CIRCLE IN THE SQUARE
Circle in the Square

BUILDING COMMUNITY AND REPAIRING HARM IN SCHOOL

Nancy Riestenberg
DEDICATION

To Bob, for encouraging the believing self;
to Jono, for making this project normal, like walking the dogs;
to Katherine, who said I should do this in the first place.
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Foreword

Schools are arguably the largest youth-serving organization. Their mission is to provide the academic knowledge every student needs to graduate. But their mission also includes helping students manage their own behavior and become positively contributing members of the larger school community. Schools may not be able to do a lot about all the adverse experiences that students start school clothed in or are further burdened with from outside of school as each year moves along. But they can establish an environment that welcomes all students, supports them to do their best learning, and holds them to clear expectations of behavior once they enter school doors.

School staff also knows that what happens outside of school can and often does affect what happens in school. The staff need to be prepared, therefore, to address off-campus problems that affect school learning. This is why the philosophy and practice of restorative justice or restorative measures are so beneficial for schools. They help to keep students in school and, when a student is suspended, to reconnect after the suspension period. A restorative approach provides a way to build community, while also intervening with problems in ways that can be transformative for all involved. Restorative approaches help to shift the dominant social norms from “power over” to “power with,” talking “with” instead of talking “at,” and “we centered” instead of “I centered.”

Along with restorative approaches, unifying messages can also help to shift social norms from problematic to helpful. When I worked as the violence prevention consultant for a statewide violence prevention campaign in Minnesota, “You’re the One Who Can Make the Peace,” one of the best parts was reviewing
the applications of those nominated as “peacemakers of the month.” Statewide, young people and adults were encouraged to tell their stories of small and large actions that demonstrated they’d done something to help make the peace. In addition to naming monthly winners, we selected one annual winner.

The power of restorative approaches and the importance of building on strengths is evident in the example of a student named Tara Theilman. In 2000, Tara jumped out as a peacemaker, but her journey there was far from easy. In middle school, she wanted to be a peer mediator. At that time in her school, students like Tara with physical and learning disabilities and a history of behavioral and social problems weren’t selected to be trained as peer mediators. Fortunately for Tara, all that changed, and she had the opportunity to be trained over one summer.

The following fall, with the well-documented protective factors of feeling more competent from her training, a sense of having something to contribute, and a caring connection with a few key staff, Tara faced a sizable challenge to her progress when she was nominated for homecoming royalty. All nominated homecoming royalty were to walk in front of the entire student body. While this was usually considered an honor, Tara and others knew that she’d been selected as a cruel joke.

Tara could have become a statistic—a student who had been picked on and had picked on others. Now publically degraded, she had reason to be very angry and to take her anger out on the student body. She had access to a weapon. Fortunately for all, Tara’s new skills and protective factors led her to use a very different kind of weapon. In all the assessments of Tara’s problems, most had missed considering her strengths. Tara was gifted at writing songs. This—what some have called “weapons of construction versus weapons of destruction”—is what Tara decided to present at the talent portion of the assembly. She sang a song she wrote, “Take Me as I Am.”

Some students still heckled her, some shed empathetic tears,
and some apologized. But their responses were not as important to her as her decision to do what she did and her strength to carry it through. She felt great and eventually became our peacemaker of the year.

Years later, Tara told me she wound up at a small community college, and one of her tormentors was there too. Again, she met the challenge face-to-face: they had what this book refers to as a “restorative chat.” The outcome for Tara was the reaffirmation that she could make the right choice, face an adversary, and attempt to “make the peace” through restorative measures.

Nancy Riestenberg’s book is ripe with stories such as this one. The stories bring to life the theories of restorative justice and, along the way, they touch readers’ hearts and imaginations. This book is a much needed tool to help stimulate creative thinking. It challenges the mind-set of “that’s just the way we do things.” And it really helps readers think about the importance of responding to harms not just in tougher ways but also in smarter ways and of facilitating among young people the possibility of “doing the right thing.”

Cordelia Anderson, MA
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Everything I know about restorative justice (RJ), I learned from the restorative justice community, a community that spans county lines and national borders. I quote many of these professionals and community members from conversations and correspondence I have had with them over the years. I want to name in particular some of my Minnesota partners, people with whom I have had the privilege to work, to plan, and to learn. First, my first and best mentor, Cordelia Anderson, showed me that the main part of teaching lies in the listening. I have had the privilege to work with wonderful public servants, often under the radar and seldom acknowledged: Jeri Boisvert, Mary Ellison, Greg Herzog, and the folks at the Office of Justice Programs at the Minnesota Department of Public Safety. At the Minnesota Department of Corrections, Kay Pranis, Tim Hansen, and Paula Schaefer. Susan L. Stacey taught me that writing a curriculum could be fun, like making a quilt.

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A Note about Minnesota

Minnesota, home to the headwaters of the Mississippi, has a population of 5.2 million people. Its almost 900,000 public school students—kindergarten to grade 12—attend school in 350 school districts and 154 public charter schools. The student populations consist of 75 percent European American, 10 percent African American, 6 percent Asian American, 7 percent Hispanic, and 2 percent American Indian.

These categories include long-term residents, migrants, and, except for American Indians, immigrants. The largest recent immigrant groups to settle in Minnesota include the Hmong (the hill people of Laos and Cambodia), the Somali (the West Bank in Minneapolis has the largest urban Somali population outside of Mogadishu), Chicanos and other Spanish speakers, and people from the former Soviet Union. During the past two years, Minnesota has seen an influx of Karen, Chin, and Karenni people from Myanmar (Burma), Iraqis, and people from Bhutan in South Asia.

Eleven American Indian Nations are land based in Minnesota. The Dakota (sometimes called the Sioux) and the Anishinabe or Ojibwe (sometimes called the Chippewa) Peoples are the Original Peoples rooted in this region. The Ho-Chunk have also resided in this region. Minneapolis has one of the largest urban American Indian populations in the United States. Residents and citizens come from many American Indian Nations. The Tribal Nations in Minnesota have gone on record as preferring “American Indian” as the general term for the Indigenous Peoples of the state. People quoted in this book also use the terms “Indigenous Peoples” and “First Nations.”
CIRCLE IN THE SQUARE
Introduction

For the past seventeen years, I have worked as the violence prevention specialist for the Minnesota Department of Education in the Safe and Healthy Learners Unit. Part of my job has been to help school districts implement prevention education and other programs to improve the school climate. Many of these school districts received grant funds to do this work. In 1998, I was assigned the job of providing technical assistance for the In-School Behavior Intervention Grants. Four school districts received funds to use restorative practices and then evaluate their use.

The outcomes were promising. The schools began using Circles as a discipline process when rules were violated and as a means of repairing harm. They also held regular community-building Circles in the classroom. As these practices grew, both out-of-school suspensions and behavior referrals to the principal’s office went down. It was early evidence that using restorative justice principles and practices in school could help prevent harm in a school and reduce violent behavior.

Part of grant management involves collecting both quantitative (numbers) and qualitative (stories) data. Although the lower number of suspensions and discipline referrals for schools in the grant program clearly indicated positive changes, it was the stories that fleshed out how these changes were happening. One of the stories submitted in a grant report described an incident involving four third-grade boys.
Racial Harassment

“A third-grade boy made a derogatory comment to three other boys about their race. The restorative justice planner facilitated a Circle of understanding. Through the Circle process, the victims explained what the comment reminded them of. One said it reminded him of an uncle being shot by a White man who called him the same name as he was shooting him. Another said the comment reminded him of a movie that has ‘those people dressed in white doing mean things to us.’ Another victim said, ‘It hurt my heart badly and I need to do something about it.’ The offender/applicant explained that he then understood that what he said was wrong. The students became friends and play together daily.”

I was impressed that the boys in the report could speak so directly about their feelings and experiences on this painful incident. I have asked many adults what they would want from someone who made derogatory remarks about them. They have replied: “to not say it again,” “to apologize,” “to make sure that others don’t talk that way,” and “to be respectful in the future.” These three young boys did not want their classmate to be suspended, though this was the consequence for racially derogatory language in the school’s student handbook. Instead, they wanted the boy to be their friend. A friend is respectful and does not say mean things. When he does say something mean, he apologizes in word or action, and he sticks up for you with others. The teacher who facilitated that Circle reported that two of the three students harmed as well as the boy who made the comment were in her sixth-grade class three years later. The boys were still friends. The teacher said the Circle/conference was “like magic.”

Few things in life can truly be called magic. When you look closely or know where to look, you realize that the trick—the coin disappearing from the hand and reappearing behind the ear—is
actually the “magic” of practice. The magician has worked the coin over and over in his or her hand until it “disappears.”

Likewise, a conversation such as the boys had about race is born of practice, which is what enabled these boys to have such a successful and healing conversation. In the particular school that the boys attended, they held a morning Circle each day. Here the students practiced telling their stories about simple things, such as “What is your favorite ice cream?” or “What kind of pet would you like to have and why?” or “Describe a time when you were surprised. Where were you? What happened? How did you feel?” They practiced waiting their turn and speaking only when they had the Circle’s “talking piece.” They practiced listening a lot, as only one person can have the talking piece at a time. They experienced respect, equality, and care.

Human beings are hardwired to be in relationships, and we are hardwired to learn. Either we offer our children healthy, good relationships and then teach topics that will help them have their own healthy relationships, or they will seek relationships with other adults or youth—healthy and caring or not—and learn perhaps more painful, less life-affirming lessons. I am primarily concerned with the safe and healthy development of youth. I believe that if students are safe and healthy, they will learn.

Restorative justice is a set of principles and practices that sees crime and harm as violations of people and relationships. To paraphrase Howard Zehr, author of The Little Book of Restorative Justice, instead of asking the questions, “What was the rule? Who broke it? What is the consequence per the student handbook?” a restorative school’s students and staff ask instead, “What was the harm? Who are all the people affected by it? What needs to be done to repair the harm and set things right, so everyone can get back to learning?”

Restorative measures in schools build community, civic engagement, and relationships. These practices provide structure
to problem solving. In a restorative school, people who harm others are held accountable to the person they hurt as well as to the school community, not just to a student handbook. Students are actively involved in fixing the problems they make. A restorative school is intentional and transparent in providing support to the person harmed as well as to the student who caused harm. A restorative school uses face-to-face communication and problem solving. It involves the community in making decisions. A restorative school looks for the teachable moment, especially when rules have been violated.

Applied in schools, the principles of restorative justice provide adults and children with processes, like the Circle process, for holding students accountable for rule violations, such as fights, bullying, and, in the case of the four boys, “derogatory comments about their race.” But the Circle process and the principles of restorative justice offer more than this. If the Circle is used only to repair harm, then this simple yet profound communication process becomes associated with frustration, anger, and shame. By contrast, if Circles are also used to build relationships and community, then, when you have to use Circle to mend harms, the really hard conversations can look like magic. As with most things, the magic is in the practice. Clarity and reconciliation come as a result of practicing the Circle process.

For restorative measures to be really effective, they cannot be just another process to use when students get into trouble. Rather, they must become a regular part of the classroom experience and integrated into school policy and practice. Belinda Hopkins, author of *Just Schools*, says, “Restorative justice is driven by a set of values and an ethos that emphasizes trust, mutual respect, and tolerance. It also acknowledges the importance of human feelings, needs, and rights. This value base and ethos needs to underpin behavior and the various applications of restorative skills.”3
Sometimes I think that when we as human beings are faced with seemingly hopeless problems, we respond from a lack of imagination. We do the same things we have done before, even if that response didn’t really work. In the moment, we have trouble thinking of a new way of responding. Imagination can bump us out of ruts. Drawing on what we know, imagination twists and turns our knowledge into new and different shapes, forming new connections. To engage our imagination, we have to fill up with a wide variety of stories, pictures, knowledge, and experiences.

For over fourteen years, a variety of Minnesota educators, community members, and law enforcement officials have been trying out the principles of restorative justice. Their goal has been to make discipline in school a teachable moment, so that conflicts and harms become opportunities to guide and to teach—not to punish and separate. Their creativity has taken many shapes. And this decade of work has produced some profound individual stories as well as promising statistics and practices.

This book describes how these schools have been applying restorative principles. Because Circles are so adaptable not only to repairing harm but even more to preventing it, I will also describe the elements of the Circle process and its uses in educational settings. In addition to repairing harm, Circles serve to develop relationships, to build a sense of community, and, in fact, to teach any topic. They can be an effective alternative to suspension and can be used to create safe learning environments, which contribute to academic achievement. The stories and case studies that follow have been gleaned from my work with teachers, principals, behavior specialists, and school liaison officers. In sharing them, I hope to stir your imagination to develop a restorative context and community in your own school—or anywhere that children and youth gather.