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**HOUSE BILL NO. 2196**

Offered January 13, 2025

Prefiled January 7, 2025

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-279.6:1, relating to public schools; student discipline; Restorative Schools in Virginia Pilot Program; established.*

Patrons—McQuinn, Bennett-Parker, Clark, Convors-Fowler, Cousins, Feggans, Hayes, Henson, Jones, Keys-Gamarra, LeVere Bolling, Martinez, Mundon King, Price, Seibold and Shin; Senators: Bagby, Boysko and Favola

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 22.1-279.6:1 as follows:**

**§ 22.1-279.6:1. Restorative Schools in Virginia Pilot Program established; purpose, implementation, administration.**

*A. As used in this section:*

*"Culturally responsive teaching" means a method of teaching that involves (i) a focus on student learning and academic success; (ii) developing the cultural competence of students to assist them in developing positive ethnic and social identities; and (iii) supporting the critical consciousness of students and their ability to recognize diversity and critique imparity.*

*"Eligible school" means any public school in the Commonwealth (i) at which at least 40 percent of the enrolled students are eligible to receive free or reduced price meals in a federally funded school lunch or breakfast program or (ii) that is eligible to receive funding pursuant to Title I, Part A of the Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended.*

*"Evidence-based restorative practices" means a system of dispute resolution tools that are communally and culturally responsive and aim to allow all parties of a dispute to be involved in defining the harm and devising remedies while giving appropriate consideration to the perspectives of all parties involved, the needs and values of the community, the needs of those who have been harmed, and the need for taking accountability and responsibility for one's actions. "Evidence-based restorative practices" includes conflict resolution, mediation, including peer mediation, circle processes, restorative conferences, social-emotional learning, trauma-informed care, positive behavioral intervention supports, and rehabilitation.*

*B. The Restorative Schools in Virginia Pilot Program (the Program) is established for the purpose of addressing school discipline issues and promoting evidence-based restorative practices in public schools in the Commonwealth by awarding grants to an eligible school in each superintendent's region in the Commonwealth to be used in developing and implementing a comprehensive plan to integrate evidence-based restorative practices in such school pursuant to subsection D.*

*C. The Department shall be responsible for the implementation and administration of the Program. In implementing and administering the Program, the Department shall:*

*1. Develop an application process that requires any school board applying for participation in the Program on behalf of an eligible school in the applicable school division to include in such application:*

*a. Identification of the eligible school in the school division on behalf of which the school board is applying to receive funds pursuant to the Program and the population of the eligible school, including (i) the number of enrolled students; (ii) the school suspension and expulsion rates and any other data collected on student disciplinary actions or practices; (iii) absenteeism and truancy rates; (iv) academic performance indicators; (v) whether the eligible school, at the time of application, administers or participates in any evidence-based restorative practice program; and (vi) such information as necessary to establish that such school meets the criteria for an eligible school pursuant to the Program;*

*b. A description of how funds awarded pursuant to the Program would be used, including a description of the evidence-based restorative practices that would be implemented and relevant services that would be provided; and*

*c. A description of any relevant stakeholders with whom the administration of the eligible school and the school board would collaborate in implementing such evidence-based restorative practices and satisfying the Program requirements set forth in subsection D;*

*2. Establish criteria for the selection and award of grants that (i) are consistent with the application requirements set forth in subdivision 1; (ii) direct priority to be given to eligible schools that, at the time of application, do not administer or participate in any evidence-based restorative practice programs; and (iii) include such other criteria as the Department deems appropriate; and*

*3. Develop a process for evaluating the progress and performance of each eligible school that is awarded*

57 funds under the Program in implementing the evidence-based restorative practices and satisfying the  
58 Program requirements set forth in subsection D. Such evaluation process shall use the following performance  
59 metrics developed based on the purpose of the Program and the outcomes that such evidence-based  
60 restorative practices are designed to achieve: (i) school suspension and expulsion rates and any other data  
61 collected on student disciplinary actions or practices, (ii) absenteeism and truancy rates, (iii) academic  
62 performance indicators, (iv) relevant indicators of the mental health of the student population, (v) teacher  
63 retention rates, and (vi) such other school climate indicators deemed appropriate by the Department. To the  
64 extent possible, such evaluation process shall collect and disaggregate the data collected on such  
65 performance metrics by student (a) race, ethnicity, or nationality; (b) gender; (c) disability status; (d)  
66 eligibility for free or reduced price lunch; and (e) English language proficiency.

67 D. Any eligible school awarded funds pursuant to the Program, in collaboration with the applicable  
68 school board, shall:

69 1. Establish a learning collaborative for the purpose of developing (i) criteria for the designation of an  
70 evidence-based restorative practice school and (ii) a comprehensive plan for meeting the criteria described  
71 in clause (i). In developing such criteria and comprehensive plan, each learning collaborative shall engage  
72 in resource mapping in cooperation with (a) educators, administrators, and practitioners who have  
73 effectively established and operated schools that integrate evidence-based restorative practices into the daily  
74 and disciplinary practices of such schools and (b) local, state, and national organizations, including  
75 community-based organizations, that have studied or implemented the effective use of evidence-based  
76 restorative practices in schools and have identified best practices for integrating evidence-based restorative  
77 practices in the school setting. The comprehensive plan shall:

78 a. Promote whole-school evidence-based restorative practice models;

79 b. Integrate the use of culturally responsive teaching and trauma-informed practices;

80 c. Outline protocols to provide incentives or preferences for the utilization of evidence-based restorative  
81 practices training;

82 d. Provide a framework to identify and establish training material for school personnel that are qualified  
83 to provide the training set forth in subdivision c;

84 e. Establish standards for the designation of an evidence-based restorative practices school;

85 f. Develop integrated plans for multi-tiered systems of support and positive behavioral interventions; and

86 g. Outline a plan for sustaining such evidence-based restorative practices in the school, including a plan  
87 to increase, leverage, or maximize any available funding for the purpose of sustaining or expanding such  
88 evidence-based restorative practices; and

89 2. Submit to the Department by July 1 of each year immediately following any year for which such eligible  
90 school receives a grant pursuant to this section a report based on the evaluation process and performance  
91 metrics established by the Department pursuant to subdivision C 3 detailing the school's progress in  
92 implementing the comprehensive plan established pursuant to subdivision 1 and the impact of implementing  
93 evidence-based restorative practices in such school during the preceding school year.