



Restorative Practices A Practical Start-up Guide



Justice is what love looks like in public.



The Need

Americans should all be angered and alarmed at the continued criminalization of Black children in society and schools. Black boys in handcuffs for non-threatening behaviors is proof that schools dehumanize Black boys. Black children make up approximately 16% of America's school population. However, they constitute 31% of school-related arrests. Twenty-Seven percent of Black males with a disability were suspended during school year 2013-2014.

The criminalization of Black male behavior ensues as soon as they enter the burning house, even as early as age three. The Department of Education began collecting preschool suspension data in 2011. Black males make up 19% of the preschool population but represent 45% of the suspensions! This has been fittingly dubbed the Pre K-to-prison pipeline.

This extreme disenfranchisement siphons African American children from school and into the juvenile justice system. The removal of Black boys from school due to behavioral issues should be a red flag for teachers and families. The disenfranchising policies that solidify the school-to-prison pipeline is why our schools often feel more like detention facilities than places of learning. This is not just a problem of race. It is a problem of gender. Boys have consistently made up 80% of school-based referrals.

Background

We have begun to see shifts in education over the past decade. However, they are not occurring fast enough. Earlier literacy education is being turned upside down by the science of reading movement. We are beginning to view children as complete human beings, and not just learners. Their spiritual, intellectual, and social selves must be nourished equally if not more than their academic selves. Social emotional learning or the idea of building character by teaching children to regulate themselves and the use of language to mitigate conflict is here to stay. Within these separate but interrelated pieces is growing focus on restorative justice and restorative practices.



What is Restorative Justice?

Restorative Justice is not new. It has been practiced by educators, and even whole schools for many decades. However, its practice has only been in distinct and separate pockets. Restorative practices is an umbrella term describing a philosophy to view school-based discipline. (Discipline is teaching kids what to do, and when to do it. It is not punishing children.) Restorative justice falls under restorative practices.



It describes the philosophy used by schools to build and maintain community. Restorative practices force teachers and practitioners to examine the kind community they want to build. It is born out of indigenous communities and their cultural willingness to discuss problems as a community and co-create solutions that work for the harmed as well as the assailant. It is an alternative to punishment-based discipline. Punishment-based discipline is based on the idea that if the consequence or punishment is fair, it will eliminate the behavior.

The problem with this approach is the disproportionality of harsh consequences that often mirrors what we see in the juvenile justice and criminal justice system within larger society; it is not fair. On an abstract level, restorative justice is fundamentally concerned with restoring relationships while establishing or re-establishing social equality. On a concrete level, it involves the victim, the offender, and the community in search of solutions which promote repair, reconciliation, and reassurance. This is done through a variety of ways, but there are core components of a restorative program. Those are listed below.

A Viable Restorative Justice Program

Below are the hallmarks of a restorative justice program. It is broken into two categories, structural and philosophical. The structural components are the systems that must be in place to operate a restorative program. The philosophical components are the ideologies that undergird a restorative program and give it life. These philosophical components make students more proactive, encouraging them to be a part of the solution, as opposed to having adults do to them (discussed further in the social discipline window section).

Structural Components

Restorative circles



Peer mediation



Anytime circles



Display a scoreboard



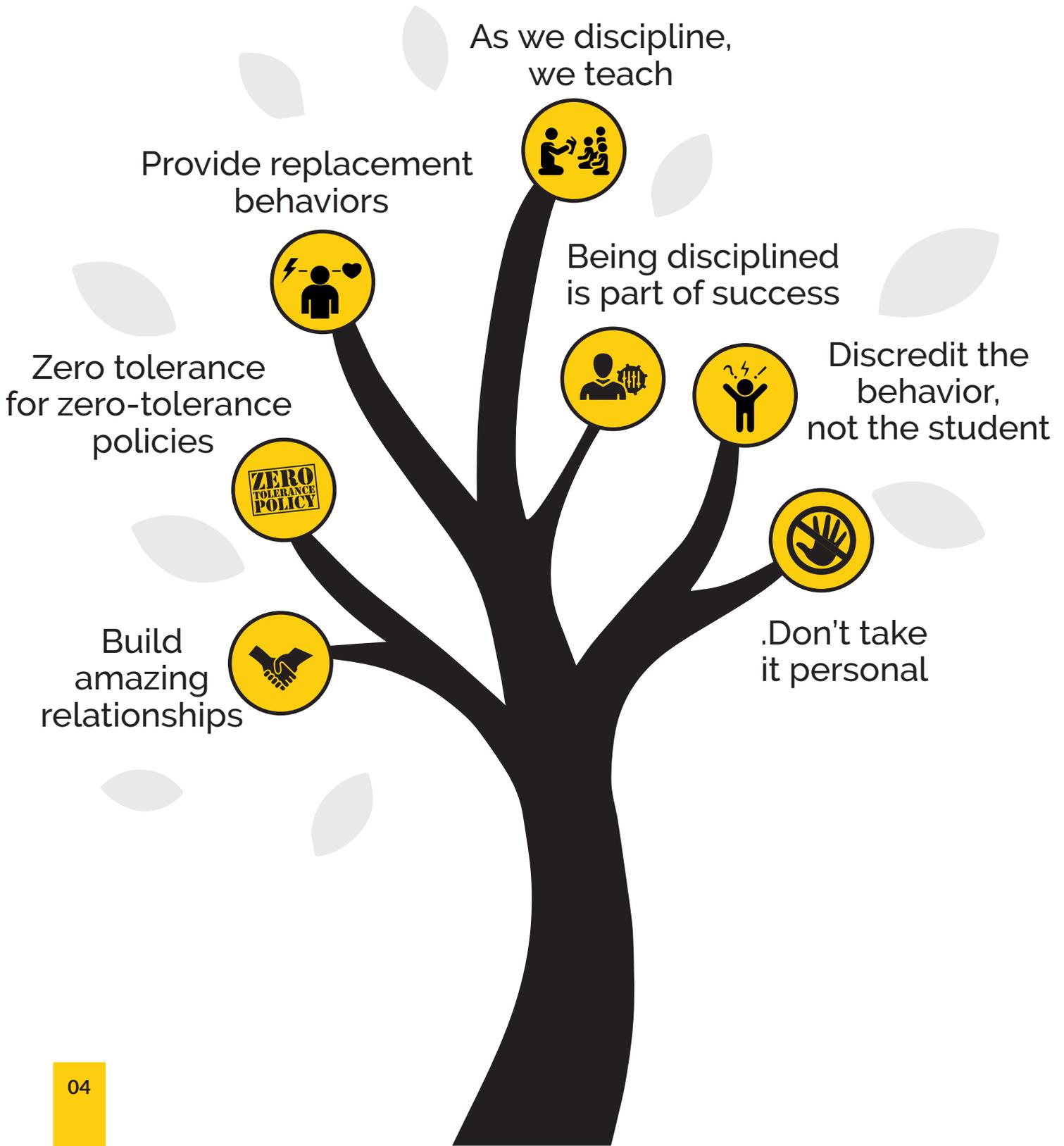
Character education



Trained adults who respond professionally to trauma



Philosophical Components



Restorative Circles

Restorative circles are the foundation of a restorative program. This allows students and teachers to come together and discuss the harm from a particular incident. Students use "I" statements and empathetic listening to bring the incident to the forefront. All parties are encouraged to discuss how they were feeling and what they were thinking as the incident occurred. Students harmed are allowed to discuss the obligations or assurances they need moving forward. The offending student who has committed the act gets the opportunity to apologize and strategize how to avoid pitfalls moving forward. It is key that students do not interrupt the speaker.

Traditionally, there is a talking piece or object that indicates the only person allowed to speak is the person in possession of the talking piece. At their peak, these circles are student lead, and adults are only needed as a support. This makes students proactive, and they are able to co-create the environment and be active participants in the healing process. Effectively it makes students more responsible, accountable while building their social-emotional capacity as they discuss impact and listen to peers discuss impact and harm, and solution setting. More information on restorative circles and the roles of participants is described after this section.



Peer Mediators



All schools need a peer mediator program. Peer mediators are students who are trained to resolve conflict between groups of students via mediated conversations with all involved parties. It is completely effective to have students solving conflict and restoring harmony because it creates a level of accountability similar to restorative circles. A peer mediator program takes the place of adults facilitating problem solving. Mediators listen to both parties, facilitate problem solving, and help both parties negotiate assurances. Some schools use student disciplinary boards or student juries to determine outcomes from disciplinary situations. These are quite different from peer mediation and can be seen as punitive. Children internalize that if peers were able to select sensible solutions, then they can as well.

Black boys can often think adults are lecturing them when they have been referred for disciplinary actions. Receiving strategies from peers can be more credible and transformative because offenders intuitively know that their peers are not trying to lecture or harm them. This process moves students toward higher accountability. As a footnote, some of the best mediators will be students who tend to find their way into trouble.

Anytime Circles



Anytime circles are a dynamic intervention that allow students and teachers to commune and discuss an issue that may be happening in the community. Anytime circles are dubbed as such because classroom activity stops to address concerns at any time. The concern could be a lingering issue or something that has recently occurred. Anytime circles allow teachers to red flag community concerns so the community can address it immediately. Students need to be taught how to engage anytime circles, similarly to restorative circles. Once implemented, they are highly effective at keeping peace and allowing students to maintain an environment of transparency, fairness, and respect. One of my former teachers, Patrick Harris, describes the power of anytime circles this way, "When a student feels as though they have been wronged, or when the community has been disrupted from its purpose, students have the power to call a community meeting. The purpose of the meeting is to give all students a voice and an opportunity to resolve conflict together."

Display a Scoreboard

Have a bulletin board displayed highlighting office referrals, suspensions, in-school suspension data, RAKS, peer mediation sessions, etc. This updates the community on how the school is progressing. Firefighters should display a scoreboard in their classrooms as well. As stated in chapter three, when teams know the score, they tend to perform better. The progress becomes a talking point for community meetings, advisory times, or restorative circles. The board is critical because it is a reminder of progress, but the conversation that ensues is equally critical.

Character Education

Building character is essential for all children. Restorative justice programs are less effective if there is not a healthy character development component. When effective programming is in place, all students benefit. A character education program for African American children should be grounded in identity building. Part of building character in African American children is helping them understand who they are and connecting them to history. One cannot be their best self if one does not know who or what self is. This requires teachers to expose Black children to the rich history and traditions of their African heritage and tying their character to that history. Nylinka encourages all schools to support character education programs with rites of passage and mentoring programs.

Trained adults who respond professionally to trauma

Many schools do not have the professional staffing needed to support children who come from communities derailed by trauma. In many cases, teachers are the first line of the healing process. However, teachers alone cannot address these issues. Schools must have social workers, therapists, and school psychologists to help with the healing and promotion of restoration. Individuals who are not whole have difficulty restoring things. The old adage hurt people tend to hurt people, certainly applies. Nothing burns out educators more than playing the role of psychologist, social worker, peacemaker, and instructional leader. Teachers should be trained to notice the signs of trauma. After trauma has been identified, schools must have robust protocols in place to shepherd children toward healing.



As we discipline, we teach

When we discipline, we are teaching the appropriate behaviors. When students do not know how to multiply, we teach them how. After they have learned to multiply, we do not suspend them when they multiply incorrectly. As firefighters, we re-teach the skill or remind students how to find the correct answer. How do we help them avoid situations? How do we help them make the appropriate decisions when they are unable to avoid conflicts and tense situations? As firefighters, we have to constantly guide students and remind them of other options and encourage better decisions.



Replacement behaviors

Similarly, one of the hallmarks of any successful school-wide discipline program is replacement behaviors. When students do not meet expectations, we tell them what they did wrong and what they need to think about. Going a step further, we must also give alternatives to the displayed behaviors. When students fight, I often talk to them about what they could do instead of fighting. Black boys tend to fight because they feel disrespected. I tell them to think that they are respected, but they are in a situation in which they or someone else is having a bad moment. I ask boys to think, "What can I do to avoid letting their (the other person's) bad moment turn into a bad moment for me?" It may seem soft or counterintuitive for boys growing up in tough neighborhoods. But I have seen it work, and a student taught it to me as a script given to him by his father: "I know I am not a punk. I could prove it to you by fighting, but what is more constructive is to help us end this bad moment."

When the environment is infused with restorative practices and the currency of relationships, Black boys can embrace this script. Another conversation I have with Black males is that all our conversations and interactions need to be constructive. When children are actively working to avoid destructive behaviors, this script is much more likely. When boys fight, they tend to be caught in the moment. This is especially true in the elementary years. Fights are not typically carryover situations that have been brewing for hours and days. There are exceptions, but typically when boys fight, it is ephemeral. When the fight is over, it's over. The bigger deal is handling kids talking about who won the fight and protecting egos and reputations. In middle and high school, the egos are bigger; conflicts tend to center around girls more often. Boys can be taught to avoid fights, and when they do fight, teachers have to understand that fighting is not necessarily the greatest threat to school culture.



Being disciplined is part of success

Discipline is an opportunity to learn and any opportunity for learning promotes success. When kids think of discipline, it typically has negative connotations. But in the strictest sense, discipline is attending to a task when it needs to be done. Disciplining students is about getting them to embrace this concept. Every goal requires discipline. It requires doing the right thing at the appropriate time. It is critical to promote among young Black males that discipline is necessary for any endeavor.

Zero tolerance for zero-tolerance

Zero tolerance means that all disciplinary infractions are viewed on a case-by-case basis. Zero-tolerance policies began to arise in schools as a response to the overflow of drugs in schools in the early 1990s. F. Chris Curran points to the 1994 Gun-Free Schools Act as prompting

states to adopt mandatory expulsion policies. As a result, some of the same punitively harsh penalties were enacted on students for less offensive infractions. Bias and racism are in play again, as Black children were victims of zero-tolerance policies. I also theorize that the rise of neoliberal thinking in schools is a factor in zero-tolerance mandates. Neoliberalism is discussed at length

in the following chapter. As a precursor, children are viewed as commodities and attention is taken off relationship building and humanization and shifted toward following rules to the maximum for the sake of efficiency.

Discredit the behavior, not the student

Shawn Hardnett is the founder of Statement College Preparatory Academy for Boys in Washington, DC. He told me that whenever children were in his office for behavioral infractions, he started the conversation by telling students that regardless of what they did, they were still loved and part of the community. This is critical because we do not want to isolate students and create disenfranchisement. Because of bias, we tend to banish the child, thinking it will banish the behavior.

Adults can't take it personal

When children break rules, it has nothing to do with us as teachers. Adults should not take it as a personal affront to their authority when children commit infractions. This puts adults in the space of being punitive. When we take ourselves out of the equation, we make better judgements about how to restore the situation. Teachers often think that kids show disrespect. Upon reflection, it is not really about the adults.

Build amazing relationships

Focus on building amazing relationships. Relationships from teacher to teacher, teacher to student, and student to student are everything. They are the lifeblood of all human interaction. This currency comes in handy when students lose motivation. Further, without strong and healthy relationships, there is nothing to restore to.

RESTORATIVE CIRCLES THE NUTS AND BOLTS

Again, restorative circles are the bedrock of restorative practices. Restorative practices cannot function without them. This is where reconciliation, repair and restoration occur. By and large, circles should last no more than 13-18 minutes. If circles need to be longer, there is a very good chance that a circle or conversation should have happened much sooner and there are deep-seated emotions. There are key roles that must be filled in order to have the most effective circle. Below are the key components of restorative circles.



Moderator/Leader

This person often is potentially an adult, but as children get more familiar with participating in circles, they can serve moderators. It is important for the moderator to maintain order and to maintain a neutral position regardless of his/her feelings. The moderator is responsible for framing the circle, norm setting, and stating the goal(s). The moderator is also responsible for the emotional tone of the conversation. She/he must monitor body language and tone to ensure that respect stays at the forefront of the interaction. Sometimes it may be advantageous to delay a circle if one or more participants is emotionally less available.

Talking Piece

The talking piece is the object that is held while the speaker is speaking. Only one person is allowed to speak at a time. This cuts confusion, and cross talk. It also promotes focus. The talking stick should be an object of value. Lightsabers, totem poles, egg timers, canes, walking sticks and other objects have been used by teachers. It is important to use something that has value to the community as opposed to a marker, or pencil. The talking piece is passed from one speaker to the next. The moderator is responsible for policing those who may talk out of turn, and even stating who the next speaker will be.

Norms

Every circle must have norms. These are stated from the outset by the moderator. Participants should be in a circle. This makes all participants equal as opposed to an authority being at the front of the room and hogging airtime. The moderator should explicitly state the reason for the circle. Another important norm is participants get to state what they want to receive from the circle. This could be reassurance, an apology, an explanation, or agreement(s). Others simply want forgiveness or assurance that all parties can move on after the circle. Other norms to consider are:

- Confidentiality
- Signaling the moderator will follow up with all participants to check in
- Listen with the body and the ears. (Some participants may have difficulty listening with their body)



Impact discussion

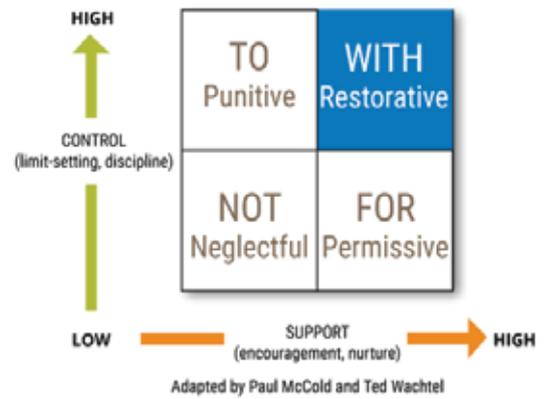
All involved in the circle are allowed to discuss what the impact of the incident had on them. Students are allowed the time they need. This includes voicing concerns moving forward if there are any. If there are many involved, it may be important to have students condense their thoughts for the sake of time. This is left to the discretion of the moderator/teacher.



THE SOCIAL DISCIPLINE WINDOW

The Social Discipline Window is an important part of helping teachers understand and reflect on how they view discipline. Discipline is teaching children what to do in a particular situation. We teach who we are. And we parent who we are. So how we view ourselves, and children ultimately shapes our management paradigm. The social discipline window has four quadrants. The x and y axis both move from low to high or from low to extreme.

The support on the x axis moves from low/no teacher support to high support from teachers. The y axis moves from low control to very high control. The goal is to manage classroom and school spaces from the top right-hand corner.



Below is a brief description of each quadrant

TO

The To box is rooted in being authoritative and punitive. We call these teachers strict. They do things to children. For instance, I am going to call your mother, I am going to yell at you. I am going to take your recess. In essence, I will punish. This is the heart of most school-based programs. And most school-based behavior management is directly correlated to America's criminal justice system. These teachers have high control but lack support for students. These teachers rule via dictatorship. They often give commands and bark orders. Children are often on task and doing what they are told. However, students under a To teacher often move with their feet, but not with their hearts. They fear these teachers, but they do not love them. Relationships are tenuous and fragile because they are based on compliance and not mutual respect and belonging (MRAB)

NOTHING

The Nothing box is rooted in teacher ineffectiveness. Teachers in this box lack efficacy and do not believe they can manage children, so they do not. All adults have times when they feel low efficacy around an issue, but this

cannot be an overall paradigm for adults. Teachers in the nothing box do not grow strong relationships, nor are children learning. We call teachers in the to box strict. But ultimately, teachers in the nothing box are substitutes. They do not stay in education long because they do not have the wherewithal to support students.

FOR

Teachers falling into the For box are permissive. They have high levels of support in their classroom but lack control. This is not ideal. Though they support students, they tend to be viewed as soft. They are able to build some relationships, but those relationships are fragile. Students like them, but do not completely trust them because these teachers do not have control to handle all classroom situations. When children are out of line, For teachers do not have the tools to discipline children. These teachers tend to be liked, but they are not followed. Students who are compliant tend to resent these teachers below the surface because they want to work and have success but can't because of teacher inability to move up the control (y) axis.

WITH

Teachers in the with box are in an optimum situation. They exhibit high

control and high support. They are not dictators, but they are not soft. Students tend to look at these teachers as superior or superstars. These teachers do things with children. They co-create the environment. They co-create consequences and children often can predict the consequences of behavior (whether positive or negative) because of that co-creation and communication. This co-creation by default sees children as complete human beings and undermines disenfranchisement. This disenfranchisement often happens when things are done to children particularly in school discipline scenarios. These teachers are restorative because they can help students restore situations that were harmful to the community because students will co-create solutions and communicate those potential solutions to the group. Co-creation makes students more proactive and responsible and ultimately is a springboard for restorative practices. This fosters accountability and responsibility to all community members. Research has shown that students and even adult employees are happier when they do things with authority as opposed to having things happen to them or for them

A FINAL WORD

We can end the school-to-prison pipeline. We can stop the inordinate amount of suspensions that plague Black and Latinx children. First we must look at ourselves as teachers and practitioners. Restorative circles should be embedded in the future of education, because frankly they are a path to a more restorative society. Further, they are native to many indigenous Native American tribes, but there is substantial evidence that many African cultures and societies used variations of restorative practices to resolve community-based problems.



For more information
on implementing restorative practices in your school



Please visit

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