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Motivating Students Positively Through Restorative Justice Discipline

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Abstract

The purpose of this paper is to examine the effects of discipline formats on student development and analyze if the practice of restorative justice can decrease the school to prison pipeline. Does criminalizing every discrepancy against the law create better law-abiding citizens? Is the zero-tolerance policy change an effective mechanism for school discipline? Do restorative justice practices reduce the school to prison pipeline? To investigate this, the infraction rates at various high schools have been observed in regard to their discipline practices to analyze the number of incidences that students incur and how they were managed.

Keywords: restorative justice, zero-tolerance, discipline, school to prison pipeline

Motivating Students Positively Through Restorative Justice Discipline

In the United States, and around the world, a discipline pattern of an eye-for-an-eye is well known and practiced in education systems. This pattern is more commonly known as the zero-tolerance policy, which implies that the consequences for misbehavior to any level are at large with little room for exceptions. Does criminalizing every discrepancy against the law create better law-abiding citizens? Is the zero-tolerance policy change an effective mechanism for school discipline? Do restorative justice practices reduce the school to prison pipeline? To investigate these questions, the infraction rates at various high schools have been observed concerning their discipline practices to analyze the number of incidences that students incur and how they were managed.

Zero Tolerance

When dealing with behavior issues, many people believe that an individual should receive their due punishment regardless if it is appropriate or not. The notion that has propelled the zero-tolerance movement is that if students are not highly regulated and punished for their wrongdoings, then they must not be safe (Buckmaster, 2016). With the continuously rising demand for school safety, many proponents of the zero-tolerance movement may seem justifiable. For example, if a student has a weapon then they will be expelled from school and law enforcement will also be involved, potentially issuing a ticket and/or an arrest. Sounds reasonable and helping to maintain a safe learning environment. But what if the student, in fun, has taken a plastic ink pen casing and turned it into a spitball launcher, but then decides to upgrade to launching a few plastic pellets he found? "[His] peers find it to be an annoyance, a faction of school officials determine [he] has fashioned a projectile weapon with the purpose of intimidating, threatening, or harming others" (Dickerson, 2014). The result? The student was expelled, arrested, and charged with three counts of misdemeanor assaults. In another case, a student in a big-time hunting community, with the intent to leave for his tree stand as soon as school is out, forgets to hide his rifle that is in his vehicle. He receives a suspension for possession of a weapon. Zero-tolerance policies consist of discipline policies that have pre-determined punishments that accompany certain behaviors. These punishments are a one-size fits all type of format and often do not regard the "particular context, offender

rehabilitation, or victim reconciliation, and with a consequence that is considered severe" (Mateer, 2010). However, it has been found that this discipline format is not as successful as hoped to be, "a 10-year study of zero-tolerance policies by the American Psychological Association concluded that the use of exclusionary policies did not improve school safety" (Teasley, 2014).

Since the 1980s, a vast majority of states have moved away from the zero-tolerance policies and have entered into different formats of discipline. However, it seems that zero-tolerance still echoes through their halls. "Almost half of suspensions occur for less serious infractions, like defiance or disruption. Students are being suspended for these infractions even when there isn't a zero-tolerance requirement in place" (Curan, 2019). By criminalizing students through suspension, or issuing unjust or extreme consequences that result in them being ostracized or belittled, students are going to pick up on the message that they don't belong in school. Teasley states that students that have been marked with suspension or expulsion have an increased likelihood of being repeat offenders and be suspended many more times before graduating, if they graduate (2014). In her TedTalk, Jean Klavosky says that, "a student that is suspended even once, is twice as likely to drop out... [zero-tolerance policy] is pushing our students out of school" (Klavosky, 2013). These punitive measures have not been found to reduce or directly deter students from engaging in negative behaviors, and they merely address the conduct and leave the root of the problem unaddressed.

Alternative Solution: Restorative Justice

This is not just a problem because students are being expelled from school; there is a much deeper impact on students that are marked with expulsion. Many behaviors that are seen in students are just the manifestation of an underlying issue that students do not know how to cope with or express. Nobody is born knowing how to deal with their parents going through a divorce; being abused physically, verbally, sexually, or emotionally; breaking up a friendship or relationship, bullying, and so much more. Laila Fakhoury states in her TedTalk that "The main deficiencies in newer generations is our inability to express ourselves through words. Many young people refuse to let themselves be vulnerable and say when they felt disrespected or embarrassed by the actions of their peers. When they are unable to

communicate, they resort to fighting and misbehaving to show what's really going on inside" (Fakhoury, 2017). Instead of punishment and only punishment, it is important to create an environment that addresses the deeper underlying issues rather than just the action itself. Restorative justice techniques create an opportunity for the offender to not only repair a broken relationship but also for the offender to learn how to respond to what they are feeling. Not only this, but restorative justice helps to create a sense of self-efficacy and empowers people to respond to others that are causing harm. Fakhoury gave an example of a kindergarten class that engages in a care circle once a week, after only a few weeks of engaging in restorative justice care circles, "these five and six-year-olds were confronting class bullies in grades even higher than their own. Saying things like, 'when you pushed me it gave me a boo-boo and that made me sad...!' They are doing something that many adults never learn how to do, express themselves" (2017).

When students can be in control of how they respond to different situations, it increases their self-determination. According to Kendra Cherry in her article *Self-Determination Theory and Motivation*, "Self-determination allows people to feel that they have control over their choices and lives. It also has an impact on motivation—people feel more motivated to take action when they feel that what they do will have an effect on the outcome" (2019). By creating an atmosphere that allows students to learn how to control their actions and responses, and repair damages they may have caused when they lost control, is empowering our upcoming generations to be motivated into action to change the projection of their futures.

Implementing Restorative Justice

To acknowledge the importance of classroom atmospheres that promote social skill development, organizations have worked to push schools to use a human rights framework such as restorative justice disciplines. The frameworks recommended need to encourage a transparent and honest environment for students at school in addition to their academic education. Schools that have adopted restorative practices have experienced a drastic decline in behavioral incidents and disciplinary sanctions. Maria Hantzopoulos studied a New York City public high school that uses a restorative justice model called the Fairness Committee. She found that this model has contributed to students feeling that the school environment is

safe and they can grow personally in community and stronger student peer and teacher relationships. Additionally, "Many students including those who had previously felt marginalized from schooling, find refuge and acceptance at this school and are able to succeed and thrive academically" (Hantzopoulos, 2013). The Fairness Committee operates similarly to a rotating reparative committee that involves students, teachers, and other office staff in the school community. It is important to implement models that fit each school and the needs of its student body.

In general, most types of restorative justice programs will have similarities. One such similarity is when it comes to confronting an offense, instead of an individual principal issuing the due repercussion, the reparative committee (as know as a care group or peer jury), which includes various members of the school care group: students, teachers, community members, etc., step in. The role of the care group is to create an environment that allows the student to be empathetically heard and be equipped with tools they may need to help them be successful in the future. The main goal is for the care group to serve as a safe, supportive place where one member of the committee can confront another and explain how their actions have affected other people. Each person in question gets to explain their side of the story to the group and questions can be asked by the committee during this time. The whole discussion is confidential, and consequences are decided at the end of the meeting after all information is gathered on the topic. The care group format will look different in each school, but will still maintain similar integrities such as being a safe place, showing empathy, supportive, and confidentiality.

When implementing restorative justice into a school district it is crucial to recognize that the community is composed of a unique culture and will not fit into a one-size fits all model. Research finds that restorative justice should be integrated to emphasize the values of each school's community and not be forced on the school. Hantzopoulos states, "Restorative justice should not be rigidly imposed on a school but rather should be integrated to embody the values of the school community" (2013). By taking a step back and making time to recognize the values of the community and the culture that the school would like to create, a district can assess how a restorative justice model would fit best and what changes will be necessary to achieve their desired goals.

Kristin Reimer completed a qualitative study that explored the implementation of restorative justice within an Ontario Public School. She states, “restorative justice is a philosophy and a process for dealing with harmful behavior, viewing such behavior as a violation of relationship, not rules” (2011). In this study, Reimer found that all six participants believed that restorative justice provided benefits for students. These benefits included providing character education for students, valuing their voices, and assisting in the healing process. The participants believed that making the students take the time to share their stories and listen to the other party’s stories benefitted in their understanding of the situation. This approach also increased the amount of respect and positive relationships between the students and other school community members.

Although there were many positives found in this study, several of the participants found that even if they wanted to use restorative justice there were times when they were unable to do so because there was not a sufficient amount of time available to use this approach. Another downfall to this approach is the lack of sustainability. Many of the participants found that it worked well in the beginning, but the excitement behind restorative justice faded as time passed (Reimer, 2011). Overall, it was found that there is both supporting and undermining evidence when it comes to using restorative justice in schools. The need to have strong support from the community is great if a school desires to implement a restorative justice program. Even if the school has community support, they also need to have the funding support. Funds need to be accessible for restorative justice programs to train teachers on the topic of restorative justice. Essentially, if all of the factors line up correctly for a school community then restorative justice can be greatly beneficial to the school, its students, as well as the community and parents of the students.

Conclusion

Studies on zero-tolerance policies of discipline have shown a failing system of discipline to deter repeat offenders in both the school systems and the criminal justice system. The correlation between suspended students and their lack of change and future success is alarming. The zero-tolerance policies are failing in schools and something needs to change. There is no

right answer to solve the problem of student discipline however giving the same punishment for every offense without examining the evidence or situation is creating an unsuccessful system of failure for students. The system is not only failing the repeat offenders but also the one-time offenders that may have simply made a bad decision.

Restorative justice practices may not be the perfect answer for every situation but it is a step in the right direction. Analysis of the incident and providing restorative practices that are designed to improve the student and their relationship versus predetermined punishments have shown success in schools. Many studies have shown a drop in repeat offenses as well as a drop in office discipline referrals while using restorative practices for all of the infractions that have been committed by students. Schools are seeing the success of restorative practices however restorative practices are not strictly to be used by administrators and implementation should be a school-wide culture change. The school as a whole needs to adopt the practices and consistently train the staff on the proper restorative techniques for it to achieve the success that has been shown in the studies. Students will have the opportunity to feel like they matter and their situation matters through the interactions of staff without the use of zero-tolerance policies that have been popular in the past. Consistency is key and restorative practices cannot be a one time fix but a school-wide initiative to make a change for the students and the school as a whole. More studies will need to be done and the process will continue to be refined for restorative justice practices to truly take hold on schools however it is a necessary shift in the right direction.

References

- Buckmaster, D. (2016). From the Eradication of Tolerance to the Restoration of School Community: Exploring Restorative Practices as a Reform Framework for Ethical School Discipline. *Values and Ethics in Educational Administration*, 12(3).
- Cherry, K. (2019, October 7). How does self-determination theory explain motivation? Retrieved from <https://www.verywellmind.com/what-is-self-determination-theory-2795387>.
- Curran, C. (2019). Just what are 'zero tolerance' policies – and are they still common in America's schools? Retrieved from <https://theconversation.com/just-what-are-zero-tolerance-policies-and-are-they-still-common-in-americas-schools-111039>.
- Dickerson, S. (2014). (In)Tolerable Zero Tolerance Policy. *EJEP: EJournal of Education Policy*. Retrieved from <https://files.eric.ed.gov/fulltext/EJ1158091.pdf>
- Fakhoury, L. (2017, November). Restorative justice [Video file]. Retrieved from <https://www.youtube.com/watch?v=MSy-qOiYjrA>.
- Hantzopoulos, M. (2013). The fairness committee: restorative justice in a small urban public high school. *Prevention Researcher*, 20(1), 7–10. Retrieved from <https://www.fsusd.org/cms/lib/CA01001943/Centricity/Domain/1271/TPR20-1-Hantzopoulos%20.pdf>.
- Klavosky, J. (2013, November). Repairing our schools through restorative justice [Video file]. Retrieved from <https://www.youtube.com/watch?v=tqktOiYG5NM>.
- Mateer, S. C. (2010). The use of restorative justice practices in a school community traumatized by an incident of planned school violence: A case study (Doctoral dissertation, Colorado State University).
- Reimer, K. (2011). An exploration of the implementation of restorative justice in an Ontario public school. *Canadian Journal of Educational Administration and Policy*, (119). Retrieved from: <https://files.eric.ed.gov/fulltext/EJ923619.pdf>.

Teasley, M. L. (2014). Shifting from zero tolerance to restorative justice in schools. *Children & Schools*, 36(3), 131–133. doi: 10.1093/cs/cdu016