

Restorative Practice

Philosophy in Action: An Introduction

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Inequity and the School-to-Prison Pipeline in Vermont

Students with disabilities 3x more likely to be suspended in Vermont

Students of color 3x more likely to be suspended in Vermont

Suspension → **Failed Grade** → **Drop (pushed) out**

1% of Vermonters are POC, 8.5% of prison population of Vermont

12% of U.S. population have a disability, yet account for over 40% of the prison population

KICKED OUT!

Unfair and Unequal Student Discipline
in Vermont's Public Schools



What's Happening, Why
It Matters, and What We
Can Do to Stop It



Jay Diaz, Esq.
Vermont Legal Aid
January 2015

**Juvenile Justice
System**

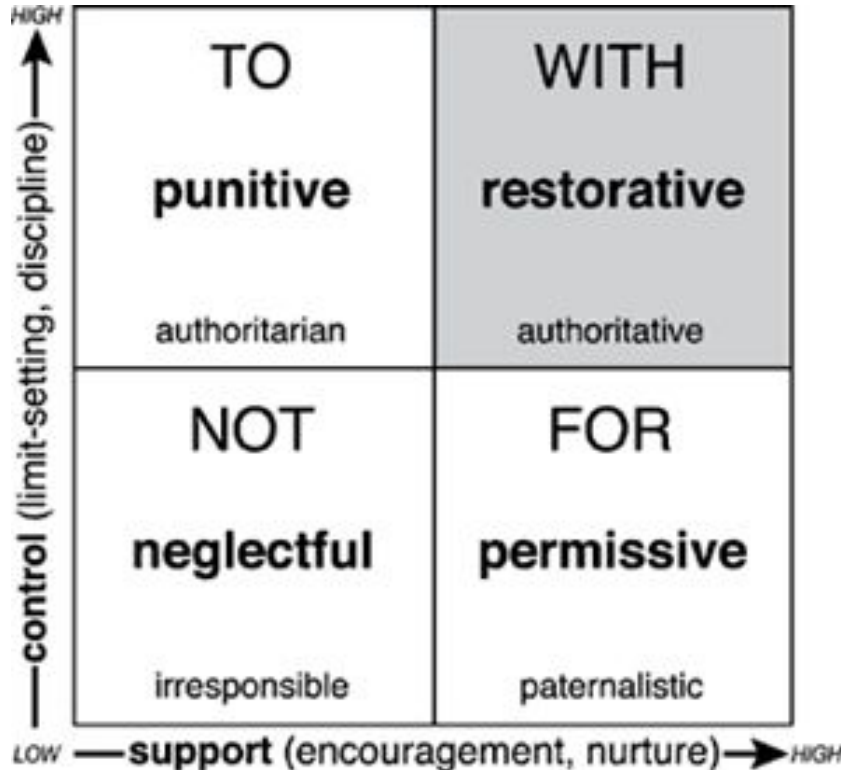
A Personal Definition of Restorative Practice

Restorative practice is about repairing harm and restoring relationship, but there's more:

- Rooted in communal traditions from around the world where the circle is a structure for consensus making
- The power of relationships is the foundation of RP
- All members are valued as essential to the group
- When there is harm caused, relationships must be restored to achieve unity

Within a restorative philosophy there are practices that facilitate trust and connection, allow for healing and growth, build unity, and deepen understanding. RP also serves to maintain order and harmony within communities by addressing rifts in relationships and broken social contracts.

Social Discipline Window



*The word **control** is often seen as a negative and can be triggering. In this context we can see control in terms of providing safety, structure, and predictability.

“Traditional” vs. Restorative responses to conflict

Traditional	Restorative Practice
<p data-bbox="104 331 633 366">Students in conflict are isolated.</p> <p data-bbox="104 421 778 456">Victims are kept safe, but have no voice.</p> <p data-bbox="104 511 838 637">Aggressor is asked to “process” the event in terms of how they did not meet the school expectations or did “wrong.”</p> <p data-bbox="104 692 884 858">Consequences are determined by adults and may include isolation from the group, loss of privilege or freedom, contact of parents, and/or an apology.</p> <p data-bbox="104 912 819 991">Students who are harmed will know little or nothing about what occurred.</p>	<p data-bbox="921 331 1765 410">Students that cause harm and students who are harmed are brought together with careful planning.</p> <p data-bbox="921 465 1835 548">All who were harmed are given a chance to respond to restorative questions.</p> <p data-bbox="921 602 1696 681">Student that caused harm is given a chance to respond to restorative questions.</p> <p data-bbox="921 736 1773 814">A plan is made to repair harm and restore trust and safety.</p> <p data-bbox="921 869 1827 947">Any “consequences” are in the spirit of repairing harm, rebuilding trust, and supporting the plan.</p>

The Compass of Shame

Adapted from D.L. Nathanson, Shame and Pride, 1992



Withdrawal:

- isolating oneself
- running and hiding

Attack Other:

- 'turning the tables'
- blaming the victim
- lashing out verbally or physically



Attack Self:

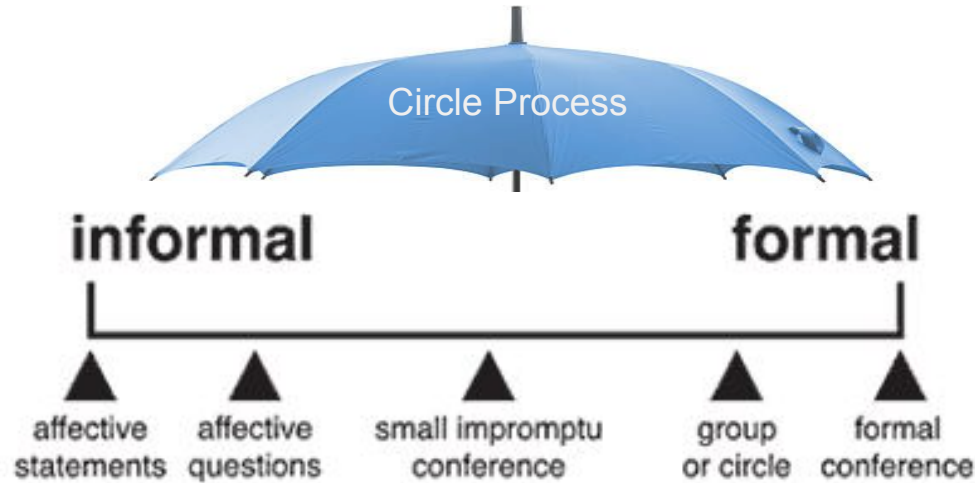
- self put-down
- masochism

Avoidance:

- denial
- abusing drugs and alcohol
- distraction through thrill seeking

A traditional approach artificially amplifies or minimizes the experience of shame. Within RP shame is a naturally occurring response, and is welcomed non-judgmentally, allowing the that shame to be processed as a motivator and teacher.

Scope of Restorative Interventions



Community Building ► Problem Solving ► Repairing Harm

Three Tiered Model

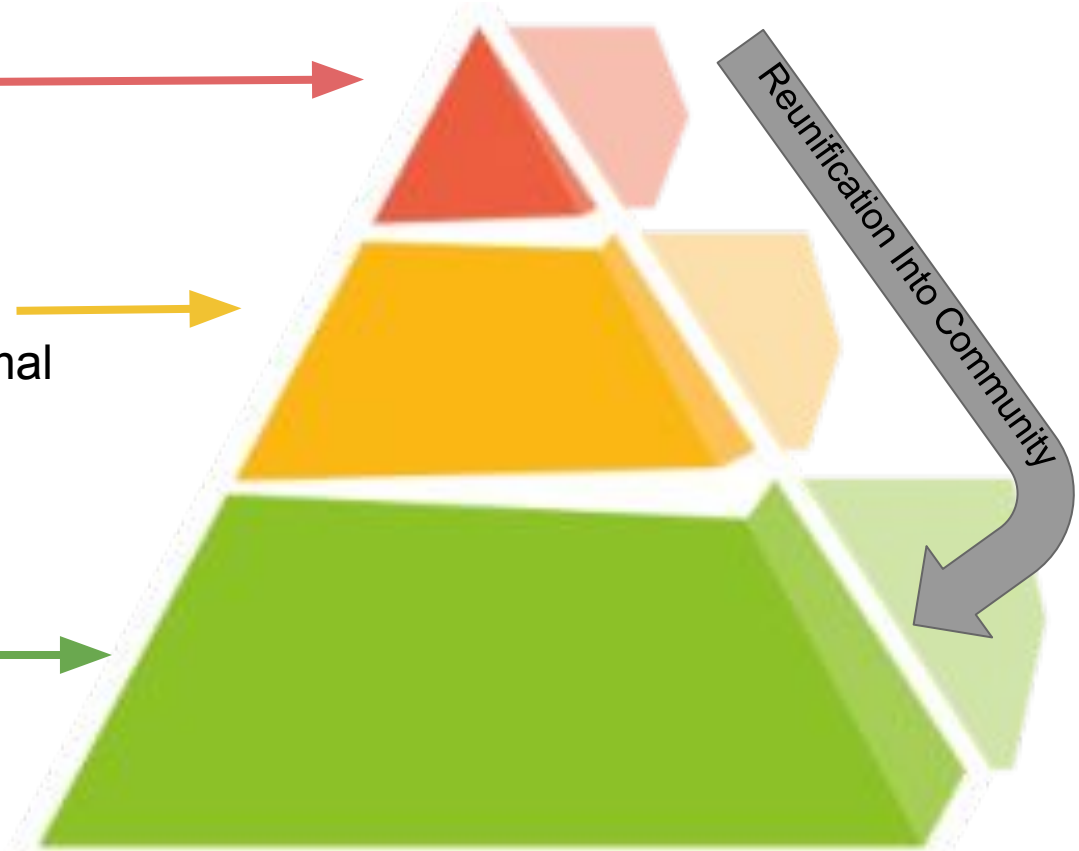
Tier III - Repair and Return
Formal Conferencing
Reintegration



Tier II - Relationship Repair
Problem solving through informal
conferencing and circles
Identify harm, identify needs,
develop a plan



Tier I - Community building
Circles to unite, learn, connect
Affective statements and
questions



Circles in Restorative Practice

Get acquainted
Explore ideas
Build Community



Solve Problems
Healing after harm
Reintegration

What is the talking piece?

The talking piece is a respected object that grants the holder the opportunity to speak and the rest of the circle the opportunity to listen. There are many approaches to passing the talking piece, the direction, and where to begin. The facilitator guides the circle and sets the guidelines.



Affective Questions and Statements

Affective statements and questions are seen across the scope of RP from the least formal interactions to formal conferencing.

Affective statements highlight harm done and impact of actions taken.

“Your parents were really worried about you”

“Your classmates were frightened by what happened”

Affective questions focus on who was affected, how, and what harm was done, and how it can be repaired

“How did your actions impact you mother?”

“What can you do to regain trust with your friend?”

Restorative (affective) questions for those who have been harmed

What happened?

What did you think when you realized what had happened?

What impact has this incident had on you and others?

What has been the hardest thing for you?

What do you think needs to happen to make things right?

Restorative (affective) question for those who have harmed

What Happened?

What were you thinking of at the time? (What was going on for you at the time?)

What have you thought about since?

Who has been affected by what you have done? In what way?

What do you think you need to do to make things right?

Circles vs. Conferences

While circles and conferences can both be used to repair harm, there are important distinctions.

Circles	Conferences
<ul style="list-style-type: none">● Facilitator plans topic and rounds● Can be informal● Have multiple purposes● Can be impromptu● Circles can be sequential or nonsequential	<ul style="list-style-type: none">● Facilitators follow a script faithfully● Formal● Follow an incident● Require tremendous planning● The seating and order of speakers is very specific and a talking piece may or may not be used

The Role of the Facilitator in Restorative Circles

- Hold the space
- Explain the process
- Set norms/agreements/ground rules
- Open the circle
- Allow for sharing of values
- Allow for sharing to create unity
- Explore topic or problem
- Allow for reflection
- Close the circle
- Participate equally



Current Qualitative Research Study:

What is the experience of school counselors in schools implementing Restorative Practices

Research Questions:

1. Does RP positively impacts school climate and create a more inclusive and equitable community environment?
2. Does RP work to dismantle hierarchies of privilege within the school setting?
3. Does the implementation of RP align with the role of the school counselor?

Research - Findings

- A. Equity
- B. Excitement & optimism
- C. Natural fit between RP & SC
- D. Relationship between RP & PBIS
- E. Challenges

Equity



“Well, it definitely—I feel like it’s giving everybody space in the classroom, space that’s held for them”

“I totally see how it builds the relationships between the kids, how they get to know each other better, and can relate to each other better”

“It’s helped other students acknowledge where other people are coming from.”

“It gives every kid the chance to connect with peers, and one adult, and feel a sense of belonging.”

Excitement and Optimism

“It’s exciting! It feels like ... Well, to be honest, we are in the very early stages...So that’s exciting”

“It’s been really positive, it gives another way for me as a counselor to interact with kids in a different sort of way...”

“...my principal was really good, because he believed in what he was hearing and how it was presented to him so much, he jumped in with two feet.”

“The child just broke down and he took responsibility for his actions, and we just looked at each other and we’re like, ‘Wow! This really works!’”



Natural fit between RP & SC

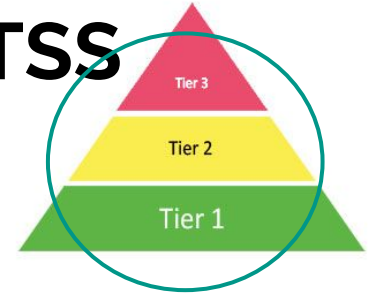


“This is a way for a school counselor to use the skills we already have to help facilitate circles or whatever and it's also been helpful to work with staff in different ways working with kids, it's been very positive.”

“School counseling and restorative practice don't have to be two different entities - it should be one entity.”

“I think it goes with the counseling field... anybody that adopts it is adopting more of the counseling style ... it's all about building relationships, and that's what a counselor does, and so it just like . . . meshes completely.”

Relationship between RP & PBIS/MTSS



“Right. And I also feel like, I do feel like, with PBIS, our school has been really, it’s aligned with Restorative Practices in the sense of really thinking about ‘what’s the purpose of suspensions?’ and what are we getting out of kids even being out of class? How is that benefiting kids when they’re removed from the environment?”

“Yeah I think everybody is in different spots, and we’re working with Burlington to implement RP, they’re piloting the program. It’s been interesting to learn about it, because I’ve seen a lot of things come through, like responsive classrooms and PBIS and there’s a lot of that within this.”

Challenges

“One challenge is that it takes a lot of time to do a circle and to do it right, with a phone call to the parents and you know getting the kids, talking to each kid, cuz you know most of the time a support person will come with that kid and it takes a lot of time, if you want to do it well, it takes a lot of time.”

“But in her mind, she was not satisfied until there was punishment. And we’ve been brought up that way, and that’s the biggest—that’s probably one of the biggest thing that we’re up against. People just feel like they need to be punished.”

“Yeah. The overwhelming part was just getting the buy in and letting the teachers and staff and - understand what it actually was.”

Implementation

The Foundation of successful implementation:

- Begin with faculty for an entire year
- Solid tier 1 implementation prior to any problem solving efforts
- Buy-in must reach a critical tipping point
- Administrative support
- Proper training



*improper implementation has the potential to cause harm

*Positions of power need to be examined. Intersectionality and the needs of marginalized persons in the circle need to be carefully considered.



SC is the leader in implementation

As school counselors we have a natural set of skills that lend themselves to restorative processes. The role also allows us to explore implementation from the bottom up.



“Before I started I thought it would be hard ... when I finally had my first one, I used my own style... Most school counselors already have facilitation skills, you know this is just another venue.”

“So, I think our role is pretty integral in having a skill set ... to then be able to help the other educators in the building learn how to implement the skill set as well”

It’s all about building relationships, and that is what a school counselor does.”

A vibrant sunset scene over a body of water, with a large, semi-transparent orange circle centered over the image. The sky transitions from a deep blue at the top to a bright yellow and orange near the horizon, where the sun is setting. The water reflects the colors of the sky. In the background, there are dark, silhouetted mountains. The text "trust the PROCESS" is written in white, with "trust the" in a lowercase serif font and "PROCESS" in a larger, uppercase serif font.

trust the
PROCESS