



Policy Reform Proposal:

Transitioning to Restorative Sanctions for Bullying and Harassment Violations

Current Policy

Georgetown's Code of Student Conduct is unable to effectively adjudicate and resolve claims of bullying and harassment.

As it currently stands, the university's sanctioning guidelines for cases of harassment and/or bullying are intentionally equivocal. Whereas other conduct violations commonly require specific reparative measures — generally work sanction hours, educational projects, and fines — the reparative bullying/harassment sanctions are [handled on a case-by-case basis](#) by the university.

It is additionally worth noting that many cases of harassment and/or bullying do not fit the exact specifications outlined in Georgetown's Code of Student Conduct. Especially because

Harassment and/or Bullying (possible referral to Hearing)

Any severe, pervasive, or persistent act or conduct, whether physical, cyber/electronic, or verbal, that can reasonably be expected to inflict fear, to intimidate, to incite violence, to force someone to do something against their will or self-interest, and/or substantially interfere with an individual's ability to participate in or benefit from the University's education and/or co-curricular programs.

Harassment and/or bullying may include, but is not limited to, any act that may:

- Place an individual in reasonable fear of physical harm;
- Cause a substantial and foreseeable detrimental effect on an individual's physical or mental health;
- Create an intimidating, hostile, or offensive environment that interferes with an individual's work or academic pursuit.

Bias-Related Incidents

An act of harassment or bullying based upon an individual's or group's actual or perceived status will be considered bias-related and will result in more significant sanctions. For more information regarding "**Bias-related**" factors, see also: [Aggravating Factors](#), p.32.

For information related to **Sexual Harassment**, see also: Sexual Misconduct Policy, p.16.

the Code of
Conduct describes bullying/harassment as being "severe, pervasive, or persistent"

individual events, even when they cause harm to other students, they are often excluded from being formally considered bullying/harassment by the university. As a result, the Office of Student Conduct sometimes lacks the authority to pursue justice for students involved in instances of bullying/harassment.

Proposed Policy Reform

Georgetown establishes a restorative justice program, separate from the Office of Student Conduct, which facilitates conferences between offenders and harmed parties to resolve instances of bullying/harassment.

Part 1: Structure —

The structure of the restorative justice practice would have three main components: (1) voluntary participation from all parties, (2) a case-by-case “RJ Contract,” and (3) the use of conferences.

First, restorative justice requires voluntary participation from all parties. These practices will only be utilized upon both the request of the Reporter and continued agreement by both the Reporter and the Respondent of the incident. At any time, if either party wishes to withdraw from the restorative justice conference, the conduct violation would have to be adjudicated through the formal process. This would not apply if there was no conduct violation, for example, if the harm being discussed was a form of bullying/harassment that didn’t fall under the purview of the OSC. The OSC has no authority there to hold the respondent responsible through formal means. Establishing a restorative justice program would allow students to reconcile differences in a manner that does not require the involvement of the OSC.

Secondly, restorative justice maintains the importance of the case-by-case “RJ Contract.” Restorative justice is based on the idea that reparation of harm and reconciliation of conflict can strengthen and empower a community; it goes beyond punitive sanctions. In this approach, the harmed parties and people who caused harm collaborate to find resolution, rebuild trust, provide social support and develop understanding. As such, it is important to indicate agreement between parties on the particulars of the restorative justice practice at play. The agreement should be tailored to fit the harm caused and the needs of the students. Students should play an active role in creating the agreement.

The final aspect of the structure would be the conferences. This model focuses on facilitating dialogue between the offender and harmed parties. After discussing the harm, the parties and any other relevant participants—not a hearing officer or conduct board—decide together on actionable steps to repair the harm. The end result could be an educational project or an apology

letter that is facilitated by staff members of the restorative justice program.

“Conferencing is an opportunity for students who are referred to the conduct office to have a chance to meet face-to-face with the individuals they have impacted, take responsibility, make amends, build relationships, and move forward in a positive way through support from the campus community.” — Justine Darling, RJ Coordinator, University of San Diego

Part 2: Implementation —

I. Establishing a Restorative Justice Center

The Student Advocacy Office recommends establishing a Restorative Justice Center at Georgetown that is separate from the Office of Student Conduct as well as any existing university entity. While the OSC currently practices some elements of restorative justice (such as the requirement of an educational project or apology letter for certain violations), its fundamental focus is identifying perpetrators of violations and sanctioning them. Further, while the Georgetown community features many institutions focused on building and sustaining a healthy campus, most would have to make major adjustments to oversee a full-fledged RJ system. An independent Restorative Justice Center would be best suited to sustain an alternative means of conflict resolution at Georgetown focused on trust, integrity, and mutual respect.

II. Hiring external RJ facilitators

Given that Georgetown has little experience with restorative justice, the Student Advocacy Office recommends hiring external facilitators. Drawing on practices that have worked in the past, these professionals would shape the particulars of the Restorative Justice Center’s procedures, guaranteeing it a solid foundation. Employing facilitators would be critical to establishing best practices for tasks like the creation of RJ contracts, which must be done in each individual case. The Student Advocacy Office recommends hiring externally for the same reasons that we favor an independent Restorative Justice Center. While the OSC and other campus groups could certainly lend some expertise to the Center, a new RJ system at Georgetown should be built on the same principles as the most successful examples of RJ from universities and other institutions nationwide.

III. Creating RJ contracts

This [contract template](#) from The College of New Jersey, a peer institution with an established restorative justice program, could serve as a starting point for Georgetown’s facilitators. The example outlines key points on which parties must agree and guidelines for follow-through. Though TCNJ uses restorative justice practices for sexual misconduct cases, their contract template is still a valuable example and could be reworked to fit the University’s specific needs. The contract would lay out the terms agreed upon for the conference, including the voluntary basis, requirements for both parties, and information about confidentiality if relevant.

IV. Establishing RJ conferences/circles

A trained restorative justice facilitator would need to be present to facilitate RJ conferences. Ideally, this would be someone who specializes in conferences as a practice. Hired from outside the OSC, these restorative justice facilitators will be committed to the principles at the core of restorative justice and have extensive training in restorative justice practices. The University of Michigan's system of [restorative justice circles](#) could serve as a baseline for Georgetown's Center. While different from conferences, their circle model can provide some insight into the benefits of using restorative models to address harm and also shed light on the appropriate parties to include in a conference.

Jesuit Values

Restorative justice philosophy aligns significantly with Georgetown's Jesuit values.

Georgetown's values and commitment to bettering the individual and the world align extremely well with the purpose of restorative justice. In fact, Catholic campuses across the country have demonstrated both interest and leadership in establishing systems of restorative justice due to their alignment with their social traditions. Both restorative justice and Catholic social tradition focus on interpersonal relationships, the importance of community, and the concept of "humanness." The [Restorative Justice Network of Catholic Campuses \(RJNCC\)](#) is a network of Catholic campuses aligned through their commitment to restorative justice practices. The RJNCC provides training about restorative justice to develop programs on campuses as well as syllabi to professors teaching restorative justice in classrooms, and generally serves as a community of colleagues working towards the same goals. Our own Assistant Director for Student Conduct, Heather Kimball, is a member of RJNCC's planning team. With her leadership, we believe that establishing restorative justice practices on Georgetown's campus is not only feasible, but also will certainly enrich our standing commitment to our values as a Jesuit institution. For more information, watch [this video](#) outlining the work of the RJNCC as well as read [this case study](#) that demonstrates the efficacy of restorative justice practices at Loyola University Chicago.

The colleges and universities that have implemented restorative justice practices have a clear dedication and commitment to restorative justice programs within their own institutions. There is a strong emphasis on the usage of restorative justice practices regarding cases of student misconduct that directly involve other parties. Specifically regarding cases of harassment and bullying, the implementation of restorative justice policies has proven effective as a beneficial alternative to more punitive sanctions. In fact, the University of San Diego has a dedicated program within the USD Center of Restorative Justice that continuously researches and proves the effectiveness of restorative justice practices, especially on college campuses. [James Madison University](#), another institution that emphasizes the role their Catholic values should play in

student conduct, finds that implementing restorative justice practices “allows for individuals to play an active role in repairing the harms they’ve created.” Furthermore, the process of sharing and understanding the perspectives of the harmed party encourages students to reflect on the impact their actions have had on the Georgetown community.

Peer Institutions’ Policies

The following universities have established restorative justice programs.

University	Restorative Justice Program Information			
	RJ Model	% of Cases Resolved by RJ	Type of RJ Cases	Additional Information
James Madison University	RJ Circle/Conference	81-100%	Alcohol/drug, residential, “quality of life,” hazing	Restorative Practices Unit
Michigan State University	RJ Conference	81-100%	Academic integrity, alcohol/drug, assault, residential, “quality of life”	Dean of Students Office
Colorado State University	RJ Conference	81-100%	Any case in which both parties agree to participate	Student Resolution Center
University of Wisconsin	RJ Circle/Conference	41-60%	Depends on referral from Student Conduct	Office of Student Conduct

Colorado University - Boulder	RJ Conference	n/a	Depends on referral from Student	Restorative Justice Program
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			Conduct	
University of San Diego	RJ Circle/ Conference	n/a	Any case in which both parties agree to participate	Office of Ethical Development and Restorative Practices

Conclusion

Georgetown should implement a restorative justice process for handling instances of bullying/harassment as a first step in establishing a restorative justice program.

Georgetown University ought to establish a restorative justice program to repair instances of bullying/harassment. Launching the restorative justice program to specifically handling cases of bullying/harassment will be favorable strategy for the university because (1) the university currently lacks the infrastructure to effectively adjudicate many cases of bullying/harassment through the Office of Student Conduct and (2) instances of bullying/harassment are especially disposed to resolution through dialogue, which is the main strategy of restorative justice. This is an opportunity for Georgetown to demonstrate its excellence as a forward-thinking university focused on successful long-term outcomes for its students.