

Restorative Creativity: Innovative School Applications of Restorative Processes

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Harnessing the
creativity of
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I lead workshops on restorative measures in schools and demonstrate, among other practices, the use of the "talking circle" to repair harm. One of my favorite role play scenarios is "The Class That Ate The Substitute Teacher." I got this idea from a behavior specialist in a Minneapolis elementary school. It is one example of the creative opportunities that restorative principles and practices offer to school personnel.

We all know the situation: A substitute teacher has a difficult time with a class, and does not want to return to the school. However, the teacher is offered a chance to hear from the class "what they did, what they were thinking

when they did it, and what they could do to make the situation better now and in the future." As the talking piece goes around, a variety of admissions are made, from throwing spitballs to, "I didn't do nothing! But I didn't stop anything either." Usually the role-play group comes to the same agreement as those of real students: they admit they caused disruption, they apologize, and they come up with ideas to work with substitutes in a good way. And the pretend substitute teacher will usually grant the class the same thing the real substitute would, another chance.

Variations on formal processes of restorative justice; victim offender dialogue, family group conferencing, large group conferencing and circles to repair harm, are used in about 40% of Minnesota school districts. Practitioners report that they modify the processes to fit the needs of the situation, from truancy to possession of banned substances, from bullying to large-scale racial harassment, from morning community circles to restorative goals in education plans. Two years worth of evaluation in four different school districts shows that restorative

practices reduced the number of suspensions and discipline referrals to the office.

In one suburban district, the circle process is ubiquitous. Thirty percent of the staff in the two elementary schools uses circles in their classrooms as a means of community building or problem solving. Ninety-five percent of the teachers call in the restorative justice planner to hold circles to repair harm. The planner goes into every classroom at the beginning of the year, and using the circle process to ensure that everyone is heard, leads the students through a discussion of what they could do each day to make the peace in their school. Students are so familiar with the process that a group of students borrowed a talking piece from the planner and held a circle on the playground by themselves.

In one of these elementary schools the circle process helped to reduce the number of daily referrals to the office for violent offences from 7 to a little less than 2. Also out-of-school suspensions were cut in half from 30 to 15 between the 1998-99 and 1999-2000 school years. At the other elementary school in the district, out-of-school suspensions dropped from

"The Class

That Ate

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27 to 4 over the same two years and out-of-school suspensions at the junior high went from 110 to 65.

In other districts, there are school liaison officers who can lend support to restorative processes by offering conferencing instead of ticketing a student for a fight or theft.

After the anniversary of the Columbine incident, one liaison officer facilitated 15 family group conferences for students charged with "terroristic threats."

All the students were suspended. However, exclusion of a student for 5 days or even a year does not give the person who was threatened any answers to these questions: Can you carry out your threat to kill? Why did you say that? Will you try to retaliate? Suspension does not necessarily repair the harm.

In every instance, the conference revealed that

the student charged with "terroristic threats" was not thinking of how his or her speech would harm others, did not have any intention of carrying through with the threat, and did not have access to weapons. The outcomes and agreements from the conferences were satisfactory and repaired the harm for the affected persons.

There are a number of outside agencies, private consultants, volunteers and court services that provide aid to schools with restorative practices,

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"I'm excited to be a part of such a positive project.

Restorative Justice is an option that is much needed in

the schools"

~ Teacher

often times for the very knotty problems of sexual or racial harassment. One of the more difficult cases involved multiple offenders and multiple victims, all from the same high school in a small town. Because of the seriousness of the incidents and the concern in the community, the facilitator from the county court services invented "large group conferencing." This process includes a panel of victims, offenders and supporters, and in the first instance, 200 audience members.

Trained volunteers have helped keep circles to repair harm when the affected parties don't speak the same language.

"You learn to say just what is necessary when working with a translator," one circle keeper noted. In an instance that involved Spanish and English speaking students, everyone agreed they could conduct the circle in English, yet the circle keeper deferred to the adult brother of one of the students when he said some students didn't really understand. She let him pose the questions and translate and he became an in-the-moment co-keeper.

"They need to have more schools involved with restorative justice."

~ Parent

Gaining legitimacy for restorative practices can require some politicking. A mediation agency offered conferencing for harassment cases to districts in their county. The director was able to gain support by meeting with superintendents, having lunch with school board members and getting a small grant from a local discount store. The Target grant seemed to lend the whole process respectability not otherwise so quickly gained.

Even without a formal conference, educators are incorporating the principles of restorative justice. The Individual Education Plans for youth in a correctional facility include a restitution goal. One youth is writing and illustrating a book on the harms of marijuana for children as part of making amends for his drug dealing. The book will be graded and he will get credit, giving a new slant to Minnesota's graduation standards that ask students to "show what they know."

In addition to using community resources, there are other ways to successfully bring restorative justice into our schools.

There are programs running on grant money using restorative measures in Minnesota, as well as districts that contract outside facilitators and keepers. There are also many teachers and counselors who have attended training and read books on the subject, who are now doing their job differently. Students who participate feel safer and more connected to each other and their school. Harnessing the creativity of adults and students will promote restorative measures in our schools. By respecting everyone's ability to solve problems, we take the first step in creating a peaceful school and community for everyone through restorative justice.

For more information on the Restorative Justice programs in Minnesota schools contact Nancy at (651) 582-8433 or nancy.riestenberg@state.mn.us.

Restorative Justice Works

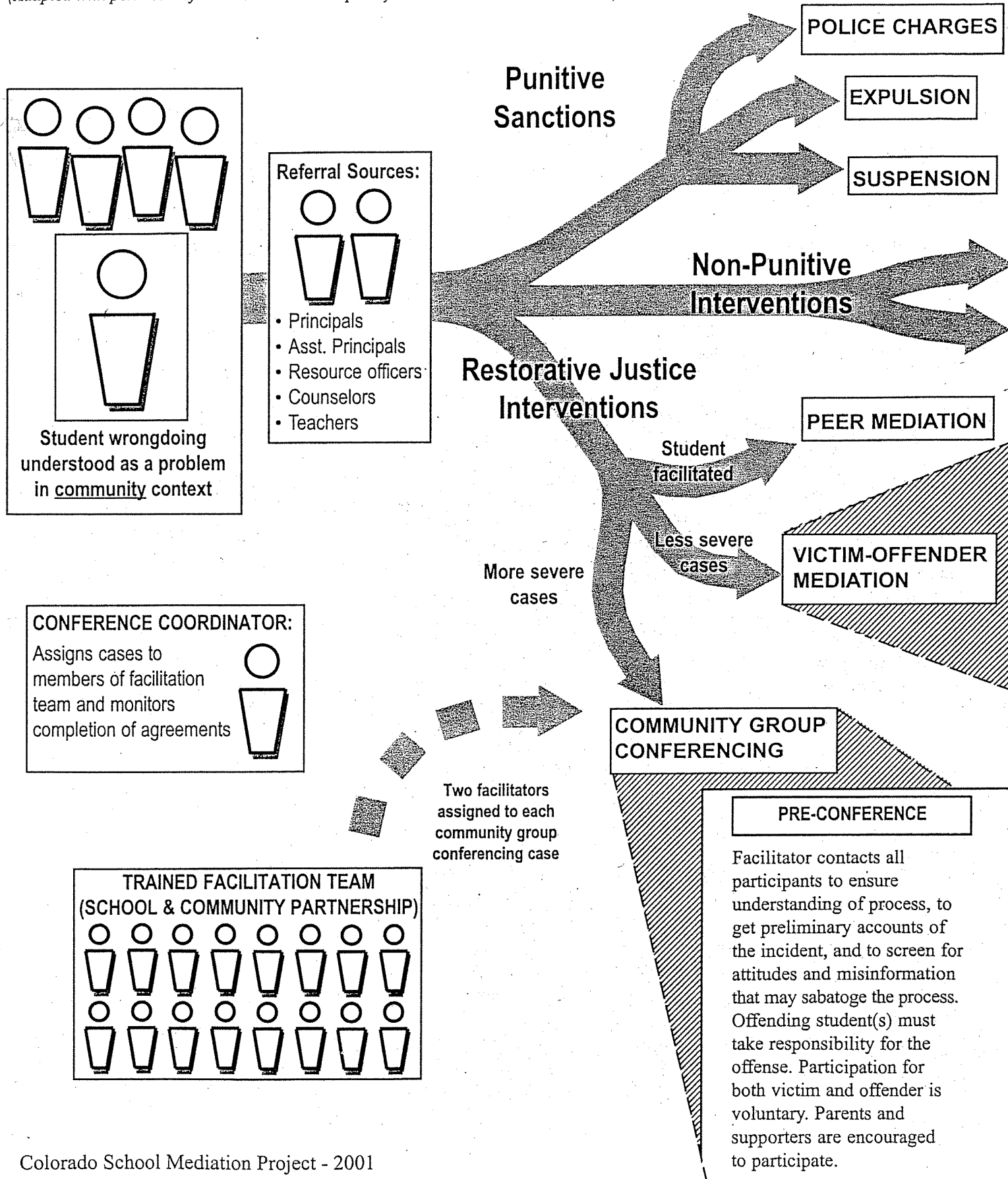
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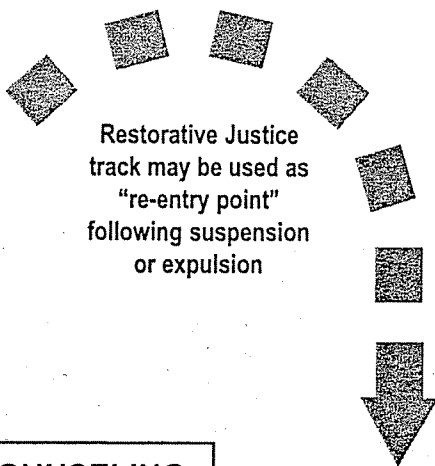
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Restorative Justice Model for Schools

(Adapted with permission from the model developed by Mark Seidler and Thom Allena)





TYPE OF CASES FOR RESTORATIVE JUSTICE:

- Theft
- Graffiti/Vandalism
- Bullying/Harassment
- Minor Physical Assault
- Verbal Assault
- Truancy
- Unintentional Injury
- Disturbing the Peace
- Defiance of Authority
- Others

COUNSELING

THERAPY

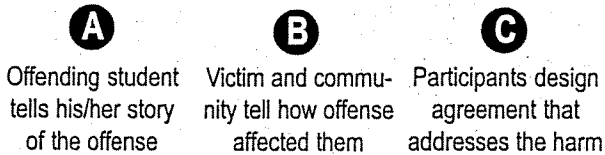
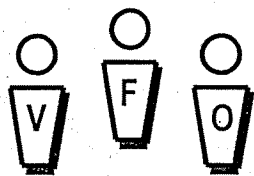
CRITERIA FOR SELECTING RESTORATIVE JUSTICE TRACK:

1. Has the incident adversely affected or harmed anyone?
2. Is there a need to repair the harm?
3. Is the victim willing to participate?
4. Has the offender admitted the offense?
5. Will the victim be re-victimized?

OTHER POSSIBLE RESTORATIVE JUSTICE MODELS FOR SCHOOLS:

- **Restorative Class Meetings**
When wrongdoing occurs in class, teacher convenes open-forum classroom discussion in order to assess impact of wrongdoing on fellow students and school.
- **Offender Competency Sessions**
Offending student(s) participate in classes or mentoring sessions with respected teacher or community member to learn pro-social skills (conflict/anger management, decision making, etc.)
- **Victim Impact Panels**
Panel of surrogate victims testify to harm done by other students in similar situations. (e.g. clique of students being bullied)
- **Peacemaking Circles**
Similar to conferencing, but used in situations with no clear victim and offender, or to address issues between groups within the school.
- **Talking Circles**
Circle process used to discuss broad range of issues facing a school community. Not necessarily tied to a particular wrongdoing.

A shorter version of the formal conferencing model. Used in matters too serious for peer mediation, but which do not warrant a full conference. This process can be facilitated by a teacher, counselor, or administrator in the hallway or after school.

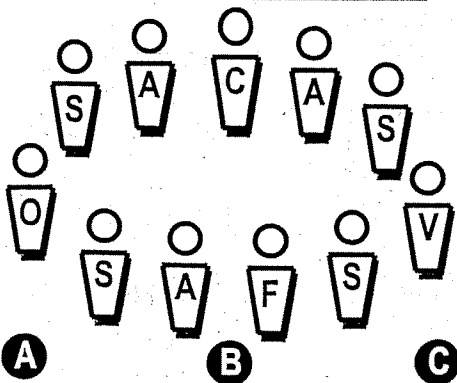


KEY TO FIGURES:

- O = Offender
- F = Facilitator
- S = Supporter or Family
- V = Victim
- A = Affected Community
- C = Co-Facilitator

THE CONFERENCE

AGREEMENT & FOLLOW-UP



Agreements should be specific, flexible, measurable and achievable. Participant in circle is selected to help mentor student and monitor their progress. If offending student fulfills the terms of the agreement, traditional sanctions are dismissed. If agreement is not fulfilled, the case is referred back to the school officials for suspension or expulsion.

Offending student tells his/her story of the offense

Victim & community tell how offense affected them

Participants design agreement that addresses the harm