1 Restorative School Discipline

This chapter presents an overall picture of the features that provide the foundation for a restorative discipline approach to school policies and practices. It also offers a process for planning and introducing restorative discipline in the school, along with providing essential information for sharing with the school community toward ensuring ownership of a whole-school approach.

RESTORATIVE SCHOOL DISCIPLINE

This guide builds on a school ethos that we describe as "restorative school discipline." Restorative school discipline is not an add-on program for the purposes of behavior management, nor does it provide just another tool in the toolbox for staff to use to deal with student behavior. In contrast, restorative school discipline represents a school culture that permeates all aspects of school organization and relationships within the school as well as relationships between the school and its community. Fundamentally, restorative school practices recognize that schools are educational institutions, so policy and practice should be educative for individual children and the school community. Because schools are educational institutions, the school's response to children's behavior should be consistent with education's goals of supporting teaching and learning—not punishment, retribution, and exclusion. From the individual child's perspective, the school is acknowledged as a social community where every child belongs and where children's behavioral challenges are addressed through supportive, educational interventions. From a whole-school perspective,

restorative practices have the development of positive relationships and peaceful resolution of conflict for staff and students as their primary aims.

Restorative school discipline is reflected in school and classroom practice at every level. Restorative school discipline concurs with the societal goal that the primary purpose of schools is to *educate.* This responsibility to educate goes beyond basic skills such as literacy, numeracy, and subject knowledge: it includes education for citizenship and becoming a contributing member of one's community. Grounded in certain key principles, restorative school discipline is educational in providing all members of the school community with the skills and understandings for positive social interactions, relationships that support learning, and peaceful resolution of problems and conflict.

Foundations of Restorative Practices

Restorative practices have their origins in the concept of restorative justice in the criminal justice system. From a restorative justice perspective, offenses are viewed as interpersonal conflict between victim and offender that need to be addressed by focusing on the source of the problem—within the relationship or interaction between victim and offender (Zehr, 1990, 2002). Historically, most criminal justice systems have emphasized retribution and punishment as the consequences of transgressions by offenders against victims of crime. Restorative justice approaches shifted away from *punishment and retribution,* particularly for young offenders and for less serious offenses, and toward creating the conditions that allowed for making things right—*restoration.* Nevertheless, restorative justice as used within the criminal justice system does not necessarily mean there will not be consequences for criminal offenses. Offenders may still be incarcerated or required to pay a fine for offenses, but there would be procedures sitting alongside those legal consequences designed to allow for the repair of conflict and healing of relationships. These might include, for example, a formal apology from the offender and payment of reparations to the victim.

The adaptation of restorative justice principles for use in schools by educators and families are commonly referred to as restorative practices, incorporating several key principles of restorative justice:

- *Interpersonal relationships*: Affirming positive interpersonal relationships in the school community without exclusion and deficit theorizing that places blame on individual children, families, or other persons
- *Personal dignity*: Preserving the personal dignity of all members of the school community, encompassing the idea that every person belongs, is valued and cared for, and has the right to be treated fairly

- *Mutual respect and understanding*: Sharing each person's perspective about what happened in conflict, accompanied by respect for different views as constructed realities with strong personal meaning for each participant
- *Restorative conferencing*: Commitment to conflict resolution and restoration of positive interpersonal relationships through conversation in a safe environment
- *Restitution*: Agreement regarding what needs to happen to set things right, defuse conflict, and restore positive relationships

Restorative school discipline as described in this guide is not a behavior management system. Yet it includes the key elements of positive behavior management described in general terms as "educative" (Evans & Meyer, 1985) and "nonaversive" (Meyer & Evans, 1989) as well as in specific models such as "positive behavior support" (Dunlap, Sailor, Horner, & Sugai, 2009; Sugai et al., 2005) and "positive behavior for learning" (Savage, Lewis, & Colless, 2011). While restorative school discipline utilizes strategies that were developed and validated through decades of behavior management intervention research, it differs from behavior management approaches in starting from relationship and interactions perspectives where the focus is on the whole-school organization and culture. This means that it is not a bottom-up approach that emphasizes descriptions of acceptable and unacceptable behavior within deficit intervention frameworks. Nor is it top-down in asserting school rules set by the administration whereby violations are viewed as transgressions against rules. Instead, restorative school discipline is people focused, accepting that positive and supportive relationships are crucial for learning to occur in educational environments so that conflict must be addressed by making amends where relationships will otherwise be damaged and even broken.

Children's developmental capacities are also relevant. For restorative practices to work, parents and teachers need to build on reasonable expectations of children at different ages to develop the skills and understandings underpinning restorative practices across the grades. Cavanagh (2007) provides helpful advice for schools about the developmental implementation of a restorative practices approach to conflict resolution. He describes how these approaches can build children's socioemotional capacities and help to prevent bullying. For this to happen, there needs to be an awareness of children's developmental abilities for restorative practices at different ages:

- *Ages 5–6*: Children can understand feelings by learning that everyone has feelings and that different people can have different feelings—that is, feelings may not be the same. Children start to

develop empathy by bonding with one another in ways that allow them to see how the other child feels about something. This is the time when children begin to learn about what a friendship is, compared with simply playing with one another.

- *Ages 7–9*: Children now understand the dynamics of friendships and belonging to a group. They learn about listening, trusting, speaking honestly "from the heart," and they learn to be respectful of others. This is the age when children should begin to learn negotiation and mediation skills, rather than simply pushing one's own perspectives or desires at the expense of others.
- *Ages 10–11*: In addition to all the above skills and understandings, children can speak truthfully while showing respect—they can be diplomatic. They should develop peacemaking skills and know how to solve problems in groups (e.g., through conferencing).
- *Ages 12–14*: Younger teenagers can engage in restorative conversations that do not confuse the problem with the person. They can take on major responsibility to conduct problem-solving group conferences, either formally in classrooms or informally with a peer group and with friends.
- *Ages 15–17*: Older teenagers can facilitate communication between bullies and victims, restore dignity to both parties, and negotiate removal of blame and punishment.

Clearly, some expectations for restorative understandings will not be age appropriate: for example, adults should not expect 6-year-olds to be diplomatic in discussions about someone else's feelings, but children at this age can be expected to listen to how the other person feels and be able to repeat what the other person said as evidence of having listened. Nor do skills that may be developmentally reasonable develop simply through maturation: Most teenagers will not be good at engaging in "restorative conversations that do not confuse the problem with the person"—indeed most adults have difficulty with this! Teenagers may be developmentally ready to learn how to do this, but their skills in doing so will be the product of previous social skill development as well as current expectations and supports.

Key Characteristics of Schools That Support Restorative Practices

What might a school with restorative discipline policies and practices look like? There is a rich literature on restorative school practices in different parts of the world, and there have been large-scale evaluations of the

effectiveness across schools (Kane et al., 2007). McCluskey et al. (2008) describe some of the key characteristics of a school using restorative practices to address behavioral challenges:

- There is a positive school climate inclusive of all students, where students have a strong sense of belonging rather than being at risk for exclusion.
- Students experience positive learning relationships with adults and one another, feel safe, have high regard for their school community, and are given the opportunity to make things right when things go wrong.
- Culturally responsive pedagogies of relations underpin the school's approach to diverse student populations.
- Staff focus on students' strengths, reject deficit explanations for failure, and take agency for successful educational outcomes for children and youth.
- Families feel welcome in the school, participate in activities designed for parents, regularly receive information about how their young person is doing, and are involved in supporting their child's education as appropriate including collaborating actively to address problems.
- Average daily attendance is high, all absences must be excused for valid reasons, and there is timely, daily follow-up by teacher and school when students are absent or tardy.
- Students receive support and encouragement meeting their educational and socioemotional needs, including positive classroom relationships with peers, teachers with high expectations, and pedagogies that enable them to achieve to the best of their abilities.
- Reasonable and well-understood behavior expectations for children and youth are agreed upon, specified, and shared across the school community.
- A comprehensive system of schoolwide restorative discipline policies and practices with clear definitions of behavior and consequences is in place and communicated widely throughout the school and with families.
- Ongoing backup supports are in place—including threat assessment, crisis management, and in-school suspension to deal with severe behavior problems.
- Restorative practices and mutual respect are the foundations for interactions across members of the school community, not retribution and punishment.
- Professionals assume *agency* for student outcomes in accepting responsibility to add value to every student's achievements each

year without exception or excuses attributed to background characteristics or challenges such as socioeconomic, linguistic, or environmental circumstances.

- Children come to school with various characteristics, and any of these may challenge educators and schools. However, children's characteristics or their home situation cannot be allowed to justify low expectations for their behavior and achievement at school, and a good educational program with positive opportunities for individual learning can make all the difference.

The Importance of School Climate

A positive school climate is an important condition for restorative school discipline that sits alongside and supports teaching and learning. Cohen, McCabe, Michelli, and Pickeral (2009) describe four major aspects of school life that influence and shape positive school climate:

- *Safety*: Safety encompasses physical aspects such as attitudes about violence, clearly communicated rules, people in the school feeling physically safe, and school staff knowing and adhering to agreed crisis plans. At the social and emotional level for staff and students, there is respect for individual differences, conflict resolution is taught, and the response to bullying (including cyberbullying) is explicit and fair.
- *Pedagogy*: There is a focus on the quality of instruction including discursive teaching and active learning; social, emotional, and ethical learning; professional development and professionalism for staff; and school leadership beyond the managerial to encompass curriculum and instruction.
- *Relationships*: Relationships throughout the school highlight respect for diversity, shared decision making, and valuing of student and staff learning communities. There is collaboration across school and community, including access to and support for student and family assistance programs. Staff morale reflects connectedness with the school and high job satisfaction supported by evidence that both staff and students feel good about their school.
- *Environment*: The school environment is clean and well maintained; adequate space is available for instructional and extracurricular activities; materials and resources are adequate; support services are available when needed; and the school has an inviting aesthetic quality.

Case example: Mrs. Lucia Larroa had recently arrived as the new principal for Mesa Intermediate. At one of her first senior management team meetings, her deputy principal, Mr. Mike Mooney, raised the problem of staff morale. Specifically, he said that lots of students were being referred to his office for seemingly minor offenses and that, as he walked around the school, he heard quite a few teachers raising their voices and sounding angry. "I think you need to call a teacher meeting and let them know that yelling at kids is just not what this school is about," he suggested to Mrs. Larroa. "OK, Mike," she answered, "that's an idea, but it sounds a bit top down for a newcomer like me to get away with. What I'd like to do first is to get a snapshot of how the teachers view the climate of this school. What is their perspective on the values of the school and whether we support them? Would you all help me by passing out a questionnaire to the staff, assuring them of total confidentiality? The one I have in mind is the Wisconsin School Climate Survey.[1] Actually, come to think of it, that is one the staff can do anonymously online, and it asks useful questions about their feelings, the administration, their attitudes toward learning and students. Once we get this information, then we can start to address anything they feel less happy about—and I think it will show we are serious about improving the school climate in a proactive way." The management team agreed. Lucia was very pleased to get the following note from one of her teacher a few days later: "Dear Lucia, one of the questions in your survey was 'my administrator treats me with respect.' A few days ago I'd have answered 'disagree' but I had to answer 'strongly agree' because I think asking our views on the questionnaire demonstrated your respect for our opinions in a practical way. Thank you."

[1]Available online at www.dpi.state.wi.us/sig/improvement/process.html

The context for *The School Leader's Guide* is closely related to holistic ideas underlying the importance of school climate. This guide is designed for restorative school discipline, thus the emphasis throughout is on *safety* and *relationships*, rather than on pedagogy and the school environment. Of course, principals and school leaders work alongside their school communities, teachers, and other personnel to ensure that healthy physical environments and effective pedagogical practices provide a foundation for teaching and learning activities. Restorative school discipline will be affected by the quality of these aspects. Even if pedagogy and the school environment are not the focus of this guide, school leaders recognize and act on the strengths and challenges associated with the school's physical characteristics and the quality of its teaching staff and teaching. There will be opportunities to identify areas of overlap between aspects of school climate that can be addressed proactively through restorative school discipline and things that cannot be improved immediately such as the physical

condition of a building or the qualifications of staff. Nevertheless, throughout the guide, we address the importance of keeping an eye on both the school environment and pedagogy to identify longer term needs for improvements that will enhance safety and relationships through restorative school discipline.

PLANNING AND ESTABLISHING RESTORATIVE PRACTICES

If your school has attended to the kinds of school climate issues included above, you are in a position to establish restorative practices in your school. This section of the guide describes how school leaders can approach the issue of restorative school discipline so that it can become well understood and *owned* by the school community rather than being seen as yet another pet project coming from the administration.

The restorative practices approach described throughout this guide is compatible with the Response to Intervention (RTI) model for identifying and addressing students' learning and behavioral needs. The 2004 reauthorized Individuals with Disabilities Education Improvement Act (IDEIA) in the United States provides for the use of models such as RTI by school districts as the process for determining student eligibility for special education services. The RTI model was recommended by the President's Commission on Excellence in Special Education (2002) and subsequently has been widely adopted by the states as a method for addressing children's learning and behavioral needs before referrals to special education, in the United States (see www.rti4success.org). According to Gresham (2005), the RTI approach requires that schools implement and document the effects of research-based interventions to address the needs of children who are experiencing difficulty in regular education. Rather than waiting for children to fail before they can be referred to special education, referrals to special education according to the RTI model involve documentation that schools have implemented evidence-based practices for the student and that he or she has not responded to the kinds of interventions available in regular education. Rather than the traditional sequence of refer-test-place, individualized assessment is done first whenever a student is struggling and used to evaluate the effectiveness of different interventions in regular education for that child. Restorative practices as described in this book have a strong international research base for implementation in regular classrooms as well as—at a more intensive case conferencing level—with individual children who exhibit serious behavior problems.

Thus, the guide aligns with the RTI model in providing prevention and intervention supports at three increasing levels of intensity. At Level 1, referred to as primary prevention, schools must document that they have in place research-based programs in regular education shown to be effective for all children, including those who are culturally and linguistically diverse. At this level, students should experience academic curricula (e.g., reading programs) and classroom organizational structures (e.g., cooperative learning) for which effectiveness evidence exists. Documentation is required to support claims that a child is nonresponsive to educational services at this level in order to move to Level 2, referred to as secondary prevention. At this more intensive level, students would participate in research-based, specialized small-group or embedded intervention to address difficulties. If evidence reveals that a student does not respond to Level 2 interventions, Level 3 or tertiary prevention interventions would be implemented. Level 3 interventions are more specialized and individualized; they can include referral to special education services or, in some versions of the model in some U.S. states, special education may encompass an additional Level 4.

A critical feature of RTI is that referral for specialized services and interventions requires evidence that the student did not respond positively to good practice in the regular classroom (Level 1) and even small-group or other supplemental tutorial services (Level 2). Schools must be able to provide evidence that proactive strategies at less intensive levels have been tried and have not worked with learning and behavioral challenges before students can be referred to special education for more intensive services (Cheney, Flower, & Templeton, 2008; Fuchs, Fuchs, & Stecker, 2010).

Restorative Practices as Prevention and Intervention

Restorative school discipline provides a comprehensive framework and set of practices that have been empirically validated as effective at three levels:

- *Primary prevention*: Restorative school discipline is the foundation for a positive school climate that encourages and supports teaching and learning. It also provides the framework for developing social and emotional competencies for caring relationships and peaceful resolution of conflict for staff and students. In the RTI model, this level is referred to as Level 1 (Campbell & Anderson, 2008).
- *Secondary prevention*: Restorative school discipline encompasses systematic, positive, and evidence-based practices that have been

demonstrated to be effective in addressing challenging behaviors that occur despite positive schoolwide primary prevention. These practices include conferencing and mediation as well as formal processes for restoration of relationships to repair harm and prevent future incidents. Secondary prevention approaches are also designed to address the needs of children who typically require small group interventions and individualized support services on at least a temporary basis at different times in their school careers (generally considered to be approximately 15% of the school population). These services are fit within the overall culture of restorative school discipline, not as something added or different. This is Level 2 or secondary prevention in the RTI literature (see www.rti4success.org).

- *Tertiary prevention*: Within an overall framework of restorative school discipline, the model also encompasses individualized interventions and support services likely to be long term and ongoing for that small percentage of the school population (approximately 3% to 5%) who present significant and sometimes ongoing behavioral challenges in classrooms and schools. However, for these children as well, intervention is consistent with the principles and practices of the restorative approach. One feature that differentiates restorative discipline at this level is that, unlike retributive models or other approaches that use restorative practices only as another tool in the toolbox, even children who exhibit serious behavioral challenges are not excluded from the school community but are provided support to restore and repair while remaining in school and doing their work. This level of intervention is referred to as tertiary prevention in the literature and may involve special education referral and services (Walker et al., 1996).

Restorative School Discipline Planning

Once the school leader has made a commitment to undertake restorative school discipline, there are a number of steps needed to ensure that the approach is embedded within the school with full ownership from the school community—necessary if restorative school discipline is to work.

The following steps should be taken before putting the model into place or attempting to use isolated aspects of the approach described in this guide:

Step 1: At an upcoming scheduled meeting of your school leadership team, the principal should put the issue on the agenda and introduce a discussion paper about restorative school discipline for

implementation consideration at your school, effective at the start of the next full school year. Restrict this paper to one to two pages (see the sample discussion paper provided at the end of this chapter) and have a small number of published references available for anyone who would like to read more about this work. Talk about the paper briefly but indicate it will be a full discussion item at the next meeting, with no decisions taken until after that time. Ask for one to two volunteers from the senior management team who will commit to reviewing the materials and addressing specific questions at the next meeting. Ask specifically for the senior school leader who generally deals with behavior issues to be part of this small group.

Step 2: At that next meeting (1 to 2 weeks later), place the item on the agenda for up to 30 minutes of discussion, led by the school principal and those who volunteered to also present information. Whether or not you proceed to Step 3 now depends on the level of interest in and/or resistance to restorative school discipline by your senior leadership team. Step 2 may actually require a series of meetings to ensure that your management team supports what needs to be a schoolwide commitment. Someone on your senior management team might have a traditional view of discipline referred to as "old school" with, for example, strong opinions that students should listen to and adhere to school rules—not help to make them and even question their fairness. Generally, you'll know about such differences in approach, and these will have to be addressed on a number of matters—not just the adoption of restorative school disciplinary practices.

Step 3: Once you have the commitment of your school leadership team, you are ready to approach your district superintendent. This should be primarily for communication purposes to inform the superintendent that your school intends to proceed, but the district office may also be able to connect you with relevant resources and expertise. It may even be that there are other schools in the district investigating and considering a fresh approach to challenges, so this information allows you to connect with potential support networks. The district leadership may also raise issues that your plans will need to take into account.

Step 4: You are now ready to approach your school board. Begin with a personal discussion with the chair of your board so that he or she understands what restorative school discipline would mean for the school. Schedule a brief presentation at an upcoming school board meeting in which you will signal that your school is starting a planning process that will be reflected in a new approach at your school with the start of the following school year. Provide a one-page handout for

members of the board that is similar to the one provided to your senior leadership team and includes a reference to a website or other materials that interested board members can read. Make clear that you'll come back to the board with a fuller description of developments at a later meeting, providing plenty of time for discussion at the discretion of the board. Be prepared at this stage to answer questions about safety for students and staff.

Step 5: Next, introduce the plan to staff across the school. At secondary schools, you might begin this process by discussing the plans at the next scheduled meeting of heads of departments; soon after, introduce the plan at a general staff meeting. At elementary schools and at small schools at any level, you'll want to introduce the plan to the wider teaching staff right away. Recruit interest in serving on an in-house steering group that will be established and let everyone know you are happy to discuss the plan with staff individually if anyone would like to do so.

Step 6: Establish the in-house steering group that includes representatives from the school community. This group should include students, and you should decide for your school the best way to identify student members (at many schools, you might approach the student council and ask for one to two students to join the group). Your goal in establishing this steering group is to make ownership by the broader school community more visible and to provide direct support for the plan so that no one person is in the position of having to effect schoolwide change alone (including the principal). This in-house steering group should be chaired by the member of your leadership team who typically deals with behavior challenges at the school, and membership should be decided based on your school's typical practices for establishing such groups.

Step 7: The first actions of the in-house steering group will be to integrate with related school initiatives (such as developing social skills or a project designed to foster emotional literacy) and available resources to support the plan; review existing behavior management policies and practices; specify a new relationship management policy; and design a timetable in order to introduce restorative school discipline at the start of the next school year.

Step 8: Identify the evidence that your school will use to evaluate the effectiveness of the new approach, including objective outcome data such as exclusion figures; recorded bullying incidents; attendance; office discipline referrals (including different seriousness levels); and

referrals for suspension/exclusion (which will be managed as in-school suspension as part of restorative practices; see Chapter 6 in this guide). Establish a system and person with overall responsibility to prepare a formal report on these data once each quarter during the school year, then summarized annually; a written report should be shared with constituents and your board but will also be presented orally to staff each quarter and to students at least once a year (e.g., at school assembly).

Step 9: Anticipate ongoing discussions to refine and revise your school's approach to restorative school discipline. Never shut down resistance but instead listen carefully to concerns and ask those who seem dubious to tell you what evidence they would need to persuade them that it is working well; then commit to collecting this evidence as part of the evaluation. Also, press for specific suggestions about how to improve the school's implementation of restorative practices. Finally, an excellent fallback position whenever someone remains unconvinced that the school is taking the right approach is to ask for cooperation and support for an implementation trial period. Remind staff that RTI practices already require documentation of the effects of interventions on students who exhibit challenging behaviors, so the school will have evidence of whether the new approach is making a difference. Promise staff that there will be evaluative data kept about whether the approach is working and if aspects need to be changed, and commit in advance to a formal review date involving your staff in discussions of results.

You know that school change can be a slow process. Your annual summary of evidence should tell you if your school is making progress, and ongoing meetings with the steering group and others will allow you to keep track of the extent to which there is ownership of restorative practices at your school. The annual summary will also tell you if major modifications for your approach are needed, and ongoing evidence should inform periodic refinements to the school's restorative practices. Most would argue that meaningful, whole-school cultural change requires more than a year or two, and you should allow 3 to 5 years for this important shift in supporting students and staff to become embedded.

SUMMARY

This chapter provides an overview of the essential features of schools committed to restorative practices. The chapter begins by emphasizing the overall importance of attending to school climate and then introduces

Discussion Paper: What Is Restorative School Discipline?

Background: Restorative practices in schools have been implemented internationally as guided by Zehr (1990) and many others. Restorative practices are based on a restorative justice view that offenses represent conflict between people that is best addressed by working to restore relationships and making things right, not by blaming and punishing that is focused on retribution.

Definition: Restorative school discipline is a whole-school ethos or culture comprising principles and practices to support peacemaking and solve conflict through healing damaged relationships and making amends where harm has been done while preserving the dignity of everyone involved.

Key Features:

- Restorative, not retributive, culture of inclusion in the school
- Curriculum focus on relationships among staff and students including support for enhancing skills and understandings for restorative conversations and conflict prevention and resolution
- Restorative policies and practices reflecting a whole-school approach to positive relationships, behavioral challenges, and solving conflict through restorative practices
- Processes for mediation, shuttle mediation, and peer mediation in classrooms and schoolwide
- Processes for restorative meetings, informal conferences, classroom conferences, and formal conferences
- School rules, guidelines, and systems that are transparent and fair in response to incidents and threats that require staff and students to be protected from harm or potential harm
- Supports and resources that ensure student and staff safety and mutual respect

References; McCluskey et al. (2008); Varnham (2008); Zehr (1990).

restorative school discipline as a comprehensive approach to primary, secondary, and tertiary prevention for behavioral challenges. Key principles are described, including the focus on relationships; problem solving; the prevention and peaceful resolution of conflict; and strategies for restoration and making amends where harm has occurred. Steps are provided that school leaders can take to prepare their schools for restorative school discipline, and sample information is provided for sharing with the school community. The next chapter describes the process of setting transparent and fair schoolwide behavior expectations as well as ensuring that school rules are culturally responsive to today's diverse school population.