INTRODUCTION

Restorative measures represent a philosophy and a process that acknowledges that when a person does harm, it effects the person(s) they hurt, the community and themselves. When using restorative measures, an attempt is made to repair the harm caused by one person to another and to the community so that order is restored for everyone. By applying restorative measures in schools, school personnel have another tool to use with children and youth to repair harm and teach problem solving skills.

Restorative measures allow for all involved individuals and communities to come to terms, on a personal level, with the harm done. All have an active role to play in the process. When we change our view and see children and youth as resources rather than problems, and change our approach to violations from punitive to restorative, success is more likely.
Restorative measures address three key sets of needs: the person(s) harmed, the person(s) who did harm and the community.

**Conflict/Problem/Harm Done**

- Talk it through
- Identify solutions
- Restore order

The use of restorative measures to settle school-based conflicts or intervene in school-based problems, rather than more traditional methods such as punishment or expulsion, suspension or dismissal, has multiple benefits:

**For the person or persons who were harmed**

- a choice in how they want to proceed
- an opportunity to speak out about what happened to them
- an opportunity to have a voice in how to right any wrongs done to them
- a way to feel some power or safety or reassurance

**For the person or persons who do the harm**

- a chance to be responsible for their actions
- an opportunity to right their wrongs
- a chance to be part of the solution, not just a problem
- the possibility to learn from what happened
- an opportunity to develop empathy for the impact of their behavior
- an opportunity to get assistance to alter or change harmful behavior

**For the community**

- a means to handle problems that otherwise aren’t dealt with because what has been tried before hasn’t worked, isn’t an option or no one is clear about what to do
- acknowledges the harm done to the community
- the person who committed harm is held accountable for actions taken
- everyone is key to participating in the solution

**For school administrators**

- a method to have several people involved in problem solving and solutions instead of just choosing consequences that may be judged by others as too harsh or too lenient
- all parties can agree to the nature of information disclosed as a result of the conference
- using this approach will assist with data privacy issues, as everyone agrees to participate in the process and information is shared
- another approach for situations where other methods aren’t appropriate or effective
Restorative Measures: Examples

The following stories, taken from real situations in Minnesota public schools, are examples of applying restorative measures. Based in principle and philosophy on the Restorative Justice movement that is transforming criminal and juvenile justice programs across the United States, restorative measures are an adoption of the restorative justice concepts for application in schools.

- A group of white, male high school students make statements that are racially harassing and intimidating to a Mexican-American female. She is terrified by their physical intimidation (blocking her in the hallway) and their statements. An outside facilitator conducts a conference where the girl has the opportunity to talk about the effect of the boys' behavior; the boys acknowledge the harm they did and hear the impact of their behavior on the girl and school; the parents on both sides increase their understanding of what has been going on; the school identifies the harm done. After the conference, some of the boys involved take an active role in deterring similar behaviors in others.

- A senior high student is active in a mentor program, and spends one hour a week tutoring an elementary school buddy. The student is seen smoking, which breaks the rule of the program to remain alcohol, drug and tobacco-free. She has two choices: either leave the mentor program, or with the help of the adult mentor advisor, meet with the buddy and his parents, if they are willing to do so. She contacts the parents, and with her advisor meets with the family, explains what has happened and what her plan is to try to ensure that she will maintain the drug-free standards of the program. The parents agree to allow the continuation of the mentor relationship, and are heartened by the integrity of the student.

- A group of sixth grade students have been bullying one student. The bullying has continued for several months. Adults have done little to intervene and what they have done has not been successful. Everyone agrees that something needs to be done. Meetings are held with the student who has been bullied and his parents. Independent meetings are held with the students who are doing the bullying and their parents. It is agreed that more needs to be done and that appropriate parties will be identified to attend a conference to come up with some mutually satisfactory solutions. At the conference the boy talks about skipping class just to avoid these students. The students don’t realize the effects of their behavior until the boy talks about the extent of his emotional and physical problems resulting from the bullying. The boy’s parents discuss their son’s loss of self-esteem and interest in school. The boys apologize for their behavior, agree to not do it anymore, and to conduct educational sessions on bullying and prevention.
“I didn’t believe it would work but when I talked to them about the effects of their behavior on the girls, they were actually shocked and felt bad. In their minds they were just having fun. They wanted to do something to make things better and they came up with not only apologizing to her, but to the whole class.”  (Teacher)

Philosophy and Practice

It is the job of adults to facilitate the success of children and youth. When someone has done something that causes harm, there are many choices: ignore it and hope it goes away, get tough and punish, label the pathologies and risk level, or facilitate a process so peace can be restored for the person harmed, the person who did the harm, and the community.

The philosophy and practice of using restorative measures are to help promote resiliency in both the one harmed and in the one who causes harm. Noted researcher Bonnie Benard has described the core concepts of resiliency as: caring and support, high expectations, and opportunities to participate in meaningful activities. Several experts recommend building on a child’s protective factors, strengths or assets as the best way to promote resiliency and protect against risks that children may face. These buffers have a more profound impact on the life course of children than risk factors or stressful life events. (Werner & Smith, 1992)

What are restorative measures in schools?

Using restorative measures can be contrasted with control or punishment measures in the following way: Restorative measures help students to learn from their mistakes, reconcile and resolve problems with others. The result of punishment usually is to make someone who is already discouraged feel more discouraged. Punishment generally doesn’t teach anything about self-control or more effective ways of solving problems.

Some schools are already applying various restorative measures in conjunction with law enforcement. Other efforts center on cases that do not require legal intervention. Restorative measures can effectively address a wide variety of harm done in school settings including truancy, bullying, alcohol and other drug use, harassment and criminal cases.

Even schools which have conflict resolution and peer mediation programs in place see a gap between incidents that can be handled with these methods, and cases that are sent to the courts. A key difference between conflict resolution and restorative measures is that the community is involved in the latter process.
GUIDING PRINCIPLES OF RESTORATIVE MEASURES IN SCHOOLS

Schools are currently doing many things that are restorative in nature, from simple methods of how to communicate with an individual or groups, to detailed programs and community collaborations. These school models, as well as the restorative justice models in the criminal justice system, are evolving and changing as practitioners gain knowledge from and evaluate their experiences.
When evaluating whether or not an approach or model is restorative in nature consider if it meets these standards proposed for restorative measures in schools:

**Those who are harmed:**
- are respected if they do not want to participate directly in restorative measures; and
- are involved and central to making decisions on how to repair the harm caused.

**Those who do harm:**
- can recognize that when someone behaves in a way that harms others, there is harm that is direct and indirect, to the person(s) harmed, to the community (notably the school) and to those who did the harm;
- are given an opportunity and process to restore things for the person harmed, themselves and the community (school);
- can accept responsibility and take personal action to repair the harm; and
- can successfully be restored to the community and make things right.

**The community’s role:**
- to pay special attention to assure differences are respected, understood and given equal protection; such as racial, cultural, ethnic, geographic, religious, economic, age, abilities, family status or sexual orientation. Any process used needs to make sense to and be owned by those it is serving.
- to be accountable for conditions which may exist that contribute to the harm. Measures restoring the person back into the community and school need to take into account what others can do to help, including community service, personal service, mentoring, educational sessions, work and/or spiritual guidance.

**Build on youths’ strengths and recognize them as resources:**
- recognize that each child/youth, those who have harmed and those who have been harmed, has his/her strengths and potentials
- recognize that each child/youth is a resource
- recognize that each child/youth needs to be able to make the changes him/herself to achieve success
- have high expectations for each student rather than seeing someone only as a risk with deficits
- recognize that restorative measures facilitate a student’s success
In the restorative measures process, there needs to be a structure for facilitating an agreement between aggrieved parties. An adult or adults must be designated at the conference to monitor the completion of the agreement. The monitors can check on progress and encourage accountability toward the successful completion of the agreement. A facilitator can evaluate participant satisfaction, the conference process and adjust future processes as needed.

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Restorative results are measured by how much repair is done rather than by how much punishment was inflicted.

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What are the differences between restorative versus punitive?

Punishment often has the effect of further discouraging and controlling someone who needs encouragement and self-control. Restorative measures repair harm and rebuild relationships rather than simply seeking punishment, expulsion, shame or revenge. Restorative results are measured by how much repair is done rather than by how much punishment was inflicted. Restitution to those harmed becomes the rule, not the exception. All parties in restorative measures have input into how to make things right.

Besides helping to restore order and repair harm in the community, restorative measures provide a means for facilitating change in individuals. Oftentimes other issues come to the surface during conferences and meetings and this allows for referral to services for related problems such other victimizations, chemical dependency, anger management or abuse counseling.

Restorative measures give communities more ownership over how to handle problems. Communities can reinforce expectations without abandoning the person who violates them by clarifying that although certain behaviors are not okay, the person who does them still is okay and can be part of the solution.

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restitution: the act of returning something to its rightful owner; compensating for loss, damage or injury (compensation may be monetary or through service).
The link between learning and violence prevention

Keeping students actively involved in restoring order is more likely to keep them involved in school. Restorative measures empower those harmed to speak out about the effect the violence or harassment has had on them, as well as giving those affected on a secondary level—friends, family, witnesses and staff—an opportunity to face the one who has caused harm and work towards solutions. It provides another way to intervene and to recognize that behaviors that harm others negatively affect everyone's physical and mental health.

Because family, friends and community members are an integral part of the process of restoring order, schools can become more responsive to cultural differences. When restorative measures are handled within the school or community, and involve those harmed as well as the support network of those who have caused harm, it alters the socialized belief that one can get away with destructive behaviors to self or others. Through mediated communication, it is clarified to all that these behaviors hurt the person doing them, those harmed and the community, not just the criminal justice system.

The most comprehensive models using restorative measures pull together the criminal justice, educational and social service systems. Restorative measures allow for more self-accountability for all involved and clarify how each person has a role in restoring order.
WHERE TO START

Buying into the philosophy

Consistent use of restorative measures represents a philosophical shift. For some this may be a shift from perceiving some students as a problem to actually being able to identify their strengths and potential for success. For others it may be a change in how behavioral problems are handled. Expanding or beginning restorative measures means getting everyone to agree with the idea of restoration rather than punishment or control models of behavioral management. Restorative measures also mean respecting that all affected parties have the ability to contribute to the solution. Once people are informed and understand the guiding principles, they can begin to think of a myriad of applications.
Build on community strengths and existing services

Conflict resolution, peer mediation, peace site and judicial discipline are all corollary programs being used in schools. There may be a gap between the types of cases or incidents such programs can address and what gets referred to the courts. This is where other restorative initiatives such as conferences and Sentence to Service may fill the gap or offer another alternative.

Build on or adapt what is already in place to conserve resources. Assess what services and expertise already exists in the community or school. If mediation services are already in place, adult mediators may be in key positions to facilitate conferences.

The people that assess each incident and/or actually facilitate or mediate meetings may be from inside or outside of the school system. It is important to determine if peer mediators are appropriate or what instances may be conducive to peer mediation. In some sites the central coordinator may be the assistant principal, social worker, conflict resolution specialist or liaison officer. Some sites are using trained community volunteers while other programs are run through educational cooperatives or court services.

Who should initiate?

The impetus for more restorative measures may come from a wide variety of sources ranging from the school, police department, probation, community agencies, county attorney, parents or faith community. The key is having an advocate who truly understands the value and potential of each individual and the possibilities of restorative measures to help everyone involved have success, be restored in the community and have an increased sense of safety.

Training for the facilitators

There currently is debate over the type of training necessary to conduct restorative conferences. Some facilitators are trained as mediators, in Real Justice or other specific methods of conferencing. Backgrounds vary; police, probation, therapists, social workers, mediators, or school administrators, all can be facilitators. Some programs emphasize the training of community-based volunteers. Whatever the background of the mediators, it is important to make sure they have received training in some credible form of restorative justice from an experienced trainer. It is also recommended to team up new and experienced facilitators because evaluation and supervision are essential.

Which model to use?

There are models which dictate exactly how to set up a program or how to do a conference and there are flexible responses that allow trained personnel to select the best way to respond in each incident. The model doesn’t matter as much as that it adheres to restorative principles.
How elaborate of a program do we need?

Some efforts start simply: a school principal facilitates a process to get everyone in a room at the same time to talk about an issue and work out an agreeable solution. Other initiatives involve lengthy planning processes between multiple agencies to identify how to assess a situation and to determine the most appropriate manner in which to handle a wide range of incidents. Still other restorative models are major collaborations between community corrections, education, business and community services.

Barriers to success

**Time**—Restorative measures require time to prepare for and conduct conferences. However, it is a pro-active step that can ultimately save time or energy often eaten up by simply reacting to problems. Linkages with other agencies doing conferences or using community-based volunteers can ease the load on schools. Training teams of people to conduct conferences eases the responsibility of any one person or unit.

**Money**—Money for training staff and accountability for their time presents a challenge for most programs. However, some of these concepts and approaches to solving problems can be incorporated without major expense, by integrating them into everyday business. There are resource people who can help schools, and using trained community-based volunteers also is an option.

**Training**—The most effective method of implementing restorative measures is to have teams of people trained in its theory and application. The teams can support each other and divide up the work. Many communities are working to maximize availability of trained staff or volunteers and to ensure quality as they implement or expand these measures.

**Belief in punishment and ingrained desire for retribution**—It can be a challenge to overcome the ingrained attitudes that offenders are getting off too easy and need to be punished for their own good. In reality, restorative measures hold offenders more accountable to the person they harmed and to the community. The criminal justice system is costly, slow, and often not effective in deterring or changing behavior.

**Reluctance on the part of people to participate**—Because restorative measures is a new approach to harm done, people may be reluctant to participate. Most people have seen problems solved in schools in a hierarchical, punishment manner, and are uncertain about the benefits of spending their own time and sharing their feelings and thoughts with the person who harmed them.
Failed conferences—When a community is trying something new, the stakes can be high for its success or failure. Recognize the importance of learning from failed conferences and find out why it didn't work. Major concerns about a failed conference include the victim being re-victimized in the process or the person who did the harm not being held accountable. Conferences based on the guiding principles, facilitated by trained people, with adequate preparation for all involved parties, are more likely than other methods to have positive outcomes for everyone concerned.

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RESTORATIVE MEASURES AND UNLEARNING VIOLENCE

Restorative measures of behavior management complement and support the premises and outcomes of *Unlearning Violence*, the Minnesota Department of Children, Families and Learning's Violence prevention plan.

Prevention of drug and alcohol abuse is critical in and of itself, and is integral with efforts to prevent violence. On both federal and state levels, people are bridging work to prevent violence with programs to prevent alcohol and drug abuse.
The following seven goals are identified in *Unlearning Violence*, which also relate to efforts to prevent drug and alcohol abuse. After each goal is a brief description of how restorative measures help to achieve it.

1. **Promotion: Develop Qualities Children Need To Thrive**
   Restorative measures can help everyone build on their strengths. Those who do harm can learn of the impact of their behavior and are provided an opportunity to make things right. Those harmed identify what they need in order to recover. The community identifies what it has to offer, whether work, guidance or active involvement.

2. **Prevention: Create Comprehensive Prevention Efforts for All Learners**
   Restorative measures set the standard that incidents will not be ignored or minimized, while making sure that the methods to intervene do no further harm.

3. **Protection: Assure the Protection of all K-12 Students and Staff**
   Restorative measures hold those who do harm accountable, allow for quicker intervention than courts can provide and can address any fears of revenge.

4. **Family Partnerships: Strengthen the School/Parent/Guardian Educational Connection**
   Restorative measures allow for the family or other significant adults in youths’ lives to be directly involved in helping to identify their strengths while also hearing the effects of their behavior. It also provides an opportunity for family and significant adults to have a say in how to repair the harm done. This participation may help heal the antagonism that can occur between parents and schools by articulating that everyone’s goal is healthy outcomes for the youth and community.

5. **Healthy Climates: Provide Positive School Climates, Environments and Cultures in which to Work and Learn**
   Restorative measures offer a core component of creating a healthy environment. They help everyone feel safer by holding people more accountable for their behavior while acknowledging and not condoning harm done to individuals and to the community, which may be the school. The key involves restoring the person who did the harm back into the community or school. Restitution can be part of this reintegration and may build a better connection and sense of belonging. Some models emphasize rights and responsibilities and being part of setting rules that clarify expectations and consequences.
6. Community Focus: Assure a Community Focus to Promotion and Prevention Efforts

When communities and/or schools develop a restitution or restorative plan for reintegration of students and community healing after a major conflict, it allows for individual and community healing in ways that are not as possible with only relative measures of punishment.

7. Social Norms: Change Social Norms To Emphasize Acceptable Ways to Solve Problems

Restorative measures are a major shift in how some schools and communities handle transgressions. Restorative measures clearly emphasize the behaviors are not okay, but the person who did them can make a change and find ways to right the wrongs. Restorative measures make it much clearer that violence is not an acceptable way to solve problems and reiterates the importance of talking things out and the power of being able to make things right.
Examples of Restorative Measures in Minnesota

Anoka City Police
Contact: Sgt. Dennis Reihe, (612) 421-6632, ext. 178
The police department uses a variation of the Real Justice Model and does conferences with a number of court referred cases. They view the Real Justice conferencing model as one of many options available to deal with juvenile offenders.

Carver County
Contact: Paul Schnell (612) 361-1251
Research shows that purely punitive interventions that occur months after a crime was committed has an adverse effect on promoting behavior change. In response to that research, this community put together and received a grant from the MN Board of Government Innovation and Cooperation to Implement a multi-disciplinary “Community Response to Juvenile Crime” for concepts of family group conferencing and victim offender mediation at the community level.

Carver County Supervisor Court Services
Contact: Justine Phillips, (612) 361-1467, Brent Erickson, (612) 361-1460, Brenda Urke, Carver Scott Education Coop, (612) 368-8807.

The STS Plus - Service Learning program is seven years old and is the winner of three Governor’s Awards for Youth Services. Service Learning is a teaching/learning method that connects meaningful community service experiences with academic learning, personal growth and civic responsibility. In the Sentence to Service program, youth get school credit if they obtain learning outcomes and if they reduce learning deficiencies. Students work on community service projects and get a stipend for living and post service benefits for higher education. STS also includes educational information on applied math and reading and various other life skills.

Carver County also uses family group conferencing in schools (elementary, middle and high schools), in the Sheriff’s Office and in court services for both diversion and mediation after court.

Community Justice Program, Washington County Court Services
Contact: Carolyn McLeod: (612) 430-6948 pager (612) 530-1278.
The Community Justice Program handles cases that are referred either by the court or directly from schools, and that deal with racial or sexual harassment and gang-related death threats, as well as family conflicts. They do pre conference meetings with all offenders and their supporters and with victims and victim supporters. Conferences promise no particular outcome, e.g., it is

Following are examples of restorative measures in schools and communities and a list of contacts from 1996-97. Many of these contacts have moved on to other programs and activities. For current information for restorative programming in schools, contact the Violence Prevention Specialist at the Minnesota Department of Education, 651-582-8433.
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Project plans and implements teen courts as a community-based alternative approach to juvenile justice.

Richfield Police Department in Collaboration with the MN Bureau of Criminal Apprehension: ABOUT<FACE

Contact: Sherry Koch, (612) 643-3672, Pam Taschek, (612) 798-6118

The Bureau of Criminal Apprehension developed, with the Richfield schools, a comprehensive method for using the principles of restorative justice in a multi-agency coordinated response to handling cases. They began with the Senior High School and expanded efforts into the community. The program is housed in City Hall. Mediator teams consist of one citizen and one police officer.

The structure is guided by three operating principles: community collaboration, multi-dimensional approaches (e.g., open dialogue, mediation, group conferencing, education), and application of resiliency strategies and protective factors.

Woodbury Police Department

Contact: David Hines, (612) 739-4141

The Woodbury Police Department has conducted over 60 conferences with juvenile cases including some for the schools that dealt with diversity issues. Their goal is to have at least 3 school staff trained to handle school related non-criminal cases. They have had great success with conferences and have made a difference in the way officers do and view their work. They are sold on the program because it is so important to the victims who participate. They have had 85% success in reaching proper agreements at the end of a conference and with the terms being fulfilled in the designated time limit.

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