

RESTORING SCHOOLS: A CASE OF SCHOOL ACCOUNTABILITY BOARDS [9516]

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Restoring Schools

As increased levels of student enrollment, behavior issues, and alcohol and drug problems plague school communities, administrators and teachers are faced with resolving conflict in an expeditious and peaceful manner, while addressing the needs of youth. Community restorative justice offers an alternative method to address the standards of discipline in schools. Restorative practices, as related to educational discipline, provide schools with an opportunity to present their approach to justice and facilitate a forum for the peaceful resolution of conflict. Such prevention programs are effective tools in reducing the reoccurrence of disruptive behavior in school communities, ultimately easing the demand on limited juvenile justice resources.

Community Restorative Justice

Community justice refers more generally to a preference for neighborhood-based, more accessible, and less formal justice services (NIJ 1996) that shifts the locus of the justice response to those most affected by crime (Clear and Karp 1999). This approach offers a balanced emphasis along the continuum of juvenile justice services from prevention and intervention through commitment and aftercare (O'Brien et al. 2003).

Restorative justice refers specifically to viewing crime as harm to victims and communities, and justice as a means to repair the harm. A community restorative justice intervention engages the community, victims, and offenders in problem-oriented and preventative, rather than simply reactive responses, and attempts to, to the greatest extent possible, turn responsibility for justice solutions back to communities. To do this, community restorative justice redefines the role of justice agencies as one aimed at strengthening the capacity of citizens and community groups to carry out these responsibilities and supporting them in doing so (Barajas 1995; Bazemore and Schiff 1996, 2001; O'Brien et al. 2003).

Community restorative justice focuses on repairing harm to the victim and community and improving the prosocial competencies and accountability of the offender in response to an offense or occurrence (Bazemore and Washington 1995; Van Ness and Strong 1997; Zehr 1990; Dunlap 1998). Restorative justice, built upon a commitment to a distinct set of values with prescribed goals and performance outcomes, provides a vision for juvenile justice reform. Its standards reflect a set of principles, with fewer adherences to a set of practices or programs (Bazemore and Walgrave 1999) that may orient the response of a justice agency to juvenile crime. The three core principles of restorative justice are:

1. *Repair harm.* Justice requires that victims, offenders and communities be healed following the injury that resulted from the crime.
2. *Involve stakeholders.* (i.e., victims, offenders, and communities). Stakeholders should be extensively involved in the reparative process.
3. *Change roles.* The relationship between community and government should be transformed with the community taking an active role and responsibility in the restorative response to the criminal offense (Van Ness and Strong 1997; Bazemore and Walgrave 1999).

A restorative approach to juvenile justice can provide the conceptual framework for fundamental application and reform.

Community restorative justice has been viewed as the new vision of the justice system (Bazemore and Walgrave 1999). A significant number of states and local juvenile justice systems are setting policy for the development and implementation of innovative practices based on restorative principles. A notable finding of a study by the author (2000) is that the majority of states articulate restorative justice principles in one or more policy documents, including state statute or codes, policy statements, mission statements, program plans, or evaluation reports. (The study did not require that restorative justice be stated explicitly in any policy document, only that the fundamental principles of restorative justice were articulated.) Further, the study identified that community restorative justice has been applied in adult criminal justice systems and juvenile justice systems. (Twenty-three states have implemented community restorative justice in both adult criminal justice systems and juvenile justice systems. Twenty-two states have implemented this approach in juvenile justice systems with five states in adult criminal justice systems.) More recently, practices have ventured to schools as a much needed prevention tool for at-risk youth.

Application to Educational Settings

While the community restorative justice movement continues to evolve throughout our country, school administrators and teachers have become attracted to the principles, values, and potential benefits that it holds for dealing with crime, behavior problems, and disturbances in schools. States such as Florida, Illinois, Pennsylvania, and Colorado have successfully embraced restorative practices in school communities. These school initiatives seek to identify at-risk youth, to provide early intervention for an overburdened juvenile justice system, to increase student participation, and to empower principals with an available option for providing discipline and restorative consequences.

School communities across the country have begun to explore the use of restorative practices as an alternative method, part of a more comprehensive approach to school discipline. Restorative practices may be considered as a prevention strategy (i.e., conflict resolution training and anti-bullying strategies) and intervention mechanism (i.e., peer mediation, victim/offender mediation, family group conferencing, accountability boards, and peacemaking circles) once a violation has occurred. Rather than suspending or expelling students for violence, behavior problems, minor crimes, or victimization such as bullying, members of the school community hold youth accountable for their negative actions. Stakeholders (i.e., school administrator, school resource officers, teachers, and students) determine a comprehensive case plan based on individual strengths and needs.

Anecdotal evidence and preliminary evaluation of restorative practices have been proven in various realms of the justice system that schools have begun to integrate them into their disciplinary action program. Teachers and school administrators cite that the program is an effective tool used for encouraging offenders to be accountable and repair the harm caused by their action, while providing student participants with proactive leadership, decision making, and conflict resolution skills. Officials have been impressed with the way in which this approach has assisted schools with disruptive and insubordinate behavior. In essence, the principle initiative of the program is to encourage these troublesome students to take responsibility for their actions by hearing from the victim(s) about the consequences of their behavior.

Several conferencing models are used in schools, such as conferencing in Colorado and Pennsylvania, circles in Minnesota (Riestenberg 1998, 1999), and school accountability boards in Florida (O'Brien and Hansen 2003).

School Accountability Boards

Schools have consequently integrated community conferencing models to deal with occurrences at school. Most of the cases that appear before a conferencing model in an education setting are characteristically with

an offender who has committed a minor, nonviolent offense, including disputes, insubordination, disruptions, vandalism, and theft. The offenders are consequently given the opportunity to be accountable for their crime as well as being provided with an alternate way to restore the victim and “make things right.” In turn, more and more stakeholders of the juvenile justice system are using these types of models as an alternative method to formal juvenile court processes.

The School Accountability Board (SAB) model implemented in Collier County, Florida is adapted from Reparative Boards initiated in Vermont (Dooley 1995) and Neighborhood Accountability Boards operated in Florida (O’Brien and Hansen 2003). The SABs are currently applied in two middle schools that include sixth, seventh, and eighth grade students. The program will expand to three additional middle schools and one high school in the upcoming school year. (The SABs are currently conducted in East Naples Middle School and Immokalee Middle School. The project is set to expand to Corkscrew Middle School, Golden Gate Middle School, Manatee Middle School, and Immokalee High School. Interested community residents provide private donations to financially support this project.) These schools were chosen based on referral rates and need.

The purpose of the program is to identify at-risk youth while incorporating restorative justice principles into the implementation of SAB and the youth’s case plan. The overall mission is to identify at-risk youth and provide early intervention in an over-burdened juvenile justice system, to increase student participation, and to empower principals with an available option for providing discipline and restorative consequences. The SAB aims to address referred student’s behavioral problems in order to provide prevention and early intervention services.

Jorge is a twelve year old, seventh grader. The dean referred him to the SAB because of his insubordinate behavior to his teacher. He slammed a door in the teacher’s face, “flicked her off,” used abusive language, was disinterested in school, and didn’t complete his schoolwork. Upon inquiry, the SAB exposed that Jorge’s father was absent from his life, he had no afterschool activities other than playing computer games, and at first, didn’t realize that what he did was wrong. The SAB initially decided to refer Jorge for a mental health assessment. After a few follow-up sessions with Jorge, the Coordinator decided to have the SAB revisit his case. The SAB revised the conditions of the case plan to include participation in homework club and in the local church youth group. While attending the youth group, a young male member of the church became a mentor to Jorge. Since this time, Jorge’s attitude has completely changed. His teacher expressed her complete satisfaction in the process and outcome. He looks forward to school, completes his schoolwork, has improved his grades, and attends youth group every week.

Upon meeting with the SAB, the student will receive an individually tailored case plan that will address his or her particular behavioral or school offense as well as provide assignments and or services according to the particular needs of the child. For example, beyond correcting poor behavior through an apology letter or service-oriented project, the SAB may also assign a mentor to the child or a program that assists the child with his/her schoolwork. In turn, the child is, not only, learning from his or her mistakes but is “caught” before heading down a juvenile delinquent path. The case plan, moreover, is issued to assist the child and correct behavior for long-term success, not simply for “punishment.” Detention, in-school suspension, or out-of-school suspension alternatives may not provide adequate behavior modification. The SAB case plans serve

not only as a tool to recognize behavioral issues, but also allow the child to “start anew” with the support of school administrators, teachers, student board members, school community, and the at-large community.

The SAB serves as a prevention program using a panel of 5 students/peers (chosen from a pool of approximately 15 students) from the school, a School Resource Officer and Faculty Facilitator to address students referred to the SAB for behavioral problems and school offenses. All students referred to the SAB program will participate in a conference with representatives of the school community in which the resolution of their school-based behavior infraction will be decided. During the conference the rule violator will be presented with the impact of his or her behavior infraction on any victims, friends, the offender’s family, and the school community. After discussion of the impact of the incident, all participants in the conference will contribute in a problem-solving process to determine how the rule offender might best address the harm he or she has caused. Conference participants will sign an agreement outlining their expectations and commitments. The SAB will develop a comprehensive case plan to address the risk factors and needs of the referred student. The individualized comprehensive case plan will include the following components: mentoring, community service projects, academic standards supervision/improvement, victim restoration, and sport/hobby. The offender is monitored by the SAB Coordinator who ascertains progress and assesses whether further assistance or intervention is needed.

Completed case plans are then put into effect with corresponding deadlines for the youth to follow/comply. The case plans are then placed within the student’s permanent file. The ultimate goal is to demonstrate that the SAB is a cost effective and efficient program that successfully provides early intervention to at risk youth with positive, long-term benefits to the youth and surrounding community by implementing restorative practices.

Program Evaluation

Twenty-eight East Naples Middle School (ENMS) and Immokalee Middle School (IMS) students of varying socioeconomic status, ethnicity, sex, grade level, as well as academic and behavioral backgrounds, served as SAB members. Five student board members sat on the board for each conference. The boards were also comprised of two ENMS teacher representatives, one ENMS Youth Relations Deputy, one IMS Youth Relations Deputy, one ENMS SAB facilitator, one IMS SAB facilitator, and one IMS Dean who comprised the remainder of the boards. The author provided general oversight and direction of the project. The boards met weekly each Wednesday and Thursday morning at ENMS and each Wednesday morning at IMS. Together, the two boards reviewed between four and six cases each week.

A total of fifty combined cases were referred to the ENMS and IMS SABs. Combined, there were thirty-nine male (78 percent) and eleven female (22 percent) referrals. The largest number of referrals, thirty-two cases, was for insubordination/ disruption, followed by six cases for confrontation and fighting, four cases for theft, three cases for broken school rules, two cases for abusive language, two cases for truancy, and one case for destroying school property.

Types of assignments that youths received in their case plan included, but not limited to: writing an apology letter; restitution/replacement; attend mentoring and/or tutoring services; compose essays, journals or poems; complete PowerPoint presentations; attend Boys and Girls/Youth Groups; community service; assisting other faculty and staff; as well as complete behavior modification/grade monitoring sheets. Four FGCU students mentored and/or tutored SAB youths as part of the case plans.

Forty-eight out of the fifty cases (excluding the two ENMS students who moved) were successful between ENMS and IMS. In order to be deemed successful, the offenders had to complete and turn in all assignments on time and in a professional manner as well as not reappear before the SAB. Four cases were deemed

unsuccessful as two ENMS students moved away prior to completing their assignments and two other ENMS students were removed from the SAB when they refused to complete their assignments after two extensions. Overall, the ENMS and IMS SAB success rate was 96 percent.

The evaluation of this program is essential in assessing the need, documenting program implementation, measuring results, comparing alternative programs in terms of the best results and the most needed services, providing information to maintain and develop quality, and refining program activities, if applicable. The evaluators and the clients benefit by examining the process whereby a service leads to the expected outcomes. However, rather than measure success based upon the amount of punishment inflicted upon an offender, it measures how harm has been repaired or prevented.

Three distinct but overlapping activities that utilize both quantitative and qualitative measures are part of the evaluation process:

1. Measurement of the progress toward the program's numerical objectives. This will be supplemented by documentation of the planning process and key program events and activities that led to the successful completion of the outlined objectives.
2. Assessment of the immediate impact of restorative justice training, victim offender mediation and community group conferencing on the victims, juveniles, parents, school and community members.
3. Monitoring of the long-term impact of the services on the victims, juveniles, parents, school and community members.

Conclusion

Restorative justice provides an alternative "lens" for viewing and developing new responses to crime and occurrences. This alternative perspective may potentially have a profoundly, positive effect on the justice system by incorporating community participation, victim involvement and restoration (Dunlap 1998; Zehr 1990). Furthermore, adopting restorative policy and practices requires leadership, vision, and communication among system partners, including victims, offenders, and community. In its challenge to society, the journey requires a deep commitment to long-term systemic change that is grounded in a spirit of collaboration, renewal, and hope for future generations (Umbreit and Carey 1995).

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