

Brianne Dunn

Dean Kaufman

Education Law and Policy

May 17, 2015

Restorative Practices

An Educator's Guide to Getting Started

There is arguably no group more overworked and underpaid than those in K-12 education. Between the demands of high stakes testing, evolving new standards and curricula demands, rising classroom sizes, fluctuating budgetary constraints, and ever-changing teacher evaluation criteria, administrators and teachers are faced with more demands and requirements than perhaps ever before. As a result, when a new educational program or pedagogy is introduced, it is not unexpected to see reluctance, frustration, and pure exhaustion from administrators and teachers. Despite the educational chaos educators face today, restorative disciplinary practices can provide hope for *each* of these demanding challenges. Restorative practices, when implemented effectively and consistently, have the *absolute* power to positively and directly impact student learning, school culture, school and community relationships, and high stakes testing. In this paper, I will show how administrators and teachers can effectively transform school culture through the implementation of restorative practices into the school day and classroom curriculum. This paper is a starting point for administrators and teachers to (1) make the decision to implement restorative practices and (2) identify ways to build restorative practices into the structure of the school day and the classroom. If such practices are done *effectively* and *consistently*, the positive change and contagious culture will spread beyond

the walls of the school. Through the transformation of disciplinary pedagogy, restorative practices can be the vehicle in which educators guide our students to become the critical thinkers, problem solvers, and empathetic global citizens of the twenty-first century.

The Problem in a Snapshot

Through the research of psychologists, educators, and reformers, it has become clear the impact of school discipline extends beyond students, and into school culture, assessment data, school relationships, and overall learning.¹ Indeed, discipline is not a factor; it is *the* factor. But how did discipline become so pervasive?

In response to violent crimes and drug use in schools, schools across the country began instituting, “zero-tolerance policies.” Such policies mandated predetermined consequences including suspension and expulsion. Over time, these policies were expanded to cover a *wide degree* of violations including drug use, weapons, violence, smoking and school disruption.² These generalized categories of disciplinary infractions receiving zero tolerance punishment directly resulted in more students missing school due to the predetermined suspension and expulsion consequences. As such, despite the goal to deter school violence and promote school learning, these harsh punishments had nearly the opposite affect. A report issued by the American Psychological Association (APA) found that zero tolerance policies in use throughout U.S. school districts have not been effective in reducing violence or promoting learning in school.³ In fact, the APA task force found that zero tolerance policies actually, “*increased* disciplinary problems and dropout rates in middle and secondary schools, *exacerbated* the problem of overrepresentation of minority and emotionally disabled students in school discipline systems, and *generated*

inappropriate consequences for younger children.”⁴ The APA also found school suspension predicted future rates of misbehavior and suspension among those who were suspended.⁵

In addition, zero tolerance policies have negatively impacted the same demands principles and teachers are trying to improve on a daily basis, most specifically including school culture (climate) and school wide academic achievement. The APA found schools with higher rates of suspension and expulsion had less satisfactory school climate ratings.⁶ In addition, the report saw a “negative relationship between the use of school suspension and expulsion and school wide achievement.”⁷

In sum, the very issues administrators and teachers are working relentlessly to address on a daily basis are being compounded by the current zero tolerance policies apart of schools. These zero tolerance policies deny students an imperative critical thinking process that affects our schools and communities as a whole. There is undoubtedly a serious need for change in the way we discipline our students. Yet, in understanding how children succeed, it is not simply a change in discipline that is necessary, but a change in thinking and approach from both educators and students.

The Solution: Restorative Principles

To fully understand *why* restorative principles are the solution, it is essential to recognize what makes children succeed. Although there is ample debate and theory over what exactly makes children succeed, researchers have negated the traditional notion that a student’s cognitive ability is the single most important reliable determinant of how that student’s life will turn out.⁸ Students’ psychological traits including “an inclination to persist at a boring or often unrewarding task, the ability to delay gratification, and the tendency to follow though on a plan,” are vital determinants on a student’s success both in

school and in life.⁹ Often referred to as “noncognitive skills” or “emotional habits,” persistence, optimism, grit, focus, and curiosity appear to be more influential than intelligence in predicting which individuals will make it through college and transition into a healthy, satisfied adult life.¹⁰ Most notably, researches have found these noncognitive skills or emotional habits are not inborn habits fixed by our genetic code, but traits that can be developed and can grow stronger with repeated use.¹¹ Indeed, research confirms that emotional skills such as empathy, self-discipline, and patience can be learned within the classroom and school community.¹² As such, the focus of educators and schools should be on building and strengthening the curiosity, self-control, and social fluidity of children. This is basis behind restorative practices and restorative discipline.

How does it work?

The quality of learning and growth that takes place in a school depends on healthy relationships between adults and children as well as among adults and children.¹³ Restorative practices support individual learning and growth, and at the same time contribute to the healthy and positive school community.

The restorative justice movement, which encompasses restorative practices and restorative discipline, was founded by people who were experimenting with meetings between victims and offenders to negotiate restitution agreements. Through this experimentation, they learned that *the encounter* was more important than the actual restitution- that both victims and offenders valued the opportunity to talk to each other and resolve their conflict. Restorative discipline, involves transforming relationships by engaging students—doing things *with* them rather than *to* them or *for* them—providing both high control and high support at the same time.¹⁴ When wrongdoing occurs, schools

can use a series of restorative practices (such as circles, peer juries, restorative conferences, journaling, etc.) to engage students and genuinely hold them accountable.¹⁵ Restorative practices seek to foster a sense of responsibility and empathy by directly involving the wrongdoers in repairing the harm they have caused and in recognizing and restoring the relationships they have damaged.

The essential goal of restorative practices is for students to understand their behavior while being held accountable for their behavior through a collaborative response. There are several core principles behind restorative practices that should underlie the implementation of restorative practices within schools. They include (1) using a whole child approach (focusing on the social emotional learning), (2) the importance of relationships in development and learning, (3) using a whole school approach (school connectedness), (4) positive discipline, (5) having a trauma sensitive learning environment, and (6) mindfulness practice.¹⁶ Although there are various modalities and structures that use restorative practices (to be explored in depth below), all share the common premise that people are more productive, cooperative, and likely to make a positive change when those in authority do things *with* them rather than for them or to them.¹⁷

How to get started

Restorative discipline, and more broadly, restorative practices, can be implemented proactively, to engage students and build relationships before discipline issues arise. In this sense, it is a mechanism for discipline as well as every day learning. Both administrators and educators can implement restorative practices without having to throw out curriculum or school structures and without having to abandon other initiatives mandated by their

districts. The key element to the implementation of restorative practices is to remember restorative practices are not simply a new tool for an educator’s toolbox but rather a *fundamental change in the nature of relationships in schools*. Indeed, the founder of the International Institute for Restorative Practices (IIRP) has stated, “it is the relationships, not specific strategies, that bring about meaningful change.”¹⁸

Administrators

It is important to remember that restorative practices were founded and developed by way of trial and error- “out of necessity and not ideology.”¹⁹ The implementation into a school structure and school day will also likely develop through trial and error as well. Yet, through such trial and error, administrators can find a restorative practices approach that works for their school community.

Implementation Step/Strategy	How it can be implemented
All Staff Buy In	<p>Arguably the most important and perhaps most challenging, having the school staff on board in using restorative practices is essential. The more staff members who are committed to using restorative practices on a daily basis, the larger (and likely faster) benefits will be yielded.</p> <p style="text-align: center;">Data</p> <p>One way to encourage staff to “get on board” is to show the results (data) of schools that have used restorative practices.</p> <p><u>Palisades High School (south eastern PA):</u></p> <ul style="list-style-type: none"> ▪ The number of referrals to the office decreased from 1752 to 1154 over a four-year period.²⁰ (This is significant because student self-reporting and peer to peer reporting tends to increase as students move towards taking responsibility for their own actions and relationships. Hence, the number of isolated incidents for classroom misconduct are often lower than the numbers suggest) ▪ The number of administrative detentions decreased from 716 to 282 over a four-year period.²¹ ▪ The number of detentions assigned by teachers decreased from 128 to 50 over a four-year period.²²

	<p><u>Palisades High School (south eastern PA):</u></p> <ul style="list-style-type: none"> ▪ The number of yearly disciplinary referrals to the student office decreased from 913 to 516 in a one-year period.²³ <p><u>Springfield Township High School (south eastern PA):</u></p> <ul style="list-style-type: none"> ▪ The number of reported incidents of inappropriate behavior decreased from 99 to 32 over a one-year period.²⁴ ▪ The number of incidents of disrespect to teachers decreased from 71 to 21 over a one-year period.²⁵ ▪ The number of reported incidents of classroom disruption decreased from 90 to 26 over a one-year period.²⁶ <p style="text-align: center;">In Practice</p> <p>Have a restorative justice group (or consultant) provide training with the staff at the beginning of the year. Restorative Justice consultants use a variety of team building activities and questions (the same used in restorative practices with students) that give the same learning experiences students receive. This tends to yield high percentages of staff members buying into the practices along with strengthened relationships among staff members.</p>
<p>Setting the School Culture: “Sweating the Small Stuff”</p>	<p>The idea behind “sweat the small stuff” is to set the tone for the school culture by acknowledge any and all negative peer interactions (or staff-peer interactions). The most important place to set this tone is typically in the halls and in other places where such behavior is generally able to go unnoticed.</p> <p>Rationale: This gives students (both the victims and the offenders) a feeling of being recognized, respected, and valued and sends a message to the students of safety and respect.</p> <p>Discipline: Such incidents are prime examples for restorative “circles” or small conferences, allowing each party involved to share how they felt and how they were impacted. This is especially of prime importance at the beginning of the year when setting the tone for the school culture is essential. This may also be a prime activity in which the students involved can come up with an adequate consequence (restitution).</p> <p>Additionally, a teacher spotting an issue can turn it into a classroom discussion or writing reflection (cautiously using the incident as a teachable moment and not one to shame or embarrass those involved).</p>

	<p>How: The teachers and staff should be “on board” and present in the halls at all times during passing periods. The more present and actively focused teachers can be, the more students will feel the safety and respect their presence generates.</p> <p>Note: This is a large upfront investment that, if done well in the first few weeks, yields large results for the year:</p> <ul style="list-style-type: none"> ▪ By alleviating issues and conflicts that arise in the halls and tend to escalate into classrooms, teachers and students are positively impacted. ▪ Students tend to feel safer and gain a sense of the school culture. ▪ By being present and active in the halls, teachers become familiar with the school community beyond the students they teach, generating and promoting the feeling of safety and community for both students and teachers.
<p>Universal availability for restorative conferencing</p>	<p>Have a staff member actively available in each period of the day for restorative conferencing or circles. In this way, at all times, there is someone available to assist with the relationship building aspect of an incident.</p> <p>Note: If staff is reluctant, offer one less class period to teach for the few teachers taking on the additional responsibilities (or additional days off/additional pay) to those who take on the additional responsibilities.</p>
<p>Reflection forms</p>	<p>Although having universal conferencing available, there will likely be times where more than one incident has occurred.</p> <p>Use other methods of restorative practices such as a reflection form while students are waiting.</p> <p>Such reflection forms should <i>encourage</i> students to critically think beyond their actions (i.e. address how the other person felt, how others in the community may have been affected, how the action contributed to the school community overall, and a suggestion for a better action/reaction in the future)</p>
<p>Reflection from offenders/victim’s perspective</p>	<p>Depending on the circumstances, the students could write about the incident from the perspective of the other, identifying what the other may have been thinking or feeling at the time the incident occurred.</p> <p>Note: The incidents for which this is used should be chosen carefully as this does not fit for all incidents.</p>

<p>“Homeroom”</p>	<p>A homeroom (space in which students meet with the same teacher or advisor in the morning, afternoon, or both) can be a place for teachers and students to build relationships beyond the academic relationship. This provides benefits to all parties:</p> <ul style="list-style-type: none"> ▪ Students generally feel they have an additional place to share personal needs or concerns ▪ Students generally feel known and recognized through the additional way in which their advisor/homeroom teacher knows them ▪ Teachers have a better understanding of the day to day concerns and fears of students ▪ Teachers are more connected to parents and the community through their students and students’ parents ▪ Parents feel they have a direct connection and means of communication to the school ▪ Teachers feel they have additional support through direct communication to homeroom teachers/advisors to address student concerns <p>Note: One way to create a morning, mid-day, or afternoon homeroom is to shave off several minutes from each period of the day (lunch as well). Depending on the number of periods in the day, this can generate a good chunk of time for homeroom.</p>
<p>“Book End Check Ins”</p>	<p>Have check-ins with homeroom teachers or classroom teachers at the beginning and end of the week.</p> <ul style="list-style-type: none"> ▪ Teachers are able to know and support students on a more personal level when they have consistent connections. ▪ Teachers are able to help solve challenges before they escalate further ▪ Weekends tend to be places where students face more personal conflict- having book ends can help them identify such conflicts and work through them in a healthy manner
<p>Request for “Opt Out”</p>	<p>Encourage students to own their feelings and behaviors by providing an “opt out” solution. Under this, students who are feeling agitated, hurt, or extreme frustration can opt out of class for a moment (perhaps to journal or take a walk) before returning to the activity.</p> <p>Note: This can be an activity that allows for opt out to a different spot within the classroom or school</p> <p>Note: This activity, while extremely effective when used properly, will have to be <i>executed consistently and clearly so</i></p>

	that both teachers and students know when it is appropriate to use.
Student Leaders	<p>Promoting students to leadership positions can be empowering, especially if these students can be used to help other students use restorative practices (i.e. peer juries, peer led circles, etc.).</p> <p>Note: It is important to be fair and reflective in who is sought to be a leader. Perhaps the students have a part of the promotion process or selection and the promotion criteria are based on restorative practices (i.e. someone who has made tremendous growth through restorative practices, etc.)</p>

Teachers

In addition to being an effective learning tool used within the school structure, restorative practices are a dynamic way to implement learning within the classroom. Using restorative practices to master the learning standards can increase the level of mastery in the students. Equally as critical, it will help reinforce the principles apart of growing (and strengthening) emotional habits (noncognitive skills). In doing so, the implicit teaching of character and grit is now being accomplished through the use of restorative practices in the classroom.

Restorative practices can be reiterated through a variety of modalities including classroom circles, journaling, large classroom discussions, blogging assignments, group projects, research projects and so forth.

Implementation Strategy	How it can be implemented
Circles (in general)	<ul style="list-style-type: none"> ▪ Teachers should note the general requirements for a circle include having a “talking stick, ” and ensuring that all students can fit inside the circle. ▪ Although there is no set number restriction, the smaller the circle, generally, the more profound and direct impact it can have. Larger circles allow some students to opt out who otherwise might have contributed in a small

	<p>group</p> <ul style="list-style-type: none"> ▪ It is generally not suggested to require those in the circle to speak
Circles as use of blended learning	<p>Circles can be added as an activity used for blended learning. As such, a classroom can be divided into various group activities, each promoting learning through a different means. One means can include “circle” where student discuss the subject, conflict, or relationship and use the restorative principles apart of circle to generate discussion.</p>
Check in circles	<p>Teachers can use circles at the beginning of class to “check in” and get a sense of the students’ feelings and concerns for the day.</p> <ul style="list-style-type: none"> ▪ The check in can be general ▪ The check in can be about the homework load or the amount of time students are spending on their work in general ▪ Check ins can be personal and allow for students to share about other academic or cultural concerns <p>Note: It is important for the teacher to facilitate in a way that promotes every voice to be heard.</p>
Journaling (As mode of communication)	<p>Teachers can use journaling as a way to connect with students as a one on one mode of communication between the teacher and the students.</p>
Journaling (As mode of understanding others)	<p>Teachers can assign journaling prompts regarding relationship development or conflict prevention—the journals can be used as a way in which a different student will write in the journal each time and can read the previous entry from another student (thus providing a place to see from someone else’s perspective and feelings).</p> <p>Note: If a teacher uses a method in which journals are shared between students, the teacher should make this expectation known to students in advance</p>
Journaling (Writing from another’s point of view)	<p>Teachers can assign writing assignments from the perspective of someone else (a historical figure, character from class assignment, person in society, controversial figure, etc.)</p> <p>Having students identify with someone else and think about how they are impacted encourages them to build empathy and think critically from the perspective of another.</p>
Promoting restorative practices within assignments	<p>Teachers can assign students to engage in restorative practices with fictitious characters from novels, historical figures, current figures in society, and so on.</p> <p>Example) Students write, discuss, or perform, a circle in which they play the roles of various other people.</p>

	<ul style="list-style-type: none"> ▪ In an English class, the students can write, discuss, or perform a circle in which Holden Caulfield talks to his parents about his feeling of loneliness. ▪ For current events, students can have a circle in which community members, school officials, parents, students, and activists all discuss a Chicago school closing and its impact on all parties. Students can then try and generate solutions based on the discussion or what they've written.
--	--

Conclusion

The zero tolerance policies used in schools across the United States are not solving the issue of violence nor promoting academic growth. Such policies are passive and require little thinking or understanding behind the actions taken and those impacted. When connections between actions and results are left undone, we deny our students a space for learning that is critical to both their development and their functioning. Restorative practices, both through discipline and through proactive use, generate the use of noncognitive skills that are directly related to how students succeed. They empower students by requiring them to think critically about their actions and to think critically about ways in which they can bring about restitution. Such thinking and effort is critical to our students. Moreover, when restorative practices are used effectively, students are more likely to take ownership of their actions and, consequently, their learning. As such, when students feel empowered and engaged, more learning takes place, and academic growth follows. If we can create the fundamental change in the way we look at relationships in our schools through restorative practices, our schools and communities will be transformed.

¹ Ted Wachtel and Laura Mirsky, *Safer Saner Schools, Restorative Practices in Education* (Bethlehem, PA: International Institute for Restorative Practices, 2008), 161-163.

² “Zero Tolerance and Alternative Strategies: A Fact Sheet for Educators and Policy Makers,” May 17, 2015. National Association of School Psychologists [http://www.nasponline.org/resources/factsheets/zt fs.aspx](http://www.nasponline.org/resources/factsheets/zt_fs.aspx)).

³ Wachtel and Mirsky, *Safer*, 161.

⁴ Wachtel and Mirsky, *Safer*, 161.

⁵ Wachtel and Mirsky, *Safer*, 162.

⁶ Wachtel and Mirsky, *Safer*, 162-163.

⁷ Wachtel and Mirsky, *Safer*, 162-163.

⁸ Paul Tough, *How Children Succeed: Grit, Curiosity, and the Hidden power of Character*, (Boston, New York: Mariner Books, 2012). Introduction, XIX.

⁹ Tough, *How Children Succeed*, Introduction, XX.

¹⁰ Carolyn-Boyes-Watson and Kay Pranis, *Circle Forward: Building a Restorative School Community*, (2015) [Kindle, DX version], retrieved from Amazon.com (509).

¹¹ Carolyn-Boyes-Watson and Kay Pranis, *Circle Forward: Building a Restorative School Community*, (2015) [Kindle, DX version], retrieved from Amazon.com (517).

¹² Carolyn-Boyes-Watson and Kay Pranis, *Circle Forward: Building a Restorative School Community*, (2015) [Kindle, DX version], retrieved from Amazon.com (517).

¹³ Carolyn-Boyes-Watson and Kay Pranis, *Circle Forward: Building a Restorative School Community*, (2015) [Kindle, DX version], retrieved from Amazon.com (492).

¹⁴ Wachtel and Mirsky, *Safer*, 33.

¹⁵ Wachtel and Mirsky, *Safer*, xii.

¹⁶ Carolyn-Boyes-Watson and Kay Pranis, *Circle Forward: Building a Restorative School Community*, (2015) [Kindle, DX version], retrieved from Amazon.com (512).

¹⁷ Wachtel and Mirsky, *Safer*, 2.

¹⁸ Wachtel and Mirsky, *Safer*, 33.

¹⁹ Wachtel and Mirsky, *Safer*, 33.

²⁰ Wachtel and Mirsky, *Safer*, 35.

²¹ Wachtel and Mirsky, *Safer*, 35.

²² Wachtel and Mirsky, *Safer*, 35.

²³ Wachtel and Mirsky, *Safer*, 44.

²⁴ Wachtel and Mirsky, *Safer*, 50.

²⁵ Wachtel and Mirsky, *Safer*, 50.

²⁶ Wachtel and Mirsky, *Safer*, 51.