

# [An Intro to Fairness Committees]

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## **What is a Fairness Committee?**

A Fairness Committee is a small group of students and adults, representative of our school community, who discuss violations of the school community with the people involved in a violation of a core value.

## **What are the advantages of having a Fairness Committee?**

Removal or suspension does not usually fix the harm that the individual has caused on the person who was harmed, or the whole community. It isolates the person from the community they have harmed. On the other hand, the dialogue created in a Fairness Committee allows the person harmed to speak to the community and the harmer. The group discusses the violation and determines consequences to repair the harm when appropriate.

## **What resources are needed?**

Space - where does Fairness meet? It's important to have a room with a door and, ideally, a table. Fairness can use an empty classroom during lunch, the Guidance Office or the Principal's Conference Room or office.

Time - when does Fairness meet? This depends on the school's schedule. If everyone is free during lunch or advisory, that works well. However, if this isn't possible, after school is an option. Sometimes teachers are willing to release students from class if the issue is pressing and no other time is available. Then Fairness can be set up during a common prep period when adults are available.

Personnel - Advisor/facilitator - should be a teacher who has attended training and has the time and commitment to guide this process.

Students – for the first meetings of Fairness, it’s helpful to recruit students who have already bought in to the process. It’s good to staff the Fairness with students trusted and respected by others. Once they have conducted one or more successful Fairness sessions, they can visit Advisories to explain the purpose and recruit others to sit. Eventually, sitting on Fairness might become a civic responsibility like Jury Duty where all students can expect to be called.

School Staff – in some schools they have a teacher representative aside from the Fairness facilitator. In other schools, the Fairness Committee has only one adult advisor and the rest students.

However the committee is structured, students and staff do not need extensive training before doing their first fairness committee. The facilitator explains the process and people speak honestly and ask questions as they go as necessary.

### **How do we get buy-in from stakeholders?**

It’s important that the Fairness Committee have early success as a way to enhance its reputation as a viable option. Therefore, in the beginning, Fairness should not accept difficult cases that they may not be able to resolve.

Start an Exploratory Committee with representatives from all stakeholders in the school. By including students, parents and educators from the beginning you will not only demonstrate that you are committed to community building and accountability but you will also start the process of building buy-in from all stakeholders.

Administration – their buy-in is crucial. Without their support, it’s difficult to start a Fairness Committee and if started, it risks becoming marginalized. Key ideas: (a) an early intervention that could reduce later suspensions, (b) improve school tone/culture/climate, (c) educating students for a democracy, (d) a plus for the Quality Review, (e) restorative approaches are mentioned in the NYCDOE Discipline Code as an effective way to prevent or de-escalate conflict.

### **How do we get buy-in from stakeholders?**

Staff – the more staff members who experience the Fairness process through their participation, the greater the buy-in. Sometimes, those most resistant can become the biggest boosters once they’ve sat in on Fairness. Key ideas: (a) reinforces/resolves classroom management and hallway issues, (b) improves teacher-student relationships.

Guidance and deans – since this group is tasked with discipline and often has structures and strategies already in place, it’s important that they see Fairness as

a complementary structure. (a) Fairness is a part of the Restorative Justice model which uses techniques similar to mediation, (b) replaces the old paradigm of punishment with consequences which everyone can learn from, (c) supports the offender, complainant and community, (d) an intervention which may forestall more serious problems.

Students – students have situational power in a school. This power can be used in positive ways if channeled or negative ways if repressed. Without inviting student voice into school governance issues, many critical initiatives may get derailed. Key ideas: (a) you get to have your say as either a complainant, offender or panel member, (b) if an offender, this may be an alternative to having parents/guardians called or possible suspension.

Parents – before starting Fairness, let parents know through a meeting, newsletter, e-mail why the school has decided to institute this structure. Make it clear that parents may not be called if their child has been brought to Fairness, depending on the situation. This type of intervention seeks to support their child’s ability to resolve issues in a mature and dignified way. Also, explain that consequences are not meant to punish but rather to guide their social/emotional growth.

### **How do we get started?**

Some schools open with a Fairness Committee as part of their vision and mission. Others learn of it through workshops and/or staff who have experienced Fairness elsewhere. Here are some tips to build trust:

Find other like-minded teachers, parents, and students who will support it.

Speak with the principal and other administrators to gain support.

Speak with parents, guidance and deans to garner support.

Present materials and ideas at a staff meeting. (Another possibility is to arrange for a Fairness PD during Staff Development Days or other times.)

Plan a pilot within a community. (\*Note: it is vital that Fairness is situated in a community where most people are known to each other. Much of the power of Fairness comes from each person’s membership in the community.)

Recruit an advisor/facilitator, students and other supporting faculty.

Have copies of the Fairness protocol present and review with everyone. (\*Note: In the beginning, only allow teachers to bring students or students bringing other students. This will help in introducing Fairness and making it less threatening to teachers.)

### **How long can the Fairness Committee Meeting take and who participates?**

At some schools, the meeting will take about one hour per session. At other schools, the meeting continues until the committee can find consensus. Set a timeframe that works for your school.

Committees can include 3-5 students, a facilitator, parents, siblings and school staff. It is generally recommended that there are more young people than adults on a given committee.

Some schools have rotating students and adults who sit on the committee (i.e. like jury duty). Other schools train a cohort of students and adults per semester or year.

In some schools, teachers are paid hourly per-session for participating.

### **What are possible consequences?**

Consequences are outcomes, which everyone can learn from. It replaces the old paradigm of punishment as a deterrent to future violations. The understanding is that when there is a violation against a school norm, the harm is not only to the victim but also to the school community. Everyone watches to see what will happen and those outcomes become part of the school's culture and tone. Consequences should connect in a clear ways to the norm violated and be made public, when possible, so that everyone learns. It is also important that a concrete plan be made for how the consequence will be carried out, e.g., someone to follow up, materials provided, a time of day and period of time to specified. Here are a few examples of possible consequences:

A student writes graffiti on a wall. Consequence: the student is told orally and in writing to go to the area and clean it off. Someone needs to ensure that the appropriate cleaning materials have been provided and check that the graffiti has been removed.

A student cuts class. Consequence: the student might be asked to stay after school with the teacher to make up for missed time; the student might be asked to write a position paragraph on why cutting is harmful to themselves and others to be published in the school newspaper, posted on a hallway bulletin board and/or facilitate a discussion in advisory about cutting

A teacher has been disrespectful to a student in class. Consequence: the teacher apologizes to the student and later explains the outcome to the whole class.

A conflict between two parties. Consequence: the conflict is resolved and one or both people take responsibility for what has happened. The consequence is, therefore, that the issue has been resolved through Fairness.

### **What if a student or teacher refuses to go to a Fairness Committee Meeting?**

Often the facilitator will try to convince the student or teacher to attend, and reschedule until he/she is willing, if necessary. Fairness only works if everyone involved is willing to engage in the process.

### **What happens if the students (or any offender) does not carry out the consequence?**

It's important that the consequences make sense and that the student agree to it at the end of the Fairness session. The consequence should be scheduled as soon as possible so that the connection to the violation and Fairness session isn't lost. It should also be written down with a copy to the student, the person who follows up and for file. This way, there is a clear record of expectations. Students should also be forewarned about what will happen if they don't complete the action. If the student does not show up or completes only part of the consequence, possible further consequences might be... speaking with the student and making a new arrangement, bringing them back to Fairness, calling their parents, detention, suspension.

### **Is it necessary to have stated school norms to measure the violation against?**

By setting up core values (norms) at the beginning of the school year, it's a good way to establish fair and clear expectations for all. However, all schools have rules of conduct. It helps everyone to consider the value, norm or rule that has been violated so that the harm to the community is made visible. It also establishes a fair, impartial measurement to inform the discussion and consequences.

### **What kinds of violations should be brought to Fairness?**

Fairness Hearings can replace or supplement administrative school disciplinary proceedings. Some violations may require disciplinary actions such as arrest or suspension. One goal of a Fairness Committee is to find a way for the harmer to repair the damage he/she has done, which may include consequences after the meeting, and may not.

Any norm violation that takes place can be brought to Fairness as long as the facilitator believes that harm has been done to someone in the community. The NYC DOE Discipline Code should be a guide. This booklet outlines levels of infractions and guidance interventions. Typically, restorative justice in schools is used in cases of insubordination, vandalism, disruptive behavior, bullying/cyberbullying, threatening harm to another, activating a fire alarm. However, once Fairness has been firmly established, it might take cases up through Level 4. However, it isn't recommended that Fairness deal with physical violence initially.

### **How is a Fairness Committee different than a Youth Court or Peer Jury?**

Youth courts and peer juries generally replicate the principles of the criminal justice system by asking students to sit on a peer jury to hear the case of the victim and offender. The peer jury often decides or advises school staff on the consequences that fit the incident.

Fairness committees are generally processes that build on the premise that interpersonal violence and harm also causes harm to the community. The committee often aims to find consensus (rather than judgment) among all participants, especially among the person who was harmed and the person who caused harm, as to ways to restore peace and begin healing to the individuals and community. By emphasizing consensus and intergenerational dialogue about interpersonal and community healing, fairness committees often aim to act as an alternative to the punitive process of the criminal justice system.