Restorative Justice Practices & Processes: Reducing Discipline Issues & Improving Climate

"What exactly is restored in restorative a restorative justice framework?" Some might say that it is the relationship between parties that is restored through the process. By uncovering, expressing, acknowledging, and repairing the harm that was done prior to a restorative conference, and by establishing a more civil basis for interaction for the future, the relationship between the involved parties can get off to a fresh start. The relationship between the wounding party and the community at large is also restored, by virtue of the wounding party's show of responsibility in wanting to "make things right, and start over."

Goals of Restorative Justice (RJ) in Schools:

- Create a restorative and inclusive school climate rather than a punitive one

- Decrease suspensions, expulsions, and disciplinary referrals by holding youth accountable for their actions through repairing harm and making amends

- Include persons who have harmed, been harmed, and their surrounding community in restorative responses to school misconduct

- Reengage youth at risk of academic failure and juvenile justice system entry through dialogue-driven, restorative responses to school misbehavior

Providing a full restorative procedure is outside the scope of this document. But there are numerous day to day strategies educators and others can use to preset a climate to support restorative processes.

In the traditional style of interaction between people of unequal authority, the person in authority often issues directives or orders without explanation, or without expressing concern about the how the directives would impact the affected parties. Imagine the response of traditional authority to the question, "Why do we have to do that?" The answer might well be a version of: "Because I

Benefits of Restorative Processes

- Students learn conflict resolution skills
- Focus is on inclusion, not exclusion and isolation
- Negative incidents decrease
- School climate improves
- Empowerment increases
- Personal responsibility increases
- Deals with underlying problems/issues
- Acknowledges harm to community
- Establishes norms, values, culture, & accountability

said so, that's why. You don't have to like it; you just have to do it and I don't want to hear anything else about it."

Adults can make intrapersonal and cultural shifts that will contribute to a more positive climate for addressing issues and improving behaviors while increasing connectedness to school and each other.

In restorative conversations, directives in non-emergencies often contain the reason for the request. The reasons always relate to ethics, the needs of other people, or the impact of the student's behavior on others. The reasons convey goodwill and the desire for good outcomes for all parties.

Developing a Restorative Mindset

Shift from…	Shift to…
Consequences	Learning
Blame	Responsibility / Accountability
Resentfulness	Reflection
Judgement	Empathy
Violation of Rules	Violation of Relationships
Autocratic Decisions	Collaborative Decisions
Offers Compliance through guilt	Offers Learning & Problem Solving

Restorative conferences and circles are much more successful when the same values that form the basis of RJ conferences are communicated through the daily interactions among and between all stakeholders: adults to adults, adults to students, and students to students including:

1) Good relationships are important to all of us;

2) All of us have a responsibility to treat others well, and fix the problems that might erupt by virtue of our human moods, impulses, and unthinking choices;

3) People of all ages are worthy of respect and considerate treatment, even when they commit errors;

4) People's feelings, thoughts, and needs are valued here; and

5) The needs of individuals are always balanced by their responsibilities to other individuals, as well as to the group as a whole.

Supporting a Restorative Climate through Daily Communication

The technique of adding a restorative clause to a directive starts with citing the benefits/costs to the person you are directing, or the benefits/costs to the general group.

"Stop! You are hurting her."

"Cut it out. She doesn't like that."

"Let's line up quietly. I want you to get to the cafeteria in plenty of time to eat."

"If you make yourself pay attention, you will learn something that can shave a half hour off your homework."

"Hey, you guys might just be kidding around, but that sounded like a put-down and we don't do that to each other in here. Why don't you figure out another way of entertaining each other."

Take the opportunity, whenever it is appropriate, to discuss how people are affected, for good or ill, by the decisions made by others.

"When people engage in off-task talking, it distracts all the people around them. It is more considerate to wait until a break to take care of personal business…and we will be having a break in about 20 minutes."

"When someone cuts the water fountain line, it tells me that that person has forgotten to think about how their behavior affects others….we are all thirsty, and no one should assume they are more thirsty than the other people in line."

When adults make a request it should relate to ethics, the needs of other people, or the impact of the student's behavior on others.

"Before you get a cookie, look around at how many other people are in the room….make sure there is enough for everybody."

"Shoplifting hurts all of us because stores have to raise their prices to compensate for items that are stolen…plus, if one teenager shoplifts, it hurts all other teenagers, because store clerks start thinking that every teenager is a potential thief."

"Your comments really moved that discussion along. A lot of other people got interested…thanks for taking the lead."

You could also ask students questions that require them to shift perspectives, or to imagine how other people or characters felt as a result of the actions of others.

"How do you think Romeo and Juliet felt about the restrictions their families put on them?"

"How do you think the civilians in _____ (Syria, Afghanistan, etc.) are affected by the war being waged by the armies around them?"

"Now that you have told us your opinion, could you speak for a minute about how folks on the other side of that issue might respond to your suggestions?"

When possible, link dissonant needs in a sentence that acknowledges the validity of both viewpoints or positions.

"How can you make weekend plans with your friend AND get the information you need to pass the test on Friday?"

"How can you enjoy winning without making the other person feel bad about losing?"

"Since you are both good artists, how will you decide who gets to do what on the mural?"

"How can you make the assignment exciting enough to keep you from being bored,

while still memorizing enough to pass the test?"

"How can you contribute to your cooperative learning group, even when you are tired and don't feel like it?" (Please note….some of these dilemmas will remain unresolved, but they expand thinking and perspective-taking.)

Formal Restorative Circles and Process Questions

In restorative conferences and circles, the party committing the harm acknowledges three important things to the wounded party: 1) "I recognize that you were harmed as a result of my actions;" 2) "The relationship I have with you and my community matters to me, and I am willing to do something to repair it;" and 3) "I want any future interaction we have to be more civil and positive."

Key Questions in Punitive Focused Systems

1. What law was broken?
2. Whose fault is it? (Who did it and who do we blame?)
3. What do they deserve? (What should the punishment be? How should we punish them?)

Key Questions in Formal Restorative Justice Circles and Conferences

1. Who has been hurt and what harm was done?
2. What are their needs?
3. Whose obligation is this? (What repair is needed and who is responsible?)

Restorative Prompts for the Person Who Caused the Harm:
a. Tell me what happened.
b. What were you thinking at the time?
c. Is there anything else you want to tell me?
d. Who do you think has been affected by what you did?
e. How were they affected?
f. What do you think you can do to make things right?

Restorative Prompts for the Person Harmed:
a. Tell me what happened.
b. What did you think when you realized what had happened?
c. What impact has this incident had on you?
d. Was anyone else affected? In what ways?
e. What has been the hardest thing for you?
f. What do you think needs to happen to make things right?

Keys to Success
✓ Focus on relationships first and rules second
✓ Identify someone who can lead the effort
✓ Provide training to staff and restorative circle facilitators
✓ Develop a restorative mindset with all the key players

- ✓ Give voice to the person(s) harmed and the person(s) who caused the harm
- ✓ Look for collaborative problem-solving
- ✓ Build personal responsibility to empower change and growth through a safe process
- ✓ Create action steps for restoration/reparation

Next Steps: Questions for Reflection
- How do you foster personal responsibility, ownership and repair in personal interactions?
- How are consequences different than punishments?
- What kinds of supports do you use at school to help support students who are struggling with social, emotional and behavioral learning?
- How might your school use a restorative approach? In the office? In the classrooms? In the halls?
- Who needs to learn this approach and where do we start?
- What skills are explicitly taught/reinforced to foster repair, relationship rebuilding and personal well-being?

Recommended Resources:

"The Little Book of Restorative Discipline for Schools: Teaching Responsibility; creating caring climates." By Larraine Stutzman Amstutz & Judy H. Mullet, from www.goodbooks.com.

"Restorative Circles in Schools: Building Community & Enhancing Learning." By Bob Costello.