Introduction to School-Based Restorative Justice
2 Hour Introductory Asynchronous Presentation and Workbook

resolve
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Defining Justice

Briefly write your own definition of “Justice”:

Justice is…

At the end of the discipline process, what do you want to see happen for all involved?

Brandon:

Those Harmed/Impacted (Teacher, Custodian, Principal, Mother):

The School Community:
Limitations of Punishment

What are the benefits of punitive discipline?

What are the limitations of punitive discipline?
Restorative Justice Defined

Restorative Justice provides a framework for building accountability and responding to wrongdoing while strengthening individual and community relationships. It is not a singular program or process, rather a philosophy and practice based on a core set of principles that emphasize healing and repair over punishment, inclusion over exclusion, and individual accountability with a high level of community support. Restorative justice is increasingly being applied in justice, school, workplace, and community settings with youth and adults.

Adapted from San Francisco Unified School District

Restorative justice is about building and repairing relationships

**Restoration**
Reintegrating those who have been harmed or have caused harm, restoring them back into the community so that they feel cared for and seen as positive contributing members of their community.

**Intervention**
Responding to situations and incidents where conflict and/or harm has occurred in a way that supports accountability, understanding, reparation of the harm, and healing.

**Prevention**
Preventing harm and conflict by helping to build social and emotional competencies and foster a sense of belonging, safety, and social responsibility to the community.
Restorative Justice in Schools Language

Utilizing the language of restorative justice consistently among the school staff and the parent/family community is a simple and effective approach to reinforce the values of relationships, responsibility, accountability, and community.

Community
Each person’s actions affect the wellbeing of the community (students, school staff, families). Further, the strength and health of the community directly impacts the school climate and academic achievement. Recognizing the connections between people and the school and valuing each person’s contributions can contribute greatly toward the development of positive relationships and sense of social responsibility. Example: “We are a community. “ “You are part of a community” “Your community cares about you.”

Impact/Harm
For both positive and negative actions, recognizing impact helps to teach that one’s actions affect the greater community. It is equally important to reinforce positive impact, as it is to teach that negative behavior harms relationships and the health of the community. Example: “Who was impacted by what happened?” “How was the school harmed by your actions?”

Needs
When conflict or harm happens, it is important to recognize that ALL parties involved have resulting needs. Giving individuals an opportunity to voice their needs is an important step towards identifying what must happen to repair the relationships. Example: “What do you need?” “What do you think the person you harmed needs to feel safe?”

Repair the Harm/Make Things Right
Reinforcing the importance of repairing the harm (when one’s actions have negatively impacted the community) is a critical component for the restoration of community/relationships when harm has occurred. Giving those involved in the incident the opportunity to identify what they are going to do to make things right teaches responsibility and holds each accountable for their actions. Example: “What needs to happen to make things right?” “How can you repair the harm that you caused?”

Responsibility and Accountability
Supporting youth in understanding what it means to be accountable and take responsibility for their actions is an important skill. Walking them through a step by step by process where they learn to talk about what happened, recognize their choices, see things from the perspective of others, and make things right can be a powerful tool. Example: “You have a responsibility to make things right.” “How can you take responsibility for this?”

Choice
Supporting youth in identifying their choices and what was going on for them at the time of their choices can be helpful in helping all involved understand the full scope of the issue and the underlying root causes. Example: “What were you thinking and feeling when you chose to ____.” “What was behind that choice for you?”

* Adapted from San Francisco Unified School District
Principles of Restorative Justice in Schools

The following principles reflect the values and concepts for implementing restorative justice in a community setting. Under each principle are some of its important implications.

**Emphasizes relationships and community**
- Restorative justice seeks to strengthen relationships and build community by encouraging a caring community and climate.
- Relationships are instrumental in building resilience and establishing social responsibility.

**Focuses on the harm done (rather than only on rule/law-breaking)**
- Misbehavior is an offense against people and relationships, not just law/rule-breaking.
- The solution to the offense needs to involve those impacted who can speak to the harms caused.
- Much misbehavior arises out of attempts to address a perceived injustice. Those who offend often feel they have been treated unjustly. Discipline processes must leave room for addressing these perceptions.

**Gives voice to the person(s) harmed**
- The immediate safety concerns of the person harmed are primary.
- Those harmed must be given an opportunity to be acknowledged, supported in identifying their needs, and given a voice in the resolution of the harm.
- The person harmed is the center of the primary relationship that needs to be addressed. Secondary relationships that may have been impacted might include other youth, adults, parents, administrators, and community.

**Engages and values all voices and stakeholders**
- Youth and other members of the community should be involved in a process of naming the values and principles to live by within their community.
- All members and stakeholders of a community should feel included and valued and know that their voice matters (even if they don't agree or when the relationship is challenging).
- Those involved in and affected by a given incident should be invited to and included in a process to identify harms and discuss reparations. Outcomes decided must feel fair and reasonable to all participating.

**Seeks direct accountability (with high level of support)**
- People causing harm should be held accountable for their actions to the people whom they have hurt.
- The goal of accountability should be about acknowledging harm, understanding impact, and making things right (to the extent possible). Consequences should be evaluated based on whether they are reasonable, related to the offense, restorative, and respectful.
- Wrongdoing presents opportunity for change if the process includes active listening, reflecting, shared problem-solving, trust, and accountability structures that are realistic and supported.

**Aligns systems, policies, and practices with restorative values and lens**
- Practices should be examined through the lens of equity, power, privilege, bias, and being trauma-informed.
- Systems and policies are designed to address misbehavior in a way that strengthens relationships.
- Policies should reflect the values and principles agreed to by the community.
- Policies should address the root causes of wrongdoing rather than only on the symptoms.
Different Viewpoints

Different Questions

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<tr>
<th><strong>Punitive</strong></th>
<th><strong>Restorative</strong></th>
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<tr>
<td>What rule or law was broken?</td>
<td>Who has been hurt?</td>
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<td>Who did it?</td>
<td>What do they need?</td>
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<td>What punishment do they deserve?</td>
<td>Who’s obligation is it to repair the harm?</td>
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<td>What is the best process to engage those impacted to decide the way forward?</td>
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Different Viewpoints

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<tr>
<td>Rule/laws violated</td>
<td>People/relationships violated</td>
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<tr>
<td>Justice focuses on establishing guilt</td>
<td>Justice identifies harms, needs, and obligations</td>
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<td>Accountability = Punishment</td>
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<td></td>
<td>• Acknowledging harm</td>
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<td>• Recognizing choices</td>
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<td>• Understanding other’s perspective</td>
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<td>• Making things right</td>
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<td>• Taking steps to prevent future occurrence</td>
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<tr>
<td>Focuses on the person who caused harm (offender)</td>
<td>Person who caused harm, person who was harmed, and community all have a direct role in the justice process</td>
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<td>Rules often outweigh if the outcome is positive/negative</td>
<td>Person who caused harm is responsible for repairing harm, all work toward positive outcomes</td>
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<td>No opportunity for remorse or amends</td>
<td>Opportunities given for remorse and amends</td>
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Relationship Window

The underlying premise of Restorative Justice rests with the belief that people are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things with them, rather than to them or for them. A restorative approach to building and repairing relationships requires a balance of high levels of FIRMNESS (characterized by limit-setting, expectations, control, and discipline) with high levels of SUPPORT (encouragement, nurture, and kindness).

Relationships are primary in how humans navigate their worlds. Relationships that feel safe and respectful support brain functioning that is necessary for learning. The concepts outlined in the Relationship Window mirror parenting research, which finds that kids with authoritative parents (high firmness & high support) tend to have better outcomes than those with authoritarian (high firmness & low support) or permissive parents (low firmness & high support). Review the chart below to identify qualities of each type of relationship dynamic.

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<th>FIRMNESS</th>
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### TO PUNITIVE

**What does it look like?** Stigmatizing, no opportunity for conversation, instant punishment, isolating, one-sided, no youth voice, instant punishment, control oriented

**What does it sound like?** “Out. Now.”, “You just earned yourself 20 minutes in time out.”, “You just lost all of your privileges for the rest of the week.”

### WITH RESTORATIVE

**What does it look like?** Connecting, trusting, listening, supporting, identifying actions and resulting impacts, separating the deed from the doer, opportunities to make things right after harm has been caused, growth oriented

**What does it sound like?**

“I still care about you AND I’m going to hold you accountable.”, “We can figure this out together. What do you need so that you can make things right?”

### NOT NEGLIGENTFUL

**What does it look like?** Ignoring, unresponsive, minimizing, disengaging, dismissive, ambivalent, avoiding

**What does it sound like?** “I know you didn’t just do that.”, “It’s not that big of a deal.”, “It’s none of my business.”, “They’ll work it out if they need to.”

### FOR PERMISSIVE

**What does it look like?** Excusing, reasoning, rationalizing, fixing, rescuing

**What does it sound like?**

“I get that you’ve had a hard life.”, “That was a tough situation. I don’t know how you could have done better.”, “I’m going to try to make this as painless as possible.”
Relationship Window (continued)

“WITH” - High Firmness, High Support (Restorative Approach)

Impact on the Brain: Builds attunement and connection, activates cause-and-effect thinking, lessens fight-flight response and enhances executive functioning, supports reflection and empathy development, provides opportunity for learning and enhancing prosocial skills.

Impact on the Relationship: Develops a reciprocal relationship with mutual support and recognition of one another’s humanness. Adult and youth both have power and can impact change.

Emotional Qualities: Respected, cared for, trust, vulnerable and safe, supported, challenged, engaged, collaborative.

“TO” - High Firmness, Low Support (Punitive)


Impact on the Relationship: Creates a hierarchical, power-over relationship characterized by disagreement, dominance, and disruption. Views the other person and their behavior as an object to be managed. Adult has all of the power, youth has none. Change is only possible through adult actions.

Emotional qualities: Powerless, out of control, angry, scared, victimized, despondent, defiant, misunderstood.

“For” - Low Firmness, High Support (Permissive)

Impact on the Brain: Reinforces negative behavior by connecting it with positive feelings, does not allow the opportunity to develop resilience, stunts social development, and promotes dependency.

Impact on the Relationship: Establishes an unhealthy balance of giving and needing support. Views the other person as an object of need and the giver of support becomes trapped in a need to be needed. Adult treats youth as powerless. Coping and placating, not change, are seen as the only options.


“NOT” - Low Firmness, Low Support (Neglectful)

Impact on the Brain: Causes distress and distrust, stimulates stress response, interrupts positive relationship building, hampers executive functioning, stunts social development, and negatively impacts attention, memory, emotions and behavior.

Impact on the Relationship: Results in a nonexistent relationship or extreme disregard for the other person’s humanness and capacity to do better. Adult ignores/denies power and potential for change in self and youth. Need for change is also ignored.

Emotional qualities: Invisible, unimportant, powerless, insignificant, worthless, ignored, dejected, distrust.

Sources and References:

Ted Watchell, International Institute for Restorative Practices, Social Discipline Window
Dorothy Vaandering, A Window on Relationships
Terry Chadsey, Developing Relationships with Children According to the Dimensions of Kindness and Firmness
Jody McVittie, Sound Discipline, Working with Students Exposed to Trauma
Restorative Questions

To Help Those Who Have Harmed Others (Offenders)

1. What happened?
2. What were you thinking and feeling?
3. Who was impacted by your actions? How?
4. What can you do to make things right?

To Help Those Who Have Been Harmed (Victims)

1. What did you think and feel when you realized what happened?
2. How did this impact you and others?
3. What has been the hardest thing for you?
4. What needs to happen to make things right?
Why Use Restorative Justice?

Improves school climate and safety.
- Restorative practices engage students, improve attendance, lower classroom disruptions, decrease referrals, raise academic performance and increase graduation rates. There is a greater sense of belonging, safety, ownership, pride and empowerment felt by students and staff.

Builds social and emotional competencies.
- Students learn and actively practice skills such as self-reflection, self-awareness, empathy, responsibility, and effective communication.
- Restorative practices enhance feelings of inclusion, connection, and restoration instead of exclusion, shame, and resentment.

Promotes accountability.
- Negative incidents are viewed as opportunities for students to become aware of the impact of their behavior, understand the obligation to take responsibility for their actions, and take steps toward making things right.
- All members of the school community take personal responsibility to follow through and hold one another accountable to the collective values and principles that define the community.

Decreases disciplinary actions and referrals.
- Students are less likely to act out in restorative school climates and school personnel feel more comfortable and competent to respond to situations in the moment before they escalate.

Creates a more effective teaching and learning environment.
- Students learn the skills to self-regulate their own behavior and understand the impact of their actions on others, creating a more harmonious teaching and learning environment.

Addresses “school-to-prison pipeline”.
- By avoiding exclusionary discipline (such as suspension and expulsion) a student’s risk for involvement with the justice systems decreases. Alternatively, students are provided with opportunities to make things right and repair harms done while staying in school where they have the greatest opportunity to learn, participate, and be part of a larger community. This increases the opportunity for pro-social learning and a restored sense of belonging.

Addresses root cause of problem and not just the symptom of the behavior.
- Inappropriate behavior is often a symptom of something else that is out of balance in the student’s life. Restorative practices seek to identify and address the underlying cause of acting out and not just respond to the behavior itself.

Shows quantitative results.
Research indicates that implementing restorative practices result in:
- Reductions in suspensions and expulsions
- Reduction in disciplinary referrals and detentions
- Increased in graduation and attendance rates
- Reductions in bullying, fights, threats, inappropriate behavior, classroom disruptions, disrespect, and theft.
RESTORATIVE JUSTICE IN SCHOOLS
Impacts and Findings from High Schools in Southern Oregon

INCREASING GRADUATION & ATTENDANCE RATES

+13%

The graduation rate at Rogue River Junior Senior High School increased from 67% to 80% from 2014 to 2017.

Regular attenders at Rogue River Junior Senior High School (attendance rate of 90% or more) increased from 76% to 84% from 2016 to 2017.

Phoenix High School’s attendance rate increased by 6% from 2014 to 2018.

DECREASING BEHAVIOR REFERRALS

At Rogue River Junior Senior High School, behavior referrals decreased by a total of 612 from 2016 to 2017.

At Phoenix High School, referrals for fights and bullying decreased by nearly half since implementing restorative justice.

Referrals for Fighting

Referrals for Bullying

2013-14
2017-18
2013-14
2017-18

DECREASING EXCLUSIONARY AND PUNITIVE DISCIPLINE

Phoenix High School decreased out-of-school suspensions for students of color by 76% and overall by 33% for the total student population from 2014 to 2018.

-76%

Central Medford High School decreased out-of-school suspensions from 60 to 32 between 2016 and 2018.

-47%

Phoenix High School decreased discipline referrals by 60% for students with Special Education or IEP status, and 65% for students who receive free or reduced lunch (economically disadvantaged).

-60.5%

-86.5%

Central Medford High School, an alternative high school, decreased their “major” behavior referrals from 228 to 90 from 2016 to 2018. Over the same time period, “minor” referrals decreased from 74 to 10.
THE IMPACT OF RESTORATIVE JUSTICE
VICTIM ASSISTANCE, YOUTH ACCOUNTABILITY (VAYA) PROGRAM
— a 10 year cooperative study with —
Resolve Center for Dispute Resolution and Restorative Justice
Southern Oregon University
Jackson County Juvenile Department

REDUCING RECIDIVISM
80%
80% of youth offenders who participated in the restorative justice program did not commit further crimes.
19.7% of youth recidivated compared to the county average of 29.7%.

INCREASING SATISFACTION
92% 99%
Offenders Victims
92% of youth offenders and 99% of victims/survivors would choose to participate in a process again.

DECREASING CRIMINOGENIC THINKING
6 out of 10 youth offenders demonstrated a reduction in criminogenic and anti-social thinking.

INCREASING FAIRNESS AND JUSTICE
89%
89% of victims/survivors agree that the restorative justice process made the justice system more responsive to their needs.

MEETING VICTIM NEEDS
100%
100% of victims/survivors agree that the process allowed them to express their feelings of being victimized.

100%
100% of victims/survivors agree that the process was helpful in making things right.

88% of victims/survivors report the process helped them gain information and better understand why the offense was committed.

Contact Resolve for methodology.
Teaching Kids a Lesson Means Keeping Them in School
HB 2192

Oregon's zero tolerance policies have created a "school-to-prison pipeline," where the use of exclusionary discipline—out-of-school suspension and expulsion—funnels students, especially students of color and students with disabilities, away from mainstream educational environments and toward the juvenile and criminal justice system, and results in lower educational attainment.

Zero Tolerance Policies Make Schools and Communities Less Safe: Pushing students out of school often leads to worse behavior. Strict discipline fails to make schools safer and may make them less safe. When students are excluded from a structured environment, they have more time and opportunity to get into trouble.¹

A Vicious Cycle -- Exclusionary Discipline Exacerbates the Achievement Gap: Once students are excluded from school they will fall behind and struggle to complete graduation requirements.² Academic struggles contribute to further behavior problems.

Exclusionary Discipline Disproportionately Affects Disabled Students and Students of Color: Children of color and children with disabilities are more likely than their white or non-disabled peers to be subjected to more frequent and more severe punishments.³ iv

Exclusionary Discipline Harms Youth and Our Communities:

✔️ Oregon 2011 data shows: Compared to their numbers among the student population, *African American youth were twice as likely to be suspended or expelled*. Native American youth were 1.6 times as likely, and Hispanic youth were 1.2 times as likely to be disciplined.”

✔️ Only 40 percent of students disciplined 11 times or more graduated from high school during the study period, and 31 percent of students disciplined one or more times repeated their grade at least once.⁶

✔️ Students who have been suspended are *78% more likely to drop out of school*.⁷

✔️ If half of Oregon’s 11,800 dropouts from the class of 2010 had earned a high school diploma, there would be $40 million dollars in increased earnings and $3.1 million in increased state tax revenue.⁸

✔️ Among youth admitted to the Oregon Youth Authority in 2011, only 15% had no history of expulsion. Forty-four percent (44%) had been expelled four or more times.⁹

“A student who’s habitually misbehaving or acting out is a sign of a child who needs more attention, not less. To prevent crime most effectively, we must identify students who are heading down the wrong path and get them back on track, without unnecessarily disrupting their academic learning.”

-- Sacramento Police Chief Rick Brazyel, on the report released by Fight Crime, Invest in Kids, California: *Classmates not Cellmates: Effective School Discipline Cuts Crime and Improves Student Success*
What HB 2192 does:

1. Recognizes that school is the safest place for students to be during the day.
2. Promotes behavior and discipline practices which are already used in more than 60% of Oregon schools and which have been shown to be effective in keeping schools safe while keeping more students learning.
3. Encourages schools to reduce the use of suspension and expulsion in order to keep more struggling students in school where they can learn the academic and social skills they are often lacking.
4. Increases the discretion and authority of school administrators to assess school safety and employ a broad range of discipline and other interventions that promote both safety and learning.
5. Repeals ineffective and confusing “zero tolerance” policies that have led to inconsistent and inappropriate discipline for tens of thousands of students.
6. Disrupts the “school-to-prison pipeline” by reducing the use of school exclusion, which has increased the risk of some students to enter the justice system.
7. Will help reduce the high rates of suspension and expulsion of students with disabilities and students of color.
8. Maintains Oregon’s compliance with federal law.

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   http://web.montco.us/sites/default/files/ccf/documents/the_achievement_gap_and_the_discipline_gap.pdf
4. Civil Rights Data Collection, March 2011 Report
5. ODE Report Cards, Race & Ethnicity Comparison Grouped Bar Graph (2011).
   http://www.ode.state.or.us/apps/Navigation/Navigation.Web/default.aspx#Discipline
8. Alliance for Excellent Education (Spring 2011). http://all4ed.org/econ
Discipline With Dignity: Oakland Classrooms Try Healing Instead of Punishment
by Fania Davis

As executive director of Restorative Justice for Oakland Youth, Fania Davis sees programs like hers as part of the way to end the school-to-prison pipeline.

Tommy, an agitated 14-year-old high school student in Oakland, Calif., was in the hallway cursing out his teacher at the top of his lungs. A few minutes earlier, in the classroom, he’d called her a “b__” after she twice told him to lift his head from the desk and sit up straight. Eric Butler, the school coordinator for Restorative Justice for Oakland Youth (RJOY—the author is executive director of the organization) heard the ruckus and rushed to the scene. The principal also heard it and appeared. Though Butler tried to engage him in conversation, Tommy was in a rage and heard nothing. He even took a swing at Butler that missed. Grabbing the walkie-talkie to call security, the principal angrily told Tommy he would be suspended.

“I don’t care if I’m suspended. I don’t care about anything,” Tommy defiantly responded. Butler asked the principal to allow him to try a restorative approach with Tommy instead of suspending him.

Butler immediately began to try to reach Tommy’s mother. This angered Tommy even more. “Don’t call my momma. She ain’t gonna do nothing. I don’t care about her either.”

“Is everything OK?” The concern in Butler’s voice produced a noticeable shift in Tommy’s energy.

“No, everything is not OK.”

“What’s wrong?” Eric asked. Tommy was mistrustful and wouldn’t say anything else. “Man, you took a swing at me, I didn’t fight back. I’m just trying my best to keep you in school. You know I’m not trying to hurt you. Come to my classroom. Let’s talk.”

They walked together to the restorative justice room. Slowly, the boy began to open up and share what was weighing on him. His mom, who had been successfully doing drug rehabilitation, had relapsed. She’d been out for three days. The 14-year-old was going home every night to a motherless household and two younger siblings. He had been holding it together as best he could, even getting his brother and sister breakfast and getting them off to school. He had his head down on the desk in class that day because he was exhausted from sleepless nights and worry.

After the principal heard Tommy’s story, he said, “We were about to put this kid out of school, when what he really deserved was a medal.”

Eric tracked down Tommy’s mother, did some prep work, and facilitated a restorative justice circle with her, Tommy, the teacher, and the principal. Using a technique borrowed from indigenous traditions, each had a turn with the talking piece, an object that has a special meaning to the group. It moves from person to person, tracing a circle. The person holding the talking piece is the only one talking, and the holder speaks with respect and from the heart.

Everyone else in the circle listens with respect and from the heart.
As Tommy held the talking piece, he told his story. On the day of the incident, he had not slept, and he was hungry and scared. He felt the teacher was nagging him. He’d lost it. Tommy apologized. He passed the talking piece to his teacher and heard her story.

Earlier in the year another student had assaulted her. She was terrified it was about to happen again with Tommy. After the incident with Tommy, as much as she loved teaching, she had considered quitting. Tommy apologized again for the outburst and offered to make amends by helping her with after-school chores for the next few weeks. The teacher agreed to show more compassion in the future if she noticed a student’s head down on the desk.

Taking responsibility, Tommy’s mother apologized to her son and all present. She rededicated herself to treatment and was referred to the campus drug rehabilitation counselor. After the circle and with follow-up, Tommy’s family life, grades, and behavior improved. The teacher remained at the school.

**Restoration, not punishment**

Nelson Mandela’s adage, “I destroy my enemies when I make them my friends” captures the profoundly inclusive nature of restorative justice (RJ). The hallmark of RJ is intentionally bringing together people with seemingly diametrically opposed viewpoints—particularly people who have harmed with people who have been harmed—in a carefully prepared face-to-face encounter where everyone listens and speaks with respect and from the heart no matter their differences. The talking piece is a powerful equalizer, allowing everyone’s voice to be heard and honored, whether that of a police officer, a judge, or a 14-year-old youth.

If the school had responded in the usual way by suspending Tommy, harm would have been replicated, not healed. Punitive justice asks only what rule or law was broken, who did it, and how they should be punished. It responds to the original harm with more harm. Restorative justice asks who was harmed, what are the needs and obligations of all affected, and how do they figure out how to heal the harm.

Had punitive discipline ruled the day, Tommy’s story would have gone unheard and his needs unmet. Had he been suspended, Tommy’s chances of engaging in violence and being incarcerated would have dramatically increased. Suspension likely would have exacerbated harm on all sides—to Tommy, his teacher, his family, and ultimately, his community. His teacher would have been deprived of hearing Tommy’s story. She might have quit teaching and remained trapped in trauma.

If Tommy had been suspended and left unsupervised—as most suspended students are—he would have been behind in his coursework when he returned. Trapped in an under-resourced school without adequate tutoring and counseling, Tommy would have had a hard time catching up. According to a national study, he would have been three times more likely to drop out by 10th grade than students who had never been suspended.

Worse, had Tommy dropped out, his chances of being incarcerated later in life would have tripled. Seventy-five percent of the nation’s inmates are high school dropouts.

**Getting kids out of the pipeline**

The school-to-prison pipeline refers to the alarming national trend of punishing and criminalizing our youth instead of educating and nurturing them. Exclusionary discipline policies such as suspensions, expulsions, and school-based arrests are increasingly being used to address even the most minor infractions: a 5-year-old girl’s temper
tantrum, a child doodling on her desk with erasable ink, or adolescent students having a milk fight in the cafeteria. Use of suspensions has almost doubled since the 1970’s. Black students are disproportionately impacted. According to data from the U.S. Office of Civil Rights, black students are three times more likely to be suspended than their white counterparts for comparable offenses.

In 2010, the Oakland school board passed a resolution adopting restorative justice as a system-wide alternative to zero-tolerance discipline.

Overreliance on exclusionary school discipline that disproportionately impacts African American youth led the U.S. Departments of Justice and Education recently to announce the launch of a national initiative to help schools and districts meet their legal obligation to administer discipline without unlawfully discriminating. At the January 8, 2014 release of a Guidance Package on equitable and effective school discipline, U.S. Secretary of Education Arne Duncan said, “Racial discrimination in school discipline is a real problem today, and not just an issue from 40 to 50 years ago.”

According to a study by the Centers for Disease Control, a student’s sense of belonging to a high school community is a top protective factor against violence and incarceration. In addition to convening restorative justice circles like Tommy’s, RJOY also uses circles proactively to deepen relationships and create a school culture of connectivity, thereby reducing the likelihood that harm will occur.

A UC Berkeley Law study found RJOY’s 2007 middle school pilot eliminated violence and expulsions, while reducing school suspension rates by 87 percent. After two years of training and participation in RJ practices, whenever conflict arose, RJOY middle school students knew how to respond by coming to the RJ room to ask for a talking piece and space to facilitate a circle. Today, at one of the RJOY school sites, student suspensions decreased 74 percent after two years and referrals for violence fell 77 percent after one year. Racial disparity in discipline was eliminated. Graduation rates and test scores increased.

In Oakland, RJOY is successfully influencing the school district to make the approach in Tommy’s case the new norm. The restorative justice model has been so successful in the schools where RJOY has worked that, in 2010, the Oakland school board passed a resolution adopting RJ as a system-wide alternative to zero-tolerance discipline and as a way of creating stronger and healthier school communities.

Young high school students in Oakland with failing grades and multiple incarcerations who were not expected to graduate not only graduate but achieve 3.0-plus GPAs. Some have become class valedictorians. Girls who have been long-time enemies become friends after sitting in a peacemaking circle. Instead of fighting, students come into the restorative justice room and ask for a talking piece and circle. Youth and adults who walk into a circle feeling anger toward one another end up embracing. Youth report they are doing circles at home with their families. High school graduates are returning to their schools to ask for circles to address conflict outside the school.

Oakland is considered one of the most violent cities in the nation. However, today hundreds of Oakland students are learning a new habit. Instead of resorting to violence, they are being empowered to engage in restorative processes that bring together persons harmed with persons responsible for harm in a safe and respectful space, promoting dialogue, accountability, a deeper sense of community, and healing.

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