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# As city prepares to rethink school discipline, a look at restorative justice programs in action

City preparing to expand restorative justice programs

by Jackie Schechter on June 23, 2014



PHOTO: Jackie Schechter

Senior Judith Nkwor is a peer mediator at Validus Prep.

It's a clear morning in mid-June, and Validus Preparatory Academy in the Bronx has that end-of-the-school-year feel. Students bid farewell to teachers, seniors tote freshly printed yearbooks, and most noticeably, students are allowed to disregard the school uniform without a call home or a trip to the principal's office.

Yet even on a regular day, breaking the dress code would not lead to these consequences. In Validus terms, offenders would be "brought to Fairness" instead.

Validus, a small high school opened during the Bloomberg administration, is one of a number of city schools using restorative justice practices like student justice panels that are meant to provide useful alternatives to punitive discipline.



For the past few years, the Department of Education has been quietly building its capacity to implement restorative justice programs. Most recently, the department's Office of Safety and Youth Development [verbally committed](#) to expanding the programs next year by providing funding that would allow schools to hire restorative justice coordinators and train staff members.

Though the number of schools involved and the dollar amount each would receive have yet to be determined, a [proposal](#) presented by the

New York chapter of the Dignity in Schools Campaign last December outlines an \$8.75 million investment: a pilot cohort of 10 schools, each receiving \$175,000 annually for five years.

That would be a significant step in a citywide shift toward restorative justice that Chancellor Carmen Fariña [promoted](#) in May, and Mayor Bill de Blasio [called for](#) as public advocate.

A closer look at restorative justice in action reveals the challenges the city is likely to face in spreading these programs. The schools currently using restorative approaches tend to be small, young, and emphasize social-emotional learning. Educators at these schools say the programs are essential to creating a safer, more respectful environment. But for an expansion to work, other schools must commit to rethinking the "why" and "how" of school discipline.

### Analyzing the programs in practice

"Restorative justice is about creating new systems where we're building relationships," said Anne Looser, a special education teacher at the Urban Assembly Bronx Academy of Letters, which has a restorative justice program. "We're putting supports into place so young people don't get lost."

These supports can take the form of student justice panels, peer mediation programs, "restorative circles," and other methods. They all aim to change students' offending behaviors and repair damaged relationships through resolutions like writing an apology note or helping out a teacher.

In contrast, restorative justice supporters argue, using suspensions as the universal consequence for behavior incidents further alienates at-risk students and often fails to address the root of their behavioral problems.

Suspensions from city schools decreased 27 percent between 2010 and 2013, though there were still 53,465 suspensions last year. For schools looking to reduce their reliance on punitive discipline, restorative justice programs are meant to provide teachers and students with multiple options for dealing with conflict.

At Validus, the Fairness Committee independently handles a wide range of offenses, from incidents of bullying to small disruptions like violating the cell phone policy. The most severe infractions, such as those involving drugs or weapons, are sent directly to the administration.

Fairness Committee meets once or twice a week, and all students rotate serving as panelists. A teacher facilitator [leads the group](#) in discussing the student's actions and creating resolutions to right the wrong.



PHOTO: Jackie Schechter

Restorative justice programs at Validus Prep High School in the Bronx include Fairness Committee and a peer mediation program.

Validus also runs a peer mediation program, which art and chemistry teacher Jamie Munkatchy believes has led to changes in the school culture. “There seems to be this sort of tangential effect,” she said. “Because students know there’s a peer mediation program, they seem to just be aware of conflict resolution. They don’t glorify fighting.”

“I think it’s good for teachers too,” said senior Judith Nkwor, who is a peer mediator. “They don’t feel hopeless when they’re dealing with students; they have an option to help them stay focused and make them accountable for their actions.”

At Flushing International High School, the Lyons Community School, and the Bronx Academy of Letters, restorative justice often occurs in “restorative circles”—gatherings where participants sit in a circle to build community through conversation. The schools use circles in classroom discussions, to address discipline issues, to comfort students dealing with trauma, or to reintegrate students into the school after a suspension.

According to Flushing International social worker Tania Romero, the environment at her school “has become much more peaceful.”

This year, Romero added, circles have helped “open up conversations in more meaningful and deeper ways,” allowing students to discuss issues like racism.

At the moment, it’s difficult to judge whether these programs have reduced suspensions. Some schools, such as Lyons, said they do not keep such records, and others, including Validus, Bronx Letters, and Flushing International, would not share these numbers with Chalkbeat. But educators at these schools say that punitive measures have decreased as a result of restorative programs.

They also stress, however, that restorative justice is not intended to replace suspensions entirely.

“Do we use suspensions all the time? Yes. But we have a larger bank of tools,” explained Lyons Principal Taeko Onishi. “Our goal is to make sure in each case that we consider the restorative options before we go another route, or we use them in tandem.”

### **Taking restorative justice to the next level**

Interestingly, many of the schools using restorative justice share certain qualities. Validus, Lyons, Letters, and Flushing International were all founded in the 2000s, maintain a student body under 600, and started restorative justice programs within the past five or so years.

Each school also has a specific focus. The Bronx Academy of Letters emphasizes writing skills, Flushing International works with students who have recently immigrated, and Validus is an Outward Bound expeditionary learning school, for example. In recent years, all have dedicated time and resources to establishing a school climate where communication and support are highly prized to accommodate restorative justice.

To some, scaling up restorative justice programs to very different schools could present challenges.

Creating a culture where educators default to restorative practices instead of suspensions takes time, Munkatchy explained. In fact, it’s still an adjustment at her own school.

“Is insubordination a suspendable offense?” she asked. “If a kid says ‘f— you,’ at the moment, seven or eight of our faculty will say it’s a suspendable offense. I feel like that is a really poor relationship between a kid and an adult.”

Getting students to buy in to the programs is another hurdle, one that Onishi said took years to overcome at Lyons. But now, if a new student doesn’t take restorative justice seriously, “I’ll get the coolest 11th grader to come tell them to buy in,” she said.



PHOTO: Jackie Schechter

Art and chemistry teacher Jamie Munkatchy runs the Fairness Committee at Validus Prep.

Looser, the special education teacher at Letters, formerly taught at Lehman High in the Bronx, a school of about 2,000 students that was nearly shut down by the city in 2012 and again in 2013.

Lehman ran a mentoring program that paired seniors with freshmen, and a number of teachers were trained in restorative justice practices. But "because the school was going through so much turmoil, there was constant interruption of consistency of service," Looser said.

Yet the size of the school itself was not an issue, she said. If anything, it was easier to gather a pool of teachers for training since the staff was so large. A larger faculty would also mean less time and effort required from individual teachers to support restorative justice.

For now, the scope of the department's commitment to expanding restorative justice to additional schools is uncertain. But the Dignity in Schools Campaign, a nonprofit focused on discipline reform, has a clear a long-term vision: a restorative justice coordinator at every school in the city.

Instead of teachers volunteering to organize different aspects of a restorative justice program, as is the case at Validus, a single staff member would organize the program holistically. This coordinator would also be responsible for tracking and analyzing statistics that could show the programs' effectiveness.

"It is not an impossible task," said Shoshi Chowdhury, a campaign coordinator for Dignity in Schools. "But the administration has to be on board."

The city would not comment directly on its plans to expand restorative justice programs or provide the number of existing programs across the city. A spokeswoman said the department has been meeting with community groups and principals to discuss alternative forms of discipline. Reducing reliance on suspensions is "a top priority for Chancellor Fariña," the spokeswoman said in a statement.

### Looking at the big picture

School discipline reform is gaining momentum nationwide, with restorative justice practices taking hold in [Oakland](#), Calif. and other school districts. In January, Secretary of Education Arne Duncan and Attorney General Eric Holder announced a set of [guidelines](#) meant for "improving school climate and discipline," the first such guidelines released on a federal level.

Back in New York, the department is poised to significantly change the way it disciplines its students. "Under the Bloomberg administration, with the very, sort of, heavy emphasis on accountability, there was a lot of breakdown of trust necessary to make the school system function in the best way it can function," Morningside Center Deputy Executive Director Tala Manassah said, though she noted that some Bloomberg-era officials were supportive of restorative justice.

Over the past few years, the Department of Education has sent teachers from 55 middle and high schools to receive training in restorative approaches from the Morningside Center, which will be training 45 more schools this July and plans to add another 45 in the fall.

Fariña's administration, she believes, "has already shown itself to be extremely aligned with this kind of work."

Still, Onishi cautioned that restorative justice is not an immediate fix-all.

"Saying, 'The kid cursed at me yesterday, did restorative justice, and cursed at me tomorrow' is not a fair way to measure its success," she explained. "Our goal is not for you to suddenly be good. Our hope is that the behavior is less severe and it happens less frequently. It's a progression."

Later this week, Chalkbeat will publish an in-depth look at suspension policies in New York City schools. Sign up for our [morning newsletter](#) to stay in the loop.

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**flerp** · 7 days ago

Yet even on a regular day, breaking the dress code would not lead to these consequences. In Validus terms, offenders would be "brought to Fairness" instead.

Brought to Fairness. Do kids just shrug off this Orwellian stuff? Or do they soak it up.

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**Tim\_Parent** · 8 days ago

"Is insubordination a suspendable offense?" she asked. "If a kid says 'f— you,' at the moment, seven or eight of our faculty will say it's a suspendable offense. I feel like that is a really poor relationship between a kid and an adult."

"Reducing reliance on suspensions is "a top priority for Chancellor Fariña," the spokeswoman said in a statement."

Let's keep this sort of thing in mind the next time a Federal, state, or DOE initiative or policy is described as being part of a conspiracy to destabilize traditional public schools and drive families to charter schools. Because this will send them to charters in droves.

I may be old-fashioned, I may be poorly informed, and I am certainly not up to speed with cutting-edge best practices in child psychology, but I can't fathom the idea that a student saying "F--- you" to his teacher in the classroom isn't an extremely serious offense that's worthy of suspension. The first time, regardless of the circumstances. Two strikes, you're out.

Anything else sends a pretty simple message: the rights of the kid who says "F--- you" to his teacher are more important than the rights of the kids who are there to learn and to behave (more or less) and the rights of teachers to have a safe and respectful working environment. There has to be a middle ground between not writing off kids who say "F--- you" to their teachers and a solution that is completely unmindful of collateral damage.

2 ^ | v · Reply · Share ›



**Lou** → Tim\_Parent · 7 days ago

Spot on! I could never fathom saying the F word to any of my teachers. It's disrespectful and my parents would've murdered me if I ever did.

I can't believe these "restorative justice" people actually believe it's hard not to say F you to a teacher. In all my time in public k-12 school, I never did it once. It ain't that hard.

1 ^ | v · Reply · Share ›



**Educator** · 7 days ago

"but I can't fathom the idea that a student saying "F--- you" to his teacher in the classroom isn't an extremely serious offense that's worthy of suspension."

The question isn't (a) should kids curse at their teachers or (b) is it "worthy of suspension." Of course kids "shouldn't" curse at their teachers and suspension isn't inherently right or wrong. The question is does suspension work and what might be most effective for producing the kinds of behaviors we want to see in kids in schools and the kind of learning we want children to achieve to become successful adults. Suspension can serve a function, but in many cases all it does is further isolate children from school and distance them from the institutions which are trying to control their behavior. This backfires, because they learn less and behavior increasingly poorly. It doesn't matter if we think it is fair—it still doesn't work effectively to bring about the kind of learning or behaviors we desire. While setting boundaries is incredibly important, we need to set boundaries that humanize. Therefore, treating cursing as not all that outlandish may actually position educators to reach students effectively and therefore have some hope of influencing their behavior. You need to understand and have compassion to communicate effectively

[see more](#)

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**Tim\_Parent** → Educator · 6 days ago

Thanks for explaining what's in it (restorative justice) for the offenders, but you didn't spend even a single word on what's in it for the overwhelming majority of kids who can behave and don't deserve to lose instructional time, or for the teachers whose authority is completely compromised and undermined.

^ | v · Reply · Share ›



**Solo** · 7 days ago

Suspensions don't work and this most certainly won't in most schools. It'll work in mini - schools where the kids are hand picked. This program is assuming a lot of from students; assumptions that are simply incorrect. Great public relations though- in a week which saw 2 14 year old stabbed, one to death.

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