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Restorative Justice: A Trauma Informed Approach to Discipline in Schools

TRAUMA SENSITIVE SCHOOLS PART 4

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ctac

THE COMMUNITY TECHNICAL
ASSISTANCE CENTER OF NEW YORK

Objectives

- ▶ Discriminate between restorative and other justice models
- ▶ Describe two main goals of restorative justice models
- ▶ Explain a spectrum approach to restorative practices
- ▶ Identify 2 – 3 practices that fall along a restorative spectrum
- ▶ Discuss the connection between restorative practices and trauma-informed care

Gratitude and honor to all First Nations People who have worked to continue circle processes and keep restorative frameworks alive despite history of systemic oppression.

What *is* “Justice”?

- ▶ **Concerned with fairness**
- ▶ **Differs by culture**
- ▶ **Broad range of issues, including:**
 - Distribution of resources
 - Prediction of consequences of actions
 - Mutual social agreements
 - Responding to harm

What's Familiar?

▶ Retributive Justice

- The main task of justice systems is to correct an imbalance that occurred due to harm or offense
- Correction in the form of punishment
- Proportional to harm inflicted
- Deals with what is “deserved”
- *Not* to be conflated with deterrence or revenge

▶ Deterrence

- Punishment to prevent future offenses or harms
- Prevent individual offenders
- Prevent others from future offenses

Justice in Popular Culture

▶ **Movies & Television:**

- Superhero movies
- Law & Order and other crime dramas

▶ **High Profile Crime Cases**

Restorative Justice

- ▶ **Posits that the main task of a justice system is to fix what was damaged by harm or an offense:**
 - Repair any harm
 - Repair/restore relationships among individuals and in community

- ▶ **Contrast with Retributive and Deterrence Based Systems**
 - Concerned with different goals: scale correction vs. harm correction
 - Differently involves victims and offenders
 - Processes owned and operated by different parties (done *with* people or *for* and *to* them?)

Restorative Justice Conference in Brief

- ▶ **Facilitators meet (pre-conference) with stakeholders separately, ask restorative questions, look for agreement to meet**
- ▶ **Typically meet in a circle**
 - Group guidelines, norms, expectations
 - Talking piece
 - Circle center
- ▶ **Questions focused on story of event and impact, problem solving to repair harm and relationship**
- ▶ **Agreements and conclusions**

The Relationship Between RJ & TIC

- ▶ Person-centered and humanistic approaches
- ▶ Relationship focused
- ▶ Flexible and adaptable frameworks
- ▶ Collaborative processes
- ▶ Holistic view of individuals, relationships, and communities
- ▶ Equal power sharing
- ▶ Participant voice is centered rather than system

What do Justice Models Have to do with Schools?

- ▶ Issues of fairness frequently arise
- ▶ Disagreement over which actions are best after harms/offenses

Example: Jay becomes upset with another student, Lee, in the class and repeatedly demands that he leave him alone, stop talking to him, etc., each time growing louder. The teacher, Ms. K instructs him to stop interrupting the class and her teaching. Jay grows more frustrated after another comment from Lee, stands up and throws his chair. Lee dodges the chair and it hits another student, Pete, causing a small gash in his leg. J leaves the room and is eventually brought to the office and Pete is treated by the nurse.

Restorative Practices

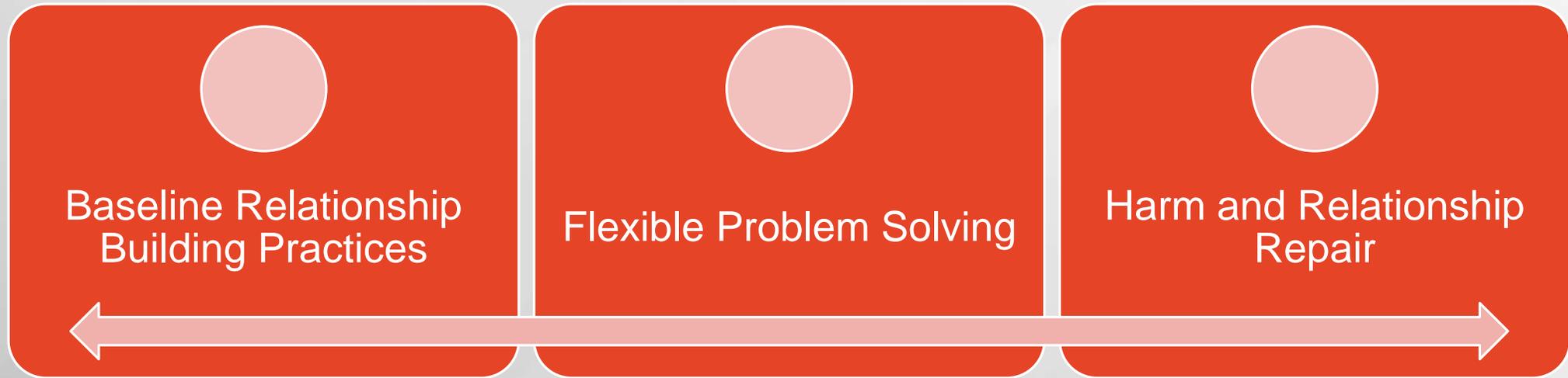
Restorative discipline is unlikely to “work” unless the community is operating from a restorative framework

Informal Circles & Conferences

Community & Relationship Building

Formal Restorative Conferences

A Spectrum of Restorative Practices



Restorative Practices: Affective Statements

Statements that express your internal state as it relates to something external or someone else's words/actions

Affective Statement	Typical Statement
I'm frustrated that you're talking when I'm giving instructions because I want to be heard.	Your talking is inappropriate.
I'm happy to see you completed the whole assignment because now I can see that you understand that type of problem!	Good job!

Affective statements are used throughout day to day conversation under a restorative approach and are not limited to use after a difficult event has taken place.

Restorative Questions:

Questions used after an event that are aimed at determining underlying needs that influenced a behavior, triggering consideration of people who were impacted and figuring out what to do next.

Restorative Questions	Typical Questions*
What happened?	What happened?!
What were you thinking of at the time?	Why did you do that?
What have you thought about since?	You should be ashamed of what you did.
Who has been affected by what you did? How were they affected?	How would you like it if that happened to you?
What do you think you need to do to make it right?	You need to apologize.

Typical and restorative questions may contain the same words but have a different internal orientation and different non-verbal expressions.

Restorative Communication Practices

▶ **Affective Statements with questions or requests:**

- Help receiver understand their actions and words in relationship to the speaker and also others that were impacted.
- “I was really worried when you pushed Carla because everyone’s safety is really important to me. Could you please talk about what happened?”

▶ **Nonviolent Communication™**

- Focused on needs-based consciousness, may be especially helpful as baseline community building practice

▶ **Motivational Interviewing**

- Especially helpful for discussing change with students or adults
- E.g. Discussing pattern of late/missing homework, absences, etc.

Where to Start?: Adopting a Restorative Mindset

▶ Key Assumptions

- Behavior that acts outside a set of expectations, social contracts, etc., is harmful to a person or a community, not a governing power.
- All behavior is an attempt to meet a need.
- Everyone has needs.
- Everyone has intrinsic worth.
- Conflict is inevitable and is an opportunity for relationship building
- Peace, order, justice, etc. are restored after a harmful event by repairing harm done and restoring relationships.

Where to Start?: Adopting a Restorative Mindset

▸ Core Internal Skills:

- Self-reflection & self-empathy: In order to use strategies that humanize us to someone who has harmed us, it's necessary to identify what we are feeling and needing in a given moment. Noticing and being clear about what we'd like allows us to respond in the moment with more choice, and not out of reactivity.
- Assumption of needs-based intentions: Assuming that both ourselves and others are working to get their needs met and that this is the basis of someone's actions and words
- Commitment to curiosity and non-judgment: Orienting ourselves to wondering what is causing the discord between ourselves and someone else and what needs the other person is trying to meet.
- Compassion: A genuine desire to both understand what is going on for yourself and others to improve everyone's quality of life, interactions, etc.

Where to Start?: Communication Skill Practice

- ▶ **Our communication style is habitual and it will take practice to use another skill set:**
 - Practice in low stakes situations
 - Create small practice groups that meet for short periods of time
 - Practice “do-overs” – both internally and externally
 - Recognize that new communication skills will feel clunky, awkward, and uncomfortable

Where to Start?: Community Building Practices

- ▶ **Using circles for morning meetings, closing the day, transitioning to weekends**
 - Follow the 80/20 rule
- ▶ **Academic circles**
- ▶ **Building classroom guidelines together**
- ▶ **Processing an event or situation together**
- ▶ **Avoiding public shaming strategies**
- ▶ **Using de-escalation techniques**

Formalizing Restorative Practices

- ▶ **Examining and revising discipline policies or codes of conduct**
 - Doing this with community and all stakeholders
- ▶ **Building “buy-in”**
 - Building champion practitioners, teams, schools, etc.
 - Growing at a pace you can support
 - Listening and integrating concerns from stakeholders
 - *Dissent as a gift
 - Ensure there is parallel process

Resources: Books

- ▶ Amstutz, L. S., & Mullet, J. H. (2015). *The little book of restorative discipline for schools: Teaching responsibility, creating caring climates*. New York, NY: Good Books.
- ▶ Boyes-Watson, C., & Pranis, K. (2015). *Circle forward: Building a restorative school community*. St. Paul, MN: Living Justice Press.
- ▶ Costello, B., Wachtel, J., & Wachtel, T. (2009). *The restorative practices handbook: For teachers, disciplinarians and administrators*. Bethlehem, PA: International Institute for Restorative Practices.
- ▶ Smith, D., Fisher, D., & Frey, N. (2015). *Better than carrots or sticks: Restorative practices for positive classroom management*. Alexandria, VA: ASCD.
- ▶ Zehr, H. (2015). *Changing lenses: Restorative justice for our times*. Harrisonburg, VA: Herald Press.

Resources: Websites & Organizations

- ▶ Centre for Justice & Reconciliation: <http://restorativejustice.org>
- ▶ International Institute of Restorative Practices: <https://www.iirp.edu/>
- ▶ Impact Report of RP in Oakland Schools: <http://www.rjtica.org/wp-content/uploads/2015/04/OUSD-RJ-Report-full.pdf>
- ▶ Restorative Justice for Oakland Youth Videos: <http://rjoyoakland.org/videos/>
- ▶ Restorative Solutions: <http://restorativesolutions.us/>
- ▶ Zehr Institute for Restorative Justice: <http://zehr-institute.org/>

Questions?



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**Resilience Informed Service Environments (RISE) Learning Community:
Informational Webinar**

February 15th at 12 PM

**Part II: Best Practices in Treating Infant- Early Childhood Mental Health
Concerns**

February 16th at 12 PM

**Trauma Sensitive Part 5: Providing services to students with clinically significant
difficulties following trauma exposure**

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