

# RESTORATIVE JUSTICE / RESTORATIVE DISCIPLINE



Restorative justice (restorative discipline in school settings) is a philosophy as well as a set of practices that helps us know how to respond to problems as they arise.

Restorative discipline also helps create school communities where problems are less likely to arise in the first place and less likely to be repeated when they do happen!

Restorative justice sees harm not so much as a violation of rules (STOP RUNNING IN THE HALL!) but as a violation of relationships (When you run you risk hurting another person or yourself. And I can see that when you run some of the younger kids get scared because they think something bad may be happening). We have to have rules...they're what allow us to live and learn and work and play together but they're a means to an end. When rules are broken there also has to be consequences – but they should be consequences that fix the harm and repair relationships.



Tomas keeps disrupting the class by cracking his knuckles. Not only is it a disruptive noise, but students begin to lose their concentration and some start to laugh. Within moments a couple of the other boys start to crack their knuckles too. How is this a violation of relationships? Maybe this is “just” a bad habit but the noise takes center stage.



Tomas is being disrespectful to you as his teacher. That’s an important relationship!

You can’t teach when you have to compete for student attention and he can’t learn when he’s being disruptive. Tomas is also harming the relationships he has with his classmates. Everyone agreed at the beginning of the year that their most important job was to learn. Everyone also agreed to do their part to create an environment where learning could take place. Tomas is violating that agreement and its hurting both him and his classmates. In the midst of all this knuckle cracking, teaching can’t occur, learning can’t occur, feelings are getting hurt – the class is being led away from its purpose.

### Three Goals of Restorative Justice



1. **ACCOUNTABILITY** – Students have an opportunity to be accountable for the harm caused as well as the opportunity to repair the harm.
2. **COMMUNITY SAFETY** – Students are empowered to help resolve conflict and maintain an environment where the work of the school can happen.
3. **SKILL DEVELOPMENT** – Restorative Justice works to address underlying factors that lead people to cause harm and give students tools for creating and maintaining community.

Students learn to think differently about harm, to deal with conflict in peaceful and creative ways, to address accountability and responsibility, to focus on one another’s’ humanity, and to problem-solve in terms of community and collaboration.



## **Circles can be used for:**

- **establishing norms**
- **building community**
- **repairing harm**
- **decision-making**
- **teaching content**
- **reintegrating someone who's been gone**
- **checking in with one another**

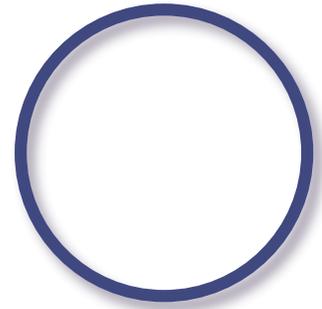
### **COMMON AGREEMENTS**

- **Respect the talking piece**
  - **Speak from the heart**
  - **Speak with respect**
  - **Honor confidentiality**
- **Take the time you need knowing others need time**

### **Talking piece –**

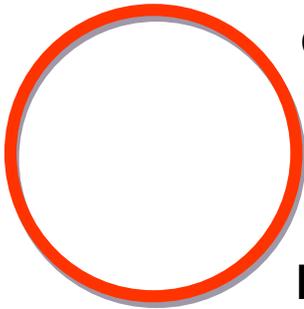
**A talking piece can be just about anything that's meaningful to the community or to the circle-keeper. Making talking pieces is a great classroom activity and you can invite students to bring objects of meaning from home that can be used. In a pinch, you can use anything!**

**In a circle, everyone is equal – there's no front or back; leader or follower.**



**Circles allow every voice to be heard.**

**Circles are unbroken.**

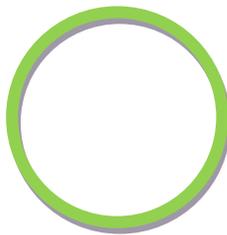


**Circles are safe spaces.**

**The circle-keeper's job is to maintain a safe space.**

**Everyone gets to talk (if they want) and everyone gets to listen.**

**All are responsible for maintaining the circle's integrity.**



**Elements of a circle:**

- Circle of chairs or participants sitting on the floor
- A talking piece
- A centerpiece
- Common agreements
- An opening ritual
- Guiding questions – less revealing questions before more probing questions
- A closing ritual

**HINT: A centerpiece isn't always necessary but for more formal, intentional circles it helps signify the importance of the space and the process.**

## Establishing Norms and Expectations

Establishing norms becomes the bedrock for classroom management throughout the year. Since norms and expectations are developed by consensus everyone participates and everyone agrees.



Those agreements should be posted. When things start to go awry, pointing to the posted agreements or reviewing them as a class reminds everyone of their agreements. Ask the question, “How does what’s happening here fit with our agreements?”

There are a number of ways to use circles to develop norms. Here are three:

1. In circle pass the talking piece around and ask the question, “What do you need in this class in order to do your best job of learning?” Post the answers on flipchart paper. Don’t paraphrase – use the students’ words. After the talking piece has gone around enough times to get full participation, suspend the talking piece and invite students to identify answers that seem similar and could be combined. Once answers have been condensed to everyone’s satisfaction review the list. Use the talking piece again to get reactions and responses. Adjust the list as necessary. Pass the talking piece around again asking the question, “Do you agree that these will be our expectations for this class this year?” If someone can’t agree, return to the consensus process. Don’t forget to agree yourself!
2. In circle give each student a paper plate and magic marker. Ask that they identify the value or characteristic they personally believe is the most important. If students need help understanding the question you might ask them what word a younger brother or sister might use to describe who they are. Each student writes their word on the paper plate. Use the talking piece and ask each student to talk about the word they wrote and why they chose it. You can continue to pass the talking piece to see if anyone has any questions about what someone meant. You want students to reflect on what their value or characteristic would look like behaviorally, i.e., if someone’s word is “faith,” what does that mean and what would that look like? Once you have your list of characteristics, use the talking piece to ask students to combine several of the words into sentences beginning with, “In this class we will...” Make sure all the words get used. Continue using the talking piece until you have five or six sentences that represent everyone’s value. Pass the talking piece around again asking the question, “Do you agree that these will be our expectations for this class this year?” If someone can’t agree, return to the consensus process. Don’t forget to agree yourself!

**Example:**  
*In this class we will treat each other with respect and honesty by listening, taking turns and having fun.*

### 3. The Respect Agreement\*

Here's another exercise that's been tried at Ed White with great success!

Tell students that as a class, you're going to engage in the topic of respect. Ask them to take a piece of notebook paper and fold it in half twice so that it has four sections. Have them label each section like this:

STUDENT RESPECTING STUDENT	STUDENT REPECTING TEACHER
TEACHER RESPECTING STUDENT	ALL RESPECTING EQUIPMENT & FACILITIES

Have students work alone writing down how each of these four sections would look behaviorally. What would each look like / sound like? (And yes, they'll be surprised that you're inviting them to think about how teachers respect students.) No need to give examples; let them wrestle with it!

Next divide students into groups of four or five and have them share with one another what they came up with. As the teacher, you should have done your own sheet and now should be participating in one of the groups as well. Each

group gets a piece of flipchart paper to divide the same way they divided their individual sheets. After a discussion about respect (in each group) each group writes their collective answers on their large sheet. Each group selects a spokesperson to report out to the class and all large sheets are posted where all can see the lists.

Compliment the class. They know a lot about respect! They've had a lot of caring adults and role models teach them about respect.

Now you need to begin winnowing down the lists into a composite. One way to do that is ask each group to identify the four most important ideas on their sheet. Likely some of the same ideas appear multiple times and can be combined. Once you have developed your Respect Agreement composite check with the class to make sure everyone agrees that it contains everything that's important to them. Now's a good time to have some conversation about knowing what's respectful versus choosing to be respectful. There might also be some discussion about what will happen if the Respect Agreement is violated. When a consensus has been reached, have everyone sign it and post it where it can be easily seen and referenced.

\*From *Discipline That Restores* by Ron and Roxanne Claassen, ©2008, BookSurge Publishing, SC

## Circle Openings and Closings

Creating a safe space where important work can be done is aided by those things that signal “this is a unique time and place.” Sitting in a circle and the use of a talking piece are two ways to signify this. Using an opening and a closing are important as well.

Taking three deep breaths or engaging in some visual imagery are great ways to open a circle. Deep breathing calms the amygdala, which allows us to think rather than just react. The following are some readings that you can use to open and close a circle as well.

Everything the Power of the World does is done in a circle. The sky is round, and I have heard that the earth is round like a ball and so are all the stars. The wind, in its greatest power, whirls. The sun comes forth and goes down again in a circle. The moon does the same and both are round. Even the seasons form a great circle in their changing, and always come back again to where they were. Black Elk

*Do not overlook negative actions merely because they are small; however small a spark may be, it can burn down a haystack as bit as a mountain...Do not overlook tiny good actions, thinking they are of no benefit; even tiny drops of water in the end will fill a huge vessel.*

There is much suffering in the world – physical, material, mental...But the greatest suffering is being lonely, feeling unloved, having no one. I have come more and more to realize that it is being unwanted that is the worst disease that any human being can ever experience. Mother Teresa

*Courage doesn't always roar. Sometimes courage is the quiet voice at the end of the day saying, "I will try again tomorrow."*  
Mary Ann Radmacher

I dream a world where man no other man will scorn, where love will bless the earth and peace its path adorn. I dream a world where all will know sweet freedom's way, where greed no longer saps the soul nor avarice blights our day. A world I dream where black or white, whatever race you be, will share the bounties of the earth and every man is free, where wretchedness will hang its head and joy, like a pearl, attends the needs of all mankind. Of such I dream, my world! Langston Hughes

*He drew a circle that shut me out, heretic, rebel, a thing to flout. But love and I had the wit to win, we drew a circle that took him in.*  
Edwin Markham, "Outwitted"

*We cannot seek achievement for ourselves and forget about progress and prosperity for our community... Our ambitions must be broad enough to include the aspirations and needs of others, for their sakes and for our own.*  
Cesar Chavez

*When things are shaky and nothing is working, we might realize that we are on the verge of something. We might realize that this is a very vulnerable and tender place, and that tenderness can go either way. We can shut down and feel resentful or we can touch in on that throbbing quality.*  
Pema Chodron

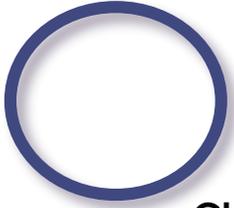
*Your time is limited, so don't waste it living someone else's life. Don't be trapped by dogma - which is living with the results of other people's thinking. Don't let the noise of other's opinions drown out your own inner voice. And most important, have the courage to follow your heart and intuition. They somehow already know what you truly want to become. Everything else is secondary.*  
Steve Jobs

*I've missed more than 9000 shots in my career. I've lost almost 300 games. 26 times, I've been trusted to take the game winning shot and missed. I've failed over and over and over again in my life. And that is why I succeed.*  
Michael Jordan

*Wholeness. All things are interrelated. Everything in the universe is part of a single whole. Everything is connected in some way to everything else. It is therefore possible to understand something only if we can understand how it is connected to everything else.*  
The Sacred Tree

*It is rewarding to find someone you like, but it is essential to like yourself. It is quickening to recognize that someone is a good and decent human being, but it is indispensable to view yourself as acceptable. It is a delight to discover people who are worthy of respect and admiration and love, but it is vital to believe yourself worthy of those things. For you cannot live in someone else. You cannot find yourself in someone else. You cannot make a life through someone else. Of all the people you will know in a lifetime, you are the only one you will never leave or lose.*  
Anonymous

# Circle Types



## Check-in Circles

Check-in circles are about finding out where people are at that moment. You can start the week or day or class with a check-in circle to find out more about what students may be bringing with them to class.

Questions you can use include:

- What was the low point of your weekend (week/ holiday)?
- What was the best part of your weekend (week / holiday)?
- How are you feeling today?
- If you were “weather” what kind of weather would you be right now?

Check-up circles can be used in the middle part of the week to evaluate how students are managing. Questions you can use include:

- How are you doing on your assignments?
- What class / assignment is the most challenging to you right now?
- Is there anything you’ve been carrying that you would like to “dump” so you can finish out the week?
- What example of respect have you seen this week?

Check-in (or check-out) circles can be used at the end of the week or before a holiday to review the past week and find out what’s ahead for each student. Questions you can use include:

- What are you looking forward to this weekend?
- What was the most challenging part of this last week?
- What do you need to do this weekend to be ready for next week?
- Is there anything you’ve been carrying that you would like to “dump” before you start your weekend?

**Hints: Passing the talking piece around at least three times will generally get everyone to participate. Some students will need a round or two to clarify their thoughts enough to speak. If you don't want to repeat or rephrase the topic, just say, "What else?" and hand it around again. Although someone can always pass if they don't wish to speak, refrain from introducing that as an option immediately. If someone's struggling, just gently say, "You may pass." The talking piece should be passed in a clockwise fashion. If you wish to start with a student other than the one sitting to your left, let that student know ahead of time that you're going to begin by handing them the talking piece. You don't want to pass it around in a random fashion because knowing when your turn is going to be helps participants maintain control.**

**Ed White Middle School (6<sup>th</sup> and 7<sup>th</sup> grade) will use these circles every week:**

Check-In Circle on Monday (or first school day of the week)

6<sup>th</sup> grade 1<sup>st</sup> period, 7<sup>th</sup> grade 2<sup>nd</sup> period

Check-Up Circle on Wednesday

6<sup>th</sup> grade 4<sup>th</sup> period, 7<sup>th</sup> grade 5<sup>th</sup> period

Check-Out Circle on Friday (or last school day of the week)

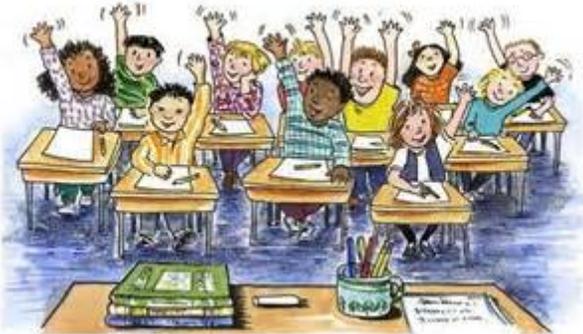
All, 8<sup>th</sup> period





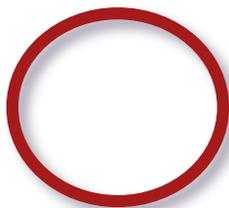
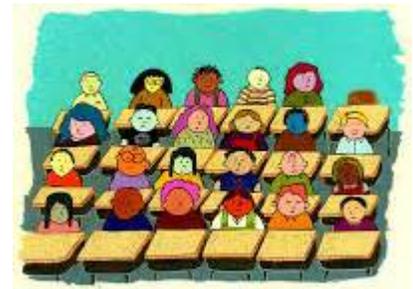
## Teaching Circles

You can always use a circle to teach a particular module or concept, to explore application of material, or to check comprehension.



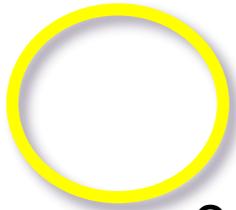
Ask students what they would have done in that character's situation, where they've seen an application of what's being studied, an example of the use of that term, what they think that historical figure might have been thinking, what planet they would most like to visit and why...whatever makes sense based on what you're studying!

**HINT:** You don't always have to do teaching circles in an actual circle. But do use a talking piece that's handed from row to row, student to student. Restorative discipline experts encourage teachers to use the talking piece in this way at least once **IN EVERY CLASS** to insure that the teacher has made contact with every student at least one time.



## Decision-making Circles

Sometimes the class may need to make a decision about something. Do you need to spend more time on a particular module? Do you want to hold off on a celebration until someone who's been out sick has returned? Do you need prepare the class for a substitute teacher who's going to be covering for a few days? What score will everyone have to achieve to earn a pizza party? Just like developing class expectations, decision-making is based on inclusivity and consensus. Everyone participates and no decision is final until everyone agrees.



## **Repairing Harm Circles**

**Generally circles that are to repair harm aren't done with an entire class...unless the harm has impacted the entire class. Harm repair circles include those who were directly involved / impacted by the harm. These kinds of circles may require some preparation – are both parties willing to participate, will it be safe, especially for the person who was harmed, and who else needs to be involved?**

**For that and other reasons, harm repair circles, or Victim Offender Dialogues, will usually be facilitated by school administrators. You may be part of the meeting, but you probably won't facilitate it. Similarly, Family Group Conferencing will also be facilitated by school administrators. Family Group Conferencing is a restorative circle that includes family members of the person who was harmed and the person who did the harm.**

**Restorative circles include amends-making and accountability. It's usually not enough to say, "I'm sorry," although an apology may be a part of making things right. Ed White uses a form to document the outcome of Repairing Harm circles (next page).**

**Use the five questions that follow when seeking to repair harm.**

# The Five Questions

The five questions is an important tool for managing conflict and addressing harm. Hopefully you'll become familiar enough with them that you can pull them from memory when you need them if you don't have a handy-dandy card.



Of course you can rephrase the questions a bit and you can read from a card if that helps, but try not to stray too far from these basic questions. They work! Depending on the situation you may choose to ask the person who did the harm all the questions first, the person harmed all the questions first, or go back and forth.

**To respond to  
challenging behavior**

**1**

WHAT HAPPENED?

**2**

WHAT WERE YOU  
THINKING OF AT THE  
TIME?

**3**

WHAT HAVE YOU  
THOUGHT ABOUT SINCE?

**4**

WHO HAS BEEN  
AFFECTED BY WHAT YOU  
HAVE DONE AND IN  
WHAT WAY?

**5**

WHAT DO YOU THINK  
YOU NEED TO DO TO  
MAKE THINGS RIGHT?

**To help those harmed by  
other's actions (4 questions)**

WHAT DID YOU THINK WHEN  
YOU REALIZED WHAT HAD  
HAPPENED?

WHAT IMPACT HAS THIS  
INCIDENT HAD ON YOU AND  
OTHERS?

WHAT HAS BEEN THE  
HARDEST THING FOR YOU?

WHAT DO YOU THINK NEEDS  
TO HAPPEN TO MAKE  
THINGS RIGHT?

The Agreement Form follows on the next two pages.

**HINT:** There's no #6 that says, "Now give them a lecture." It's tempting to insert your wisdom into the process but it's not your conversation. As long as you speak from your heart – "I think, I feel, I need" – you'll stay on track! As needed, summarize the conversation and invite the students to reflect on what they've learned.

# Circle / Conference Agreement Form

(To be filled out during each circle / conference as agreement is reached.)

## 1. Background Information

Date:

Participants: (name and grade)

## 2. Incident or Concern:

## 3. Agreement Details:

How the harm will be repaired:

How the harm will be avoided in the future:

How the person who did the harm will give back to the community:

What support will be give to the person who was harmed:

**4. Monitoring Plan**

Tasks (include final check-in as last task) By Who? By When?

**5. Additional Notes:**

**6. Signatures:**

I have read the above agreement and understand and agree to all of the terms. I intend to fulfill any obligations detailed above for which I am responsible.

\_\_\_\_\_/\_\_\_\_\_  
Signature of Person who did the Harm and Signature of Person Harmed

\_\_\_\_\_/\_\_\_\_\_  
Signature of Circle / Conference Facilitator and Signature of Other Participant

\_\_\_\_\_/\_\_\_\_\_  
Signature of Other Participants

# Restorative Conversations

Not every infraction rises to a level that requires a circle. Rude remarks between students, disruptive classroom behavior, horseplay in the lunchroom, cursing – most call for some kind of correction but something more immediate and low-key.

Restorative Discipline helps create a climate of respect and mindfulness. When school climate has already been established through the development of norms and expectations, regular use of circles and the use of positive problem-solving tools, minor incidents can often be dealt with relatively easily.

## Norms and Expectations

By spending time early in the year identifying norms and expectations, teachers always have a fall-back position when things begin to happen in the classroom. If the agreements are posted, sometimes just walking towards them serves as a visual reminder of the expectations. A teacher may verbally reflect back to the agreement with something like, “I’m wondering how what’s going on here fits in with what we agreed to at the beginning of the year.” If more direct action is needed, Stop Everything And Dialogue (SEAD) suggests a quick circle that explores the question, “What do we need to do to return to an environment where everyone can learn?”

## “I” Statements

“I” statements let you describe the problem from your perspective – and makes it difficult for someone to disagree or argue with you. “Teisha, I find it really hard to concentrate on teaching when you are whispering.” “I” statements let you own the problem but allow you to invite someone to help you find a solution.

## Affective Statements

Affective statements are a little more sophisticated because while they begin with an “I” statement they provide additional clarification with a feeling and a behavior. “I felt embarrassed and ashamed when I heard what happened here yesterday with the substitute teacher.” Affective statements are: I feel  
\_\_\_\_\_ because \_\_\_\_\_.

*Last year when a student was being disruptive the teacher met with him after class and asked him to prepare such that he could teach the concept he had disrupted the following day. He did and his disruptive behavior reduced significantly!*

## Examples of Restorative Conversations

Students rough-housing in the hall

“I want everyone to feel safe here and I can see that what you’re doing is making some of the other kids nervous.”

Overhear a student say, “That’s so gay.”

“I know that’s a phrase that’s used a lot but I find it really offensive. I’d like for you to find another way to express your displeasure.”

A student calls another student a name

“That hurt my feelings and it wasn’t even directed at me. I’m wondering how what you just said fits in with the school’s commitment to respect.”

A student is tardy

“I’m glad you made it. I was hoping you were going to be here today. Let’s talk for a minute after class.”

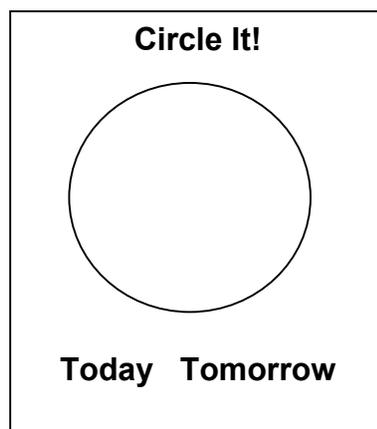
A student is teased in a mean way

Directed at the student who was teased – “I thought that sounded pretty mean. I’m sorry it happened since that’s not what Ed White is about.”

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## Circle It! Form

Students can indicate when they feel a circle is needed. Copies of the Circle It form should be easily accessible throughout Ed White.



The form is a square box with a black border. At the top center, the text "Circle It!" is written in a bold, black, sans-serif font. In the center of the box is a large, empty circle with a black outline. At the bottom center, the text "Today Tomorrow" is written in a bold, black, sans-serif font.

# CLOSING