script for consistency, but allowing for follow up or clarification questions. Student complainants, or impacted students serving as victims in the process were not included in this program evaluation because there is a very limited number of student complainants who participate in the process. There is opportunity, however, for a follow up evaluation to examine the experiences of student complainants in the restorative justice conference process.

**Conference Observations.** Beginning in March 2018 the staff member coordinating restorative justice within the Office of Student Rights and Responsibilities asked students in their

preconference meetings if they would be interested in participating in the program evaluation by allowing someone observe their conference. If the student agreed, the staff member asked them to sign a FERPA waiver to allow her to share the student's name and contact information with the evaluator. The staff member made it clear to the student that this participation was voluntary, and that it had no impact on their conduct process, status, or records. If students agreed to this, the staff member provided the evaluator with the student's name and contact information. The evaluator then sent a recruitment email to the student and attached a consent form. The evaluator asked the student to share the time and location of their conference, and the evaluator would attend in order to observe.

Three students agreed to allow their conferences to be observed. The evaluator was able observe each one. Prior to the start of the conference, the conference facilitator introduced the evaluator as an observer. The evaluator then got up to explain the purpose of the evaluation and obtained written consent from each participant in the room prior to the conference commencing. I then took detailed observation notes. These notes were analyzed, coded, and themes were generated along with the data collected from student respondent interviews.

## **Data Analysis**

**Program Stakeholders.** Data from interviews with program stakeholders were coded and themes were generated separately from data collected from student interviews and observations. The evaluator's engagement with program stakeholders served to direct the evaluation process, and to provide guidance on what program stakeholders wanted from the evaluation process. Once themes emerged, the original evaluation questions were then revisited, however the original evaluation questions were not altered.

**Student Respondents.** Student interviews were transcribed. Vignettes were developed for each conference observation and based upon each interview. A total of six vignettes were developed altogether. These serve to provide the reader with a rich, multifaceted description of the RJC process from multiple student perspectives. The transcriptions and conference observation notes were reviewed and coded. Themes then emerged from this, which will be discussed in the results section.

### **Measures of Validity and Trustworthiness**

The evaluator made every attempt, when possible, to ensure the validity and trustworthiness of the data and results. The first strategy employed was to clarify researcher bias, including acknowledging the evaluator's relationship with the program, and its history. Methods were employed in the design process to bracket evaluator bias in evaluation design and methodology, including the use of open ended interview questions, and member checking (Chenail, 2011; Creswell & Miller, 2000). Additionally, the evaluator was engaged with program staff and stakeholders throughout the evaluation process. Questions, issues, and concerns were all able to be explored with program staff and resolved throughout the evaluation process as appropriate (Creswell, 2013).

Triangulation, or the use of multiple sources of data to identify multiple sources of corroborating information was also employed. Multiple sources of data were used, including observations, interviews, assessment data provided by program staff, and documents analyses. Data was also drawn from different sources employing different sampling and collection strategies. Inconsistencies in the data were explored before conclusions were drawn (Creswell, 2013).

Lastly, the evaluation report was written with a focus on rich, thick descriptions (Creswell, 2013; Stake, 2004). Vignettes were written for each conference observation and for each student respondent interview. This level of description allows the reader to analyze the conclusions based upon their own experience with the program, and about its transferability (Creswell, 2013).

### **Ethical Considerations**

Because of my affiliation with Student Rights and Responsibilities at the University of Denver, I was careful to navigate the process in order to minimize ethical issues. I stepped away from oversight of the program, asking a colleague to oversee restorative justice. Students that I had referred to restorative justice were not offered the opportunity to participate in the program evaluation by SRR staff. I did not access information regarding any student who participated in the evaluation process, the only information that was considered as part of the evaluation was what students had shared with me, or what was observed during conference observations. Given my role and the nature of the student conduct process, no incentives were offered to students to participate in the program evaluation.

A proposal was submitted to the Institutional Review Board at the University of Denver. It was determined, however, that because the project was a program evaluation, and not a research project, it did not require IRB approval.

## Results

*“It definitely wasn’t so much of a punishment as raising awareness of your actions and what you’ve done and how you’ve affected other people. So, I think it kind of was a wake-up call in the sense that you shouldn’t just be thinking about yourself when you’re making poor decisions or violating any type of student conduct within a community that you’re part of, because you’re just in a sense bringing everyone else down with you”* -- student interviewee

### **Program Evaluation Site: The University of Denver**

The program being evaluated is housed within the University of Denver (DU), a private university located in Denver, Colorado. DU was founded in 1864 as the Colorado Seminary (University of Denver, 2018), and renamed the University of Denver in 1880 (Fisher, 2014). In the fall of 2016, there were 11,614 total students, with approximately half graduate and half undergraduate (University of Denver Factbook, 2016). The university contains ten separate academic units, the largest being the Daniels College of Business which accounts for 20% of enrollment (University of Denver Factbook, 2016).

The mission statement of the university reads, “the mission of the University of Denver is to promote learning by engaging with students in advancing scholarly inquiry, cultivating critical and creative thought, and generating knowledge. Our active partnerships with local and global communities contribute to a sustainable common good” (University of Denver, 2018). This is supported by the stated goals of community, learning, and scholarship (University of Denver, 2018). The university, according to the vision statement is a “great private university dedicated to the public good” (University of Denver, 2018).

The university was originally founded by a charter issued by Territorial Governor John Evans in 1864. Evans had founded Northwestern University 1851, and upon being named Territorial Governor of Colorado in 1862, saw the need for an institution of higher education in Denver (University of Denver, 2014). The same year that the university was founded, however the Colorado 1st and 3rd regiments, under the command of Col. John M. Chivington, massacred over 200 Cheyenne and Arapaho people at an encampment in Sand Creek, on the eastern slope of Colorado (University of Denver, 2014). While Evans was not directly involved with the massacre, and was able to plausibly deny knowledge of it's occurrence at the time, he was asked to resign in 1865 by then president Andrew Johnson (Fisher, 2014). The university community has struggled to come to terms with this association. A committee was formed to examine the massacre, the role that Evans played, and the ultimate impact this had upon the university community. The committee ultimately created a report, called the Report of the John Evans Study Committee in November of 2014. This report demonstrated a "significant level of culpability" for the massacre on the part of Evans and encouraged the university community to find ways to think about this history and those who have been impacted by it (University of Denver, 2014).

DU took the first steps towards adopting an inclusive excellence framework in 2006 (University of Denver, 2018). Inclusive excellence is a diversity framework developed by the American Association of Colleges and Universities (Williams, Berger, & McClendon, 2005), and incorporates four elements including a focus on student intellectual and social development, development and "utilization of organizational resources to enhance student learning," attention to cultural differences and experiences, and a welcome community that "engages all of its diversity in the service of student and organizational learning" (Williams, Berger, & McClendon,

2005, p. iv). Inclusive excellence has informed the university's organizational structures and provided guidance in the university's recruitment and engagement with underrepresented students, faculty, and staff.

**Student Rights and Responsibilities.** The Office of Student Rights and Responsibilities is responsible for the overall administration of the Student Conduct process. Organizationally, Student Rights and Responsibilities is housed within the Division of Campus Life and Inclusive Excellence, specifically within the Student Success area. There is one director, two assistant directors, and two part time graduate students who work in the office. The Director of Student Rights and Responsibilities reports directly to the Associate Vice Chancellor, who then reports to the division head.

Student Rights and Responsibilities maintains oversight of policies that apply to students and the procedures for determining responsibility as well as sanctions - or outcomes - that are intended to foster learning as a result. The mission of the Office of Student Rights and Responsibilities is as follows:

*The Office of Student Right & Responsibilities at the University of Denver supports the University mission by providing programs and services designed to foster a positive and safe environment for student learning. The Office of Student Right & Responsibilities strives to achieve a campus community in which:*

- *individuals demonstrate respect for others, for themselves, and for the University;*
- *uphold high standards of personal and academic integrity;*
- *honor differences and gain an appreciation for living in a diverse society;*

- *understand the impact of their behavior both upon the University and the surrounding community;*
- *freely accept the responsibility for and consequences of their behavior;*
- *and seek opportunities to repair harm that they caused through a restorative process* (University of Denver, 2008).

The process through which student discipline is managed can be found in the University of Denver's Honor Code and Student Conduct Policies and Procedures. This document, last published in July of 2017 contains policies to which students are held accountable, as well as the procedures that are used in order to facilitate the process. This is where DU's restorative justice process is rooted procedurally and contains information regarding other processes.

The majority of the work of Student Rights and Responsibilities is carried out through meetings with students called case resolution meetings (University of Denver, 2017, p. 7). A case resolution meeting, as defined by the Honor Code "refers to the time during which a student will be invited to present their perspective of an incident with the designated Case Resolution Body. The Case Resolution Meeting can be conducted in person with an administrator, through the Student Accountability Board or other Case Resolution Body designated in these policies" (University of Denver, 2017, p. 7). While a case resolution meeting is optional for students, it serves as their opportunity to share their perspective with a student conduct administrator, a role defined by the Honor Code as one who is empowered through the Honor Code to hold case resolution meetings (typically either Student Rights and Responsibilities or Housing staff), or through a Student Accountability Board (University of Denver, 2017, p. 8).

The Student Accountability Board, a more formal hearing mechanism, includes three university community members including a student, staff member, and a faculty member, and is



chaired by a staff member from the Office of Student Rights and Responsibilities (University of Denver, 2017, p. 19). The Honor Code outlines a formal process through which the Student Accountability Board process is conducted. The Honor Code states that the Student Accountability Board may issue outcomes up to and including dismissal from the university. Student conduct administrators can issue outcomes up to a deferred suspension, while the Director of Student Rights and Responsibilities can issue outcomes up to a suspension from the university (University of Denver, 2017, p. 20).

The Honor Code contains a number of policies that students are expected to uphold, including academic integrity, policies pertaining to drugs and alcohol, as well as behavior like noncompliance, physical misconduct, and property damage. Through the case resolution process, a student conduct administrator or student accountability board will make a decision regarding the student's responsibility, and if a student is found responsible for a policy violation, they are issued outcomes (University of Denver, 2017, p. 22). Outcomes include a status outcome, something that defines the student's standing at the university, as well as educational outcomes, which are intended to facilitate learning as a result of the student conduct process (University of Denver, 2017, p. 22-23).

**Restorative justice process.** The third case resolution process is a restorative justice conference, defined by the Honor Code as follows:

*Restorative Justice offers a different framework for case resolution and is considered an "alternative dispute resolution" option. It moves beyond the confines of the traditional Student Conduct Process to acknowledge the injuries sustained by Complainants/victims as well as the potential damaged relationships that result from any wrongdoing and focuses on repairing the harms created.*

*Complainants/victims take an active role in the process, while Respondents are encouraged to take responsibility for their actions and take action to repair wrongdoings where possible. Restorative Justice Conferences are a Case Resolution Body option when Respondents take active responsibility for their actions, are interested in directly addressing the negative impact caused by their actions, and volunteer to participate (University of Denver, 2017, p. 8).*

The Honor Code also defines a Restorative Justice Conference as a case resolution process in line with the student conduct administrator meeting and the student accountability board. Where the restorative justice process was considered a pilot program for the first five years, the pilot program language was removed in 2014. The Honor Code goes on to detail the process of the restorative justice conference:

*A Restorative Justice Conference (RJC) is empowered to conduct case resolution for those Cases involving student Respondent(s). An RJC is an alternative dispute resolution process and will only be considered when the student Respondent(s) have taken responsibility for violating the applicable Student Conduct Policies and have an interest in repairing the harm done by their actions. Members of the greater DU community will serve on an RJC, including faculty, staff, students, alumni, neighbors and impacted parties. Through a collaborative process in which an “Outcomes Agreement” is created, RJC’s can impose a variety of Outcomes focused on reconciliation, resolution, and/or the betterment of the overall community. As such, if an Outcomes Agreement is successfully created, it cannot be appealed. If the members of an RJC cannot come to an agreement about Outcomes, the RJC is considered unsuccessful and the Case will be sent*

*back to the Student Conduct Process for traditional case resolution* (University of Denver, 2017, p. 21).

The Student Rights and Responsibilities website provides additional information regarding the restorative justice process including how the process is initiated, and eligibility requirements for RJC participation, which include active accountability for one's actions, the desire to learn about and address the impact of one's actions, and the desire to move forward positively by addressing a community need (University of Denver, 2018).

The website also outlines three phases of a restorative justice conference. The first is the preconference, where participants meet individually with the restorative justice coordinator, who helps to prepare the student for the conference. This includes a discussion on the incident, a discussion on the impact of the student's actions, and a conversation to help the student to decide if they would like to go through a restorative justice conference. The second phase is the conference itself. The third phase is outcome implementation and follow up, which is where the student complete outcomes that were agreed upon through a consensus process by conference participants, which includes the student participant (University of Denver, 2018).

In addition to the website, there is a handout that is used by Student Rights and Responsibilities that provides an overview of restorative justice and the restorative justice conference process. The handout, according to Student Rights and Responsibilities staff, is intended to provide information to students going through the restorative justice conference process, as well as for others who are going through the process as a community member or impacted party. The handout again defines the restorative justice process, the restorative justice conference, and states the criteria for going through a restorative justice conference. There is also a heading entitled "What do I need to Know to Participate in an RJC?" which provides

individuals with very basic instructions on what they need to know in order to participate in a restorative justice conference, including:

- Listen, seek to understand, and keep an open mind.
- Put yourself into the shoes of others
- Speak about how the incident has affected you personally - as an individual, as a community member, or both.
- Consider how the violation has impacted the broader community.
- Provide input on how the impact from the situation can be addressed.
- Remember that our focus is on finding ways to address impact and make things right

(University of Denver, 2018).

The information contained in the handout, and what is contained on the website are the only written materials provided to students before they go through the restorative justice process. The rest of the information delivered is done during the RJC preconference meeting. Other participants in the restorative justice conference do not generally participate in any kind of preconference meeting and rely solely upon the information provided in writing or instructions given during the conference.

**Previous assessment data.** Limited assessment has been conducted on the restorative justice process specifically, as well as on the student conduct process broadly. In the spring of 2017, an assessment instrument was sent to students who participated in restorative justice during the 2016-2017 academic year. Although not part of this evaluation, the results were provided to the evaluator to include as a part of the data collected. There were a total of 13 responses to the survey, one of which did not appear to be legitimate and was thrown out. A second response was left mostly blank and was also thrown out, leaving 11 responses that could be examined. The

survey was conducted using Qualtrics and was designed and sent by a graduate assistant working in the office. The small size of the data set does not allow for robust statistical analysis, the descriptive statistics that can be gathered may help in trying to answer the evaluation questions. Of those who responded to the survey, there were two first year students, six second year students, and three third year students. Seven were male, four were female. All respondents identified themselves as white or Caucasian. One RJC occurred in the fall quarter, four in the winter quarter, and six in the spring quarter. Eight incidents involved alcohol, two involved marijuana, and one involved both. The survey questions and responses can be found below.

<b>Question:</b>	<b>Agree/ Strongly Agree</b>	<b>Disagree/ Strongly Disagree</b>	<b>Neither Agree nor Disagree</b>	<b>Number of responses</b>
The restorative justice process was fair.	64%	27%	9%	11
My actions contributed to what happened in the incident.	64%	9%	27%	11
As a result of this incident, I want to make better choices in the future.	66%	18%	9%	11
I think restorative justice is a good way to handle violations like these.	73%	27%	-	11
I had no control over the outcome of my restorative justice conference.	36%	54%	9%	11
This process helped me understand the point of view of those most affected by my actions.	73%	27%	-	11
After my restorative justice conference, I feel more connected to the DU community.	36%	36%	27%	11
I felt respected throughout the restorative justice process.	63%	36%	-	11

As a result of my restorative justice conference, I more fully understand the community impact of my actions.	73%	27%	-	11
I am satisfied with the outcome of the restorative justice process.	73%	18%	9%	11
As a result of this conference, I will change the decisions I make in the future.	73%	18%	9%	11
The RJ process allowed me to offer an apology to the harmed parties in the incident.	73%	27%	-	11
I was able to meaningfully contribute my ideas toward the outcome of the RJC.	73%	18%	9%	11

Figure 3: Student Rights and Responsibilities Assessment Data

The limited nature of this assessment data does not allow for comparison to either the traditional process, nor does it allow for comparisons longitudinally. This snapshot, however, provides some insight on how students view the process. Overall, the assessment data is positive, with 73% of students stating that they thought that RJ was a good way to handle these types of violations, the same percentage of students were satisfied with the outcome from the process, they will change decisions that they make in the future, and the process allowed the students an opportunity to offer an apology to the harmed parties in the incident.

### Stakeholder Interview Information

A stakeholder group was assembled that included the Interim Director of Student Rights and Responsibilities (and full time Executive Director of Community Partnerships, who has overseen the office since 2010), the Vice Chancellor for Campus Life and Inclusive Excellence,

the Executive Director of Housing and Residential Education, the Faculty Director of the Honor Code, and a Sargent from the Department of Campus Safety. These stakeholders were targeted in order to represent areas on campus that play a significant role, or that benefit from the RJ process. Stakeholders were interviewed individually; these interviews were recorded and transcribed. From these transcriptions, an emergent coding process was utilized to identify themes that would serve to guide the evaluation process. This allows for the stakeholder interviews to drive the evaluation process, and for honest goals, experiences, and expectations to emerge without preconceived notions as to what stakeholders would like out of the evaluation process. From this process, the following themes emerged: descriptive information that helps to provide a snapshot of the RJ process at the University of Denver, goals of RJ at the University of Denver, personal experience with the restorative justice process, and desired evaluation outputs. Each theme will be discussed below.

**Stakeholder perspectives of RJ at the University of Denver.** Restorative Justice was started at the University of Denver in 2012. The Interim Director, who had been overseeing the office of Student Conduct for approximately eight years, reflected upon why RJ was initially adopted at the University of Denver. He shared that the director at the time was trying find the best ways to meet students “where they are,” and in looking at national trends, noticed increased use of restorative practices in student conduct in higher education. In addition, they had noticed a “connection between the dialogue piece of it and how do we change the student conduct process from being a punitive process into being an educational process”. At the same time, the university was working to become an honor code school - where the conduct process is one shaped by student honor, integrity, and self regulation rather than through punitive reactive measures. Given this, “we were working to understand what does it mean to live honorably,

restorative justice kind of was a natural outcropping of the commitment to an honor code. And so, we believed that restorative justice would be a great example of what an honor code school would have as another additional outcome to a process”

The position of Faculty Director of the Honor Code was created at this same time, providing faculty guidance to the Honor Code around academic integrity issues, and to support other faculty members in the student conduct process. The Faculty Director of the Honor Code also noted that restorative justice was a growing trend, and that many honor code schools have adopted, or are moving towards a restorative justice model. He also noted that “I think restorative justice is no longer cutting edge. I would have called it cutting edge a few years ago, but I think many, many, many places are now starting to work with students in restorative justice.” The faculty director also reflected on the appropriateness of the use of RJ to academic integrity violations, stating that as his role is to create a culture of academic integrity on campus, it is an important tool in ingraining the values of academic integrity into the community, and “the way that it is done, where the accountability is a big part of it, I think what that can do is it can build a community that values academic integrity. To me, that’s important, just growing people who can buy into the importance of academic integrity in an institute of education.”

The Executive Director of HRE also framed the role of RJ in community, as the function of Housing and Residential Education staff is largely to create communities and environments where students can live and learn together. She shared that “some of our cases that happen in the residence halls are really good candidates for being in a restorative justice process to provide our students just a different level of outcome, I think in responsibility to our community than the traditional sit down one-on-one with a conduct administrator... this process enables our community to be engaged with the outcomes in restoring some of the impact to the community.”



In addition, she believed that a restorative approach fosters learning, stating “I believe that students do much deeper learning when other students are holding them accountable in our community... the restorative justice process opens up the doors for endless possibilities because of the different voices that we bring in the room to show impact. So I think there’s a different level of accountability.”

In addition to framing RJ in terms of community, the stakeholders also framed it in terms of the education. The Vice Chancellor of Campus Life and Inclusive Excellence stated that:

*by infusing our process with a restorative justice lens, I think it really validates what we feel strongly, that this isn’t about punishment. This is about education. This is about human relations and things can go wrong when relating to other people. So, how do we developmentally, appropriately teach our students how to repair broken down relationships and how to do it in a way that makes them ethical citizens, so to really understand how they as individual impact their community both in positive and negative ways.*

Additionally, the Vice Chancellor reflected what other interviewees shared around the intentional shift away from a transactional conduct process, stating “I almost wish it was the foundation of all of it, that maybe we would be less transactional with it all.” This sentiment was shared by the Director, as well as the Executive Director of HRE who compared it to the traditional process of “if I do A, then B and C are going to happen to me,” referring to the traditional process as one that is more prescribed.

Most stakeholders also reflected upon ways to better engage students in RJ, such as finding ways to introduce restorative concepts earlier in a student’s college career, to infuse it into other areas outside of conduct, or to engage more CLIE staff members in restorative

practices. The Vice Chancellor stated “I think we could do more with restorative justice at the front end before it becomes a conduct issue, that we could think about how it’s infused into our residential curriculum. We can think about how it’s a part of our orientation experience. So, how do we actually make it a standard of community citizenship as opposed to simply an aspect of the conduct process? It’s, I think, level two of this discussion.” This idea was also expressed by the Interim Director who discussed the differences between proactive campus programming and student conduct, which tends to be reactive. He shared “I think it’s critical as we build more restorative practices that kind of marry the two in building and having people engaging in a community and in a program that feels like hey, my behavior wasn’t what it was supposed to be.”

Interviewees also acknowledged the additional time and resource that goes into the administration of RJ. The faculty director stated that the “restorative justice process can be more time consuming and when it’s done well, it involves maybe a larger group of people flat out when you actually have your final resolution.” The Interim Director stated that he would like to have “the resources and the staffing to really make it just a universal option... that it just becomes the norm,” and that when the office is busy, staff members will refer cases through a traditional conduct process rather than through RJ because they don’t have the time or resource to put on an RJC at the time. The Vice Chancellor added “I’d like to know what the rest of the division needs to know to carry some of this load... so that it’s not just coming out of student conduct, So, what does this mean for HRE? What does this mean about SOS?... What does this mean about community building and how we’re thinking of living-learning communities, how we’re thinking about the holistic student development model.”

**Goals of Restorative Justice at DU.** While written materials discuss the goals of restorative justice broadly, there aren't any stated program goals specific to RJ at the University of Denver. Each stakeholder was asked to articulate the goals of RJ at the University of Denver. Three themes emerged from the interview process, including student accountability, community impact and engagement, and providing opportunities for students to correct behavior.

The first goal of accountability is, as articulated by the Faculty Director of the Honor Code, to make sure that the student is "aware that they have violated the honor code and they take accountability for that." The HRE stakeholder also shared "the restorative justice process opens up the doors for endless possibilities because of the different voices that we can bring into the room to show impact. So, I think there's a different level of accountability." Students are encouraged to take accountability for their actions, and by embracing a restorative process the university provides additional tools and avenues that allow students to do this.

The second goal of addressing impact can be described as "giving them a chance to understand how that violation of the honor code impacts those around them, their faculty member, their peers, people who are trying to honestly do the work." This idea was expounded upon by the HRE staff member who shared that "it is really about giving students a different opportunity to see their impact in our community and the role that they play." This idea of impact is deeply tied into notions of community. Considering impact allows for students to rethink their place within the broader community, and it provides a voice for victims and the greater community within the process.

The third goal of RJ is to give the student a chance to "rebound from this violation and to give them a chance to learn and to move forward. This idea was the most prominent goal articulated by the Campus Safety stakeholder who said that the primary goal was to "make a

difference in I guess the future of that particular person that's involved without it necessarily being a punitive type of situation where they have some kind of stake in what their responsibility is in their actions as well as be receptive to realizing that impact that they've had on others and moving forward how that would affect their actions." She went on to compare restorative justice to a zero-tolerance approach, stating "if everything was just zero tolerance and didn't have any other options or outlets for resolution, then I think that we'd lose out on a lot of our students that will definitely go on to be productive in life and contributors to society." The Vice Chancellor expounded that by doing RJ well, it "drives home the point that our conduct process is about education and building good citizenship by helping people reflect the failures and errors they're absolutely going to make in life because we all make them."

**Personal experience with RJ.** Some of the most meaningful explanations of the RJ process came when stakeholders were able to reflect upon their own experiences, either participating in restorative justice or working with students who had gone through the process. The interim director reflected upon a conference that involved a student who had consumed too much alcohol. The student's roommate was present in addition to Campus Safety and other staff members. He shared that

*it was a powerful place to watch how someone who overindulged in alcohol created all these challenges with the roommate, with the other people on the floor, with campus safety, and really feeling that their actions not only hurt themselves but really hurt the entire community that that student was living in. He was overwhelmed. He really cared deeply about his roommate, and that came through in a way that I think both of them were surprised at how important they were to each other. And it was really amazing to watch what could have been*

*potentially just been a 'you're on probation, follow these little tick marks to you're off probation.' It really became this transformative experience where the students really connected with each other and understood the impact it had not only on their relationship but on the broader floor and then the university.*

When asked to reflect on how they perceive student's experience the process, they discussed the anxiety, vulnerability, and reflection that they have seen occur. The interim director shared, as he reflected upon a circle in which he participated, "when we first got in... you could really feel the tension and the anxiety because... if you're gonna come into restorative conference you can clearly see that you're gonna have to be vulnerable in that moment. So the anxiety around being vulnerable, taking responsibility for your actions, admitting missteps and bad behavior, you could really feel the tension." This anxiety was perceived by the HRE stakeholder as well, who has spoken with students about RJ and they have shared

*they seem to enjoy it, but it also is a very in-your-face like I have to face other people... I had sat with one student who's gonna go through a restorative justice and nervous about having to sit with so many people that they've impacted versus just a conduct administrator... it was more of the worry of how it was going to play out, but I think that once they went through it, they're glad that they did because it was - you can begin to rebuild with everybody right away instead of having to continue to cover up what they saw as their misdeeds.*

The HRE stakeholder also shared an experience where she participated in an RJC where her staff members were impacted parties but unable to attend. She shared:

*It was just really powerful. Powerful for a couple of reasons. I think for her to see the hurt and to have to sort of face the hurt and the impact she had in a way that*

*was set up to be caring. And when I say caring, I want to be careful with that, because it was caring because it was thoughtful, because we all had the same purpose of being there, and it was to help her understand the impact that she had, but it wasn't... like we left, and everyone felt good. Like oh this is resolved. People were able to share their piece, which I think is so important. And so, for my team to be able to share their piece in that too, even though it was just written, because that's where they were at, at the time was impactful for me to see how much time and energy our team is putting into students.*

The stakeholder from Campus Safety reflected that the process is “very easy going, and very easy in the way that it’s facilitated,” but wishes that she were able to generate more outcome ideas. When asked how she believes students experience the process she shared “I’ve seen a wide spectrum. Some come in heartfelt and emotions that you’ll see during it, and others they come in and they’re like, this is just what I got to do because - and I’m gonna get off without ... anything on my record, and I’m just doing it because this is the only way to have that result.” It is evident, she shared, which students take the process seriously and which do not. Those who are open to understanding the impacts that their actions have had upon others “it does affect them emotionally... and I think it’s really more invested in one completing the process and two, guiding their actions moving forward.”

The Vice Chancellor also shared her perspective, working with students and parents about the process. She shared

*I would say sometimes they might be a little disgruntled about the amount of work and concentration that they might be asked to take on. I think sometimes they would prefer a slap on the wrist that’s more transactional rather than the work*

*that goes into actually having to restore the community after your impact. I've (also) had experiences where students said no, this was really important and I really liked the conversation I was asked to have or I really liked the project that I came up with and I found it to be a valuable aspect of my experience here. So, I've seen both sides of it.*

**Desired product and evaluation outputs.** The stakeholders shared that restorative justice is a very experiential process, and one that is often hard for those who have gone through the process to later describe or to summarize in a way that can be measured objectively. Administrators interviewed about their experiences with RJ have been able to reflect upon their feelings, and the way they believed students experienced the process, however they shared that they would like data to back this up. The Interim Director shared that “I’d like to see what it feels like to really make those feelings then translate it into actual data that says it is impactful. The things that you felt in that one restorative justice hearing are really kind of universal.” Those who have experienced RJ shared that they would like to be able to quantify the feeling that one gets from participation in the process.

The most common theme identified was the impact that the process has on students, stakeholders shared things like the

- “Honesty of the evaluation of the impact actually on the students. Is it really going to be a deterrent from them repeating that behavior or any similar behavior? How does it affect students on an emotional level?”
- “I’d like to know if students are surprised or even understand the definition of the process to begin with?”

The other idea voiced by stakeholders is the effect that this program has on the rest of the community, the overall impact that it has had, and ideas on where to go from here.

- “I’d love to see how other people are responding to this and the impact that it’s had.”
- “What does the rest of the division need to know?”

### **Conference Observations**

Beginning on March 1, 2018 student respondents who were approved to participate in an RJC was invited to participate in the evaluation process. The RJC coordinator invited students to participate in conference observations during the preconference meeting. Students who agreed signed a FERPA release, and the RJC Coordinator then forwarded the student’s contact information to the evaluator. The evaluator then made contact with the student, completed explained the evaluation process and answered any questions that the student had. The evaluator then asked the student to inform him of the date and time of the conference. The evaluator obtained written consent from each conference participant prior to the beginning of the conference. The evaluator did not participate in the conference process, but simply observed and took detailed notes. Observation notes were then coded and themes were generated along with student respondent interview transcripts.

In total, three students agreed to allow their conference process to be observed. Each conference process will be summarized below. These descriptions of conference observations are in place to allow the reader to better understand the conferencing process, and to connect this with their own experience in order to draw their own conclusions from the data. Observations and student respondent interviews were coded and themes were generated through an emergent coding process. Themes for conference observations and interviews will be discussed.



**Conference observation #1: “James”.** The student respondent in this conference was caught cheating during a makeup exam time. The instructor was present, suspected cheating, and the incident was initially denied by the students. The instructor then forwarded the incident along to Student Rights and Responsibilities for review. James initially took full responsibility, telling SRR staff members that he had asked the other student for an answer. He later shared that he had lied to cover for the second student, and that they had both engaged in cheating. The decision was made to handle the case through restorative justice. The student, his instructor, a support person, and community member were present at the conference in addition to the facilitator and co-facilitator.

Following the script, the facilitators led introductions and discussed RJC ground rules. Next they asked questions of James, who answered their questions in some detail. James shared that he had been through an RJC process previously as a complainant in a case. He shared that he had hoped that this RJC would go similarly, as participating in the RJC as a complainant helped him to answer a lot of questions and to move on from the incident. James shared that he had communicated with another student during a makeup test time. James shared that he had not initially been honest with the instructor or with the RJC coordinator. Initially, James had initially shared that he and the other student talked during the exam. The RJC Coordinator then met with the other student involved, who shared that James had asked him to share his test so that he could check one answer, and James then submitted the other student’s test as his own. After hearing this information, the RJC Coordinator brought James in and asked him if this is what had happened. At this point James told the truth. Because of his initial dishonesty, James’ chances of going through the RJC process were jeopardized, however after conversation with the RJC Coordinator, she allowed him to go through the process as long as he was fully honest with the

faculty member during the conference. James' first action in the conference was to look directly at his instructor and share this story.

James shared the anxiety that the incident had caused him and shared that he was disappointed in himself. He also discussed his interactions with his family and his girlfriend regarding these actions, saying that his girlfriend was unsure if she wanted to be in a relationship with someone who had done what he did. His parents told him that they were disappointed in him as well. James shared that he has been unable to sleep, and that he would lie in bed thinking about the situation, about what had happened and worried about what will come from this, sharing that if he were suspended from the institution, that he would see it as an obstacle, but that the emotion of it all would be the hardest part.

The instructor was the next person to share. First, she explained what had happened, initially looking to the facilitator as she spoke. She said that she had observed cheating during a makeup exam, and her department chair told her that she needed to report the incident. She said that she felt really bad having to report the incident, stating that giving zeros and punishing people is not why she chose to teach. As she spoke, she eventually turned to the student and shared that she sees that this incident caused him a lot of anxiety and can see how guilty he feels about all of this. She then went on to share that students cheat on every exam that she gives, but that not everyone gets caught, and that James was the first students to show remorse. "Students literally shout at me." The instructor then reminded the group that she was a student for ten years, she knows that students cheat a lot, and that as a student she had even assisted others in cheating.

The instructor discussed her struggles in preventing cheating, including changing syllabus language to state that students responsible for cheating will receive an F in the course.

The hardest part of this incident for her was the conversation that she had with the student, stating “I can see that he felt terrible.” The dishonesty on the part of the other student was even more challenging for her. The instructor ended by sharing that James should not be afraid to take another class with her, that she would encourage it, and that although she knows, and he would know about this incident, that no other students in the class would know about it. “I’m not angry with you, just with him (the other student).”

The two support people present discussed the impact that the incident had upon them, namely seeing the impact that this has had on the respondent. Both support people were extremely supporting, providing an important check and pointing out how hard James was being on himself. One shared that it is difficult listening to the narratives that James is telling himself, that everyone is so disappointed in him, sharing that people make mistakes, and emphasizing James’ empathy and integrity. He then added that another difficult thing was trying to understand James’ feeling that he could not have completed the exam on his own.

The community member reflected upon the overall toll this has taken and weighed the time that has gone into this incident because of James’ cheating versus the time that would have gone into studying so that would do well on the test. Additionally, she reminded the rest of the group that she did not want to minimize cheating, and that if she were to cheat when learning how to perform her job, that there would be serious consequences and that people could get hurt. The second community member had less to say, their suggested take away from the incident was to “try not to worry about how much you are disappointing people.”

After each participant shared their piece, the student respondent had the opportunity to respond. The student, looking to the community member who did not want to minimize cheating, shared that he appreciated her input and that it gave him a new perspective of someone who may

deal with matters of life or death on a daily basis. This community member, outside of her affiliation with the University of Denver, shared that she was a volunteer firefighter. He then shared that he wants to try to give back to his community, suggesting becoming a volunteer firefighter as one possibility. James shared that in a way he was happy that things happened the way they did because he was able to see a “different self.” The student then shared that after college he wants to go into business and to be an entrepreneur, stating that this is the type of profession that reflects who you are. The student said that he needs to run his business with integrity, and that an incident like this “can’t and won’t happen again.”

The conference then moved onto the brainstorming phase. Conference participants suggested outcome ideas intended to address the harm or impact of what occurred. Ideas included counseling, community service, campus presentations or public speaking, and talking to friends. The respondent did not feel comfortable talking about the incident publicly or bringing it up with his friends because of the shame he still felt about the incident. Conference participants discussed these options and settled on helping SRR staff to deliver a workshop, either on decision making or on academic integrity where he would not have to get into detail regarding his personal experience; as well as some kind of community service. James suggested volunteer firefighting, while other conference participants encouraged him to do something like big brothers/big sisters.

The observer noted the momentum of the storytelling phase slowed significantly when the conference reached the outcomes phase. The storytelling phase saw a high level of engagement between the student respondent and faculty member, while the “minutiae” of the outcomes discussion seemed to detract from that. The support people became fidgety and disengaged, contributing little to this conversation.

Once outcomes were determined, conference participants were then given a chance to share any closing comments they had. The student respondent thanked everyone individually for their participation. He shared that he was grateful for the opportunity to go through RJ, stating that he hadn't stopped thinking about the incident since it happened, and he felt that participation in the RJC would help him to bring some closure. He also thanked the instructor for welcoming him back into her class, and the community member for shining a different light for him on cheating. The support people shared that they just wanted what was best for the student respondent, and that they cared about him. The faculty member then shared that she hoped this process helped the student respondent as much as he shared that it had and asked him whether or not he would feel comfortable acknowledging their relationship in class or not, to which the student responded that he would be comfortable. Lastly, the community member shared that she felt that everything the student shared was genuine, and that she respected him for being there.

The high levels of tension and anxiety in the room at the beginning of the conference had faded by the end. The conference consumed the full two hours. Participants were visibly tired from this level of engagement for this long, but emotionally you can see the relief, if nothing but for the fact that they had gotten through it.

**Conference Observation #2: "Maya":** Maya is a graduate student at the University of Denver. She is involved in the community and has a passion for social justice issues. She was required to complete a policy brief for one of her classes and was not able to complete it on time. She asked for extra time to complete the assignment but was still struggling to complete the assignment by the new due date. At the last minute, she copied and pasted information from a website and submitted the assignment. The incident was referred to Student Rights and Responsibilities, where Maya took responsibility for her actions, and the case was referred to a

restorative justice conference. Individuals present included the respondent, a support person, two community members (one was a faculty member, although the reporting faculty member was unable to participate), and two facilitators.

After the facilitators led the group in introductions and a discussion of ground rules, Maya spoke first. She discussed what had happened, stating that she had run out of time, but did not remember exactly what she was thinking at the time. She shared that this was not something that she has ever done before, that she is not sure why she did it, and that it is something that is out of character for her. She is embarrassed and ashamed. Reflecting on impact, she discussed the impact that it had upon her, her the professor, and the dean. The professor was adjunct, and as this happened towards the end of the term, the Dean of the college was forced to deal with the incident. Maya shared that she had tried to get in touch with the course instructor but did not receive any kind of response. This incident affected the student's performance in other classes, as well as her ability to graduate on time. She did not tell many people about this incident, only the friend who was serving as her support person. Lastly, she shared that she was ashamed of her actions.

Her support person followed, sharing that Maya was her closest friend here, but was not aware that she was the only person whom Maya had told of her actions. She shared that she is concerned for her friend, wondering why she felt that she had to do this. Graduate programs are stressful and was worried about the level of stress in Maya's life, and the added stress from this incident. She closed by stating "I wouldn't say it's a good learning experience, but I would say it's a learning experience," and that she hopes that Maya would be able to grow from this.

The first community member took a firmer tone, stating "I don't speed, but I got a ticket," attempting to reframe Maya's defense of her actions. She pointed out that Maya was

working towards a degree in a clinical field, and that if she were to come to Maya for help, how would it change knowing that Maya had plagiarized even one of her assignments? Placing it into a different context, she stated that she works in a field where cheating can have significant consequences and could result in life or death consequences for those she is working with. Reflecting on who else was impacted by the incident, she shared that it impacts the reputation of the institution, and the quality of students that the university is able to attract.

The other community member is a staff member, Ph.D. student, and adjunct faculty member, serving as a representative of the faculty member who was unable to participate in the conference. She shared that as an instructor, you hope for “authentic learning” to happen, and that when students cheat or plagiarize you ask, “what was it that I did or said,” and “how could I have done things differently?” Ultimately, actions like this on the part of students detract from why faculty members are here in the first place. She then reflected on the incident from her perspective as a graduate student, stating that she can see the temptation in taking the easy way out, but that other students - if they knew about this incident - may be worried about the value of their own degree. In addition, she is concerned that if many other students knew about this, and if they saw her as a leader, that it may “plant a seed” for them, encouraging them to think about this as an option. The community member then shared that one thing that she would like for Maya to take from this incident was to find better ways to budget her time, and to consider that time management strategies used as an undergrad may not work in graduate school.

After everyone spoke, Maya reflected upon what was shared. She reflected on the idea that her clients may not be able to trust the guidance that she gives, and also shared that she recently started going to therapy herself because “my head was not in the best space that it could be.” Additionally, she said that she probably spends more time at work and at her internship than

she should be, and discussed the pressures placed upon her at her internship to work more hours than she is required. Maya began to cry during this reflection, her support person placing her hand on her shoulder as she spoke. Everyone present softened in both their posture and in their face, allowing Maya to process this information with the group. When Maya was ready, the group moved on.

The next phase in the conference process is for the facilitators to list the harms that were discussed during the conference process. The harms identified included:

- Harm to the faculty member, dean, and department chair;
- Credibility of the degree;
- Impact on self;
- Harm to prospective students;
- Time, effort, and energy invested in this process (Maya also had to rearrange her internship schedule to participate in the RJC, which has impacted them);
- Impact on whoever did write the content that Maya submitted as her own, as they put in the time to write this and did not receive credit for their work;
- Impact of not graduating on time without Maya's peers.

After the harms were listed, the group then moved onto a discussion regarding solutions, or the things that Maya will do in order to address the harm caused by her actions. Maya spoke first, suggesting a program with a Resident Assistant to discuss the impacts of academic misconduct for undergraduate students, and a meeting or letter to her professor to allow her to discuss the impacts of her actions. Maya shared that she would prefer an in-person meeting but would also be happy with a letter. She shared that she would prefer not to send an email, as that is "super un-personable."



Community members also discussed the outcomes, noting Maya's high stress levels and commitments. They shared that they did not want to add extra undue stress, and that they wanted her to do something that would allow Maya to take care of herself at this time. They discussed ways that Maya can manage stress and priorities, and the value of learning to say no. They also discussed the stress of her internship, and ways to better communicate with her internship supervisor. Ultimately, the group came to consensus around some kind of communication with her professor or dean, either in person or via letter; a table in the Driscoll Student Center or somewhere else, working with Student Rights and Responsibilities staff to discuss academic integrity; and a conversation about boundaries with her internship supervisor. The observer noted that as the outcomes conversation progressed, the student became more disengaged, and that the conversation was driven more by the co-facilitators and community members than by the student respondent.

When the group moved on to closing comments, Maya went first, thanking everyone and sharing that the conference has helped her to realize that she needs to develop better time management strategies and to take better care of herself, rather than simply working to please others. Her support person told her that she can always come to her for help and encouraged self-care. One community member shared that she has a friend in the same line of work and noted the importance of taking time to care for oneself. She also invited her to her office to visit if she ever needed a break. She also shared that this was a teachable moment, and that consequences exist, both good and bad. The second community member added that it was a gift to have people around to support Maya.

**Conference Observation #3: "Julie":** Julie is a nontraditional transfer student to the University of Denver. She enrolled in college directly after high school but struggled

academically. After she was injured in an accident, she withdrew from that institution and took a full-time job. She attended community college while working and decided to return to school to earn a hospitality degree. She applied to the University of Denver, including her community college transcripts with her application, but she failed to include her other transcripts, those reflecting her poor academic performance. Julie was awarded a scholarship to attend DU, partially based upon her previous grades. After enrolling at DU, and speaking with her advisor about course requirements, she requested that her transcripts from her first institution be sent to DU. When the registrar's office received these additional transcripts, they reviewed them in combination with the community college transcripts and noted the differences in her performance. After the admissions office reviewed the information, they contacted Student Rights and Responsibilities for guidance on how to proceed. The program ultimately had to decide whether or not to allow Julie to keep her scholarship, or even if she should be allowed to remain a student in the program. Student Rights and Responsibilities charged the student with potential policy violations. Julie took responsibility for her actions, and after engagement with the student, the program, and the admissions office, it was decided that restorative justice was an appropriate process. Conference participants included Julie, a support person who is a friend of hers and a fellow transfer student, a community member from the office of admissions who works specifically with transfer students, an additional community member and two co-facilitators.

After the facilitators went over ground rules and facilitated introductions, Julie spoke first. She discussed what had happened that brought her to this point. She shared that she was unsure whether she intentionally did not include her transcripts or not. She reflected upon the day that she received the call from the admissions office informing her about what happened. She

shared that she was panicked, and very anxious about the whole thing. Since this occurred, she has been thinking about how much she wants to be at DU, and that she is really grateful to be here. She has started taking her time and being more thoughtful about things rather than rushing through things. She also shared that the actions that she takes can have impacts on more than just herself. When asked who was impacted by what happened, Julie noted other applicants to DU who may be more closely scrutinized in the future, her friends and family, other scholarship applicants, conference participants, and herself.

The community member and impacted party from the admissions office shared that this incident had a significant impact on her. She remembered receiving the notification from the Office of the Registrar stating that they had received an additional transcript for Julie, who had already been accepted at this point. This had never happened before. She shared that had they known this information earlier, they would have asked more questions and it could have changed the admission or scholarship decisions that were made. She felt like it seemed cruel to suspend a student over this, but that it has eroded her confidence in the system, and that she has thought about this when reviewing other student's application information. She remembers very clearly having to make the call to Julie to notify her of this, sharing that it was one of the most difficult calls that she has ever had to make.

The community member was then asked about how this has impacted her. The first thing she discussed was how she has been worried about the student, and how this whole thing would impact her. She then said that she has been thinking about how to prevent this from happening again, how to move forward, and how to prevent other students from having to go through the same anxiety as Julie. The hardest part, she reiterated, was having to make that phone call to

Julie. She knew that it would be anxiety provoking, and she did not know at the time what would come out of it.

Julie's support person spoke next, he shared that he and Julie had transferred to the university at the same time and had become friends. He shared that he is not the same person that he was eight years ago and does not see why Julie's past should come back to impact her status at the university now. The support person vented frustration with the institution, sharing that it was extremely difficult and stressful to enter the university as a transfer student. When asked what has been most difficult for him, he shared "not hating DU more" than he already does. He placed a lot of blame on the institution and discussed a lack of support for transfer students institutionally. He shared that he would like to see additional advising support for transfer students, and that he has learned to read the fine print.

The second community member voiced her concerns regarding the situation, namely the possibility that Julie took a scholarship that may have gone to another student that could have used it. She also shared that she understood taking time into consideration in considering applications, and that Julie is probably a different person than she was when she first started college. The community member also voiced her concerns based upon what she heard about the transfer application process, and institutional support provided to transfer students broadly.

After each participant was able to share, Julie was offered an opportunity to reflect upon what she heard. The first thing that Julie did was to turn to the impacted party from admissions, to look her in the eye, and to apologize for making her job harder. She also shared that she really appreciated how she was when making her phone call. When she received the call, Julie was upset, and the admissions person worked to console her, and that helped to make her feel better.

The admissions person responded that efforts are being made to support transfer students campus wide, and acknowledged that there is still work to be done in order to support transfer students.

Next, the co-facilitators summarized the harms discussed during the conference. These harms included:

- Harm to the student;
- Harm to the admissions staff, and the staff member present in particular. The call that she was forced to make was a difficult one, and it was apparent that she was concerned about the student;
- Eroded confidence in the process;
- The impact on the transfer student - and other non-traditional student experience at the university.

The outcomes discussion largely revolved around the transfer student experience. Julie discussed assisting with the admissions process, especially with transfer students. One idea that was raised was the creation of a focus group involving transfer students to better understand the experience, and the creation of resources to help transfer students as they come to the university. The final outcomes decided upon by the group included a focus group, which would involve a 1:1 meeting between Julie and the admissions representative, the recruitment of transfer students, participation in the focus group, and then continuing to work with the admissions rep on any outcomes that can be generated from the focus group process. Once the outcomes were decided upon, the admissions rep noted that she believes that the outcomes will help the student to understand the impact of her mistake, and it will also be helpful to admissions staff and future transfer students. The observer noted a lack of engagement from the additional (non admissions) community member. There was also an element of discomfort observed with the student during

this process, while the admissions rep would look at Julie and speak to her, Julie would often look towards the facilitators when speaking.

After outcomes were determined, each participant had an opportunity to provide closing comments. Julie went first, and thanked the admissions rep. She again reflected on how difficult that call must have been for the admissions rep to make, and shared that during the conversation, as Julie began to panic, the admissions rep reminded her to breathe. The admissions rep then shared that she felt that the process had been productive, and that she believes the outcome will be more beneficial than the student writing a paper. The last community member shared that she hopes the outcomes will be beneficial to the greater DU community.

### **Respondent Interview Profiles:**

The evaluator worked with the RJC Coordinator, who used Maxient to pull a list of every student respondent who had completed a restorative justice conference in the past four academic years (fall 2014 - spring 2018), and sent an email inviting them to participate in the evaluation process. Three recruitment emails were sent, on March 30th, April 8th, and again on May 8th. From these recruitment emails, three participants reached out and agreed to be interviewed about their experiences. One additional student responded, but did not respond to follow up emails, and one student responded sharing that they were not interested in participating in the interview.

Of the three interviews that occurred, one was in person and two took place via phone. All three interviews were recorded using a digital recorder. The recordings were transcribed, coded, and themes were generated. The interviews occurred on April 4th, April 5th, and April 24th. Respondents signed a consent form prior to participating in the interviews and were told that personally identifying information would not be included in the final evaluation report.

Interviewees were also provided with the opportunity to choose their own pseudonym, one interviewee chose a pseudonym, the two other interviewees declined to choose a pseudonym and were assigned one.

From these interviews, three profiles were developed, to provide a snapshot of students who have gone through the RJC process. This was done to allow the reader to better understand the conferencing process, to humanize the students who have gone through the conferencing process, and to connect this with their own experience in order to draw their own conclusions from the data. Additionally, the interviews and observations were coded and themes were generated. These codes and themes will be discussed in the next section.

**Respondent #1 “Annie”:** Annie was a junior at the University of Denver who had, at the time of the interview, recently returned from a study abroad experience and had decided to take some time off from the institution. She grew up vacationing in Colorado, skiing at Keystone and visiting family. She was initially drawn to Denver because of the international studies program but has since declared a major in history. At the time of Annie’s RJC, she was going through a bit of a rough patch. She was a part of a sorority but was asked to leave the group for reasons she did not disclose. On her last night in the house, she decided to smoke marijuana on the porch of the house, and then in her room. Another resident of the house called Campus Safety, who documented her and referred her to Student Conduct. At the time, Annie had been accepted into a study abroad program, an opportunity that would have been jeopardized by her conduct status. Annie’s conduct administrator suggested restorative justice - Annie stated “the restorative justice person told me that I couldn’t go abroad if I was suspended or whatever and I knew that I had just made a really stupid mistake and that I didn’t want that to define me, and I also wanted to go

abroad. So I just wanted to go about righting my wrongs that I had made, and I thought that RJC was the best path to do that.”

As Annie reflected upon her experience with RJ, she remembers it mostly positively, stating “I went into it feeling a lot of shame and a lot of guilt and then I went out of the conference feeling like so much better because I felt like I wasn’t, you know, just being punished and that I actually had a voice. I also felt like there was a lot of healing because I talked directly with the people that, you know, I had affected because of my actions.” Annie shared that during the conference, they had identified three harmed parties including Greek life, Campus Safety, and her house mom. Although she did not remember exactly what her outcomes were, she remembered writing a letter to the responding Campus Safety Officer, who responded to her saying that he was “really touched” and said, “thank you so much”. In addition, her house mom participated in the RJC. Annie added “I know it was really good to like - because the meeting was a few months after I left the house, so it was good to see her and kind of work through that and have that healing with her.”

Annie speaks of her experience in terms of healing and personal growth, stating “I learned a lot of things. I mean I think that it was just healing in general for everyone because I learned, you know, the impact of my actions and I became a lot more self-aware after that.” She also states that “I learned a lot about myself and why, you know, I made the decision that I made or the multiple decisions that I made, and I learned a lot about myself through it and was able to kind of get to a point of feeling after that.” In many ways, the RJC was an opportunity for a fresh start, where

*the incident was me hitting rock bottom and the RJC was really helpful for me in kind of starting to move on from that and I mean this was over a year ago and I’m*



*doing so much better than I ever thought. At that time I didn't think that I could be doing as well as I am, and I think that that time was the start of that process and being able to be forgiven for my actions rather than just be punished and judged for them was a really important thing for me.*

**Interview #2: “Heather”:** Heather is an involved first year student who grew up in Minnesota. She came into the RJC process after she consumed too much alcohol before a formal being hosted by a fraternity and was transported to detox. After getting sick on the bus, her date tried to take her back to her residence hall room where they encountered an RA, who called campus safety. Heather woke up in detox the next morning with no memory of what had happened the night before. Campus safety also found that Heather was in possession of a fake ID when they were trying to identify her. When asked why Heather wanted to pursue an RJC she shared

*I felt really bad about what I did, and my actions that I performed on that night were nothing like my normal actions at all. That's just not who I am as a person, not what I usually do on a weekend... I feel sincerely bad and I don't want to be told to go to this class or whatever I want to actually feel better about it rather than just feel like I'm checking something off a list to get a slap on the wrist or whatever... I grew up in a household where it's like you need to make amends and even after it happened originally before I was contacted to go in or whatever I wrote a thank you note.*

Prior to going through the conduct process, Heather wrote a two-sided note to her date that night, one side was a thank you note and the other side was an apology. Heather said that when RJ was presented as an option, “I was like oh yeah. That sounds like right down my alley.”

Heather remembers clearly who was present at the RJC, and the perspectives that each of them took. Conference participants included a campus safety officer, the university chaplain, her RA, who is also in her sorority, and she also brought her roommate as a support person. Heather remembers the statistics presented by the Campus Safety Officer, and the discussion on how crime statistics and data reflect on the university. She remembers the chaplain, who was more concerned about how she was doing, asking questions like “how are you affected by this? And like are you doing okay, like do you have severed relationships?” Another participant was an administrator - or a maybe professor with other roles, who took a harsher tone, stating that what she did was illegal. Heather remembers her being somewhat more aggressive, stating “you are that girl now,” often relating the conversation back to her own son. Heather reflected “and we’re like okay your son’s probably not an angel either, but she was - so yeah. She was fine.” Overall, Heather shared that she felt heard and respected throughout the process, stating

*I feel like I didn't have much to say because I was just kind of like I know what I did was wrong and how can I fix this, but I never felt like I was being talked at or anything. And... when we figured out what my consequences would be, they were very direct on like do you feel comfortable doing this? Like we're only going to do it if you want to do it. So, I guess that was heard.*

Regarding the outcomes from the process, Heather shared that she enjoyed completing them, stating “I felt almost bad doing them because there’s stuff that I really like to do like I made a bulletin board and I made an iMovie and then I just did like this e-CHUG online and wrote a little paper, which the paper wasn’t hard to write and the movie I enjoyed working with the software.” She shared that overall she spent about five or six hours working on everything, but “it was stuff that didn’t seem like a grind to me. I enjoyed doing it.” Heather felt less confident

that the outcomes addressed every impact. She felt that completing the e-CHUG assessment was helpful but did not repair harm, but “other than that, they did a nice job to make sure we’re only gonna have consequences if it’s going to address a certain group that we listed saying was affected.”

**Interview #3: “Eva.”** Eva grew up in Connecticut, but her dad grew up in Colorado. She grew up taking trips to Colorado to ski and to visit family. She spent her first year at a small private liberal arts college in New York but transferred to the University of Denver for her sophomore year. She graduated in June of 2017 with a major in journalism and a minor in political science. She is currently completing an internship with a real estate company and working at a jazz club but trying to figure out what she wants to do next. Eva shared that she enjoyed her experience at DU. She lived on campus for her sophomore year but moved off campus for her junior and senior years. She studied abroad and was able to graduate on time. Eva went through the student conduct process twice during her sophomore year. She was placed on probation once after becoming intoxicated and ending up in detox. She was involved in a second incident a few months later, where she drank too much and ended up in the hospital. She participated in RJ for this incident, as it “sounded like a good way to get some people together, talk about what happened, and talk about the potential consequences if I don’t address it and talk about it going forward.”

When asked to recollect on the RJC, she first recollected on individuals present. She shared that she brought one of her closest friends as a support person. There was also another student present who “I think was my year as well who had also been through the same program, which was kind of cool to see it from somebody else’s perspective and then have one of my close friends started talking about it with me.” She also remembers a Campus Safety officer present,

and a few others, but does not remember who they were. She shared “I do remember feeling good coming out of it with a new mindset... yeah and it was just cool to hear a bunch of different people’s views on it. Everybody always has different things to say. Yeah, I don’t know. I definitely thought it was a good idea in the end.” Overall, she found the process helpful as well, stating “I thought it would be more of a punishment process rather than kind of the supportive environment of therapy talk in a sense, which I think it was leaning more towards, which actually did kind of help me realize that I wasn’t in that alone. It’s easy to bounce back if you take the right steps.”

Ultimately, Eva shared that she learned a lot from the process, sharing that, *it definitely wasn’t so much of a punishment as much as raising awareness of your actions and what you’ve done and how you’ve affected other people. So, I think it kind of was a wake-up call all in the sense that you shouldn’t just be thinking about yourself when you’re making poor decisions or violating any type of student conduct within the community that you’re a part of because you’re just in a sense bringing everybody else down with you. But yeah, I think you really need to put yourself in the perspective of the greater community that you’re representing rather than just yourself as an independent student.*

Eva shared that she started performing better in school “just because I wanted to, I almost felt like I owed it to myself and to my parents who were paying for my education.”

### **Interview and Observation Themes**

The RJC observations and student interviews were taken together, and the texts coded and themes were generated using an emergent coding process. From this, the following five

themes emerged: motivations for pursuing RJ, conference experience, outcomes, reflections on harm, and learning. Each theme will be discussed in detail below.

### Restorative Justice Program Evaluation Themes

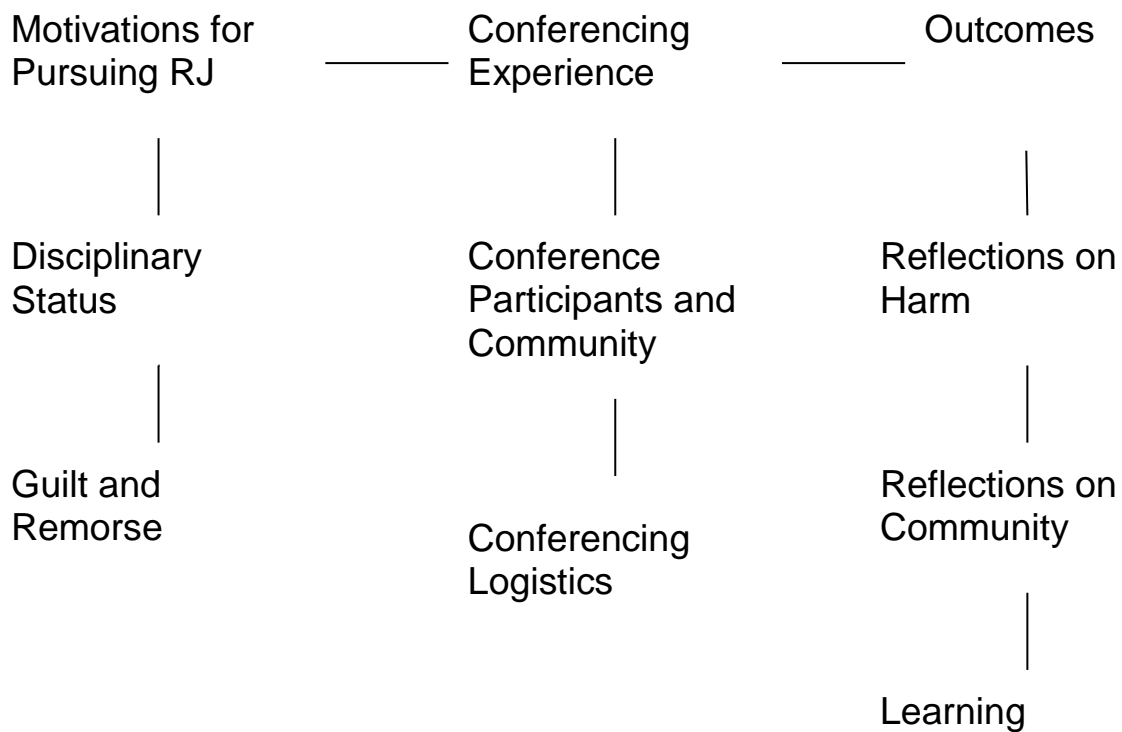


Figure 4. Program Evaluation Themes

**Motivations for pursuing RJ.** Reasons for pursuing restorative justice can be grouped into two broad categories. The first has to do with the student's disciplinary status, where they cannot, for whatever reason, have the initial incident reflected upon their conduct record. Annie, for instance, shared that she had been accepted into a study abroad program, and that if she went

through the traditional process, she would not have been eligible to go. When asked the question, she responded:

*Honestly, I was going abroad, and I had already been accepted into my program and stuff and... the restorative justice person told me that I couldn't go abroad if I was suspended or whatever and I knew that I had just made a really stupid mistake and that I didn't want that to define me, and I also wanted to be able to go abroad.*

Eva had been through the conduct process previously for a similar violation and was on probation when she was documented for her second violation. She stated that "I'm pretty sure this was offered to me as a recommended procedure, but I'm not really sure what the other option was, but I thought it sounded like a good way to get some people together, talk about what happened, and talk about the potential consequences if I don't address it and talk about it going forward.

More commonly, students discussed RJ as a way to right their wrongs, and to make things right. Annie reflected that she, "wanted to go about righting the wrongs that I had made and thought that an RJC was the best path to do that." Heather shared,

*I really felt bad about what I did and my actions that I had performed on that night were nothing like my normal actions at all. That's just not who I am as a person, not what I usually do on a weekend, so that's why I feel sincerely bad and I don't want to be told to go to this class or whatever I want to actually feel better about it rather than just feel like I'm checking something off a list to get a slap on the wrist or whatever... I grew up in a household where it's like you really need to*

*make amends... and then when they offered restorative justice I was like oh yeah that sounds like right down my alley.*

Heather shared that before going through the RJC, she wrote a note to her date from that night.

On one side, she wrote a thank you note and on the other side she wrote an apology note.

Motivations observed during conference observations were more emotional. James reflected on his previous experience as a harmed party in an RJC and shared that this process allowed him to move on and to gain closure. He discussed in some detail the effects that his involvement in this incident have had on him, specifically that he has had a pit in his stomach, he wasn't able to eat or sleep, and that he had lost weight because of the incident. He stated that "there is nothing worse than lying in bed alone having the run through your head." James discussed the guilt and anxiety that he had resulted from this incident, hoping to find the same kind of closure that he had experienced previously.

Maya also framed her feelings in terms of emotions, stating that she was "embarrassed and ashamed." The instructor for the class where she had plagiarized was adjunct. Maya had attempted to contact her to offer an apology but was not able to connect with her. The conference offered an opportunity to process these emotions and to offer an apology, even if she could not offer that apology directly to the instructor.

**Conferencing experiences.** This theme will be broken down into two parts, the first is the experience of engaging with conference participants, the community of the conference itself and student reflections on the impacts of conference participants. The second is the logistics of the conference, including timing, scheduling, and student engagement throughout the process. Annie shared that the conference process was helpful to her, stating that "I was expecting to be really judged and stuff, but I wasn't. Everyone was very attentive and... actually, feel like I had

a say in the matter.” She also shared that, “I went into it feeling a lot of shame and a lot of guilt and then I went out of the conference feeling like so much better because I felt like I wasn’t, you know, just being punished and that I actually had a voice. I also felt like there was a lot of healing because I talked directly with the people that, you know, I had affected because of my actions.” Annie compared the conference process to a trial, stating that when you are put on trial you aren’t really listened to, but that the RJC was a good process because “people actually cared about what I had to say and actually were looking for the best outcome for everybody rather than just like the best outcome for the school or whatever.” Annie also shared that she broke down crying a few times during the conference, and other people there were “very supportive and very kind and yeah, just supportive and respectful at that moment.”

Conference observations aligned with these experiences as well. Both Julie and Maya became emotional during their RJCs, and they were comforted by their support people as well as the impacted parties and community members. Maya began to cry as the conversation turned to her skills and abilities as a clinician, when she reflected upon whether her clients would be able to trust the advice that she was giving. Community members in the same conference reminded Maya, however, that she was “brilliant,” reframing the narrative from *you did this and you shouldn't have*, to *I am concerned that you found yourself in a situation where you felt like this was necessary*. Much of the outcomes discussion for Maya in particular focused on her own commitments and time management strategies, one of the assigned outcomes requiring her to hold a conversation with her supervisor about boundary setting.

Eva shared that she was surprised by the supportive nature of the process, stating “I thought it would be more of a punishment process rather than kind of the supportive environment of therapy talk in a sense, which I think it was leaning more towards, which actually did kind of



help me realize that I wasn't in that alone. It's easy to bounce back if you take the right steps."

When asked if she felt heard in the RJC process, Heather stated that she felt like she didn't have much to say, saying "I was just kind of like I know what I did was wrong and how can I fix this, but I never felt like I was being talked at or anything."

James also found himself in a supportive environment. The observer noted how critical James was of himself and his actions. He was not only going through an RJC for academic misconduct, he was caught lying during his conduct process. The conference provided him with an opportunity to come clean with his instructor, and to apologize for everything that had happened. The instructor shared that one of the hardest parts for her was to see the impact that this has had on James and shared that James should not be anxious to take another class with her, she also shared that "I'm not angry with you, just with (the other student)." The community member who was presumably the hardest on James shared at one point that she was a volunteer firefighter. After this point, James had not only thanked her for this perspective, but had shared multiple times that he was also ready to become a volunteer firefighter, even suggesting this as an outcome from the process.

Many of the interviewees were able to remember who was at their conference, especially those voices that were more impactful upon them. Eva recalled another student who was in the conference stating "it's kind of cool to see it from somebody else's perspective." She didn't remember anything about him except that he had done something similar, and that he was the same year as she was. He was on the lacrosse team, and she remembered standing outside talking with him before the RJC "which was cool." The one who stood out to Annie was the presence of the house mom from her sorority, stating "she was actually at the meeting. I know it was really

good to like, because the meeting was a few months after I left the house, so it was good to see her and kind of work through that and have that healing with her.”

Heather also remembered very clearly who was in the room, noting the presence of Campus Safety, the Chaplain, and a third member who was a faculty member with other roles, although she could not remember what they were. The negative tone of the faculty member stood out to Heather, who shared,

*she was a little aggressive. Like the other people were like - like the campus police officer was very scary, but she was a really nice person like when we were talking during break, but the professor was more like, you are that girl now, and more like negative about the situation, but still offered and saying - and then she kept relaying it back to her son though and was like she wasn't the best. She was more like well, since my son's your age, and we're like okay, your sons probably not an angel either, but she was - so yeah. She was fine.*

Conference observations noted a consistent shift in tone when the conference process moved from the storytelling phase to the outcomes phase. A note from James' conference stated, “as participants get into the minutia of outcomes, the process seems to lose some momentum.” In addition, it was observed that the interactions between James and the faculty member lessened. This was also seen in Maya's conference, where brainstorming was led primarily by facilitators and community members, and it was noted that Maya was less engaged with brainstorming. When asked if she felt heard during the process, Heather shared “I feel like I didn't have much to say because I was just kind of like, I know what I did was wrong and how can I fix this, but I never felt like I was being talked at or anything.”

**Reflections on harm.** The idea of harm to communities and relationships, and identifying ways to repair this harm, is one of the building blocks of restorative justice. DU staff and written materials often substitute the word impact for harm in their conduct and conference facilitation processes. Harm can be framed as harm to one's self and harm to others. Both of these topics will be discussed here.

During the restorative justice conference students, community members, and impacted parties are each asked to identify who was harmed or impacted by what had occurred. James discussed the impacts that his actions had upon his friends, his girlfriend, and his family. He shared that he could tell that his parents were disappointed by his actions, and that they had asked "did we teach you to do things like cheat?" He also discussed his girlfriend's reaction to what had happened, stating that she was really upset, and that this incident led her to question whether she wants to be with someone who "creates problems for themselves and then projects them onto those around them."

Maya discussed the effects that her impacts had upon the professor and the dean specifically. The professor was teaching the class as an adjunct, and this was the first class that she had taught, Maya was worried that because of this incident she may not teach again. Because the professor was adjunct, the Dean of the College was forced to manage the follow up from the initial incident. Julie discussed the impacts that her actions had on admissions staff and future applicants because they may be more closely scrutinized in the future. She also listed her family and friends, scholarship applicants, and the people present at the RJC.

Interviewees were asked specifically about who was harmed from their actions, and how. Each interviewee was able to articulate these impacts. Annie shared that during her conference, they narrowed this down to three groups, her sorority and Greek life in general, Campus Safety,

and her house mom. Both the sorority and Greek life were impacted primarily because of reputation. Campus Safety because, “obviously them having to come into a sorority house past midnight and kind of deal with that and then do the paperwork that comes along with it. I mean obviously it’s their job, but it still impacts them because they could be doing things to actually keep the campus safe rather than responding to incidents like that.” She also added, that Campus Safety’s job is “ultimately to keep campus safe and so in having to respond to incidents like that where no one was actually hurt or in danger and then they have to do all the paperwork and stuff, it’s just more work for them to do. Lastly, she discussed her house mom, stating

*she had to do the paperwork. She had to do - she had to actually come to the restorative justice conference, which I’m really grateful that she did do that, but then she had to deal with the emotional impact of kind of my response in the house and, you know, she can’t be focused on just one woman in the house when she has 30 other women also she has to look out for.*

Eva reflected upon the impact on her friends and her parents, as well as the person who found her passed out on campus, stating

*anyone who was close to me was worried about what I was going through, and then I know the second incident I went to the hospital, I was found asleep on the floor of the business school passed out. I don’t know how I got there I guess I just walked in. And I know that it was a janitor, or Campus Safety Officer that found me and thought I was dead or just you know I was passed out. So it definitely affected him. Probably scared him a ton.*

Eva also discussed the impact on student conduct staff because of the fact that this was her second incident. She stated, “if an incident occurs twice with one student, I guess it’s kind of

concerning and they try to figure out what steps to take after already going through a single process with someone.”

Heather answered the question by first reflecting on the impact to the broader university community, stating “the greater community of the school being the fact that my actions reflected bad on the University of Denver and then the community of my dorm like scaring them in the actions that I showed up there.” She went on to discuss the fraternity that held the formal, the cleaning staff, and her roommate. She reflected that the impacts include

*the negative outlook of how people see this school if that was their only interaction with a University of Denver student, they'd be like oh that's not that good. And then with the cleaning staff taking time of out the fact that they're not supposed to really - you shouldn't have to be cleaning up throw-up like that... and then campus police, they discussed - she told me the job description and she's like and nowhere does it say like taking care of drunk kids. So that was a big thing of like they spent time taking care of me that they could've been patrolling the campus.*

**Reflections on community.** Interviewees were also asked how participation in the conference changed their relationship with the DU community. Heather shared

*It opened the doors I think to meeting with these people, meeting with the campus police officer and meeting with the school chaplain to be ok okay now putting a name or a face with the name and being able - feeling I could go talk with him sometime and know more of what they do. And I did gain a greater respect for campus police... and then learning more about RA's, so gaining a greater respect*

*for the parties and for the DU communities and what they really do rather than what we think they do.*

Annie also discussed that by learning more about what individuals and office on campus do, she gained more respect for their work. She stated,

*I think that if I hadn't gone through RJC, I would be probably bitter and yeah, I mean I wouldn't have been able to go abroad, which would've been heartbreaking and would've probably make me leave the school... so I think it had a positive impact on my view of the DU community because I had had a lot of negative experiences before, but this was an experience with the administration with people in I guess the system that was a really positive one. And I definitely understand more... now what people in the administration go thorough and what they have to deal with on a daily basis. So I have a little bit more empathy with them as well.*

Eva shared that she became more involved within the community in order to open up doors later on, stating that,

*After this occurred I wouldn't say I went off and joined every club on campus or really did too much else, but I did join a couple of writing-oriented organizations. As a journalism major I started trying to focus more on things that are gonna help me kind of progress my career after I graduate.*

**Learning.** Learning themes were expressed in both conference observations and follow up interviews. Learning was discussed during conference observations, mostly by community members. Interviewees were asked directly what they had learned from the RJC process. During James' conference, for example, his support person shared that he wanted James to understand

that people make mistakes, and that it is what we learn from them that is important. A second support person told James that “things happen, but you can move on.” James related much of the conversation back to what he is studying in school, and what he wants to do after graduation. He shared that entrepreneurship requires an ethical person, someone who can run a business with integrity. He shared that this kind of behavior “can’t and won’t happen again.”

Community members in both Maya and Julie’s conferences also projected what they hoped the student would learn from the process. Julie’s support person, likely with some jest, stated that Julie needed to learn how to “read the fine print.” Maya’s support person, as well as the faculty community member, encouraged Maya to reconsider her approaches to time management, and to work to develop better time management strategies. During her closing statement, Maya shared that the conference helped her to realize her need for “better time management and (to) take care of myself rather than doing what I can to please others.”

Interviewees were asked what they had learned from the process as well. Annie shared that

*I learned a lot of things. I mean I think that it was just healing in general for everyone because I learned, you know, the impact of my actions and I became a lot more self aware after that. I learned about like I said the administrative processes that they have to go through. I learned... about the work that people on campus do that you may not think that they do a lot, but they really put a lot of effort in. And then I learned a lot about myself and why, you know, I made the decision that I made or the multiple decisions that I made, and I learned a lot about myself through it and was able to kind of get to a point of feeling after that.*

Heather shared the following:

*I'd say I learned a lot more about the responsibilities of an RA and what they all do and what they have to go through every time an incident like this happens and all the incident reports, and then also with campus police and the incident reports that they have to go through and what their other jobs are on campus and what they could be doing instead of dealing with students... really just all the resources that are out there as well as everything that DU does to help kids really. I mean, I feel like the incident itself taught me my lesson of okay, we're not gonna let this happen again. So it wasn't - granted the process itself was like okay this is a lot of emails and a lot of time and that kind of solidified the fact that what happened wasn't going to happen again, and then from the process itself I learned these little tidbits about the community, but going to the process I knew what I'd done wrong and I knew now that I was just trying to fix it for the community rather than myself. I was like okay you really messed up and you know what happened.*



## Discussion

For the purposes of this discussion, it will be helpful to revisit the original intent of the program evaluation. While the program evaluation utilized many of the same tools found during a research process, the purpose of the program evaluation is to better understand one program in particular. The results of a program evaluation are not intended to be generalizable, but to help program stakeholders to better understand their program and to make decisions on what to do with the program. The Joint Committee on Standards for Education Evaluation defines program evaluation as “the systematic assessment of the worth or merit of an object” (Stufflebeam & Shinkfield, 2007, p. 9). General objectives of program evaluations and additional definitions can be found in the methodology section.

Two research questions were developed in order to guide the evaluation process: 1) how do students experience the RJ process? and 2) how do students understand the impacts of their actions as a result of their participation in the RJ process? These questions were established prior to formal engagement with the stakeholder group, however the relationship between the evaluator, the institution, and the evaluand were important in the development of these evaluation questions. These questions remained after engagement with the stakeholder group, as they provided grounding questions through which to arrive at the needs of the stakeholder group, program staff, and students. Additionally, whereas program staff had the theoretical orientation and limited statistical data on which to base decisions about the RJ program, the element of student experience was largely missing from program staff’s understanding of the restorative justice process. The two original questions helped to orient the evaluation, however findings emerged as a result of coding the data collected.

## **Limitations**

There are a number of limitations that must be taken into consideration when examining the outcomes. The first is potential evaluator bias. The evaluator has overseen the restorative justice program for approximately two years before ending that role in order to complete the evaluation. The evaluator attempted to remove himself as much as possible from the RJC process in order to objectively evaluate the worth and merit of the RJC program. The second is the small data set. A total of three post RJC interviews were conducted, and three conference observations were made. This small sample size must be taken into consideration when applying considering implementing any evaluation findings.

## **Summary of Findings**

The themes that emerged from the data collection process included motivations for pursuing restorative justice, conferencing experiences, and outcomes. Each of these themes has sub-themes which emerged from the analysis of the interview and observation data. Additionally, themes that emerged from interviews with program stakeholders are considered here, as they can provide some additional insight into the program.

**Motivations.** The data presented two primary motivations for pursuing restorative justice. The first, and seemingly most strongly expressed, included feelings of guilt, remorse, shame, and a desire for student respondents to right their wrongs. The second set of motivations revolved around disciplinary records. Eva was concerned about her disciplinary status, as she was currently on student conduct probation and was concerned that she may be suspended from the university, and Annie would not have been eligible to study abroad had she gone through the

traditional process, as the university does not allow students who are on student conduct probation to study abroad.

Both of these motivations, however, have to be considered together in order to fully appreciate a student's motivation to pursue a restorative justice conference. The 2016-2017 academic year saw 962 student respondents come through the process, however only 26 restorative justice conferences. Surely, this cannot be because only 26 students were motivated by the desire to repair harm, or the same number of students were concerned about their conduct records. Students who ultimately elect to go through restorative justice must weigh this choice against other pressures on their time. Students who do not go through the RJ process can find alternative ways to right their wrongs if they feel a strong desire to do so. Heather, for example, wrote a thank you and apology note to her date before knowing that RJ was an option.

**Conference Experience.** The most resounding outcome from this evaluation may be the power and transformational nature of the restorative justice conferencing process. This was not only observed directly by the evaluator, but it was also shared by conference participants during follow up interviews and by program stakeholders who had participated in the process. Students consistently come in with expectations for how the conference will go, which can be based upon prior experience with the student conduct process or prior experience with other administrative processes at DU. Students recalled the supportive environments found in the conferences, and it was notable that many of the students interviewed remembered who was at their conference and the perspectives that community members shared. Conference observations also reflected this student respondents responded very positively, as they were able to engage with impacted parties and community members as people instead of as nameless administrators or anonymous students on campus.

James provides an interesting example of this theme manifested. The evaluator noted during the observation of this conference how much the incident had affected James. He hadn't been eating or sleeping well, and this incident was the only thing James would think about or talk about. He came off as really critical of himself during the conference process. The conference, however, provided a space where James could not only apologize to his professor, but it also provided a space where he could process what had occurred with members representing the community that he had impacted. While his friends and family were likely supportive, they were not in a position to absolve him of his emotions. His parents and his girlfriend expressed their disappointment in his actions, but his connection with a community member present at the conference allowed him to consider channeling this emotion into something productive, emulating her as a volunteer firefighter. And only his professor could invite him to retake this class with her in the future.

Not every community member contributed positively to the student's experience, however. Heather recollected one community member who came off as aggressive, stating "you're that girl now," and recalling her own son, who Heather believed "was probably not an angel." Restorative justice encourages participants to engage in the process as their authentic selves, meaning that they will bring their own identities, experiences, and relationships with them into the conference process. It is apparent, however, that what was shared by this individual, although maybe not inappropriate, was not helpful to Heather in her own processing of what had happened or in her attempts to repair harm.

**Outcomes.** Outcomes include student reflections on harm, reflections on community, and reflections on learning. These outcomes can be framed by the three goals stated by the program stakeholders which include accountability, the opportunity to address the harm or impact of their

actions, and the chance to rebound from the violation and use it as a learning experience. These outcomes and stakeholder goals were examined and coded differently, but the comparison is helpful to understand whether RJC outcomes are in line with the goals shared by program stakeholders.

Each student during their interview could recall who was impacted by what had occurred. Annie was specific in stating that the harm from her incident impacted three different groups. She reflected on the harms committed to each, and she also expressed her gratitude at the opportunity to repair the harm to her house mom, who was at the meeting. Eva discussed the impacts that her actions had upon the person who found her passed out in the business school, stating that he may have thought that she was dead. Although these students each discussed the impacts of their actions with SRR staff, the harms that they shared during the interview process relate to the people present at the conference, meaning that presence and that conversation are powerful in the student processing this harm.

When asked about community, many students discussed the administrative aspects of the DU community, like knowing more about housing, campus safety, or navigating campus resources. Going through an RJC did not, in and of itself, seem to dramatically alter their sense of place within the university. Only Annie shared that she likely would have left DU if she was unable to go abroad, something made possible by her RJC. Similar ideas were expressed when students reflected on their own learning, where they mentioned things like the roles and responsibilities of an RA, and Campus Safety statistics. Heather shared that the incident itself was a learning experience, and that the RJC cemented this, but also related learning back to administrative aspects of the university.

**Stakeholder Perspectives.** While stakeholder data was gathered in order to guide the evaluation process, it also offered some meaningful insights into the restorative justice program itself. Stakeholders were gathered from different areas on campus, each with some connection to the restorative justice process. There were many commonalities found among stakeholders, however, not the least of which was a desire to see a successful restorative justice program at the university. Stakeholders are clear in their desire for a restorative process that allows students to take accountability for their actions, one that allows a role for impacted parties and the greater community in the process, and an overall conduct process that is less transactional, and more innovative in identifying ways to create learning and encourage behavioral change.

### **Placing these Findings in the Context of Relevant Research**

While research in this area has been limited, Meager's (2009) dissertation study of respondents in campus based restorative justice programs serves to support the findings of this evaluation. Meager (2009) interviewed 16 students at three different campuses regarding their experience as a respondent in a restorative justice process. Meager's (2009) data supported three broad categories including mediating factors, or those experiences and orientations that students bring with them into an RJC, the restorative sessions themselves, and outcomes. There is some similarity between Meager's themes and those that emerged from this evaluation process, however the themes that emerged from this evaluation relate more directly to the initial evaluation questions.

Meager's (2009) mediating factors included elements of anxiety and previous experiences with conduct or other disciplinary processes. These factors, overall, caused anxiety for students going into restorative justice processes. Restorative sessions themselves

communicated atmospheres of respect, validation for students going through the process, and supportive environments. Meager (2009) found that issues of social class and age, however, can serve as barriers for students in the process, but that having a peer of the same age was helpful. Outcomes identified included a change in how respondents viewed themselves in relation to others, a sense of emotional release and resolution, learning new information and skills, and changed behaviors as a result of their restorative justice process.

While there are few studies that have examined the impacts of student respondent experience in restorative justice processes, Abrams et al (2006) conducted a study of youth offenders who participated in a victim offender mediation program in Minnesota in order to learn more about the impacts of meeting face to face with their victims. Respondents overwhelmingly shared that they were satisfied with this tied to feelings of closure and clarification on the part of the offender. The authors also described the “profound changes in how they viewed the crime victims,” offenders recounting how they better understood what victims had gone through as a result of their actions (Abrams et al, 2006, p. 251). Additionally, the authors observed offenders ability to humanize victims, and in return offenders felt that victims were also able to humanize them in return (Abrams et al, 2006). This reflects the data gathered from this evaluation, where student respondents were able to better understand and humanize the harms caused.

While these results cannot be compared to a control group of students who have gone through the traditional conduct process, they can be compared to existing research on the learning outcomes from a traditional student conduct process. When taken as a whole, studies that have examined the impacts of student conduct processes have not demonstrated any significant impacts on learning or future behavior (Howell, 2005; Nelson, 2016; Mullane, 1999; King, 2012). While additional research would be required to determine any significant learning

or changes in future behavior as a result of a restorative justice process, there are multiple studies that demonstrate the effectiveness of restorative justice within of the higher education realm (Karp & Sacks, 2014; Meager, 2009; Matthews, 2014). While additional research needs to occur, there are arguable merits to incorporating restorative justice into a student conduct process, and for engaging students through a restorative justice conference process.

### **Revisiting the Evaluation Questions**

Considering this information, we now turn to the original evaluation questions - how do students experience the restorative justice process, and how do students understand the impacts of their actions as a result of their participation in the RJ process? From the data gathered, it appears that students see their participation in restorative justice as meaningful, something that provided them with the opportunity to right their wrongs and offered a way to find closure on actions that they regretted. This sentiment is also reflected in the assessment conducted by SRR staff, where 73% of respondents stated they felt that restorative justice was a good way to handle incidents like the one they were involved in, and that they were satisfied with the outcomes from their process. Conference observations also observed a supportive environment where student respondents could discuss the incident and explore its impact with a broader community.

The data also supports the idea that students are able to better understand the impacts of their actions as a result of going through the restorative justice process. Interviewees were able to articulate who was impacted and how by what had occurred. Conferences also provided student respondents with opportunities to engage directly with those they have harmed in safe and controlled environments. The assessment data provided by SRR staff also supports this



conclusion, 73% of respondents agreed with the statement that they more fully understood the impacts of their actions and offer an apology to the harmed parties in the incident.

## **Recommendations**

Based upon the data collected and analyzed through the evaluation process, the following recommendations are being given. These recommendations are wide ranging, and program stakeholders can adopt any or all of the recommendations below. The recommendations are presented from the most general to the most specific.

**Recommendation #1: Establish a clear vision, as well as goals and outcomes for the restorative justice process.** While restorative language is included in the mission statement for the department, there are no program goals or outcomes associated with the restorative justice process. A distinct vision, and established goals will provide grounding and a sense of direction, as well as allow program staff to understand how RJ fits into the student conduct process and the division as a whole. The preliminary vision statement and program goals have been developed based upon the data collected through the evaluation process.

Vision statement:

*Restorative justice at the University of Denver provides opportunities for students to take responsibility for their actions, to repair harm, and to create community through the incorporation of restorative practices within the student conduct process and throughout the work of the division of Campus Life and Inclusive Excellence.*

And the following goals have been developed based upon the data collected through stakeholder interviews:

1. Create opportunities for students to take accountability for their actions and the impact that they have had upon their communities.
2. Provide students with the opportunity to understand how their actions have impacted those around them, as well as to provide opportunities for students to repair that harm.
3. Give students a chance to rebound from their actions, to create a process that emphasizes learning, and to provide opportunities to move forward.
4. Enhance community at the University of Denver throughout the use of restorative practices.

**Recommendation #2: Develop adequate staffing and resources to ensure long term program success and sustainability.** Currently there is no staff time, and there are no programming dollars designated for restorative justice at DU. Many of these recommendations will require additional resources and staffing time or resource to complete. The creation of a full-time restorative justice position (Coordinator or Assistant/Associate Director within the Office of Student Rights and Responsibilities) will ensure that the department and the division has staff with the appropriate expertise in restorative justice to manage and grow the program, and additional programming dollars could aid in professional development, training divisional staff and advertising the program. A full-time position will require the following skills or experience:

- Experience with student conduct, and an understanding of student development theory.
- Training and experience in restorative justice conference facilitation

- Preferably 1-2 years of experience in residence life, student conduct, or community based restorative justice.

A full time Restorative Justice Coordinator (or Assistant/Associate Director) would complete the following duties:

- Oversee and provide leadership to the restorative justice program at DU, serving as the primary restorative justice conference facilitator.
- Conduct pre-conference meetings with students, impacted parties, and community members to help prepare them for participation in restorative justice conferences.
- Provide guidance and leadership to other student conduct and HRE staff members in their referrals to RJ, and conference facilitation skills.
- Monitor incoming reports for cases that may make good RJC referrals, work with student conduct administrators in consulting and referring cases to RJC's as appropriate.
- Supervise graduate students from the Morgridge College of Education and the Conflict Resolution Program as restorative justice conference facilitators, providing ongoing support, training and feedback. Provide supervision to a restorative justice Graduate Assistant.
- Conduct training on restorative justice for CLIE staff, and throughout the institution. Serve as a resource to other departments on campus in the use and implementation of restorative practices, including community building circles, talking circles, reintegration circles.

- Collaborate with the Conflict Resolution Institute and the Facilitated Dialogue Program at DU to ensure communication, consistency, and continuity of programming and services.
- Collaborate with other departments on campus to develop programming around restorative justice.
- Serve as a point of contact for other conflict resolution services administered by Student Rights and Responsibilities, including conflict coaches and mediation referrals.
- Engage with local and national organizations to stay abreast of best practices and foster a community of restorative justice practitioners.

The addition of a part time Graduate Assistant position will assist with pre-conference preparation, community member training, and restorative justice outcome follow up.

The division can collaborate with faculty and development staff from the Korbel School of International Studies, the Graduate School of Social Work, or the Morgridge College of Education in order to secure funding for a Graduate Assistant position. Students in all three of these colleges have an interest in restorative justice work and would each bring a unique academic perspective.

**Recommendation #3: Develop ongoing mechanisms to assess and measure restorative justice and student conduct processes.** A survey instrument was developed to assess satisfaction among students who went through the restorative justice process in 2017, however it was only sent to students one time. This assessment instrument should be regularly sent to students who participated in the restorative justice process and adapted for other RJC participants. In addition, comprehensive assessment of the conduct process should be utilized to

enhance the process and to serve as a way to compare RJ outcomes with student conduct outcomes.

**Recommendation #4: Identify ways to introduce restorative practices to students in other ways.** Restorative practices such as talking circles or community engagement and integration circles can be used throughout orientation, student engagement, and housing. With basic training, staff throughout the division could implement restorative practices within their work, creating a culture of restorative practice throughout campus life. Restorative practices can be utilized for community building, community problem solving, discussions, or resolving issues outside of the conduct process. Some examples of restorative practices that can be adopted into other areas around the division include:

- Community building circles incorporate the use of restorative practices to build community and to allow participants to get to know one another. Facilitation of these circles is easy and requires a minimal amount of training. Community building circles can be used in new student orientation, residence life, and in student organizations.
- Reintegration circles allow students who have left the institution to identify resources, and to engage with other community members around the issues that led to their departure. Reintegration circles can be utilized for students who have been academically or disciplinarily suspended, students who took a medical leave, or students who took time away from the institution. They help to mark a student's return to campus and allow the student to connect with resources that will allow them to be successful upon their return.

- Peacemaking or problem-solving circles can be used in any setting. A trained facilitator can help students or staff members to work through a problem and encourage productive discussion ranging from small topics to severe issues.
- Community healing or processing circles can help the broader community to heal and identify ways to move forward resulting from incidents that have a broader impact. These can be used after incidents of discrimination or to help the community grapple with significant local or national events.
- Other restorative practices can be incorporated into various aspects of student and community life at DU, and they do not have to be limited to use among students.

There is promising research into the incorporation of restorative practices for Title IX violations and issues of discrimination on campus. Restorative practices can help to empower victims and encourage community healing as a result of conduct violations as well as actions that have impacted the community that may not have violated university policy.

**Recommendation #5: Review the language and process of restorative justice to ensure that it is inclusive and accessible.** While demographic questions were not asked as a part of data collection for this evaluation, all respondents to the SRR survey self-identified as white or Caucasian. Where people from communities of color, in particular, may hold a distrust of criminal justice or disciplinary process, identifying opportunities for engagement and recruitment for students of color will help to build a more inclusive process. Program staff can identify opportunities to introduce students to restorative practices in non-conduct areas, as discussed in recommendation #4. In addition, campus wide programming and promotion of restorative justice will establish a broader familiarity with these concepts around campus. Staff members can

collaborate with offices that work directly with communities of color on campus, including clubs and organizations and the Center for Multicultural Excellence to provide additional programming and training in these areas.

**Recommendation #6: Enhance the pre-conference preparation for students, harmed parties, and community members.** While steps were taken during the 2017-2018 academic year to enhance pre-conference meetings with students, further development of the pre-conference process can better prepare students to participate in restorative justice conference, to reduce anxiety, and to help focus the conference on harm and repair. Currently there is no pre-conference preparation offered for impacted parties or community members. While this is partially a function of timing and resources, opportunities for trainings or pre-conference meetings with community members may enhance the process for students and prepare community members to participate constructively.

**Recommendation #7: Restructure the outcomes process, create opportunities for meaningful engagement from students and support people.** Conference observations continually noted that students became less engaged during the outcomes generation process. Pre-conference preparation with students and community members, such as the development of concrete outcomes ideas prior to the RJC will help with this. Additionally, the development of a suggested RJC outcomes document will help conference participants to more quickly orient themselves to typical outcomes, or to provide ideas for those who may feel stuck. This work will require staff members to pull historical RJC outcomes, to determine which ones can be used during other conferences, and to format a document in line with what is used for the Student Accountability Board.

**Recommendation #8: Reconcile DU's past, the indigenous roots of restorative justice, and appropriation of indigenous practices of talking circles and restorative justice.**

The University of Denver must be thoughtful about its relationship with restorative justice. The university's founding by John Evans, the land it occupies, and the appropriation of a cultural practice must all be considered. The 2017-2018 academic year saw the inclusion of a land acknowledgement and acknowledgment of the indigenous roots of RJ into the script for conference facilitators. This is a great start however this perspective must be included in any future changes or growth of the program as well.

**Continued Engagement with Program Stakeholders and Staff**

When I first conceptualized and began this program evaluation, I oversaw the restorative justice process and would have played a role in moving forward from any program evaluation. Since undertaking this project, however, I have left the University of Denver and moved to a different state. In addition, there has been significant staff turnover within the department. At this point, the restorative justice program may be on hold until a full-time director is hired, and the department has the adequate staffing to continue RJ. Because of this transition, anything coming out of this program evaluation may have to wait until there is staffing to consider the evaluation and recommendations.

I will continue to engage with program stakeholders and departmental staff in order to support restorative justice at the University of Denver. I have invited program stakeholder and departmental staff members to my presentation of this topic. Additionally, I will provide them with final copies of this document. I will request that this information is provided to a new full



time Director and would be happy to offer my time in helping to get the program running again, and in the identification of a full time RJC coordinator if one is hired.

## **Conclusion**

From the first restorative justice conference in 2010 until today, there have been over 100 restorative justice conferences at the University of Denver. The program has grown significantly since then, and departmental and divisional administrators must now decide what direction the program will take moving forward. Although many students and university community members have expressed their satisfaction with the program anecdotally, it was important to better understand the program holistically, including to gain a sense for how students experience the program before making any decisions as to its direction. The restorative justice process consumes far more time and resources than the traditional conduct process. Additionally, it can be somewhat more nebulous, creating some anxiety for university administrators who do not understand it on a fundamental level. As other campuses implement restorative practices and RJCs into their conduct processes moving forward additional data will emerge to support or refute the use of restorative practices for university disciplinary processes. The University of Denver is in a position to expand the use of restorative justice and could become a leader nationally in their use and implementation. Ultimately, however, restorative justice may help to build a culture of accountability and responsibility on campus, as well as to strengthen the university community overall.

I am happy for the opportunity to conduct this program evaluation. In the five years that I spent working at the University of Denver, I had many rewarding experiences. Working with restorative justice, however, was quite possibly my most rewarding. What I have liked most

about this experience was the opportunity to take something that felt good, and felt right as a staff member, and to work to understand how the students felt about it, and to get a glimpse as to its effectiveness. All too often in student affairs work, dedicated staff members put in long hours trying to do right by our students. While there is momentum within the field towards assessment, our outcomes are rarely measured, and not easily measurable.

Program evaluation is most often seen in the K-12 and not for profit worlds, utilized as a way to measure complex outcomes and to determine the overall “worth or merit” of a particular program. The practice, however, is underutilized within student affairs work. I was unable to find examples of program evaluations conducted on conduct processes, especially on restorative justice programs within student conduct. I am hopeful that, while the focus of this program evaluation is specific, it may serve as a model for future program evaluations within student conduct work or within restorative justice processes.

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## **Appendix A: Program Stakeholder Interview Protocol**

### *Interview Protocol - Program Stakeholder Pre Interviews*

Introduction, explanation of the program evaluation process and goals. Opportunity for questions before beginning the interview.

#### Introduction Questions:

1. Can you tell me your name, and role on campus?
2. How long have you been at the University of Denver?
3. How does your role intersect with the SRR/ student conduct process?
4. How does your role intersect with the restorative justice process?

#### Program Questions:

5. What are the goals of Student Rights and Responsibilities at DU?
6. What are the goals of restorative justice at DU?

#### Evaluation Output Questions:

7. What would you like to see in this program evaluation?
8. Do you have any anticipated results?
9. How would you like to have this information presented?

#### Wrap up:

10. Is there anything else that you would like to share?
11. Do you have any questions for me?

**Appendix B: Student Respondent Interview Protocol**Interview Protocol - *Post RJC Interview with Respondent*

Overview of Informed Consent.

Introduction, explanation of the program evaluation process and goals. Opportunity for questions before beginning the interview.

1. Can you tell me a little bit about yourself?
  - a. Involvement on campus
  - b. Year
  - c. Academic program
  - d. What brought you to DU?
2. Can you tell me a about what brought you to a restorative justice conference?
4. Tell me about your experience with the RJC...
5. Did you feel heard?
6. Who was impacted by what occurred?
  - a. In what ways?
7. What are you going to do to repair those harms?
8. Do you feel a connection to the greater DU community?
9. What communities – either within or outside of DU do you feel like you are a part of?
10. What would you say you learned from this process?
11. How would you say you've changed after going through this process?
12. Is there anything else that you would like to share about your experience?

**Appendix C: RJC Observation Protocol**

RJC Observation Protocol:

Conference Date:

Number and roles of participants:

Brief Incident Description:

<u>Time</u>	<u>Descriptive Notes</u>	<u>Reflective Notes</u>
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