

# BEYOND ZERO TOLERANCE

## Restoring Justice in Secondary Schools

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*Zero tolerance policies in secondary schools now embrace an array of misbehaviors varying widely in seriousness. Their utility has therefore come into question, especially because they do not address causal factors and generally maintain an emphasis on suspension and expulsion. In contrast, responses based on a restorative justice philosophy embrace stakeholders in an interactive process to repair harm by addressing the nature of the misbehavior and resulting damages. In an effort to examine the applicability of restorative justice principles to disciplinary policies in educational settings, the explorative results of a pilot project are presented. Quantitative outcomes indicate reduced behavioral referrals and suspensions. Qualitative descriptions likewise point toward positive directions. Overall, findings are supportive of employing restorative justice principles in response to school-related misbehavior, which could be combined with traditional practices (for more serious offenders) in a synergistic approach to restoring order in our schools, responsibility in our students, and, ultimately, hope in our communities.*

**Keywords:** *zero tolerance; restorative justice; school discipline; juvenile justice*

Few issues in recent years have generated more public attention or greater personal apprehension than the safety of children at school. In fact, for a number of years in the mid-1990s, Gallup Polls indicated that the public's primary educational concern focused on school safety issues (Phi Delta Kappan/Gallup Poll, 1998), and it has only been in very recent years—as crowding and funding issues have risen to dominant positions on the public education agenda—that safety-related concerns have dropped to second place (Phi Delta Kappan/Gallup Poll, 2003). As angry students have gunned down teachers and fellow classmates in schools from Littleton, Colorado, to Lake Worth, Florida, the subsequent glare of media attention has shattered our longstanding image of schools as tranquil sanctuaries where the most serious infractions involve illicit smoking in student restrooms. In the aftermath of each ensuing act of violence, public concerns have resurfaced and demands for action have reignited, propelling the issue of school safety onto the policy-making agenda of virtually every local school board throughout the country. As an educational psychologist characterized the situation in testimony before the U.S. Congress, “Schools can no lon-

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ger question if a shooting will happen within their district, but when it will happen” (Poland, cited in Dwyer, Osher, & Hoffman, 2000).

As with contemporary responses to crime and violence in society overall, school-based reactions have primarily reflected perspectives that are grounded in a variety of general and specific deterrence-based strategies that have popularly become known as “zero tolerance.” Although defined by some in purely retributionist terms (e.g., as “predetermined consequences” for certain offenses; Flaherty, 2001, p. 42), zero tolerance is perhaps more comprehensively viewed as a composite of perspectives related to deterrence, incapacitation, and retribution. Beginning with the nationwide crackdown on drug-related offenses during the 1980s, the concept of zero tolerance has been closely aligned with crime-related politics that dominated the public policy agenda in the mid to late 1990s (e.g., Blumstein & Beck, 1999; Caulkins, Rydell, Schwabe, & Chiesa, 1997; Lehman & Labecki, 1998; Mauer, 1999). Perhaps most significantly (and symbolically), it has enabled frustrated policymakers and at least some of their constituents to demonstrate in two simple, clear-cut words the extremes of their dismay with the inability of government to curb the continuing escalation of crime.

As a result, zero tolerance quickly became the rallying cry in the metaphoric war against youth crime (Males, 1996). But in the meantime, the battlefield shifted from street corners to school yards. In schools throughout the country, concern about disciplinary infractions ranging from petty misbehavior to criminal activity has reached what appears to be epidemic proportions (Lawrence, 1998; Small & Tetrick, 2001). As secondary schools became the new front in the war on crime, some educational policy makers embraced the zero tolerance concept with an enthusiasm similar to their counterparts in the criminal justice policy-making process.

Perhaps most importantly, the offenses for which various educational institutions declared their intolerance began to extend across a widely divergent spectrum of seriousness, ranging from transporting deadly weapons to school to talking back to teachers. Holding individuals accountable for their behavior through a punitive exclusionary response became the popular reaction to wrongdoing—regardless of age, background, situational factors, or other mitigating circumstances. But as the appropriateness of such reactions has recently come into question (Skiba & Peterson, 1999), a search has emerged for alternative approaches.

In that regard, restorative justice has been identified by some policy makers, practitioners, and academicians as a potential theoretical framework within which to develop somewhat more balanced responses to occurrences of school-related misbehavior (Anderson, Gendler, & Riestenberg, 1998; Braithwaite, 2002; Karp & Breslin, 2001; Morrison, 2001; Riestenberg, 1999). In contrast to the punishment emphasis of zero tolerance, restorative approaches focus on repairing the harm that was caused, engaging victims and relevant community members in the decision-making process, holding offenders accountable, and preventing similar actions in the future (Bazemore, 1999; Van Ness & Strong, 2001).

In a restorative process, participants respond to offenses, conflict, and/or rule violations by bringing together the person who was harmed, the person who did the harm, and the community (bystanders, classmates, staff, family, and/or members of the wider community). Such strategies have been used in a number of criminal and juvenile justice contexts (Bazemore, 1999; Pranis, 1998) and in a variety of community settings (Karp & Breslin, 2001; Morrison, 2001; Riestenberg, 1999).

In primary and secondary schools, restorative justice has been used as a response to crime, bullying, and disciplinary violations, often providing an alternative to the use of

more traditional processes (Ahmed, Harris, Braithwaite, & Braithwaite, 2001; Braithwaite, 2002; Karp & Breslin, 2001). In that context, restorative justice strategies convert the response to misbehavior from one of zero tolerance to interventions that accentuate accountability, fairness, and situational responses to unique events. Specifically, in contrast to the zero tolerance emphasis on uniformity, isolation, and, often, expulsion or suspension, restorative approaches to discipline and school safety have been described as a “no tolerance” response (Riestenberg, 2003). As such, restorative justice is adamant about affirming the wrong that was done, acknowledging the harm that resulted, and promoting acceptance of responsibility for the wrongdoing. Moreover, restorative justice is ultimately concerned with changing the behavior and conditions that caused it, incorporating consideration of both the circumstances of individual cases and a multiplicity of response options that focus on the spirit and intent, rather than the letter, of the law. Recognizing the seriousness of the offense, schools applying the no tolerance policies of restorative justice attempt to avoid being overly prescriptive in favor of a wider variety of approaches and consequences designed to hold students accountable for their behavior while also taking into account mitigating circumstances. The response is therefore more situational than absolute and, as Moore (1994) points out, potentially more authoritative than authoritarian.

Although there have been a number of efforts both internationally and within the United States to implement restorative approaches to school-related disciplinary issues, the state of Minnesota, through its Department of Children, Families, and Learning (DCFL), has perhaps progressed further in that direction than most jurisdictions. Beginning in 1995, DCFL began using restorative justice concepts and practices in schools to deal with incidents of serious and nonviolent misbehavior. In 1998, the Minnesota state legislature appropriated \$300,000 for school districts to develop alternative disciplinary strategies in an effort to reduce suspensions and expulsions, increase attendance, and improve school climate (Riestenberg, 2003). Working in partnership with local juvenile justice agencies, the state Department of Corrections, and community volunteers, educational professionals involved in this initiative began using group conferencing and related processes in response to a variety of disciplinary problems in school districts.

The purpose of this article is to explore the potential for employing policies that are more consistent with a restorative justice approach in response to behavior that, without such options, would otherwise generate zero tolerance. In doing so, we draw on the Minnesota experience with restorative practices as a case study in alternative approaches to discipline and violence prevention in schools, with broader implications for more holistic educational reform (e.g., Gottfredson, 1990; Pearl & Knight, 1998). Although findings are preliminary and illustrative rather than inferential or summative, they are suggestive of promising future alternatives for addressing disciplinary infractions, student violence, and overall school climate without overreliance on suspension and expulsion. Finally, we consider the significant challenges and lessons learned from the implementation of these approaches in schools that are already well entrenched in their commitment to zero tolerance responses.

### **Schools, Disruptive Behavior, and Disciplinary Alternatives**

Riding the tide of a new “get tough” approach to law violations, school officials in the 1990s responded to a frightened constituency by demonstrating their firm commitment to cracking down on inappropriate behavior. Although support for zero tolerance is by no

means uniform, in an atmosphere of crisis, the political liability of those who fail to take action before a catastrophic event occurs can be extraordinary:

Those who cannot show that they have introduced all or most of the available “common” preventive measures will pay dearly if a serious incident occurs on their watch, whether or not the common preventive measures would have prevented the incident. (Sheley, 2000, p. 51)

#### *Policy Dimensions of Zero Tolerance*

The origins of zero tolerance can be traced back to the 1990 Gun Free School Zone Act that prohibited possession of a firearm within 1,000 feet of a school, violation of which became a federal felony. Although that legislation was subsequently struck down in 1995 by the U.S. Supreme Court for exceeding congressional authority (*U.S. vs. Lopez*, 1995), it was quickly replaced by the Gun Free Schools Act (GFSA), which became effective in October 1995. This time Congress evaded direct involvement by passing demands for zero tolerance legislative mandates on to the states in a more subtle carrot-and-stick approach.

With compliance tied directly to federal funding for secondary education, the GFSA requires all states to

- pass legislation mandating a minimum 1-year expulsion of students bringing weapons to school (including firearms or bombs, but not knives—although that does not prevent a state or school district from encompassing knives or other less lethal weapons), and
- adopt a zero tolerance policy requiring that anyone bringing a specified weapon to school be referred to either criminal or juvenile justice authorities (regardless of the nature of the circumstances involved; Preventing Juvenile Gun Violence in Schools, 1996).

Under this legislation, every state receiving federal financial assistance under the Elementary and Secondary Education Act must therefore pass a law requiring expulsion (for not less than 1 year) of any student bringing a firearm to school.

Although a direct causal link with the federal GFSA legislation has yet to be empirically demonstrated, there is little doubt that zero tolerance policies have expanded almost exponentially during the ensuing years. In a study designed to determine just what measures are being taken across the country to reduce school-related violence, findings indicate that the most frequent response—cited by 96% of the administrators surveyed—was automatic suspension for weapons violations (i.e., zero tolerance; Sheley, 2000, p. 48).

Nor are such disciplinary crackdowns limited to weapons-related offenses. As a result of policy maker determination to demonstrate firm action in response to illicit or disruptive behavior, a widening variety of offenses has become subject to such mandates. For example, defining *zero tolerance* as “a school or district policy that mandates predetermined consequences or punishments for specific offenses,” the National Center for Educational Statistics and the Bureau of Justice Statistics report that 94% of schools throughout the nation have such policies in place for firearms, along with 91% for weapons other than firearms, 87% for alcohol, 88% for drugs, 79% for tobacco, and 79% for violent behavior (Kaufman et al., 1999, p. 117). Moreover, these statistics represent only actions that have been subjected to mandatory, predetermined consequences by a sizeable majority of

schools nationwide. There are other locations where such policies regulate considerably less dangerous actions (Skiba & Peterson, 1999). In addition, schools maintain widely varying definitions of what constitutes violent behavior, as illustrated by a school district in Mississippi where authorities are required to report any “assaultive” behavior to the police, including something as innocuous as a “tussle on the playground” in which no injuries were sustained (Henault, 2001, p. 550).

In fact, zero tolerance policies have become the ubiquitous, knee-jerk reaction to a global variety of behaviors, many of which are more personally troublesome than physically threatening. But that does not mean that the wholesale adoption of policies mandating predetermined reactions to youthful misbehavior has been without critics (e.g., Derbyshire, 2001; Henault, 2001; Perlstein, 2000; Skiba & Peterson, 1999; Tebo, 2000). As the excesses of zero tolerance enforcement efforts have surfaced, opponents have reacted with outrage to such documented cases as the following (Henault, 2001):

- In West Virginia, a seventh grader who shared a zinc cough drop with a classmate was suspended for 3 days pursuant to the school’s antidrug policy because the cough drop was not cleared with the office.
- In North Carolina, a 6-year-old kissed his classmate and was suspended for 1 day for violating the school’s rule which precluded “unwarranted and unwelcome touching.”
- In Louisiana, a second grader brought his grandfather’s watch to school for show and tell. The watch had a 1-inch-long pocketknife attached. Pursuant to the school’s weapons policy, the child was suspended and sent to an alternative school for a month.
- In South Carolina, an 11-year-old who brought a knife to school in her lunchbox to cut her chicken was taken away from school in a police car.

As these cases illustrate, the unchecked discretion of zero tolerance can create a net-widening effect that raises questions of fairness and equity. Moreover, when children view punishment as unfair or inequitable, it is likely to lose much of its impact.

In various school districts throughout the country, it would be possible to find zero tolerance policies governing any number of disciplinary violations—ranging from cursing to carrying weapons. The message is clear and simple. The response is swift and steadfast. But the question is whether the results are satisfactory.

#### *The Impact of Zero Tolerance on School Crime and Climate*

Certainly, zero tolerance policies have not abolished violence or weapons from U.S. public schools. But neither is the level of violence escalating, as the sporadic overdose of high-profile headlines following traumatic school-related incidents might lead us to believe. To the contrary, measures of violent victimizations of secondary school students have remained at consistently low levels during the past half dozen years (Kaufman et al., 1999, p. 3). Between 1993 and 2001, the percentage of students who reported carrying a weapon on school property during the previous 30 days declined from 12% to 6% (DeVoe et al., 2003, p. ix), and a 1997 study further indicated that only 2% of school administrators considered guns to be a “serious problem” on school grounds (Sheley & Wright, 1998, p. 2). In 1998, 29% of public school students reported that the level of violence in their school decreased in the past year, compared to only 8% who reported a decrease in 1993 (Binns &

Markow, 1999, p. 7). Although no systematic attempt has been made to connect such data to the implementation of zero tolerance policies, some would maintain that the correlation is intuitively apparent, especially in light of the widespread prevalence of zero tolerance toward firearms on school grounds.

Yet others dispute that notion, arguing against zero tolerance policies as a result of either lack causal evidence of their effectiveness (Skiba & Peterson, 1999) or concern that such an approach ignores the underlying problem (Brendtro & Long, 1995). For example, in terms of effectiveness, a study by the National Center for Education Statistics found that after 4 years of zero tolerance, schools with such policies were still less safe than were those without them (Skiba & Peterson, 1999). As one high school principal observed, “We fixate on the weapon, when the problem is deeper” (Stinchcomb & Dobrin, 2000, p. 20). In addition, others are concerned with the fundamental lack of fairness that can result when a one-size-fits-all approach to punishment is employed with a no excuses consistency. For instance, Curwin and Mendler (1999) offer the following case to illustrate the painful reality of this drawback:

A young high school student was expelled after bringing a gun to school . . . That morning, his father, in a drunken rage, had put a gun down the youngster’s throat and, before passing out, threatened to kill him and his younger brother. The student brought the gun to school to save their lives. Before he could give it to his principal, the gun was discovered. No amount of explaining helped because of zero tolerance. (p. 120)

As a result of arbitrary reactions to such behaviors, a new rallying cry has emerged for alternative approaches that contain greater potential for redirecting youthful misconduct rather than simply punishing its manifestations (without, in many cases, benefit of due process). In fact, the American Bar Association, in February 2001, voted to recommend ending zero tolerance policies for school discipline (Henault, 2001). As one researcher on the topic has noted, “It is hard to think of any policy better calculated to increase crime than automatic expulsion from school” (Braithwaite & Drahos, 2002, p. 269), especially for minor offenses, with all of the stigma that involves.

#### *Zero Tolerance as a Double-Edged Sword—Social and Fiscal Costs*

Even if zero tolerance has played a role in curtailing the escalation of school violence (although no convincing empirical evidence to support such a conclusion has been presented to date), it may be functioning as a double-edged sword if the benefits achieved have incurred countervailing hidden costs. In that regard, recent commentary and research is beginning to suggest that the increasingly well-documented side effects of this remedy may be worse than the cure. For example, Costenbader and Markson (1998) summarized the empirically documented side effects of both in-school and out-of-school suspension as follows:

- An increase in maladaptive behaviors not addressed by the suspension,
- Withdrawal or avoidance of school staff,
- Negative impact on self-respect,
- Stigma among peers,
- Driving a school problem into the streets and community,
- Disruption of educational progress, and
- Loss of state aid based on average daily attendance.

In-school suspension has likewise been correlated with drug use, poor academic achievement, grade retention, and long-term disaffection and alienation, with research showing that “students who had been suspended were more likely to be involved with the legal system” (Costenbader & Markson, 1998, p. 59). Given the fact that more than three million students per year are suspended from schools throughout the country (Elias, 2000; U.S. Department of Education, 2000), the cumulative impact of such results can be devastating. As one student advocate has observed, “Public education is now only for those who deserve it, and the list of those who don’t deserve it is growing” (Zwifler, cited in Crary, 2001, p. 20).

Although zero tolerance remedies are designed to root out harmful behavior in schools and to send students a clear deterrent message, both the message and its impact are less than clear. Evidence of this is suggested, for example, by a study that concluded that zero tolerance policies were actually encouraging young people to “conceal rather than deal with their drug use, and can lead to the exclusion of those caught . . . [Yet these students] are not necessarily those who use drugs most, never mind the only users in school” (Hammersley, Marsland, & Reid, 2003, p. xi).

However, alternative responses such as restorative justice are often resisted at least in part because of concerns that they may be more costly and time consuming than present practices. But despite greater investment of time in developing alternatives, some administrators are beginning to weigh these costs against the disadvantages of current disciplinary approaches, all of which entail their own fiscal downside. According to one estimate, for example, the legal and staff expenses associated with an average expulsion appeal costs school districts between \$50 and \$500 per hour for each case (Riestenberg, 2003).

Likewise, in the criminal justice system, a reconsideration of cost-effectiveness is surfacing as the social and fiscal consequences of mandatory minimum sentencing guidelines are calculated (Irwin & Austin, 1997). In terms of expenditures alone, the unanticipated price tag for more punitive public policies is already creating significant fiscal challenges as correctional administrators and elected officials struggle to balance stagnant revenues against the skyrocketing costs of everything from constructing new prisons to accommodating geriatric inmates (Stinchcomb, 2005).

Nevertheless, zero tolerance policies have demonstrated a resiliency that seems to be almost self-justifying. Because they control the problem temporarily, such approaches are not dependent for their “success” on conventional outcomes such as avoiding recidivism or, in the case of educational policies, successful completion of schooling. Rather, like aggressive policing strategies whose proponents claim success on the basis of “sweeping the streets of criminals” and managing disorder (Harcourt, 2001), zero tolerance policies may be viewed by some as successful simply because they provide a quick fix to problems that ultimately require more complex and long-term solutions.

On both a conceptual and an operational level, the nature of zero tolerance policies in public schools appears to be generally equivalent to the determinate sentencing practices that have produced so many costly implications for the criminal justice system. Both represent a reaction to society’s frustration with crime. Both emphasize holding offenders accountable for their behavior. Both impose mandated punishments based on policy guidelines governing the offense, with minimal (if any) consideration given to either the offender’s characteristics or the circumstances involved. Both in effect exclude convicted violators from interaction with their law-abiding peers. In both cases, the social institution that has been victimized is seeking to rid itself of the victimizers.

Despite these conceptual and practical similarities, the long-term implications of zero tolerance in the schools differs in important ways from the escalation of punitive approaches in criminal justice. In fact, aside from more stringent due process procedures that characterize criminal justice sentences, perhaps the most significant operational difference between them is in the exclusionary approach that each employs to achieve its intent—adults are incarcerated; students are expelled. Yet unlike incarceration, expulsion is not necessarily a fiscally unattractive option. In contrast to correctional institutions, educational institutions are casting out rather than locking in and are therefore more likely to be relieving themselves of a fiscal burden than incurring additional costs. Certainly, it is less expensive (at least in the short run) to expel a student than to provide remedial instruction, offer one-on-one tutoring, accommodate alternative learning styles, or consider the kind of systemic change in education that many argue is now needed to prevent an expanding marginalization of many students from access to productive social roles (Polk, 2001). Expulsion may also entail the additional benefit of ridding the school of a burdensome student whose habitually disruptive behavior would cost more to deal with on a daily basis than to delete permanently. Thus, aside from being politically popular, zero tolerance is also pragmatic, expedient, and fiscally advantageous, at least in the short term.<sup>1</sup>

But long-term benefits of expulsion and suspension are considerably more difficult to identify. When students are expelled—regardless of the reason—they are essentially committed to a lifetime of struggle against the material and intellectual poverty that inevitably shadows those lacking a high school education (Lawrence, 1998). Although evidence linking zero tolerance policies with high school dropout rates is not unequivocal, recent findings are pointing in the direction of an empirical connection. For example, a national study uncovered a direct and statistically significant causal relationship between the percentage of students who drop out of school and the number of violence-limiting measures used to implement gun free school zones (Sheley, 2000, p. 49). Moreover, the U.S. Department of Education (1996) confirms, “Research has shown a link between suspension/expulsion and later dropping out of school, with resulting personal and social costs” (p. 65).

In a sense, these results should not be surprising because gun free school zones represent a zero tolerance policy that mandates a 1-year expulsion. Especially for those who were already borderline students or who were contemplating leaving school voluntarily, a 1-year expulsion can become the catalyst for permanent withdrawal. In that regard, the U.S. Department of Education (1996) notes that “school districts across the country report experiencing significant increases in both the number of students expelled and the length of time they are excluded from their schools” (p. 65). Moreover, the report goes on to express concern that if educational counseling or behavior modification services are not provided to such students, they “generally return to school no better disciplined and no better able to manage their anger or peaceably resolve disputes” (p. 65). The question then becomes whether there are other alternatives that might achieve this objective and deal with disruptive behavior in school more effectively.

### **Restorative Principles and Practices in the Schools**

Restorative justice is best understood as a principle-based method of responding to crime or harmful behavior. It includes processes that seek to achieve justice by repairing the harm that crime causes (Bazemore & Walgrave, 1999; see Van Ness & Strong, 1997, 2001).



As such, it is not a singular program or process but rather a fundamental concept that is based on core principles that provide a measure of how truly restorative a given response is.

*Repairing the harm:* Working toward healing victims, offenders, and communities that have been injured by crime.

*Stakeholder involvement:* Providing victims, offenders, and communities with the opportunity for active involvement in the justice process as early and as fully as possible.

*Transforming the community-government relationship:* Rethinking the relative roles and responsibilities of government and the community (Van Ness & Strong, 1997, pp. 8-9).

These principles are interrelated and mutually reinforcing, but they also suggest somewhat independent goals and priorities. The first principle (repairing harm) establishes a set of outcomes for restorative practice, including making amends, rebuilding or strengthening relationships, and, in some situations, addressing past harms. To achieve this repair, it is important to engage those affected by the crime in decision making about what needs to be done. The second principle (stakeholder involvement) therefore seeks to maximize participation of victim, offender, their supporters, and other community members in dialogue about the impact of the crime. This principle ultimately seeks to promote ownership of conflict and harm by those most affected by it (Christie, 1977). The third principle (transforming the community-government role and relationship) suggests a less directive role for the traditional justice system in favor of empowering community members and building community capacity to respond more effectively to harm and conflict.

On the basis of these principles, restorative justice tends to advocate informal resolutions that mobilize community control and support (Bazemore, 1999; Braithwaite, 2002; Christie, 1977). Such resolutions result from deliberations that occur in nonadversarial decision-making practices generically described as “restorative conferencing” approaches (Bazemore & Umbreit, 2001; Braithwaite, 2002) that seek to maximize the involvement and input of victims, offenders, and community members in a leadership role.

For better or worse, schools also share many characteristics of other communities where members live (at least in part) without choice. Like their institutional counterparts, schools are capable of operating in a fashion similar to the most secure prison, where residents may be protected from each other but have little opportunity for personal decision making or control of their own lives. Just as safe prisons often fail to prepare offenders for productive life in free society, even apparently safe schools may fail to teach students to live productively in peaceful interaction with others.

From this perspective, schools might also be viewed as mediating institutions. Like churches, small businesses, and community organizations, they play a vital role in socializing youth, establishing normative standards, and shaping character (Bellah, Madsen, Sullivan, Swidler, & Tipton, 1991, p. 40). Thus, schools can likewise operate as restorative environments where members take responsibility to repair harm when it occurs, hold each other accountable, and build skills in collective problem solving. In such an environment, collective values of prosocial behavior are learned primarily through modeling, conflict resolution, and mutual support.

*Restorative Justice Practice and Research*

Restorative practice is inclusive of a wide range of interventions that operationalize its three core principles (Van Ness & Strong, 1997). However, two general categories of practice are indispensable and mutually reinforcing in terms of achieving reparation of harm by empowering stakeholders and engaging them in a collaborative relationship with formal social control agents:

*Restorative decision making or conferencing models:* Designed to enable victims, offenders, their supporters, and affected community members to have input into a plan to repair harm, these processes can assume many variations within four general structural models: (a) family group conferences, (b) victim-offender mediation or dialogue, (c) neighborhood accountability boards, and (d) peacemaking circles (Bazemore & Umbreit, 2001), all of which share a focus on decision making that seeks to maximize stakeholder involvement.

*Restorative sanctions or obligations:* These include alternatives ranging from restitution to community service, apologies, victim service, behavioral agreements, and other efforts to make amends for harm caused by one's offense. Restorative obligations represent the concrete, behavioral aspect of righting the wrong that provides evidence to the community and victim that the offender has earned redemption (Bazemore, 1998; Maloney, Bazemore, & Hudson, 2001).

Research on restorative justice practices in criminal and juvenile justice settings has expanded in recent years, and findings are promising with regard to the impact on offenders and the participation of victims (for summaries, see Bazemore, Nissen, & Dooley, 2000; Bazemore & Schiff, 2004; Bonta, Wallace-Capretta, Rooney, & Mackanoy, 2002; Braithwaite, 2002; Butts & Snyder, 1991; Nugent, Williams, & Umbreit, 2003; Schneider, 1986; Umbreit, Coates, & Vos, 2001). We know very little, however, about how restorative justice is related to reoffending (Hayes, 2005), and empirical work on the impact of restorative practices in the school context is sparse.

*Restorative Justice Experience in the Schools*

The first documented use of restorative practices in schools began in the early 1990s with initiatives in Australia (Moore, 1994; Morrison, 2001). For various reasons relating to government leadership change, lack of resources, internal resistance, and funding cutbacks, most of these early implementation efforts were discontinued. Several new Australian projects have begun since 2000, with interest and commitment now more widespread, and other international applications have been reported in countries ranging from Canada and the United Kingdom to Japan, Brazil, and Indonesia.

In the United States, training and program implementation began in the late 1990s in several school districts in Minnesota, Colorado, Arizona, and New York and in private residential schools in states such as Pennsylvania (Karp & Breslin, 2001). Experimentation is also underway in several urban school districts, including Chicago, Denver, and Miami (Granaiery, 2002; Zamora, 2002), and a statewide effort was initiated to train school resource officers in restorative practices throughout New York (N. Tyler, Director of New York Community Justice Initiative, personal communication, March 11, 1999). To date, however, little evaluation of these efforts has been attempted.

Undoubtedly, developing alternatives such as restorative justice demands an investment of time and effort, along with the disorientation associated with policy change that may be threatening and therefore provoke staff resistance (Morrison, 2001). Nevertheless, some administrators are beginning to weigh these costs against dissatisfaction with current disciplinary practices. For example, as the principal of a high school in Arizona described it, getting staff trained and accustomed to participating in restorative group conferences (which, in the early months of implementation, are often held several times daily) took considerable time and personal investment. But with the initiation of conferencing as the first option for all disciplinary infractions, police calls to the school dropped from more than 300 in the previous year to 2 calls in the year following implementation (Bazemore & Schiff, 2004).

In addition to the success of conferencing as a tool for resolving disciplinary problems without resorting to suspension and expulsion, this Arizona school also experienced an impact on culture and climate that led to dramatic reductions in a wide range of behavioral problems. In the principal's view, this was a result of both an expansion of conflict resolution skills and a systemic commitment to minimize involvement of higher levels of authority. Moreover, although disciplinary conferences were initially a frequent occurrence, the need to use this more time-intensive process itself decreased over time:

The fact is, we haven't had a suspension in nine months or seen a police car in more than a year. There just hasn't been a need to have a conference. I don't see kids in my office much anymore. Things just seem to get worked out in the classroom or in the hall or wherever . . . But in the old days, I spent all my time on discipline, and so did most of my teachers. Now they actually focus on what the job is supposed to be—teaching . . . Our kids are the problem-solvers and I don't want to involve anyone else in this process unless absolutely necessary . . . I find I just walk around now and talk to teachers about teaching techniques. I really have a lot of free time on my hands . . . *that* is the best evidence of a safe school community. (Bazemore & Schiff, 2004, p. 298)

Not all efforts to implement restorative disciplinary practices or related programs have been so successful, and the literature is replete with accounts of implementation difficulties and success stories (Cameron & Thorsborne, 2000). For the most part, successful outcomes seem to be related to linking restorative justice practices to broader school reform (Morrison, Blood, & Thorsborne, 2005; Pearl & Knight, 1998) or at least to a larger strategic vision that extends beyond a focus on one isolated program model (Riestenberg, 2003).

### **Case Study: Minnesota's School-Based Behavioral Interventions Pilot Project**

The most strategic commitment to school-based restorative justice in the United States has been through Minnesota's DCFL. By supporting small, relatively intensive pilot efforts with a very basic evaluation component attached to each program, the DCFL initiative provided important exploratory data pertinent to assessment of the immediate impact of restorative disciplinary responses. The following case study analysis describes these initiatives and their preliminary outcomes.

### *Background*

Like many others throughout the country, Minnesota schools (K-12) have experienced high rates of suspensions, expulsions, dropping out, truancy, and behavioral infractions. In the early 1990s, the Minnesota statewide expulsion rate increased from around 100 to more than 300 as an apparent result of the implementation of zero tolerance policies by school districts. Consistent with what appear to be general trends, between the 1983-1984 and the 1998-1999 school years, incidents involving knives in Minnesota schools increased 83%, to the point that by 1998-1999, the primary reason for expulsion was carrying a knife (31.5%), followed by possessing a controlled substance (18.5%) and engaging in violence (17.2%; Riestenberg, 2003).

In an effort to decrease violence in schools and provide an alternative to expulsion and suspension for what were mostly nonviolent cases, the Minnesota DCFL in 1995 began promoting the use of restorative measures through publications such as *Restorative Measures: Respecting Everyone's Ability to Resolve Problems* (Anderson, 1997). Coupled with training programs, workshops, and funding opportunities (Riestenberg, 1999), these efforts appeared to signal a gradual shift in the school system's response to misconduct from punishment to problem solving.

### *Philosophical Vision, Theory, and Practice*

Although restorative practices disapprove of the wrong done, they support the intrinsic worth of the individual engaged in the wrongful behavior. In that regard, DCLF developed a broad vision for the application of restorative practices in the state's schools:

A restorative philosophy emphasizes problem-solving approaches to discipline, attends to the social or emotional and the physical or intellectual needs of students, recognizes the importance of the group to establish and practice agreed-upon norms and rules and emphasizes prevention and early restorative intervention to create safe learning environments. (Riestenberg 2003, p. 10)

Schools interested in participating were exposed to a variety of restorative justice practices and were encouraged to be innovative in merging restorative principles into the curriculum and other aspects of the school experience.

Most of the participating schools eventually chose to focus on peacemaking circles as their primary restorative dialogue process. Derived from ancient practices, peacemaking circles bring together victims, offenders, their families and other supporters, and community stakeholders to determine the impact of the offense and what should be done about it (Bazemore & Umbreit, 2001). Anyone who feels that he or she was affected by the event is invited to participate (Stuart, 2001). By the end of the session, participants attempt to reach consensus about a rehabilitative and accountability plan for the offender and an approach to healing the victim and the community (Schiff & Bazemore, 2002).

In schools, circles have been applied in several ways—as a means of addressing a conflict situation, an alternative method for developing a disciplinary sanction, a forum for talking about the harm caused by an incident, or simply as a means of building interpersonal relationships. In addition to the focus on circles, program administrators also sought to encourage a broader effort to adapt traditional disciplinary practices to the overall restorative philosophy, including such approaches to classroom management as daily class meetings

held as “community circles,” peer mediation and conflict management, comprehensive antibullying efforts, and a greater emphasis on affective (social or emotional) curriculum development.

*The Case Study—South St. Paul*

Each of the participating school districts implemented a range of restorative practices and collected pre-post data measuring impact in five areas—suspensions, expulsions, attendance, academics, and school climate. Qualitative information based on observations, interviews, and focus groups was used to document implementation problems. Using these data sources, this article describes a formative case study focused on the South St. Paul district, selected largely as a result of its long-term experience, its comprehensive approach to implementing school-based restorative practices, and data gathering methodologies that enabled pre-post comparisons across several years. Although an experimental research design would obviously have been preferential, grant funding did not include resources for implementing control or comparison groups.

South St. Paul had actually begun its own restorative justice initiative in 1996 through a collaborative effort involving community members, government officials, school administrators, and other stakeholders, which formed the basis of what was then called the South Saint Paul Restorative Justice Council. In addition, South St. Paul was the most well funded and best supported of the pilot initiatives, with restorative justice planners located in each of its three schools—Kaposia Elementary, Lincoln Center Elementary, and South St. Paul Junior High (seventh and eighth grades). Throughout the 3 years of the pilot project (1998-2001), the planners conducted circles to repair harm, develop understanding in classrooms, and promote Make the Peace, a statewide campaign to promote alternatives to violence.

Teachers were also provided with technical assistance and a series of training programs during the 3 years of the pilot project. First, all school staff received basic training on restorative justice principles and practices. Staff in each school were then invited to attend more specific, intensive training on restorative practices and related school discipline issues. Because these schools were especially interested in the peacemaking circle model, most staff (60%-70%, along with a number of students) received one or more follow-up training sessions on circles. Training also included positive behavior support practices aimed at rewarding students who make an effort to resolve conflict as part of the statewide campaign, You’re the One Who Can Make the Peace. In addition to resolving individual conflicts, this effort was targeted toward changing overall school culture.

Types of cases referred to restorative sessions in South St. Paul varied by school but included a variety of offenses and rule violations ranging from minor incidents of petty harassment to relatively severe offenses, including vandalism, serious sexual and racial harassment, assault, theft, and arson. Classroom incidents and physical violence (e.g., fighting) were generally the two largest categories of offenses handled.

For example, one case handled in the first quarter of 2000 involved an event in which a student showed a knife to a boy with whom he was in conflict and later brought it onto school grounds as a threatening gesture. Rather than referring the case to the county attorney for prosecution or suspending or expelling the student, a peacemaking circle, including the two youths involved, teachers, family members, and a police officer, was held. Following their circle experience, the two boys involved not only resolved their differences but were reported to be “nearly best friends” following a year-long conflict.

TABLE 1  
Lincoln Center Elementary

	<i>In-School Suspensions</i>	<i>Out-of-School Suspensions</i>	<i>Expulsions</i>	<i>Behavior Referrals</i>
1998-1999	—	30	0	1,143
1999-2000	126	18	0	640
2000-2001	42	11	0	407

In another case, a student had stolen from two friends on separate occasions. An agreement was reached to address the harm, and the youths agreed that the boy who had stolen would shovel snow for a community member to earn the money to repay the victims. In addition to paying for the labor, the community member later voluntarily offered to buy the boy gloves and a heavier coat so he would be warm while shoveling. Overall, it is estimated that about half of the staff in participating schools used circles on a daily basis for a variety of purposes, ranging from checking in with students during home room to responding to rule violations or interpersonal conflicts.

That does not, however, mean that there were not also some less than successful outcomes, especially where implementation difficulties (described later) were encountered. As has also been the case with Australia's experience with introducing restorative justice in the schools, the process does not necessarily produce the most desirable result every time. Indeed, descriptions of individual cases that appear to have gone off track are becoming more common in the general restorative justice literature (Bazemore & Schiff, 2004; Braithwaite, 2002; Roche, 2003).

#### *Outcome Measures*

Although the qualitative anecdotes in this case study for the most part begin to point toward at least isolated evidence of promising results, it is the schoolwide quantitative data that are most encouraging. Pre-post changes in the rates of suspensions, expulsions, behavior referrals, and attendance for all three South St. Paul schools are shown in Tables 1 to 3 (data in these tables should be viewed in light of a districtwide policy requiring teachers to report any and all physical violence to the principal's office).<sup>2</sup>

At Lincoln Center Elementary, reported behavioral referrals for physical aggression were reduced from seven per day to fewer than two. Moreover, acts of physical aggression declined steadily, from 773 in 1997-1998 to 153 by 2000-2001. As shown in Table 1, in-school suspensions dropped from 126 in 1999-2000 (the first year for which these data were available) to 42 in 2000-2001. Out-of-school suspensions likewise dropped from 30 in 1998-1999 to 11 in 2000-2001. At the elementary school level, expulsions were negligible or nonexistent in all years, but behavioral referrals dropped substantially, from 1,143 in 1998-1999 to 407 in 2000-2001 (despite the lack of change in either the student population or the mandatory reporting policy). Though perhaps less clearly linked to use of restorative processes, administrators were also pleased to note that average daily attendance likewise improved from 85.0% during 1997-1998 to 95.5% in 2000-2001.

In South St. Paul's other elementary school (Kaposia), however, in-school suspensions actually increased, although out-of-school suspensions decreased (see Table 2). The out-of-school suspension decrease was related to a policy change designed to keep students

TABLE 2  
Kaposia Elementary

	<i>In-School Suspensions</i>	<i>Out-of-School Suspensions</i>	<i>Expulsions</i>	<i>Behavior Referrals</i>
1998-1999	8	27	1	361
1999-2000	25	4	0	442
2000-2001	36	4	0	459

TABLE 3  
South St. Paul Junior High

	<i>In-School Suspensions<sup>a</sup></i>	<i>Out-of-School Suspensions</i>	<i>Expulsions</i>	<i>Behavior Referrals<sup>b</sup></i>
1998-1999	—	110	0	—
1999-2000	—	65	0	—
2000-2001	—	55	0	—

a. In-school suspension is not an option at South St. Paul Junior High.

b. Behavior referrals were not officially tallied until the introduction of the student monitoring computer program in the 2001-2002 school year.

in an academic setting and working rather than giving them a “free day,” and this policy was reinforced by the availability of circles as an alternative to out-of-school suspension. The increase of in-school suspensions in Kaposia was largely attributable to the fact that policy required removal from the classroom of those engaged in so-called bottom line behavior (i.e., menacing language, temper tantrums, possession of a weapon, and physical fighting), even for the lowest level and/or first infraction. In addition, teachers at this school did not develop sufficient trust for either the restorative justice staff or the process itself, and the principal suspended students without consideration of other options.

By contrast, the substantial drop in the Lincoln school seemed because of the fact that teachers there had the benefit of 6 months of prior experience, along with a separate room with a restorative justice planner who worked out alternative disciplinary plans that could be considered in the restorative conference. Despite the fact that these planners were themselves laid off because of budget cuts during this period, the culture of the school, and the level of commitment to restorative practice, was apparently strong enough to maintain focus.<sup>3</sup>

Finally, in the junior high, out-of-school suspensions decreased considerably—from 110 in 1998-1999 to 55 in 2000-2001 for both the seventh and eighth grades, as illustrated in Table 3. This is especially notable in light of the fact that in-school suspension was not an option at South St. Paul Junior High. Thus, without maximizing the use of other available alternatives, there would, by default, presumably be more pressure to resort to out-of-school suspension. Although participants noted that use of circles to repair harm in the junior high school was not as regular as in the elementary locations (with teachers and administrators not always making restorative justice referrals), this reduction was believed to be because of the fact that having the option of a restorative circle helped to decrease the number of students sent out of school. In fact, it was not unusual for the students themselves to request a circle (or even establish one on their own initiative).

One related qualitative observation from other studies is that the need for conferences declines as people begin to apply the principles and logic of restorative justice in their routine responses to conflict and harm in a way that seeks to repair the harm without use of a full-blown conference (see Hines & Bazemore, 2003). In addition, the junior high students, who had had 1 to 3 years of experience in the elementary school with all forms of circles, were quick to initiate circles themselves by seeking out help with relationship issues, potential fights, and other conflicts.

Although the three schools in the South St. Paul district represent the focal point of this case study, it is also of interest to note similarly positive outcomes in other locations throughout the state.<sup>4</sup> Reviewing just two anecdotal examples,

- At Princeton High, an estimated 18 in-school suspension and 30 out-of-school suspension days were saved in 2000-2001 as a result of administrators sending students to a circle in an attempt to prevent a suspendable event—as one put it, “After screaming, but before a fight.” Moreover, behavioral referrals declined substantially, from 1,940 in 1998-1999 to 1,478 in 2000-2001 (again, with no change in the baseline population).
- In the Minneapolis Public School System, both Nellie Stone Johnson Elementary and Ramsey International Fine Arts Center (K-8 schools) reported out-of-school suspension reductions of 63% and 45%, respectively, between the beginning of their circle training (2001-2002) and its full implementation (2002-2003; see Note 2). Both schools pursued a comprehensive approach in terms of encouraging employees to use circles, enjoyed positive administrative support, and benefited from strong staff leadership.

### *Experiential Accounts*

To a large degree, the experience of Minnesota DCFL with restorative practice as an alternative to zero tolerance policies cannot be captured in quantitative data alone. Each participating school, and many individual participants, had numerous examples of transformational experiences that occurred in the process of employing these approaches.

On one hand, some staff expressed concern about the time required to implement a restorative response to incidents formerly processed by traditional quick fix methods. On the other hand, a number of student and teacher reactions have been quite positive, and small examples of cultural change in some schools provide hope for the future (e.g., many reports of former enemies resolving their differences and becoming friends). There are also stories from teachers indicating their support for the program and the benefits they feel it offers. For example, one teacher at Kapiosa Elementary School reports that as

students as well as parents that I have worked with for the past 2 years are exposed to the process . . . they use positive language in dealing with peers, teachers, and other people they see on school grounds. I have seen less violent classroom and playground behavior, as my students think about the impact of their actions. They seem to have more control of the way they treat others, and it carries over [reciprocally] into being treated well.

However, that does not necessarily mean that restorative justice is a speedy solution—or that all problems are solved in the first attempt. To the contrary, a slow, patient, problem-solving attitude is essential, and sometimes several circles are actually needed before achieving resolution, as the following case illustrates:



A sixth grade teacher came to the behavior specialist with a problem: a group of girls—who seemed to be friends in the past—were gossiping, teasing, and sniping at each other so much that it was disrupting the entire class. The specialist called a circle with the entire class because all students had been affected by the behavior. Everyone agreed to try to make the class better but, as the specialist said, “Actions did not follow words.” So, along with the teacher, he identified six girls who were causing the most trouble, and the two adults circled up with those girls. Again, the problem was identified, and plans for solutions were discussed and agreed to, but “actions did not follow words.”

For a third time, the behavior specialist and the teacher circled up, this time with three key girls and their mothers. In the circle discussion, it was revealed that each of the girls was running for student council and had been watching the campaigning for U.S. president closely. They thought that when campaigning for office, it was appropriate to attack their opponent—like the presidential candidates did.

With the support of the adults, the girls were finally able to come to an agreement. The social compact signed in the circle by the girls and their parents included an agreement that if two girls were acting or conspiring to exclude another or thinking about saying mean things, the girls would stop and talk about it, make a journal entry, talk to an adult, ask for mediation, and/or ask for a circle. Finally, “actions followed words.”

Nor does embracing a restorative approach negate the use of more punitive, deterrence-based measures. In fact, as described below, there is nothing to prevent both from being implemented simultaneously:

In response to national incidents of school violence, policies related to student threats have changed. As a result, twelve students were suspended or expelled in one district for making “terrorist” threats after the Columbine shootings. The school resource officer held family group conferences on each incident. Even though the students were being punished, he wanted to give them an opportunity to repair the harm they created, and give victims a chance to hear the nature of their intentions. In every case, the students indicated that they had no idea that their behavior was serious, did not realize that it was serious enough to warrant suspension or expulsion, and had no intention, plan, or ability to carry out the threats. Even though the principal admitted that the discipline was severe, he felt he had no other option but to suspend and expel (as district policy directed) to send a message that threats were not acceptable. (Riestenberg, 2003, p. 4)

Although not every student likes the restorative processes, there are many other stories of the positive effects that teachers and students have experienced as a result of such interventions. At the completion of a circle, students are asked to describe their experience with the process. Students tend to indicate that they like the fact that “things got resolved” and “everyone is treated equal.” In the healing tradition of circles, they also report a positive reaction to “seeing progress” firsthand and, for some, “getting my friends back.” In addition, students have expressed greater empathy for others and have noted that the circle helped them understand that, as one student put it, “There are ways of solving problems and going forward” that were not obvious before.

### *Implementation Challenges*

Although both qualitative and quantitative results of Minnesota’s experiment with restorative justice alternatives to zero tolerance appear, for the most part, to be quite promis-

ing, that is not to say that the process has been implemented without challenges. To the contrary, school districts throughout the state experienced difficulties with such issues as

*Providing training:* Everyone involved needed an overview of restorative justice philosophy and practices. This required training, along with subsequent support from the principal and staff to encourage practicing the new capabilities.

*Using restorative interventions in place of (or in conjunction with) traditional sanctions:* The more serious the offense, the less likely this was—district policy sometimes superseded a restorative response. In other words, existing zero tolerance policies often clashed with the intent of the new initiative.

*Consistently applying the principles:* Consistent application of a broad-based effort requires comprehensive endeavors, ranging from initial staff training and orientation to incorporating restorative options into daily classroom management.

*Identifying and supporting advocates:* Offering mentoring and support is essential to keep the momentum going. Many teachers have learned new ways of working with students that they like and find effective, but without on-going support, some have defaulted to the old ways of doing things. By identifying and supporting advocates, they in turn are more likely to inspire and support other staff.

*Providing holistic approaches:* When the majority of staff, teachers, and administrators are familiar with the same concepts, it is more likely that they will respond consistently. In addition, their shared experiences may well reinforce restorative justice principles and improve staff cohesion.

*Offering reflective opportunities:* Anything new will encounter success and failure and raise questions. Debriefing sessions help to continue the training after the trainers have left and enable staff to support and learn from each other.

*Leadership:* The overarching necessity of well-focused, visionary leadership cannot be overstated, not only to provide the encouragement for all stakeholders to embrace the restorative initiative but also to assure that time, resources, and effort are being used most effectively.

It is also noteworthy that there is an emerging body of literature on the latent spillover effects of restorative processes on organizational culture and the development of social capital and collective efficacy (Bazemore & Schiff, 2004). For example, peacemaking circles have been cited as having an impact on conflict resolution, problem solving, community building, and dialogue enhancement. But that is only likely to occur if these processes are applied as something more than an isolated program or technique, that is, as a way to deal with life in general rather than simply responding to some specific aspect of it (Boyes-Watson, 2004). In the school context and elsewhere, a more “communal” organizational culture (Payne, Gottfredson, & Gottfredson, 2003) and the replication of underlying principles rather than operational programs are the critical ingredients.

## Summary and Conclusions

As incidents ranging from extraordinary school shootings to everyday classroom disorder have captured public attention throughout the country, widespread demands to do something have often translated into the knee-jerk reaction of zero tolerance policies. In an era that embraced mandatory sentencing guidelines and three strikes legislation for adults, the popularity of such a definitive, uncompromising message and its no-nonsense repercussions gathered national momentum. Schools enthusiastically embraced the straightforward-

ness of zero tolerance in response to a wide variety of behaviors, some of which may be more personally troublesome than physically threatening. But because it reacts to visible surface violations without addressing their underlying causes, zero tolerance is no more likely to be an effective school-based strategy than it has been in the criminal justice system:

Many Americans still believe that the answer to failures of punitive prohibition is more punitive prohibition. This is close to believing that when a medicine is found to fail and have nasty side effects, the patient should be made to take a double dose of it. Such a belief does not rest so much on a lack of policy imagination as on the sort of fundamental ideology that has given us the backward-looking utopian slogans of . . . “zero tolerance” [and] “just say no.” . . . When arresting half a million Americans last year did not stop illicit drug use, the fundamentalist response was to arrest a million. (Reinarman & Levine, 1997, p. 334)

Likewise, when excluding one or two million students from school in a given year did not stop the behaviors for which they were being punished, the answer was to suspend or expel even more. Perhaps it is time to restore justice in our schools through more imaginative creativity in educational policy making.

Unlike the simplicity of zero tolerance, restorative justice approaches to school-based misbehavior are complex. In contrast to the exclusionary banishment response of zero tolerance, restorative justice is an inclusive process in which students and staff feel a sense of commitment to the school as a mini community. Compared to the mandated inevitability of zero tolerance, restorative justice is a discretionary “together we’ll figure it out” process. Unlike the fixed sanctions of zero tolerance, restorative justice is based on flexible negotiation. This means that in contrast to zero tolerance, restorative justice is a slow, analytical, and time-consuming process. In today’s fast-paced, computer-savvy, one-size-fits-all society, those are not highly valued characteristics.

Indeed, the simplicity, exclusionary practices, mandatory reactions, and fixed sanctions of zero tolerance are intuitively attractive. They are also efficient, demanding (initially at least) relatively little time, attention, or resources. Zero tolerance is pragmatic and expedient. The message is unambiguous, and the response is unavoidable. If criminals (or students) cannot function peacefully in society (or school), remove them from it.

Before it becomes too late to salvage students expressing borderline misbehavior, some schools have begun turning to broader-based initiatives. In that regard, restorative justice is best understood as an integrated process through which all participants are united around the core principles of repairing harm, engaging stakeholders, and transforming relationships, doing whatever it takes to enable offending students to make amends to the satisfaction of the victim and the affected community.

However, this does not mean that zero tolerance and no tolerance practices cannot productively coexist in many circumstances. In fact, an exclusively restorative philosophy is hard to carry through in most schools, where administrators juggle bottom line policies with student needs, staff perceptions, and community concerns. Even in the schools included in this analysis, where administrators were willing to consider a restorative process for holding students accountable for their actions, it was not to the exclusion of traditional options. Although comfort with and interest in restorative procedures has grown, administrators still use a combination of punitive and restorative measures, including circles, conferences, and/or suspensions or expulsions. Given the wide range of students and their behavior, and the wide range of administrators and their philosophies, this multifaceted

combination is the most feasible and flexible approach to meeting the equally diverse demands of widely varying situations.

In this regard, there is a direct parallel with the experience of juvenile justice reform in terms of finding a fit for restorative practices and principles within the broader context of alternate philosophies of discipline and justice. Even as part of a system in which restorative justice is the dominant paradigm, Braithwaite (2002), for example, envisions a pyramid of responses to offenses and offenders wherein the majority could be addressed with restorative practices alone (forming the wide base of the pyramid and continuing though about half of its structure). The remaining smaller group of more serious and/or chronic offenders (the middle of the pyramid) might require a deterrence focus along with restorative practices, especially after one or more efforts to apply the latter result in reoccurring harm. At the tip of Braithwaite's pyramid, incapacitation in some form is needed (again, along with restorative approaches) to control the 5% to 10% of the most serious and chronic offenders who are not responsive to other options. Likewise, it has also been argued that restorative justice could coexist with other interventions while seeking to enrich and transform their application—by, for example, reshaping and enhancing (rather than replacing) the rehabilitative agenda of juvenile justice (Bazemore, 1998; Bazemore & Walgrave, 1999).

As described herein, information obtained from a case study focusing on the implementation of restorative justice initiatives in the South St. Paul, Minnesota, School District indicates that since embracing this philosophy, several schools have generally experienced a progression of positive indicators in terms of fewer suspensions, fewer expulsions, fewer behavioral referrals, and greater overall attendance. Without the accessibility of a comparison or control district in Minnesota, it cannot be stated with any degree of certainty that these outcomes were a direct result of the initiation of restorative justice principles. But even viewed in empirical isolation, the results appear promising, and although the scope of this article did not permit a similarly detailed level of analysis in other Minnesota school districts, anecdotal evidence indicates that the South St. Paul experience is not unique.

In contrast to traditional zero tolerance practices, however, restorative justice is unique. It is a customized approach to misconduct that attempts to balance the often conflicting interests of victims, offenders, school officials, and community members. In contrast to the castaway nature of zero tolerance, it embraces offenders in the security of knowing that although the harm they caused is publicly acknowledged and personally accountable, it is not beyond redemption. In that regard, this approach is not just about restoring justice in our schools; it is also about restoring responsibility in our students, civility in our classrooms, and, ultimately, hope in our communities.

## NOTES

1. This is not, however, meant to imply that either teachers or administrators derive any personal satisfaction from implementing punishments associated with zero tolerance policies.

2. It should be noted that these tables are reported as raw numbers rather than percentages because precise, schoolwide population data were unavailable for the years reviewed. Although this might seem to leave open the possibility that reductions in suspensions might have been because of reductions in the number of students in school, no substantial base population changes occurred during the period under review. Moreover, no change in the districtwide policy of reporting all acts of physical violence occurred during the period of study.

3. Although the culture of the school was not formally assessed in this project, the principal assumed a strong leadership role (in contrast to some of his colleagues in other schools), protecting the restorative project and encouraging (and allowing time for) the use of circles, especially in more complex cases. In fact, the principal himself participated in a number of these cases. This focus was therefore maintained despite the school's loss of the planner position.

4. Ideally, it would have been preferential to include data from matching schools that did not have a restorative justice program. However, because grant funding did not support such a research design, nonparticipating schools did not collect suspension and expulsion data in any systematic way. Including statistics from them would therefore be methodologically flawed, given the lack of consistency in the manner in which outcome variables were defined, reported, and coded. The authors realize that the additional accounts included here, while providing further anecdotal evidence, do not permit strong, empirically based, causal inferences.

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