

*Restorative Justice in School Communities:  
Successes, Obstacles, and Areas for Improvement*  
Heather T. Jones

Restorative Justice  
M. Peterson Armour, Ph.D.  
The University of Texas School of Social Work  
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## **Abstract**

The implementation of restorative justice in American schools is tightly linked to an era in which many educational institutions are desperately seeking disciplinary reform in response to school violence and the detrimental effects of zero-tolerance policies. This paper looks critically at various models of school-based restorative justice programs intended to reduce the number of suspensions, expulsions, and referrals to the juvenile justice system. It examines three central challenges posed to these programs by the unique character of the scholastic environment and evaluates ways in which restorative practitioners have effectively or ineffectively responded to these challenges. The paper concludes by arguing that these obstacles must become focal points if restorative justice is to achieve widespread and lasting success in schools.

### **Introduction: “My School Is Like a Prison”**

As illustrated by the above quote from a student in East Los Angeles, the cultures of public schools in the United States have come to increasingly resemble those of detention facilities. “We have more school police officers on our campus than we have security officers,” describes one student from South L.A., “and it seems like every time you get in trouble, that’s the first person they call.” These police officers, along with school administrators, “tend to check people randomly, they’re suspicious...” describes another student from the same district (Brothers, Sons, Selves Coalition, 2013). This cultural shift, which has prompted some academics to label schools as “adjuncts of the criminal justice system” (Caplan, 2010), is attributable in large part to the implementation of zero-tolerance disciplinary policies.

Initially supported by a “tough on crime” ideology in response to rising levels of school violence in the early 1990s (Karp & Breslin, 2001, Denmark et al., 2005), zero-tolerance policies have established disciplinary frameworks in which teachers and administrators are mandated to respond to a wide range of student behaviors with suspension, expulsion, or referral to the police or juvenile justice system (Sumner et al., 2010; Stinchcomb et al., 2006; Losen & Martinez, 2013). As a result, the types of student behaviors punishable by suspension have multiplied, encompassing dress code violations, playground fights, profanity, classroom disruption, and possession of prescription medications (Sumner et al., 2010; Stinchcomb et al., 2006). In California, for example, the category of misbehavior termed “willful defiance,” which includes common, nonviolent acts of disobedience such as talking back to a teacher or refusing to take off a hat (Los Angeles Times Editorial Board, 2013), accounted for 53 percent of suspensions in California during the 2011-2012 school year (Freeberg, 2013).

This retributive, predetermined disciplinary model has resulted in a tremendous increase in the number of students suspended or expelled during each school year, with one study of 26,000 U.S. middle and high schools finding that between 2009-2010, 1 out of every 9 students was suspended (Losen & Martinez, 2013). This trend has serious consequences: disciplined students miss class time and fall behind on homework, while schools lose state aid through decreased attendance and suffer other ill-effects such as higher drop-out rates, lower GPAs, poor morale, and increased disrespect toward staff (Sumner et al., 2010; Stinchcomb et al., 2006). Compounding this harm, there is scant evidence to justify these consequences for students and schools: a 2008 literature review by the American Psychological Association Zero Tolerance Task Force found insufficient

data to conclude that zero tolerance policies have either improved school safety or deterred student misbehavior during the 20-plus years they have been implemented.

Disturbingly, what data clearly demonstrates is that zero-tolerance policies disproportionately target African American students, without evidence that these youth are misbehaving in a more serious manner than their peers (APA-ZTTF, 2008; Sumner et al., 2010; Losen & Martinez, 2013; Hewitt et al., 2013). In Texas, which led the U.S. in school suspensions during the 2008-2009 school year (Newell et al., 2013), a review of campus ticketing practices in the Bryan Independent School District found that African American students received tickets at a rate more than four times that of students of any other race (Hewitt et al., 2013). Similarly, in the Chicago Public School System during the 2008-2009 school year, African American male secondary students accounted for 48 percent of district-wide suspensions and 57 percent of expulsions, despite representing only 23 percent of the district's students. This trend continued into the 2009-2010 school year, with African American males five times more likely to be suspended than their white classmates (High HOPES, 2012). The ramifications of these demonstrated biases are severe and enduring—students who experience a disciplinary removal are three times more likely to become involved with the juvenile justice system (Hirschfield, 2009), and students who appear in court are four times more likely to drop out of school (Hewitt et al., 2013). Youth who drop out or make contact with the justice system are then significantly more likely to be incarcerated as an adult, thus making African American students the primary victims of what researchers have labeled the school-to-prison pipeline (Sumner et al., 2010; Losen & Martinez, 2013; Stinchcomb et al., 2006; Leigh-Brown, 2013). The negative effects of zero-tolerance policies on male African American students contributes to the prediction that, if current incarceration trends persist, 1 out of every 3 African American males will be imprisoned during his lifetime (The Sentencing Project, 2013).

Public protest and media exposure of these ill-effects, combined with a lack of evidence definitively linking zero-tolerance policies to improved school safety (Sumner et al., 2010; Stinchcomb et al., 2006; Leigh-Brown, 2013), have led many educators to seek alternative solutions to school discipline. In the search for an evidence-based framework that both disciplines *and* educates, various schools have developed programs based on the tenets of restorative justice.

### **Restorative Justice & Restorative Discipline: A Community-Focused Alternative**

Restorative justice is a process and a movement that views crime as harm committed against individuals or interpersonal relationships rather than as the violation of laws or rules. Restorative practitioners believe that harm in any form creates needs, obligations, and opportunities—needs on the part of the victim for restitution, information, and empowerment; needs and obligations on the part of the wrongdoer for accountability, personal growth, and support; and opportunities for learning and empathy (Umbreit & Armour, 2011; Zehr, 2002). In order to address these needs and obligations, restorative justice brings together all the stakeholders affected by a crime in order to engage in dialogue, heal, and “put things as right as possible” through the creation of a plan for restitution (Zehr, 2002, p. 37). Primarily implemented within the criminal justice system, the restorative process only occurs if both victim and offender voluntarily agree to

participate. While victim-focused, the process involves the sharing of both victim and offender's personal stories in detail, thus humanizing the justice process through emphasizing context and fulfilling both parties' needs for truth telling (Umbreit & Armour, 2011; Zehr, 2002).

In the school context, restorative justice serves as an approach to discipline that treats student misbehavior, or school violence, as harm committed against the interpersonal relationships within the school community. Contrary to zero-tolerance policies, which remove students who have caused harm from the educational community, restorative discipline seeks to involve these students in constructive dialogue with others affected by their behavior so that they may repair relationships and learn from their mistakes. This voluntary process is more educative than sitting through In-School Suspension (ISS) for two-days, as students must instead sit face-to-face with those they have harmed, listen to their feelings of hurt and need, and work cooperatively to figure out a plan for restitution. Reports from researchers, educators, students, and restorative practitioners suggest that this process helps young people develop understandings of accountability, empathy, and respect, while also building communication skills through the restorative process of dialogue and collaborative problem-solving (Amstutz & Mullet, 2005; Sumner et al., 2010; High HOPES, 2012). The act of restitution, too, can become a pedagogical tool, making the entire disciplinary process instructive rather than punitive.

### **Restorative Discipline Is an Evidence-Based Practice**

The usage of restorative justice in American schools extends back to the 1970s (Karp & Breslin, 2001), yet it was not until 1995 that the federal government, along with the state of Minnesota, attempted to implement restorative justice programs on a larger scale with a five-year plan aimed at reducing school violence in Minnesota's public schools (Karp & Breslin, 2001). Since then, restorative discipline initiatives have quickly evolved in various American cities, recently gaining legislative support in California with the passage of several bills aimed at decreasing state-wide suspension and expulsion rates (Watanabe, 2012). This legislative support enabled the Los Angeles Unified School District (LAUSD)—the second largest school district in the U.S.—to pass a School Discipline Policy & School Climate Bill of Rights requiring all LAUSD schools to implement restorative justice programs by 2020 (Garcia, 2013).

The rapid growth of restorative discipline programs is due in large part to the substantial amount of research supporting their effectiveness. Evaluations of existent restorative discipline programs show significant positive effects, namely improved relationships on campus, increased student accountability for misbehavior, and dramatic reductions in rates of suspension, expulsion, and criminal referrals (McCluskey et al., 2008a; Sumner et al., 2013; Baker, 2009; Baker, 2008; Karp & Breslin, 2001; Armour, 2013). For instance, after implementing restorative justice in 1999, St. Paul Junior High School in Minnesota worked its way toward a 50 percent decrease in its suspension rate after three years of implementation (Losen & Martinez, 2013). In 2009, the Denver Public Schools Restorative Justice Project reported a cumulative reduction in district-wide out-of-school suspensions of 40 percent after three years of program implementation. In Oakland, California, where restorative discipline has now spread to 21 schools, the Ralph J. Bunche High School witnessed a 30 percent decline in its rate of suspension during the 2011-2012 school year (Leigh-Brown, 2013). And in 2013,

educators at Ed White Middle School in San Antonio, Texas, reported an 84 percent decrease in the use of off-campus suspensions during the first year of implementation, an extreme decrease attributable not to a change in the number of student offenses, but to a concerted effort on the part of teachers and administrators to address student behavior differently (Armour, 2013). Many studies on restorative discipline include qualitative reports from teachers, who often express astonishment at the contagious nature of restorative practices. As one teacher at Cole Middle School in Oakland expressed, “I’ve seen many students initiate, participate in, and buy in to the effectiveness of restorative justice circles when those students do not typically just buy into anything” (Sumner et al., 2010, p. 16).

In the school setting, restorative dialogue between stakeholders can take a variety of different forms. For more serious crimes, such as physical or sexual assault, most programs rely upon restorative group conferences. These conferences occur between a small group of 2–5 individuals and typically bring together the perpetrator, the victim, a restorative justice coordinator, and other major stakeholders, such as a student’s parents (IIRP, 2011; Karp & Breslin, 2001; Losen & Martinez, 2013). Some schools also use victim panels to help offending students understand the consequences of their actions through listening to the stories of those who have suffered from similar crimes (Karp & Breslin, 2001). Still others institute peer juries, in which student volunteers help determine the consequences for campus violence. As Losen & Martinez (2013) explain, these juries sometimes resemble the punitive discipline process, but they can also be structured around restorative principles by shifting the focus to the relationships impacted by the misbehavior as opposed to the school rule that was violated.

### *A Powerful Shape for Education: Circles in Schools*

By far, the most commonly used restorative practice in the school setting is the circle, which practitioners employ to address a wide range of student misbehaviors and crimes, as well as other topics pertinent to youth development (Losen & Martinez, 2013; Sumner et al., 2010; Leigh-Brown, 2013). The use of circles to resolve conflict is a longstanding tradition in restorative justice, originating in the customs of Native Americans and Canadian First Nations communities (Umbreit & Armour, 2011). In contemporary restorative justice practices, circles can be used for varying purposes, from peacemaking circles that use group consensus to create restitution plans to talking circles, in which participants discuss a general issue relevant to the group such as police brutality (Umbreit & Armour, 2011; Boyes-Watson, 2008; Sumner et al., 2010). Regardless of their function, circles create a safe space in which all present are encouraged to participate voluntarily. The nonhierarchical shape of the circle emphasizes that all members have an equal voice and are interconnected, bolstering the restorative principles of inclusivity and mutual respect. Circles are typically led by a circle keeper, or leader, who helps guide the restorative process. A talking piece, often an item of symbolic importance (but in school settings, sometimes a highlighter), is passed around to indicate whose turn it is to speak, a ritual that is intended to empower the speaker, prevent adversarial dialogue, and encourage active listening (Umbreit & Armour, 2011; Boyes-Watson, 2008).

Various studies have found that circle processes have a powerful effect on youth as both a form of discipline and as an opportunity for growth (Sumner et al., 2010; Boyes-Watson, 2008; Karp & Breslin, 2001). At Roca, a nonprofit that has been serving

at-risk youth in the Greater Boston area since 1988, Boyes-Watson (2008) finds that youth are attracted to the circle experience because it provides a rare space where they feel listened to and cared for, leading to feelings of belonging and self-confidence. As one Roca staff member describes, “For kids from the street, not too many people stop and ask, ‘How you doing?’ Circles help to do that. For once in their lifetime, they sit in a circle and there’s a check in: ‘How you doing?’ ‘How you feeling?’ Young people got so much to say, but they’ve been neglected for so many years” (Boyes-Watson, 2008, p. 108). In this manner, circle processes give youth a voice while also helping them to develop empathy as they learn the personal contexts behind their peers’ actions (Sumner et al., 2010; McCluskey, 2008b).

From a disciplinary perspective, the structure of peacemaking circles holds students directly accountable for their actions. Rather than being sent home or to the dean’s office, students are asked to sit face-to-face with those affected by their behavior, engaging in an experience that is more time-intensive, personal, and emotionally challenging than punitive discipline (Sumner et al., 2010; Losen & Martinez, 2013; LCJP, 2011a). With the victim, stakeholders, and sometimes the entire class present, the perpetrating student is made aware of the consequences of his or her actions in a process that often uses reintegrative shaming to pressure students—in a pro-social manner—to change their patterns of behavior (McCluskey, 2008a). Reintegrative shaming differs markedly from shaming that stigmatizes; rather than excluding and labeling the perpetrator for the harm committed, reintegrative shaming emphasizes the reacceptance of the perpetrator through the process of consensus building on how to repair the harm (McCluskey, 2008a).

Currently, different school-based restorative justice programs use the general concept of circles for varying, sometimes idiosyncratic functions, evidenced by the wide spectrum of circle names that can be found in the literature on restorative discipline. For example, at Cole Middle School in Oakland, students and staff used Restorative Circles to resolve conflict, and teachers led daily Community-Building Circles on various topics to prepare students for the school day (Sumner et al., 2010). Also in Oakland, the Ralph J. Bunche High School uses Restorative Welcome and Reentry Circles to help youth transition back into the school community after a prolonged suspension or period of incarceration (Friedman, 2013). At the P.E.A.S.E. Academy in Minnesota, a school for youth recovering from substance abuse and addiction, Recovery Circles give students who have relapsed an opportunity to discuss their challenges with other students and explain why they may be leaving the school, a process that helps eliminate gossip and encourages students to support one another (Amstutz & Mullet, 2005). And, in one primary school in Scotland, the principal uses Ethos Circles as a vehicle to meet with staff to discuss the ongoing development of a restorative culture at their school (McCluskey, 2008b).

The cumulative effect of these principles and practices is an approach to discipline that is collaborative, educational, and inclusive, keeping students in the school community. Importantly, restorative discipline programs have also demonstrated that they can be preventative. In schools where restorative programs have been successful at establishing a deeper restorative culture within the student body, youth have begun to bring arguments to teachers and restorative discipline counselors *before* they escalate to violence (LCJP, 2011; Sumner et al., 2010). Indeed, at Ed White Middle School, students helped to create a process called “Circle It” in which they could submit circle request forms to administrators whenever they were having a peer conflict, indicating on the form

the people who needed to be involved in the circle and how urgently they needed an intervention (Armour, 2013). At both Ed White and Cole Middle School, circles have become so popular that students routinely use them independently to resolve minor conflicts in their friend groups, and even bring circle practices home to family members (Sumner et al., 2010; Armour, 2013).

### **Obstacles to Success**

While many schools thus far have experienced positive outcomes using restorative discipline, establishing a consistent, enduring restorative program within the school context is no easy feat. Almost every school that has implemented restorative discipline has also faced significant challenges that, at times, have redirected their approaches, with some programs even coming to a complete halt (Stinchcomb et al., 2006; Armour, 2013; CMW, 2011). As educators and school districts move forward with designing new restorative initiatives, it is critical that they engage in a detailed analysis of the obstacles faced by other programs in order to build upon hard-earned knowledge and avoid repeating mistakes. This portion of the paper will examine three of the most pressing obstacles facing restorative discipline programs today. For each obstacle, the paper will identify restorative practices that have been used effectively to address the given challenge, as well as practices that have been unsuccessful but provide insight on much needed change.

#### **Obstacle One: Youth and Their Attraction to Violence**

One challenge facing restorative discipline practitioners is the developmental characteristics of youth, especially those in middle and early high school. The social, biological, and psychological characteristics of adolescents can be advantageous in restorative justice, but only if practices are sensitive to the needs of this age group.

Various studies have found that pubertal development has dramatic emotional and physiological effects on youth, often leading to higher risks of anxiety and depression as teens adapt to the changes they are experiencing (Wigfield et al., 2005). Cognitively, inconsistent neurological development in abstract thinking and decision-making in adolescents can lead to higher levels of risk-taking behaviors (Wigfield et al., 2005; Everall, 2005; Arnett, 1992). Combined with heightened levels of aggression that peak during the middle school years (O'Donnell et al., 2006; Wigfield et al., 2005), this impulsive behavior can easily manifest itself in thrill-seeking and "acting out," a fact that helps to explain the excessive percentage of suspensions for "willful defiance" in California during the 2011-2012 school year (Freeberg, 2013) and similar trends in other schools (Bouhours, 2006).

While many restorative practitioners who work with adolescents are aware of their tendency toward insecurity, hostility, and recklessness, a multidimensional understanding of how youth perceive violence is less common. In a unique study of urban middle schoolers' opinions of campus violence, Kerbs & Jolley (2007) found that 70 percent of students associated enjoyment or fun with certain forms of school-based violence. The insight gleaned from qualitative interviews with these youth are illuminating: in regard to the experience of watching a fight, some students reported feeling "excited," "energized," and "hyped," while other students described senses of belonging and togetherness (Kerbs & Jolley, 2007, p. 20). As one student described

watching a campus fight, "...The other students were laughing and the other people were laughing and you laugh too so you can have fun together like that" (Kerbs & Jolley, 2007, p. 20). In addition to characterizing fights as an enjoyable group experience, these students also defined the "crowd" as an important witness to the fight, ultimately serving to give validity to the winner. In the aftermath of fights, students found some of the greatest fun in the opportunity to discuss the conflict with peers, which they associated with entertainment and popularity: "It's just something to talk about in class because there's never anything else to talk about, so if someone fights, it's a great discussion for everyone," a student explained (Kerbs & Jolley, 2007, p. 21). Another student discussed fights as an escape from the quotidian: "I don't like the ordinary. . . just seeing a fight is kind of fun because you get . . . to see something that really doesn't happen in our school because we have such a safe school. It's kind of boring" (p. 21). Lastly, students reported feeling satisfaction in witnessing someone whom they viewed as a bully or wrongdoer get "deserved" retribution in a fight (Kerbs & Jolley, 2007).

Kerbs & Jolley (2007) suggest that these findings pose a challenge to anti-violence interventions, as students may be resistant to preventing violence if they view certain forms of it as enjoyable. However, studies show that, when implemented effectively, restorative justice circles can create the same sense of enjoyment as schoolyard drama, transforming youth desires for the discussion of violence, a sense of belonging during social conflict, and fair punishment into pro-social interactions that are fulfilled in a nonviolent manner. For example, in an interview with a Mapleton Early College student in Denver, Colorado, a student reported feeling "happy and hyped up" about the restorative process (LCJP, 2011b), and at Cole Middle School, a student described the circle experience as "being part of something" out of the ordinary: "[In West Oakland], when people come together, it's usually because a family member dies. People don't normally come together and talk about their problems" (Sumner et al., 2010, p. 15). While fulfilling similar needs, restorative dialogue is very different from the gossip-oriented discussions that occur on campus. Circle discussion is simultaneously open and structured, with the circle keeper setting a tone that is respectful and safe, allowing students to look deeper into more complex feelings of harm and guilt surrounding incidents of violence. Through consensus decision making, the perpetrator of the wrongdoing, rather than receiving "deserved" punishment, helps determine how he or she can repair harm to the victim(s) before the witnessing eyes of the group, fulfilling adolescent desires for engagement through a process that may feel just as emotionally charged as a playground brawl, but with words instead of fists.

### *Ineffective Practices*

While circles have great potential to offer youth an alternative forum for their developmental needs, poor practices, such as the overuse of circles, "pandering" to youth, and directly or indirectly pressuring youth to participate can easily shift youth perceptions of restorative justice from something that is special and engaging to something that is not very different from regular classes. For example, as educators at Cole Middle School found, the popularity of restorative justice circles prompted certain teachers to begin using them for other functions besides conflict resolution, with many teachers using daily circles to introduce class material or less weighty topics such as pop culture. Yet rather than building restorative culture, this repeated exposure to restorative practices



desensitized students, causing a significant number to label circles as “boring” (Sumner et al., 2010, p. 23). Conversely, as Sumner et al. (2010) reports, catering to youth sensibilities in order to make circles more exciting (as illustrated by the case of one teacher who wanted to talk about sex in order to trigger student interest) is not an effective remedy to student boredom. Such catering can easily lead to a lack of professionalism that deters from the tone of honesty and respect that should characterize the circle. Similarly, whether by threatening youth with traditional discipline or by subtly pressuring them, causing students to feel like participation in the circle is not their own choice lessens the likelihood that they will sincerely engage in the restorative process and own it just as they own the vigilante conflict resolution of the schoolyard (Karp & Breslin, 2006; Sumner et al., 2013).

### *Effective Practices*

These problematic approaches are contrasted by effective practices that allow for, and even harness, the aggressive or thrill-seeking tendencies of youth, while also encouraging maturation. One such practice is to create pathways for student leadership within restorative justice programs, enabling students to work toward becoming circle keepers themselves. As educators have found, the more personal responsibility and autonomy students feel, the more they take ownership of the restorative process, feeling engaged and empowered as a result (Sumner et al., 2010; Boyes-Watson, 2008). Different schools have developed various formats for facilitating student leadership: in the Chicago Public School system, students are invited as key stakeholders to participate in the pre-implementation planning process for their school’s restorative discipline program (High HOPES, 2012); at Cole Middle School in 2008, eight students took an elective in restorative justice and began facilitating mediations at a neighboring elementary school as volunteers (Sumner et al., 2010); and at pilot restorative justice programs in Scotland, McCluskey et al. (2008) reported that a handful of schools trained students facilitators specifically for restorative anti-bullying initiatives.

In addition to encouraging ownership, various restorative practitioners make a conscious point of expecting, and accepting, intense emotions from adolescents. Whereas in non-school-based restorative circles and conferences, facilitators may intervene if participants are yelling at one another or name-calling, some school-based practitioners will allow students to scream, curse, and release anger in the safe context of the restorative justice office until they have worked through their aggression and calmed down. For example, at Montebello High School in Denver, one student describes going to the restorative justice office where, with the restorative justice coordinators present, she and a group of girls were permitted to yell back and forth until their anger reached a breaking point. Efreem Martin, the Restorative Justice Coordinator at the school, describes the importance of “being able to be angry, get it out, but also have some positive dialogue” in a locale other than the dean’s office, where the result of such behavior will most likely be suspension or a referral to the juvenile justice system (LCJP, 2011a).

Similarly, as recounted by educators at Cole Middle School, it is almost impossible to completely avoid situations where one or more students are disrespecting the circle practice or not participating honestly (Sumner et al., 2010). Simply expecting this potential for disruption may be helpful, but as found by McCluskey (2008b), schools in Scotland have made a structural effort to be sensitive to the adolescent tendency to act

out both within the classroom and the restorative circle. These schools view standard restorative justice terms, such as victim, offender, or perpetrator, as pathologizing in the school context in relation to students who often misbehave in a fashion extremely natural for their age group. For this reason, certain Scottish schools have removed these terms from their practice and even eliminated the word “justice” from their program titles in order to avoid parallels between the school and the justice system (McCluskey et al., 2008b).

## **Obstacle Two:**

### **Power Dynamics & Interpersonal Politics in the School Setting**

Perhaps the most commonly noted challenge facing restorative discipline practitioners is the complicated web of power dynamics at play within the scholastic community. Restorative justice circles are premised on the equality of all participants (Boyes-Watson, 2008), and this dynamic challenges the hierarchical relationship between students and teachers, students and administrators, or administrators and faculty (Hudak, 2000).

#### *Student-Teacher Power Dynamics*

While students tend to appreciate the leveling effect of restorative justice and some faculty quickly adapt, other teachers find the new dynamic inappropriate or uncomfortable and worry that if they give up power within the circle context, they will be unable to get it back during the remainder of the school day (Sumner et al., 2010; Armour, 2013; Reimer, 2011; McCluskey, 2008a). As one teacher from Cole Middle School described, giving students the go-ahead to question a teacher’s behavior in the classroom is “opening up a big door.[...] You’re saying I can argue with a kid about an executive decision within my classroom...that was a bit much for me” (Sumner et al., p. 25). Another teacher at Ed White Middle School described her feelings of discomfort at being emotionally vulnerable with students in the circle context: “I don't want kids to see my weakness. I was crying and a kid saw it but I didn't want to acknowledge. The kids will feel they won because I'm upset” (Armour, 2013, p. 36). Apprehension over vulnerability is voiced by students as well. At Cole Middle School, one student reported that he was not completely honest during a circle discussion because he feared repercussions from the teacher once traditional power dynamics were restored during regular class time (Sumner et al., 2010).

Asking teachers to dissolve traditional power dynamics is extremely difficult because of the extent to which they have been inculcated with the values of punitive discipline within an institution based on vertical axes of authority. Both teachers and administrators are accustomed to having vertical authority over students, and often rely on threats of punishment, and the fear such punishment creates, to maintain control (Stinchcomb et al., 2006; McCluskey et al., 2008a; Armour, 2013). Restorative justice asks adults to radically shift paradigms—to “bridge-walk” between vertical and horizontal axes of authority within the context of the restorative circle, explains Joe Provisor, Director of the Ojai Foundation’s Council in Schools Program, in a 2013 telephone interview. Provisor, who is also the Program Expert for the Council Practitioners Center of the Los Angeles Unified School District (LAUSD), further describes how both teachers and administrators must “take off the hat of evaluator or

supervisor and sit in the circle as a human being.” Without support or training, he states, “this can be a large challenge.”

Faculty tension surrounding the transition to a restorative paradigm is described in the reports of various programs, with many teachers in Scotland reporting “difficulties reconciling their current behavior management or discipline policy and practice with restorative practice” (McCluskey et al., 2008a, p. 413). Certain teachers’ preferences for traditional discipline are due in part to a concern with time, which is ever lacking in the school day (Armour, 2013). A restorative justice circle is much more time consuming than a referral to the dean’s office (LCJP, 2011b), and teachers often want instant gratification when it comes to discipline. Logically, a teacher’s discomfort with or dislike of the restorative justice process impacts his or her ability to successfully conduct circles, resolve student conflict, and engage student interest in the program. Varying quality of implementation among teachers can create an inconsistent experience of restorative justice for students, leading to negative impressions for certain groups of youth that can affect the school-wide perception of the program (Reimer, 2011; Sumner et al., 2010).

#### *Axes of Authority & Interpersonal Politics Among School Personnel*

A teacher’s struggle with the restorative process can also lead to personal feelings of inadequacy, and consequentially, frustration with administrators for offering inconsistent support (Armour, 2013). Similarly, administrators and other campus stakeholders (such as attendance officers, counselors, drop-out specialists, security officers, or campus police) can quickly develop ill will toward a restorative program if they feel left out of the process or that their influence with students has been undermined. This challenge posed by inter-faculty power dynamics and relationships, though scarcely documented in the literature, is a critical-to-address obstacle, as staff discord can threaten the health of an entire community and in turn, the stability of restorative programming.

#### *Ineffective Practices*

As Provisor (2013) puts it, in the endeavor to implement restorative discipline in a manner that meets the needs of all staff members, “the primary ill is time.” Successful restorative discipline programs must be built upon a foundation of community among students *and* adults, but administrators rarely set aside time for faculty and staff to engage with one another as human beings and build relationships. As a result, community among staff is often “presumed but largely lacking,” resulting in a lack of confidence in one another’s abilities to implement restorative discipline and weak support for the program. In order to support restorative discipline, says Provisor, “we need to trust that the human beings on the staff can bridge-walk between horizontal and vertical axes of authority, [yet] administrators don’t trust that faculty is capable of bridge-walking between the role of supervisor/evaluator and their humanity, and vice versa.” Such trust is critical in implementing restorative discipline, as “without a culture of joy and collaboration, restorative justice will just be a more time-consuming way of solving problems,” Provisor says. “The quality of the relationships among staff permeates the atmosphere of the school,” he describes, and “if we don’t make time for staff to engage in the practice of civility and humanity with each other, we can’t expect that students will do the same in our classrooms” (Provisor, 2013).

There are a variety of programmatic practices that can easily exacerbate already strained relations among faculty or between faculty and students. One such practice is having a professional restorative justice coordinator manage all restorative dialogues at a school, without adequate participation opportunities for teachers. Studies have shown that teachers view minor infractions such as rule violation or disrespect as some of the most challenging behavioral issues in schools (Ashford, 2008; Armour, 2013), suggesting that the quotidian relationship between teacher and student is one where a significant amount of harm is occurring. For this reason, it is critical to involve teachers in the restorative process as they are primary stakeholders in student conflict. When an outside restorative justice facilitator handles all discipline for classroom misbehaviors, empathy and understanding develop between the student and the facilitator but not between teacher and student, making it difficult for enduring behavioral change to occur in the classroom. Even in programs where teachers use restorative justice to handle minor incidents in their classrooms but are mandated to send all higher-level misbehaviors to other staff, teachers' ownership of the process is threatened and staff discord is more likely (Reimer, 2011). As one teacher at Ed White Middle School commented, having administrators conduct circles "took away the relational part" of the restorative process (Armour, 2013, p. 39). Ed White responded to this issue by adjusting implementation mid-year in order to allow teachers to use restorative discipline to handle more serious student misbehaviors in their classrooms.

### *Effective Practices*

As restorative justice grows older as a movement, more interventions will likely develop to directly target power imbalances between staff and students and attend to the issue of staff politics. In the meantime, there are certain existing practices that can assist with these issues. In regard to building community and trust among the adults on a school's campus, Provisor (2013) states that without question, the first step in any restorative program should be retreats or circles that allow for staff to discuss the "human dimensions of being an educator" and "set intentions for developing as individuals and as a collective community" throughout the training process. The staff must see themselves as the "locus of accountability—not just to administrators, but to one another" during the implementation of restorative discipline. To develop this mutual confidence, they must build relationships through telling stories and listening to one another from the heart in the same manner as students. "Allow yourself to sit with someone you've never said 'hello' to before because they looked at you the wrong way when you first came on the faculty," Provisor suggests, "and learn that person's story." Such open-hearted dialogue and vulnerability is invaluable in helping staff members solve conflicts, while simultaneously reinforcing confidence in one another's ability to sit on a horizontal axis of authority with peers or students in the circle context.

In regard to power imbalances within a circle, the cultivation of mutual respect in place of fear is a powerful tool to counter staff resistance and student discomfort. At an Ontario public school, teachers reported that as students began to view them as human beings who were capable of being emotionally harmed, students were more willing to be respectful and open within the circle (Reimer, 2011). Similarly, at Ed White Middle School, a teacher who let down her guard in a circle explained, "My statements made it less me against them. More community. They understood that it's not just that they hurt

but that I hurt [...] Once they identify you're feeling pain, things change" (Armour, 2013, p. 53). The development of this mutual respect, however, depends largely upon a teacher's ability to be vulnerable in the circle context, an undertaking that will inevitably be harder for some more so than others depending on skill-set and personality. For this reason, mentoring programs for faculty practitioners can be extremely helpful, as demonstrated by the analysis of initiatives in Minnesota's South St. Paul districts (Stinchcomb et al., 2006). Though mentoring programs were implemented inconsistently, Stinchcomb (2006) found that they were "essential to keep the momentum going" (p. 140). Mentoring helped staff develop more effective restorative practices (thus assisting with feelings of inadequacy) and kept them from "default[ing]" to former habits, thus creating a more consistent experience for youth (Stinchcomb et al., 2006, p. 140). In addition to mentoring, Armour (2013) recommends offering faculty more concrete training tools, such as role-play opportunities, handbooks on restorative justice that include thorough descriptions of circle elements and interventions to use with students, and consistent feedback on their practice.

### **Obstacle 3: Creating a School-Wide Restorative Culture**

Reports from various schools suggest that youth respond best to restorative discipline when it is implemented consistently across the entire campus community using a "whole-school approach" (Amstutz & Mullet, 2005, p. 73). Such an approach necessitates securing support, or buy-in, from stakeholders at various levels of authority within the school system, from administrators to members of school boards (CMW, 2011). A whole-school approach also involves developing the necessary infrastructure to sustain a restorative program, and intentionally fostering a school-wide *culture* of restorative discipline—one premised on accountability, the valuing of interpersonal relationships, and meaningful restitution instead of exclusion or punishment.

Creating a restorative culture within a school community is at once the most elusive and critical step in the implementation of restorative discipline, and it doesn't necessarily come naturally. In the Chicago Public School (CPS) system, for example, the school board's "official shift" from a philosophy of zero-tolerance to one of restorative justice didn't translate to a cultural shift within the administrations of individual schools—almost six years later, the culture of zero-tolerance remained strong on many campuses, with administrators using "suspensions, expulsions, and school-based arrests as a matter of routine, while restorative justice methods remain underutilized" (High HOPES, 2012). The shifting of culture along with protocol must be an intentional component of the implementation process, with specific practices targeted at altering the assumptions and values of all members within the school community.

#### *Ineffective Practices*

While it may not be readily apparent, the issue of creating a restorative culture on school campuses is closely tied to funding. Inconsistent, insufficient, or short-term funding of restorative programs can make it extremely difficult to achieve the depth and longevity of restorative practice needed to shift the mindsets of both students and adults who have been entrenched in the ideology of zero-tolerance. In the Chicago Public School system, for example, insufficient funding has prevented many campuses from hiring full-time restorative justice coordinators. As a result, various programs relied on outside funding

from grants, yet these grants were often time-limited, causing at least one program to terminate prematurely (CMW, 2011). The High HOPES Campaign (2012) and Riestenberg (2003) suggest that the most effective restorative discipline programs have long-term funding models so that “programs can grow and be sustained over time, instead of stalling while waiting to find out whether or not funding will re-occur” (High HOPES, 2012, p. 12)<sup>1</sup>.

Additionally, in regard to internal and public perception of restorative discipline programs, people tend to equate funding with value. Reimer (2011) describes this phenomena using the case of an Ontario primary school: during the first four years that outside funding was available to the program, restorative discipline “flourished” and experienced great popularity—the program received a public honor and the school board overseeing the school was praised as a leader in the field of restorative justice. Yet when outside funding ran out, the school board and Ministry of Education declined to provide continued financial support, leaving over 350 educators on a waitlist for restorative training and causing the program to become stagnant. As a result, interest and confidence in restorative discipline quickly dwindled. The sudden lack of financial support contributed to a perception within the educational community that restorative justice was a “fad,” with one teacher who partook in the program stating anonymously, “Like many things in education, fads come and fads go, and without the funding to continue the training, then you will see restorative justice slowly die out, even here” (Reimer, 2011, p. 28). To be viewed as a fad, Reimer (2011) asserts, is “a death knell for any potential reform” (p. 37).

As one might expect, the lack of internal funding for restorative justice in schools is impacted by a deficiency of centralized support from key stakeholders at the school, district, and state levels (High HOPES, 2012). This issue counteracts program longevity, as redirecting a school’s culture is by nature a long-term process that necessitates commitment from administrative leaders. Yet the opposite is often the case, as high turnover rates among school board chairs, principals, trustees, and superintendents (Reimer, 2011) limits long-term dedication to restorative programming. Dyett High School on the South Side of Chicago, Illinois, serves as a case study of this issue: between 2006–2008, school principal Jacquelyn Lemon and program coordinator Cornelius Ellen received public approbation for effectively implementing peer juries, peace circles, and reentry circles that led to a 46 percent decrease in misconduct reports, an 82 percent decrease of in-school arrests, and the largest decrease in violent incidents of any school in the Chicago Public School system (CMW, 2012). However, when Lemon chose to pursue an opportunity at a new school and the private funding for Ellen’s position ended, the program “fell off the cliff” (CMW, 2011), as new stakeholders did not feel accountable for ensuring that the program survived. The CPS school board declined to make up for the lost funding, and Dyett’s new principal chose to discontinue the program.

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<sup>1</sup> In Chicago, such sustained support, estimated to total between \$57,000–\$73,000 per school and \$43,875,000 district-wide, would cost less than 1% of the CPS budget. This figure is in contrast to the \$67 million that CPS spent on school security officers, metal detectors, and surveillance equipment during the 2010-2011 school year, a figure that does not include the approximately \$8 million spent on campus police officers (a cost that has climbed to \$25 million for the 2011-2012 school year) (High HOPES, 2012).

Reimer (2011) finds that such instability is often the case when there is not buy-in from multiple stakeholders who are committed to seeing restorative discipline succeed. As she describes, while it may *initially* seem natural for certain enthusiastic individuals to shoulder all the responsibility for supporting restorative justice on a school board or within a school (in the case of teachers who attempt to implement restorative justice one classroom at a time), the program will be threatened if, for one reason or another, this person must leave the picture. Reimer (2011) suggests that the restorative leadership must be evenly distributed within the power structure of the school and upper administration in order to promote a program's longevity and to protect it from campus or district-level politics. However, getting such buy-in from higher-level officials is difficult when "there's not a system-wide interest," says Andrew Tonachel, youth development director of Chicago's Alternatives. Restorative justice is "very much school-driven as opposed to the central office mandating it and providing resources," he explains (CMW, 2011).

Without this centralized support, there is often a "lack of coherent infrastructure" (High Hopes, 2012) with which to implement restorative discipline. While this allows schools a degree of flexibility, it can also lead to restorative programs that are fragmented, reductive, or without key resources, making it extremely difficult to develop a deeper restorative culture amongst students and staff. Provisor (2013) describes the danger of trying to simply "stick restorative justice into an existing paradigm" without emphasizing the community building necessary for a restorative culture to develop. If certain restorative practices, such as conferences, are implemented without first building a foundation of empathy and educating students and staff about restorative justice principles, then "restorative justice will just be another form of results-oriented mediation protocol," he states.

Conversely, building the foundation for a school-wide restorative community can also be difficult if restorative discipline is implemented in a fashion that is overly rigid or insensitive to the unique needs of the larger community outside the school. Amstutz & Mullet (2005) warn against using "a cookie-cutter approach" that does not take into consideration the diversity of each school culture (p. 4). The experiences of educators at Cole Middle School in Oakland illustrate the importance of this advice: surrounded by the primarily African American community of West Oakland, teachers and restorative justice facilitators quickly encountered resistance in staff members' reactions to restorative trainings that they felt were ill-suited to African American culture. As one staff member stated, "My take was, 'These people have no idea how to make this work in the black community'—plain and simple. [...] In doing the training the first day, I was like, there is no way. It's going to take a whole bunch of research to figure out how to make this work in this community" (Sumner et al., 2010, p. 29). In addition to this need to address racial diversity, Sumner et al. (2010) found that restorative practices needed to be modified in order to include students and parents of lower-income levels. For these families, in which parents were often working long hours at one or multiple jobs, it was a more significant burden to find time to participate in a restorative conference. As the Cole example suggests, the successful cultivation of a restorative culture depends largely on a program's ability to adapt to the culture of a school *and* its surrounding community, thus generating buy-in with parents and local leaders in addition to education professionals.

### *Effective Practices*

While there are many obstacles preventing schools from obtaining the support they need to develop a whole-school approach to restorative discipline, there are a variety of practices that can help a program develop a restorative culture on campus, many of which center around community building. One such technique is using circles for purposes other than addressing conflict. Provisor (2013) advocates for circles that are non-disciplinary and focused on developing goodwill, respect, and trust within classroom communities and between professionals. Educators at Cole Middle School reported a similar approach, finding that to create a deeper restorative culture on campus, it was necessary to use circles to address a variety of issues besides misbehavior, such as racial, ethnic, and religious diversity, relationship building, respect, politics, community violence, and other issues effecting stakeholder's abilities to participate in the restorative process as compassionate human beings (Sumner et al., 2010).

In order to more intentionally depart from cultures of punitive justice and to ensure the growth of a restorative mentality, Fenger High School in Chicago has translated the role of the restorative discipline coordinator into the position of the "Culture and Climate Coordinator" (CCC) (also called the "Culture of Calm Specialist"). In addition to implementing restorative practices such as peace circles, the CCC is tasked with "striving to involve and connect all members of the school community, including students, security guards, and administrators" (High HOPES, p. 7), all of whom can request a circle or conference to resolve an issue. The restorative justice program at Fenger High School began just weeks before honors student Derrion Albert was brutally beaten to death in 2009 while waiting for a bus after school (Babwin, 2013). In light of this tragic event, as Robert Spicer, CCC at Fenger High School, describes, restorative discipline isn't simply about addressing misbehavior, it's about shifting mentalities by instilling young people with hope: "What we're dealing with in the community right now with this violence is a lot of hopelessness," he describes. Hope, along with meeting the needs of youth who are hurting, contributes to a community-focused culture through what he calls "the ripple effect of peace, which is more powerful than any program you could put forth" (Spicer, 2013).

In many ways, culture is reliant on consistency, and consistency is dependent on infrastructure. For restorative discipline programs, time and space are two of the primary structural needs impacting service delivery and the ability to develop a whole-school approach. For this reason, High HOPES (2012) recommends building in dedicated class time for restorative justice during the school week, a practice that helps demonstrate administrative support for the program and contributes to the ability of staff and students to develop comfort with restorative practices. At Ed White Middle School in San Antonio, for example, time is allotted so that on Mondays, Wednesdays, and Fridays, every student on campus participates in restorative circles that are built into the day's curriculum (Newell et al., 2013). Additionally, in order to focus on the critical issue of generating buy-in among stakeholders at various levels of the school system, High HOPES (2012) recommends that restorative discipline programs develop an evaluation component that monitors suspension and expulsion data and incidents resolved by restorative discipline. This information should be "collected citywide, disaggregated by school, race, gender, disability status, and other categories, and made public on a regular basis to ensure that the local community can have the data they need to oversee the transformation process"



(p. 13). At Ed White Middle School in San Antonio, evaluators conducted a monthly assessment of teachers' and administrators' experiences implementing restorative discipline, enabling the evaluation to not only capture the cumulative effect of restorative practices but to provide a detailed account of struggles faced during each stage of program development (Armour, 2013). This evaluation model provides valuable information for other schools beginning the implementation process, helping them prepare for vulnerable times of the year when reoccurring events, such as the holiday break, which can influence student behavior and disrupt restorative processes.

### **Conclusion**

As is clear from the assorted practices discussed in this paper, restorative justice in schools is a young, dynamic movement that is still developing. And while research and practitioner narratives certainly provide guidance for new restorative programs, there are no set implementation guidelines. Instead, educators must turn to the underlying framework of restorative justice principles, which can easily be divergently interpreted. This lack of firm guidelines, along with the diversity of school contexts and cultures, can lead to great inconsistency in the field of school-based restorative justice. If implementation is inconsistent, it is likely that students and teachers will walk away with varying experiences. The resulting patchwork of positive and negative attitudes can lead outsiders, such as parents and the media, and those with power, such as school boards, funders, and policymakers, to conclude that programs are not worth the time and money. Without buy-in from these stakeholders, the hard-earned progress made on individual campuses can quickly “unravel,” according to Fenger High School principal Elizabeth Dozier. “Could things go back to the way they were [without funding]? In a heartbeat” (Babwin, 2013), she states. For this reason, it is critical that more attention be devoted to developing long-term implementation models that are anchored by institutionalized support within school districts. In this endeavor, further research should be conducted in the areas of staff training programs and circles for adult stakeholders, as these practices will produce individuals who have a firm grasp of restorative philosophy and can advocate for the funding and infrastructure necessary to make restorative discipline a sustainable movement.

Meanwhile, advocates of restorative discipline must focus on using the valuable tools at hand—data and qualitative reports demonstrating the effectiveness of restorative programming in school communities—to foster hope. At this critical juncture in education, in which many schools are realizing the detrimental and ineffective nature of zero-tolerance policies and their devastating effect on minority students, restorative discipline offers an avenue for reparation. As discussed in this article, studies on restorative discipline programs across the United States show reductions in suspensions, expulsions, and criminal referrals that are unprecedented. In tandem with this encouraging data, the very process of restorative discipline offers schools unique, community-focused benefits that cohere with the fundamental values of the scholastic environment—learning, personal growth, and safety—while also meeting the developmental needs of youth. Studies show that participation in restorative conferences and circles can teach even the most resistant students values of accountability, respect, and meaningful restitution, while helping youth safely express the impulsivity and aggression natural to their age group. Qualitative interviews with staff and students show

that restorative practices improve interpersonal relationships on campus and contribute to more productive classroom environments. And, quite importantly, studies show that restorative programs can prevent school violence by teaching students to bring problems to restorative coordinators or teachers before they escalate, a challenging feat for any disciplinary program. By creating spaces where students, teachers, and administrators can engage in dialogue and consensus-building in the face of conflict, restorative discipline fundamentally alters school climates by enabling youth to *learn* from their mistakes. This collaborative, inclusive form of discipline has the potential to dismantle the school-to-prison pipeline, while also producing empathic, self-aware individuals who understand the personal impact of harmful behavior.

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