

NEW YORK STATE EDUCATIONAL CONFERENCE BOARD



Restorative practices improve school climate and offer an alternative to excluding students from school

The New York State Educational Conference Board (ECB) — a collaboration of six leading educational organizations representing parents, classroom teachers, school-related professionals, school leaders, superintendents and school boards — firmly believes that when implemented properly, research-based restorative practices can help schools achieve positive outcomes. However, the group also firmly believes that school districts must have the flexibility to establish student discipline policies at the local level and have the option to choose from a continuum of responses to address student behavioral issues.

Local control

School districts are communities unto themselves, each with unique characteristics and challenges. As such, the educators, school leaders, parents and students in those communities are in the best position to determine the strategies (including codes of conduct and disciplinary procedures) that will result in student success and growth. One set of disciplinary procedures may align well with the needs and culture of one district, while yielding disastrous results in a neighboring school district. Districts must have the option to choose what will work for their students and their communities. Proposed legislation currently under consideration in the state would, among other things, force districts to adopt the same lengthy set of disciplinary procedures when a student acts out in class before that student can be removed — despite a disruption of learning opportunities for *all* students in the class and potential safety issues for pupils and staff. While the goal of reducing the number of student suspensions is laudable, attempting to legislate positive school climates with a one-size-fits-all, top-down approach is misguided and bound to carry more unintended negative consequences for New York's students.

Restorative practices

Societal pressures, rapidly changing environments, economic disparities and educational demands impact students and have led to increasingly complex educational and social-emotional needs. In fact, the U.S. Centers for Disease Control and Prevention (CDC) reports that one in seven children ages 2-8 is diagnosed with a

Educational Conference Board Restorative Practices Recommendations

Recommendation 1

Allow districts to maintain local control when making decisions about pupil discipline and student, staff and visitor safety.

Recommendation 2

Provide support for districts to implement restorative practices or evidence-based interventions that improve school climate, including investing in training and implementation.

Recommendation 3

Create technical assistance centers to disseminate best practices in restorative activities and techniques.

mental, behavioral or developmental disorder; among adolescents (ages 13-18), that figure rises to one in five.

To help counteract these challenges, address student needs, offset the effects of trauma and improve school climate, many districts are choosing to implement restorative practices. According to the *Fix School Discipline Toolkit for Educators*, “The use of restorative justice and restorative practices in schools offers a respectful and equitable approach to discipline, as well as a proactive strategy to create a connected, inclusive school culture. Inspired by indigenous values, restorative justice is a philosophy and theory of justice that emphasizes bringing together everyone affected by wrongdoing to address needs and responsibilities, and to heal the harm to relationships as much as possible. This philosophy is being applied in many contexts, including schools, families, workplaces and the justice system.

“Restorative practices are used to build a sense of school community and prevent conflict by creating positive relationships through the use of regular ‘restorative circles,’ where students and

educators work together to set academic goals and develop core values for the classroom community.”

In schools, restorative circles can be used for different purposes, starting with laying a foundation of trust, community-building and relationship-building in what is often referred to as tier 1 or level 1 circles. These circles occur on a regular basis in schools using restorative practices, allowing students to forge strong connections with their peers and with staff.

Tier 2 and 3 circles feature restorative conversations, which allow educators to demonstrate empathy and teach pupils ways to resolve conflict — while also giving students a voice in the process. Tier 2 circles are often used to repair harm and rebuild relationships after incidents or minor infractions; participants are given the opportunity to discuss what happened, who was impacted and how, along with ways to set things right, move forward and ensure the same thing doesn’t happen again. Schools use tier 3 circles for more serious offenses and to help students re-enter schools. (See the sidebar on page 3 for more details the use of restorative practices in a school setting.)

How do restorative practices fit into discipline policies?

“With restorative practices, when an incident occurs, it’s viewed as people and relationships being harmed and accountability means understanding the impact of what was done and repairing the harm. The offender, the victim and the school all have roles in the process. The offender is responsible for the harmful behavior but is also charged with repairing the harm and working toward positive outcomes. There’s an opportunity to make amends and express remorse, so it’s a much more holistic approach than traditional punishment,” said Tom Andriola, chief of policy and implementation in the Office of Youth Justice (New York State Division of Criminal Justice Services).

There is sometimes a misconception about restorative practices that youth aren’t accountable and kids are getting off easy.

“People who haven’t experienced restorative practices sometimes think it’s soft on discipline. It’s the exact opposite,” said Lori DeCarlo, superintendent of Randolph Academy Union Free School District, where restorative practices have been successfully implemented. “It’s far easier for the kid and the school to just suspend the student and never talk about it — never have the people who have been affected have a say in what the student should do to make things right and not expect the student to hear how their actions affected someone else.”

An 18-year-old Randolph Academy student would likely concur. He said, “It takes a lot of courage to be able to admit you did something wrong and talk to other people about how you should make it up to them.”

Another myth? Implementing restorative practices mean students never get suspended. Again, that’s just not the case.

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Districts using restorative practices often maintain suspension as an option in their codes of conduct. However, districts that are successfully implementing the practices find that the relationship-building that accompanies restorative approaches leads to fewer negative behaviors that require students to be removed from school.

When appropriately implemented with district-wide support, restorative practices have been shown to be a proactive approach that districts can use as part of overarching efforts to improve school climate, which will, in turn, reduce suspension rates, improve student achievement, increase graduation rates and reduce drop-out rates.

An evidence-based approach

Research shows the effectiveness of using restorative practices in schools. Perhaps the most significant studies have been conducted in the Oakland Unified School District (OUSD), which began introducing restorative practices in 2005 in response to discipline disparities and recognition of compelling evidence showing punitive discipline policies failed to make schools safer. Because of its size (86 schools and more than 45,000 students), OUSD was able to conduct research and make comparisons between schools that fully implemented restorative practices and those that had no implementation or were in the beginning or middle stages. Some of the key findings are as follows:

- Around 80 percent of staff surveyed said their school should continue using restorative practices.
- Approximately 76 percent of students who participated in tier 2 circles felt they repaired harm and resolved conflicts, while 63 percent of school staff members believed restorative activities improved the way students resolve conflicts with adults and peers.
- More than 88 percent of teachers indicated that restorative practices were very or somewhat helpful in managing difficult student behaviors.
- Grade 9 reading levels increased from an average of 14 to 33 percent (a 128 percent increase) in restorative practice schools compared with an 11 percent increase for schools without restorative practice programs.

- Between 2011 and 2014, schools with full restorative practice programs had suspension rates drop by half.
- Middle schools with restorative practice programs reduced chronic absenteeism by 24 percent; this compares to a staggering increase of 62 percent for Oakland middle schools that had yet to implement restorative practices.
- Between 2010 and 2013, high schools with restorative practice programming showed a 56 percent decline in drop-outs, compared to 17 percent in non-restorative practice high schools. In the same time period, four-year graduation rates for Oakland’s public high schools increased by 60 percent in schools with restorative practice activities, compared to a 7 percent increase for non-restorative practice schools.
- Teachers indicated an improvement in school climate after implementing restorative practices, including improvements in such categories as “managing student conduct” and “working in a safe environment.” Overall, restorative practices also positively impacted “overall teaching and learning,” meaning teachers in schools using restorative practices felt they had better working conditions and were working in environments more conducive to learning than their counterparts working in schools that had not implemented the practices.
- At the end of two years, 63 percent of staff reported that their relationships with students had moderately or greatly improved by using restorative practices. This included teachers indicating more productive discussions with students and teachers and students having a better understanding of each other.
- Instructional days lost due to suspensions decreased by 16 percent in Pittsburgh schools that implemented restorative practices, while overall suspension rates decreased by 13 percent. The disparities in suspension rates by race and income also decreased.

The full report is available at: <https://bit.ly/2qd7JxU>.

More recent studies are showing some positive trends, as well. For example, researchers conducted randomized controlled trials of the effects of restorative practices in Pittsburgh Public Schools for the 2015-16 and 2016-17 school years. Some of the key findings of that research were:

continued on page 4

Changing the culture of school districts

A look at restorative practices at Randolph Academy Union Free School District

Randolph Academy Union Free School District is a “special act district” in western New York. Such districts were created by special acts of the state legislature to help children who cannot be educated in their local school district. These children have endured neglect, abuse or serious family issues and/or have been diagnosed with autism, emotional/behavioral issues, substance abuse issues, etc. Many Randolph students are in residential treatment programs and are day students in one of the district’s two schools.

Students attending special act schools are among the most vulnerable and imperiled children in the state — ones who are often left behind. “This population has been suspended and put on home instruction so many times before they get to us, they’ve often given up any hope or faith in anything to do with school,” said Randolph Academy Principal John Kwietniewski, adding that once students participate in the restorative processes (circles, for example), “they have a little more faith that we are here to listen and to work together, rather than it being my way or the highway.”

When first considering restorative practices, the Randolph Academy board of

education and Superintendent Lori DeCarlo were particularly attracted to the potential for improving school environments. “We really like how it builds a positive school-wide climate,” said DeCarlo. “The practices also teach students social-emotional skills and empathy.”

The process of introducing restorative practices started in 2015 when school leaders from five pilot districts in western New York teamed up with BOCES staff developers to receive turnkey training from Dr. Tom Cavanagh, a leader in the field. This was followed by a careful and intentional implementation, further trainings and sharing experiences with the other pilot districts and additional school districts. Within the first three years, Randolph staff members were among the more than 2,200 educators who were trained and adopted the restorative model.

As expected, it took a few years for the majority of Randolph staff members to be comfortable with the cultural shift in the district. “We deliberately set out to implement it gradually. It started out with everybody just doing level 1 circles to get familiar with the process and then we moved on to using it to address incidents,” Kwietniewski explained.

The results have been impressive — for example, decreases in discipline referrals and improvements in both school climate and academic achievement. “In fact, the science teacher at Randolph who does the most frequent circles of any teacher in the district also achieved the highest passing rate on the earth science Regents exam the district has ever seen,” DeCarlo said. While these impacts are reflective of the research highlighted throughout this paper, perhaps the most compelling indicator of the power of restorative practices comes from the voices of Randolph students:

“At first when I saw the circles, I was not a big fan. I just didn’t think it was necessary and it wasn’t going to resolve anything. But they proved me wrong. You feel like the world is off your shoulders.”

“I think circles would make the community better than it is now. For many teenagers today, the only thing they know is to grab a gun.”

“It’s like a second chance and you hear both sides of the situation. Before using circles, it would be ‘here’s what you did wrong and here’s your consequence.’ [With the circles], ‘you get to know how your actions affected other people.’”

- Restorative practices did not impact the likelihood of suspensions for serious infractions (those involving weapons or violence).

The study was undertaken by two divisions of the RAND Corporation (RAND Social and Economic Well-Being and RAND Education and Labor) and sponsored by the National Institute for Justice. Link to the full report from <https://bit.ly/2SzZmtg>.

The University at Buffalo is currently studying restorative practice programs being implemented in school districts in western New York; similar positive trends as those occurring in Oakland and Pittsburgh are expected.

Restorative practices require a long-term commitment and broad support

In addition to the significant data collected, the studies also provide insights into best practices for restorative programs — insights that have also been identified by New York educators who are currently introducing restorative practices. This includes understanding that implementing restorative practices requires a significant cultural shift in schools and this shift takes time (a minimum of three to five years). Also, the positive shifts will not occur if the initiative is forced. Educators, parents, students and communities must have a choice at the local level about using restorative practices; buy-in is essential to success. In fact, Oakland educators felt their restorative practice programming could have been improved with more communication with parents about the initiative, as well as more opportunities for parents to be trained in restorative practice techniques.

Successful implementation of restorative practices also requires an ongoing investment in training; this includes initial foundational training for all staff, refresher training and professional learning for new staff members. A “one-and-done” approach will not work and the restorative practices will likely not be effectively sustained. When giving recommendations for improving implementation, Pittsburgh educators suggested establishing a mechanism for staff to meet at least once per month as professional learning communities dedicated to restorative practices.

Oakland’s report also advises that districts emphasize restorative practices as “a philosophy and set of values that underlies and complements all behavioral programs and practices [and] in addition to being a disciplinary alternative, it supports positive youth development and school climate.”

With such promising results, the Educational Conference Board urges New York’s lawmakers to provide support for districts to implement restorative practices. . . our students deserve it.

ECB Recommendations

Recommendation 1: Allow districts to maintain local control when making decisions about pupil discipline and student, staff and visitor safety.

Under the right circumstances, restorative practices can make a huge, positive difference for students and for school climates. However, if implemented poorly or without buy-in from the entire school community, they can do more harm than good. Restorative practices are successful in districts and schools that consciously choose to engage stakeholders to make cultural shifts and improve school climate. These successful schools ensure all adults understand what is expected of them and why before applying new approaches with students. Moreover, even in school communities where restorative practices are in place, districts retain the right and ability to take appropriate steps to maintain order and protect students and staff from dangerous situations, even if those steps include removal or suspension.

Recommendation 2: Provide support for districts to implement restorative practices or evidence-based interventions that improve school climate, including investing in training and implementation.

Adopting restorative practices is not a “one-and-done” action. New staff members have to be trained and existing staff need ongoing and evolving support. Successful programs should not be conditionally maintained based on the availability of funding. Districts that can demonstrate the success of their programs should be able to access financial support from the state, if such support is needed to continue the program.

Recommendation 3: Create technical assistance centers to disseminate best practices in restorative activities and techniques.

To maximize efficiencies and ensure success, the state should establish and fund a series of technical assistance centers. The centers could be a hub to provide support and training, raise awareness of restorative justice practices and gather data and results related to state-funded programs.

The New York State Educational Conference Board comprises the Conference of Big 5 School Districts; New York State Council of School Superintendents; New York State PTA; New York State School Boards Association; New York State United Teachers and the School Administrators Association of New York State.