Restorative Discipline

The key goals of restorative discipline are:

- To understand the harm and develop empathy for both the harmed and the harmer.
- To listen and respond to the needs of the person harmed and the person who harmed.
- To encourage accountability and responsibility through personal reflection within a collaborative planning process.
- To reintegrate the harmer (and, if necessary, the harmed) into the community as valuable, contributing members.
- To create caring climates to support healthy communities.
- To change the system when it contributes to the harm.

Guiding questions for a restorative justice approach

- Who has been hurt?
- What are their needs?
- Whose obligations are they?
- What are the causes?
- Who has a “stake” in this?
- What is the appropriate process to involve stakeholders in an effort to put things right?3

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Examples of restorative approaches to discipline:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Retributive/Punitive</th>
<th>Restorative</th>
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</thead>
<tbody>
<tr>
<td>Graffiti or property damage</td>
<td>Get referred to law enforcement. Pay a court fee or fine.</td>
<td>Help clean, repair, or repaint, and pay for damages.</td>
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<tr>
<td>Putdowns, gossip, or interpersonal conflicts</td>
<td>Spend time in detention.</td>
<td>Write a letter of apology to the individual(s) harmed; write a reflection paper on how it feels to be put down or gossiped about.</td>
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<td>Classroom disruption</td>
<td>Be shamed in front of the class by the teacher.</td>
<td>Verbally apologize to the teacher and fellow students with a promise to contribute more positively in the future. Request that peers hold her/him accountable. Spend a week assisting the teacher with classroom supervision or clean up.</td>
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<tr>
<td>Bullying younger students</td>
<td>Sent to in-school suspension; have privileges removed.</td>
<td>Set up a weekly book reading with the younger students and read to them out of <em>Touching Spirit Bear</em>, a book about restorative justice that addresses a serious assault. Facilitate a circle with individuals considered bullies and discover three reasons why they do it. Facilitate a circle with victims of bullies and find out how bullying affects others.</td>
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<td>Ridicule or racial slurs of another individual or group</td>
<td>Given a sanction to stay away from the person in the future.</td>
<td>Participate in a blanket drive for the homeless. Help on a project to raise community awareness to stop “hate crimes.” Set up a panel of speakers who can talk to the entire class or school about intolerance and the effect it has on our communities. Write a letter of apology to the person harmed and his/her family. Attend three different faith community youth groups.</td>
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<tr>
<td>Fighting</td>
<td>Sent on out-of-school suspension.</td>
<td>Prepare and deliver a speech to a classroom or larger school assembly about how to negotiate with words rather than fists. Teach a class during detention on anger management and self-control. Read the book <em>Boundaries for Kids</em> and give an oral report on it.</td>
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<tr>
<td>Theft</td>
<td>Sent on out of school suspension.</td>
<td>Return the stolen items with a sincere verbal or written apology. Pay for replacement of stolen items.</td>
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<td>Offense</td>
<td>Retributive/Punitive</td>
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<tr>
<td>Use and possession of drugs</td>
<td>Expelled from school.</td>
<td>Do community service in a drug rehab center or hospital where addicts are being treated. Spend a night under supervision in a rehab center.</td>
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<tr>
<td>Internet harassment</td>
<td>Sent on out-of-school suspension.</td>
<td>Contribute to a school newsletter article on how internet harassment damages individual relationships. Write a research paper on recent internet harassment incidents that have resulted in emotional depression or suicide of the person who was harmed.</td>
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<tr>
<td>Unintentional arson or property damage</td>
<td>Suspension or expulsion</td>
<td>Ride along with fire fighters. Visit a fire station. Interview paramedics.</td>
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<tr>
<td>Truancy</td>
<td>Get referred to law enforcement</td>
<td>Write a reflection paper on assets for youth. Help facilitate a circle discussion on truancy and identify why some kids skip school. Interview a recent high school graduate that dropped out of school and returned after recognizing the value of a high school diploma. Interview a college student and ask why he or she wants to complete college. Ask for help with an underlying problem that is causing the truancy.</td>
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Schools working toward restorative discipline

1) Focus primarily on relationships and secondarily on rules.
   - Does the proposed response go beyond focusing solely on policy violations? Is equal concern also being given to the harms experienced by individuals and the community?
   - What steps are being implemented to ensure the safety of the individuals involved while information is being gathered?
   - Have support people (e.g., an advocate, pastor, mentor, or other person deemed appropriate given the circumstances) been identified, approved by, and provided for each person involved?
   - Are needed resources available for all persons involved, i.e., transportation, childcare, an interpreter, accessibility?
   - Has the issue of whether or not to maintain confidentiality within the process and the findings been addressed?
   - Are there mandated reporting issues?
   - How will information be shared more broadly if necessary?

2) Give voice to the person(s) harmed.
   - Does the response address the needs of the person harmed, both the immediate victim as well as others who may be affected?
   - Does it allow an opportunity for those harmed to be part of the resolution?
   - Has the person harmed been asked what s/he needs?
   - Has the person harmed been asked what a just process would look like?

3) Give voice to person(s) who caused the harm.
   - Has the person who harmed been asked what s/he needs?
   - Does the response address the needs of the person who did the harm?
   - Does it allow an opportunity for those who harmed to be part of the resolution?
   - Has the person who harmed been asked what s/he can give/offer?
   - Has the person who harmed been asked what a just process would look like?

4) Engage in collaborative problem-solving.
   - Are the solutions being arrived at collaboratively, meaning that all those affected (or representatives of those affected) by the
harm/incident are fully involved? Are all participants represented at the decision-making table? Are all decisions reached collaboratively, with assurance that all voices are heard?

- Given the imbalances that often exist between persons and institutions, have these been recognized, acknowledged, discussed, and addressed?

5) Enhance responsibility.

- Does the response help the person take responsibility for the harm caused, or does it focus primarily on punishment?
- Does the person who caused the harm understand how his/her actions have affected other people? If not, is there a plan in place that includes steps to assist the person in a process of understanding (which may include education on a particular issue, counseling, or training)?
- Is there an acknowledgement that some persons choose to resist change and need others to assist in making decisions regarding their accountability? The consequences in that case may need to be made or suggested by others involved in decision-making.

6) Empower change and growth.

- Does the response allow the person who harmed to be involved in the process of repair with a concern toward that individual’s growth and competency?
- Has the individual acknowledged responsibility for the harm of his/her actions? If not, what steps should be taken to address ways of meeting and supporting that person’s need for growth and competency?

7) Plan for restoration.

- Does the response allow for the person who harmed, as well as the person harmed, to be supported and reintegrated back into the community?
- Has the issue of accountability been appropriately addressed to the satisfaction of the person harmed?
- Has a process been developed that ensures ongoing accountability if an agreement for next steps is reached?
- Is there recognition that one possible solution is a “parting of ways” (or setting procedures to avoid interaction), in an effort to give primary consideration to the needs of the person harmed.5

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