Restorative Justice and the Implications for Schools

Howard Zehr, often cited as the ‘grandfather of restorative justice’ (Morrison, 2003; Takagi and Shank, 2004) describes restorative justice as requiring “society [to] address victims’ harms and needs, hold offenders accountable to put right those harms, and involve victims, offenders, and communities in the process of healing” (Siegel, 2011, p. 217). Restorative justice encourages respect for everyone, including those that may cause harm to others and holding that individual accountable for his or her actions to the highest degree possible. Zehr (2002) describes restorative justice as: “a set of principles, a philosophy, an alternate set of guiding questions. Ultimately, restorative justice provides an alternative framework for thinking about wrongdoing” (p. 5), and can be utilized effectively not only within the criminal justice system and juvenile justice system, but within schools as well.

As schools seek alternative ways to discipline students through less punitive and harsh punishments (Adams, 2008; Harrison, 2007; Riestenberg, 1997; Stinchcomb, Bazemore, & Riestenberg, 2006), restorative justice approaches to discipline provides an alternative measure, when used in conjunction with other measures can become a model that will best suit the needs of each school’s unique culture and larger community. “In that regard, restorative justice has been identified by some policy makers, practitioners, and academicians as a potential theoretical framework within which to develop somewhat more balanced responses to occurrences of school-related misbehavior” (Stinchcomb et al., 2006, p. 124). Within the restorative justice framework, responses to crime, bullying, disciplinary violations, truancy, drug and alcohol
related offenses, and some violent offenses within schools can be effectively handled by using restorative practices.

**Restorative Practices within Schools**

There are relatively few qualitative studies on the overall effectiveness of restorative justice practices within schools and its impact on youth (Anderson, 2004; Basar & Akan, 2013; Hayes, 2006; Jennings, Gover, & Hitchcock, 2008; Morrison, 2002). What works for schools in terms of implementing a restorative justice framework, the perceptions of benefits, obstacles, and challenges from the viewpoint of the student, the teacher, and the principal or restorative coordinator is still largely unknown (Apel, 2009; Booren & Handy, 2009). Moreover, qualitative research of restorative justice programs and their overall effectiveness have traditionally focused on its affects/effects within the criminal justice system and the juvenile justice system, and have not necessarily been applied to its affect/effect within schools (Cavanagh, 2009; Hemphill, Toumbourou, Herrenkohl, McMorris, & Catalano, 2006; Jennings et al., 2008; Maimon, Antonaccio, & French, 2012; Morrison, 2003; Stinchcomb et al., 2006).

Restorative practices within schools focuses on teaching self-discipline, self-governance, collective efficacy, and assists students as they take ownership of their actions through a restorative justice framework that is unique to a particular school culture, encompassing the needs, goals, and objectives of that particular school’s mission and commitment to the larger community in which it resides (Stinchcomb et al., 2006). Restorative approaches within schools can take on many forms including (but not limited to) the following: 1) removal of out-of-school suspensions, in-school suspensions, and expulsions; 2) implementation of prevention programs such as violence programs, and bullying prevention programs; 3) training on discipline practices
for students, staff, and parents within a school community; 4) peer juries and/or peer sentencing circles; 5) peace circles or peace centers; 6) group conferencing and family group conferencing; 7) peer mediation and/or victim-offender mediation; 8) victim impact panels or boards; and 9) community service programs (Community Organizing and Family Issues, “Restorative Justice in Chicago Public Schools,” 2010).

Restorative justice “moves school discipline away from “offend, suspend, and reoffend” by [instead] engaging in dialogue that helps people to understand why the incident occurred, how to resolve the conflict, and teaches alternatives to violence and aggression” Zehr (as cited in Von Der Embse, Von Der Embse, Von Der Embse, & Levine, 2009, p. 18) through the various forms of restorative practices within schools. There are many types of restorative practices that can be utilized effectively within schools including problem solving groups, peer mediation, intervention, group/circle conferencing, family group conferencing, and conflict resolution strategies, which encompass the principles and goals of the restorative justice model and conceptual framework (Wachtel, 2012).

For those schools which have already implemented restorative practices as either a whole-school approach, or partial restorative justice approach, these schools have seen a substantial reduction in both the number of students suspended and a reduced amount of serious behavioral incidents occurring. In West Philadelphia High School, Pennsylvania, “violent acts and serious incidents were down 52% in 2007-2008 [as] compared to 2006-2007” (International Institute for Restorative Practices [IIRP], 2009, p. 7), and the number of students suspended once or twice decreased more than 75% in both categories after implementing restorative practices within their high school (IIRP, 2009, p. 7). In Pottstown High School, Pennsylvania, out-of-school suspensions from 2006-2007 to 2007-2008 were reduced by more than 50% after implementing
restorative practices, and the principal there stated: “[there] has been a significant reduction in discipline problems, disrespect and fighting, and students are more accountable…[there’s] no more feeling of us versus them. Staff and kids are all one team” (IIRP, 2009, p. 9). In Newtown Middle School, Pennsylvania, after implementing restorative practices, disciplinary incidents decreased during 2004-2005 to 2005-2006 by more than 50%, and the principal there stated: “[restorative] practices has changed the feeling and culture here. Now it’s like a family setting. Everyone asks for help and helps others…Kids are far more likely to behave due to relationships than out of fear” (IIRP, 2009, p. 11).

With the belief that each school is a unique culture in itself, a “microcosm of society, schools have the potential to nurture and integrate individuals within society. However, they also have the potential to stigmatize and exclude” (Morrison, 2002, p. 2). Rather than punishing children for wrongdoings, or doing things ‘to’ them; a restorative justice approach emphasizes working ‘with’ children, to help them understand how their actions or misbehavior have impacted others (Harrison, 2007; McCluskey et al., 2008; Riestenberg, 1997; Stutzman Amstutz & Mullet, 2005). Importantly, research has shown that schools with zero-tolerance policies, harsh punishment, and discipline policies are no more safe than those without them, (Jennings et al., 2008; Maimon, et al., 2012; Stinchcomb et al., 2006) and that children report feeling safer and more secure in schools with less strict punishment (Anderson, 2004; Hemphill et al., 2006; Schachter, 2010).

Essentially a restorative justice approach to discipline within schools both insulates and includes everyone affected by harm, and has the potential to positively impact those youth who may be at a greater risk of reoffending and from “continuing down the spiraling path toward delinquency and crime” (Jennings, et al., 2008). Restorative practices within schools can become the primary model for schools, changing the paradigm altogether (Zehr, 2005), with
harsh punishments and sanctions reserved as a secondary disciplinary measure, and for only the most severe offenses when a restorative approach has been ineffective at changing future behavior (Jennings et al., 2008; Strang & Braithwaite, 2000). Furthermore, a restorative justice approach to discipline within schools can remove the negative label, shame, and guilt that is often associated with misbehavior in school, as students who engage in wrongful or harmful acts are brought face-to-face with a situation or victim, and are part of the solution rather than seen as the problem (Ashworth et al., 2008; Hayes, 2006; Jennings et al., 2008; Stutzman Amstutz & Mullet, 2005). Repairing the harm done, righting wrongs, and restoring relationships are central goals of restorative justice approaches within schools.

To summarize, restorative approaches stemming from the theoretical framework and philosophy of restorative justice, which has traditionally been applied in the criminal justice system and juvenile justice system has important implications for schools, including an increased sense of security and stability within the school, greater responsibility and accountability on the part of students, and civil and democratic ideals that foster improved decision-making skills that will positively impact the life course of the student. “[A restorative justice] approach is not just about restoring justice in our schools; it is also about restoring responsibility in our students, civility in our classrooms, and, ultimately, hope in our communities” (Stinchcomb et. al., 2006, p. 142). Restorative practices in schools attempts to find the balance between the people harmed, the needs of the person causing the harm, and the unique school community, with its central aim to involve all parties who have been impacted by the harm itself. Though finding a balance may not be easy for some schools who have implemented restorative approaches to discipline, when implemented effectively, restorative practices in schools can benefit everyone.
References


Restorative Practices In Action. It comes as no surprise that as a teacher of secondary education, I see my fair share of emotional outbursts. While the most natural response to loud remarks, defiant behavior and continuous class interruptions would be to send a student out of the room, my training in RP has provided me a whole new way of approaching conflict. The expectation of RP is as follows: A conflict occurs in the classroom, instead of removing the student temporarily by sending him or her to in-school suspension or to an administrator, a teacher privately engages the student in a resto... Informal restorative practices Informal restorative practices are small ways educators and other school personnel can influence a positive environment. Within many communities, schools have deemphasized traditional school-based disciplinary interventions, while greatly expanding the use of zero-tolerance disciplinary approaches that exclude students from their schools through out-of-school suspensions, expulsions, and referrals to alternative schools or programs. While the original intent of these policies and practices was to address serious threats to school safety, the reality is that... How can I advocate for restorative practices on a larger scale? 1. Share this guide with fellow educators. Restorative Practices - Whole-School Implementation Guide: The San Francisco Unified School District uses restorative practices throughout the district. This guide provides a framework for planning, implementing, and using restorative practices across a school or district. There are many useful insights into the unique considerations of implementing a program. Also check out the district's useful curriculum-planning resources. Examples of Successful Restorative-Justice Programs. Oakland Unified School District. Oakland Unified School District first implemented its restorative justice program Schools and teachers dealing with behavior issues and bullying are constantly searching for new and effective ways to handle it all. One concept that's been making headway in recent years is restorative justice. But what is restorative justice, and what does it take to make it work in schools? Here's an overview of the restorative justice system for teachers and schools. What is restorative justice? Within a few years, the success of these programs led to the exploration of restorative justice in schools, especially those that suffered from high rates of student misbehavior. In California, Oakland Unified School District began using the program at a failing middle school in 2006.