

MEMORANDUM

TO: Representative Ann Pugh, Chair
Senator Richard Sears, Vice Chair
Joint Legislative Child Protection Oversight Committee

FROM: Jeff Fannon, Vermont-NEA General Counsel

DATE: July 27, 2016

RE: Vermont-NEA and AOE's Restorative Justice Collaborative Efforts

Thank you for inviting me to speak about Vermont-NEA's efforts to work with the Agency of Education about the issue of restorative justice. I include in that broad category Vermont-NEA's collaborative efforts with the AOE to address institutional racism, including exclusionary discipline, and our efforts to address harassment, hazing and bullying.

Vermont-NEA is striving for more equity in our schools. Towards that goal, we have formed a task force to oppose institutional racism, and the task force will very deliberately use principles of restorative justice. That task force is now seeking private funding. We've invited representatives from the AOE, the Vermont School Boards Association, I believe the ACLU, and other community groups.

A key component of the task force will be the inclusion of restorative justice practices to address institutional racism. The task force will work to educate school employees to address implicit and explicit forms of bias. In the school setting, bias can show itself in the form of "exclusionary discipline" being imposed in some greater level on people of color. The ultimate goal is to ensure the best educational opportunities for all students. By employing principles of restorative justice the task force will aim to educate school employees about the virtues of restorative justice so that it becomes a statewide initiative to address not only institutional racism but many other types of inappropriate behaviors.

Vermont-NEA also participates as a member of the AOE's Harassment, Hazing and Bullying Prevention Advisory Council. While not explicitly calling it a restorative justice based effort, that Council, on which I serve, listened to students from all over the state to hear their issues of bullying, harassment, and hazing. Their stories were powerful and eye-opening. The Council has a student representative, members of the public, as well as educational organizations.

Finally, another way Vermont-NEA has collaborated with the AOE concerns the issue of co-location of mental health services in schools for both students and their families. Many students face mental health challenges and the best place for treatment is where the student feels comfortable, i.e., in their school. Students' parents also need mental health services and by co-locating services in schools, where the parents already visit, it makes sense to meet the clients on their "home turf."

The one suggestion I can make, however, concerns AOE funding. AOE has virtually no capacity to do the hard and significant work surrounding restorative justice. The discussion has been silent regarding this major problem. We need a robust AOE to accomplish the hard work of employing the principles of restorative justice in all of Vermont's schools in a concerted statewide way. Thank you.