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Children Not Criminals: Bringing Restorative Justice to Our Schools

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FULL ARTICLE

Last fall, a disturbing video took over the Internet: a White school safety officer at Spring Valley High School in Columbia, South Carolina, pulled a Black, female student from her chair, slammed her to the ground, and dragged her from the room. Apparently, she failed to heed his order to leave the classroom. Most disturbingly, the actions depicted in the video may be extreme, but they are not isolated. All across America, schools predominantly serving students of color are being buried under a culture of “zero tolerance.” These policies are turning what should be centers of learning and personal development into places where discipline and punishment rule the day - places that seem designed to prepare students for lives in jail. We’ve all heard the stories: the kindergartner handcuffed for throwing a tantrum or the high school students arrested for having a food fight in the cafeteria.

Of course, it is critical - from both an education and a public safety perspective - that schools are safe. Children will struggle to learn if they are afraid for their physical safety. Yet, the culture of school discipline seems to have less to do with safety than with race. Data from the United States Department of Education show that Black students are suspended from school at more than three times the rates of White students. Too often, when white students act out it is treated as youthful misbehavior but when a Black student engages in identical behavior, it receives a criminal justice response. The result is a school culture where the adults in the building more and more view the students as criminals, and where the children, unfortunately, begin to believe it.

This disparity is at the heart of the school-to-prison pipeline. Suspended students are more likely to drop out of school, and even a single suspension triples the likelihood that the student will be engaged with the juvenile justice system within a year. And those students are - disproportionately - Black and Latino. That is why in 2014, the United States Departments of

Justice and Education issued new guidelines for school districts to reduce their reliance on punitive school discipline policies.

Throughout the country, cities including Oakland, Los Angeles, and Denver are heeding the call. One approach is called “Restorative Justice.” Restorative justice programs shift the paradigm away from punishing the student for his or her behavior. Instead, they take an educational and communitarian approach. They seek to help the perpetrator understand the harm his or her behavior caused their school community, give members of the community an opportunity to be heard, and allow the perpetrator a pathway to make amends for his or her behavior: learning and growing in the process. In other words, they begin by seeing children as children, not as criminals.

For example, rather than calling the police to arrest two students who get into a fight, a Restoration Justice approach might call a school wide assembly, where the students explain what led to the fight and their classmates and teachers describe the impact of their behavior on the school community. Rather than being suspended, arrested, or both, the students might engage in community service at the school. Although these programs are relatively young, there is compelling evidence that they work. In Oakland, for example, after restorative justice programs were introduced, not only did suspensions drop system-wide, racial disparities in school discipline were eliminated after two years of implementation.

Here in New York City, the Brooklyn Community Foundation partnered with the New York City Department of Education and the Mayor’s Leadership Team on School Climate and Discipline to build a model for Restorative Justice that meets the unique needs of the City’s students and schools. In 2015, the Mayor’s Leadership Team released its roadmap for reform: a set of recommendations designed to reduce overly punitive school discipline policies while continuing to promote safer schools. Launched in conjunction with that plan, the Brooklyn Restorative Justice Project is a \$1.6 million pilot program funded by the Brooklyn Community Foundation to implement restorative practices in four Brooklyn public schools and study their impact over a four-year period.

Last fall, the Brooklyn Restorative Justice Project selected four nonprofit organizations - each with a background in youth development, conflict-mediation, and/or restorative justice principles - to partner with each school to design a program that meets each school’s needs. To be successful, each school will need to transform its culture. As part of that change, each school community will need to confront the role that race and racism - but also sexism, homophobia,

and discrimination against those with disabilities - plays in interactions between teachers, students, police, parents, and school safety personnel. Having a variety of providers and approaches will allow the City to better understand how restorative justice practices can be successfully implemented as the City works to transform its approach to school discipline throughout the system. Concurrently, the Department of Education is working to adopt other changes, including retraining school safety officers on de-escalating incidents like the one in South Carolina and reassessing where and how school metal detectors are used.

New York City has a unique opportunity. In the 2014-15 school year, the number of suspensions dropped 17 percent. Yet, significant racial disparities persist. White students make up 15 percent of the population but received just 7.4 percent of suspensions. In contrast, Black students made up 28 percent of the population but received 52 percent of all suspensions. And just ten percent of schools drive 40 percent of suspensions. Successfully implementing a Restorative Justice program requires a true partnership. New York City has a Mayor, Police Commissioner, and Chancellor who are committed to finding a better way, and community organizations like the Brooklyn Community Foundation who have the expertise, resources, and reach to help make these programs a reality. As this critical work continues, there will certainly be push back from those who say that Restorative Justice approaches are somehow naïve or soft on crime. We have to remember that these are children, not criminals, and justice demands that we give them all a chance to learn, grow, make mistakes, and eventually succeed.