

RESTORATIVE JUSTICE IN SCHOOL COMMUNITIES

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In response to recent school violence, most schools in the United States have adopted increasingly punitive disciplinary policies. However, some schools have embraced restorative justice practices. This article explores the recent implementation of these practices in school communities in Minnesota, Colorado, and Pennsylvania, examining how school communities can make use of this approach to address drug and alcohol problems and how this approach may offer an alternative to zero-tolerance policies.

Theorists of the American community argue that socialization, moral integration, and social control operate in the context of social institutions (Bellah, Madsen, Sullivan, Swidler, & Tipton, 1991; Sullivan, 1995). "Strong communities," wrote Philip Selznick (1992), "are institution-centered. Their cohesion and moral competence derive from the strength and integrity of families, schools, parties, government agencies, voluntary associations, and law" (p. 370). With regard to crime, the essential argument derived from social disorganization theory is that institutionally strong communities are better able to prevent crime as well as respond to crime when it happens (Bursik & Grasmick, 1993; Sampson, 1995). Schools as an institution at the societal level and as communities at the micro level are a cornerstone for youth socialization and the social control of delinquent behavior. Restorative and community justice programs in the school setting prioritize activities that try to reduce delinquency and find just solutions to delinquent behavior. Moreover, they try to build

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community capacity—to respond to problem behavior without resorting to the criminal justice system and to create a safe and supportive learning environment that effectively expresses the values of the culture (Chavis, 1998; Karp & Clear, 2000).

As a response to juvenile delinquency, the social control practices of two important community institutions—families and schools—need to complement one another. Braithwaite (1989) argued that loving families engage in disciplinary practices that focus on the moral dimension of misbehavior—how the behavior is harmful to oneself or others and the obligation of making amends—and the sanctions families impose are reintegrative. Children may be grounded, but they are not abandoned. The theory behind restorative justice is often associated with Braithwaite's family model of crime control (Bazemore, 1998b; Clear & Karp, 1999; Van Ness & Strong, 1997). When children go to school, they experience a shift to more formal practices of social control, although typically not as impersonal, bureaucratic, and retributive as what they encounter in the justice system. In this article, we examine how the family model of restorative justice is being applied in the school setting. We examine three school-based models, each of which may be characterized by their attempt to strengthen community capacity as they respond to problem behavior.

The focus of this special issue is the relationship between substance abuse treatment and restorative justice. However, the three programs we describe here do not focus specifically on drug and alcohol problems in the school setting (although we focus case examples on such problems). They are comprehensive and often focus on problems of interpersonal conflict. Nevertheless, there are two reasons why these programs are particularly relevant to this special issue.

First, as alluded to earlier, restorative justice programs focus on building community capacity. In this model, drug and alcohol abuse is not merely a problem in its own right but symptomatic of youth alienation, oppositional youth subcultures, and weak community controls. Consequently, restorative practices are not directed simply at curbing drug and alcohol use but changing student culture and strengthening the social ties of youth to conventional people and institutions. This is achieved through comprehensive restorative justice programs rather than ones focusing narrowly on a particular set of disciplinary problems.

Second, although the programs described here are more broadly defined, drug and alcohol use figure prominently in the repertoire of school disciplinary problems. In a 1997 national survey of high school students (Kaufman et al., 2000), 51% had consumed alcohol in the 30 days prior to the survey, and 26% had smoked marijuana. Although most reported that they did not use alcohol or other drugs at school, 32% said that drugs were made available to them on school property. Drug and alcohol use is also a warning sign for other student problem behavior such as poor academic performance and interpersonal conflict (Dwyer, Osher, & Warger, 1998; Gottfredson, 1997). In this article, we examine how three school-based restorative programs respond to drug and alcohol problems and how these responses are located within a larger conceptual framework that seeks to change student culture by strengthening behavioral norms and cultivating individual responsibility.

COMMUNITY CAPACITY AND RELATIONAL REHABILITATION

In a recent analysis, Bazemore (1999) argued that restorative justice practices are implicitly engaged in “relational rehabilitation,” which is contrasted with traditional conceptions of rehabilitation. He defined it as an approach that “links crime to a breakdown in social relationships and hence prescribes a reintegrative response to crime focused on attempts to repair, rebuild and enhance bonds or ties between young offenders and their communities” (p. 155). This approach differs from traditional rehabilitation, he argued, for three reasons. First, rather than focus singly on offenders, attention is equally paid to all stakeholders in a criminal event, including the victim and other relevant community members (i.e., the offender’s family, school teacher, etc.). Second, rather than based in the clinical work of a counselor/offender relationship, the basis for offender adjustment is in his or her natural or community relationships that need strengthening. Third, the approach extends beyond the focus of offender needs and obligations to the larger social context, building wherever possible community capacity to deliver opportunities to the offender, such as education, job training, employment, and community service work. In this approach, rehabilitation as an outcome is better understood as reintegration through the strengthening of social ties and social functioning rather

than as individual cognitive or emotional adjustment. Bazemore, Dooley, and Nissen (2000) wrote,

The problem among some advocates of effective treatment, however, has been a failure to acknowledge that rehabilitation is a bigger issue than changing the attitudes, thinking, and problematic behavior of offenders. The question restorative justice might pose then is: What good is an initial change in thinking and behavior patterns if the offender's relationships with law-abiding adults and peers are weak or nonexistent? (p. 18)

School-based restorative justice is characterized by its focus on relational rehabilitation. Contemporary education theory emphasizes that school effectiveness is predicated on community building in the school (Sergiovanni, 1994). Distinguishing a community from an organization, Sergiovanni (1994) argued that relationships between school members (teachers, students, and staff members) are not merely instrumental but have a moral interdependence. "Relationships within a community of mind are based not on contracts but on understandings about what is shared and on the emerging web of obligations to embody that which is shared" (Sergiovanni, 1994, p. 7). Thus, when school rules or the criminal law is broken, harm is defined not in terms of the technical infraction but by the effects on other members of the community. The web of obligations includes the needs of both the victims and the offender as well as the needs of the community to sustain a safe learning culture. Such a school community would be characterized by its social support (Cullen, 1994; Maruna, 2001) rather than its coercive control.

RETRIBUTIVE AND RESTORATIVE PRACTICES

At this stage, restorative justice in the schools is largely an abstract idea. Given recent concerns for school safety, most U.S. schools have adopted retributive, disintegrative disciplinary policies. For the 1996-1997 school year, most public schools (K-12) maintained zero-tolerance policies for alcohol (87%) and other drugs (88%). Forty-five percent of public high schools conducted drug sweeps, and 22% percent of all public schools (K-12) had taken disciplinary actions against

students for alcohol or drugs (including tobacco) in that year. This amounts to nearly 21,000 schools taking more than 170,000 disciplinary actions of expulsion, transfer, or out-of-school suspensions of more than 5 days (Kaufman et al., 2000).

What we have seen in the past decade is a retrenchment of school disciplinary policies that are based on authoritative control and greater collaboration between school administrators with private security and local police. School policies emphasize zero tolerance for rule breaking and exclusion of offenders from the school community. In other words, community is built on fear rather than care. Restorative practices, therefore, require a radical shift in philosophy, and the tension between retributive, authoritarian controls and restorative, communitarian controls is a major theme in community justice.

In Australia, where school-based restorative practices emerged in the early 1990s, a similar problem of clashing philosophies has proven problematic for wide-scale implementation. Cameron and Thorsborne (1999) observed,

While some schools have adopted humane philosophies closely aligned with what we now understand to be a restorative justice philosophy, it would be rare that misconduct is generally viewed from a harm-to-relationships perspective, with decisions about what to do about the incident centering around how to repair the harm. It is more likely that responses to (even low-level) wrongdoing are still driven by a belief that punishment works, and compliance is all about maintenance of control. (p. 5)

Restorative justice requires a shift in philosophy away from authoritarian controls because they effectively deny offenders and victims a meaningful role in the sanctioning process. Without having a participatory role, the resolution is much less likely to become a learning experience for the offender and an opportunity for him or her to develop a sense of personal responsibility. And the needs of the victim as well as the harm to the community are unlikely to be addressed. At their extreme, authoritarian controls in the school can be characterized as coercive, engendering the possibility that delinquency will increase as an oppositional response to perceived oppression. In a general theoretical statement, Colvin (2000) argued, "Coercion produces alienated

bonds, which, if reinforced by continual coercive relations, produce chronic involvement in serious delinquent behavior” (p. 16). He went on to write,

While most students resign themselves to [coercive social control], a significant number of students actively (usually as individuals) resist. Such resistance leads to further coercive controls and ultimately to complete alienation from both the school and external authority in general. While the intended outcome of schools is to create compliant students, the latent outcome is the creation of a number of young people who become more marginalized with even greater social-psychological deficits. (p. 70)

School programs that have been found to be effective responses to drug and alcohol use share the following features, each of which is consistent with restorative approaches to the problem. First, effective school programs articulate clear norms and behavioral standards. Second, they institutionalize competency development by providing long-term programming in such areas as developing self-control, stress management, responsible decision making, social problem solving, and communication skills (Gottfredson, 1997). Unfortunately, the need for restorative practices may be all the more pressing because when schools are not busy suspending and expelling, they often make use of ill-conceived drug and alcohol educational programs. This article explores an alternative approach.

At present, the following three geographical locations represent the collective ideological and pragmatic center of the school-based restorative justice movement in the United States: the statewide school system in Minnesota, 15 schools in the Denver metropolitan area, and a small band of 6 “alternative” facilities located in southeastern Pennsylvania. To be sure, restorative justice practices in various forms and in various settings have surfaced in other pockets of the country. But nowhere is the idea practiced more widely or has the philosophy been bought into more completely than in these three locations. In this article, we describe the restorative practices of these sites. Data were collected from published reports by the schools and telephone interviews with key informants.

Each of the three school-based restorative justice projects emerged from a combination of factors, beginning with a shared sense of concern on the part of teachers and administrators that the growing incidents of school-related violence were disrupting the central mission of the educational community. Recent studies have demonstrated that youth violence steadily increased during the 1980s, reaching its peak in the early 1990s at the precise moment when many school officials were searching for more effective ways to control student misbehavior (Snyder & Sickmund, 1999). Whereas most school administrators believed the solution to ineffective disciplinary policies was to increase the severity of traditional punishments, a few adopted a new philosophical approach.

MINNESOTA PUBLIC SCHOOLS

The genesis of Minnesota's restorative justice project dates back to 1995 when together with the federal government, the state allocated money in an attempt to guide districts and communities in developing effective violence prevention and peacemaking programs. At that time, the Minnesota Department of Children, Families and Learning (the state's department of education) was charged with the responsibility of constructing a 5-year plan to reduce violence throughout the state's public school system. The hope was that stronger communities could be fostered by tackling both the factors contributing to violence among adolescents and perhaps more importantly, the reactions of schools to individual incidents of harm. The original sponsors of the program were troubled by the fact that occasions of school violence were typically managed by institutions outside the school setting that had little tangible connection to the enterprise of teaching itself. Most notably, the state's juvenile justice system was the primary venue for the resolution of major youth conflicts.

Restorative justice advocates were concerned that in most schools, all types of offenses were (and are still) resolved through a structure that allows authority figures—principals, teachers, counselors, and so on—to dictate punishments without much consideration of the victim's feelings or the offender's needs. Based on the retributive model,

schools dole out sanctions in line with precedent and with little acknowledgment of the broader communal implications. The focus is not on making amends but is directed at the specific violation of the law. When a harm is done, in other words, there develops a clear separation between the authority figure, the offender, and the community at large; the relationship between offender and the school is described as one way, much like the relationship between the state and the criminal. The victim is marginalized and told that he or she is not important to the process, and the result is often suspension or the removal of the offender from the learning environment. In such instances, the offender likely becomes bitter and antiauthoritarian, the victim becomes dissatisfied because of a lack of closure, and the community loses one of its members.

Accordingly, the state's 5-year plan included the adoption of a restorative philosophy to provide teachers and administrators with an alternative to the more common methods of punishment. The embrace of restorative measures was not directed at replacing traditional means of discipline but to provide an additional resource for schools to handle their own internal problems. A follow-up to the original 5-year plan noted that "by applying restorative measures in schools, school personnel have another tool to use with children and youth to repair harm and teach problem solving skills" (Minnesota Department of Children, Families and Learning, 1996, p. 3). Administrative personnel, teachers, and members of the community at large (corrections officers, interested citizens, etc.) are trained in restorative conferencing techniques and are asked to use the skills gained both as a means and an end. One of the common techniques used are circles that bring together victims, offenders, supporters of each, and other community members to discuss the effect of the offense, find strategies for repairing the harm and reintegrating the offender, and build community. For a comparison of the major restorative models, including circles, see Bazemore (1998a).

Currently, almost half the school districts in Minnesota are making some use of restorative practices, and four districts are using them extensively. These four districts each received a share of a \$300,000 appropriation from the Minnesota State Legislature to evaluate "alternative approaches" to school discipline problems (Minnesota Department of Children, Families and Learning, 2000). In particular,

the districts developed strategies for combating common rule violations that resulted in suspensions and expulsions by infusing restorative justice measures into the school's internal judicial or disciplinary structures. Beginning in 1998, the goal of the 3-year project has been to evaluate the effect restorative measures have in both the classroom and the larger educational community. Although the evaluation remains incomplete at this time, we refer here to evaluation information currently available.

The preliminary numbers from this study are intriguing. In the Minneapolis school district, the Seward Montessori Elementary School witnessed a 27% reduction in the number of suspensions and expulsions during the first year of the project. Similarly, the Kaposia and Lincoln Center elementary schools observed an equally dramatic drop in the number of disciplinary actions. Lincoln Center Elementary School, which has data from 1997, has seen the number of referrals for violent behavior decrease by more than half. After 2 years of restorative practices, the number of reports of violence decreased from seven per day to less than two. Such progress is impressive, particularly in light of the fact that the school district implemented a new policy requiring teachers to report all violent activity to school authorities. The numbers emerging from the Kaposia Elementary School reflect similar trends.

What is most interesting is that the two high schools participating in the study—Princeton High School and South St. Paul High School—also saw dramatic reductions in major disciplinary action. At Princeton High, officials noted that there was a simultaneous reduction in the number of detentions and the number of out-of-school suspensions. The same is true of South St. Paul High, where administrators imposed 110 out-of-school suspension days in the first year of the program but only 65 in the second. Nancy Riestenberg, violence prevention specialist at the Minnesota Department of Children, Families and Learning, admitted that a percentage of the reduction may be due to a number of structural variables, including the fact that the existence of state funds has no doubt influenced school administrators to comply with the study. But she also suggested that creating additional options for disciplinary action—options that seek to reintegrate offenders and restore victims rather than simply separating them and punishing the former—has allowed school administrators the free-

dom to construct creative remedies. Such freedom, she contended, does in fact contribute to deterrence and reduced levels of recidivism.

The four Minnesota districts that have thus far embraced restorative justice as an alternative means of control are no different than traditional schools in terms of the prevalence of drugs and alcohol among the student population. What is different is the schools' response to these ubiquitous problems. Where traditional schools immediately turn hard-core offenders—particularly repeat offenders—over to the juvenile justice system, schools that employ restorative justice seek to reintegrate offenders back into the community by educating them about the effect of their individual actions. And this is particularly true with regard to drug and alcohol use. The belief that possession and use constitutes a victimless crime is antithetical to the principle of restorative justice where at the very least, a harm is done to the community every time a student comes to school under the influence.

To help anticipate these and similar problems, officials at the Minnesota Department of Children, Families and Learning have identified chemical health coordinators within individual schools as the most obvious targets for restorative justice training. At the four demonstration sites already in operation, the chemical health coordinator participates in restorative conferences when the harm involves the use of drugs or alcohol. This policy is meant to minimize any potential liability that may accompany a sensitive and delicate issue as well as to provide the group with an expert trained in the field of drug and alcohol abuse. Indeed, the educational approach to dealing with major issues such as alcohol and drug use has always been one of caution.

Mary Ticiu, assistant principal at Stillwater High School, described a recent case in which a teenager was suspected of using marijuana on school grounds. The school's initial response to these particular accounts of drug use was to approach the young woman and inquire as to the accuracy of such reports. The woman apparently was not altogether forthcoming at the beginning of the process, and thus school officials had further reason to suspect that the rumors of her marijuana use were in fact true. At that point, administrators asked the student whether she would agree to an informal search, from which a small stash of rolling papers was discovered. No illegal substances were found on the student. Ticiu noted that this provided an ideal scenario for the inclusion of restorative justice in the case.

A restorative conference was organized with the offender, those that were described as her suppliers, the chemical health specialist at the school, affected members of the student body, and some members of the faculty and staff. The goal, Ticiu noted, was not to punish the young woman or to create a police state in which students' rights and privacy would be threatened but rather was to create an environment for all the major stakeholders to learn from each other. The offending student was first permitted to tell her story, to articulate to the entire community the reasons for her actions. She also took the opportunity, Ticiu remarked, to seek forgiveness from those around her. All the additional members of the conference were then permitted to raise issues and concerns relevant to their relationship with the offender. The end result was that the student was made aware of the effect of her actions and thus agreed to periodic checks to monitor her continued sobriety.

Ticiu noted that such cases are rare. Drug and alcohol cases within the schools are not altogether common, she says, and those situations that do surface are often handled outside the academic setting. Sometimes, she argued, the seriousness of the drug and/or alcohol abuse warrants action from officials in the juvenile justice system. Other times, the offender may choose to go outside the school to seek some kind of resolution. In cases involving low-level drug and alcohol use (similar to the aforementioned case), a student will most likely have the option of staying within the disciplinary structure of the school—and thus participating in a restorative justice meeting—or taking his or her chances within the traditional juvenile justice system. Ticiu noted that a fair number—close to 50%—choose the more traditional route. She speculated that they make this choice primarily because they are less knowledgeable about restorative practices and prefer traditional punishment because it is a known quantity.

DENVER METROPOLITAN SCHOOLS

In 1997, the Colorado School Mediation Project (CSMP), a non-profit organization devoted to the principles of conflict management, identified 15 schools in the Denver metropolitan area as potentially receptive to the idea of implementing restorative measures into their disciplinary systems. Most of the schools in the ongoing pilot project are

elementary and middle schools, but a few are secondary schools. The core question addressed has been: What would the addition of restorative justice practices do to improve the well-being of the community?

According to David Claassen-Wilson, restorative justice cocoordinator at CSMP, schools are ideal communities for restorative practices. The educational mission of a school aligns well with the core principles of restorative justice, which emphasize conversation and dialogue. An interchange between the major stakeholders in a given community is at its most basic an exercise in learning, he said. It is an inquiry into the nature of relationships, group dynamics, and the understanding of the self. Indeed, one learns about the effect of an offense when the victim, interested members of the community, and the offender all share their feelings, concerns, and reactions. Thus, the restorative ethos, Claassen-Wilson insisted, is merely an extension of the entire educational enterprise.

Depending on the particular school and the specifics of the case, a variety of formats are used in Colorado to resolve differences. They tend to range from the more informal classroom meetings where the teacher calls an impromptu circle to address a student's misbehavior to the more formal victim impact panels where student offenders learn about the effects of their type of offense from victims of similar offenses. Victim impact panels and more formal conferencing are favored when the case involves a higher degree of severity. Possession of drugs, vandalism, theft, assaults, and harassment are characteristic of offenses that warrant a more formal approach.

A typical conference, Claassen-Wilson explained, begins with the offender telling his or her side of the story. The victim, who recounts his or her memory of the events, then follows the initial contribution by the offender. At that point, supporters (family members, friends, etc.) of both the offender and the victim have an opportunity to address the group and discuss how they were affected. Finally, school administrators offer their perspective on the event. After everyone has had a chance to speak, all participants, including the two major stakeholders, discuss possible solutions. The goal is for the offender to take responsibility for the harm and make amends to those who have been injured. An agreement or contract is then drafted, and the offender is both expected to sign the contract and fulfill its various conditions.

Along the continuum of possible responses, alcohol and drug use obviously demands a more formal approach. Claassen-Wilson noted that their possession and use in the schools raise complicated issues from a restorative justice perspective. They are on the one hand illegal and thus require the intervention of the police. But on the other hand, restorative justice practices can be quite helpful in demonstrating to the offender how his or her actions have affected the community. Often it is that intimate connection to the community that induces an offender to claim responsibility for his or her actions. One of the main components of a successful restorative justice program, Claassen-Wilson argued, is that it encourages greater accountability on the part of the offender.

CSMP therefore recommends a loose combination of restorative justice and traditional punitive responses when dealing with the more severe criminal offenses. Typically, when a student is caught selling drugs, the authorities are called in and the student is expelled. After reentry back into the school, however, restorative justice techniques can be an effective tool in helping prevent a recurrence of the original behavior. Proponents suggest, in other words, that an offender can learn how his or her activities affected the community even after he or she has moved through the juvenile justice system. Here, however, the focus of the conversation changes from one based on restoration and making amends to one that is primarily relational. In other words, a conference that takes place at reentry will likely focus on questions regarding the safety and health of the offender as well as the community rather than on the original offense itself.

The frustration for most advocates of the restorative justice philosophy when considering examples of drug and alcohol use is that by default, restorative measures remain subordinate to the more punitive-oriented juvenile justice system. Even when the state enters into an agreement with the school and thus defers to the school's internal judicial system, the state still retains primary authority. That is to say, because of the illegal nature of the offense, restorative justice practices must give way to the interests of the state. The possession, use, and distribution of illegal substances cannot be tolerated, and thus traditional forms of punishment are the first lines of defense for most schools. The difficulty in conceding such a reality is that the restor-

ative and punitive models are based largely on incompatible paradigms. A punitive system is centered on the notion of retribution, whereas the foundation of the restorative model, in the words of official CSMP documents, should be viewed as "a re-definition of crime as injury to the victim and the community rather than an affront to the power of authorities" (Colorado School Mediation Project, 2000, p. 2). Combining the two responses within the single arena of drug and alcohol use requires some accommodation of the school to the larger claims of the state.

David Hines of the Woodbury Police Department in Woodbury, Minnesota, captured the essence of this frustration most accurately when he remarked that traditional forms of discipline, whether they be for common misbehavior or the most serious harms, are not meeting the needs of the community. Suspension and dismissal, he suggested, run counter to the mission of the entire educational system because they remove the offender from the environment, thereby not allowing the community of educators to do what it does best. In addition, informal studies have revealed that certain students are not deterred from engaging in misbehavior because suspension or removal from school is an attractive option. Many delinquent students, in other words, want to be suspended. Hines thus argued that standard responses to misbehavior can be more detrimental to the overall effectiveness of the school.

BUXMONT ACADEMY

High schools typically are more resistant than elementary and middle schools to substantial philosophical and pedagogical changes. The experience of older students (and/or their parents) can contribute to a conservative mentality whereby the entire community, set in its ways, prefers the status quo. Introducing a philosophical change of the magnitude proposed by restorative justice supporters, therefore, is often met with comparatively high resistance in the high school setting. In addition, elementary schools are also more receptive to the general practice of restorative justice because of the organizational structure of American schools more generally. In secondary schools, a teacher may see a student for at most approximately 1 hour per day, whereas

an elementary school teacher has the benefit of constant and continual interaction with the same group of students. Bonds are thus formed in the elementary schools that are more difficult to cultivate within the high school setting.

It is perhaps all the more surprising that restorative practices have been implemented so seamlessly in six alternative schools in Southeastern Pennsylvania. There, the entire student body falls into the 12- to 18-year-old range. Community Service Foundation (CSF) is the parent organization of Buxmont Academy, the collective name for these alternative schools, located in the communities of Bethlehem, Feasterville, Lansdale, Sellersville, Trevoise, and Upper Providence. Founded in 1977 by two Pennsylvania educators, Ted and Susan Wachtel, CSF oversees the operation of Buxmont Academy as well as the academy's sister organization, Real Justice, an international training and advocacy group that promotes restorative practices as a novel way of responding to crime and wrongdoing. The outgrowth of the intersection of these various organizations—CSF, Buxmont Academy, and Real Justice—is a school system that advocates alternatives to traditional conflict resolution and champions the principles of restorative justice.

The students attending Buxmont Academy are all “troubled” or “at-risk” youth referred by their public high schools to one of the locations because they have demonstrated one or more of the most common behavioral or emotional problems. Many are on probation and have encountered the juvenile justice system in a variety of ways. Typical problems may include legal difficulties; dysfunctional family situations; aggressive behavioral problems; sexual, physical, or emotional abuse; and mental health impediments. Far more frequently, however, Buxmont Academy teachers and counselors educate students who have had drug and alcohol problems in their home schools. Indeed, the institution devotes a significant portion of its resources to aftercare programs. Much of the energy of the place is directed at providing a haven for young men and women leaving residential drug and alcohol treatment facilities so that they can successfully reintegrate back into more normal social and educational environments.

Bob Costello, assistant director of Real Justice and former director of the Bethlehem site, describes the six satellites of the Buxmont Academy as combining the components of a traditional academic

school with the services of a day treatment program. The facilities are licensed by the State Departments of Public Welfare and Public Health as day treatment programs; the only significant difference between Buxmont Academy and other programs that aim to resolve juvenile drug and alcohol problems is that the former places an equal emphasis on education. Costello thus suggested that Buxmont Academy should be viewed by outsiders primarily as a hybrid of the two important institutions. It is not exactly a traditional school, he argued, but neither is it exactly a recovery treatment center; it combines elements of both. Indeed, the six sites act as micro communities into which students can find a place to reintegrate, both educationally and socially, before returning to schools in their home districts.

The restorative justice philosophy, as it has been applied to Buxmont Academy, was described most accurately by Wachtel (2001):

Our society's fundamental assumption is that punishment holds offenders accountable. However, for an offending student punishment is a passive experience, demanding little or no participation. While the teacher or administrator scolds, lectures and imposes the punishment, the student remains silent, resents the authority figure, feels angry and perceives himself as the victim. The student does not think about the real victims of his offense or the other individuals who have been adversely affected by his actions.

Accountability for Wachtel is more than just taking responsibility for one's actions. It also involves active participation in the process of adjudicating disputes. Resolving problems, in other words, is an ongoing enterprise where all parties share in the discussion and the ultimate resolution. This, obviously, is where the principles of restorative justice surface. Restorative practices allow students to take responsibility for their decisions without making them passive observers in the process.

For the entire disciplinary system to work, Wachtel (2001) insisted, the schools must do their part. The specific philosophy that informs much of Buxmont Academy is loosely borrowed from Braithwaite (1989) and Baumrind (1996), who independently argued that the family model of social control is largely at odds with the more punitive

style that pervades many of our contemporary institutions. Indeed, Baumrind argued that the disciplinary style of a parent is importantly distinct from that outside the home in that a child may be reprimanded for wrongdoing by a family member but is then not banished or abandoned from the family altogether (Brower, 1989). There is usually no question that a child will be reintegrated back into the family unit. Restoration, therefore, is a critical component of the informal disciplinary structure that pervades the modern family.

Baumrind further suggested that reconciling the different paradigms of social control may result in widespread benefits to all (Brower, 1989). Buxmont Academy has adopted this view, insisting that schools can be more productive and more effective in controlling misbehavior if they adopt some of the core principles of the family model. To that end, Wachtel (2001) proposed showing “disapproval of [the] wrongdoing, while [simultaneously] supporting and valuing the intrinsic worth of the student who has committed the wrong.” High control combined with high support is their approach to introducing a family model into the school systems. Wrongdoing by students, Wachtel said, is not to be tolerated but neither is a standard response by school administrators that does not recognize the capacity of young men and women to respond positively to adversity. Buxmont Academy rests most profoundly on this fundamental principle.

Paul McCold, a criminologist who works closely with Real Justice, noted that the use or possession of illegal substances on school grounds most often results in the immediate notification of the local or state police. At a minimum, juveniles on probation will be required to meet with their probation officers if they are caught with illegal substances. School authorities around the country, McCold said, have some discretion depending on the particular situation, yet possession of an illegal substance more often than not warrants the inclusion of public authorities. Thus, all of the schools must negotiate a path between internal restorative practices and the more dominant retributive approach the students will likely encounter in the juvenile court. They work in complement, however, when high social control is combined with strong social support.

A student who has been caught with drugs or alcohol at one of the Buxmont sites has the opportunity to make amends to the community. He or she will have to face his or her peers and explain the circum-

stances surrounding the event. An offender who goes exclusively through the juvenile justice system will not have those same opportunities. It is unlikely that he or she will have the chance to learn from his or her colleagues and peers about the personal and collective effect of his or her actions. The juvenile justice system, according to officials at Real Justice, simply does not subscribe to a philosophy that promotes high levels of support.

On one level, drug and alcohol use at Buxmont Academy is handled in a similar fashion to the other sites. Conferencing will be used to bring offenders before the affected community to repair the harm and rebuild fractured relationships. Yet because Buxmont is fundamentally a treatment program, restorative justice practices are embedded in the daily activities of educational learning and group therapy. Discussion of the effect of drug abuse, for example, is not limited to a particular conference in response to a particular offense but is likely to take place in a more informal talking circle. The basic focus of restorative justice—that drug and alcohol abuse is dangerous not only to oneself but to close others and the community as a whole—is a recurring theme in Buxmont's treatment paradigm. Behavioral change based on the principle of relational rehabilitation (Bazemore, 1999) occurs because offenders are given the opportunity to learn about the consequences of their actions and take steps to redefine their place in the larger community.

CONCLUSION

Despite their common interests, there has been very little coordination between the three sites discussed here. Yet the three major centers share a common philosophy, a commitment to the idea that restoration is a more appropriate educational tool than traditional punitive measures for handling harms done to both individuals and communities. Some practices and interests notably diverge, however.

Differences begin with language. None of the three centers share the same title for their restorative experiences, and only one—the Denver program—even uses the word *justice* in the title. In Minnesota, restorative justice practices in the schools are referred to as *restorative measures*. Riestenberg remarked that the name change was

adopted consciously so as to draw a clear distinction between the restorative activities undertaken in the schools and the juvenile justice system itself. In contrast, Buxmont Academy administrators take a more ideological approach, suggesting that their embrace of the term *restorative practices* rather than *restorative justice* is related to their shared belief that the concept of justice is elusive and virtually unattainable. To assume that whatever mechanisms available would result in the realization of justice—whether they are punitive or restorative in nature—would, according to officials at Buxmont Academy and Real Justice, be presumptuous.

Another difference lies in the schools' varying commitments to the philosophy of restorative justice. In traditional school settings, such as those in Denver and Minnesota, restorative practices are used primarily as a formal way of resolving differences. A child misbehaves, for example, and a community group conference or circle is organized in response to that misbehavior. Note, however, that there is typically a clear separation between the event and the attempt at restoration. That separation likely results in a few days elapsing before the facilitator can convene a restorative meeting. The deliberative nature of conferencing or circle sentencing often precludes the possibility of resolving problems immediately. Spokespersons for both organizations noted that certain teachers and administrators employ restorative practices informally but that a majority of school personnel are largely unfamiliar with the philosophy of restoration. In Minnesota's Seward Montessori School, for example, only 18 teachers, administrators, and aides were trained in 1999. The entire staff "received an overview presentation of the circle process at the beginning of the [1999-2000] school year" (Minnesota Department of Children, Families and Learning, 2001, p. 1), but that does not mean that they are prepared to adopt restorative measures in all settings. To be sure, certain teachers at Seward and other Minnesota schools have taken the restorative philosophy to a different level by using circles and other forms of conflict resolution as a way to offset any potential problems. And the same is true in Denver. Some teachers in both locations are conferencing with their classes at the opening of every school day so as to prevent future misbehavior. But generally, restorative practices in more traditional educational settings act as an alternative form of conflict resolution and not necessarily as a broader, more comprehensive presence. In-

deed, most teachers and administrators at these schools still adhere to traditional disciplinary paradigms.

This is all in contrast to Buxmont Academy where every teacher/counselor is trained in the practices of restorative justice. Observers of the various Buxmont sites have often commented that there is restorative justice going on all day, in every classroom, involving virtually every relationship. Perhaps because of the mission of these academic institutions—a mission that includes not just education but also rehabilitation and support—the principles of restoration and reintegration are more central. Group sessions are arguably the most critical aspect of the Buxmont experience, and they are modeled on the restorative justice ideal. They are also the primary venue for the community's ongoing dialogue about the implications of substance abuse. Discussions about harm, making amends, and taking responsibility for one's actions—including those related to illegal substances—are a necessary part of the process of enabling at-risk youth to become whole again, noted Costello. Teachers and administrators, therefore, are more likely than in other academic settings to handle minor offenses as well as major offenses in a restorative manner.

The findings from our examination of restorative justice in the school setting disclose both commonalities and differences between the three cases. Certainly, our data cannot provide evidence regarding the effectiveness of the restorative approach either between one another or in contrast to traditional disciplinary measures. Rather, the purpose has been exploratory—what does the school-based approach look like in practice?

What we have discovered is that these sites draw no particular distinction between substance abuse problems and other types of offenses. The approach is seen as applicable to any situation involving harm to oneself or others in a community setting. The common approach, whether applied by conferencing or circles, is to create a collective opportunity to reflect on the behavior and its consequences, seeking a resolution that repairs harm and reconnects marginalized stakeholders. The solution is determined collectively and can vary dramatically depending on circumstances, needs, and desires of those involved. At its best, the restorative approach transforms a student violation into an opportunity for learning—learning about the harm of the

offense, learning about the responsibilities of community membership, and learning about democratic decision making and participation.

Three areas stand out as especially problematic for implementation. Restorative justice programs simply take a lot of time, particularly in contrast to traditional sanctions. Restorative justice programs face resistance from the outside, for example, from school district superintendents and juvenile justice professionals. And these programs face resistance from within; this new philosophy is difficult to fully grasp and embrace.

First, school administrators are concerned about the time needed to (a) train facilitators, (b) see a meaningful change in the school's attitude toward punishment (typically 1 to 3 years), and (c) repair specific harms. In the past, the typical school response was swift and decisive: If the harm were significant enough, the child would automatically face suspension. Yet with the use of circles and conferences and because the core philosophy has changed so dramatically, swift action is sacrificed in favor of community-wide debate and contemplation.

Second, each of the programs has an awkward relationship with broader institutional policies that are grounded in retributive justice. In no consistent way do they reconcile an inevitable philosophical tension. They either develop arbitrary policies that distinguish what kinds of offenses can be diverted to the restorative justice practices, coexist by having students proceed through both systems simultaneously, or seek to implement restorative practices after the punitive processes have done their work. Umbreit (1999) speculated that restorative justice programs are particularly vulnerable to co-optation unless clear standards can be articulated.

The final area that remains problematic is not external co-optation but internal inertia. Every principal, teacher, counselor, and student has been socialized in a culture of retribution, and its language, even veneration, permeates all sanctioning processes. Even when restorative practices are fully adopted, it is hard to accept them without suspicion. Where a partial staff implements the practices and where training, even for them, is not comprehensive, we can expect the tension between retribution and restoration to be a significant obstacle.

In each of these case studies, restorative justice approaches are taken to address school disciplinary problems. Although drug and al-

cohol use are pervasive among youth, these programs have not developed specific responses to these problems except insofar as they require intervention by the juvenile justice system. Nevertheless, what is distinctive about their approach is the location of intervention within the context of the school environment. Rather than exclude the student or "treat" the student in isolation from his or her social world, the response is embedded in the student's community. This approach, therefore, enjoins the student to consider the consequences of the misbehavior on himself or herself and others. It also creates the opportunity for the student to reevaluate and rebuild his or her social ties. Perhaps most important with regard to drug and alcohol use, the restorative approach seeks to change student culture by confronting the behavior in the context of student life and helping students to identify compelling alternatives.

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