

[2021 Session] Implement Restorative Justice Practices to Improve Student and School Success

Policy Background

Students at every grade level face disciplinary methods that can land them behind bars. School administrations have implemented punitive “zero tolerance” policies and have increased on-campus policing, pushing many students out of the classroom – particularly students of color and students with special needs.¹ For instance, while Black students in Texas comprised 13 percent of the student population from 2017-2018, they represented 33 percent of all out-of-school suspensions and 25 percent of all in-school suspensions. Similarly, students with disabilities comprised only 10 percent of the Texas student population but accounted for 20 percent of all out-of-school suspensions, 16 percent of in-school suspensions, and 17 percent of referrals to disciplinary alternative education programs.²

These students can be subject to criminalization, adversely impacting their development and depriving them of meaningful opportunities for education, future employment, and success. Furthermore, as students are forced from the classroom, communities see (1) social costs, including lower income and higher needs for medical care due to poorer health outcomes, and (2) fiscal costs, including education expenditures from students repeating grades, justice system expenses, and costs related to health and social services. One study estimated that “if policymakers could remove the entire 14 percent increase in dropouts associated with school discipline, the total lifetime savings for each student cohort would be between \$750 million and \$1.35 billion.”³

Proposed Solution

Provide the Texas Education Agency with the resources to pilot more restorative justice programs to support efforts to shift disciplinary culture to one that ends the school-to-prison pipeline. Restorative justice practices address the root cause of student behavior and hold them accountable in a safe, non-court setting, leading to better outcomes for students, victims, schools, and communities.

Establishing a restorative justice council to oversee this work will provide the technical assistance needed to facilitate this undertaking.

Relevant Bills

- **Bill Number:** [HB 62](#) [Talarico]
Bill Caption: Relating to the use of disciplinary alternatives to suspension by a school district and the creation of the restorative justice coordinating council.
- **Bill Number:** [HB 1201](#) [Wu]
Bill Caption: Relating to alternative settings for behavior management in public schools, including the development of restorative discipline practices as part of a school district's discipline and placement of a student in a disciplinary alternative education program.

Other Materials

- TCJE's "Spend Your Values, Cut Your Losses" [portfolio](#) and [webpage](#) [Smart and Safe Solution #6]
- TCJE [Testimony](#) on the Texas Education Agency's Legislative Appropriations Request, submitted to the Legislative Budget Board [November 2020]
- Testimony on [SB 11, School Safety, and School Spending](#), submitted to the House Committee on Public Health [produced by TCJE, the Education Trust in Texas, Texas Appleseed, IDRA, October 2020]
See similar [testimony](#) on SB 11, School Safety, and School Spending, submitted to the House Committee on Public Education [produced by TCJE, the Education Trust in Texas, Texas Appleseed, IDRA, September 2020]
- TCJE Report: [Reversing the Pipeline to Prison in Texas: How to Ensure Safe Schools AND Safe Students](#) [February 2020]
Also see the report's [Quick Guide](#).
- TCJE Report: [On the Line: Insight from Youth Justice Visioning Sessions Across Texas \(opens in a new tab\)](#) [March 2019]
- TCJE Policy Brief: [Zero Tolerance or Restorative Justice: Promoting Safer Schools for Our Students and Communities](#) [May 2018]

1 U.S. Department of Education Office for Civil Rights, *2015–2016 Civil Rights Data Collection / School Climate and Safety*, 2018.

2 Texas Appleseed, *Texas: The State of School Discipline. A Look at the Data*, 2019.

3 Texas Center for Justice and Equity, *Reversing the Pipeline to Prison in Texas: How to Ensure Safe Schools AND Safe Students: Quick Facts*, 2020, p. 4.