

State of Illinois  
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# Implementing restorative justice

Victim • Offender • Community



A guide for schools

# ACKNOWLEDGMENTS

The Illinois Criminal Justice Information Authority would like to thank the following for assistance in developing this guide:

*Alternatives, Inc.*

*Circuit Court of Cook County, Juvenile Justice and Child Protection  
Resource Section*

*Evanston Township High School Peer Jury*

*Kelvyn Park High School Peer Jury*

*Implementing restorative justice: A guide for schools*  
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This project was supported by grant #06-DJ-0681 awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, through the Illinois Criminal Justice Information Authority. Points of view or opinions contained within this document are those of the authors and do not necessarily represent the official position or policies of the Authority or the U.S. Department of Justice. Printing order #10-017, 1,700 copies.



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# Foreword

Created in 1983, the Illinois Criminal Justice Information Authority is a state agency dedicated to improving the administration of criminal justice. The Authority serves as a statewide forum for criminal justice coordination, planning, and problem solving. The agency also is responsible for research, information systems development, and administration of federal funds. The Authority's specific powers and duties are spelled out in the Illinois Criminal Justice Information Act [20 ILCS 39300 *et. seq.*].

The Authority created this series of BARJ implementation guides to provide profession-specific information on how the BARJ philosophy could be used across the juvenile justice system.

The Illinois restorative justice movement began in 1997 when state and local organizations formed Restorative Justice for Illinois, a collaborative effort to promote understanding of, increase participation in, and highlight programs on restorative justice.

In 1998, the Illinois Juvenile Justice Reform Act revised the Illinois Juvenile Court Act to include a purpose and policy statement that adopts the balanced and restorative justice (BARJ) philosophy for all juvenile delinquency cases [705 ILCS 405/5-101]. After the passing of the Act, several juvenile justice agencies began incorporating the BARJ philosophy into the juvenile justice system across Illinois.

The Authority supports the use of BARJ in the Illinois juvenile justice system in accordance with the Juvenile Court Act. In recent years, the agency has made BARJ a research and funding priority. In 2003, the Authority sponsored a statewide BARJ summit, attended by juvenile justice professionals from across Illinois. The goal of the summit was to develop a statewide strategy to systematically implement BARJ-based programs and principles for juveniles across the state. Based on the needs specified by summit participants, the Authority also sponsored a conference in 2005 on the programmatic applications of BARJ. Several regional restorative justice training sessions for juvenile justice practitioners in Illinois were later coordinated and sponsored by the Authority.

The Illinois BARJ Initiative (IBARJI) was founded in 2003. The initiative created the non-profit Illinois BARJ Project to raise and use funds to further balanced and restorative justice in Illinois. Since 2005, IBARJI has sponsored regional and local training efforts across the state on BARJ topics, as well as statewide training in 2007.

The Authority created a series of BARJ implementation guides to provide profession-specific information on how the BARJ philosophy can be used across the juvenile justice system. For more information on BARJ and to download copies of the other guidebooks, visit the Authority's website at [www.icjia.state.il.us](http://www.icjia.state.il.us).

# About this guide

This publication is one in a series of guides developed to assist in the statewide implementation of restorative justice. Restorative justice can guide the work of individuals who deal with young offenders, their victims, and the communities in which they live.

*Implementing restorative justice: A guide for schools* is specifically designed to provide Illinois school personnel with practical strategies to apply restorative justice. A variety of juvenile justice practitioners and school personnel provided guidance during the development of this guide to make it applicable for those working in elementary and secondary schools. Many school districts in Illinois already incorporate the restorative justice philosophy in their discipline codes.

The goals of this guide are to:

- Introduce to school personnel the concepts of restorative justice and restorative discipline.
- Offer new tools that can reduce the need for school exclusion and juvenile justice system involvement in school misconduct.
- Offer ways to enhance the school environment to prevent conflict and restore relationships after conflict arises.

# Restorative justice

Restorative justice is a philosophy based on a set of principles that guide the response to conflict and harm. These principles are based on practices that have been used for centuries in indigenous cultures and religious groups.

Schools may involve a wide range of people in the restorative justice process, including the victims, who are often teachers, school staff, bystanders, and other students, and the school community.

Restorative justice's three main goals are:

- **Accountability.** Restorative justice strategies provide opportunities for wrongdoers to be accountable to those they have harmed, and enable them to repair the harm they caused to the extent possible.
- **Community safety.** Restorative justice recognizes the need to keep the community safe through strategies that build relationships and empower the community to take responsibility for the well-being of its members.
- **Competency development.** Restorative justice seeks to increase the pro-social skills of those who have harmed others, address underlying factors that lead youth to engage in delinquent behavior, and build on strengths in each young person.

The balanced and restorative justice (BARJ) model was a concept developed, in part, by the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention to make the philosophy of restorative justice applicable to the modern U.S. criminal and juvenile justice systems. BARJ focuses specifically on crime and recognizes three parties with an important role and stake in the justice process—offenders, victims, and communities. Law enforcement and the courts play an important role in implementing a BARJ response for offenders.

Restorative justice can guide responses to a wider range of conflicts, including conflicts that do not involve an actual violation of law. The restorative justice philosophy as applied to schools views misconduct as a violation against people and damaging to relationships in the school and throughout the community (*Figure 1*).

Schools may involve a wide range of people in the restorative justice process, including the victims, who are often teachers, school staff, bystanders, and other students, and the school community.

A school rule violation may produce a clear victim, an individual who was directly harmed, or victims who were harmed indirectly. For example, truancy may appear to have no clear victim, but teachers and other students are affected when an individual continually misses school. A student who falls behind in course work and may take up more of a teacher's valuable time, which, in turn, takes away from other students.

Schools can apply restorative justice principles to move beyond responding to violations of school rules or merely reacting to conflict.<sup>1</sup>

**Figure 1**  
**A comparison of punitive and restorative justice responses in schools**

Punitive	Restorative
Misbehavior defined as breaking school rules or letting the school down.	Misbehavior defined as harm (emotional/mental/physical) done to one person/group by another.
Focus is on what happened and establishing blame or guilt.	Focus on problem-solving by expressing feelings and needs and exploring how to address problems in the future.
Adversarial relationship and process. Includes an authority figure with the power to decide on penalty, in conflict with wrongdoer.	Dialogue and negotiation, with everyone involved in the communication and cooperation with each other.
Imposition of pain or unpleasantness to punish and deter/prevent.	Restitution as a means of restoring both parties, the goal being reconciliation and acknowledging responsibility for choices.
Attention to rules and adherence to due process.	Attention to relationships and achievement of a mutually desired outcome.
Conflict/wrongdoing represented as impersonal and abstract; individual versus school.	Conflict/wrongdoing recognized as interpersonal conflicts with opportunity for learning.
One social injury compounded by another.	Focus on repair of social injury/damage.
School community as spectators, represented by member of staff dealing with the situation; those directly affected uninvolved and powerless.	School community involved in facilitating restoration; those affected taken into consideration; empowerment.
Accountability defined in terms of receiving punishment.	Accountability defined as understanding impact of actions, taking responsibility for choices, and suggesting ways to repair harm.

Restorative justice strategies can help schools prevent or deal with conflict before it escalates. This guide describes restorative justice strategies that may be applied in both formal and informal ways to improve the overall school environment.

### **Why should schools use restorative justice?**

Restorative justice emphasizes values of empathy, respect, honesty, acceptance, responsibility, and accountability. Restorative justice also:

- Provides ways to effectively address behavior and other complex school issues.
- Offers a supportive environment that can improve learning.
- Improves safety by preventing future harm.
- Offers alternatives to suspension and expulsion.

Skills gained from restorative programs, such as conflict resolution and critical thinking, can be valuable for students as they enter college and seek employment.

A study of 19 schools in the United Kingdom found restorative practices improved the school environment and enhanced the learning and development of young people.<sup>2</sup> A study of 18 Scottish schools concluded that restorative practices offer a strong cohesive framework and allow students to feel safe and respected, and have positive relationships with others.<sup>3</sup> Three schools in Pennsylvania experienced reductions in disruptive behavior and disciplinary actions after implementing restorative practices.<sup>4</sup>

In addition to referred students, student volunteers benefit from restorative justice programs. Student volunteers make new friends, help peers, and feel empowered and more connected to their schools. Skills gained from restorative programs, such as conflict resolution and critical thinking, can also be valuable for students as they enter college and/or seek employment.

# School discipline policies

**D**iscipline in schools has the potential to help young people learn to take responsibility for their own behavior while offering classroom management and control. However, many schools have imparted more punitive disciplinary sanctions that do not educate students or resolve conflict, and may even make schools less safe and cause further harm to students.

## Zero tolerance

A trend toward zero tolerance began in the late 1980s, becoming national policy through the Gun-Free Schools Act of 1994. The policy mandated expulsion for no less than one academic year for bringing a weapon to school. Over time, school districts expanded zero tolerance to nonviolent student misbehavior. Across the country, even kindergartners<sup>5</sup> were being suspended for minor offenses, such as bringing paper clips, toy guns, mints, and cough drops to school.<sup>6</sup>

According to the Illinois State Board of Education, between 1991 and 2007, Illinois public school suspension rates increased 56 percent and expulsion rates more than doubled. The state's suspension and expulsion rates reached a 16-year high by academic year 2007.

There is no evidence that zero tolerance policies improve student behavior, the school climate, or overall school safety. In fact, research has found that such policies lead to more suspensions, school drop outs, and deviant behavior.<sup>7</sup> Furthermore, inconsistencies often exist in the application of discipline policies in schools, districts, and states. Zero tolerance policies have had a negative impact on students of color who have been disproportionately suspended and expelled.<sup>8</sup> A study of Chicago Public Schools (CPS) found 77 percent of school arrests were of black students, though they constituted 50 percent of the CPS student population.<sup>9</sup>

School policies that force students out of school, often referred to as the “pushout problem,” are a result of suspensions, expulsions, arrests, and subsequent dropouts. Due to the lack of resources, teachers and school administrators often rely on quick-fix, low-cost disciplinary actions which push students out of the classroom and do little to improve behavior or create an environment conducive to learning.<sup>10</sup> These punishments remove students from school, disrupt learning, and provide more opportunities for students who are away from school, often with little parental supervision, to socialize with deviant peers.

Factors that led to zero tolerance include the school tragedies in Littleton, Colo., Jonesboro, Ark., and West Paducah, Ky. However, according to the Bureau of Justice Statistics, school crime rates have remained stable and children are 50 times more likely to experience violence outside of school. According to the Centers for Disease Control, school-associated student homicides are rare, representing 1 percent of homicides among school-aged youths.

## School safety

In the early 1990s, a new generation of young “super-predators” was predicted, which led politicians to call for harsher and more frequent punishment of juvenile offenders.<sup>11</sup> Princeton professor John Dilulio based this prediction on his belief that inner-city children were growing up surrounded by teenagers and adults who were deviant, delinquent, or criminal. However, the predictions never materialized. According to the Office of Justice and Delinquency Prevention, the rate of juvenile violent crime has consistently decreased since 1994, and to levels not seen since the 1970s.<sup>12</sup>

Schools have enhanced safety measures with security cameras, metal detectors, drug testing, locker searches, and uniforms. However, a study of school violence incidents by the U.S. Secret Service and Department of Education found:<sup>13</sup>

Handling conflict and misbehavior in a restorative way allows students and staff to actively make amends and repair harm.

- Most attackers engaged in behavior that caused concern or indicated a need for help prior to the incident.
- Prior to most incidents, other people were aware of the attacker's idea and/or plan to attack.
- Many attackers felt bullied, persecuted, or injured by others prior to the attack.
- Despite prompt law enforcement responses, most shooting incidents were stopped by means other than law enforcement intervention.

These findings indicate a restorative response that focuses on dialogue and diffusing problems early can be more effective at reducing violent attacks.

### **Criminalizing school misconduct**

Restorative practices in schools can promote positive feelings, rather than resentment and alienation within the school setting.

The criminalization of certain kinds of misconduct in schools has created what is referred to as the “school-to-prison pipeline” or “school-to-jailhouse track.” Common adolescent misbehavior is often handled as criminal behavior by the police rather than by schools through traditional disciplinary procedures. Research has shown that police are summoned to schools for behavior that is not necessarily criminal.<sup>14</sup> A study found that of more than 8,000 students were arrested in Chicago public schools in 2003, 40 percent were for simple assaults or batteries with no serious injuries or weapons.<sup>15</sup>

Restorative justice practices and policies can offer an alternative to other more punitive responses used by schools. Students are often unaware of the harmful impact of their behavior on themselves and others. Handling conflict and misbehavior in a restorative way allows students and staff to actively make amends and repair harm. In addition, restorative practices in schools can promote positive feelings, rather than resentment and alienation within the school setting.<sup>16</sup> The American Psychological Association's Zero Tolerance Task Force endorsed restorative justice as a promising alternative to zero tolerance.<sup>17</sup>

# Incorporating restorative justice into schools

The principles of restorative justice have been successfully implemented in schools since the early 1990s in Australia, Brazil, Canada, Indonesia, Japan, New Zealand, the United Kingdom, and the United States. These principles have been applied in preschools, and elementary, secondary, post-secondary, public, private, parochial, and alternative schools.

Restorative justice can involve all types of students, from those who are struggling to the most highly engaged. Students with learning disabilities and substance abuse issues also have benefitted from restorative justice. Many schools may already be incorporating aspects of restorative justice philosophy through mentoring, mediation, and other alternative disciplinary measures.

## Using restorative discipline

Restorative discipline can provide opportunities to socialize youth and teach them how to be productive members of society. The discipline process includes learning how to control impulses and honing proper social skills.

Disciplinary responses to misbehavior may employ varying levels of support and control. McCold and Watchel described four general approaches to school discipline—neglectful, permissive, punitive, and restorative.<sup>18</sup> Restorative discipline combines strict control and strong support of youth, and approaches wrongdoing in a way that is not punitive, neglectful, or permissive.

Inclusion in the disciplinary process is a basic tenet of restorative justice. Students, as well as teachers, should be included as members of the school community.<sup>19</sup> Restorative disciplinary practices within schools are more supportive, inclusive, and educational than other approaches. In reaching the goals of restorative discipline, experts recommend:<sup>20</sup>

- Creating caring climates to support healthy communities.
- Understanding the harm and developing empathy for both the harmed and the harmer.
- Listening and responding to the needs of the person harmed and the person who harmed.
- Encouraging accountability and responsibility through personal reflection within a collaborative environment.
- Reintegrating the harmer into the community as a valuable, contributing member of society.
- Changing the system when it contributes to harm.

## Fostering a restorative school culture

Schools may implement restorative justice in varying degrees, from a single program to a permeating school philosophy. Restorative justice can be implemented through daily practices used by everyone in the school, from administrators to students, or as a formal program available to students who have violated school rules.

Restorative practices involve youth and promote awareness, understanding, sharing, and learning. Classroom discussions may be held to set behavior standards. Rather than a teacher prescribing rules of conduct, students are given the opportunity to explore and determine how to create a positive community. Routine classroom meetings allow students to share their feelings, discuss

Rather than a teacher prescribing rules of conduct, students are given the opportunity to explore and determine how to create a positive community.

See every instance of wrongdoing and conflict as an opportunity for learning.

classroom issues, and learn how to solve problems in a democratic setting.

Recommendations to implement good restorative practices in schools include:<sup>21</sup>

- Fostering awareness on how all have been affected by behavior and encourage expression of feelings.
- Avoiding scolding or lecturing. Allowing individuals to share with each other.
- Actively involving students.
- Accepting ambiguity. Fault and responsibility may be unclear.
- Separating the deed from the doer, recognize students' worth and disapprove of their wrongdoing.
- Seeing every instance of wrongdoing and conflict as an opportunity for learning. Turn negative incidents into constructive ones by building empathy and a sense of community.

Youth can be included in all aspects of discipline, including preventing and dealing with conflict. Classroom problem-solving that incorporates restorative practices may include:<sup>22</sup>

- Developing trusting and caring relationships between adults and students.
- Fostering skills to resolve conflict, such as listening, empathy, critical thinking, and self-control.
- Determining what has happened and why by asking questions and listening to the answers.
- Maximizing student involvement in deciding how to resolve problems.
- Resolving problems with open-ended questions, exploring different responses, reflecting on motives, and allowing for disagreement.
- Assisting students in considering ways to make amends for misbehavior, such as replacing, repairing, cleaning, or apologizing.
- Following up to determine whether the problem was solved and or more work needs to be done.
- Encouraging reflection.
- Allowing flexibility for different students, needs, and situations.
- Minimizing the punitive impact when control is necessary to repair the relationship and address underlying issues.

Restorative discipline is related to conflict resolution. As defined by the Conflict Resolution Education Network (CREnet), conflict resolution is a learning process that helps individuals understand

conflict dynamics, empowers them to use communication and creative thinking to build relationships, and to fairly and peacefully manage and resolve conflict. Typically, a curriculum is used to teach conflict resolution skills. CREnet estimates that 10 percent of U.S. public schools offer conflict resolution education.

Restorative practices can be used to facilitate a dialogue on salient issues in schools, such as drugs and bullying. The UpFront Program in Oakland High School in California provides drug education through discussions emphasizing sharing, trust, and respect. The program director says the program “demonstrates interactive drug education, and encourages young people to participate in setting the agenda, openly share their experiences, feel free to ask any questions, and to take responsibility for making the process a success.”<sup>23</sup>

Restorative justice programs in schools are based on formal guidelines and incorporate trained individuals to deal with conflict and violations of school rules.

Restorative justice can be applied in many creative ways. For example, schools are adopting student-led conferences which include the parent and the child, rather than traditional parent-teacher conferences which exclude youth.<sup>24</sup> Student-led conferences are gaining ground at elementary and middle schools nationwide including several in central Illinois.

## School restorative justice programs

Restorative justice programs in schools typically operate under formal guidelines and incorporate trained individuals to deal with conflict and violations of school rules. These school programs exclude students who commit violent offenses.

Restorative justice programs allow for the reparation of harm. They have the potential to influence school climate and strengthen positive social connections between students and staff. Common elements to school restorative justice programs include:

- Student referrals at the discretion of teachers, administrators, or other students.
- Involving students who are willing to accept some responsibility for their actions.
- Involving victims and others in the process, with voluntary participation.
- Keeping proceedings confidential.

Programs can offer elements of Braithwaite’s reintegrative shaming which focuses on condemning the actions of the person, rather than condemning the person who did wrong.<sup>25</sup> The referred student is welcomed or reintegrated back into the school community after being confronted with and acknowledging his or her wrongdoing, understanding the harm caused by his or her actions, and expressing remorse.

Varied terminology is used in these school programs. In Minnesota, restorative justice practices in the schools are referred to as restorative *measures*. Some schools do not use the term “offender” but rather “referred student.”

The following program models bring affected parties together to resolve conflict. These programs have shown promise and have been replicated by schools in many communities, nationally and internationally. This is not an exhaustive list and program variations may exist that still adhere to the principles of restorative justice.

By offering opportunities for open and safe communication, circles help resolve conflict, strengthen relationships between participants, emphasize respect and understanding, and empower all parties involved.

## Circles

Circles, or peacemaking circles, bring people together to talk about issues and resolve conflict. A trained facilitator, often called the “circle keeper,” encourages willing participants to share information, points of view, and personal feelings. The facilitator may use a *talking piece*, an object that allows the person in possession the opportunity to speak without interruption. Others in the circle are encouraged to remain silent and listen to what is being shared.

By offering opportunities for safe and open communication, circles help resolve conflict, strengthen relationships between participants, emphasize respect and understanding, and empower all parties involved. Circle facilitators, with the permission of school administrators, can also invite family and community members to participate.

Principles for forming circles in classrooms include:<sup>26</sup>

- Practice giving and receiving meaningful compliments.
- Create a student-generated agenda.
- Foster good communication skills.
- Learn, understand, and respect differences.
- Explore reasons for why people do what they do.
- Practice role-playing and brainstorming to solve problems.
- Focus on non-punitive solutions.
- Ensure confidentiality among participants.

A study focusing on the implementation of restorative justice initiatives in the South St. Paul School District in Minnesota found that students in several schools experienced fewer suspensions, fewer expulsions, fewer behavioral referrals, and greater overall attendance.<sup>27</sup> Schools in Peoria, Ill., implemented circles and experienced a 35 percent drop in referrals to detention, and a 43 percent drop in detention referrals of black students, who are often disproportionately given detention.<sup>28</sup> One Pennsylvania school uses circles weekly in classrooms to build community and enhance communication. Circles also may be used more informally as a forum to discuss issues such as attendance, drugs, and bullying.

## Mediation and conferencing

Mediation in schools typically resolves disputes between two students, while conferencing opens the process to other students, staff, and teachers. Both of these models are facilitated by a trained mediator and bring together affected parties to develop an appropriate response to the conflict. These programs teach students how to peacefully resolve conflict, hash out misunderstandings, and prevent further conflict. A study of more than 100 Australian schools found conferencing was highly effective in dealing with incidents of serious harm at schools.<sup>29</sup>

Peer mediation involves trained student mediators who assist their peers in settling disputes. Students are trained in mediation strategies

## Figure 2

### Restorative justice program in action

**This is an example of a school peer jury in action submitted by Art Lobl, teacher and peer jury coordinator at Kelvyn Park High School in Chicago.**

*A young man named Jose threw his shoe across the auditorium at another student in front of both his music teacher and the school principal. Embarrassed and exasperated, the teacher referred Jose to the discipline office. Jose was then referred to the school peer jury program.*

*As the jurors talked to Jose, they learned that he wanted to go to art school after graduation and was having problems with his music teacher. The jurors decided with Jose that he would assist the teacher in setting up for a concert the following week so that he and the teacher could meet outside the classroom and get to know each other better. In addition, Jose agreed to use his artistic talents to make a poster to publicize and recruit students for the school jazz band club. The poster was enlarged, copied, and posted around the school.*

*The student and teacher made peace, Jose saw the error of his ways, and his talents were put to use in repairing harm done to the school and the music program. The poster was later included in Jose's art portfolio and he was accepted by an art school upon graduation.*

and apply restorative problem-solving techniques. Mediation can help keep many minor incidents from escalating into more serious incidents. More importantly, peer mediation gives students a set of skills that can be applied to future conflicts.

A study of eight Canadian high schools found that peer mediators can peacefully resolve conflicts, are trusted by students, and are exemplary student leaders. Furthermore, peer mediation teaches life skills, provides leadership, and provides an alternative to suspension.<sup>30</sup>

#### Peer jury

Peer jury—sometimes called teen court, youth court, or peer court—is a youth-centered program in which student volunteers hear cases of minor delinquent acts or school offenses. *Figure 2* provides an example of a case heard by a school peer jury. Peer juries are overseen by an adult coordinator with youth volunteers acting as jurors. Police departments, community agencies, probation departments, and schools can coordinate peer jury programs.

About 100 peer jury programs exist in Illinois, and almost half of them are based in schools. Students trained as peer jurors meet with the student referred for a school disciplinary issue. Together, jurors offer guidance and support to the referred student and develop an agreement that outlines actions needed by the student in order to repair harm. Referred students also may be connected with community resources to address root causes of their behavior and identify positive solutions.

Jurors need not be exemplary students, but they should be representative of the student body. In fact, many students referred to peer jury later join the program as a juror. By allowing students to take leadership roles in every level of the process, including development, planning, and implementation of the program, peer juries place youth in a central role to address student misconduct.

In 2001, Chicago Public Schools (CPS) piloted peer jury programs using restorative justice principles in several schools. CPS contracted with Alternatives, Inc., a local non-profit organization, to provide implementation, training, and technical support.

Peer juries represent one of CPS' few non-punitive, alternative, disciplinary processes. These programs allow cases of low-level school misconduct, ranging from cell phone use and tardiness to gambling and fighting, to be heard. By 2009, 45 Chicago high schools had implemented peer jury

programs. In the 2007-2008 school year, 90 percent of peer jury agreements were completed. An evaluation found that from academic years 2005 to 2007, CPS peer juries helped avoid more than 1,000 days of suspension.<sup>31</sup>

*Figure 3* offers a comparison of different restorative practices and programs that can be employed a school setting.

## Challenges to implementation

By allowing students to take leadership roles in every level of the process, including development, planning, and implementation of the program, peer juries place youth in a central role to address student misconduct.

Schools have the difficult job of educating, inspiring, supporting, and disciplining their students. This job gets increasingly more difficult given limited resources, fears of violence, competing priorities, and higher testing expectations. In addition, young people may face multiple pressures and responsibilities, such as teen parenthood, mental health issues, poverty, and negative peer influence.

Schools may be resistant to moving from a punitive to restorative response to conflict and misbehavior. Restorative responses may be seen as ineffective or too lenient on students who break the rules. Restorative practices are much harder for students because they are held accountable for their actions and must think about, address, and take action to repair the harm they have caused.

Research has shown the benefits of a restorative response.<sup>32</sup> Schools may implement restorative justice gradually into the existing discipline process. Schools may also retain many of their punitive processes.

Recommendations for implementation and sustainability of restorative justice in schools include:<sup>33</sup>

- Offering professional development in restorative justice philosophy and practices for all staff including those in non-teaching roles.
- Developing and maintaining a cohort of highly skilled facilitators.
- Using restorative processes to deal with incidents of inappropriate behavior and high-level conflict.
- Supporting the restorative justice philosophy and practice through teacher education.
- Developing state and school policies that include restorative justice.

Restorative programs take more time than the traditional disciplinary actions of suspension and expulsion. While the initial time investment may be substantial, restorative practices can ultimately save time by preventing or diffusing problems early.

Restorative practices also may require a certain amount of funding, depending on the practices and programming. Restorative justice can be cost-free when solely incorporated into class time. But funding

Schools may implement restorative justice gradually into an existing discipline process.

**Figure 3**  
**Comparison of school restorative justice practices and programs**

Restorative justice practices		
	<i><b>Involves:</b></i>	<i><b>Responds to:</b></i>
Restorative discussions	<ul style="list-style-type: none"> <li>- Peer mentors</li> <li>- Teachers and other school staff</li> <li>- Members of the school community</li> </ul>	<ul style="list-style-type: none"> <li>- Minor student worries</li> <li>- Minor disruptions</li> <li>- Need to debrief and discuss issues</li> <li>- Challenging situations</li> <li>- Worried parents</li> <li>- Disruptions</li> <li>- Interpersonal conflicts</li> </ul>
Restorative justice programs		
	<i><b>Involves:</b></i>	<i><b>Responds to:</b></i>
Circles	<ul style="list-style-type: none"> <li>- Class groups</li> <li>- School council</li> <li>- Whole staff</li> </ul>	<ul style="list-style-type: none"> <li>- Class issues/harm within class</li> <li>- Problems affecting students</li> <li>- Staff issues</li> </ul>
Peer jury	<ul style="list-style-type: none"> <li>- Peer jurors</li> <li>- Teachers and other school staff</li> <li>- Restorative justice coordinator</li> </ul>	<ul style="list-style-type: none"> <li>- Student conflicts</li> <li>- Staff conflicts</li> <li>- Staff-student conflicts</li> <li>- Class issues/harm within class</li> </ul>
Mediation & conferencing	<ul style="list-style-type: none"> <li>- Peer mediators</li> <li>- Teachers and other school staff</li> <li>- Trained facilitators</li> <li>- Family members</li> </ul>	<ul style="list-style-type: none"> <li>- Student conflicts</li> <li>- Staff conflicts</li> <li>- Staff-student conflicts</li> <li>- Staff-parent conflicts</li> <li>- Concerns about a student or behavior</li> <li>- Minor issues involving harm caused in a group of students</li> <li>- Minor issues involving harm/ disruption in a group of students</li> <li>- Issues needing parental involvement</li> <li>- Exclusion issues</li> </ul>

Adapted from *Transforming Conflict* at <http://www.transformingconflict.org/Restorative Approaches and Practices.htm>.

may be necessary for school-wide training, teacher overtime, recognitions such as annual awards, and marketing materials.

**Suggestions for implementing restorative justice**

Financial support for implementing restorative justice programs may be available through Title IV Safe and Drug Free Schools, U.S. Department of Education, school discretionary funds, fundraising, and partnerships with local social service agencies.

Records on restorative practices should be kept to measure progress and success. Schools should maintain data on referrals made, cases heard, agreements developed, and participants' academic performance, and, as a point of comparison, information on disciplinary actions, such as suspensions, expulsions, and truancy. Tangible data and records are important to secure support and funding.

Through training, commitment, and reinforcement of the benefits of restorative justice, elementary and high schools have successfully implemented restorative practices.

Real change is made through systemic adoption of restorative justice. A whole school approach is the best way to provide restorative justice, with the entire school community using restorative practices in its daily work.<sup>34</sup> Through training, commitment, and reinforcement of the benefits of restorative justice, elementary and high schools have successfully implemented effective programs.

## **Conclusion**

School discipline policies have been criticized for being overly punitive, and disproportionately impacting minority students. Many schools rely on tough sanctions that do not build social skills or resolve conflict. Restorative justice is a tool that can be used in schools to prevent or address conflict before it escalates, and deal with conflict and misbehavior after it occurs.

Over the past decade, schools nationally and internationally have implemented restorative justice practices and programming. Research has shown restorative justice improves the school environment, enhances the learning and development of young people, and promotes safety, inclusion, respect, and positive relationships.

# Notes

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- <sup>5</sup> Rimer, Sara, "Critics Attack Suspension of 33 Philadelphia Kindergartners," *New York Times*, December 16, 2002.
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- <sup>15</sup> *Education on Lockdown: The Schoolhouse to Jailhouse Track* (2005) The Advancement Project: 8.
- <sup>16</sup> Skager, Rodney, "Beyond Zero Tolerance: A Reality-Based Approach to Drug Education and School Discipline," *Drug Policy Alliance* (2007): 14.
- <sup>17</sup> Skiba, Russell, Cecil R. Reynolds, Sandra Graham, Peter Sheras, Jane Close Conoley, and Enedina Garcia-Vazquez, "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations," *American Psychological Association, Zero Tolerance Task Force* (2006): 91-93.
- <sup>18</sup> McCold, Paul and Ted Wachtel, "In Pursuit of Paradigm: A Theory of Restorative Justice," *International Institute for Restorative Practices Paper presented at the XIII World Congress of Criminology, 10-15 August 2003, Rio de Janeiro:1.*
- <sup>19</sup> Varmam, Sally, "Seeing Things Differently: Restorative Justice and School Discipline," *Massey University Wellington Campus* (2004): 20.
- <sup>20</sup> Amstutz, Loraine Stutzman and Judy H. Mullet, "The Little Book of Restorative Discipline for Schools: Teaching Responsibility; Creating Caring Climates," *Goodbooks* (2005) Intercourse, Pennsylvania: 10.
- <sup>21</sup> Wachtel, Ted, "Restorative Justice in Everyday Life: Beyond the Formal Ritual," *International Institute for Restorative Practices Paper presented at the "Reshaping Australian Institutions Conference: Restorative Justice and Civil Society," The Australian National University, Canberra, February 16-18, 1999: 3-4.*
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- <sup>27</sup> Stinchcomb, Jeanne B., Gordon Bazemore, and Nancy Riestenberg, "Beyond Zero Tolerance: Restoring Justice in Secondary Schools," *Youth Violence and Juvenile Justice*, (2006) (4) 2: 134-135, 142.
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<sup>33</sup> Cameron, Lisa, and Margaret Thorsborne, "Restorative Justice and School Discipline: Mutually Exclusive? In Restorative justice and Civil Society, Heather Strang and John Braithwaite Eds, Cambridge University Press (2001):189-193.

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# Appendix

This appendix lists a broad range of resources for information on restorative justice. This list should not be seen as an endorsement of any agency, program, service, or individual.

## Illinois resources

### Local resources

Alternatives, Inc.  
Christine Agaiby  
4730 N. Sheridan Road  
Chicago, IL 60640  
Phone: 773-506-7474  
E-mail: [cagaiby@alternativesyouth.org](mailto:cagaiby@alternativesyouth.org)  
[www.alternativesyouth.org](http://www.alternativesyouth.org)

Chicago Public Schools, Safe and  
Drug Free Schools  
Inez Drummond, Ph.D.  
125 S. Clark St., 9th Floor  
Chicago, IL 60603  
<http://sbci.cps.k12.il.us/SafeSchools/index.html>

Champaign Schools Peer Justice Program  
Patricia Avery  
514B N. Neil St.  
Champaign, IL 61820  
Phone: 217-373-2827  
E-mail: [cuapavery@juno.com](mailto:cuapavery@juno.com)

Evanston Township High School Peer Jury:  
The Kit Voice  
Cristina Cortesi  
1600 Dodge Ave., E118  
Evanston, IL 60201  
Phone: 847-424-7203

F.U.T.U.R.E. Foundation Youth Services, Inc.  
Emir A. Hardy  
1628 Drexel Ave.  
Ford Heights, IL 60411  
Phone: 708-758-5100  
E-mail: [ehardy@future-foundation.org](mailto:ehardy@future-foundation.org)  
[www.future-foundation.org/](http://www.future-foundation.org/)

Providence St. Mels High School Peer Jury  
Angela Johnson-Williams, Coordinator  
119 South Central Park  
Chicago, IL 60624  
Phone: 773-727-4600  
E-mail: [johnsona@psm.k12.il.us](mailto:johnsona@psm.k12.il.us)

### Statewide resources

Illinois Balanced and Restorative Justice  
Initiative/Project  
Sally Wolf  
361 N Railroad Ave., Suite A  
Paxton, IL 60957  
Phone: 217-714-8864  
E-mail: [sallywolf@ibarji.org](mailto:sallywolf@ibarji.org)  
[www.ibarji.org](http://www.ibarji.org)

Office of the Illinois Attorney General  
Illinois Youth Court Association  
Theresa Geary  
100 W. Randolph St.  
Chicago, IL 60601  
Phone: 312-814-0991  
E-mail: [tgeary@atg.state.il.us](mailto:tgeary@atg.state.il.us)

### Other resources

Center for Restorative Justice and Peacemaking  
School of Social Work  
University of Minnesota  
105 Peters Hall  
1404 Gortner Ave.  
Saint Paul, MN 55108  
Phone: 800-779-8636  
E-mail: [ssweb@umn.edu](mailto:ssweb@umn.edu)  
[www.cehd.umn.edu/ssw/rjp](http://www.cehd.umn.edu/ssw/rjp)

The Conflict Resolution Information Source  
Conflict Information Consortium  
University of Colorado  
Campus Box 580  
Boulder, CO 80309  
Phone: 303-492-1635

International Institute for Restorative Practices  
P.O. Box 229  
Bethlehem, PA18016  
Phone: 610-807-9221  
[www.iirp.org](http://www.iirp.org)

National Youth Court Center  
National Association of Youth Courts, Inc.  
345 North Charles St., 2nd Floor  
Baltimore, MD 21201  
Phone: 410-528-0143  
E-mail: [nayc@youthcourt.net](mailto:nayc@youthcourt.net)  
[www.youthcourt.net](http://www.youthcourt.net)

Restorative Justice Online  
Prison Fellowship International Centre  
for Justice and Reconciliation  
PO Box 17434  
Washington, DC 20041  
Phone: 703-481-0000  
E-mail: [rjonline@pfi.org](mailto:rjonline@pfi.org)  
[www.restorativejustice.org](http://www.restorativejustice.org)

Dignity in Schools Campaign  
11040 Santa Monica Blvd., Ste 450  
Los Angeles, CA 90025  
[www.dignityinschools.org](http://www.dignityinschools.org)

Transforming Conflict  
National Centre for Restorative Justice  
in Youth Settings  
Mortimer Hill,  
Mortimer, Berkshire  
England RG7 3PW  
[www.transformingconflict.org](http://www.transformingconflict.org)

Victim Offender Mediation Association  
c/o Center for Policy, Planning and Performance  
2233 University Avenue W, Suite 300  
St. Paul, MN 55114  
Phone: 612-874-0570  
E-mail: [voma@voma.org](mailto:voma@voma.org)  
[www.voma.org](http://www.voma.org)



**Illinois Criminal Justice Information Authority**

300 W. Adams Street, Suite 700

Chicago, Illinois 60606

Phone: (312) 793-8550

TDD: (312) 793-4170

Fax: (312) 793-8422

[www.icjia.state.il.us](http://www.icjia.state.il.us)

Pat Quinn, Governor

Sheldon Sorosky, Chairman

Jack Cutrone, Acting Executive Director