

# RESTORATIVE JUSTICE IN THE SCHOOLS

Sydney deVictoria-Michel  
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# Objectives

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- What is restorative justice?
- How is it different from punitive discipline?
- How does it fit into the ASCA National Model?
- How can restorative justice be applied to the school setting?

# Vision

- *All* students can work together to resolve conflict.
- This conflict resolution is best met through *cooperation* and *restorative justice*.
- School counselors must be *leaders, advocates,* and *collaborators* in the restorative process.

# Restorative Justice

- A theory of justice that emphasizes *repairing the harm* through *inclusive* and *cooperative processes*.
- Involves both victim and offender, and their community.



# Roots of Restorative Justice

- Used in native tribes in New Zealand, Australia, the United States.
- South Africa's Truth and Reconciliation Commission
  - ▣ Over 10,000 cases heard
- Used throughout the United States and other countries
- Most models are a part of the judicial system
  - ▣ Bellingham Teen court

# Punitive Discipline



- ❑ Pain/unpleasantness to deter or punish
- ❑ Zero-tolerance policies
- ❑ Suspension
- ❑ Expulsion
- ❑ Impersonal
- ❑ Defined as breaking rules

# Discrepancies

- Department of Education
  - ▣ [Transformed Civil Rights Data Collection](#) released March 2012
  - ▣ [Letter on nondiscriminatory administration of school discipline](#) released January 2014
- Department of Justice
  - ▣ [Supportive School Discipline Initiative](#) Texas 2011

# Replacing the Current System

## Punitive

- ❑ Establish blame and guilt
- ❑ Rules broken
- ❑ Punishment to deter
- ❑ Attention to rules and process
- ❑ Individual vs school
- ❑ Accountability as punishment

## Restorative Justice

- ❑ Focus on problem-solving
- ❑ Harm caused
- ❑ Restitution
- ❑ Attention to relationships
- ❑ Interpersonal
- ❑ Accountability as understanding and responsibility



# Call for Change



“Successful programs may incorporate a wide range of strategies to reduce misbehavior and maintain a safe learning environment, including *conflict resolution, restorative practices, counseling*, and structured systems of *positive interventions*. “

# Restorative Justice at Parkrose

- Parkrose Middle School in Portland, Oregon
- Collaboration with Resolutions Northwest
  - ▣ Restorative Justice in the School Pilot Program – 2008
  - ▣ Open to all students
  - ▣ Can be referral based

# ASCA National Model

Applying  
restorative  
justice to the  
national  
model



# National Model: Foundation

- Program Focus
  - ▣ Keep students in school when problems arise
  - ▣ Provide appropriate tools to resolve conflict
  - ▣ Create safe environment for all
- Student Competencies
  - ▣ Character traits
  - ▣ Build relationships
- Professional Competencies
  - ▣ Social Justice
  - ▣ Advocacy
  - ▣ Systemic change

# National Model: Delivery

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- Direct student services
- Indirect student services
- Restorative Justice techniques
  - ▣ Circle process
  - ▣ Peer mediation
  - ▣ Restitution

# Delivery: Tier 1

- School-wide language
- Peer mediation
- Mentoring
- PBIS
- “Soft” skills



# Delivery: Tier 2



- Peer mediation sessions
- Peer Jury
- Circle process groups
  - ▣ Collaboration between victim and offender
  - ▣ Opportunity to hear both sides
  - ▣ Work together to find solution

# Delivery: Tier 3

- Individual
  - Conflict resolution
  - Emotion recognition
  - Self-advocacy
  - Impulse control



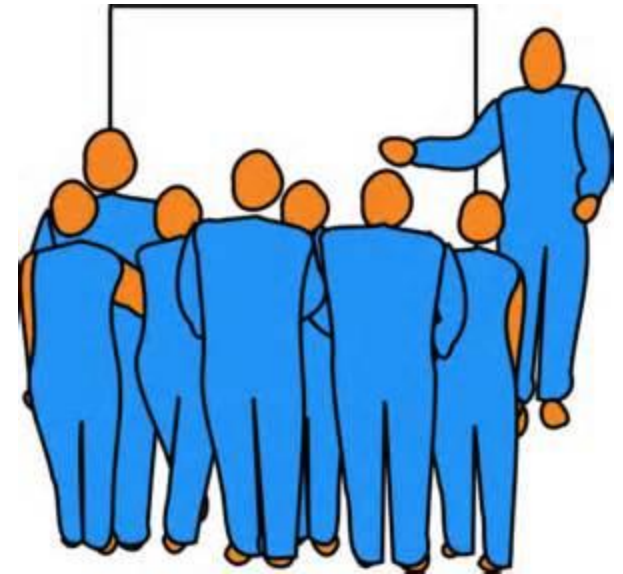


# National Model: Management

- Assessments
  - ▣ Suspension and expulsions rates
  - ▣ Truancy rates
  - ▣ Drop out rates
  - ▣ Incidents of violence
- Tools
  - ▣ Qualitative interviews

# National Model: Accountability

- Data Analysis
  - ▣ Pre and post surveys
  - ▣ Qualitative analysis
- Program Results
  - ▣ Present your findings
- Evaluation and Improvement
  - ▣ Did it work?
  - ▣ What needs to be changed?



# Social Justice Approach:

Griffin & Steen (2011)

Addressing student needs on all levels

- Develop cultural competencies
- Use data
  - ▣ Program evaluation
  - ▣ Disaggregate
- Gain allies: “Know-it-most”
- Speak up!

# Social Justice Approach

- Educate and empower families
- Stay politically engaged
- Be bold
  - We can make a change
- Be persistent
- Conduct research

# Peer Mediation Model:

Lane & McWhirther (1992)

- Student trained peer mediators
  - ▣ Nominated and voted in by peers
- Five half day trainings
- Work within the school setting to address conflict
  - ▣ Classrooms, playground, cafeteria

# Peer Mediation Model

- Four step mediation process
  - ▣ Mediators introduce themselves
  - ▣ Each party states their side
  - ▣ Each party states their wants
  - ▣ What can each party contribute to the resolution?



# Peer Mediation and School Violence:

Schellenberg, Parks-Savage, & Rehfuss (2007)

- Three-year longitudinal study of Peace Pals program in a Mid Atlantic elementary school
- Fifteen new mediators
- 68 participants, 34 sessions
- Results
  - 68% decrease in physical conflicts
  - 40% decrease in defiance
  - 69% decrease in disruption
  - 33% increase in verbal conflict

# Balanced and Restorative Justice

- Illinois Criminal Justice Information Authority
  - Initiative created in 2003
  - Implementing Restorative Justice – [Guide for Schools](#)
- Main Goals
  - Accountability
  - Community Safety
  - Competency Development



# Case Study

You are a school counselor at an urban middle school. A teacher comes in to tell you that Alex, a boy in her 7<sup>th</sup> grade math class, has refused to do classwork and is openly defiant with her in front of the other students. He speaks out of turn, interrupts his peers, and argues when he is told to work on an assignment. His behavior has escalated and today he shouted at the teacher when asked to teach a topic to the class. She is frustrated and wants him out of her class.

- How would you approach this conflict?
- Is there any other information you would want to gather?

# Case Study

After speaking with the teacher, you learn that Alex was recently exited out of ELL services, with Spanish as his first language. You also discover that she has sent him to the principal on numerous occasions and he has been suspended twice in two months. She has not tried to speak with him, nor has she contacted his family because she does not speak Spanish.

- What are some possible concerns?
- How would you proceed with the teacher's wish to remove the student from her room?

# Case Study

You meet with Alex and learn that he wants to do well in school, but becomes frustrated because he does not always understand what the teacher is talking about. You guess that he acts out to save face so others do not view him as “dumb”. He is mad at his teacher for putting him in the spotlight and thinks she does it on purpose.

- Using your new knowledge on restorative justice, how would you approach the situation?
- What techniques would you consider?

# Questions?

A person soon learns  
how little he knows when  
a child begins to ask  
questions.



somee cards  
user card

# Resources



**Parkrose**  
Middle School



THE ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

