Restorative Justice Through PAR

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YouthBuild Charter School of California

Coalition of Essential Schools
Fall Forum 2016
I. Forced Choices
Effectiveness of RJ


- RJ has resulted in improvements in:
  - School Climate
  - Student Engagement
  - Student Connectedness
  - Community & Parent Engagement
  - Offer of Support to Students from Staff
  - Decreased in Discipline Disparities
  - Decreased Suspensions
  - Student Academic Achievement
  - Decreased Fighting & Bullying
II. Workshop Goals
Workshop Outcomes

- **Outcome 1**
  - Learn about the primary components of RJ
- **Outcome 2**
  - Curriculum strategies to build an RJ culture
- **Outcome 3**
  - How to use PAR to engage the community in building this culture
Sharing RJ Resources

- http://tinyurl.com/ces2016restorative
III. Why Restorative Justice
The fundamental premise of restorative practices is that people are happier, more cooperative and productive, and more likely to make positive changes when those in positions of authority do things with them, rather than to them or for them.
The Civil Rights Project
Proyecto Derechos Civiles
Renewing the civil rights movement by bridging the worlds of ideas and action
Disparity in Discipline - Race

Figure 1. Students across the nation suspended at least once during the 2009-2010 school year, as a percentage of total enrollment

Source: CRDC, 2009-2010 (numbers from national sample rounded to whole numbers)
Disparity in Discipline - Race & Ability

Students of Color with Disabilities Are Suspended at Alarming Rates

Figure 2. Impact by race and disability of the use of out-of-school suspensions, 2009-2010

Source: CRDC, 2009-2010 (numbers from national sample rounded to whole numbers)
School to Prison Pipeline

- The ACLU is committed to challenging the "school-to-prison pipeline," a disturbing national trend wherein children are funneled out of public schools and into the juvenile and criminal justice systems.
- Many of these children have learning disabilities or histories of poverty, abuse or neglect, and would benefit from additional educational and counseling services. Instead, they are isolated, punished and pushed out.
SCHOOL-TO-PRISON PIPELINE

School disciplinary policies disproportionately affect Black students.

Zero-tolerance discipline has resulted in Black students facing disproportionately harsher punishment than white students in public schools.¹
Black students represent 31% of school-related arrests\(^2\)
Black students are suspended and expelled

3x

more than white students.³
Students suspended or expelled for a discretionary violation are nearly three times more likely to be in contact with the juvenile justice system the following year.  

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BROWN AT 60: STILL SEPARATE. STILL UNEQUAL.  

#BrownAt60
According to federal statistics, black students are 16 percent of students enrolled in public schools but are 35 percent of those physically disciplined; black children receive physical punishment at almost three times the rate of their non-black peers. The decidedly racial tilt is also seen at the state level. In Mississippi, which tops the list in cases of corporal punishment, black students are 49 percent of the state’s student population and 64 percent of those paddled, far surpassing the number of white classmates (35 percent) receiving such discipline.
<table>
<thead>
<tr>
<th>State</th>
<th>Number of Students with Disabilities Receiving Corporal Punishment</th>
<th>Number of All Students Receiving Corporal Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas</td>
<td>10,222</td>
<td>49,157</td>
</tr>
<tr>
<td>Mississippi</td>
<td>5,831</td>
<td>38,131</td>
</tr>
<tr>
<td>Alabama</td>
<td>5,111</td>
<td>33,716</td>
</tr>
<tr>
<td>Arkansas</td>
<td>4,082</td>
<td>22,314</td>
</tr>
<tr>
<td>Georgia</td>
<td>3,903</td>
<td>18,249</td>
</tr>
<tr>
<td>Tennessee</td>
<td>3,618</td>
<td>14,868</td>
</tr>
<tr>
<td>Louisiana</td>
<td>2,463</td>
<td>11,080</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>2,249</td>
<td>14,828</td>
</tr>
<tr>
<td>Florida</td>
<td>1,331</td>
<td>7,185</td>
</tr>
<tr>
<td>Missouri</td>
<td>1,191</td>
<td>5,129</td>
</tr>
</tbody>
</table>
More Information about Disparity in Discipline

- UCLA Civil Rights Project (website)
- “Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School” by Daniel J. Losen & Jonathan Gillespie
- “Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools” by Daniel J. Losen & Tia Elena Martinez
- “Data Snapshot: School Discipline” by US Dept of Education Office for Civil Rights
- “Schools, Prisons, and Social Implications of Punishment: Rethinking Disciplinary Practices” by Pedro Noguera
- Anderson, Melinda D. “Where Teachers are still Allowed to Spank Students.” The Atlantic December 2015
Activity: Why Restorative Justice?

- Table community circles
- Choose a table and discuss:
  - Why do you want to implement RJ?
  - How can RJ interrupt the school-to-prison pipeline?
IV. Defining Restorative Justice
Defining RJ Activity

• Break up into 3 groups
  ○ Thank You Ma’am by James Baldwin
  ○ The Fundamental Concepts of RJ
  ○ The Woolf Within YouTube Video

• Read the text or watch the video
• Fill out the worksheet
THE
Restorative
Practices
Handbook
for Teachers, Disciplinarians and Administrators
by Bob Comello, Joshua Wachen and Ted Wachen
(Design: Building a culture of community in schools)
Defining RJ - Stakeholders

- Restorative justice is a process involving the primary stakeholders in determining how best to repair the harm done by an offense.
- The 3 primary stakeholders are victims, offenders and their communities of care.
Defining RJ - Develop Community

- The aim of restorative practices is to develop community and to manage conflict by repairing harm and building relationships.
- There are proactive (building community) and reactive (repairing harm) approaches.
- Organizations and services that only use the reactive without building the social capital beforehand are less successful than those that also employ the proactive.
V. Restorative Justice in Schools

POWER AT ITS BEST IS LOVE IMPLEMENTING THE DEMANDS OF JUSTICE, AND JUSTICE AT ITS BEST IS POWER CORRECTING EVERYTHING THAT STANDS AGAINST LOVE

- MARTIN LUTHER KING, JR.
Spectrum of RJ Practices

Culture Building
- Respect Agreement
- Community Circle
- Constructive Reminders
- Cultural Relevance
- Project-Based Learning
- Mindfulness
- Teaching Students RJ

Repairing Relationships
- Impromptu Conference
- Conflict Resolution
- Peer Mediation
- Referral to Counseling
- Resource Allocation

Rebuilding Relationships
- Harm & Conflict Circles
- Circle Agreements
- Follow-Up
Culture Building

- Respect Agreement
- Community Circle
- Constructive Reminders
- Cultural Relevance
- Project-Based Learning
- Mindfulness
- Teaching Students RJ
Respect Agreements

- Agreement created by entire school or classroom
- Builds trust and community
- Identifies norms
- Can be reviewed and adjusted regularly
Creating A Respect Agreement

- Question: What does respect mean to you?
- Students brainstorm definitions individually
- Then they define as a group
- Final agreement signed by all students and educators
# RESPECT AGREEMENT for HCYB

## STUDENT TO STUDENT
1. Say please and thank you
2. No putdowns/judgment
3. No fighting
4. Positive attitude
5. Be helpful

Possible solution(s) if broken
1. One-on-one talk
2. Agree to family time conference
3. No privileges

## STUDENT TO STAFF
1. Recognition
2. Extension if requested
3. No putdowns/push-ups
4. Respect/Golden rule
5. Treated equal as a young adult

Possible solution(s) if broken
1. Reminders
2. Student-Teacher Conference
3. Talk to all staff

## STAFF TO STUDENT
1. Positive attitude
2. Respect each other’s time
3. Come with a learners attitude
4. Challenge yourself
5. Treat others the way you want to be treated

Possible solution(s) if broken
1. Reminder
2. One-on-one conference
3. Apology letter

## STUDENT TO FACILITY
1. No littering
2. No tagging
3. Treat school like your house
4. No loitering
5. No smoking/give the school a good name

Possible solution(s) if broken
1. Reminder
2. Clean campus
3. Sent home, work on packets
# Statements of Unity

In Ms. Emily Bautista's class, our goal is to create a classroom that embodies a united effort to grow as individuals, intellectuals, and as a community. Our statements of unity are listed below:

<table>
<thead>
<tr>
<th>STUDENTS RESPECT THEMSELVES by:</th>
<th>STUDENTS RESPECT OTHER STUDENTS by:</th>
<th>STUDENTS RESPECT for RESOURCES by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participating in class</td>
<td>Respecting others' property/valuable properties</td>
<td>Not tagging on tables, chairs, walls, etc.</td>
</tr>
<tr>
<td>Staying focused and aware</td>
<td>Respecting others' heritage &amp; sexuality</td>
<td>Not stealing equipment</td>
</tr>
<tr>
<td>Having self-esteem, dignity, &amp; pride</td>
<td>Respecting others' opinions</td>
<td>Not taking other people's stuff</td>
</tr>
<tr>
<td>Acting their age</td>
<td>Not judging a book by its cover</td>
<td>Keeping your area clean</td>
</tr>
<tr>
<td>Having moral values</td>
<td>Listening while others speak</td>
<td>Not putting gum under the table</td>
</tr>
<tr>
<td>Maintaining their personal hygiene</td>
<td>Treating others how they want to be treated</td>
<td>Not tagging on books</td>
</tr>
<tr>
<td>Coming with a positive attitude</td>
<td>Helping others</td>
<td>Not ripping pages out the books</td>
</tr>
<tr>
<td>Staying motivated</td>
<td>Respecting the time frame</td>
<td>Not breaking equipment</td>
</tr>
<tr>
<td>Being honest with themselves</td>
<td>Communicating with others while in the right mind</td>
<td>Treating things like if it were your own</td>
</tr>
<tr>
<td>Being drug-free/sober during class</td>
<td>Keeping hands, feet, and resources to themselves (unless participating in a class activity/sharing resources)</td>
<td>Being prepared with your materials</td>
</tr>
<tr>
<td>Showing leadership</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STUDENTS RESPECT THE TEACHER by:</th>
<th>TEACHER RESPECTS STUDENTS by:</th>
<th>WE SHOW ACCOUNTABILITY by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Being polite to the teacher</td>
<td>Seeing where students are coming from and avoid offending them</td>
<td>Working to uphold and respect these Statements of Unity (SOU)</td>
</tr>
<tr>
<td>Listening while s/he is speaking</td>
<td>Making sure students know what they’re doing</td>
<td>Working to uphold the course expectations listed in the course syllabus to show respect</td>
</tr>
<tr>
<td>Acknowledging their space</td>
<td>Answering students’ questions</td>
<td>Maintain a “commitment to be constructive” with my peers and Ms. Emily Bautista to restore justice to our learning environment</td>
</tr>
<tr>
<td>Following directions</td>
<td>Allowing students to speak</td>
<td></td>
</tr>
<tr>
<td>Asking for assistance (help)</td>
<td>Keeping students comfortable so they’ll want to come to class and make it easier for students to learn</td>
<td></td>
</tr>
<tr>
<td>Showing you care</td>
<td>Let students think on their own and have their own say-so</td>
<td></td>
</tr>
<tr>
<td>Not instigating</td>
<td>Teach students how to show respect</td>
<td></td>
</tr>
<tr>
<td>Cleaning up after themselves</td>
<td>Give good advice</td>
<td></td>
</tr>
</tbody>
</table>

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I understand that I have the freedom to make my own decisions and that my actions reflect a choice I have made. In the event that I choose to violate any of the statements of unity, I will accept responsibility and remain accountable.

Signed,

Student Signature

Printed Student Name

Date

Ms. Emily Bautista

Date
Classroom Expectations:

- **Drama Free** - respect one another, be honest, no stealing, learn when to walk away when angry, act your age
- **Stay on Task** - be quiet when told, work hard, play hard
- **Respect** - the person speaking, kind language, positive attitudes, show kindness, respect ladies and gentlemen, keep it 100 - be straight up, respect each like what you like and be respected. Be more respectful to one another other by communication by having confidence. Respect equipment and technology.
- **Group Activities** - work together, help each other
- **Communication** - share opinions, share what bugs you, share work, stay positive if you need help ask, speak and listen from the heart, say what you want without fear
- **On Time** - keep priorities in check, on time, participate
Matthew’s Respect Agreements

Respect Agreements
Consolidated - All Periods

Teacher to Student
• Give extra help
• Respect
• Equality
• Be fair
• Teach us correctly
• Be Patient
• Understanding
• Give opportunities for support

Student to Student
• Respect
• No theft
• Support each other
• Equality
• Be responsible
• Trust

Student to Teacher
• Respect
• Keep room clean
Community Circles
Purpose of Circles

● Circle dialogue is a fundamental element of restorative dialogue.
● Classroom circles support the two main goals of restorative practices:
  ○ Building community
  ○ Responding to harms through dialogue that sets things right
## Types of Circles I

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Facilitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Check-In</td>
<td>Beginning of class go-around</td>
<td>• How are you feeling today?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What is one of your academic goals for the day?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Make a commitment about your behavior in school today.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Review something you accomplished this week.</td>
</tr>
<tr>
<td>Check-Out</td>
<td>End of the class or day go-around</td>
<td>• How was your day today?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Say one thing you learned today?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What is one thing you learned today?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What are you looking forward to for school tomorrow?</td>
</tr>
<tr>
<td>Classroom Norms</td>
<td>Expectations and procedures for a particular class</td>
<td>• What helps you learn while you are in class?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What stops you from learning?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• In order for us to have a successful year together,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>what are some things we can all agree on related to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>how we will all behave and treat each other?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• How should we respond if someone fails to keep these agreements?</td>
</tr>
</tbody>
</table>
# Types of Circles II

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Facilitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classroom Content</td>
<td>Discuss topic for class</td>
<td>• What is your experience with this topic?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Why are we learning about this?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What else would you like to learn about this?</td>
</tr>
<tr>
<td>Academic Goals</td>
<td>Set goals as individuals or as a class</td>
<td>• What is your goal for class this week?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What is something you need in order to get your work done today?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What steps will you complete this week toward carrying out your project?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Who is someone who worked hard this week?</td>
</tr>
<tr>
<td>Behavior Problems</td>
<td>Respond to significant behavior problems that involve larger groups</td>
<td>• What was your part in the problem?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What can we do to make sure this doesn’t happen again?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• How do you feel when you get teased?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Have you ever had something stolen from you?</td>
</tr>
<tr>
<td>Being Proactive</td>
<td>Proactive measure to avoid potential problems</td>
<td>• How might you be tempted to act out on this trip?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What kind of impression do you want to make on people where we’re going?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• How will you deal with any disagreements or problems you face with other students if something does happen?</td>
</tr>
</tbody>
</table>
Repairing Relationships

- Impromptu Conference
- Affective Statements
- Conflict Resolution
- Peer Mediation
- Referral to Counseling
- Resource Allocation
Impromptu Conference

**Small Impromptu Conferences:**

- Are questioning exercises that quickly resolve lower-level incidents involving two or more people.
- Ask both the wrongdoer and those harmed to answer a series of Restorative Questions in front of one another.
- Model a healthy approach to conflict resolution and break the pattern of lower-level incidents escalating or accumulating over time.
- Encourage people involved in the incident to talk to each other, express their feelings and think about the impact of their behavior.
- Are a response to behavior midway on the restorative practices continuum.
Affective Statements

- Help create an immediate change in the dynamic between teacher and student
- Humanize the teacher
- Used to acknowledge success, hard work, collaboration
- Emotive expression of concern for behavior

<table>
<thead>
<tr>
<th>TYPICAL RESPONSE</th>
<th>AFFECTIVE STATEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>» Stop teasing Sandy.</td>
<td>» It makes me uncomfortable when I hear you teasing Sandy.</td>
</tr>
<tr>
<td>» Talking during class is inappropriate.</td>
<td>» I am frustrated that you aren't listening to me.</td>
</tr>
<tr>
<td>» You shouldn't do that.</td>
<td>» I feel sad when you say something like that to John.</td>
</tr>
<tr>
<td>» Sit down and be quiet.</td>
<td>» I get angry when you talk and joke during my lectures.</td>
</tr>
<tr>
<td>» I don't want to see you fighting with him.</td>
<td>» I was shocked to see you hurt Pete.</td>
</tr>
</tbody>
</table>
### Affective Questions

**Figure 3.** Restorative questions.

<table>
<thead>
<tr>
<th>WHEN CHALLENGING BEHAVIOR</th>
<th>TO HELP THOSE AFFECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>» What happened?</td>
<td>» What did you think when you realized what had happened?</td>
</tr>
<tr>
<td>» What were you thinking of at the time?</td>
<td>» What impact has this incident had on you and others?</td>
</tr>
<tr>
<td>» What have you thought about since?</td>
<td>» What has been the hardest thing for you?</td>
</tr>
<tr>
<td>» Who has been affected by what you have done? In what way have they been affected?</td>
<td>» What do you think needs to happen to make things right?</td>
</tr>
<tr>
<td>» What do you think you need to do to make things right?</td>
<td></td>
</tr>
</tbody>
</table>
Rebuilding Relationships

Harm & Conflict Circles
Circle Agreements
Follow-Up
RESTORATIVE JUSTICE Conferencing
Real Justice® & The Conferencing Handbook
by Ted Wachtel, Terry O'Connell & Ben Wachtel

Two books in one volume
Harm & Conflict Circles

- A restorative conference is a structured meeting between offenders, victims and both parties' family and friends
- They collectively deal with the consequences of the wrongdoing and decide how best to repair the harm
- Neither a counseling nor a mediation process, conferencing is a victim-sensitive, straightforward problem-solving method
Activity: Where Can RJ Be Implemented?

- Form community circles of 4 people
- Which of the RJ techniques can be implemented at your school?
- Discuss the following school spaces:
  - Classroom culture
  - Curriculum
  - Schoolwide interventions
VI. Curricular Strategies

CHUY READS BANNED BOOKS
BECAUSE HE KNOWS THE
EMPIRE DOESN’T WANT
HIM TO READ THEM

pedagogy
of the
oppressed
PAULO FREIRE

WWW.ROMCLIBRARY.ORG
# RJ Curriculum in Matt’s Classroom

## YCSC Course Syllabus

**Course Title:**
English 9

<table>
<thead>
<tr>
<th>Co-Taught: YES/NO</th>
<th>Teacher(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Credits</th>
<th>Subject 1:</th>
<th>Subject 2:</th>
<th>Subject 3:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possible: 5</td>
<td>Credits possible: 5</td>
<td>Credits possible:</td>
<td>Credits possible:</td>
</tr>
</tbody>
</table>

## Essential Question/Theme
How can we use our power to change our community?

## Course Description:
This course will focus on Restorative Justice and the power its use has to change our schools and our communities. In the first unit, students will learn what Restorative Justice is, how it is different from traditional forms of justice, and how it can be used in schools to transform the way both students and staff view each other and the school community in general. In the second unit, students will see how Restorative Justice has been applied in the real world and help others see that Restorative Justice can be useful even in situations where tremendous harm has been done. Finally, in the third unit, students will read short stories where seemingly irreparable harm has been done to one of the characters, and the students will create a workable Restorative Justice scenario for one of these characters.

<table>
<thead>
<tr>
<th>Unit</th>
<th>Common Core Specific Standards</th>
<th>STEM, Humanities, Culture Competencies Measured</th>
<th>Assessments / Portfolio Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit 1</td>
<td>Subject 1:</td>
<td>Humanities – Theoretical Frameworks Close Reading of a Text Critical Media/Digital Literacy</td>
<td>Subject 1: A presentation of Participatory Action Research and a plan to enact Restorative Justice according to analysis of information gleaned from surveys and personal experience</td>
</tr>
<tr>
<td></td>
<td>Subject 2:</td>
<td>Culture – Support and Healing Collaboration Social Consciousness and Action</td>
<td></td>
</tr>
<tr>
<td>Unit 2</td>
<td>Subject 1:</td>
<td>Humanities – Writing Process Essay Writing</td>
<td>Subject 1: A concise presentation of a long article on the application of Restorative Justice in an extreme circumstance</td>
</tr>
<tr>
<td></td>
<td>Subject 2:</td>
<td>Culture – Success</td>
<td></td>
</tr>
<tr>
<td>Unit 3</td>
<td>Subject 1:</td>
<td>Humanities – Communicating a Message Command of Language</td>
<td>Subject 1: The creation of a Restorative Justice plan for a character in a short story. The Restorative Justice plan must include the likely Criminal Justice outcomes and how Restorative Justice would be different and perhaps better for all</td>
</tr>
<tr>
<td></td>
<td>Subject 2:</td>
<td>Culture – Love and Care Leadership</td>
<td></td>
</tr>
</tbody>
</table>
RJ Curriculum in Crystal’s Classroom

- Crystal designed an entire English Course revolved around Restorative Justice
  - Unit 1 - learning the philosophy, principles, and practice of RJ
  - Unit 2 - researching RJ practices at school
  - Unit 3 - developing a plan to improve practices
Reflection on Beliefs About Justice

- Freire describes reflection as the basis for action (praxis)
- As students studied RJ, they reflected on their own beliefs
Conflict Management Quiz

- Students in the RJ class took a quiz on 5 conflict management styles

<table>
<thead>
<tr>
<th>STYLE</th>
<th>DESCRIPTION</th>
<th>% OF STUDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collaborating</td>
<td>Optimize result for all to build feelings of trust</td>
<td>10%</td>
</tr>
<tr>
<td>Competing</td>
<td>Authoritarian approach for quick solution</td>
<td>10%</td>
</tr>
<tr>
<td>Avoiding</td>
<td>Non confrontational, postpone difficulty</td>
<td>20%</td>
</tr>
<tr>
<td>Harmonizing</td>
<td>Giving in to maintain relationships</td>
<td>20%</td>
</tr>
<tr>
<td>Compromising</td>
<td>The middle ground approach – no one is satisfied</td>
<td>40%</td>
</tr>
</tbody>
</table>
Criminal vs. Restorative Justice

- Students learned about RJ in the criminal justice system
- Discussed RJ as technique to disrupt school-to-prison pipeline

Discussion summary:
Most students agreed with using RJ in response to crimes and in schools. One student strongly disagreed. He felt that people should take responsibility for their own actions.
Showing the Difference Between Restorative Justice and Criminal Justice

- Describes the differences between who is involved in the two justice systems and the processes of the two justice systems.
Thank you Ma’am

- Story by Langston Hughes
- Woman who forgives neighborhood kid for stealing purse
- Restorative justice in family & community

<table>
<thead>
<tr>
<th>Common Core English</th>
<th>Interview Circle Activity Reflection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Writing response</td>
<td>What does RJ mean to you?</td>
</tr>
<tr>
<td>Analysis</td>
<td>Do you agree with her response?</td>
</tr>
<tr>
<td>Text-based evidence</td>
<td>Have you witnessed RJ at school or at home?</td>
</tr>
<tr>
<td></td>
<td>How would you use RJ to resolve a conflict?</td>
</tr>
</tbody>
</table>
Short Stories for RJ Application

THE ONES WHO WALK AWAY FROM OMELAS

RAY BRADBURY
ALL SUMMER IN A DAY

A SHORT STORY
Beliefs about Justice Before & After

- Students wrote short response essays that identified their beliefs about justice before and after studying RJ

BEFORE

- Expel
- Punitive
- Injustice
- Suspension
- Unjust
- Favoritism
- Contract
- Control
- Punishment

AFTER

- Meditation
- Justice
- Understanding
- Communication
- Trust
- Fairness
- Respect
- Talking
- Understanding
- Talking

- Fairness
- Trust
- Justice
- Communication
- Understanding
Activity: How Can You Teach RJ to Students?

- Break up into circles of 8 people
- Discuss any ideas or resources you have for
  - RJ curriculum
  - RJ activities
VII. Participatory Action Research
Participatory Action Research
Public Science Project

- Participatory Action Research (PAR) provides a critical framework for making science – systematic inquiry and analysis – a public enterprise
- PAR values the significant knowledge people hold about their lives and experiences
- PAR positions those most intimately impacted by research as leaders in shaping research questions, framing interpretations, and designing meaningful research and actions
PAR Methods 1

- A series of lessons to collectively learn and develop a shared research language
- Together, the participants craft research questions, data collection, analysis, and research products
PAR Methods II

- Participants use qualitative and quantitative tools to challenge existing structures
- They imagine how to re-create conditions toward justice
- Methods include: participatory surveys, participant observation, interviews, photo-voice, focus groups, identity maps, individual interviews, list stories, street surveys, archival and historic reviews, policy analyses, slam books, problem identification webs, “cold calls” to institutions, web-based research, and more
Polling for Justice Video

- In 2008, the PSP aligned with young people’s organizing and advocacy in New York City
- They created a city-wide (five borough) survey of youth experiences and desires/demands, in reference to education, health and justice
- Together, they supported organizing and advocacy, including public forums or speak-outs, policy white papers or briefs, and web-based dissemination tools
• Conducted during the first unit
• Surveyed students and teachers about past and present experiences with traditional discipline and restorative practices at school
• Created a plan for using Restorative Justice at our school
Creating surveys

- How to use Google Forms (all students get a gmail account through our school)

- Determining what you want to know and what you expect to find out

- Using different question types on forms to get qualitative and quantitative information
Student Survey

Nati & Nick’s Justice System Survey

What is your opinion on zero tolerance? *

Short answer text

How many times have you gotten suspended for ditching school? *

Short answer text

If so Explain what you thought about being suspended? *

Short answer text

How well do you think communication circles work? *

1: never, 2: 1, 3: 2, 4: 3, 5: 4, 6: always

How many times have you had in-class suspension before? *

Short answer text
This section discusses the results of our survey and what those results mean in terms of school discipline.

- 75% of the people who answered the questions in this survey thought discipline should happen for all students involved in an incident.
- 100% answered no to students getting treated like criminals. Why, you may ask? It's because not every student who does something in school would become a criminal. Some are just asking for attention to make them feel better. If it was based on students doing something wrong then also the teacher should get the same treatment for not doing the right thing.
- Our survey found that students believe teachers dislike students so they treat them differently in the classroom.
- 40% of them answered that based on their experiences maybe if they were one on one with the staff or teacher and the teacher might have felt that situation and understood it.
Students Created Plans for our School

When a student gets in trouble for breaking the rules in a school setting both staff and students should be able to discuss the situation.

A design would include a group of staff and students so that they can talk to the students when an incident happens. Have a group of students and staff in place so that when an incident happens they come up with a way to repair any damage done and make amends with the school. In order to do that I suggest that we create a elective/class called peer group at two times throughout the day where we meet at a specified classroom to teach and have restorative justice sessions when needed.

Make sure that the same thing doesn't happen in the future by getting to the root of the problem if the student would tell you why it happened in the first place.

Some reasons why this plan won't work would be that the student who is undergoing restorative justice is unresponsive to any type of help and do not want it or if they choose to do the same mistake that got them in trouble in the first part.
PAR with Crystal

- Conducted over the course of 2 units
- Researched understanding and beliefs about RJ amongst students and teachers
- Developed workshops and recommendations for further training
Poll to Assess Awareness of RJ

- Students conducted a poll of students to determine awareness of restorative justice, which is an official school policy.
How to Interview Someone

- Students studied & practiced different aspects of interviewing people:
  - Asking for specifics
  - Determining purpose of interview
  - Writing our own questions
  - Analyzing responses
Teacher Interviews

- Teachers interviewed
- Responses categorized & summarized

**Understanding**
- Used for conflicts
- Provides options
- Form of counseling

**Buy-In**
- Effective
- Used with “destructive” students
- All voices are heard, including teacher

**Training Needs**
- More training desired
- Want to understand RJ better
- Need more RJ techniques
Student Interviews

- Students interviewed to assess understanding
- Responses categorized & summarized
Taking Action & Creating Awareness

- We created workshops to increase awareness of and buy-in for Restorative Justice
- Workshops & assessments developed by students on:
  - Community Circle
  - Communication Skills
  - History of RJ
1) Community Circle Workshop

- Two types of Community Circles
  - Conflict Resolution
  - Community Building
1) Assessment: Community Circle Quiz

- After workshop, participants were given a quiz to assess learning
- Summary of responses below

<table>
<thead>
<tr>
<th>Question</th>
<th>Responses</th>
</tr>
</thead>
</table>
| What did you learn                            | • Definition of RJ  
                                         • Agreements  
                                         • Community circle |
| How would you use Community Circle?           | • Resolve a conflict  
                                         • Community building  
                                         • Make a decision |
| What does CC mean to you?                     | • Group of people sit in circle  
                                         • Share stories  
                                         • Process to resolve conflict  
                                         • Respect  
                                         • Settle a dispute |
| Give me an example at school – how would you use CC? | • Name calling  
                                         • Mediation circle  
                                         • Apologizing  
                                         • Make agreements |
2) Communication Skills Workshop

- Eye Contact
- Mirror or Repeat What You Heard
- Ask Questions
- Don’t Interrupt
- Remember
- Watch Tone of Voice & Body Language
- Be Open Minded
- Learn How to Disagree Effectively
2) Assessment: Describe the Image

- Assessment used to demonstrate miscommunication
  - Participants form pairs
  - One person given shadow images
  - Asked to describe images non-verbally
  - None of the pairs communicated effectively
3) History of RJ Workshop

- Restorative techniques used throughout human history:
  - Indigenous Australian & Eskimo communities
  - Code of Hammurabi
  - Laws of Ethelbert of Kent
  - Homer’s Illiad
3) Assessment: RJ Skit

- Two volunteers were chosen from the audience
  - They were given a conflict scenario
  - Told to resolve it using RJ techniques
  - Students used mediation to talk about why they were fighting
  - They resolved the argument through dialogue
Student Essays

- Each student wrote an essay:
  - Describing RJ history & philosophy
  - Reflecting on research
  - Recommending next steps (summarized below)

### Training
- Students & teachers need more training in RJ
- Teachers need to apply RJ consistently
- Consistent follow-up with struggling students is needed
- Continue to have RJ class

### Community Building
- Include community circles in school day
- Build school culture with activities
- Teachers should talk to students instead of punishing them

### Application to Life
- Build resiliency in students
- Teach students how to use conflict resolution in life
Teaching the Wider Community
Activity: How Can Students Engage in PAR?

- Break up into “windmill” circles (2 concentric circles)
  - How can students use PAR to implement RJ?
  - What quantitative data could they gather?
  - What qualitative data could they gather?
VIII. Identifying School Challenges
Challenges at YouthBuild

- Data continuously collected by staff and students to improve policies and practice
- RESEARCH QUESTIONS
  - What is practiced at the school?
  - How do teachers respond to conflict?
  - How does the school respond to conflict?
- TYPE OF DATA
  - Behavior documentation, case studies, posted policies, surveys
RESPECT AGREEMENT

STUDENTS Respecting TEACHERS
- Speak in a professional manner
- Ask permission
- Listen when the teacher is talking

STUDENTS Respecting STUDENTS
- Respect each other’s properties
- No name calling & bullying
- Be positive and encouraging
**Restorative Interventions**
- 1/8 incidents were addressed with restorative practices

**Exterior Factors Ignored**
- 3/8 students struggled with external factors that were not addressed
To what degree are Restorative practices an important element of school culture and policies?
What keeps your site from fully implementing Restorative Justice? Check all that apply.

- Staff lacks understanding of the practice
- Staff lacks faith that it works
- Staff needs more training
- Students don't respond to these practices
- Restorative Justice takes too much time
- It takes too much coordination and cooperation
- No one oversees its implementation
- The steps and processes are not clearly delineated
- The steps and processes are implemented incorrectly
- Different staff members implement it differently
- Other
What professional development would support the Restorative Justice practices being implemented more fully at your school site? Check all that apply.

- More training in the Claassen model
- Training in other Restorative Justice models
- Clearly outlined processes
- Training in culture building activities
- Research on the efficacy of Restorative Justice in changing behavior
- No more professional development is needed
- Other
## RJ Implementation Guides

### Table 1. Restorative Justice Implementation Guides and Toolkits

<table>
<thead>
<tr>
<th>Resource</th>
<th>Author, Year</th>
<th>Source</th>
</tr>
</thead>
</table>
5 Stages of Implementation

- “Practicing Restorative Justice in School Communities: The Challenge of Culture Change,” by Brenda Morrison, Peta Blood, Margaret Thorsborne

<table>
<thead>
<tr>
<th>Table 1: Stages of implementation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1: Gaining Commitment— Capturing Hearts and Minds</td>
</tr>
<tr>
<td>1. Making a case for change</td>
</tr>
<tr>
<td>1.1. Identifying the need (the cost of current practice)</td>
</tr>
<tr>
<td>1.2. Identifying learning gaps</td>
</tr>
<tr>
<td>1.3. Challenging current practice</td>
</tr>
<tr>
<td>1.4. Debunking the myths around behaviour management and what makes a difference</td>
</tr>
<tr>
<td>1.5. Linking to other priorities</td>
</tr>
<tr>
<td>2. Establishing buy-in</td>
</tr>
<tr>
<td>Stage 2: Developing a Shared Vision— Knowing where we are going and why</td>
</tr>
<tr>
<td>1. Inspiring a shared vision</td>
</tr>
<tr>
<td>2. Developing preferred outcomes aligned with the vision</td>
</tr>
<tr>
<td>3. Building a framework for practice</td>
</tr>
<tr>
<td>4. Developing a common language</td>
</tr>
<tr>
<td>Stage 3: Developing Responsive and Effective Practice—Changing how we do things around here</td>
</tr>
<tr>
<td>1. Developing a range of responses</td>
</tr>
<tr>
<td>2. Training, maintenance and support</td>
</tr>
<tr>
<td>3. Monitoring for quality standards</td>
</tr>
<tr>
<td>Stage 4: Developing a Whole School Approach— Putting it all together</td>
</tr>
<tr>
<td>1. Realignment of school policy with new practice</td>
</tr>
<tr>
<td>2. Managing the Transition</td>
</tr>
<tr>
<td>3. Widening the lens</td>
</tr>
<tr>
<td>Stage 5: Professional Relationships— Walking the talk with each other</td>
</tr>
<tr>
<td>1. Promoting open, honest, transparent and fair working relationships</td>
</tr>
<tr>
<td>2. Using restorative processes for managing staff grievance, performance management and conflict</td>
</tr>
<tr>
<td>3. Challenging practice and behaviour—building integrity</td>
</tr>
</tbody>
</table>
1. Restorative justice is a way of thinking and responding to conflicts, disputes, or offenses. Restorative justice concerns making things as right as possible for all people.

**ASSESSMENT:**

<table>
<thead>
<tr>
<th>Our primary focus of addressing conflicts and offenses is:</th>
<th>Completely on the needs and interests of outside authority</th>
<th>Somewhat on the needs and interests of outside authority, somewhat on the victim</th>
<th>Somewhat on the needs and interests of all parties, and outside authority</th>
<th>Completely on the needs and interests of all parties, institutions, and organizations involved.</th>
</tr>
</thead>
<tbody>
<tr>
<td>We respond to violations, offenses and injustices by</td>
<td>Always trying to identify and punish those who misbehave.</td>
<td>Usually trying to identify and punish those who misbehave</td>
<td>Sometimes working on making things right as possible for all parties</td>
<td>Usually make things right as possible for all parties.</td>
</tr>
</tbody>
</table>

- Ron Claassen
- [http://peace.fresno.edu/docs/rjassess.pdf](http://peace.fresno.edu/docs/rjassess.pdf)
Assessing Implementation

- Staff surveys
- Student surveys
- Behavior incident documentation
- School wide observations
- Classroom observations
- RJ circle reflections
- Participatory action research
Activity: What Challenges Will You Face?

- Break up into pairs
- Discuss the following questions
  - What challenges will you face?
  - How can you overcome those challenges?
IX. Harm & Conflict Circles
Harm and Conflict Circles - Purpose

- Conferences provide victims and others with an opportunity to confront the offender, express their feelings, ask questions and have a say in the outcome
- Offenders hear firsthand how their behavior has affected people
- Offenders may choose to participate in a conference
- The conference facilitator invites others affected by the incident — the family and friends of victims and offenders
Offender Questions

- Using the conference script, offenders are asked these restorative questions:
  - “What happened?”
  - “What were you thinking about at the time?”
  - “What have you thought about since the incident?”
  - “Who do you think has been affected by your actions?”
  - “How have they been affected?”
Victim Questions

- Victims are asked these restorative questions:
  - “What was your reaction at the time of the incident?”
  - “How do you feel about what happened?”
  - “What has been the hardest thing for you?”
  - “How did your family and friends react when they heard about the incident?”
Supporters

- What did you think when you heard about the incident?
- How do you feel about what happened?
- What has been the hardest thing for you?
- What do you think are the main issues?
Restorative Agreements & Follow-Up

- The victim is asked what he or she would like to be the outcome of the conference
- The response is discussed with the offender and supporters
- Agreements are typically fair and logical consequences
- A simple contract is written and signed
- The appointed person follows-up with all parties
1. Two former best friends, Maria and Elisa, get into a physical fight during lunch. Elisa is dating the father of Maria’s newborn son. Their enmity grew last week when Maria tagged the bathroom wall with a message that called Elisa a “whore.” It finally escalated to this fight.

2. Derrick is truant to his 1st period Pre-Algebra class almost every day. He often falls asleep in class. He says the class is boring. And, he blames his night shift at UPS for his tardiness. Today, when the teacher tried waking him, Derrick told him to “fuck off.”

3. Eric has been posting messages on social media during school hours calling Michael a “faggot,” “chubby,” and “ugly,” amongst other things. This morning, when Eric was confronted by an Assistant Principal, he claimed that he was expressing his religious freedom of speech.

4. Alexis disrupts her middle school Life Science class almost everyday. She constantly giggles with her friends in class. And, she spends most the class period on her cell phone. Today, when her teacher tried to take the phone away, she refused to give it up. She told the Assistant Principal that she uses it to stay in contact with her younger brother in foster care.
Closing...Mindfulness
What Mindfulness Does for Urban Kids

As alternatives to detention, school-based meditation programs help students cope with stress.

EILIE ANZIOLITTI | @eillieanzi | Nov 14, 2016 | 3 Comments