

# Restorative Practices

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Schools that employ zero tolerance policies tend to utilize discipline measures such as suspension and expulsion, which exclude students from school and are related to numerous detrimental outcomes (McMorris et al., 2011). “Restorative practices” are an alternative to disciplinary measures that keeps students in school and introduces them to an educational restorative process that is “not interested in blame, shame, fault, apologies, or excuses...only fixing” (Gossen, 1998, pp. 186-187). Restorative practices focus on relationships, community, self-discipline, and reparation, and have been shown to benefit students in a number of ways. Schools in fourteen states currently are using restorative practices and some data about its use in these schools has begun to be analyzed (Office of Juvenile Justice and Delinquency Prevention, 2013).

### What are Restorative Practices?

Restorative practices are a method of school discipline and conflict resolution that include all individuals “who have been affected by a transgression. . . that brings students, families, schools, and community members together to resolve conflict, promote healing, and restore communities” (Von der Embse, Von der Embse, Von der Embse, & Levine, 2009, p. 18). Misbehavior in schools is regarded as an act against the affected individuals, school, and community (McCluskey, 2008a), so restorative practice enables the student to talk about their behavior and their circumstances within this community (McCluskey, 2008b), and create a plan to fix the harm caused (Gossen, 1998). As a positive alternative to individual punishment, restorative practice focuses on healing (Chmelynski, 2005), education, and community restoration (Wearmouth, McKinney, & Glynn, 2007). The challenge of restorative practice is to reintegrate the student who committed the wrong back into the school community while protecting the right of the victim to a safe and secure learning environment (Varnham, 2005). [See the Strategy Brief on *Family Group Conferencing* for an example.]

Restorative practices originated in Maori, Aboriginal, and Native American communities (Cowie, Hutson, Jennifer, & Myers, 2008) and is commonly seen today in the area of Criminology (Chmelynski, 2005). Restorative practice is known by many other terms, including restitution, restorative justice, community justice, transformative justice, peacemaking criminology, relational justice, (McCluskey, 2008a), restitution restructuring (Gossen, 1998), and restorative measures (Shaw, 2007). Participation in restorative practice is voluntary (Latimer, Dowden, & Muise, 2005) and often includes models such as victim-offender mediation, restorative conferencing (Wearmouth et al., 2007), discussion circles (Boulton & Mirsky, 2006), and restorative agreements (Meagher, 2009).

Restorative Practices consists of five important principles. The first is to have full participation of all interested parties in order to seek consensus. The second is to heal both the victim and the offender. The third is to hold the offender accountable for the harm caused. The fourth is to reunite what has been divided. Finally, restorative practices seek to strengthen the school community to prevent further harm (Varnham, 2005).

**Victim offender mediation .** One model of restorative practice is Victim Offender Mediation (VOM). As an illustration, imagine student A was caught stealing a camera from student B's locker at school. During mediation, A and B would voluntarily come together with a mediator to resolve the conflict. According to Hopkins (2004), there are five stages in mediation: establishing mediation guidelines, allowing participants to share their story, participants sharing what they need to do to move forward in agreement, writing down agreements, and discussing progress. In this model, although the mediator is present, A and B would have to work out the problem on their own and decide what actions A should take to make it right with B. In one juvenile justice study conducted by Umbreit and Zehr (1996), 95 percent of mediation sessions resulted in restitution agreements to cover the victim's financial losses, victims were significantly less fearful of being re-victimized, and recidivism rates were 18 percent for offenders who participated in victim offender mediation as opposed to 27 percent for offenders who did not participate (Bazemore & Umbreit, 2001).

**Restorative conferencing.** Another model for restorative practice is restorative conferencing. Conferencing allows all affected parties to come together to talk about the situation and decide on the outcomes. In A and B's situation, both students would need to be present. Parents, teachers, and other supporters usually attend as well (Hopkins, 2004). This conference would involve answering the questions of "what happened, how has this affected the

## **Terms & Definitions**

Restorative Justice Session Models:  
(adapted from Meagher, 2009)

- 1. Victim Offender Mediation (VOM)** (aka: victim offender reconciliation or victim offender dialogue): designed to be a dialogue between a victim and an offender for clarification and healing.
- 2. Conferencing** (aka: family group conferencing, family group decision making, or restorative conferencing): similar to VOM except that these sessions include 'supporters' of the victim and the offender, such as family and friends. The supporters are active participants in the session and these individuals' presence is to provide support and accountability.
- 3. The Circle** (aka: circle sentencing, peacemaking circle, or discussion circle): participants include all affected parties in a criminal incident, which can be many. One person speaks at a time, usually being given a talking piece to symbolize commonality and interdependence of circle participants.
- 4. The Board** (aka: the integrity board, reparative board, or community panel). Boards are typically composed of community members that are trained to negotiate a restorative contract.
- 5. Restorative contract** (aka: restorative agreement). Written agreement created as a result of the restorative process.

persons involved, who was involved, and how can we make things right” (Hopkins, 2004). Both students, A and B, would speak, followed by the other remaining attendees.

**Discussion circles.** Discussion circles (also known as peacemaking circles, problem-solving circles, community circles, or classroom circles (McMorris et al., 2011) are the third restorative model. The purpose of a circle is to have a safe place for a group of people to talk without interruptions (Umbreit, 2003). During a circle time, students and school staff members “sit together in a circle and take turns sharing their thoughts and concerns” (McMorris et al., 2011, p.5). When a participant wants to talk they hold a meaningful object called a talking piece, and only the person holding the talking piece can talk. This practice gives each group member the opportunity to talk without being interrupted or challenged (Umbreit, 2003). There is very little research on the effectiveness of discussion circles, but one study conducted by Judge Stuart (1996) showed recidivism was less likely among offenders who participated in discussion circles (as referenced in Bazemore & Umbreit, 2001).

**Restorative agreements.** Restorative agreements, which contain a record of actions to be taken, are typically connected to the misconduct (Meagher, 2009). For example, since A was caught stealing B’s camera out of her locker, she may have to buy B a new camera, and write an apology. If a student puts graffiti on the lockers, he or she may have to clean all of the lockers or paint over the graffiti. Agreements might also include “apologies, community service, compensation” (Von der Embse et al., 2009, p. 18); reflection papers for older students (Meagher, 2009), or repairing damaged property. (See the strategy briefs on Restitution and Youth Courts).

## **What Do We Know about Restorative Practices?**

Restorative practices can be used as an effective alternative to other forms of discipline

(Gossen, 2004), such as suspension and expulsion (Von der Embse et al., 2009). Restorative practices is considered a school discipline method that is more fair than traditional punishments (Okimoto, Wenzel, & Feather, 2009; Von der Embse et al., 2009). Research has shown marked decreases in suspensions (McMorris et al., 2011; Zaslaw, 2010), fighting (McMorris et al., 2011), unruly behavior (Zaslaw, 2010), property damage (Boulton & Mirsky, 2006), office referrals (McCluskey, 2008a; McMorris et al., 2011), and decreased use of a time-out room (Shaw, 2007).

In addition, the research confirms the correlation between restorative practices and reduced reoffending (Cowie et al., 2008; Stenhjem, 2005). Braithwaite found in his research that there is not only a low level of reoffending, but also a high level of offender satisfaction with restorative practices (Varnham, 2005). Further, victim satisfaction with victim offender mediation has been consistently high (Bazemore & Umbreit, 2001). Family group conferencing might be the strongest model in educating offenders about the harm they caused, but victims do not always have as strong a role in this model (Bazemore & Umbreit, 2001). (See the strategy brief on Family Group Conferencing). Hinkley High School in Colorado instituted restorative justice and in two and a half years, they have seen a 48% reduction in out-of-school suspensions, they have the lowest referral rate in the district when compared with other high schools, and their students have better attendance than before restorative justice was instituted (Umphrey, 2013).

**Research on specific practices.** Several different restorative practices have been researched. In Minneapolis, MN, circles, conferences and mediation were researched and office referrals and suspensions were decreased by 48 – 63%. In Denver, CO, classroom meetings, panels and conferences were researched and expulsions decreased by 82% and out of school suspensions decreased 36%. In Philadelphia, PA, circles decreased suspensions by

50%. In Oakland, CA, whole-school restorative justice circles were used and suspensions were decreased by 87% and expulsions dropped to zero. In Chicago, IL, restorative peer juries were researched and suspension days were decreased by 1,000 days. In Palm Beach, FL, circles were researched and resulted in a 78% decrease in referrals and a 54% reduction in absences. Whole-school restorative justice practices resulted in an 88% drop in suspensions in Baltimore, MD (Office of Juvenile Justice and Delinquency Prevention, 2013).

**Improvement in school climate.** If applied as recommended, restorative practices can help to improve the school atmosphere. It has been shown to effectively address school conflicts and bullying (McMorris et al., 2011; Morrison, 2006; Shaw, 2007) and “transform power imbalances that affect social relationships” (Morrison, 2006, p. 372). The schools that used restorative practices became “identifiably calmer” and students experienced school more positively (McCluskey, 2008a). Students in another study felt increased inter-connectedness with other students and the larger community since restorative practices began in their school (Chmelynski, 2005). [see strategy brief on School Climate]. Restorative practice has also been shown to increase achievement (McCluskey, 2008a).

**Improvements in relationships.** In schools that employed restorative practices, relation-

ships improved between the students, their families, and the community (McCluskey, 2008b). Progress was seen in staff confidence in handling behavioral problems (McCluskey, 2008a), resulting in group problem solving and connectedness with students (Shaw, 2007). Unlike traditional disciplinary methods, restorative practice expects the whole community to be included in the problem solving process (Cavanagh, 2009; McCluskey, 2008a), giving them opportunities to interact with one another and cultivate mutual understanding (Chmelynski, 2005), empathy, and support (Zaslaw, 2010). The students are included in the decision-making process instead of having an administrator choose a disciplinary consequence for them. Students feel empowered, having “high control and high support at the same time” (Chmelynski, 2005).

In August 2008, Denver Public Schools incorporated restorative interventions into their official discipline policy (Office of Juvenile Justice and Delinquency Prevention, 2013). In 2009, San Francisco Unified School District mandated restorative interventions be used instead of suspensions under certain circumstances and the Minnesota Department of Education has used restorative practices for over ten years (Office of Juvenile Justice and Delinquency Prevention, 2013).

**Benefits.** Restorative practices are beneficial for students in a number of significant ways. Students who participate have opportunities to improve in social skills (Shaw, 2007), conflict management, responsibility, empathy, (McCluskey, 2008a), accountability (Shaw, 2007; Von der Embse et al., 2009), and self-discipline (Gossen, 1998). Involvement in restorative practice allows students to understand the harm caused by their actions (Meagher, 2009; Von der Embse et al., 2009) and devise a plan to resolve the conflicts (Okimoto et al., 2009). This process gives the offender the right to be heard (McCluskey, 2008a), doesn’t diminish their self-esteem (Gossen, 2004), and often brings closure to the situation (Meagher, 2009). It may also “remove violations from their record” (Meagher, 2009) and decrease victim fear (Stenhjem, 2005). At least two states (Iowa and Tennes-



see), are currently considering laws that would provide funding to train teachers and counselors in restorative justice and conflict resolution, and allow funding and assistance in implementing positive, preventive discipline programs like restorative practices (Office of Juvenile Justice and Delinquency Prevention, 2013).

## **Making Restorative Practices Work**

The first key for successful implementation of restorative practices is “supportive and productive leadership” (Shaw, 2007). Establishing restorative practices in schools takes significant consideration, planning, and discussion (Wearmouth et al., 2007), so those in leadership have to be prepared to create these modifications for students and staff (McCluskey, 2008a) and provide quality training (McCluskey, 2008a). Willis, an assistant principal who helped to implement restorative practices at his school, stated that relationships and a plan are the key to having a successful program because relationships are the tools that support relevance and rigor (Umphrey, 2013). School leaders are also expected to model appropriate behavior and conflict resolution (Cavanagh, 2009) and take each behavioral incident as an opportunity to teach (Shaw, 2007). Administrators should emphasize the events that took place, the resulting harm, and the student’s plan for restoration (McCluskey, 2008b).

The second key for implementation of restorative practices is teamwork. In order for restorative practices to be sustainable, it must be a school-wide practice (Shaw, 2007). “Whole school, class, and playground activities” can be used (Macready, 2009), where they can practice



recognizing that their behaviors affect others (McCluskey, 2008b). All people involved must help resolve the issues (Wearmouth et al., 2007) in a constructive and non-judgmental manner (McCluskey, 2008b).

The final key for restorative practices to be successful is the foundation of a peaceful (Cavanagh, 2009) and respectful (Macready, 2009) school culture and environment. Recommendations for creating this culture include: building trust, respecting differences, repairing damaged relationships, and maintaining a safe environment (Cavanagh, 2009). Other values that improve school culture are student engagement, responsibility, and empathy (McCluskey, 2008a). All students should feel appreciated (Macready, 2009) and be treated fairly (McCluskey, 2008a). Schools that were prepared for change or were already focused on school climate and positive relationships were found to be most successful in applying restorative practices (McCluskey, 2008a). [See strategy brief on School Climate].

Finally, it is important to think about what the school wants to achieve with its restorative practices and choose the model that best suits its needs. Each model has its strengths and weaknesses and there is not one best approach for every school or even for every case within one school (Bazemore & Umbreit, 2001).

There are several things that teachers need to focus on to become a restorative teacher. They need to be respectful, fair, explicit, supportive, positively challenging and skilled in a range of restorative practices. They also need



to establish trust and safety in their classrooms, have explicit classroom practices and procedures, develop empathy, use reflection and inquiry, and repair harm that may have been done. These teachers show responsibility, accountability, engagement, ownership, and promote self-regulation (Vinegrad, 2013). Vinegrad (2013) also provides examples of classroom and playground codes of cooperation, as well as a wheel of choice which offers students ideas of how to handle problems and requires them to try two of these things before telling a teacher. Some of the things listed are walk away, talk it out, ask others for help, go back and try it again and count down from ten.

## Conclusion

Restorative practices include a variety of different specific practices. A substantial number of studies that have been conducted on these practices, and the research has shown positive results. This framework and these practices have been used in a variety of settings including schools. These programs are concerned with repairing the harm to the victim and helping the victim and the offender to heal so that relationships can be restored. To implement, schools must assess what their needs are, implement the philosophy, and then choose the specific practices that best fits those needs.



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**Note:** See related *Strategy Briefs on Family Group Counseling, Mediation, Restitution, and Youth Courts* which are also available from the Student Engagement Project, University of Nebraska-Lincoln, 202 Barkley Center. Additionally a list of links, resources and books related to these topics, *Resources- Restorative practices in schools*, are also available on the website at <http://k12engagement.unl.edu>

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