



VALUES AND ETHICS IN EDUCATIONAL ADMINISTRATION

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FROM THE ERADICATION OF TOLERANCE TO THE RESTORATION OF SCHOOL COMMUNITY: EXPLORING RESTORATIVE PRACTICES AS A REFORM FRAMEWORK FOR ETHICAL SCHOOL DISCIPLINE

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Abstract

This article addresses a conflict that exists in many schools' discipline philosophies regarding exclusionary practices. School administrators are commissioned to, above all else, consider the safety and physical well-being of the child. This mindset might compel a leader to adopt a zero tolerance stance with students who engage in activities that threaten (or potentially threaten) this fundamental ideal. Removing such students from the school community has become common practice for many administrators. Does the removal of these students make the school safer? Are current policies interrupting the moral formation of students, and thus actually making our schools less safe? The impact that exclusionary practices can have on the community might warrant a significant reform of this common practice. Restorative practices may give an ethical alternative to exclusionary discipline. A framework is presented and discussed for such a reform. The problem of implementation of restorative practices is explained and an argument is made for further research to explore theories on this topic.

Introduction

Tolerance, although embraced as an ideal in a range of social exchanges and modes of associated living, has been a dirty word in school discipline policy for many years. School must be safe. For schools to continue to strive to reach their purpose and vision, it is important for leaders to maintain a safe environment to which parents can send their children and in which children may acquire the safe haven required for academic endeavors. As schools across the country continue to work to increase academic rigor, there has been a significant increase in the punitive sentences issued for students exhibiting behavioral concerns. In most cases, this may be an effort to safeguard academic interests, and in the long run, the interests of the school and school leaders (Hirschfield, 2008).

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As a result of such thinking, zero tolerance policies have sprouted across the landscape of education in the U.S. Zero tolerance policies are defined as school discipline policies that contain pre-determined minimal punishments – typically suspension – for students who engage in certain behaviors. The punishment is issued without consideration of the context, offender rehabilitation, or victim reconciliation, and with a consequence that is considered “severe” (Mateer, 2010). Most zero tolerance policies require that offenders are excluded from the school community for an extended period of time; in some cases, students are permanently removed. Yet, however well-intentioned these policies may be, evidence has emerged to indicate that strict penalties may have unintended outcomes. A recent study analyzing zero tolerance policies related to drug and alcohol infractions revealed that such policies have placed an emphasis on rule-following over the institutional goal of an educated community (Stamm, Frick, & Mackey, 2016). Further, these tools (policies) confine administrators to respond in a manner that exhibits equality, but do not allow for equity, fairness, or the latitude to act in the best interest of the student (Stamm et al., 2016). The first step to argue for an alternative model to zero tolerance is to clearly articulate a need for changing the status quo.

The Need for an Alternative

Schools need to be able to meet basic human needs if they are going to be a constructive institution within society. Although one may argue that feeling safe is a necessary prerequisite for academic flourishing (Maslow, 1943), it may be time to look at truly protecting our students instead of maintaining appearances. Schools are designed to help protect our students from health threats outside of the school; however, as school violence continues to make headlines, the concern for safety may require school leaders to face the threats that lie within the school walls. Social stability may be a transcendent goal of schools to help facilitate community transformation.

There is an irony that we find in schools in the U.S. regarding efforts to make schools a safer place for our students. The most common reaction to students who exhibit unsafe behaviors is to enact exclusionary discipline consequences (through zero tolerance policies) on the child. This, in turn, separates the students from their peers and creates a sense of isolation. We know from analyzing offenders of school violence that a feeling of alienation is an accelerator and motivator for school violence and promotes rampages at school (Newman, Fox, Harding, Mehta, & Roth, 2004). What we are currently doing to make our schools safe is actually making our schools less safe, according to what we know about school violence offenders. Therefore, a goal for educational leaders is to deal with offensive behavior in a highly controlled and highly supportive environment that does not alienate any member of the

community, including the victim and the offender. Thus, an alternative approach could be, at the very least, a useful tool to be operationalized in some capacity to make schools a safer and more stable environment for our students.

Perhaps the safety of the physical body of our students is not the most significant threat that these zero tolerance policies and exclusionary discipline practices impose upon our students. What about protecting our students’ opportunities to develop morally? Covaleskie (2013) has argued that it is in the school where students are educated not only academically, but also morally, through the process of developing democratic virtue. Morality is developed through the internalization of norms that are constructed through exposure to community expectations (Covaleskie, 2013). It is not simply enough to know the rules and follow them because of a systematic dispersal of carrots and sticks; instead, it is important that our students internalize norms by considering the intrinsic value and rightness of an action. Of potentially greater concern is the ability of society to care for all students. For a democracy to work (or to work ethically), it is important that we have a morally conscience population. Schools may try to achieve this by training students to “mind their manners” or be subject to discipline procedures. Alternatively, it may be beneficial for school administrators to emphasize the concept of care by modeling compassion and understanding as a more purposeful approach to giving value to student voice and community building (Noddings, 1992). In fact, when schools enact policies that limit the students’ space to think about or consider their actions beyond threat of punishment, we rob our youth of a crucial opportunity for moral formation. A less paternalistic approach may serve as a hallmark for not only resolving discipline issues in school, but also helping students internalize these values in such a way that protects democracy and our society as a whole. Therefore, what has been presented here is the need for an alternative to zero tolerance discipline policies and practices in schools. In the next sections of this article, a different approach (restorative justice) is defined and advanced as a viable and ethically superior replacement.

The Theory Behind the Practice

The relationship between students and educators has been thoroughly studied and determined to be a chief aspect of schooling (Roorda, Koomen, Spilt, & Oort, 2011). Within the vast array of concepts dealing with the roles and interactions that exist between students and school staff, it may be necessary to introduce a framework to help one understand restorative practices. When looking specifically at the custodial relationship between a student and an educator, there exists a spectrum of styles that can be explained using the harsh-liberal cycle. This cycle is the repercussion of harsh punishment that results in an exclusionary system (or corporal punishment) in which individuals are estranged

from the community and, as a result, may continue to have issues with acting morally. If the system seems to be flawed due to its punitive and uncompassionate nature, then reforms may swing to promote permissiveness. Once the system becomes permissive in nature, the transgressions are blamed on the tolerance of the discipline/court system and reforms begin to move back toward a punitive approach (Wachtel & McCold, 2001). This tendency to shift from one extreme to the other creates a repetitive and unending cycle (Wachtel & McCold, 2001). This shift within the legal/school discipline system forms individuals, including both teachers and students, who have differing experiences along the punitive-permissive continuum (McCold & Wachtel, 2003). Such varying experiences among educators also result in a multitude of diverse values as they relate to discipline practices.

From this framework, one could predict two extreme education styles that mirror two of Baumrind's (1971) parenting styles. Authoritarian educators would find themselves within a punitive worldview with the belief that strict discipline will result in desired outcomes (Wentzel, 2002). These educators tend to believe that this is not only an effective approach for managing classrooms for discipline, but also that it promotes academic achievement (Dever & Karabenick, 2011). The contrasting approach described by the spectrum would be the permissive educator. The permissive educator allows students to forge their own understanding in hopes that self-regulation will occur, yielding a more enriched and sustainable moral formation (Grolnick & Ryan, 1989).

The theory supporting restorative practices can be framed using the Social Discipline Window (Wachtel & McCold, 2001). This concept, which helps one understand the goal and operational philosophy behind restorative justice, may be used to gain an understanding of a "restorative mindset." As one dabbles with the idea of espousing restoration as a means to address safety concerns, it begs the question: Is tolerance essential to the process of developing a truly safe and moral community?

To understand this concept further, it may be beneficial to see the spectrum of educator practices as more than a one-dimensional, single-axis continuum. The Social Discipline Window theory (Wachtel & McCold, 2001) offers a framework for understanding these roles and relationships further. One can frame these roles within the custodial culture of a school by examining two comprehensive continuums: control and support (Wachtel & McCold, 2001).

Control is defined by having influence over an individual or situation. The amount of control that an educator has with a situation is in direct relationship to how much the educator restrains the student or influences outcomes. The modern education system might refer to a requirement for uniform, controlled behavior as simply

having high expectations for all students (Savory, Goodburn, & Kellas, 2012). The extent to which the expectations for each child are known will determine where the educator lies on the control spectrum.

Support is defined by the provisions offered to an individual to aid in their ultimate flourishing and fulfillment of potential. Support is the world in which schools situate themselves. Special Education and English as a Second Language laws are all constructed around the idea of offering equitable support for students (Salvia, Ysseldyke, & Bolt, 2012). High support on this spectrum would include a significant amount of reactivity to student requirements along with authentic and appropriate responses to students' academic, social, and emotional needs (Wachtel & McCold, 2001).

Situating both axes perpendicular to one another creates a plane by which school workers can frame their custodial relationship with students (see Figure 1).

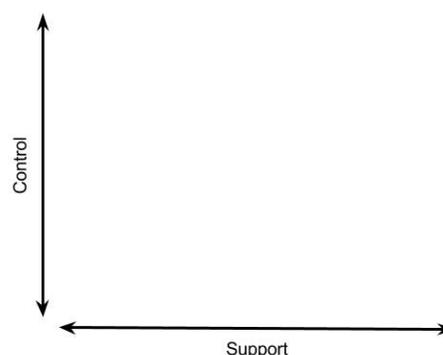


Figure 1. Social Discipline Plane (Wachtel & McCold, 2001)

The Social Discipline Window theory is based on the ability to reflect and define one's practice within these two continuums, and plot that position on a plane. A simple version of the model defines each of the continuums as either high or low (Wachtel & McCold, 2001). This results in four basic quadrants of the model (see Figure 2).

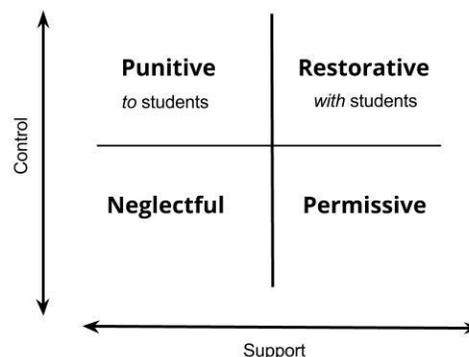


Figure 2. Social Discipline Window (Wachtel & McCold, 2001)

When looking at the top left quadrant (high control, low support), educators are strict and offer little help to students (Wachtel & McCold, 2001). This is where zero-tolerance policies and other punitive practices can be found. The bottom left quadrant (low control, low support) is defined by educators that have no expectations for students and, because they do not see a reason, they provide no help. This is considered neglectful practice. The bottom right quadrant (low control, high support) is a permissive style. These educators tend to allow for lower quality work and behavior expectations. Finally, the top right quadrant (high control, high support) is given the moniker “restorative” (Wachtel & McCold, 2001).

One of the key theories behind restorative justice and restorative practice is a shift from the punitive quadrant of the Social Discipline Window to the restorative quadrant (Wachtel & McCold, 2001). To accomplish this shift, one would need to add support to the act of responding with discipline. While punitive discipline responses are being done *to* students from a place of paternalistic power, restorative responses seek to devise discipline *with* students from a place of inclusion (McCluskey, Lloyd, Stead, Kane, Kiddell, & Weedon, 2008). The movement from one quadrant to the other is foundational for those implementing restorative practices (Wachtel & McCold, 2001).

The theory behind restorative practices is one that is in direct opposition to the arguments made earlier in favor of zero tolerance policies. In order to make an argument for restorative practices as an ethical discipline policy reform, one could explore how this would be pragmatically lived out in a school.

A Glimpse into Practice

Restorative justice and restorative principles are set apart from the status quo of U.S. school discipline policy due to three significant factors:

- The focus of providing necessary support to all parties involved, including the offender and the victim.
- A focus on rehabilitation for the offender, specifically regarding Braithwaite and Braithwaite’s (2001) theory of reintegrative shame.
- The focus on the community as a key component to the process of enacting effective discipline responses.

Perhaps all three of these can be understood by exploring the use of shame as a necessary affect to foster students’ moral development (Covaleskie, 2013). If a school is interested in the important work of allowing students to develop a conscience, then school leaders need to consider how communal experiences are necessary for this development. A conscience is developed through

one’s understanding of who they are and their relationship with others (Covaleskie, 2013). It is through the internalization of what one knows to be right that an individual becomes moral, and this happens socially. However, in traditional educational settings, the process is likely to be interrupted. Restorative practices allow for the difficult yet crucial formation to happen, intentionally creating moments for students to see their actions and the harm their choices have caused. This ultimately fosters shame based on students’ own determination of right and wrong. Restorative practices break through the cold, lifeless process of delving out punishment in order to enter into a world of human connection, deemphasizing broken rules and instead lifting up broken people, broken community, and our collective moral commitment to do what is right.

The three distinct differences may be exemplified through restorative conferencing, which is a hallmark practice of the alternative discipline design (Wachtel & McCold, 2004). In order to envision this practice in action, consider a situation in which a student defaces the side of the school building with spray paint. In a traditional setting, the school administrator would use the code of conduct to determine the number of days the student would be suspended. The student would lose instructional time, possibly be left at home without supervision, and may return to school with a new or deepened sense of alienation from the school community.

The alternative to this common practice would be to conduct a restorative conference. During this conference the administrator would invite pertinent members of the school and neighborhood community to participate in the decision-making process. The administrator might invite the neighbor who was unhappy with the graffiti, the maintenance person who had to remove the spray paint, the teacher whose class was disrupted during the removal process, and the family of the student. The conference is a highly controlled environment in which everyone is able to focus on how they were affected by the actions of the student. The student is able to express to the group what s/he was thinking at the time and reflect on how s/he has affected the community. Ultimately, the group collaborates on how the student can make amends. This process is completely different from a pre-determined punishment. Instead, the focus is how to reconcile the student’s place in the community so that the student can flourish as a fully accepted and restored member of the group. The group may decide that the student needs to write an apology to the teacher and the class that was disrupted, serve 10 hours of community service with the school maintenance crew after school, and help keep that area clear of trash for the semester. After this conference, a contract is signed by all parties. The conference ends with a time for the group to have a snack and fellowship with one another.

The stark contrast between the traditional and the restorative approach is dramatic. The question then arises: Do restorative practices help educators achieve the goal of educating students for a better society? Next, a case for restorative practices as a means for leaders to depart from zero tolerance regimes is explained.

The Case for Restorative Practices

As an educational leader contemplates restorative practices, it is prudent to ponder the pragmatics of a restorative justice approach. Although a school or school district may be compelled to shift its approach based on theoretical arguments alone, it would be beneficial to analyze the outcomes already happening as a result of changing disciplinary policy and practices.

A quasi-experimental study in a large district in Virginia containing 23 high schools looked specifically at the implementation of threat assessment guidelines in the school district (Cornell, Gregory, & Fan, 2011). Threat assessment is a departure from zero tolerance as schools are compelled to consider context and abandon the “one size fits all” approach to discipline. The guidelines required that in lieu of exclusionary discipline, schools use restorative practices to help students learn the harmful consequences that their actions had on others. Schools that implemented these guidelines boasted a 52% reduction in long-term suspensions and a 79% reduction in bullying (Cornell et al., 2011).

A study using student surveys from a variety of high schools in two large school districts showed a link between the implementation of restorative practices and narrowing the disciplinary racial gap (Gregory, Clawson, Davis, & Gerewitz, 2014). This study looked at outcomes, including students’ perception of a positive relationship with their teachers. Classrooms with a high level of restorative practice implementation had fewer disciplinary issues related to rebelliousness and delinquency, as compared to classrooms with a low level of operationalization. The study concluded that the gap in the average number of misconduct/defiance referrals between Asian/White and Latino/African American students was narrower in high restorative practice classrooms than in low restorative practice classrooms (Gregory et al., 2014). Denver Public Schools also saw results from restorative justice practices that helped maintain an ethical discipline reform movement with respect to racial categories and overall fairness (González, 2014). The study showed a 47% decrease in suspensions across the district. Other notable outcomes from this study included a disproportionate decrease in suspensions for Black and Hispanic students, and a significant increase in test scores for each of the racial subgroups in the district (González, 2014).

Although a reasonable argument has been made for restorative practices as a basis for repairing educational discipline policy, it is crucial to consider areas in which more thought and research are needed.

Discussion, Concerns, and Further Research

Restorative justice is a far cry from a traditional discipline policy rooted in judgment and punishment. The shift from a traditional discipline policy to the restorative mindset includes dramatically different concepts such as “moral learning, community participation and caring, respectful dialogue, forgiveness, responsibility, apology, and setting things right or making amends” (Adams, 2004, p. 3). These ideas are difficult to mandate within policy and organizational procedures. Instead, the heart of restorative justice may be within the hearts and mindsets of the people who are implementing it (Cameron & Thorsborne, 2001).

School communities may choose to write restorative justice into their discipline policy for a variety of reasons, including a response to a discipline event or series of discipline events, a response to the ineffectiveness and harmfulness of exclusionary discipline practices, or perhaps through a visionary leader or community searching for a more virtuous manner to deal with discipline. Columbine High School responded to its tragic shooting by implementing zero tolerance policies and creating a narrative which implied that a sect of children did not belong in school and needed to be excluded (Artello, Hayes, Muschert & Spencer, 2015). However, after studying the effects of exclusionary discipline within its school setting, Columbine has since turned to restorative practices (Muschert, Henry, Bracy, & Peguero, 2014). This decision was congruent with the needs of the Columbine community and the philosophy of community building that is at the center of restorative practices (Varnham, 2005). Chicago Public Schools has been under the microscope for years due to their discipline practices and the perception of a lack of safety. Exclusionary discipline, which has disproportionately affected minority groups, has drawn special attention. Chicago’s schools have begun the process of integrating restorative practices within their district discipline policy (Sartain, Allensworth, Porter, Mader, & Steinberg, 2015). Additionally, restorative justice is not only an approach for schools within the United States. In New Zealand, many schools are making the effort to integrate restorative practices (Wearmouth, Mckinney, & Glynn, 2007). Studies have shown that schools in New Zealand have also experienced positive outcomes and the popularity of the practice is beginning to make headway (Wearmouth et al., 2007).

Two themes emerge in cases where restorative justice has been implemented as a district-wide policy. First, implementation of restorative practices does not generally replace a traditional policy, but instead one supports the other; either restorative practices supplement the traditional, or the traditional discipline practices supplement the new restorative philosophy. In other words, restorative practices in the examples highlighted previously did not eliminate exclusionary

practices (Wearmouth et al., 2007; Sartain et al., 2015; Muschert et al., 2014). A second theme is a consistent issue with the implementation of restorative practices due to incongruent values and beliefs about students and the worthiness of restorative approaches within schooling (Wearmouth et al. 2007; Sartain et al., 2015; Muschert et al., 2014). Understanding these issues could prove to be valuable for leaders considering restorative justice approaches in both policy and practice.

Discipline policies that incorporate restorative practices consistently include many provisions they are intended to eliminate. For instance, in Chicago Public Schools, restorative practices are used as a way to prevent suspensions, but the policy is still written so that consequences for offenses can be exclusionary, such as suspension or expulsion (Sartain et al., 2015). This practice is utilizing restorative justice as a supplemental prevention tool. This use of restorative practices is similar to how a discipline policy calculates parent contact or principal conferences as preventative. Another use of restorative practices that has become more commonplace is a practice called suspension reduction or suspension diversion (Drewery, 2004). This policy works by sentencing a student with the traditional code of conduct, but then giving the student a chance to reduce the suspension or eliminate it altogether if they choose to engage in restorative conferencing. This practice is congruent with the philosophy that restorative practices must be engaged in voluntarily and the student must feel integrated into the school before restorative practices can be effective (Bazemore, 1999).

Although restorative justice as a philosophy has been adopted by many school system boards of education, one major point of concern for proponents of restorative reform is the issue of implementation fidelity. For instance, tensions manifested due to the restorative justice reform in a school in Australia. Researchers found that school administrators at this school were prone to a control mindset, resulting in a direct conflict with the principles of restorative justice. The control mindset is the idea that for schools to operate well, teachers and administrators are the sole authority of discipline decisions (Cameron & Thorsborne, 2001). This is a paternal mindset with the underlying belief that educators are more equipped to know what is best for discipline actions than the community, the victim, or the offender. Cameron and Thorsborne (2001) concluded that the reason for implementation issues is due to a mindset that may need to be adjusted before proper implementation can take place. The study also proffered that the mindset is manifested in the organization through its structures, such as a decision-making bottleneck that can occur among administrators (Cameron & Thorsborne, 2001). Other implementation concerns include the ability of implementers to work in collaboration with groups of different mindsets. In the study of the New Zealand school mentioned previously,

it was determined that some school leaders might have difficulty with the restorative justice process if they were not sensitive to cultural mismatch (Wearmouth et al., 2007). This is another instance where the mindset or worldview of the implementers was of interest for implementation fidelity. In a different study of Ontario schools, a similar finding indicated that it is necessary to consider cultural aspects of the school which may include the worldview and mindset of teachers for the purpose of sustaining restorative reforms (Reimer, 2011).

Further, and more broadly sociological, understanding honor culture could be paramount in understanding the struggle of shifting discipline practices (Brown, 2016). First, one must understand the influence that teachers have on discipline within a school. It is the job of the principal to carry out most major discipline policy; however, it is also the job of the principal to ensure that the policy is both fair and *perceived* to be fair. This can include consideration of an outward public perception of the decision and the inward staff perception. According to research done by McMahan and Sharpe (2006), school policies around the United States are not aiming to help the student who committed the offense or to deter him or her from committing another offense; instead, the student becomes a message to others. Knowing that these policies are ineffective, one must ask who the message is for and who is listening. While there needs to be more research done on the topic, one could assume that teachers are listening. In fact, there may be a specific cultural group in the United States, particularly in southern states, that would be especially concerned with how a situation is handled to maintain a reputation. The work of Dov Covey and Richard Nisbett has made a compelling argument that people who align with an honor culture mindset may be prone to insist on maintaining reputation during times of turmoil (Brown, 2016). It would be important to know whether there is a connection between an honor culture mindset and a resistance to implement restorative practices.

Upon analysis, a major gap in the current restorative justice literature is the lack of depth regarding problematic issues of implementation. Although many studies noted concerns and speculated on their origins, none have deeply investigated the experience of individuals struggling with using restorative practices. This significant deficiency in the scholarship needs to be addressed in order to build an appropriate theory of action for understanding and improving reform policy and corresponding practice.

In considering next steps and advancing an agenda, it is important to acknowledge the downfall in training teachers about the nuts and bolts of restorative practices without including the heart. It has become easy in education to tackle every issue as if the only problem is that of knowledge or comprehension – with a mistaken belief that there exists enough trainings, workshops, or required readings to make the adjustment necessary for

sustainable change. Instead, the important work may be in the relationships and conversations around the values of restorative practices. Also, it is imperative to understand where educators are coming from. Along with our students, our staffs' core values and moral compasses have been formed based on experiences and influenced by social cues (Covaleskie, 2013). Perhaps one avenue that could be explored further is in the arena of the core values of teachers and school leaders who are implementing restorative practices.

One area in schools that has made major headway with shifting from an exclusionary mindset to an inclusionary mindset is special education. Watkins (2014) believed that essential core values are necessary for teachers to work effectively in inclusive education; therefore, it should be addressed in initial teacher training and be evaluated as an essential competency for the profession. One way that a leader could combat conflicting core values is to establish core values of inclusivity as an organization. For example, a visionary leader may make it known that at this school or district we value working with students who are exhibiting behavior problems. It is important to note that the visionary leader is espousing a value, not a policy. This could help to eliminate personal preference for exclusionary practices. Leaders also need to recognize and intentionally interrupt the exclusionary core values of the institution of schooling. From grading practices to academic opportunities to discipline policies, the institution of schooling has a long, deep-rooted history of tracking and sorting. Transformational leadership may steer schooling in a way that fosters a sense of community, responsibility to all of our students, and an inclusionary mindset in those we lead, while at the same time setting up structures and making efforts to intentionally interrupt the exclusionary core values within the institution itself.

One might frame tolerance as a means to allow freedom even when one does not agree. For tolerance to exist, one must listen, understand, and be willing to act in a way that might go against personal interest and a need to maintain the status quo. The central hypothesis of restorative justice practices maintains that students are better off, more cooperative and creative, and more likely to be formed morally when those in positions of authority are with them, instead of carrying out punitive policies on them or overlooking misbehavior as a result of them. What if tolerance was the key ingredient that could make our schools a fair, just, and safe place for our students? Simply enacting policies and mandates will not be enough to cause the change needed for restorative renewal. Schools need to work to change the mindsets of the adults implementing the practices before expecting change to occur. The time has come to consider reframing our school communities' discipline strategy by embracing tolerance through an inclusionary mindset in the realization of restorative practices.

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