

TESTIMONY PROVIDED TO: Senate Education
FROM: Amy Fowler, Deputy Secretary Agency of Education
TOPIC Act 153 Update

DATE: July 27, 2016

Sec. 35. AGENCY OF EDUCATION; RESTORATIVE JUSTICE PRACTICES

The Agency of Education shall explore the use of restorative and similar practices regarding school climate and culture, truancy, bullying and harassment, and school discipline. The Agency shall consider the research that demonstrates that restorative approaches lead to reductions in absenteeism, suspensions, and expulsions and to improved educational outcomes.

During the last session, the legislature tasked the Agency of Education with examining practices regarding restorative practices that could be used to improve climate and reduce negative factors such as truancy, bullying and harassment and behaviors that result in exclusionary discipline. To date the following actions have been taken:

1. **Consultation with Other States:** Agency leadership have conferred with State counterparts in Texas, California, and Colorado regarding the use and implementation of restorative practices from the Agency level to identify appropriate funding streams.
2. **Consultation with Research Bodies:** Agency leadership, through participation in the Regional Education Lab, has requested a review of research literature supporting the implementation of restorative practices.
3. **Staffing Re-Alignment:** The Agency has re-aligned existing staff to create a team dedicated to implementation of Multi-Tiered System of Supports (MTSS) which includes Positive Behavioral Interventions and Supports (PBIS), School-wide Integration Framework for Transformation (SWIFT), school discipline matters and restorative justice practices. This team began its work on July 1, 2016.
4. **State Assessment:** The MTSS team has drafted and posted an RFP seeking an independent facilitator to lead a session that will gather information regarding the current implementation of restorative practices in Vermont to ensure that work builds on what has already begun. Proposals for work are due on July 29, 2016. <http://www.vermontbidsystem.com/BidPreview.aspx?BidID=16774>
5. **Professional Development for Schools:** The Agency hosted the 20th annual BEST Conference which supported 412 educators from 63 supervisory unions/districts in exploring proactive, restorative practices as part of their MTSS program. A full professional development strand was offered by Jon Kidde titled "Restorative Justice: A Whole School Approach."
6. **ESSA State Plan:** The Agency is developing the state response to the federal *Every Student Succeeds Act* that replaces *No Child Left Behind*. As part of this work, the Agency has committed to including two indicators related to this act as part of the school quality review process:
 - a. A student climate survey- This is a high priority for the Agency but may not meet the technical requirements for the federal program.
 - b. A measure of student discipline- We are considering and testing three different measures to meet the federal requirements and to ensure that we have data which can be reported for at least 75% of schools.

By including these two indicators on the State Report Card for schools, we create a clear incentive for all schools to focus on improving school climate and reducing exclusionary discipline.