

## **Changing Student Outcomes with Restorative Practices**

By Amber Joiner-Hill, Nov 2019

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I started developing a vocabulary around the criminalization of students—particularly those in elementary and middle school—about four years ago when I participated in my city’s “Citizen’s Academy”. The program exposed residents to various government services, functions, and challenges. The intent was to show what it took to keep the city going and hopefully generate a sense of ownership and connectedness to our community. One of our sessions was with a school resource officer from the local police department. I had not heard that term before and learned that this particular officer was assigned to patrol the hallways of a nearby middle school and high school and participate in disciplinary actions as requested or deemed necessary. The concept of having a police officer regularly present in a school and not just responding to an emergency was bizarre to me. When I was in school, the most threatening figure was Sister Stephanie—the Catholic principal who never smiled. She did not walk amongst us with a taser, baton, bullet-proof vest, or loaded gun like this school resource officer did.

Years before meeting this officer, I researched and wrote papers about the mass incarceration of Black and Latino men. Listening to the school resource officer talk about her job gave me a clear picture of what likely happened to those incarcerated men before they entered the adult criminal justice system. They could have been victims of the school to prison pipeline.

### **The Issue**

The school to prison pipeline is a journey from the education system to the juvenile justice system and perhaps then the adult criminal justice system. There are some specific “stops” along the pipeline that people experience before entering a justice system<sup>1</sup>. Two stops often highlighted are the introduction of police officers into schools, and the zero tolerance approach implemented by school administrations.

School resource officers are local police officers who work on the school grounds and have the ability to ticket, arrest, and detain students in response to a violation of a school policy. When teachers have a student who they would like to discipline but feel they cannot do it themselves, they can give that responsibility to a school resource officer and the consequences (legal and emotional) might place the student in the school to prison pipeline. This criminalization of students was highlighted in recent years with the release of several videos showing physical altercations between officers and the students they were trying to arrest, and encouraged conversations about racism within schools and the need for law enforcement on school campuses.

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<sup>1</sup> American Civil Liberties Union. (n.d.). Locating the School-to-Prison Pipeline. Retrieved from [https://www.aclu.org/sites/default/files/field\\_document/asset\\_upload\\_file966\\_35553.pdf](https://www.aclu.org/sites/default/files/field_document/asset_upload_file966_35553.pdf)

The zero tolerance approach is similar to the criminological theory of broken windows—if you punish individuals for minor offenses, then they are less likely to commit more serious offenses or violations in the future<sup>2</sup>. For example, if we handcuff a student and take him to the principal’s office for talking back to his teacher, then maybe he will not do it again. There is no data to support the effectiveness of such policies but there is evidence to suggest that they both enforce racial stereotypes against Black and Latin boys and men<sup>3,4</sup>.

## Why It’s Important

The most commonly used forms of disciplinary action taken in schools are expulsions and in-school and out-of-school suspensions. The use of disciplinary actions that remove students from school, for any length of time, has the greatest impact on Black and Latino students, who are up to three times more likely to be suspended than their White peers<sup>5,6</sup>. According to Rumberger and Losen (2016) students who receive a school suspension are 15-27% less likely to graduate high school. Nationally, students who do not graduate from high school are three and a half times more likely to get arrested in their lifetime and eight times more likely to spend time in jail or prison<sup>7,8</sup>. One cannot draw causal conclusions here but the data supports the existence of a school to prison pipeline and also touches on the disproportionality of Black and Latino men in the adult criminal justice system.

Communities as a whole suffer when residents are incarcerated because those individuals do not have the ability to work, and therefore are unable to support local businesses, pay taxes, volunteer in their community, or mentor younger generations.

## Considerations

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<sup>2</sup> Skiba, R. (2004). *Zero Tolerance: The Assumptions and the Facts*. Indiana University: Center for Evaluation & Education Policy.

<sup>3</sup> Vedantam, S., Benderev, C., Boyle, T., Klahr, R., Penman, M., & Schmidt, J. (2016, November 1). *How A Theory of Crime and Policing Was Born, And Went Terribly Wrong* [Audio podcast]. Retrieved from <https://www.npr.org/2016/11/01/500104506/broken-windows-policing-and-the-origins-of-stop-and-frisk-and-how-it-went-wrong>

<sup>4</sup> Advancement Project (2005, March). *Education on Lockdown: The Schoolhouse to Jailhouse Track*. Washington D.C.: Advancement Project.

<sup>5</sup> Losen, D., Hodson, C., Keith II, M. A., Morrison, K., & Belway, S. (2015). *Are We Closing the School Discipline Gap?*. UCLA: The Center for Civil Rights Remedies.

<sup>6</sup> U.S. Department of Education Office for Civil Rights. (2014, March). *Civil Rights Data Collection Data Snapshot: School Discipline*. (Issue Brief No 1). Washington D.C.: U.S. Department of Education Office for Civil Rights.

<sup>7</sup> Rumberger, R. W. & Losen, D. J. (2016). *The High Cost of Harsh Discipline and Its Disparate Impact*. UCLA & UCSB: The Center for Civil Rights Remedies

<sup>8</sup> Christeson, B., Lee, B., Schaefer, S., Kass, D., & Messner-Zidell, S. (2008). *School or the Streets: Crime and America’s Dropout Crisis*. Washington D.C.: Fight Crime Invest in Kids.

Research does not indicate that students who experience traditional disciplinary actions such as suspensions or expulsions are less likely to violate school policies in the future, or that the punitive actions create safety for the schools or communities. Instead, data implies that the use of punishment and criminalization makes students more likely to suffer academically and get involved in the juvenile and adult criminal justice systems further down the road<sup>1,2</sup>. It is time for education administrators to reconsider the way that schools respond to negative behavior in the classroom.

One alternative method is called restorative justice. According to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), restorative justice is a theory that emphasizes repairing the harm caused by criminal behavior<sup>3</sup>. The goal is to bring together those most affected by the criminal act in a non-adversarial process to encourage offender accountability, to meet the needs of the victims, and repair the harm that resulted from the crime. Restorative justice can be implemented in different ways—the most common of which include family group conferences, victim-impact panels, victim-offender mediation, circle sentencing, and community reparative boards. The amount of research completed on each of the implementations varies, but collectively it suggests that restorative justice reduces recidivism rates among youth as well as men in jail or prison, it reduces the victim’s post-traumatic stress symptoms, and it offers a stronger sense of justice for the victim and the offender than the traditional criminal justice system can<sup>4</sup>.

The description of restorative justice provided by OJJDP is typically meant to apply to criminal actions that occur in a community. When the same theory of repairing harm caused by criminal behavior is implemented in a school, it is sometimes referred to as restorative practice, and the terms can be used interchangeably. The focus remains on repairing harm done to relationships instead of assigning blame or seeking retribution. Both students and school staff can participate in the activity. The practices in school typically include the following elements:

Peace Room: a physical space inside the school where students and staff can resolve conflicts

Peer Juries: youth discuss the conflict and determine consequences with their peers

Group Conferencing: the victim, offender, and supporters of both describe the incident and the impact that it had on them

Peacemaking Circles: the victim, offender, supporters of both, and community members use a talking piece and discuss the conflict in conversations that are facilitated by a trained Circle “keeper”<sup>5,6</sup>.

In the city of Chicago, for example, the Umoja Corporation partners with at least 15 Chicago schools to facilitate restorative practices. The schools that implemented the practices have decreased their suspension rates by an average of 42%, which means that students spend more time in the classroom, giving them less time to engage in criminal behavior outside of the school, and therefore making them more likely to stay in school and graduate with a diploma<sup>7</sup>. In addition to quantitative school outcomes such as graduation rates and violations of school policies, the use of restorative practices can positively affect a student’s problem-solving and

conflict resolution skills and overall experience in school as it relates to bullying and relationship-building<sup>8</sup>.

## **Recommendations**

The data from Chicago is promising, but further research should be conducted on the use of restorative practices in schools in order to develop a more robust pool of data. Only then can we access its efficacy, modify the approach as necessary, and then determine if and how restorative justice should be widely implemented across school districts. When more outcome data is available, then it can be compared against the outcomes of students who experienced suspensions and expulsions. Potential measurements include high school graduation rates, recidivism rates as they relate to school policy violations, suspension and expulsion rates among students of color, and emotional well-being of the students involved in the offense.

## **Additional Resources**

### Restorative Practices in Schools

Basic Restorative Justice Trainings and Events:

<https://www.iirp.edu/professional-development/basic-restorative-practices&nbsp;>

Minnesota Department of Education. (n.d.). Books and Manuals on Restorative Measures in Schools. Retrieved from

<https://education.mn.gov/mdeprod/groups/educ/documents/basic/mdaw/mdiz/~edisp/023485.pdf&nbsp;>

Riley, E. (2017 March 17). Implementing Restorative Practices in the Classroom. Getting Smart.

Retrieved from

<https://www.gettingsmart.com/2017/03/implementing-restorative-practices-in-the-classroom/&nbsp;>

Schott Foundation. (2014, March). Restorative Practices: Fostering Healthy Relationships & Promoting Positive Discipline in Schools. A Guide for Educators. Retrieved from

<http://schottfoundation.org/sites/default/files/restorative-practices-guide.pdf>

### Disproportionality in School Punishment

Parker, D. (2014, May 17). Segregation 2.0: American's school-to-prison pipeline. Retrieved from

<http://www.msnbc.com/msnbc/brown-v-board-students-criminalized&nbsp;>

Skiba, R. J., Chung, C-G, Trachok, M., Baker, T. L., Sheya, A., & Hughes, R. L. (2014). Parsing disciplinary disproportionality: Contributions of infraction, student, and school characteristics to out-of-school suspension and expulsion. *American Educational Research Journal*, 51, 640-670. doi: 10.3102/0002831214541670

Skiba, R. J., Michael, R. S., Nardo, A. C., & Peterson, R. L. (2002). The color of discipline: Sources of racial and gender disproportionality in school punishment. *The Urban Review*, 35, 317-342.