

Written Testimony to Senate Education Committee  
From: Annie O'Shaughnessy, M.Ed., True Nature Teaching  
RE: Restorative Practices Implementation in Schools  
February 22, 2019

Dear Honorable Committee Members,

I was happy in my role as an English Teacher at Center for Technology in Essex Junction, VT. But soon my classroom practices got noticed by the school counselor, "You always seems so happy and calm. How is that kids are never kicked out of your class even though you have some of the toughest kids in the school?" I told her about my restorative and mindfulness based approach to pedagogy and my restorative circles to build community and respond to harm. To which she replied, "Can you teach this to others teachers in the building?"

And so I agreed to teach a peer led, 6-week course I called "Transforming Teaching and Learning through Mindfulness and Restorative Practices." Seven teachers participated. That next fall their behavioral referrals went down by 50%. I was then asked to offer a one-day seminar, and then a 3-credit course, and then as teachers went back to schools and transformed their classrooms, principals began calling me. Fast forward 18 months later and I am a full time consultant and trainer with more work than she can handle working in schools all over Vermont and beyond. Why? Not because I chose consulting as a career. I am in demand because these approaches work. They make teaching a life-giving rather than a life-draining career. They give dignity, voice, and respect to our marginalized and special needs students. They work because tier 1, preventative, classroom- and hallway- based approaches transform learning communities where everyone can feel safe, respected, connected and heard.

I am testifying today to impress upon the members of this committee the crucial importance of supporting the implementation of the restorative approach that attends to climate, culture, and community first before flipping the way the school responds to harm. When schools implement restorative justice before students and staff experience respect, belonging, voice and safety, they risk failure. Just as a stressed out teacher should never lead a mindfulness lesson to get kids to calm down. Restorative circles and processes should not be used by adults who still carry a punitive mindset or students will learn quickly how to "game" the system and the restorative approach loses its power to change lives.

Finally, the implementation of the restorative approach must go hand in hand with training in equity, SEL, mindfulness, and trauma informed teaching. In addition, the restorative approach can be and should be integrated with, not laid on top of positive behavior approaches like PBIS, Responsive Classroom, Conscious Discipline, etc.

I have included excerpts from an excellent guide developed by Kerri Berkowitz for the San Francisco School District. If you have any questions please contact me at [annie@truenatureteaching.com](mailto:annie@truenatureteaching.com).

Sincerely,  
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# What is School-based Restorative Justice Practices?

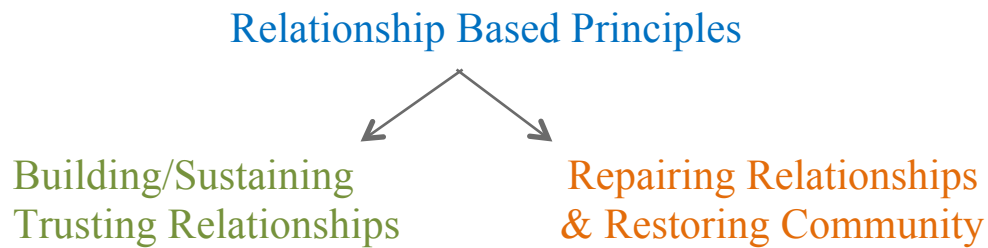
In schools, Restorative Practices are multifaceted in nature. The roots of its understanding and practice are grounded in the traditions of Indigenous Cultures around the world that underscore the value of respect, compassion, dignity, and inclusion of all members of the community.

This approach rests with the belief that everyone is an equal member of society and has a contribution to make.

## Key Definition:

**Restorative Justice Practices is a system of principles and processes that build and sustain a culture of respect, responsibility and accountability.**

**This is achieved through emphasizing the importance of trusting relationships as central to building community and repairing relationships when harm has occurred.**



Restorative Practices, when broadly and consistently implemented, will promote and strengthen positive school culture and enhance pro-social relationships within the school community. It includes interventions when harm has occurred, as well as practices that help to prevent harm and conflict by building a sense of belonging, safety, and shared social responsibility throughout the school community.

## Restorative Justice Lens:

Behavior infractions are viewed through the lens of restorative justice philosophy. One that brings all parties affected by an incident together in an inclusive process to discover the root cause/s of challenging behavior and determines resulting impact/harms with the intention to repair relationships and restore the community.

This approach views behavior infractions as an offense against individuals and the greater community, and places greater emphasis on the harm/s caused and reparation of relationships/community above the need for assigning blame and dispensing punishment.

**“The underlying premise of restorative practices is that people are happier, more cooperative, more productive and more likely to make positive changes when those in positions of authority do things with them rather than to them or for them.”**

Ted Watchel, The International Institute for Restorative Practices

**Restorative Practices allow for a shift in practice that results in a culture which is inclusive, builds fair process into decision-making practices, and facilitates learning through an approach that allows for true accountability, skill building, cooperation, and mutual understanding.**

**At the core, Restorative Practices is about building and restoring relationships.**

**Through restorative practices, members of the school community will:**

- Have opportunities to be heard
- Form connections and stronger relationships
- Understand the greater impact of one's actions
- Learn and practice taking responsibility
- Repair the harm one's actions may have caused
- Recognize one's role in maintaining a safe school environment
- Build upon and expand on personal relationships in the school community
- Recognize one's role as a positive contributing member of the school community.

## **POSITIVE OUTCOMES FOR SCHOOL COMMUNITIES**

***Evidence from practice suggests that by implementing Restorative Practices, schools can expect:***

- Improvements in attitudes and relationships across the whole school community.
- An increase in the engagement and learning of students in the classroom.
- Growth in relational and problem-solving skills, both for adults and students across the school community.
- A calmer school environment, with less classroom disruption and more time for teaching.
- Decrease in out-of-school suspension.
- Decrease in school expulsions.
- Decrease in tardies and absences.
- Reduction in racial disproportionate discipline practices.

San Francisco Unified School District, Restorative Practices, [www.healthiersf.org/restorativepractices/](http://www.healthiersf.org/restorativepractices/)

Oakland Unified School District, <http://www.ousd.k12.ca.us/restorativejustice>

Dr. Armour, Marilyn, University of Texas at Austin, Ed White Middle School Restorative Discipline Evaluation, Year 2, 2014

Positive Behavior For Learning, New Zealand Ministry of Education, Restorative Practice Kete Book 1, [www.education.govt.nz](http://www.education.govt.nz)

# Relationship-based Restorative Principles

The following principles reflect the values and concepts for implementing restorative practices in the school setting. Under each principle are some of its important implications.

## **Restorative Practices:**

### **1. Acknowledges that relationships are central to building community.**

- Considerable effort and time is spent on building and sustaining positive, trusting relationships among ALL members of the school community.
- Every student, teacher, administrator, staff member, and parent/guardian is a valued member of the school community.
- All members of the school community are involved in a process of naming the values and principles to live by within their school community.

### **2. Ensures equity of voice among all members of the community. All voices are valued, everyone is heard.**

- Systems and structures are established to ensure that all members of the school community have equal opportunities for meaningful participation.
- A culture of non-judgmental, authentic listening and sharing is encouraged and reinforced.
- Inclusive decision making practices are utilized to ensure that those impacted by decisions have a voice in the process by providing opportunities for input. Once decisions are made the reason for the decision and new expectations are clearly communicated.
- Negotiation and cooperation are key components towards building a collaborative classroom and school environment.

### **3. Establishes a culture of high expectations with high support, emphasizing doing things “WITH” not “TO” or “FOR”.**

- Supports high standards and expectations for both learning and behavior in the school and classroom community, AND offers high levels of support to create positive change = Doing “WITH”.

### **4. Builds systems that address misbehavior and harm in a way that strengthens relationships and focuses on the harm done rather than only rule-breaking.**

- Schools establish policies to provide a safe place for learning. Real safety however comes from fostering and maintaining caring relationships.
- Misbehavior is recognized as an offense against people and relationships, not just rule-breaking.
- Policies need to address the root causes of discipline concerns rather than only the symptoms. The causes of misbehavior may be multiple and should be addressed by all members of the school community equally asserting high levels of expectation within a supportive environment.
- The person/s harmed is the center of the primary relationship that needs to be addressed. Secondary relationships that may have been impacted might include other students, teachers, parents, the administration, and the surrounding community.

## **5. Engages in collaborative problem solving.**

- There is a shared responsibility and participation among all members of the school community to contribute to the sustainability of positive relationships by working together to identify potential problems and determine solutions.
- Misbehavior can become a teachable moment and the community/relationships can be restored when all those impacted/harmed by an incident are involved in a collaborative process of determining unmet needs and solutions to make things as right as possible.
- Recognizes all of us act to satisfy our human needs (ex. belonging, freedom, power, and fun). Behaviors are chosen to meet these underlying needs.

## **6. Enhances accountability, responsibility and empowers change and growth for all members of the community.**

- All members of the school community are responsible for contributing to the establishment and sustaining of a positive school culture by taking personal responsibility to follow through and hold one another accountable to the collective values and principles that define the community.
- Conflict presents opportunity for change if the process includes careful listening, reflecting, shared problem-solving, and trust.
- High accountability occurs when systems and structures are in place that allow for one to take responsibility for their actions by providing them the opportunity to learn and understand the impact of their actions, determine how to make things as right as possible, AND follow through with the plan.
- Consequences as part of the restorative process should be evaluated based on whether they are reasonable, related to the offense, and respectful.
- Some students choose to resist participation in a process that will allow for change and may need adults to support and guide them in decision-making concerning their accountability.

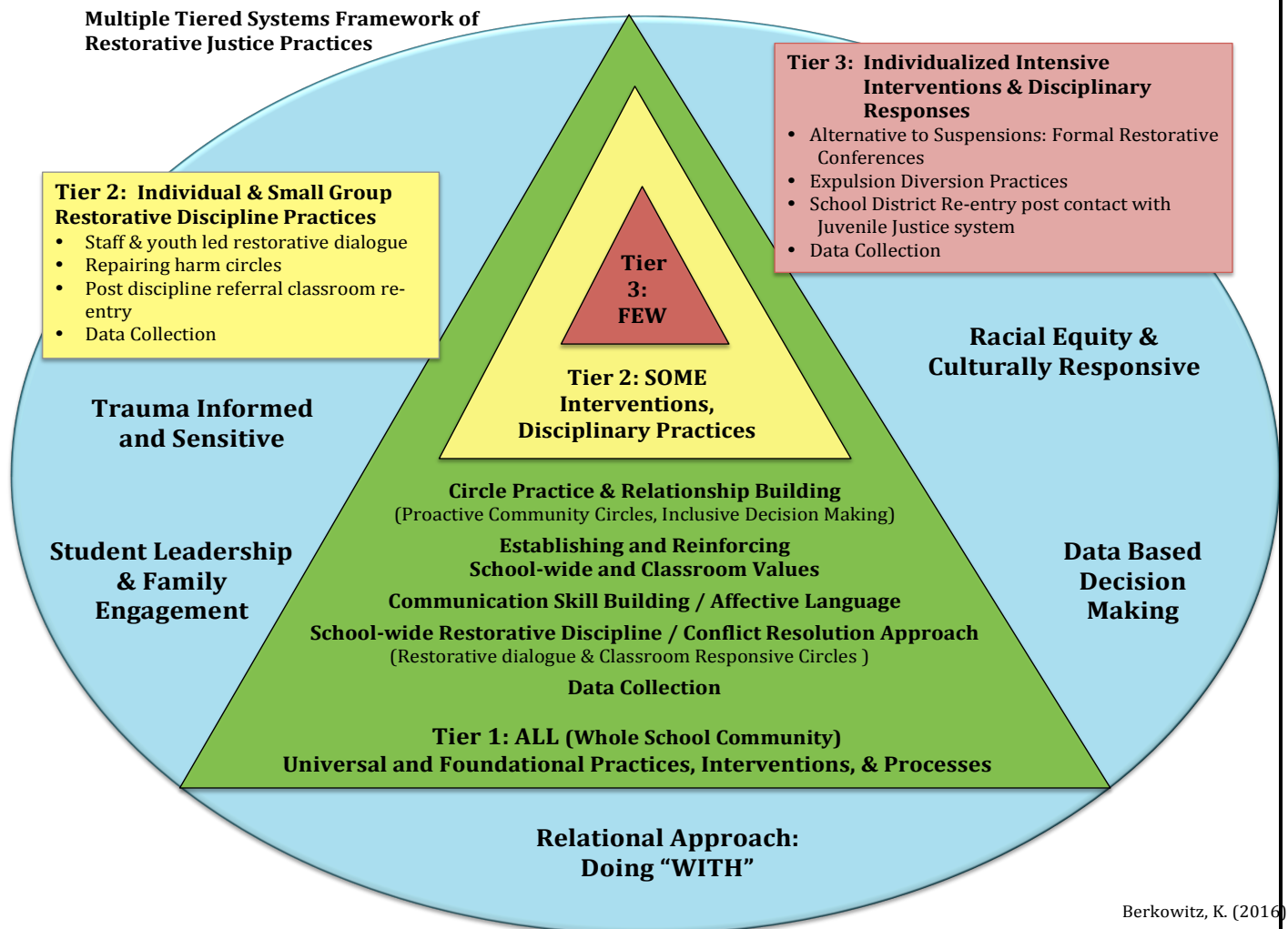
Source: Modified from Amstutz, L., & Mullet, J., (2005), pg 29-32. *The Little Book of Restorative Discipline*, pg 26-28

# Multiple Tiered Systems Framework

A Multiple Tiered Systems framework (MTSS) is a proactive, prevention based approach that allows schools to highlight and reinforce the importance of establishing a positive environment for all members of the school community and more systematically deliver needed supports, interventions, and disciplinary responses to the students as needed. A MTSS model embeds an inclusive culture of reciprocal relationships and shared responsibility, and emphasizes the use of evidence based practices to enhance the academic and behavioral performance of all students. This intentional effort to build strong community as well as the emphasis on early identification and intervention helps to reach students in a preventative rather than reactive mode. (Lynass, L, 2015).

The MTSS framework is typically presented as a triangle divided into three tiers of practice and intervention responses. Tier 1, lays the foundation of school-wide and classroom universal practices that are intended for all students (and adults in a whole school model).

While Tier 1 will meet the relational and behavioral needs of most students across the school, some students will require more targeted interventions and disciplinary responses at the Tier 2 and 3 levels. Therefore, an additional set of restorative practices is available for use at Tier 2 and 3 level and involves a more formal response to behavior infractions and harm through the use of small groups and individualized behavior support.



*School-wide MTSS model of Restorative Justice Practices developed for the District-wide roll-out of Restorative Practices across Santa Rosa City Schools.*