



Alameda County Health Care Services Agency

School Health
Services Coalition



A WORKING GUIDE FOR OUR SCHOOLS



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Services Coalition

RESTORATIVE JUSTICE

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A publication of the Alameda County School Health Services Coalition

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This publication was produced by the School Health Services (SHS) Coalition, a division of Alameda County Health Care Services Agency (HCSA). SHS Coalition is working to bring health and education partners together to build communities of care that foster the academic success, health, and well-being of Alameda County youth. They do this by developing innovative policies and practices and integrating services to improve the availability and quality of health and learning supports in schools and neighborhoods.

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RESTORATIVE JUSTICE

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Circle process with Mrs. Thomas at Cole Middle School in Oakland, CA. Photo by Julie Mallozzi

Preface

Restorative Justice is focused on the belief that those affected by harm can work together to repair it and that this collaboration leads to true accountability.

During the writing of this publication, we talked to innovators implementing both restorative thinking and restorative processes in schools. Many of those we talked to reported that, in implementing restorative processes, they “just had to figure it out as they went along.” While this may not seem helpful toward our understanding of how to implement Restorative Justice, figuring it out as we go along is one of the keys to its success.

Restorative Justice is not unstructured; but the structure is different from what we have learned to expect from our systems. Restorative Justice encourages us to be constantly present, attending to needs as they arise. It exercises our ability to be dynamic rather than static in our responses. It also creates a safe space for people to express themselves—their strengths, assets, responsibilities, and also, their vulnerability. As a result, it humanizes all those involved and promotes connection and healing.

The understanding that issues will have to be figured out as they go along invites a practitioner to inquire with an open mind. It allows leaders to listen and to observe the needs of the entire student body. It teaches administrators and staff that there is more than one way to respond to conflict and more than one way to launch a Restorative Justice initiative.

Schools are communities created by staff, faculty, students, and families; these are the true experts. Because each school creates its own unique culture, the implementation and practice of Restorative Justice has to be tailored to the needs of each school and with the knowledge and support of each school community. For this reason, there is no standard program or curriculum. Programs and curricula come and go; restorative practices go deeper. They result in a whole new way of thinking.

The purpose of this publication is to provide support and guidance for teachers, health workers, community leaders, and school personnel who seek to implement Restorative Justice in their schools and to shed light on its implementation. It is certain that the process will be new for each school setting. Just like those who have informed this guide, new stories will continue to pave the way to understanding.

Section 1

Introduction to Restorative Justice

How it Applies

Restorative Justice has been applied in schools across the world to successfully build healthy school communities, support students and teachers, and address discipline issues.

Attending school creates an opportunity for students to learn how people relate to one another, develop social-emotional intelligence, and build social and human capital. It provides them with an opportunity to develop healthy, meaningful, intergenerational, and peer-to-peer relationships.

Across this country our schools are in a state of crisis. The crisis impacts all of society. Many of

our young people, especially lower income urban children of color, are being excluded from healthy educational opportunities. Many feel unwelcome in schools intended to serve them, schools that lack resources and rely on zero tolerance policies and punitive practices; schools that have inadequate teacher/student ratios; and teachers with low expectations. Reports document these and other issues contributing to the crisis.¹

This crisis sets the stage for what is referred to as the school-to-prison pipeline – an identifiable path that leads to marginalization, incarceration, and, in far too many cases, death. Restorative Justice holds the promise that standards of punishment and exclusion can be shifted to a new paradigm that embraces healing and inclusion.

Misconduct is part of the developmental process of every young person. Sadly, corrective responses to misconduct have become associated with punishment. To truly discipline means to teach or train, not punish. Punishment induces pain, establishes control, and focuses on enforcement, rather than on teaching. While the intention of punishment is most often to teach lessons and build character, the act of punishing tends to reduce the ability of a student to understand the impact his or her actions have on others.²

Youth place significant attention on how they are treated. When punished, it is easy for them to fixate on the harm they experience rather than how their behavior may have affected others. This focus on the self leads to resentment toward the punisher. And resentment turns into resistance to participation in activities and disassociation and/or aggression toward others. Although punishment can effectively demonstrate that certain behavior is unacceptable, it does not teach students to take responsibility for the impact of their behavior, nor does it facilitate an understanding of how their behavior has affected others.

RESTORATIVE PRACTICES

Restorative practices take incidents that might otherwise result in punishment and create opportunities for students to:

- Become aware of the impact of their behavior.
- Understand the obligation to take responsibility for their actions.
- Take steps toward making things right.

Through this process, students learn how to interact and manage their relationships with adults and peers. They become better equipped to understand how their actions impact others and how to monitor future behavior. Restorative practices encourage accountability, improve school safety, help strengthen relationships, and create more positive outcomes for students and the school community.

¹ See Section 5 Resources (p 33).

² See Amstutz, L. S. and Mullet, J. H. (2005) *The Little Book of Restorative Justice*. Intercourse, PA: Good Books. (p.12) and additional references mentioned therein.

In the Works

Restorative Justice has interested policy makers in the US for several decades. Many states have introduced language promoting the use of Restorative Justice principles in their juvenile and criminal justice systems. School districts across the country have also changed policies to encourage the use of these principles. The 111th US Congress considered at least three bills that promote the use of Restorative Justice in schools:

- H.R. 4286, The Restorative Justice in Schools Act of 2009 would open up existing funds for training school personnel about Restorative Justice.
- H.R. 1064, known as the Youth PROMISE Act of 2009, provides federal support for community, school, and police to collaboratively identify, develop, implement, and evaluate plans designed to address unmet needs of youth at risk for juvenile delinquency or gang involvement. One of the many methods authorized by this bill is Restorative Justice. The bill appropriates progressively increasing funding over the next four fiscal years: from \$6.8 million in 2010 to \$13.6 million in 2014.
- H.R. 4000, The Conflict Resolution and Mediation Act of 2009, would authorize the Secretary of Education to grant \$25 million to local educational agencies most directly affected by conflict and violence. The funds, used to develop and implement conflict resolution and mediation programs for students, teachers, and other school personnel, would be available until fiscal year 2015.

Realignment of Justice Processes

Both the theory and practice of Restorative Justice emphasize: (1) identifying the harm, (2) involving all stakeholders, and (3) true accountability – repairing the harm and addressing its causes.

Restorative Justice in its basic form is an intuitive and a common sense concept for most people. It presents opportunities to those impacted by

CHANGING LENSES

In his seminal work, *Changing Lenses*, Howard Zehr examined the way in which we typically respond to crime and wrongdoing. Zehr contrasts questions the criminal justice system asks with restorative questions.

Questions the current systems try to address:

- What rules or laws were broken?
- Who broke them?
- What do they deserve?

Whereas, Restorative Justice asks:

- What is the harm caused and to whom?
- What are the needs and obligations that have arisen?
- Who has the obligation to address the needs, to repair the harms, to restore relationships?

wrongdoing to collectively identify its impact and determine steps to make things right.

Restorative questions cannot be adequately answered without the involvement of those who have been most affected. Involving those affected is a cornerstone of Restorative Justice.

The concept of Restorative Justice has been a part of traditional justice in a variety of indigenous cultures around the world. It involves realignment of justice processes to more accurately reflect the understanding that crime and other acts of wrongdoing do not just violate laws and rules but, more importantly, harm people, communities, and relationships.

Section 2

A New Approach for Our Schools

Restorative Justice and restorative practice applied in our schools reflects an approach to wrongdoing and harmful behavior that aims to both prevent wrongdoing at all levels and intervene in offending behavior. Restorative practice builds community, celebrates accomplishments, transforms conflict, rebuilds relationships that have been harmed, and reintegrates students who have been suspended or expelled.

Philosophy and Principles

Restorative Justice is a philosophy and an approach to discipline that moves away from punishment toward restoring a sense of harmony and well-being for all those affected by a hurtful act. It provides families, schools, and communities a way to ensure accountability while at the same time breaking the cycle of retribution and violence. It is based on a view of resilience in children and youth and their capability to solve problems, as opposed to the youth themselves being the problems adults must fix. It focuses not on retribution but on reconnecting severed relationships and re-empowering individuals by holding them responsible. This approach acknowledges that, when a person does harm, it affects the persons they hurt, the community, and themselves. When using restorative measures, an attempt is made to repair the harm caused by one person to another and to the community so that everyone is moved toward healing.

Restorative practices involve students and the entire school community in a process to repair the harm resulting from conflicts through such means as: circles that create a respectful group space in which students participate in establishing the values for the class based on human dignity and the democratic principles of rights and responsibilities; restorative conferencing; and peer juries. (See page 15 for descriptions of additional restorative processes).

When incorporated into a school, Restorative Justice can create and maintain a positive school culture and climate, which increases a sense of belonging for all students and adults.

Restorative Justice is not another program to be imposed on schools. It is a philosophy, a way of being and relating. It does not replace current initiatives. Promising and evidence-based programs such as: Positive Behavior Intervention and Support (PBIS), Responsive Classroom, Second Step, Too Good for Violence, Too Good for Drugs, Tribes, and other initiatives assist in building a foundation and culture of caring. These kinds of programs and initiatives complement restorative practices.

Many teachers report that they have been practicing in a restorative way even before they knew about Restorative Justice. Learning about restorative practices has helped them better understand their own methods, provided a language to describe their approach, and refined their practices by providing additional tools to advance their methods.

However, Restorative Justice is not just any mode of response outside of formal disciplinary action. It is based on principles of voluntary participation, respect, and inclusion of all involved; focus on the harm done; and consensus-based decisions

RESTORATIVE PRINCIPLES

- Voluntary participation
- Respect for everyone involved
- Inclusion of all the people impacted
- A focus on the harms, needs, and causes that have arisen
- Consensus-based decision-making focused on how to repair the harm and prevent future harm
- Opportunity for dialogue that aligns with the above principles
- Expanding the capacity of the community to create a just and fair response

to repair the harm. When these principles are applied to the fullest extent, the response is regarded as fully restorative. When they are not fully applied or, if some are applied while others are forgotten, the response can be partially restorative. When the principles are not adequately considered, the response is not restorative. It may seem challenging to fully apply these principles in schools, but the results far outweigh the effort. Being conscious of the principles and philosophy of Restorative Justice is the first step in a restorative direction.

Consider the Pyramid

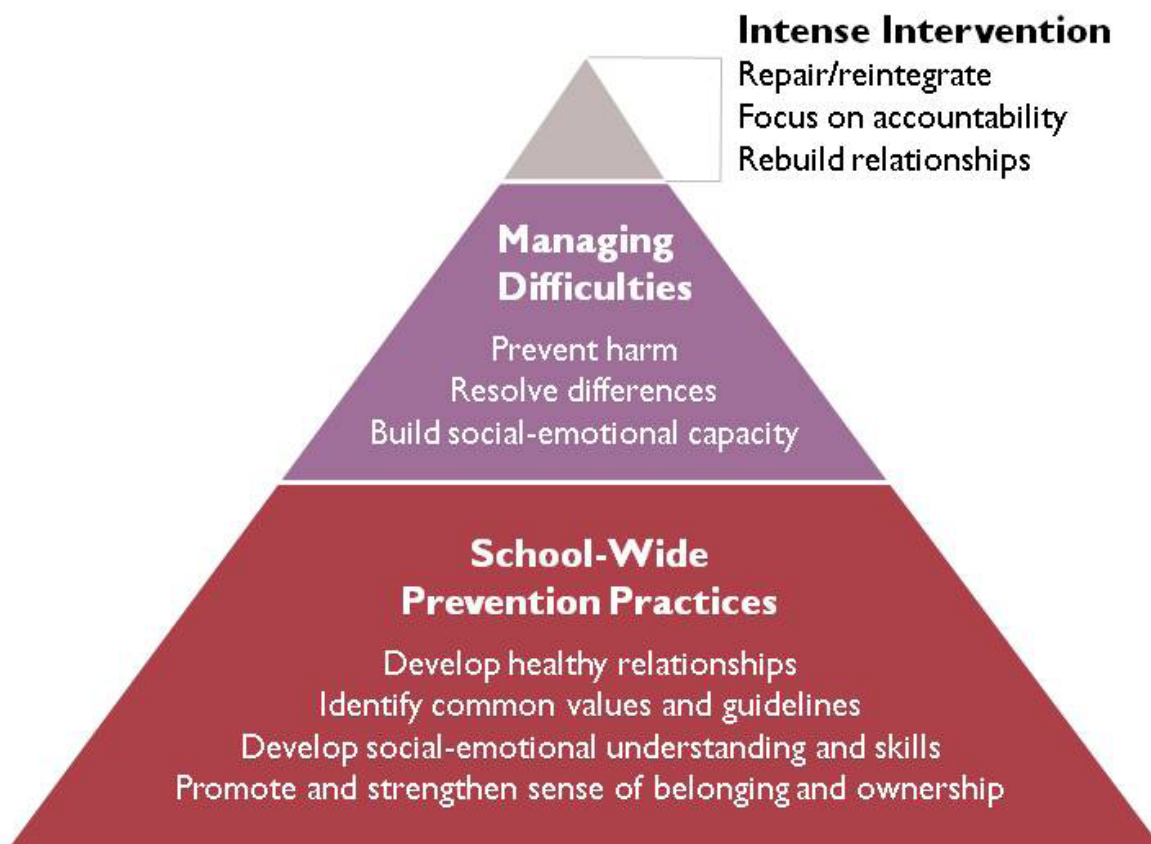
Brenda Morrison (2005) illustrates ways in which restorative practices can be applied – from prevention to intense intervention – with a pyramid. The pyramid is adapted from a public health model where the base affects the whole population; the second tier affects a moderate portion of the population; and the top tier affects a small portion of the population. The idea is that if preventive issues are addressed at the base, and difficulties are managed at the second tier, there will be fewer in need of intensive intervention at the top tier.

Applying this model to restorative practices in schools is shown in the figure below, School-Wide Restorative Justice. The base of the pyramid targets the entire school as School-Wide Prevention Practices; the second tier is focused on Managing Difficulties. The third tier is focused on Intense Intervention.

When schools implement restorative practices as a program rather than a philosophy and paradigm shift, attention is focused on intensive intervention and neglects the paradigm shift in culture and prevention. When this happens, resources and efforts are all expended on only that portion of the school population that is in crisis.

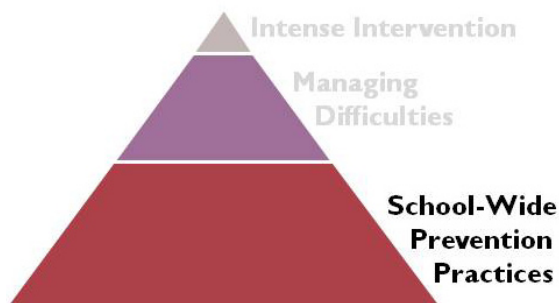
When attention is given to the whole population through school-wide prevention practices and restorative practices are used to manage difficulties, there will be fewer students in crisis who require intense intervention. When the whole school is infused with restorative principles it becomes easier to address issues faster and respond in a deeper way because the caring and supportive culture is already present.

A discussion of these three levels of restorative practice follows.



Whole School Restorative Justice

School-Wide Prevention Practices



Activities

- **Relational Practices:** working to understand how individuals in the classroom or school community relate to one another.
- **Circles:** coming together to facilitate student and teacher connectivity.
- **Routines:** creating classroom values, such as Classroom Constitutions, adhering to them, discussing them, questioning them.

What School-Wide Prevention Practice Looks Like

One of the goals of implementing restorative practices school-wide is to build a cohesive, caring school community that allows for improved and increased communication. This includes setting a school climate that promotes healthy relationships, identifies common values and guidelines, develops social-emotional understanding and skills, and promotes a sense of belonging in the school community.

This approach supports and teaches social-emotional intelligence; builds community and relationships, referred to as social capital; and increases the school community's ability and capacity to communicate and address challenges, referred to as human capital. This more universal application helps to create a positive and inclusive school culture and enhance teaching and learning. In this way, it is a prevention method: the school community becomes better equipped to resolve issues before they escalate into real problems. The skills developed at the base of the pyramid can also be employed when conflict first appears.

Creating the space to explore and understand shared values in the classroom fosters an environment more conducive to establishing and deepening relationships among members of the school community. This includes not just better relationships between adults and students, but among

adults and among students as well.

At Cole Middle School in Oakland, a teacher and Restorative Justice coordinator, taught an elective class in Restorative Justice and conducted workshops in classrooms, facilitating discussion on justice and oppression, social-emotional intelligence, and taking responsibility. The students learned about Restorative Justice philosophy, principles, and practices.

In 2007, the school's population decreased to 70 students because the school was slated to close due to low test scores. This allowed for a morning circle to be held with the whole school. Students were welcomed to school; heard announcements; and celebrated achievements, holidays, and special events. The morning circles were used to develop a school pledge and a forum for participation in general activities.

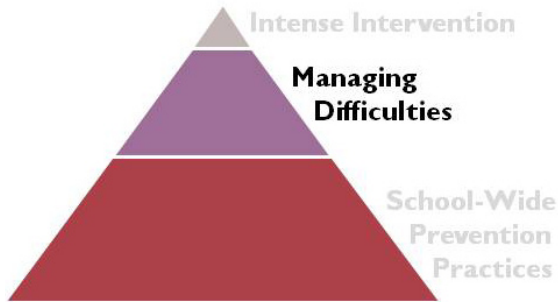
The circles were also a place students could express pain and sadness in response to traumatic events or losses. The daily practice helped develop connectedness and community among the students and teachers.

Lauren Abramson is the founder and director of The Community Conferencing Center in Baltimore, Maryland. Her organization has been working with Baltimore public schools for about 12 years providing community conferencing as an alternative to suspension and arrest. The schools in Baltimore have their own police force and arrest about 140 students a month. As part of a prevention strategy she has been teaching teachers a circle practice called the "Daily Rap."

Daily Rap provides opportunities for students to be heard and navigate solutions to the issues they face. Students decide the topic for each circle and receive support and identify solutions with peers. The process has been shown to deepen relationships, build trust, and strengthen problem-solving skills.

Initially focused on students, Lauren got strong buy-in to hold Daily Rap circles with teachers and staff. After a Daily Rap circle, a teacher said, "We just learned more about our colleagues in the last hour than we have for the 10 years we've been working with them." For more information on Daily Rap Circles visit www.communityconferencing.org and click Training.

Managing Difficulties



Activities

- **Problem-Solving Circles:** making space in the classroom to resolve conflict and solve problems.
- **Restorative Conversation:** having informal conversations using restorative dialogue to repair or prevent harm.
- **Hallway Conferences:** using quick conversations to understand how people were affected and take steps to prevent harm.
- **Restorative Conference:** meeting formally to prevent harm, enable people to resolve differences, and build social-emotional capacity through empathy.
- **Peer Mediation:** using a peer mediator to help resolve conflict before it becomes harmful.

What Managing Difficulties Looks Like

When school-wide prevention practices are in place, there is a sense of trust in a school, and difficulties can be more easily dealt with through methods that do not punish or exclude students from the learning environment. Disruptions and fledgling conflicts should not require intensive intervention, yet without response, they can develop into top-tier crises. A restorative approach represents a shift in thinking for the school community: behavior issues provide youth with teachable moments.

Managing difficulties can begin by responding to situations with a restorative intention. In all cases, the initial approach sets the tone for the interaction, making it possible for a student to take responsibility by responding to questions that provide support. Asking restorative questions provides the youth with an opportunity to understand a harm or potential harm and facilitates self-discipline.

The following case is from an Oakland middle school. It involves disruptive and disrespectful behavior and a dean's restorative response.

Despite threats of punishment, Carson continued to throw paper balls all over the classroom. The teacher (not using restorative practices) sent him to the dean. The dean reviewed what happened in the classroom by asking Carson questions focused on helping him to identify the 'harm' that occurred.

At first Carson denied that he caused any harm and blamed others, including the teacher, for his predicament. The dean listened to Carson and asked restorative questions until Carson became less guarded and began to see that his actions may have impacted the teacher and other students. He was then able to tell the real story.

Carson was in fact reacting to the teacher who only asked him to clean up when there were others who threw paper balls before he did. As the dean listened, Carson opened up. His anger subsided and he became willing to accept that he had done something wrong and that he had harmed others. The dean promised to help him talk about what pushed him to react. Her promise helped him to take responsibility. The dean later facilitated an opportunity for him to make amends.

After much thought, Carson offered to sweep the floor that day and to help the teacher for the next two days as compensation for his actions. The dean later talked with the teacher about what was

RESTORATIVE QUESTIONS

- Can you explain what happened?
- How did it happen?
- What was the harm?
- Who do you think was affected?
- How were you affected?
- How were they affected?
- How do you feel about what happened?
- What needs to happen to make things right?
- How are you doing now in relation to the event and its consequences?
- What were you looking for when you chose to act?
- What would you like to offer and to whom?

discussed with the student and asked if the three of them—the student, dean, and teacher—could have a conversation about what happened and Carson’s plan to make things right.

When they met, each person had a chance to express how they were affected. The teacher talked about his concern that this behavior was becoming a habit for the student. The student was able to voice his feeling that the response was not fair. They each apologized for their role in not helping the situation and promised to do better.

In another example of Restorative Justice at the second level, a student leader gets side-tracked and a simple reminder redirects behavior:

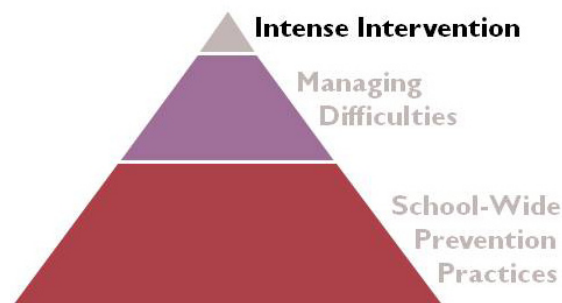
Janti, a high school freshman, was having a heated argument with a boy in a school hallway. Janti was a student leader in her middle school, which practiced Restorative Justice. As the quarrel escalated and began to become physical, Ina, an administrator, walked by. Ina drew Janti aside, put both hands on Janti’s shoulder, made eye contact, and simply asked, “You do know what to do here, don’t you?” Janti immediately calmed down, nodded, looked back at Ina and said, “Yes.” They made a plan to have a restorative meeting between Janti and the boy. Ina spoke to the principal who agreed to not suspend the students if they followed through with the agreements made at the Restorative Justice meeting.

In our current system, it is hard to imagine a school in which students readily take responsibility for their actions. Young people need loving guidance to be able to acknowledge that they did something wrong. Rather than forcing a consequence upon them, they need to be listened to. Efforts to address the issue should take into account what they think, feel, and are willing to do.

When young people are allowed to express their perspective, they are more willing to consider making amends to people they have wronged. It teaches them to take responsibility in a restorative way.

While Rita was the 7th grade dean at Cole Middle School in West Oakland, she regularly had “responsibility” conversations with students sent out of class. For the first three months of school, students blamed everyone else when a teacher sent them out of class. Then, after three months, students began to admit what they did was wrong before Rita could even ask the question.

Intense Intervention



Activities

- **Intervention Circles:** making space in the classroom to resolve conflict and solve problems at the intense intervention level.
- **Peer Juries:** designating youth judge, jury, prosecutor, and defense attorneys.
- **Restorative Conferencing:** meeting formally with those involved to repair harm, enable resolution of differences, and build social-emotional capacity through empathy.

What Intense Intervention Looks Like

Intense intervention focuses on rebuilding relationships and repairing harm. Practices at this level involve facilitated dialogue with those affected to determine what the harm was, what needs have arisen in its wake, and who has responsibility to address those needs.

Discipline concerns at this level often involve people who were directly harmed. However, in just about all cases, the school as a whole or in part is also directly impacted. In some cases the neighborhood is affected as well.

Other programs and processes bring together people involved in a student’s life – school personnel, the student, and family – to review strengths and problem areas, plan strategies, and organize resources to address academic and behavioral problems and concerns. These include: Student Success Team (SST), Student Attendance Review Team or Board (SART or SARB), Parent/Teacher Conferences, and Case Management. These practices can be fine-tuned to become more aligned with restorative principles if they are not already.

In a school setting, members of the school community, such as classmates, teachers, caregivers, and neighbors, can be provided opportunities to participate. These individuals are stakeholders that have been affected – some more

directly than others. The stakeholders, including an administrator, make a plan to repair the harm to the degree possible.

The following story is taken from an interview Laura Mirsky conducted with Nancy Riestenberg in 2002. The incident involved a physical fight among five boys.

This fight happened a couple of weeks after a boy in a school died in a tragic car accident. One boy made some disparaging remarks about the deceased, suggesting that the accident was his fault. Maybe he wasn't wearing his seat belt or he was driving too fast. Some friends of the boy who had died and who had been grieving heard this. They became furious and got into a fight.

The boys, who would normally have been suspended, all agreed to go to the school's Restorative Justice planner. They wanted to have a circle to talk about what happened. As they talked about how their behavior had affected them and other people, they came to the conclusion that the person they had harmed the most was the boy who had died. To make amends, they all went to the graveyard and apologized to the gravestone.

"It's that kind of creativity that is so compelling for me, where you can have a connection between the true harm and the consequence. That is profound. I'm sure that it was also therapeutic for these boys. I think it helped them to appreciate more what they had lost. That's the kind of connection we need as human beings. That's what being a human being is about."

Restorative practices address harm and can increase safety in the school. This story speaks to the role of bystanders in a conflict.

Two middle school girls fought in the bathroom while 13 other female students stood by and watched. The fight was between an Arabic girl and a Vietnamese girl. They were establishing that they were not afraid to fight.

Later all 15 girls entered into a circle. Much of the conversation centered on standing by when your schoolmates fought. What does that demonstrate? What does the lack of action say about what you think and feel about your schoolmates and your school?

The girls admitted that it was fun to watch and that they felt a hopelessness—things like this just happen in middle schools. They were not snitches

IDENTITY EXPLORATION

Especially for circumstances that involve intensive intervention, Restorative Justice allows youth—who often experiment with different identities—to explore their identity without being trapped by the experimental behavior.

Nancy Riestenberg (2006) suggests, in addition to a renewed connection to their school, students are "relieved that while they experimented with their own identity, trying out various roles, they did not have to commit themselves irrevocably to being vandals and fools."

and therefore would not report the fight either before it happened or after it was over. They felt they had no responsibility in the fight; it was between the two girls. After a two-hour circle, students admitted knowing about the fight. They felt bad for the two girls and achieved a better understanding of their responsibility to help keep the peace.

They agreed to meet with the dean at lunchtime every day for two weeks and discuss what it means to be part of a community. Various members of the school community, including the cafeteria manager, the school secretary, the custodian, teachers, and a parent, addressed the students and related some of their experiences in middle school and how those experiences affected them. Many spoke about what it meant to be part of a community. They had an in-depth conversation about 'snitching.'

A few days after the lunchtime conversations, a student reported that a fight was going to take place after school. The administration was able to locate the girls who were about to fight and had a Restorative Justice circle with them, diverting their energies, and averting the fight.

After this incident, the girls became involved as bystanders; they took their role as peacemakers in the school community seriously. They began to move toward looking out for the community and reporting things that could be dangerous and hurtful to the school.

Restorative Practice

Circles

Circles are used in schools at all levels of the pyramid to bring people together in a way that gives voice to every individual. Circles at the first tier (for the whole school or classroom) support School-Wide Prevention Practices; problem-solving circles are used at the second tier for those involved in Managing Difficulties; and intervention circles are used at the third tier for those persons and situations that require Intense Intervention. “Daily check-ins” are conducted in circles and provide students with the opportunity to talk about where they are each day.

In all cases, participants get an opportunity to speak without interruption while others listen. It is an egalitarian method of communication that can be used to celebrate successes, discuss challenging topics, make decisions, or address wrongdoing. Participants literally sit in a circle so that everyone can see everyone else. There is no implied hierarchy in the seating arrangement. Typically there is an opening or an opportunity to differentiate the time in circle as separate from time outside the circle.

An object of some symbolic nature or talking piece is used to encourage active listening and to facilitate speaking openly and honestly. Participants determine guidelines regarding how they will be in circle. All decisions in circles are made by consensus. The circle is brought to an end with another short reflection or opportunity to honor the time and contributions participants have made during the time in circle.

Relational Practices

Relational practices, conducted at the first tier, School-Wide Prevention Practices, make space in the classroom to resolve conflict. The ongoing practice of daily check-ins is a relational practice as it includes everyone in an activity and helps students and staff get to know each other and also understand where they are on a particular day. Daily check-ins can be facilitated in circle. Relational practices aim to understand how individuals in the classroom or school community, including parents and other providers, relate to one another. Attention is paid to relationships among students, among teachers, and between students and teachers, and between school staff and families. The practices help to strengthen relationships in the school and classroom, build social/emotional intelligence, and identify

social and human capital to create a safe healthy learning environment in the classroom and, if applied school-wide, throughout the school.

Routines

Routines are utilized at the primary tier, School-Wide Prevention Practices. They encompass a system of creating classroom values, adhering to them, discussing them, questioning them, and reviewing them together.

Peer Mediation

Peer mediation is usually conducted at the second tier, Managing Difficulties. It involves a neutral third party or parties (mediators), whose role is to support those in conflict to come to a mutually acceptable resolution, or to find a way of moving forward. Peer mediators may be elementary, middle, or high school students trained in the skills and processes of conflict resolution, mediation, and restorative dialogue. The role of the peer mediator is to help students resolve and/or manage conflict before it becomes harmful. Some peer mediation programs operate under restorative principles while others do not.

Restorative Conversation and Conferences

Restorative conversations and conferences are conducted at the second tier, Managing Difficulties, in order to prevent harm. They are informal conversations using restorative language with those involved in a potential conflict.

Restorative conferencing is a broad term that encompasses a range of practices with some subtle and some significant differences. Restorative conferencing is conducted at the third level of the pyramid, Intense Intervention. All conferencing models involve face-to-face encounters between those directly impacted by the event and individuals who support each of them. Some conferences involve others who have been indirectly affected by the incident. Led by a trained facilitator, the conference seeks to identify, repair, and prevent harm.

Family Group Conferencing (FGC) typically sets aside “private family time” during the conference where the youth and the immediate caregivers create the first draft of the plan to make things right. Other conferencing models include the person harmed in the entire conference. Some conferencing models are heavily scripted while others allow for a more organic facilitation style.

Peer Juries

Peer juries — also known as teen court, youth court, or peer court — are also conducted at the third tier, Intense Intervention. It is a process popular in the Chicago Public Schools. The practice involves student volunteers who hear cases — typically minor delinquent acts or school offenses — and determine with those directly impacted how to make things as right as possible. Peer juries can be an adversarial or a restorative process. In order for peer juries to be restorative they need to be based on restorative principles; restorative peer juries focus on the harm rather than the rule broken, and ways to repair the harm rather than punitive consequences.

Follow-up

One of the most important and often neglected components is follow-up. The Restorative Justice coordinator or circle keeper should follow-up with everyone to ensure agreements are kept; they should also continue to maintain communication. It is a good idea to incorporate follow-up into the agreement plan. Reminders, check-ins, and even follow-up circles, conferences, or meetings help increase follow-through, build accountability, and demonstrate integrity of the process to everyone involved. When agreements are kept, trust grows.

RESTORATIVE RESPONSES OF INTENSE INTERVENTION

- Focus is on relationships—not just those that have been damaged but among everyone involved in the incident and in the response.
- Space is allowed for the people and relationships harmed as well as those who harmed to vent and express feelings. Sometimes a waiting period is necessary before students can engage in a restorative process in a meaningful way.

When an apology is given or requested, the person making the apology:

- Identifies the behavior for which they are apologizing.
- Identifies why it was wrong and how it affected others.
- Asks the persons harmed how the harm can be repaired and offers ways to repair it.
- Makes a commitment to change the behavior so that it does not happen again.

To ensure that agreements that come out of restorative processes are upheld, make them SMART.

- Specific: what, where, when, and how
- Measurable: everyone should know when complete
- Attainable: all items are realistic and possible
- Relevant to the harm and/or root causes
- Time-bound: a date when each item will be completed

Section 3

Benefits, Outcomes, and Impacts

Patience and perseverance are important when adopting new ways of handling conflict and wrongdoing. Though schools often see positive outcomes shortly after implementing restorative approaches, many reported that a couple of years passed before things really changed.

Positive Restorative Justice Outcomes

Positive outcomes can lead to change on the macro level. These include a realignment of funding in support of restorative practices. Re-evaluation of discipline practices spreads district-wide. Policies are adopted that include students and families in decision-making, leading

to greater involvement and investment in neighborhood schools.¹

Summaries of Outcome Evaluations

At Cole Middle School, a pilot site for Restorative Justice in Oakland, California, restorative practices began in the 2005/06 school year. Significant benefits in terms of quantifiable data were noticeable between the 2006/07 and 2007/08 school years when the suspension rate at the school dropped. The school had been suspending almost one third of the student population (30.3%). Following initial implementation of Restorative Justice, students suspended dropped to 10.3%. Perhaps more significant, 60% of those suspensions in 2006/07 were for students suspended more than once. In 2007/08, less than 20% of students were suspended more than once. Not only did Cole cut its suspension rate, but it also dramatically reduced repeat suspensions. The reduction in the number of days students were out of school had a significant fiscal effect. In 2006/07, the school lost \$9,775 in daily attendance funding; in 2007/08, the school lost only \$262. After two years of using Restorative Justice philosophy and practices, Cole Middle School's California State Test (CST) scores went up by 74 points – from school year 2007/08 to 2008/09.

In 2009, the International Institute for Restorative Practices (IIRP) published *Findings from Schools Implementing Restorative Practices*, which highlighted outcomes from six schools in Pennsylvania – West Philadelphia High School, Pottstown High School, Newtown Middle School, Palisades High School and Middle School, and Springfield Township High School. These schools are in communities that range from urban to rural and

POSITIVE OUTCOMES

- Reductions in the number and intensity of fights and physical altercations.
- Fewer classroom and cafeteria disruptions.
- Drastic reductions in the number of students suspended and expelled.
- Higher academic performance including standardized test score increases.
- Greater sense of safety in the school.
- A more positive school climate for students and school personnel.
- Healthier relationships among and between students and adults—including parents and guardians.
- Increased and more meaningful communication.

¹ When a school adopts Restorative Justice and includes those impacted by incidents at a school site, there is a tendency to branch out of the school into the community and nearby schools. Cole Middle School in Oakland, CA, became involved with the elementary feeder school two blocks away and increased communication with neighbors.

from moderately affluent to poverty stricken. A summary of the findings in the report follows:

West Philadelphia High School has been one of Pennsylvania's persistently dangerous schools for the last six years. The 913-student urban school began using restorative practices at the end of the 2007/08 school year, with formal training taking place in the autumn of 2008. The school experienced positive results in the first year of implementation. Violent acts and serious incidents dropped substantially in the 2007/08 school year and dropped by an additional 40% in the 2008/09 school year. From April to December 2008, suspensions decreased by half and recidivism plummeted (p. 6). Assaults on students dropped from 46 to 18; assaults on teachers dropped from 25 to 6; and disorderly conduct dropped from 43 incidents to 12.

Pottstown High School, a school of 874 students in a small town affected by poverty, was at risk of being put under state control. The school was underperforming academically and experiencing cultural problems. According to the principal, Stephen J. Rodriguez, students were divided into factions and staff personnel had become disillusioned and were not working together. Rodriguez, new in 2005, pursued the implementation of restorative practices. In the autumn of 2006, several teachers were sent to restorative conferencing training at the IIRP. Initially, teachers' interests ranged from enthusiastic to resistant; all returned able to see the potential for restorative practices at Pottstown. Fighting was cut in half between the second and third year after the training. Cafeteria violations were cut in half in the third year after implementations—from 43 to 21. The number of sanctions, such as timeout and detention, progressively dropped from 168 in 2005/06 to 37 in 2007/08—a 78% reduction.

Newton Middle School, a relatively affluent school just over 10 miles west of Trenton, New Jersey, learned of restorative practices in 2003 through the school principal. The principal received training and began using restorative questions. Personnel at the school were trained in 2006. Suspensions have virtually been eliminated two years after training all staff. Prior to training, the number of infractions was increasing. The year all staff were trained, incidents of misbehavior were cut by more than

half—from 161 to 69. Physical altercations also dropped in half—from eight fights in 2004 to two in 2006.

Palisades High School was the initial pilot school for the IIRP. Restorative practices were introduced to the school in 1998/99. The principal reported the level of caring and respect among many students had declined before implementing restorative practices. Once implemented, restorative practices created a more positive relationship between staff and students. Incidents of disruptive behavior, disciplinary referrals, and detentions all consistently dropped for four years after implementation.

Restorative practices were implemented in the fall of 2000 at Palisades Middle School. The school reported statistically significant decreases in the number of problems that occurred each day. Prior to the implementation of restorative practices, the school was suspending 200 students a school year for "everything from disrespect to not making up their gym classes," according to the principal quoted in the IIRP report. Discipline referrals were cut almost in half from teachers, cafeteria staff, and bus drivers.

Springfield High School is located just north of Philadelphia. The entire faculty was introduced to restorative practices in the fall of 2001. The following year the school had one-third the number of disciplinary actions compared to the previous year.

In 1998, funding from the Minnesota legislature supported the implementation of alternatives to suspension and expulsion at four districts. The \$300,000 appropriation to the Department of Children, Families & Learning required an evaluation, which examined the four school districts that had implemented and evaluated their practices over three years—1999 through 2001. Schools showed dramatic reductions in suspension and expulsion data. Below is a summary from the middle and high schools included in the In-School Behavior Intervention Grants Final Report 1999-2001 (data at the elementary level was even more promising):

Princeton High School never conducted staff-wide trainings and received less funding than other schools in the demonstration project. The rural

high school had a Restorative Justice planner who worked only 2 days a week. The planner attended both a 4-day and a 2-day circle training. Out-of-school suspensions decreased from the baseline of 132 in 1998/99 to 123 the following year, and 95 in 2000/01. Behavior referrals also decreased from 1,940 to 1,478 over the three years. In-school suspensions, however, initially rose from 881 in 1998/99 to 1,256 in 1999/2000, then fell the following year to 899.

South St. Paul Junior High School (Grades 7-12) had a dedicated Restorative Justice planner who attended a 4-day and a 2-day circle training. The planner at the high school had been involved in Restorative Justice before the district started to use restorative practices. Out-of-school suspensions progressively dropped from the baseline of 110 in the school year ending in 1999 to 65 after the first year of implementation, and to 55 in the third year—a 50% reduction.

West Central High School (Grades 7-12) saw a mild but not statistically significant increase in attendance and a statistically significant increase of 6.9% in academic achievement for 39 students tracked. This school did not have any baseline disciplinary data, as the program for tracking discipline was not utilized consistently until the year the report was published.

Impact on Teachers

Implementing Restorative Justice is a paradigm shift for teachers. Instead of recommending that students be isolated or removed from classrooms, teachers are encouraged to explore the situation – including studying how each person is affected. This approach supports teachers' efforts in observing how their behavior influences student behavior. It often allows teachers to

see their own preconceptions in a different light. Teachers need support to critically explore their perspectives and behaviors. Effective Restorative Justice efforts create a supportive environment for teachers to examine school practices, personal discipline methods, and the impact they have on their students.

Restorative practices encourage teachers to get to know their students beyond the context of the classroom, which often sheds light on underlying and unmet needs that lead to disruptive behavior. Restorative practices, in creating opportunities to uncover and better understand unmet needs, provide opportunities to address those needs and thereby eliminate or dramatically reduce the disruptive behavior.

Through informal conversations with many teachers in the Oakland Unified School District, Restorative Justice coordinators report that teachers are asking for more training to advance their understanding of student behavior and the impacts of familial challenges such as poverty, substance abuse, domestic and family violence, lack of positive role models, and trauma.

Impact on Students

Restorative Justice processes build the capacity of students to become civic-minded and take action when someone is being harmed rather than standing by and allowing the harm to continue. Students learn that they have a role in creating and maintaining their environment. When the whole class understands Restorative Justice, some students gain the confidence to take a leadership role and move to correct classmates when they interfere with their learning. A restorative classroom makes it more possible for students to take charge of their learning and the atmosphere in their classrooms.

Section 4

Initiating Restorative Justice at Schools or Districts

Implementing restorative schools and districts requires taking a hard look at how we behave, how we think about harm, how we hold and share power, and how we can shift existing practices.

And though every school and individual will forge their own unique path, this section presents some suggested steps as well as specific examples toward initiating and sustaining Restorative Justice.

Six Steps Toward Initiating Restorative Justice

1 Identify the need and recognize that better outcomes are possible

2 Assess readiness for school-wide Restorative Justice

3 Build interest

4 Attend an initial training

5 Engage school and district stakeholders

6 Develop an action plan

- School District Administration
- School Board Members
- Principals
- Teachers and Staff
- Students
- Parents and Caregivers
- Community

- Collectively determine goals and desired outcomes
- Determine what practices will be used and how
- Determine changes that need to be made to current policies and practices
- Consider a realistic timeline and identify someone responsible for each activity
- Plan how restorative practices will be used in place of standard discipline processes



1. Identify the Need and Recognize that Better Outcomes are Possible

The first step for many schools is increased awareness by an individual or a core group that current practices are not achieving desired outcomes. Acknowledging and appreciating where the current system is succeeding is also important. It may be challenging to avoid oversimplification of this complex but important subject.

Awareness of a need for Restorative Justice can come from looking at expulsion rates, suspension data, or discipline referrals and determining that they are higher than they should be. Or it can stem from qualitative data—such as consistent dissatisfaction with current practices expressed among colleagues, or observing the adverse impact current discipline practices have had on students, particularly upon students of color.

While the goal of punitive discipline and zero tolerance policies has always been to improve school safety and to facilitate a positive learning environment, these policies have dramatic unintended consequences. They tend to push many youth out of school and toward the juvenile justice system and have been shown to disproportionately impact children of color. Many journal articles and research reports examine and explain the impact of punitive discipline practices that actively exclude students from a learning environment (see Section 5, Resources).

The next step is realizing that things can be done differently. For many who are now practicing Restorative Justice in schools, it was another person who provided the initial training that sparked the realization that better outcomes might be possible through a restorative approach.

2. Assess Readiness for School-Wide Restorative Justice

It is important to assess a school's readiness for school-wide Restorative Justice. Each school has unique strengths and challenges to consider. All school stakeholders may not be ready to embrace restorative concepts and it may be necessary to attain their interest through engagement.

3. Build Interest

Interest develops when school personnel actually participate in restorative practices implemented in a classroom or during staff meetings. Many have found that creating the space to hold conversations focused on understanding is critical to the evolution of restorative practices.

Restorative Justice needs to be identified as a method that supports a positive and orderly school climate, a method by which students learn self-discipline, how their behavior has impacted others, and how to take responsibility. In many cases taking responsibility and taking steps to make things right is more challenging than sitting in detention or being suspended or expelled. These concepts are critical to stakeholder understanding and buy-in.

Leaders from the field believe it is important not to sell Restorative Justice as a magic solution to solve all societal ills. The magic only happens when people engage with it, and that includes the stakeholders being active participants and decision-makers. It works because it builds and strengthens relationships and inspires people to engage, understand, and respect each other. It is also important that there is an understanding of the theoretical aspects of Restorative Justice as well as the key principles. Otherwise, the current paradigm of punitive consequences will prevail.

4. Attend an Initial Training

While reading information about Restorative Justice theory, practice, and outcomes is beneficial, it cannot replicate a well-facilitated training. Good training is interactive. Restorative Justice is about connection and inter-dependence with others. See Training Contacts on the next page for individuals and organizations in the San Francisco Bay Area that offer training throughout the year. Others can be found in Section 5, Resources.

5. Engage Stakeholders

Restorative Justice innovators have stated repeatedly that implementing restorative practices in schools is really about relationships—enhancing the way in which the people who make up the school interact with one another. How staff responds to conflict, wrongdoing, or disruptions

during teaching differs widely in schools. Dialogue among staff about the school's written and unwritten policies and practices, as well as their intended and unintended outcomes, is crucial.

It is strongly recommended that skeptics be included in the planning process, as they offer a perspective that advocates often miss, resulting in a stronger initiative with broader support. Consider listing potential people who should be involved and regularly asking: "Who else needs to be at the table?" Engagement with others in a trusting manner is a concept that is critical in circles. It is also a major factor in engaging stakeholders of a school community.

The Four Relational Elements of Circles (on the next page), comes from *The Little Book of Circle Processes* by Kay Pranis. Just as in the circle process, stakeholders need to get to know each other and work on building understanding and trust before addressing issues or developing plans. Even if colleagues have worked together for decades, the opportunity to get to know one another around specific topics is beneficial. Many facilitators of experiential Restorative Justice training say that they found out more about their fellow teachers during training than they had in all their time working together.

The process by which school communities implement restorative practices determines the outcome. A thorough planning with all stakeholders and a collaborative implementation process sets the stage for successful programs and practices.

School District Administration

Engage school district administrations and encourage their understanding of the basic principles of Restorative Justice.

In Oakland, school district administrators met with national leaders in the Restorative Justice field—Howard Zehr, Kay Pranis, Nancy Riestenberg, Lorraine Stutzman Amstutz and Alan MacRae—to better understand Restorative Justice principles and practices. These meetings were facilitated by the OUSD Restorative Justice Taskforce and Restorative Justice for Oakland Youth (RJOY). The meetings focused on how to implement Restorative Justice and answered questions from administrators who were examining how district policies and practices could move toward being more restorative in a systematic way.

Training Contacts

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510-206-0995

Community Works West

Community Works

1649 San Pablo Avenue

Berkeley, CA 94702

www.community-works-ca.org

510-486-2340

Restorative Justice for Oakland Youth

1203 Preservation Park Way, Suite 200

Oakland, CA 94612

www.rjoyoakland.org

contact@rjoyoakland.org

510-931-7569

SEEDS Community Resolution Center

1968 San Pablo Ave.

Berkeley, CA 94702

www.seedsrc.org

510-548-2377

510-548-4051 Fax

School Board Members

School board members can be powerful advocates of Restorative Justice and have in many cases led the charge. In the examples below, it is important to note that the push came from both bottom up as well as top down.

Oakland School Board Members, Jumoke Hinton Hodge, David Kakishiba, and Alice Spearman, listened to Restorative Justice practitioners and supported implementation of Restorative Justice in Oakland schools. They worked on and unanimously passed a board resolution to adopt Restorative Justice system-wide as a method to improve school climate and address disciplinary infractions.

In San Francisco, three board members, Kim-Shree Maufas, Jane Kim, and Sandra Lee Fewer, were instrumental in passing a resolution that supported comprehensive school climate, Restorative Justice, and alternatives to suspensions and expulsions. The Vice President of the Board of Education, Jane Kim, also reached out to community and youth organizations in San Francisco in the summer of 2009 to get feedback about the resolution and possible alternatives.

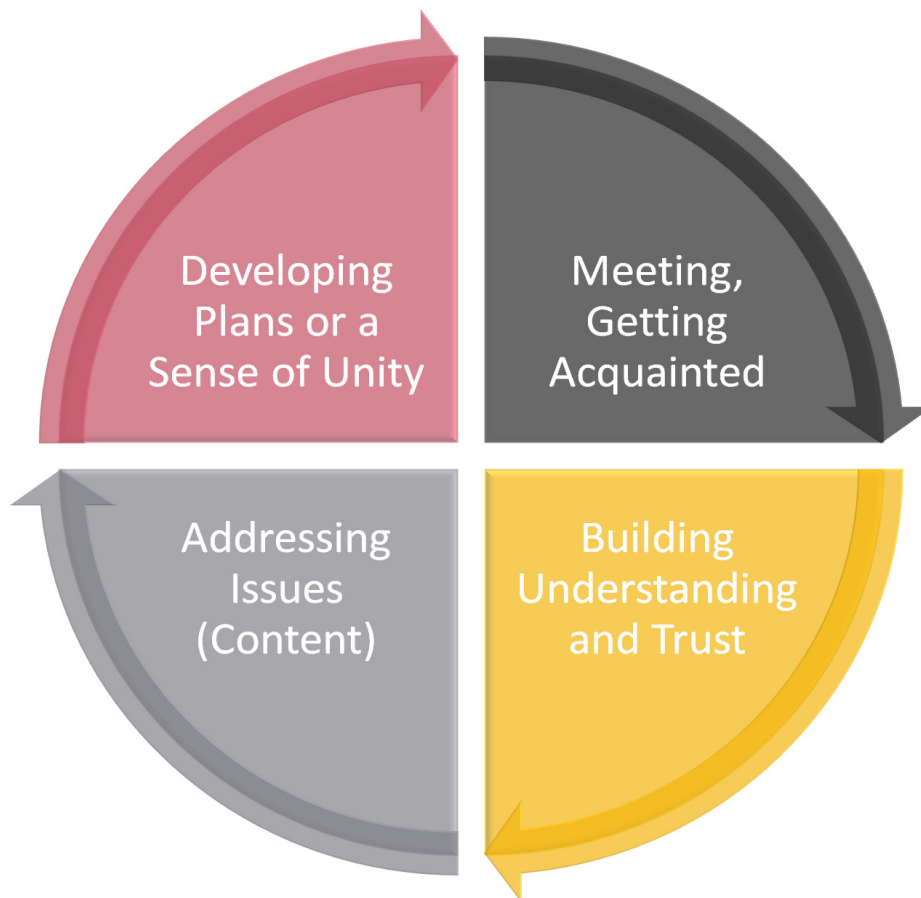
In Pleasanton, California, school board member Jamie Hintzke introduced Restorative Justice philosophy and practices to her colleagues. Recently she organized a meeting for her colleagues to meet Rita, a Restorative Justice Coordinator in Oakland, and students from Excel and East Oakland School of the Arts. They discussed the theory and practices. Currently Pleasanton Unified School District is exploring ways to introduce Restorative Justice into the school climate and disciplinary processes.

Principals

Nancy Riestenberg, Prevention Specialist within Minnesota’s Department of Education, points out that “as the leaders in their buildings,” administrators are uniquely able to guide their schools toward a restorative approach in a variety of ways:

- Support or lead the development of school-wide and classroom practices that develop social skills
- Provide opportunities for training staff in Restorative Justice
- Create different responses to behavior referrals that include restorative measures
- Create re-entry processes based on restorative principles when students return to school after suspension

Some administrators may have the training and inclination to facilitate restorative processes in the school, while others refer cases to a Restorative



The Four Relational Elements of Circles [Based on the Medicine Wheel (Pranis 2005: p. 42)]

Justice planner, a community organization, or even restorative juvenile justice programs.

Principals need to attend to academic and behavioral expectations coming from the district, state, and federal levels. In many cases, they are challenged with limited resources. When ethnic, class, or cultural differences among their staff, students, and/or community are present, it can be challenging to build relationships and trust needed to implement change.

Nancy Riestenberg notes, “many administrators are more willing to add restorative measures to their discipline process than to replace suspensions,” and adds an important reminder: “a suspension or even expulsion does not preclude a restorative process.” The leadership of a principal has led to successful implementation of restorative practice at many schools.

One elementary school principal encouraged staff to use the morning meeting regularly by showing interest in the practice. When morning meetings were being held, he would drop in on them and ask, “May I join you?” He also asked students at the lunch table what they talked about in their classroom circle that morning. If they had not had circle, he would encourage them to be sure and ask for one. The morning session established the emotional tone for the day, and with his continued attention, the teachers’ routines were established.

While a suspension is rarely considered a restorative action, applying restorative principles and ensuring that each participant speaks in turn can make a re-entry meeting an opportunity to restore a connection to school damaged by inappropriate behavior and exclusion.

Assistant Principal Mary Ticiu organizes the re-entry meeting around four elements: she asks the student how he or she is doing physically, academically, emotionally, and socially.

- Are you concerned about safety in returning to the classroom?
- Were you able to complete the homework during the suspension?
- What have you been dealing with in terms of feelings, about the suspension, about the event that precipitated the suspension, about relations with parents or guardians?

- Do you need help re-connecting with teachers or other students?

All of these questions are answered in order, with the student responding first, then each adult in turn. “I pretend I have an invisible talking piece,” she said. “I emphasize the role of the child to answer the questions. Even though parents may have the answers, the child’s view takes priority.” This series of questions helps her work with the student, as the student identifies needs, and it helps begin the process of reconnection.

Teachers and School Staff

One of the most common ways to initially engage teachers and staff is through Restorative Justice training. Some teachers come to multi-day training in spite of not getting paid for the time outside of school hours. This was the case in Oakland where eventually one of four staff meetings per month was devoted to Restorative Justice. Reports of similar levels of interest and commitment came from across the country.

When engaging teachers, it is a good idea to include other staff, such as cafeteria and custodial staff. Although we are often focused on the students, sometimes focusing initially on using restorative practices with adults can be more beneficial and foster greater buy-in.

Bill Sower, a Restorative Justice consultant with 12 years in the field, works with many schools including Hamtramck School District in Detroit, Michigan. Hamtramck public schools are in an urban, low-income district in the city of Detroit, one of the most ethnically diverse cities in the Midwest. Bill’s experience has pointed him toward not just using the practice with students. Hamtramck staff experience a full day of training and circle process. The afternoon involves teachers and staff in a circle. Bill reports that they really have found value in the experience. He says, “When we involve teachers and staff in circles dealing with their own issues, even just as a team building or a conflict resolution measure, it really helps build understanding and credibility...”

Rita, the expulsion process case manager, and Cory, a Restorative Justice consultant, met with adults at the school for a whole year before bringing Restorative Justice to the students. The teachers, other staff, and administrators strengthened their

personal and professional relationships and built community. The meetings also allowed school personnel to express and negotiate conflicts between and among themselves. It was new and uncomfortable at first. However, as staff members embraced the philosophy and practices, they successfully transformed conflicts into deeper relationships and a healthier working environment.

Students

How students become engaged is different for every school. Students often promote restorative processes:

In one school, a teacher was using the circle process as an instructional method. One of her students noticed that another teacher was unable to control her class. He told her about the circle in his other class and said, "Here, use this, it works for us."

Students sometimes begin by taking a leadership role:

Kris Miner worked with a small group of area alternative school students who participated in a 2-day circle training and then met every other week. Discipline concerns at the school were referred to this student group. A separate high school group, Students Offering Support (SOS), was interested in learning more. The alternative school students led small demonstration circles for the 60 SOS students. The response was overwhelming. After the small group circles, everyone wanted to bring more circles to the high school. The following spring 16 SOS students took part in a 2-day circle training. The SOS students have been using circles as part of club meetings and report an improvement in relationships and an improved organization.

Kappy Hall, former Assistant Principal at New Vista High School in Boulder, Colorado, trained a team of students to handle conflicts restoratively. There was nothing selective about the team; anyone who wanted to be on it was allowed. This group handled student conflicts so well that the number of incidents declined and there was less to do at the high school. So several years ago, they broadened their efforts to include issues at a middle school. A team of two to four students would go to the middle school and had cases referred to them by

the administrator. The student team handled the rest. They did the pre-conference, conference, and follow-up. Kappy found that the students had a deep understanding of the principles and ended up helping, even facilitating, in training.

Students eventually developed their own training curriculum, which included less talk and more practice. The students became involved not only in facilitating restorative practices but also in implementing them. Kappy believes that having an initiative with student leadership increases buy-in with decision-makers. Kappy has retired from the school, yet the program is still running largely due to the students. The students recognized that their continued involvement was essential to sustainability. They became central to recruitment of new students and in the planning, developing, and facilitating school training.

Student involvement often focuses around peer mediation:

Frasier Region Community Justice Initiatives (CJI), working closely with the Langley School District in British Columbia, developed a successful peer mediation model that uses Restorative Justice principles as a foundation. Dan Basham, the organization's director, discusses how it started by training two high schools in the district. Now eight out of ten high schools have established restorative action teams. CJI facilitates full staff trainings and trainings for the administration. They invite parents and police to participate in the training to better understand and get a feeling for the skills.

Peer mediation at Langley works this way: schools identify a group of students to be invited to participate voluntarily in a 4-day training. The training, called "Conversation Peace," involves communication skills, a restorative mindset, and an understanding of the difference between punitive and restorative responses. Students role-play different scenarios and develop experience mediating. Staff members, parents, and the police liaison join the training. After the training, a team of 14 to 20 students is established. A school-based coordinator handles referrals, intake, and schedules the mediations. There are several key principles: 1) all processes are voluntary and the focus is on healing; 2) accountability is critical; 3) attention is paid to prevention and to reintegrating students.

There is always an initial meeting with the individual parties before bringing them together, which allows the trained facilitators to assess whether bringing the parties together will be beneficial. An adult can also mediate if the situation is not appropriate for a student mediator.

Parents and Caregivers

Engaging parents and caregivers is an important part of the Restorative Justice effort.

In Oakland, Cole Middle School worked to involve parents and caregivers. Parents were contacted by phone and a notice was also sent out to parents about how the school intended to use Restorative Justice philosophy and practices.

Rita explained that for the more serious cases of student conflict or misbehavior she would invite parents to attend a circle. After an initial preparation meeting or phone call, parents came to the circle to experience the process. The goal was to partner with parents first and then bring the kids in. As elders, some parents took a leadership role and led the circles. This allowed the process to be culturally relevant. “We would talk about concepts and goals and the parents would make them their own.” These processes were very successful.

Nancy Riestenberg, Prevention Specialist at the Minnesota Department of Education, suggests using restorative practices and, specifically, the circle process, to engage and give voice to parents. Individual Education Plan (IEP) meetings conducted in circle help provide a sense of equality to all participants, and can help parents speak up in a meeting often dominated by experts.

The Community

The greater local community is that to which the school belongs. This includes private non-profit agencies, businesses, government agencies and offices, as well as individual community members. Engaging the community can bring resources to the school, the teachers, and the students. It also serves to more broadly establish the initiative rather than have it run by a select few.

Examples of judges and other professionals associated with the juvenile court advocating for restorative processes at schools in their jurisdiction follows:

After participating in a large circle including five boys, ten parents, one grandparent, the principal, assistant principal, and two facilitators, a community member reflected on being proud of the school for using the restorative process. As the circle was forming, the community member shook hands and smiled at her neighbor, the assistant principal. The retired community member was also able to reinforce how nice it was to see so many parents in the circle. Lou, the community member, had participated in multiple circle trainings and numerous circles at the alternative school and local non-profit that facilitates Restorative Justice. Circle participation reaffirms her faith in the schools. Community members read headlines in papers about incidents but rarely experience the efforts that go in to prevent and repair harm.

Engaging the community can be challenging. The example below demonstrates the importance of being sensitive and aware of issues—past or present—that can hinder participation. Using a restorative approach can be healing and beneficial.

In one community in Virginia, decisions made by the school board many years ago had wounded community relations—racial tensions had closed some schools during the era of integration. By winning a seat on the Almanar School Board in Virginia, board members were unaware that they had jumped into a role that had represented destructive, harmful, and isolating policies in the past. Though current board members were not the same people, discussions brought these buried but still aching wounds to the surface. Without the dialogue, true community involvement did not appear to be possible; with it, community members felt heard, a baseline level of trust was built, and the school board was better able to understand that policies they inherited—policies that had been divisive—had prevented the inclusion of key stakeholders. In order to engage the school board and the community, the community had to address the institutional historical harm schools had engaged in through policy decisions of the past.

6. Develop an Action Plan

Creating an action plan further engages stakeholders. Thinking through what needs to happen and documenting the effort unites those involved and increases the likelihood that changes will take place. The action plan should identify desired outcomes and, most importantly, identify tasks and activities that are logically linked to the desired outcomes. Documenting the plan allows stakeholders to track progress and milestones and overcome barriers. Actions include:

- Collectively determine goals and desired outcomes.
- Determine what practices will be used and how.
- Determine changes that need to be made to current policies and practices.
- Consider a realistic timeline and identify someone responsible for each item in the plan.
- Plan how restorative practices will be used in place of standard discipline processes.

It is at this point that a school needs to look at training, anticipated costs, evaluation, and ensuring the effort is sustainable.

Implementing Training

Training is the primary way for people to learn about and become interested in Restorative Justice. It can be used as a way to engage and bring together many school stakeholders. Without common understanding via training, the work can become disjointed and frustrating.

TRAINER QUESTIONS

- Have you trained other school staff in Restorative Justice/circles/conferencing?
- Have you facilitated larger scale change in a team or organization?
- Can you offer follow-up coaching or advanced training options?
- Have you written any original training materials?
- Do you have references?

Some points to consider regarding training are:

- A leadership team is advised to spearhead implementation of training and help support necessary dialogue.
- Whole school training often includes all educators and staff who interact with students.
- Training needs differ among staff; different training might be required for administrators, teachers, and support staff.
- Important training focus issues are: facilitation skills, identifying strengths, engaging families, building relationships, and understanding cultural perspectives.
- Training should be geared toward implementing the use of practices for all three levels of the pyramid: School-Wide Prevention Practices, Managing Difficulties, and Intensive Intervention.
- Opportunities for training should be maximized and conflicts minimized.
- Training should adequately focus on relationship building.

Training on Restorative Justice in schools should introduce participants to key concepts, theories, principles, and practices. Several of those interviewed stressed the importance of having time and space to explore personal experiences to allow participants to gain insight into their responses to conflict. Conflict transformation, trauma healing, communication, diverse cultural understanding, adult learning, youth development, and community building are some content areas to be covered.

Training helps Restorative Justice practitioners learn how to listen deeply and understand the depth of what is being communicated. Understanding and being aware of how systems work and learning about how change comes about will assist the Restorative Justice practitioner in organizing day-to-day movement toward a more restorative community.

Attaining Financial and Staffing Resources

Costs are unique to each school and depend on available and securable resources. Implementation is easier when school districts, county agencies, and states devote financial resources and personnel to implement and maintain restorative practices at school sites.

SAMPLE ACTION PLAN

Year One

- Two staff members attend a 3-day Restorative Justice training.
- Informal conversations with administrators about Restorative Justice begins to take place.
- Informal conversations and support circles for teachers begin.
- Minimal Restorative Justice practices are used with students.

Year Two

- A 2-day training for all staff, administrators and other adults who are part of the school community is offered prior to the new school year.
- Monthly learning community and relationship building meetings are initiated. These meetings are 2-3 hours, use a Restorative Justice process, and take place all year.
- An all-day Restorative Justice training is held in late Fall and in the Spring.
- Informal conversations with students about Restorative Justice begin.
- Some staff begin to use restorative practices to resolve conflicts with students.
- Administrators begin to use restorative practices for disciplinary infractions.
- Restorative Justice practices are used for healing and celebration.
- An elective Restorative Justice class is offered to students.

Year Three

- 2-day training is held prior to the beginning of the school year.
- Monthly learning community and relationship building meetings occur throughout the year.
- An all-day Restorative Justice training is held in the Spring.
- Formal trainings are given for students in Restorative Justice philosophy and practices.
- Students begin to use restorative practices for student conflicts.
- Restorative practices are used regularly for all conflicts and discipline issues.

Overall

- Successes and opportunities are shared with the broader community leading to district-wide interest in Restorative Justice:
- An alliance is developed with the county Juvenile Justice System and conversations around implementing Restorative Justice with the district are taking place
- District managers, especially those focused on the expulsion process, are invited to conversations about Restorative Justice, including meeting leaders in the field.
- Other schools begin requesting trainings for their staff as a whole school experience.
- District leaders are invited to presentations and trainings specific to their needs and questions.
- A professional learning community is formed that provides support and coaching for practitioners

Training and Workshops. Community organizations devoted to expanding Restorative Justice may provide initial consultation and even initial training at no cost to the school. Creating partnerships with community agencies and organizations allows for pooling of assets and reduces the demand on a single entity's resources for both initial training and in-depth training on specific restorative practices. Partnering can lead to greater awareness of both local resources that have the capacity to offer training and those interested in attending. It can also help to reduce costs. Many community-based organizations have unique, strength-based relationships with communities and youth who have been marginalized and are therefore very important to include when adopting restorative practices.

Following are some examples of how costs have been shared in collaboration with Restorative Justice for Oakland Youth (RJOY). RJOY successfully reached out to communities outside of Oakland to expand Restorative Justice training opportunities in the area and to share costs among regional Restorative Justice efforts. Developing positive relationships with these communities and agencies has played a large part.

Sonoma County, north of Oakland, had been using Restorative Justice processes prior to RJOY's existence. Jessalyn Nash, the former Director of Restorative Resources and a leader of the work in Sonoma County, was able to train Oakland residents on Family Group Conferencing at RJOY's annual training event in December 2007.

Residents in Medford, Oregon, a full day's drive north of Oakland, began collaborating with RJOY after Rita attended a presentation by Howard Zehr in Medford. After meeting and talking to people working in the schools, Rita, who was working for RJOY at the time, invited Medford and Cloverdale to collaborate and share costs to bring Kay Pranis, an experienced trainer and practitioner to the region. This collaboration continues as stories and experiences are often shared.

Berkeley, Richmond, Hayward, and San Francisco school personnel now participate in trainings coordinated by RJOY and OUSD. There is growing interest in holding a conference focused on Restorative Justice in schools on the West Coast.

Staffing. Though it is a good idea to add a permanent staff person to oversee Restorative Justice efforts in a school, there are other ways to address staffing. Current positions can be realigned and administrators can permit interested staff to devote a percentage of their time to Restorative Justice efforts. Many people in the Restorative Justice field have found themselves motivated to devote time above and beyond existing responsibilities. Many of those who have done this have been successful in implementing changes that have improved outcomes for youth. A number of schools have developed partnerships with non-profit organizations capable of facilitating restorative processes. Using a community organization can increase the sense of safety, relieve the time burden, and increase confidence in the restorative process.

The Minneapolis School Board set up a vetting process for Community Based Organizations (CBO) interested in providing services to schools in Minneapolis. Since a list of CBOs have been vetted, schools can, with confidence, ask them to come in and facilitate a restorative process. The policy is available to other districts interested in implementing a similar policy. In some cases, the CBO received grant funding; and some CBOs have been paid through professional development or discretionary funds.

Realignment of Existing Resources. Funding and staffing needs can also be achieved through realignment of existing resources to support restorative efforts.

Bill Sower, a Restorative Justice consultant and former regional coordinator for the International Institute for Restorative Practices, works with Hamtramck Public Schools in Michigan. Hamtramck is a heavily urban low-income district in Detroit. The district decided to engage in a full-scale implementation of restorative practices. They hired a full-time district paid coordinator for each of the four schools that are implementing restorative practices using Title I funding (sustainable federal funding). They are providing training for all staff in the district. Bill is guiding the process as their consultant.

Allocating Time

Teachers and administrators are understandably concerned with time. The amount of classroom time spent facilitating Restorative Justice interventions varies widely and is up to the individual teacher and school. The experience of others shows that it has been beneficial for teachers and administrators to take the time to adopt restorative practice as a long-term process. Disruptions and disciplinary issues decrease over time. There are many inspiring stories of teachers who, after making the initial investment, appeared to get the “best” kids in their classes!

One teacher who devotes the first 10 to 15 minutes of each class to check in with students using a circle format reported that she was uncomfortable doing this at first. She did not like using up potential instructional time to check in with students. Prior to doing this, she estimated that she was actually teaching 20 minutes out of her 50-minute classes. She began to implement a check-in circle at the beginning of each class. She saw that the check-in allowed students to prepare to learn, grounded them, and allowed her and other students to be more sensitive to student needs. The circles resulted in students working more efficiently. There were fewer disruptions and the quality of work improved. Initially concerned about the time it would take away from instructional time, she realized that she could not afford to open the class in any other way.

Ensuring the Plan is Working

Providing outcomes data is essential for both continued improvement and as a basis to obtain resources for expanding. Restorative Justice efforts are getting attention and notoriety because the experience, as documented by evaluations, has been positive. Program evaluation is challenging yet necessary to gain on-going buy-in of some stakeholders.

Although a full-blown study on the outcome resulting from Restorative Justice efforts might be daunting, a basic evaluation of outcomes does not need to be. Most school districts already track data such as absences, discipline referrals, detentions, suspensions, and expulsions. With the current push for evidence-based initiatives, the school district or the state may be interested in providing some assistance if the implementation

of Restorative Justice demonstrates improved outcomes.

By examining desired outcomes, the research process may actually improve outcomes. Instead of only examining discipline referrals, incidents of violence, suspensions, expulsions, etc., Restorative Justice evaluations also examine the quality of social interactions, personal growth, the capacity to solve problems, and self-determination. These variables tend to lend themselves to qualitative evaluation, which is the best way to explore and understand complex issues. A good qualitative evaluation captures the stories of growth from individuals and communities. It can reflect the change that quantitative data cannot.

For outcomes not typically tracked by school districts, a number of Restorative Justice organizations have developed questionnaires and other evaluation tools. Many of these exist in the public domain and can be used as is or modified to meet the needs of individual schools. There are links to a number of these on: www.restorativeschools-forum.org under the “Materials” discussion.

These tools can help schools understand perceptions of participants and provide valuable information that serves to better meet the needs of those involved. The tools should be used before and after beginning a Restorative Justice practice to show evidence of changes.

Also, academic institutions may be interested in partnering with a school engaging in restorative innovations. This can result in a mutually beneficial relationship. Tracking even basic outcomes can help to spark a research institution’s interest.

Restorative Justice efforts at Cole Middle School in West Oakland piqued the interest of The Thelton E. Henderson Center for Social Justice at the University of California Berkeley School of Law. The Henderson Center is a training and research center that prepares the next generation of lawyers to represent underserved communities and produces innovative and accessible scholarship on issues of race, sex, and poverty.

Cole Middle School’s student population is largely low-income youth of color. It was an appropriate school site to explore the impact restorative practices in a school might have on reducing racial disparities along the school-to-prison pipeline.

Resources

Implementing Restorative Justice at Schools

Ashley, J. and Burke, K. (2009). *Implementing Restorative Justice: A Guide for Schools*. Chicago, IL: Illinois Criminal Justice Information Authority.

This publication is specifically designed to provide Illinois school personnel with practical strategies to apply Restorative Justice. A variety of juvenile justice practitioners and school personnel provided guidance during the development of this guide to make it applicable for those working in elementary and secondary schools. Many school districts in Illinois already incorporate Restorative Justice philosophy in their discipline codes.

The goals of this guide are to:

- Introduce to school personnel the concepts of Restorative Justice and restorative discipline.
- Offer new tools that can reduce the need for school exclusion and juvenile justice system involvement in school misconduct.
- Offer ways to enhance the school environment to prevent conflict and restore relationships after conflict arises. (excerpt)

Blood, P. & Thorsborne, M. (2005, March) *The Challenge of Culture Change: Embedding Restorative Practice in Schools*. Paper presented at the Sixth International Conference on Conferencing, Circles and other Restorative Practices: "Building a Global Alliance for Restorative Practices and Family Empowerment". Sydney, Australia. Retrieved, July 22, 2009 from: http://www.varj.asn.au/pdf/05au_bloodthorsborne.pdf

This paper seeks to broaden the perspectives of senior and middle management and restorative practitioners around what restorative practice in schools can look like; and to present some practical guidelines which represent a strategic approach to the implementation of restorative practices, so that they "stick" -- that is, become sustainable. It represents a work in progress and the authors encourage readers to engage with them in ongoing dialogue about the issues (we don't know all the answers yet!) and share with us their butterfly (successes) and bullfrog (failures) stories, in meeting the challenges of developing a restorative culture within schools (Zehr, 2003). It should be noted that there is an overwhelming body of literature (Hargreaves, 1997, Fullan, 2000 etc.) dealing with school reform, effective teaching, classroom and behavior management practice and that this paper focuses on the implementation of restorative practice in schools. (excerpt)

Claassen, R. & Claassen, R. (2008) *Discipline that Restores: Strategies to Create Respect, Cooperation, and Responsibility in the Classroom*. South Carolina: Booksurge Publishing.

This is a restorative discipline system for schools, classrooms, and homes that parallels, contributes to, and draws from emerging international conflict resolution education, peace education, and Restorative Justice movements with emphasis on the last. (excerpt)

Holtham, J. (2009). *Taking Restorative Justice to Schools: A Doorway to Discipline*. Colorado Springs, CO: Homestead Press.

The global Restorative Justice movement is here to stay. Around the world, even the most dangerous, high-risk schools are reducing discipline problems by up to sixty percent. Complementing your current school discipline practices with this simple, step-by-step Restorative Justice model will help you reach youth on a core level at a critical time in their young lives, when it's still possible to stop and reverse negative or destructive behavior. (Back cover)

Hopkins, B. (2004). *Just Schools: A Whole-School Approach to Restorative Justice*. London: Jessica Kingsley Publishers.

Belinda Hopkins is at the forefront of the development of Restorative Justice in the UK, and in this practical handbook she presents a whole school approach to repairing harm using a variety of means including peer mediation, healing circles and conference circles. She provides clear, practical guidance for group sessions and examines issues and ideas relating to practical skill development for facilitators (publisher's description).

Minnesota Department of Children, Families and Learning (1996). *Respecting Everyone's Ability to Resolve Problems: Restorative Measures*. Roseville, MN: Minnesota Department of Education

This booklet applies restorative measures to deal with school-based conflicts and problems. A restorative measures approach starts from the perspective that a conflict or problem results in harm. Hence, such measures address three sets of needs: the person harmed, the person who caused the harm, and the school community. Restorative measures give school personnel a tool to use with children and youth to repair harm and to teach problem-solving skills. The booklet covers the following areas: principles of restorative measures in schools; implementing restorative measures in a school; restorative measures and violence prevention; and examples of restorative measures in Minnesota

Morrison, B., Thorsborne, M. & Blood, P. (2005). *Practicing Restorative Justice in School Communities: The Challenge of Culture Change*. *Public Organization Review: A Global Journal*. 5: 335–357.

The practice of Restorative Justice in schools has the capacity to build social and human capital through challenging students in the context of social and emotional learning. While Restorative Justice was originally introduced in schools to address serious incidents of misconduct and harmful behavior, the potential this philosophy offers is much greater. The conviction is that the key challenge for schools is addressing the culture change required to make the shift from traditional discipline, driven by punitive (or rewards based) external motivators, to restorative discipline, driven by relational motivators that seek to empower individuals and their communities. (author's abstract).

Riestenberg, N. (2006). *Applying the Framework: Positive Youth Development and Restorative Practices*. Paper from "The Next Step: Developing Restorative Communities, Part 2," the IIRP's 8th International Conference on Conferencing, Circles and other Restorative Practices, October 18-20, 2006, Bethlehem, Pennsylvania, USA. Retrieved April 12, 2010 from: <http://education.state.mn.us/mdeprod/groups/SafeHealthy/documents/Announcement/034116.pdf>

This article compares the framework of positive youth development and school connectedness with the practices of restorative measures applied to harm and rule violations in schools. Formal school discipline practices of in- and out-of-school suspension have the unintended outcomes of increases in maladaptive behaviors, with withdrawal or avoidance of school staff, stigma among peers and poor academic achievement, among others. Restorative practices provide accountability for harm, as well as the opportunity to guide youth in their development, regardless of their experience as an offender, victim or bystander. Stories illustrate the strengths of this approach. Recommendations for school and youth programs regarding restorative measures will include suggestions for future research and evaluation. (Abstract)

Stutsman Amstutz, L. & Mullet, J. H. (2005). *The Little Book of Restorative Discipline for Schools: Teaching Responsibility; Creating Communities*. Intercourse, PA: Good Books.

In this book, the authors present a restorative approach applied to the school context. Whereas punishment does little to promote responsibility, restorative discipline addresses the aim of teaching children to develop personal self-discipline. The movement in schools has roots in the peaceable schools concept, as well as movements in conflict resolution education (CRE), character education (CE), and emotional literacy (Daniel Goleman). The authors provide a number of illustrative stories. Practical applied models are also described, including whole-school training, class meetings, various types of circles, and conferencing, plus sections covering truancy mediation and bullying. (restorativejustice.org)

Thorsborne, M. & Vinegrad, D. (2002). *Restorative Practice in Schools: Rethinking Behaviour Management*. Buderim, Queensland: Margaret Thorsborne and Associates

A 'just' school is a place where victims and wrongdoers and their respective communities of care are active participants in processes that ensure equal justice and fairness. Victims are empowered to have their needs met and to have their experience validated. Wrongdoers are able to tell their stories and be given the chance to make amends. And finally, the community of care may seek ways to ensure that the incident does not happen again. This book takes you through the restorative practice process with chapters on: deciding whether to conference or not, conference preparation, convening the conference, managing the emotional dynamics, what if? Appendices and case studies. (restorativejustice.org)

Thorsborne, M. & Vinegrad, D. (2004). *Restorative Practice in Classrooms: Rethinking Behaviour Management*. Buderim, Queensland: Margaret Thorsborne and Associates

Based on the philosophy outlined in *restorative practice in schools: Rethinking behaviour management*, this book shows how the approach may be applied to classroom practice. Chapters include: working proactively, classroom conferences, individual, small and medium group conferences, facilitating conferences, what if? Appendices include: classroom script, the No Blame conference script, classroom conference report, classroom conference evaluation, letters to parents, case studies and recommended reading.

Thorsborne, M. & Vinegrad, D. (2009). *Restorative Justice Pocketbook*. Alresford, UK: Management Pocketbooks.

Schools that have adopted the ancient principles of restorative justice in their approach to disciplinary matters are reporting better relationships with young people, greater engagement in learning, and a greater development of social and emotional competence among learners. Not surprisingly, interest in restorative practices is growing. The highly visual “Restorative Justice Pocketbook” provides an introduction to restorative practice (RP) in schools. Using cartoons, diagrams and visual prompts to support the text, it begins with some background to the approach and outlines a process that offers high levels of support to both victims and culprits. (Excerpt publisher’s description)

University of Cambridge (July 2, 2009). *Restorative Justice Not “Cure-All” for Schools*. Retrieved on August 9, 2010 from: <http://www.admin.cam.ac.uk/news/dp/2009070201>.

This short article provides an overview of a talk Dr. Cremin gave at daylong conference at the University of Cambridge Faculty of Education where she is a Senior Lecturer. The conference was titled: *Working with Bullying in Schools: Exploring the Interventions*. The article highlights Cremin’s cautionary perspective on viewing Restorative Justice as a cure-all for schools and her view that we need to create a culture and environment within schools so that Restorative Justice can be effective.

Wachtel, T., Costello, B. and Wachtel, J. (2009). *The Restorative Practices Handbook for Teachers, Disciplinarians and Administrators*. Bethelhem, PA: International Institute of Restorative Practices

This handbook is a practical guide for educators interested in implementing restorative practices, an approach that proactively builds positive school communities while dramatically reducing discipline referrals, suspensions and expulsions. The handbook discusses the spectrum of restorative techniques, offers implementation guidelines, explains how and why the processes work, and relates real-world stories of restorative practices in action. (publisher’s description)

Yoder, C. (2005). *The Little Book of Trauma Healing: When Violence Strikes and Community is Threatened*. Intercourse, PA: Good Books.

This is not a book of answers but of information, ideas, theories, and questions emerging from our experiences. The questions of how to work toward human security in these turbulent times without adding to the violence and trauma of our world is a huge topic without definitive answers. Sometimes it seems naïve to address the question of security in the face of enormous problems. But change begins with me, with you, with us, as together we explore, observe, listen imagine, pray, experiment and learn. (excerpt)

What is Restorative Justice?

VanNess, D. & Johnstone, G. (Eds.). (2007). *Handbook of Restorative Justice*. Portland, OR: Willan Publishing.

The rise of Restorative Justice has been accompanied by the development of a large, diverse and increasingly sophisticated body of research and scholarship. This has now reached the stage where a comprehensive, authoritative and accessible survey of the field is both possible and necessary. The *Handbook of Restorative Justice* meets this need by:

- Exploring the key concepts and principles of Restorative Justice
- Examining why it has become the influential social movement it is today
- Describing the variety of restorative practices and how they developed in different places and contexts, and critically examining their rationale and effects
- Identifying key tensions and issues within the Restorative Justice movement
- Analyzing its relationship to more conventional concepts of criminal justice and reviewing ways in which it is being integrated into mainstream responses to crime and wrongdoing.
- Summarizing the results of evaluations of Restorative Justice schemes and their effectiveness (back cover)

Zehr, H. (2002). *The Little Book of Restorative Justice*. Intercourse, PA: Good Books.

Zehr provides an overview of Restorative Justice, restorative principles, and restorative practices. The presentation is clear, concise, and accessible, making it appropriate for academic classes, workshops, and trainings.

Zehr, H. & Toews, B. (eds.) (2004) *Critical Issue in Restorative Justice*. Monsey, NY: Criminal Justice Press.

In a mere quarter-century, Restorative Justice has grown from a few scattered experimental projects into a worldwide social movement and field of study. Moving beyond its origins within criminal justice, Restorative Justice is now being applied in schools, in homes, and in the workplace. The 31 chapters in this book identify the main threats to the integrity and effectiveness of this emerging international movement.

Websites

<http://www.emu.edu/cjp/> Center for Justice and Peacebuilding at Eastern Mennonite University.

The Center for Justice & Peacebuilding (CJP) is comprised of the Graduate Program in Conflict Transformation, and the Practice and Training Institute which houses the Summer Peace building Institute, Seminars for Trauma Awareness and Resilience (STAR), and other intensive training, program, and partnership opportunities.

www.restorativejustice.org Prison Fellowship International, Centre for Justice and Reconciliation.

This website provides information and resources, research, and articles on Restorative Justice initiatives worldwide, including school-based practices.

<http://www.doc.state.mn.us/rj/Default.htm> The Minnesota Department of Corrections

This website provides information on practices and policy, and includes the training curriculum, Facilitating Restorative Group Conferencing.

<http://www.cehd.umn.edu/ssw/rjp/> Center for Restorative Justice and Peacemaking

The Center is an international resources center for Restorative Justice Dialogue, research, and training. It is part of the School of Social Work at the University of Minnesota in collaboration with the Restorative Justice Initiative, Marquette University Law School, Milwaukee, WI. International Restorative Justice programs are highlighted as well as peace building initiatives.

<http://www.sfu.ca/crj/> Center for Restorative Justice at Simon Fraser University, Vancouver, British Columbia.

The Center for Restorative Justice is an initiative by the Simon Fraser University School of Criminology.

<http://www.iirp.org/> The International Institute of Restorative Practices

IIRP is a graduate school and resource center for restorative work in school and community.

http://education.state.mn.us/MDE/Learning_Support/Safe_and_Healthy_Learners/Safe_Learners/Violence_Prevention_Restorative_Measures/index.html Minnesota Department of Education

The Safe and Healthy Learners Unit provides information and technical assistance regarding implementation of restorative measures in school settings.

Restorative Practices Resources

Circles

Pranis, K. (2005) *The Little Book of Circle Processes: A New/Old Approach to Peacemaking*. Intercourse, PA: Good Books.

Pranis provides an overview of Circle Processes, the values and teachings that form their foundation, and key elements of the process. Interspersed with stories to illustrate the application, Pranis walks the reader through the process in a concise style that makes the book appropriate for academic classes, workshops, and trainings.

Pranis, K., Stuart, B., & Wedge, M. (2003). *Peacemaking Circles: From Crime to Community*. St. Paul, MN: Living Justice Press.

A time-tested paradigm for healing relationships and keeping them healthy, *Peacemaking Circles* explores how communities can respond to crimes in ways that address the needs and interests of all those affected—victims, offenders, their families and friends, and the community. Based on indigenous teachings, combined with current research in conflict resolution, the Circle process described here builds an intentionally safe space where we can bring our best selves to some of our most difficult conversations. Though the book relates the process to criminal justice, the explanation of Circle philosophy and practice can be readily applied to hurts and conflicts in other areas of life. Above all, the book offers a grounded vision for how we can be together “in a good way,” especially when it seems hardest to do. (publisher’s description)

Boyes-Watson, C. (2008) *Peacemaking Circles and Urban Youth: Bringing Justice Home*. St. Paul, MN: Living Justice Press

This book explores how the Circle process is being used by a remarkably innovative youth center outside Boston. Nearly twenty years in operation, Roca, Inc., works with immigrant, gang, and street youth. Using Circles extensively not only with

youth but also with the families and community as well as throughout the organization is integral to Roca's effectiveness. Peacemaking Circles and Urban Youth tells a compelling and inspiring story for any organization or person who works with young people, particularly troubled youth who desperately need community-based support to change the trajectory of their lives. (publisher's description)

Restorative Conferencing

MacRae, A. & Zehr, H. (2004). *The Little Book of Family Group Conferences: New Zealand Style*. Intercourse, PA: Good Books.

Family Group Conferences (FGCs) are the primary forum in New Zealand for dealing with juvenile crime as well as child welfare issues. This third volume in The Little Books of Justice and Peacebuilding Series is about the juvenile justice system that is built around these conferences. Since their introduction in New Zealand, FGCs have been adopted and adapted in many places throughout the world. They have been applied in many arenas including child welfare, school discipline, and criminal justice, both juvenile and adult. In fact, FGCs have emerged as one of the most promising models of Restorative Justice. This book describes the basics and rationale for this approach to juvenile justice, as well as how an FGC is conducted. (publisher's description)

O'Connell, T., Wachtel, B. & Wachtel, T. (1999). *Conferencing Handbook: The New Real Justice Training Manual*. Pipersville, PA: The Piper's Press.

This handbook is a clearly conceived procedural guide to coordinating and facilitating conferences, covering the process of selecting cases, inviting participants, making preparations and running the conference itself. It is useful to anyone who wants to learn to facilitate conferences in school, criminal justice and other settings. (publisher's description)

Peer Juries

Alternatives, Inc. (2009) *A Handbook for Peer Juries in Chicago Public Schools: 2008-2009*. Chicago, IL: The Board of Education of the City of Chicago.

The purpose of this handbook is to share best practices that support the Chicago Public Schools Peer Jury program. While this handbook may offer general principles to other Peer Juries, it provides guidelines specific to school-based Peer Jury utilizing the Restorative Justice philosophy.

Goodwin, T. (2001) *The Role of Restorative Justice in Teen Courts: A Preliminary Look*. Lexington, KY: American Probation and Parole Association, National Youth Court Center.

The American Probation and Parole Association convened a focus group in March 2000 to examine and discuss the role of Restorative Justice in teen court programs, also commonly called youth courts and peer courts. There has been considerable debate and discussion over the past several years as to whether and how teen courts can incorporate Restorative Justice principles into their practices.

Olson, B. & Judah V. (2007) *Chicago Public Schools High School Peer Jury Program Evaluation Report*. Chicago, IL: Chicago Public Schools, Office of Specialized Services.

Peer Mediation

Cohen, R. (1999) *The School Mediator's Field Guide*. Watertown, MA: School Mediation Associates

An essential resource for every teacher, administrator, counselor, and student who mediates in schools. Learn how to mediate the range of challenging school-based conflicts.

Frasier Region Community Justice Initiatives. (n.d.). *Conversation Peace*. Langley, B.C.: Frasier Region Community Justice Initiatives Association.

Conversation Peace is a curriculum carefully designed to train secondary students and staff in Restorative Action principles and conflict resolution skills for implementing effective and meaningful responses to harm. A restorative response addresses the underlying causes of conflict while bringing about accountability, healing and closure in situations such as name calling, threats, exclusion, interpersonal conflicts, property violation, physical assault and vandalism. The trainer kit consists of a comprehensive, step-by-step manual and two videos. Also available are workbooks essential to the curriculum that facilitate the skill-building process. Conversation Peace was developed by the combined efforts of CJI and the Langley School District #35 through the Educating for Peacebuilding program.

Benefits and Outcomes

International Institute for Restorative Practices (2009) *Improving School Climate: Findings From Schools Implementing Restorative Practices*. Retrieved July 22, 2009 from: <http://www.iirp.org/pdf/IIRP-Improving-School-Climate.pdf> (PDF)

The International Institute for Restorative Practices has compiled a 36-page booklet of findings from schools in the United States, England, and Canada that are implementing restorative practices. The booklet includes brief portraits of each school or district, focusing on how school climate has changed due to restorative practices, as well as data on reductions in school violence, discipline problems, suspensions, and expulsions/exclusions. (from the International Institute for Restorative Practices e-Forum)

Karp, D, and Breslin, B. (2001). *Restorative Justice in School Communities*. *Youth and Society*. 33 (2): 249-272.

This article explores the recent implementation of these practices in school communities in Minnesota, Colorado, and Pennsylvania, examining how school communities can make use of this approach to address drug and alcohol problems and how this approach may offer an alternative to zero-tolerance policies. (excerpt)

Minnesota Department of Children, Families and Learning (2001). *In-School Behavior Intervention Grants Final Report 1999-2001*. Roseville, MN: Minnesota Department of Children, Families and Learning.

In 1998, the Minnesota Legislature appropriated \$300,000 to the Department of Children, Families & Learning (CFL) for the implementation and evaluation of alternative approaches to suspensions and expulsions. Each of the four districts [selected] implemented a range of restorative practices and developed an evaluation plan aimed at measuring the impact in five areas: suspensions, expulsions, attendance, academics, and school climate. This final report includes a summary of restorative activities practiced in each district; program implementation challenges; and recommendations for further evaluation efforts. (excerpts)

Identify the Need and Recognize Better Outcomes are Possible

Advancement Project (May 2003). *Derailed: The Schoolhouse to Jailhouse Track*. Retrieved July 29, 2009 from: <http://www.advancementproject.org/Derailepcor.pdf>

This is a first-of-its-kind report that looks at how zero-tolerance policies are derailing students from an academic track in schools to a future in the juvenile justice system.

Advancement Project (March 2005). *Education on Lockdown: The Schoolhouse to Jailhouse Track*. Retrieved July 29, 2009 from: <http://www.advancementproject.org/reports/FINALEOLrep.pdf>

This is Advancement Project's second examination of the emergence of zero tolerance school discipline policies and how these policies have pushed students away from an academic track to a future in the juvenile justice system.

American Academy of Pediatrics Committee on School Health. (2003). *Policy Statement: Out-of-School Suspension and Expulsion*. *Pediatrics*. Vol. 112: 5.

Suspension and expulsion from school are used to punish students, alert parents, and protect other students and school staff. Suspension and expulsion may exacerbate academic deterioration, and when students are provided with no immediate educational alternative, student alienation, delinquency, crime, and substance abuse may ensue.

American Psychological Association Zero Tolerance Task Force. (Dec 2008). Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations. *American Psychologist*. Vol. 63(9), 852-862.

To assess the extent to which current practice benefits students and schools, the American Psychological Association convened a task force to evaluate the evidence and to make appropriate recommendations regarding zero tolerance policies and practices. An extensive review of the literature found that, despite a 20-year history of implementation, there are surprisingly few data that could directly test the assumptions of a zero tolerance approach to school discipline, and the data that are available tend to contradict those assumptions.

Costenbader, V. & Markson, S. (1998). *School Suspension: A Study with Secondary School Students*. *Journal of School Psychology*. Vol. 36: 1, p59-82.

A survey on school suspension was conducted with 620 middle and high school students. Two school districts, located in an inner city and a rural town, were represented. Students who had been suspended were more likely to be involved with the legal system. The efficacy of school suspension is questioned.

Flemming, P. & Rose, J. (2007). *Overrepresentation of African American Students in Exclusionary Discipline The Role of School Policy*. Urban Education. Vol. 42: No. 6 p. 536.

The overrepresentation of ethnic minority students, particularly African American males, in the exclusionary discipline consequences of suspension and expulsion has been consistently documented during the past three decades. Sadly, a direct link between these exclusionary discipline consequences and entrance to prison has been documented and termed the school-to-prison pipeline for these most vulnerable students.

Karp, S. (June 2009). *Black Male Conundrum*. Catalyst Chicago. Retrieved July 29, 2009 from: <http://www.catalyst-chicago.org/news/index.php?item=2593&cat=23>

Nearly one in four black male students in Chicago Public Schools was suspended at least once last year, a rate that is twice as high as the district average. This finding is also part of an upward trend that has resulted in a near doubling of the number of suspended students over the past five years, according to a Catalyst Chicago analysis.

Ofer, U., Jones, A., Miller, J., Phenix, D., Bahl, T., Mokhtar, C., and Madar, C. (July, 2009). *Safety with Dignity: Alternatives to the Over-Policing of Schools*. New York: New York Civil Liberties Union (NYCLU), The Annenberg Institute for School Reform at Brown University, Make the Road New York. Retrieved July 22, 2009 from: http://www.nyclu.org/files/Safety_with_Dignity.pdf

This report explores the approaches to security and discipline favored by six successful schools, which serve “at-risk” student populations, similar to schools with some of the harshest discipline policies. It concludes with practical recommendations to help replicate these success stories in schools throughout the city.

Websites

<http://www.childrensdefense.org/programs-campaigns/cradle-to-prison-pipeline/>

<http://www.dignityinschools.org>

<http://www.aclu.org/racial-justice/school-prison-pipeline-talking-points>

<http://www.stopschoolstojails.org/>

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