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## Restorative Justice: How Adult Practitioners Navigate Contested Learning Environments

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University of San Francisco

**Restorative Justice: How Adult Practitioners Navigate  
Contested Learning Environments**

A Thesis Presented to  
The Faculty of the School of Education

International and Multicultural Education Department

In Partial Fulfillment  
Of the Requirements for the Degree  
Master of Arts in International and Multicultural Education

By  
Andrés Castañeda  
May 2023

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## ABSTRACT

Restorative justice principles and practices have gained significant traction among educators in recent years, as they endeavor to establish school cultures that prioritize safety, student belonging, and humanizing relationships. However, existing literature indicates that schools who implement restorative justice frameworks tend to be obstructed by the historically punitive logics that govern them. As schools have become institutions that are highly racialized and influenced by neoliberal policies, it is important to continue to identify factors that can impede the work of racial equity and social justice within the schooling system. The purpose of this thesis is to conduct a qualitative study which aims to better understand how restorative justice practitioners navigate their work within a highly racialized and neoliberal education system in the United States. By understanding the experiences of those doing the work of restorative justice, this thesis aims to help educators move beyond the limitations of traditional and hegemonic schooling, transform school cultures to lead with dignity and respect, and advance the work of racial justice for educational equity.

*Keywords:* restorative justice, restorative justice practitioners, racialized schools, neoliberal policies, student belonging, racial justice, educational equity

## CHAPTER I: INTRODUCTION

When thinking about my motivations for entering the field of education, I am often reminded of a quote by Baldwin (2008) in *A Talk to Teachers*. Baldwin (2008) states:

What societies really, ideally, want is a citizenry which will simply obey the rules of society. If a society succeeds in this, that society is about to perish. The obligation of anyone who thinks of himself as responsible is to examine society and try to change it and to fight it — at no matter what risk. This is the only hope society has. This is the only way societies change (p. 18).

Education is and always has been a profoundly political act, which can be used for either good or bad. If societies desire a citizenry that is obedient and conforms to the rules of society easily, they create an education system that reflects those values and serves that purpose. This leads one to question, what is to be gained from a society that serves only the principles, interests, and beliefs of a select few while blatantly disregarding the humanity of a majority of its citizens? What does this suggest about a nation whose educational system is focused on the profitability, rather than on the welfare and prosperity of all its students? Nearly 60 years later, Baldwin's (2008) message to the educators of this country rings resoundingly true when we consider the current state of education and the way students of color are consistently mistreated, abused, and dishonored by it. Not only does Baldwin's (2008) message still ring true, but it is still applicable because even after all of this time since Baldwin delivered his message to the teachers of the United States, very little has changed materially and philosophically. We are fortunate to have so many dedicated educators and scholars steadfast in their resistance to destructive forces and systems that have openly embraced such profound ignorance, denial, and inhumanity predicated

on a false sense of supremacy and security. The system has to change. How much more pressure can society place on educators alone to revolutionize such an expansive structure? How much longer can our nation endure if its institutions and dominant ideology continuously disregard and disrespect the humanity of a majority of its population - the youth are meant to be the ones to carry the torch further than past generations have. Baldwin (2008) concludes his forthright message with a critical ultimatum when he writes:

If America is going to become a nation, she must find a way — and this child must help her to find a way to use the tremendous potential and tremendous energy which this child represents. If this country does not find a way to use that energy, it will be destroyed by that energy (p. 20).

In other words, if the American education system cannot find a way to cater to the needs and desires of all of its students, especially those most vulnerable, silenced, and oppressed, America as a whole is bound to be destroyed by the built up resentment that is the outcome of its abhorrent neglect of our youth.

It is precisely due to the fact that educators have been persistently fighting to change the system of education that I desire to continue on in that commitment to create better learning conditions for the youth who I am so fiercely invested in. I am compelled to write this thesis because I want to collaborate with educators, particularly those who are committed to using restorative justice to heal and seek redress for the injustices inflicted on students of color as a result of the structural inequities and institutional racism that endures in society and persists within the system of education. This thesis ultimately aims to understand how educators who use restorative justice can be best supported in their work with students and discovering where their

shortcomings lie so that we may fill in those gaps. We must listen to and be guided by those who are on the ground working with students on a daily basis, and only then will we have a better understanding of how to best support them. We cannot simply rely on the policy makers, board of directors, or major stakeholders who are detached from the real life experiences of students and educators.

As a former dean of culture with a focus on restorative justice, I see the need for this work to be implemented on a wider scale in a manner that is both responsible and responsive to the population of students who are being worked alongside with. I have witnessed the positive impact that restorative justice can have on students, especially those who have been underserved, marginalized, and failed by the system of education. I am reminded of my experiences working with my students in a small New York City chartered middle school, where one of my students who I will refer to as “Ish” (for the sake of anonymity), stands prominent in my memory. Ish is an amicable and intelligent student, larger than life, who walks to the beat of his own drum. During the first weeks of the school year, Ish was a particularly difficult student to work with. He would show up to class late, disrupt learning environments, act in defiance to educators, and create conflict with his peers. If Ish attended any other school who lacked a social justice focus, Ish would have been repeatedly suspended, referred to move to another school, and even be recommended to juvenile detention services. Such is the case with many students who attend schools who employ zero tolerance or no excuses policies to deal with student transgressions. Although Ish was seemingly resistant to working with me, and other members of my team, I think he came to realize that we were not trying to lead him astray or cast him aside like he was so used to in his prior educational experiences. He was not sure of whether or not he could trust



his educators to have his best interests in mind and often misbehaved as a way to draw that much needed attention towards himself. In fact, his father had passed away when he was in the fourth grade and his mother was doing the best she could to support him and his two older sisters. We would not have known this about him, unless we took the time to get to know him and understand why it was that he was acting out. It became quite clear very quickly that all he needed to be successful in school was support and genuine care, and to know that even when he trespassed trust, that he would still be loved and treated with dignity and respect no matter what. Through this support he flourished, no longer feeling the need to be disruptive in learning environments and creating very strong bonds and relationships with his educators and his peers. I provide this example of my modest experience with Ish to demonstrate the possibilities of engaging students in a meaningful and authentically loving way. Such is the power of education when it is used in a manner that provides students with agency and a shared humanity. At the end of the day, students like adults, just want to know that somebody cares. If your praxis is not informed by compassion, empathy, and unconditional love for your students, why serve in the field of education in the first place?

### **Statement of the Problem**

Too many students leave high school, if they make it that far, thinking that they will never attend another school or have anything to do with academia moving forward. They leave thinking that education is not for them and that their skills will be better suited pursuing different avenues. Those of us that have found a purpose in higher education know that learning does not stop when you graduate; we know that learning is a lifelong process that never ends. The motivating factor in conducting this study is that the current system of education in the United

States is failing students of color at a disproportionate rate than their white counterparts (U.S. Department of Education for Civil Rights, 2021). We know that it is possible for students of color to flourish and to feel belonging in academic spaces - for example, such are the experiences of students attending Historically Black Colleges and Universities (HBCUs) and community schools who intentionally tailor pedagogy and praxis connecting students' home culture to school culture (Borck, 2020; Mwangi, 2016). So why do students of color remain so destitute within the realms of academia? What actions are schools taking to ensure that students of color feel included, represented, and dignified when they enter and leave the school building? Over the years, research has demonstrated that there are numerous areas where schools are failing students of color (Barrett et al., 2021; Black Organizing Project et al., 2013; Brown et al., 2019, Kovera, 2019; Skiba & Peterson, 1999). Not only are schools not helping students of color flourish and self actualize, they are actively creating widening disparities that reflect society's true disregard for the value of our youth. Youth of color are increasingly surveilled, scrutinized, policed, remediated, suspended, and expelled from learning spaces. Students of color, especially those who hail from poor and working class communities, are especially deprived of an equitable education that dignifies, esteems, and respects their humanity (Barrett et al, 2021; Brown et al., 2019; Kaba & Meiners, 2014). In response to the injustices experienced by students of color within an inherently racist system of education, forward thinking schools have adopted social justice frameworks to help relieve such racialized disparities experienced by students of color (Armour, 2013; González, 2015). Restorative justice provides one such lens for educators to oppose highly punitive practices and at the same time, move towards co-creating paradigms of healing and humanization with students, instead of settling for readily accepted traditional

disciplinary practices that reproduce harm and perpetuate racialized exclusion. In order to gain a better sense of restorative justice in action, this thesis will focus on how restorative justice practitioners navigate their work within the racialized and neoliberal landscapes of public schools in the United States. The aim of this thesis is to help educators better understand, reflect, and contemplate on how we can move beyond the limitations of traditional and hegemonic schooling, transform school cultures to lead with dignity and respect, and advance the work of racial justice not only for educational equity, but to remind everyone of the value of an education and that all have a place within academia.

### **Background and Need for the Study**

There are many reasons a study like this is necessary but one main reason is that not nearly enough literature focuses on the experiences and contexts of restorative justice coordinators who are committed and actively working to create better learning environments for students of color. Although literature exists on the impacts and outcomes of implementing restorative justice programs within schools (Armour, 2013; González, 2015; McCluskey et al., 2008), there is limited research demonstrating the need for buy-in and collaboration from all stakeholders involved in a school community, i.e. teachers, counselors, coaches, administrators, parents, and students, for restorative justice to fulfill all that it aims to achieve (Ingraham et al., 2016). The study I am conducting intentionally centers the narratives of restorative justice coordinators because their voices are often overlooked or simply not included in scholarly literature. By examining first hand accounts of restorative justice coordinators, we can gain a better sense of how and why they make decisions that they do within highly racialized and neoliberal school systems.

The role of restorative justice in contemporary schooling is paramount and cannot be ignored, especially during this unprecedented time marked by such divisiveness and polarity. Restorative justice has the potential to transform traditional school disciplinary practices, by centering the wisdom that all individuals are deserving of dignity and respect and that we are all linked to one another in one way or another. Denying students compassion and basic respect during an age of mass incarceration, criminalization, massive inequalities of wealth and resources, and all around disdain for human beings is cruel and careless, but not without thought. Schools are supposed to be havens of safety, learning, and community building where students can attain the skills and knowledge necessary to self-actualize, think critically, become civically engaged, and improve their quality of life (Giroux, 2016). Instead, our current schooling system, fixated on standardization, high stakes testing, and punitive disciplinary policies, produces in our students what Giroux (2016) refers to as “dead zones of the imagination.” Giroux (2016) writes:

Pedagogies that are largely disciplinary and have little regard for contexts, history, making knowledge meaningful, or expanding what it means for students to be critically engaged agents all too easily become a form of symbolic and intellectual violence that assaults rather than educates. (p. 29)

In other words, schools systems mimic the destitute terrain of the real world under capitalism, where people of color struggle to get ahead and are increasingly tyrannized by racially targeted systems of discipline, punishment, and policing, that seek to stifle their potential and disrupt their lives (Black Organizing Project et al., 2013; Richards & Cohen, 2022; U.S. Department of Education for Civil Rights, 2021, ). Not only are students of color, especially African American students, being policed and surveilled while in school, but they are increasingly being erased

from learning environments and funneled into a broken and inhumane carcel state, completely derailing and destroying any opportunities for self actualization (Black Organizing Project et al., 2013; Grace & Nelson, 2019; U.S. Department of Education for Civil Rights, 2021).

As restorative justice gains traction in contemporary schooling, scholars compel us to interrogate how restorative justice is being practiced within schools and question the intentions behind such practices (O'Brien & Nygreen, 2020; Lustick, 2021; Vandearing, 2014). O'Brien and Nygreen (2020) advise against assuming, "that RJ *values and aims* are being lived just because RJ *language* has been adopted" (p. 526). In other words, even though forward thinking schools adopt a lens of restorative justice to inform their social justice work, it is important to be wary of how such practices are being applied in the context of challenging and confronting institutional oppression. Lustick (2021) argues, "Justice cannot be restored if it does not exist in the first place" (p.1292). This means that students of color cannot know a sense of belonging, respect, or esteem within school if schools themselves are not intentional about reflecting a liberatory and humanizing praxis. Racial justice efforts in education must strive towards transformation, there is no compromise or in between. One element of this transformational endeavor is supporting restorative justice in schools that is both collaborative and humanizing, but the effort to transcend institutional and racial oppression goes beyond eradicating punitive disciplinary procedures, it can not be an afterthought.

Schools need to be sites where students know that they are safe from harm, respected, empowered, and experience a sense of inclusion. Research indicates that students of color flourish in schools in which they feel they belong, and it is the educator's role and responsibility to ensure that all students feel welcome and know that they belong in the classroom (Borck,

2020; Brooms et al. 2021; Carter, 2008). Educators must acknowledge their students as “whole human beings with complex lives and experiences rather than simply as seekers after compartmentalized bits of knowledge” (hooks, 1994, p. 15). In other words, educators must know and accept that their students have full identities outside of school, that they are not simply machines that absorb and regurgitate knowledge, and that it is their role as educators to help enrich all aspects of their identity. In the context of an increasingly divisive society, educating students with fierce and authentic love and care is a radical act. There is no such thing as a neutral education, educating is a political act; education either functions to bring about conformity to the current system, or freedom and deliverance from it (Friere, 1970). Educators not only have the power to create hospitable and engaging learning environments for their students, but they also have the power to transform the system of education at the systemic level through taking part in the process of decision making and not being a bystander while those above them make all of the decisions for them. By taking part in local, state, and federal politics educators can help enact change that will better our school communities for everyone involved. The onus of creating humanizing school environments is not the responsibility of students, but rather it the responsibility of the adults who have dedicated themselves to engaging with the minds and hearts of the youth (Baldwin, 2008).

There is a need for a study that examines the first hand accounts of restorative justice practitioners who conduct necessary social justice work within an inequitable school system. There is a lack of scholarly literature that focuses on the experiences of those doing the work to counteract exclusionary practices that disproportionately marginalize students of color.

Testimony matters, data can mean very little when people's feelings and experiences are overlooked and neglected.

### **Purpose of the Study**

The purpose of this thesis is to conduct a qualitative study which aims to better understand how restorative justice practitioners navigate their work within a highly racialized and neoliberal education system in the United States. It is necessary to understand the conflicts, tensions, and negotiations that restorative justice practitioners engage with on a daily basis to identify factors that can impede the work of racial equity and social justice within the schooling system. It is critical that the work of restorative justice is not jeopardized by faulty practices or skewed belief systems that perpetuate forms of disparate student punishment, sequestration, and control that augment racial inequities and heighten social injustices. This study seeks to gain insight from the narratives of restorative justice practitioners who work directly with their school community in order to understand the work that they do, the many negotiations and contradictions that riddle their work, and how they envision their work best moving forward. To gain such an insight, this study will be conducted with restorative justice coordinators from various schools and school districts with the aim of revealing the similarities and differences of their respective experiences.

### **Research Questions**

If we want to understand how restorative justice practitioners make decisions and navigate their work, it is essential to ask questions beyond what is already known. It is also important to ask those who are actively committed to doing the work and who engage with the students, rather than using abstract ideas to inform policy decisions. My research questions are

the following: How do the experiences, beliefs, and values of restorative justice practitioners shape their practice? How does the local and national context of schooling shape the practice of restorative justice practitioners? What are the challenges and resources for implementing restorative justice in schools? How do restorative justice practitioners navigate these challenges?

### **Theoretical Framework**

I begin this theoretical framework by exploring Mills' (1997) Racial Contract theory to provide context of the role that race plays in sustaining ideological and structural global white supremacy at the expense of nonwhite peoples. Next, I explore Goldberg's (2009) theory of Racial Neoliberalism to describe how neoliberal logics and practices have become dominant in social and political discourse, in turn shifting common understandings of what defines racism over the last couple of decades. Finally I connect these two ideas to theories of restorative justice in order to better understand how restorative justice coordinators navigate their work within the racialized and neoliberal landscape of schools in the United States.

To ground the theoretical framework for this study, I begin with Mills' (1997) Racial Contract theory, which asserts that systemic racism is a product of ongoing agreements amongst white people to benefit from the continuous disadvantaging and exploitation of non-white people. The Racial Contract provides a framework to understand the ways in which these "formal or informal agreements or meta-agreements" have engendered a white supremacist state that is organized to privilege, preserve, and glorify peoples who are perceived as white (Mills, 1997, p.11). In *The Racial Contract*, Mills (1997) challenges white heteronormative philosophers such as John Locke, Thomas Hobbes, Immanuel Kant, and John Rawls, who theorized that systems and institutions of western governance and civility were established by raceless



individuals who mutually agreed upon an implicit social contract. It is the raceless aspect of the social contract which makes Racial Contract theory explanatorily superior because “it enables us to engage with mainstream Western political theory to bring in race” (p.7). Mills’ (1997) critique of contractarian philosophy situates race as omnipresent, as the assertions of the aforementioned philosophers served to situate white life as center.

The idea of a social contract can be understood as a bond between the state and the individual on their societal and political roles and obligations (Mills, 1997). This idea grants the state with power over its inhabitants as well as the responsibility to establish order and preserve civility within its bounds. In exchange for protection from the state, people are expected to relinquish some of their personal freedoms in order to promote equal opportunities and a fair sharing of the costs and rewards of society. However, Mills (1997) argues that the inception of western society affirmed the humanity “of ‘all’ men (who are really white men), relegating non-white people to being cast and labeled as “other” (p.13). The creation of newly formed subjectivities emerged from the differentiation between those who belong to civil society and those who do not belong. Segato (2016) supports this idea when she asserts, “the other of the One is removed from its ontological fullness and reduced to fulfilling the function of alter or other regarding the One as a representative and referent of totality” (p. 617). In this case, “the other” then only exists to serve as a subject of “the one.” The implicit and explicit declaration of whiteness as a referent of totality has been used as a pretext to justify legacies of genocide, conquest, expropriation, and colonialization around the world (Mills, 1997).

If you categorize a people as “other” to you, this is an easy way to rationalize the “other’s” continued oppression, subjugation, and exclusion because they are not the same as you.

In the United States, this ideology is manifest in a systemically racist paradigm that has not only influenced public and private life but it has also protected itself from acknowledging and repairing the seemingly irreparable harm created by its racist ethos. One of the ways the white supremacist state has managed to protect itself from accounting for the harms it has engendered is under the guise of neoliberalism under capitalism.

Goldberg's (2009) theory of Racial Neoliberalism is particularly relevant to the way the United States has utilized meritocracy, self-reliance, personal choice, and individual responsibility, to undermine and overlook the racialized state of affairs in the United States, in this case specifically, public education. Neoliberal reasoning is based on an excessive kind of individualism in which people are viewed as independent agents removed from their social contexts, who are subject to compete for artificially scarce resources (such as jobs and material possessions), in less than equitable circumstances (O'Brien & Nygreen, 2020). The theory of Racial Neoliberalism is used to describe how common understandings of what defines racism have shifted, as neoliberalism has come to dominate spheres of everyday life in the past fifty years (Goldberg, 2009). The shift being that under neoliberalism, racism no longer exists in the way it did before the Civil Rights Era as being explicit or overt (Elias, 2015). Racism has evolved to be more covert, where instead everyone in society is being measured as equals with the same opportunities to socially and economically "get ahead," despite white people still being at an advantage in this day and age, as well as historically (Coates & Morrison, 2011; Goldberg, 2009). This strategic focus on individualism and meritocracy has made it so that people can only critique individuals for their failures, as opposed to being able to see that these failings are part of a greater system that was not created to serve non-white peoples. Stressing individualized

merit under the guise of racelessness, coupled with state disinvestment in the welfare of its citizens exacerbates the inequities experienced by historically excluded groups and further advantages the already privileged (Goldberg, 2009). Individualism works to minimize systemic racial oppression experienced by people of color by denying them of their intersectional identities and removing them from the historical context of exploitation and disenfranchisement in which they are situated.

In the context of public education under neoliberalism, a student's value is predicated on their compliance to authority and their performance on high-stakes standardized tests (Hastings, 2019). The reason for this is that the market economy desires people who can both produce capital efficiently and remain obedient to the governmental and privatized entities that employ them. The neoliberal system, which seeks to bolster private capitalist interests, has an inclination to benefit members of predominantly white institutions because they are seldom impeded upon by structural disparities such as institutionalized racism, the effects of poverty, and disparate school funding (O'Brien & Nygreen, 2020). On the other hand, this capital driven system finds it difficult to esteem historically marginalized communities and students of color who are more likely to contend with the forces of systemic inequity such as poverty, unemployment, inadequate access to mental health services, inadequate teacher-student relationships, excessive punitive and disciplinary consequences, over policing, and stressful environments that increase the risk for detrimental life outcomes (Nygreen, 2017). Children who live in what Duncan-Andrade (2009) refers to as “socially toxic environments,” are left to deal with the effects of public policy that shaped which communities have access to power, resources, and legal protections (Castañeda, 2020; Goldberg, 2009; Heard-Garris et al., 2021). Studies indicate

that children who live in areas of high poverty, represented by Black, Brown, and Native populations, have poorer health and educational outcomes than students who live in affluent areas (Heard-Garris et al., 2021; Martens et al., 2014). Furthermore, the adoption of policies such as “zero tolerance” provides a simple solution for schools to academically ostracize and criminalize unruly students instead of creating safe environments for them to grow and learn to navigate the complexities of their oppression (Robbins, 2005). The ubiquity of zero tolerance policies in public schools are justified as being required to promote overall school safety and academic achievement, although studies show that these measures have the exact opposite effect (Skiba et al., 2000). Students of color who academically underachieve and transgress against outdated structures of control that fail to dignify and acknowledge their humanity are disproportionately pushed out of schools by systems of exclusion designed to criminalize their “uncooperation” and “misbehavior” (Goldberg, 2009; Skiba et al., 2000). While punitive and exclusionary policies have contributed to the expansion of the school-to-prison nexus and the racial discipline gap, they have also engendered the use of alternative practices that seek to dignify and respect the humanity of students amidst their perceived “wrongdoings” (Grace & Nelson, 2019; Kaba & Mieners, 2004; Robbins, 2005).

Restorative justice is one such practice that provides an alternative framework to oppose the highly damaging effects of punitive disciplinary practices found in traditional hegemonic schooling (Davis, 2019; Winn, 2018). Restorative practices are based in restorative theory which is a conflict resolution philosophy that is geared towards collective healing and humanization instead of individual punishment and dehumanization (Davis 2019; Winn, 2018; Zehr, 2014). O’Brien and Nygreen (2020) assert that restorative justice is more than simply an alternative to

pushing students out of school, rather it is “a way of being in and understanding the world” (p. 523). This means that restorative justice, as a theory, is a worldview grounded in the notion that all human beings are part of a larger interdependent community who are all worthy of being treated with dignity and respect (O’Brien & Nygreen 2020). Traditional punitive practices do not provide agency or humanity to students of color, rather they advantage white students who fit the status quo and behave in ways that adhere to a capitalist and neoliberal worldview and do not have any need for these punitive practices. Those students who act outside the bounds and transgress against white supremacist constructions of order and civility are the ones that need to be cared for the most and why better systems that dignify and respect them are needed. In the context of public schools, zero tolerance policies penalize students of color, more specifically African American students, more severely than white students for inconsequential and discretionary offenses such as insubordination, disobedience, and defiance (Forsyth et al., 2014). Restorative justice practitioners seek to repair injustices between students and the larger school community as a result of conflict or disputes rather than suspending, expelling, or criminalizing students for breaching school rules. These reparative processes, such as community circles and student mediations, are oriented in such a way to allow all parties affected by conflict to express their emotions and pinpoint the underlying causes that caused such situations to transpire (Zehr, 2014). As a result, restorative justice helps students to find closure, make amends, and presents them with the opportunity to forgive and potentially restore relationships and ultimately grow outside the bounds of what society expects of them.

## Methodology

The methodology for this thesis will be informed by grounded theory in order to better understand how restorative justice practitioners navigate and make decisions surrounding their work with students in school settings. Due to the lack of existing theory that provides an explanation for the phenomenon I am investigating in this study, a grounded theory is most suited to my research (Chun Tie et al., 2019). In order to formulate a substantive theory to explain the emergent real world phenomena situated within this context of this study, I will collect data from a series of semi-structured and open-ended interviews with four restorative justice coordinators (Chun Tie et al., 2019). The data collected for this study will be constantly compared to emerging themes through a process of “open coding,” for the sake of generating recurring events that arise within the data (Chun Tie et al., 2019). These recurring incidents will be compared to consolidate a central thematic category that ties together the coded data collected (Chun Tie et al. 2019). Once the data is collected, analyzed, and consolidated, it will be used to construct a cohesive and comprehensive grounded theory that explains how restorative justice practitioners make decisions and navigate their work within a highly racialized and neoliberal school system situated in the United States (Chun Tie et al., 2019).

This study will be conducted via video conferencing calls with restorative justice educators from schools located in New York City and the Bay Area of California. I will not be exclusively interviewing restorative justice educators of a specific race or gender, although the demographic of educators in the field of education is composed of predominantly white females (Taie & Goldring, 2020), I believe that it is important to collect data from a diverse group of educators. The participants for my study were selected from a sample of convenience of people

either known or referred to me. To protect my participants, the data included in my research is information that I received verbal and written consent to share. I do not share any information that could jeopardize the identity or whereabouts of my participants in any undesired way.

### **Limitations of the Study**

This study has several limitations including: (a) the timeframe/timing of the study; (b) the sampling procedure and sample size; (c) quantity of the data collected in the study; (d) researcher positionality. The timeframe of this study includes a limitation because this study was conducted with a single researcher working within the span of one academic semester. Another limitation can be found in the convenience sample used for this study because not all members of the larger population of restorative justice practitioners were given an opportunity to participate in this study. This may influence the results because of a limited sample size. Due to the geographic location of some of the participants in the study, I am incapable of conducting all interviews in person. The limited quantity of the data collected may hold limitations because the small size of the sample means that the results of this study can not be used to define the experiences of the population of restorative justice practitioners as a whole. Finally, I believe that it is critical for me to be transparent for all who read my research.

My research is shaped by my positionality as a first generation graduate student who until college attended majority Hispanic/Latino schools in inner city Los Angeles and then attended predominantly white serving institutions in higher education. For all of my schooling, I believed that zero tolerance policies such as suspensions, expulsions, and the default referrals to the juvenile justice system were the norm across all schools and that there really was not an alternative. Growing up attending public schools in a large American city, I have seen how these

excessively punitive practices have derailed the lives of countless classmates, many of whom I was personally close with. I have witnessed lives destroyed, families become divided, and futures be denied because of the destructive manifestations of neoliberal policies in schools. I did not realize that there were alternatives to highly punitive and exclusionary disciplinary practices in schools until I enrolled as a federal volunteer through the AmeriCorps program, where I was stationed as a tutor and dean of culture at a charter middle school located in New York City that served students of underserved and disenfranchised communities across the city's five boroughs. It was in this role that I became aware of other ways of dealing with behaviors that “western civil society” conditioned me to believe were undesirable and needed to be regulated. I was introduced to restorative justice as an alternative framework and practice that shifted my understanding of how school members could engage students in a way that was much more humanizing and dignifying than what I was accustomed to in my own schooling experiences. I thoroughly enjoyed my role as a restorative justice practitioner because working with students gave me the freedom to imagine what the system of education can be. We do not need to subject ourselves to systems that do not recognize our humanity or teach us how to solve our problems. Social justice work is imperative in our schools especially under the circumstances of a highly racialized and inequitable system of education. I also understand that there are limitations of and contradictions that transpire when implementing and practicing such work in the context of traditional hegemonic schooling. This study is important because it aims to further unearth such restrictions and inconsistencies in the application of restorative practices within schools that are limited by racialization and neoliberalism. If we are to collectively move towards creating learning communities that humanize and esteem the existence of students who deserve nothing



less than dignity and respect, we need to pay attention to the experiences of those who are on the ground and doing the work of restorative justice.

### **Significance of the Study**

The findings in this thesis may be of interest to educators, school personnel and staff, educational policy makers, and anyone else who is invested in dismantling the persisting abuses of educational inequity. Learning from the experiences of restorative justice coordinators may help educators explore ways to shift school culture so that all school personnel can effectively work together to disrupt practices and belief systems that negatively impact students, especially students of color. By understanding where restorative justice coordinators are limited in their work, teachers, administrators, coaches, tutors, and other school staff can help fill in those gaps and create more equitable and inclusive environments for students. I think schools try their best to foster collaborative and transparent student centered cultures, but such a school culture is difficult to achieve if everyone is not on the same page. Additionally, teachers may find that they do not know where to begin in trying to create more equitable and restorative educational environments and practices. School leaders cannot expect teachers to become experts in restorative justice overnight after participating in a few professional development sessions, rather learning and working with restorative justice coordinators is similar to praxis in that it is a never ending process and pursuit. Similarly, this could be the case for educational policy makers who are often detached from the population they are meant to be serving. How can policy makers make humanizing policy decisions for schools and students if those decisions are not informed by real life experiences of those doing the work? This thesis is not going to monumentally change the way schools are run but I do think it will provide a jumping off point for creating the

dialogue between policy makers and educators and provide them with a kind of road map of where to begin making the necessary changes. The onus is not on one group to make changes, rather the responsibility lies with all who serve in the field of education. Educators need to be included in decision making that directly affects schools because educators have a lot of power in shaping school inclusivity but ultimately it must be a collaborative process.

## **CHAPTER II: REVIEW OF THE LITERATURE**

This literature review makes the claim that it is imperative for educators to challenge and resist zero tolerance policies and recognize the ways in which restorative justice can be co-opted to reproduce systems of oppression in order to best support students of color in institutions that find it increasingly difficult to esteem their humanity. The body of scholarship that justifies this claim includes three sets of evidence that demonstrate: (a) students of color are disproportionately penalized by systems of discipline and punishment in public schools; (b) restorative justice can be used as a tool to reproduce inequitable power dynamics instead of positively impacting student lives and enhancing student worldview; (c) students of color thrive when they experience a sense of belong in the classroom.

### **Racial Disparities in Educational Discipline**

Research indicates that students of color are disproportionately penalized by systems of school discipline in the United States (Barrett et al., 2021; Black Organizing Project et al., 2013; Brown et al., 2019, Kovera, 2019; Skiba & Peterson, 1999). The Bureau of Justice Statistics (2022) reports that African Americans comprise an estimated 38 percent of the total incarcerated population in the United States, despite being only 13 percent of the total U.S. population (U.S. Census Bureau, 2021). Similarly, African American students comprise roughly 13 percent of the total U.S. public school population, while 12 percent of African American students have received out-of-school suspensions relative to three percent of their white counterparts (National Center for Educational Statistics, 2018; National Center for Educational Statistics, 2021). In fact, the U.S. Department of Education Office for Civil Rights (2021) reports that, compared to white students, Black students, particularly Black boys, are two and a half times more likely to receive

out-of-school suspensions and two times more likely to be expelled while in preschool, three times more likely to receive out-of-school suspensions and expulsions in grades K–12, and two and three tenths more likely to receive corporal punishment than white students in schools.

Findings continue to demonstrate that disciplinary measures in K-12 schools are not dispersed equally as Black students, boys, and students with disabilities are suspended and expelled at much higher rates than other students (U.S. Department of Education for Civil Rights, 2021).

The disparities that exist within exclusionary forms of discipline can pose highly damaging personal and academic consequences in a child’s life including but not limited to, low academic attainment, higher risk of fatal health outcomes, and greater exposure to the school to prison nexus (American Psychological Association Zero Tolerance Task Force, 2008; Basford et al., 2021 ; Brown et al., 2019; Skiba & Peterson 1999; Skiba et al. 2000). Exclusionary discipline refers to routine practices in schools which prevent children from returning to the classroom for a predetermined amount of time. The most common forms of student exclusion are suspensions and expulsions, but also include corporal punishment, which the UN Committee on the Rights of the Child defines as, “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light” (World Health Organization, 2021).

Exclusionary discipline severely restricts opportunities for students to learn and grow, hindering the lives of young men, women, and non-binary youth before they ever get the chance to self actualize (Brown et al., 2019; Grace & Nelson, 2019). There are currently 19 U.S. states which allow K-12 public school staff to inflict corporal punishment as a means of discipline upon their students; these states are: Alabama, Arkansas, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Missouri, Mississippi, North Carolina, Oklahoma, South

Carolina, Tennessee, Texas, and Wyoming (Gershoff & Font, 2016). As if inflicting physical harm towards children was not enough, the presence of law enforcement, by way of police officers and student resource officers (SROs), is commonplace within schools, especially those situated in areas of high poverty occupied by peoples of color (Black Organizing Project et al., 2013). Students of color are attending school all the while there are structures in place to surveil and regulate their behavior, yet students are expected to engage in learning while knowing that they are under constant threat of scrutiny from figures of authority from the very moment they walk into the school building. When combined, systems of discipline and punishment in schools share a common characteristics, that being the erasure of students from learning environments and the desecration of public schools as sites of critical learning, civic participation, democratic engagement, and safety (Giroux, 2016).

The expansion of zero tolerance policies in public schools is a key contributor towards disciplinary disparities targeting African American students and other youth of color (Lustick, 2021). Zero tolerance is a term used to describe policies in which any rule violations elicit automatic punishments, no matter how severe or inconsequential that violation may be (Forsyth et al., 2015; Skiba & Peterson 1999; Skiba et al. 2000). Zero tolerance policies were implemented in schools across the U.S. following President Clinton's signing of the Gun-Free Schools Act of 1994, which "mandates an expulsion of one calendar year for possession of a weapon and referral of students who violate the law to the criminal or juvenile justice system" (Skiba & Peterson, 1999, p. 373). The implementation of mandatory minimums created a system of unfair punishment where cases of rule violations in schools mandate an automatic punishment. These punishments are quick to ignore and dismiss student accounts from having any validity or

opportunity for vindication, robbing individuals from the ability to voice their side of the story. The Gun-Free Schools Act of 1994 provided the language necessary for numerous school districts across the country to broaden the scope of zero tolerance policies to include a variety of circumstances beyond the possession of firearms on school property, violations that do not necessarily jeopardize the safety of other students or the school environment as whole (Forsyth et al., 2014). Such extensions of policy criminalize even the most minor of offenses, such as dress code violations, play fighting, student insubordination, to something as trivial as the sharing of an inhaler during class time (Forsyth et al., 2014; Skiba & Peterson, 1999; Skiba et al. 2000). Findings from a study conducted in 2014 that analyzed the differences between ethnic groups and subjective and objective school infractions across a Louisiana school district revealed that African American students were exceedingly more likely than their peers to be targeted for violating subjective school infractions such as defying authority or vandalism of school property (Forsyth et al. 2014). This study indicates that students of color, specifically Black students, are exceedingly overrepresented in school punishment and are more likely to be affected by zero tolerance policies (Forsyth et al., 2014; Skiba & Peterson, 1999; Skiba et al. 2000). In effect, zero tolerance policies have bolstered the number of students being pushed out of schools and pushed into the school to prison nexus (American Psychological Association Zero Tolerance Task Force, 2008; Black Organizing Project et al., 2013; Skiba & Peterson, 1999; Skiba et al. 2000). A report conducted by the American Physiological Association Zero Tolerance Task Force determined the blatant ineffectiveness of zero tolerance policies in promoting safe schools, reducing recidivism and dropout rates, cultivating adequate learning environments; instead such policies have augmented the representation of students of color in school punishment (American

Psychological Association Zero Tolerance Task Force, 2008; Forsyth et al. 2014). Although there exists significant amounts of research on the racial, ethnic, and socioeconomic disparities in the use of zero tolerance policies, schools continue to exercise such practices and perpetuate institutional inequities (American Psychological Association Zero Tolerance Task Force, 2008; Black Organizing Project et al., 2013; Forsyth et al. 2014; Skiba & Peterson, 1999; Skiba et al. 2000). The significant number of students who are pushed out of school not only lose valuable instructional time but also become prone to greater exposure to law enforcement and the criminal justice system (Black Organizing Project et al., 2013). Public schools are complicit in facilitating the destruction of individual lives, families, and communities. Highly punitive and exclusionary policies have also been shown to increase the prospect of detrimental health conditions, as students develop an inability to cope with a barrage of toxic stressors including exposure to discrimination, violent trauma, and adversity at a young age (Brown et al., 2019; Kaba & Meiners, 2014).

Brown et al. (2019) assert that the dehumanization of youth of color is something that is enmeshed in the social fabric of the United States and persists in our schooling, as systems and institutions directly reflect our country's values and core beliefs rooted in white supremacy. Youth of color are socially neglected and subject to racialized inequities because society is structured around sustaining white supremacy and maintaining a hierarchical social order (Brown et al., 2019). White children are favored in such a system and thus have more access to readily available resources, unrivaled privileges, and social advantages in society and within the system of education. On the other hand, it is challenging for youth of color to navigate social inequities when they are repeatedly presented with obstacles and a barrage of social stressors that

pose threats to their self-actualization (Brown et al., 2019). Brown et al. (2019) argue that anti-Black polices “in schools promote depression and drive some children to self-harm, increasing suicide rates in youth of color” (p.3). Youth of color have more factors to cope with than their white counterparts, such as racial stereotypes, intergenerational trauma, increased exposure to violence and stress, and a lack of readily available services increasing the risks of child suicide (Brown et al., 2019). The Black Organizing Project et al. (2013) report that in 2013, the Oakland Unified School District employed 20 school counselors for an estimated 37,000 students. Brown et al. (2019) state, “This lack of awareness of the structural pieces of public education... makes suicide among Black children and youth far more prevalent as a result” (p.14). The blatant disregard for people of color, especially children, is sinister, cruel, and careless, but not without thought. The fact that law enforcement across the U.S. have adopted “proactive” or “broken windows” policies over last decade to blatantly target impoverished communities of color, and an increasing number of students of color, reveals that something about the suppression and subjugation of peoples of color must be foundational for the system of oppression to thrive (Legewie et al. 2019). These findings are indicative of the desolate landscape that Black, Indigenous, people of color, and students with disabilities have to traverse in their daily lives. Under such circumstances, youth of color are merely “trying to survive,” amidst the barrage of social toxins that hinder them from self-actualization (Duncan-Andrade, 2009; Grace & Nelson, 2019). The system of education is blatantly neglecting the humanity of our children and it is costing them their lives.

In essence, research demonstrates that students of color continue to be disproportionately marginalized by highly punitive practices within public schools. Research also indicates that zero



tolerance policies are ineffective in creating safe and orderly school environments, and instead criminalize youth for even the most inconsequential of offenses. The inequities that exist within exclusionary types of discipline engender extremely negative personal and academic outcomes in a child's life, including an increased risk of detrimental health outcomes and increased exposure to the school to prison nexus via the criminal justice system. Taken together, this body of research indicates an imminent need to move towards a more equitable and socially just system of public education that humanizes, empowers, respects, and dignifies students of color, for their lives depend on it.

### **Restorative Justice: Possibilities and Limitations**

Schools are increasingly turning towards alternative methods to punitive policies in an attempt to reconceptualize and circumvent traditional disciplinary practices that disproportionately exclude students of color and students with disabilities from the classroom (Vaandering, 2014). Restorative justice is one such approach that has been adopted by schools to reframe and manage differently perceived student wrongdoings that may arise within a school community as a result of conflict or tension. Restorative justice should not be regarded as merely a way to curb suspension and expulsion rates; rather it needs to be understood as a worldview, ground in the notion that all people are worthy of dignity and respect and that we are all interconnected with each other in one way or another (O'Brien & Nygreen, 2020). Restorative practices are focused around developing community, resolving conflict, repairing harm, and collaborating with students instead of singling them out, disparaging their humanity, and ultimately sequestering them (Davis, 2019; Winn, 2018). This means that any conflicts between students, and even educators, are viewed through a more humanizing lens, which seeks to get at

the root causes of student transgressions and work with youth to heal and restore them back into the school community instead of pushing them out of it (O'Brien & Nygeen, 2020; Vaandering, 2014). Exclusionary discipline mimics the U.S. criminal justice system which revolves around identifying misbehavior and sentencing punishment. Foucault (1995) states "Discipline 'makes' individuals; it is the specific technique of a power that regards individuals both as objects and as instruments of its exercise" (p. 170). Under this paradigm, students are silenced, negated, and oppressed, as they are often used as instruments to set an example for their peers. This example serves to put on display the power of exclusion and to give a face to "abnormality" and "undesirability." Conversely, restorative justice practices, such as community circles, proactive check-ins, and student mediations are designed to enable all parties involved in conflict or wrongdoing to express and advocate for themselves, in order to identify the root causes of such circumstances (Zehr, 2014). Restorative justice gives children the chance to make amends, find closure, and forgive others—possibly even rebuild relationships— or even foster relationships where there were none before, and ultimately develop social competencies beyond the expectations of greater society.

Research indicates that restorative justice can notably reduce racial disparities in exclusionary forms of discipline, particularly for Black and Brown students (Armour, 2013; González, 2015). A longitudinal study conducted from 2006 to 2013 in the Denver Public School system demonstrated significant decreases in suspension rates for African American and Latino students after schoolwide implementation of restorative practices (González, 2015). The decrease in suspension rates correlated with substantial increases in student proficiency on statewide exams, an increase in graduation rates, and a decrease in highschool dropout rates (González,

2015). Similarly, a study conducted in a San Antonio middle school during the 2013-2014 school year revealed that the implementation of restorative practices also correlated with significant decreases in total suspensions and a decrease in tardy violations, along with a considerable increase in academic proficiency in reading and math for sixth and seventh grade students. (Armour, 2013). Although findings suggest an overall decrease in exclusionary practices towards students of color, Lustick (2021) and O'Brien and Nygreen (2020) assert that Black and Brown students not only continue to be more likely to be suspended and expelled in contemporary times, but they also receive more restorative discipline than their white counterparts.

In the 2014-2015 school year, Lustick (2021) conducted an ethnographic study at three New York City schools that adopted restorative practices as a means to reduce racial disparities in overall suspension rates. All three schools served a student body predominantly composed of students of color and employed a predominantly white staff (Lustick, 2021). Despite these schools employing predominantly white staff, two out of the three opted to hire non-white Restorative Coordinators from the same neighborhoods as the student population they served (Lustick, 2021). Lustick (2021) observed restorative practices in and out of the classroom and interviewed students, faculty, and administrators. The findings of this study demonstrate that, although suspension rates were kept low throughout the year, the use of restorative practices resultantly served to reinforce traditional ideas of control and order in the classroom. Lustick's (2021) findings suggest that the predominantly white administration of such schools heavily invested in the ability of non-white restorative justice coordinators to "bond with, contain, and compel obedience from students of color" (p.1269). Such schools hired restorative justice coordinators or deans to act as "older siblings" with the aim of using the power of relationship

building and rapport to make kids less disruptive in school, instead of taking the necessary steps towards improving the quality and outcomes of life for their students (Lustick, 2021).

According to Lustick (2021), traditional urban public schools stifle restorative justice's transformational potential due to the fact that practitioners are frequently not explicit or deliberate about utilizing restorative practices to confront racism and challenge structures that unfairly penalize children of color. Furthermore, O'Brien and Nygreen (2020) assert that the work of restorative justice is often limited and contradicted by the way schools themselves are structured around discourses of individual accountability, student surveillance, and compliance to authority. Contradictions arise when schools claim that they are focused on racial and social justice, yet they continue to house police officers on school grounds, make students walk through metal detectors before entering school, and enforce rules without the justification or necessity of them. These are all actions that directly or indirectly criminalize adolescent students, which may cause them to internalize this idea that they are deviant and someone to be feared and need protection from. Schools will adopt a restorative justice framework to "appear more democratic, participatory, or progressive" when in reality they "constitute forms of disciplinary power and thus result in more effective technologies of control" (Anderson & Grinberg, 1998, p. 239, as cited in O'Brien & Nygreen, 2020). In other words, schools have a tendency to use restorative justice as a ruse to appear more progressive, yet they often use these practices as a tool of manipulation to coerce students into acting in prescribed ways, despite not dismantling any type of oppressive system. Vandearing (2014) refers to this as a "benevolent dictatorship," where educators will rely on restorative practices to persuade students of color that they are dedicated to working with them, only as long as they conform and comply with adult authority. The

potential of restorative justice to develop secure, supportive, and interdependent school environments is undermined when educators conceptualize restorative justice as merely a tool for behavior management (Vandeering, 2014). Vandeering (2014) argues that instead of using restorative justice as means of concentrating on institutional and community oriented change, schools utilize restorative justice with the aim to modify student behavior at the individual level. If teachers, staff, coaches and administrators fail to see past the myopia of individuality, they will lack an understanding of how their actions or inactions are situated within larger systemic contexts. The underlying causes of racial disparities in schools will continue to be overlooked if educators do not challenge the hegemonic systems of power and control that demonize and sequester students of color for their transgressions.

In summary, research suggests a general decline in the use of exclusionary practices against students of color when restorative practices are present. Yet, research also suggests that Black and Brown students still run a higher risk of suspension and expulsion than white students do today. Additionally, Black and Brown children receive more restorative discipline compared to white students. Urban public schools that employ restorative frameworks hinder the potential for institutional change since their teachers, staff, and educators are inclined to replicate authoritative attitudes on crime and punishment, thus affecting how they treat their children. Restorative justice cannot be interpreted as a behavior management tool or a remedy to challenge the effects of zero tolerance. To prevent perpetuating harm to those who are underserved, educators must recognize and oppose attempts to co-opt the language and principles behind restorative justice. Restorative justice must be seen as praxis to resist traditionally oppressive

forces, confront biases, foster communal interdependence, and ultimately deliver people of color from racist paradigms.

### **Fostering Student Belonging**

Studies have shown that students of color thrive when they feel a sense of belonging and it is the duty and responsibility of the educator to make sure that all students feel welcome and feel like they belong in the classroom (Borck, 2020; Brooms et al. 2021; Carter, 2008). As easy as this sounds, there are many factors and forces at work trying to prevent this from happening and it is oftentimes easier to ignore the circumstances at large and divest rather than be burdened by the traumas of others. Many educators enter the teaching field knowing that their teaching experience will be a labor of love and that they will expend a lot of time and energy on their students but there are others that do not. In his essay, *A Talk to Teachers*, Baldwin (2008) writes about the sense of responsibility and the degree of dedication an educator must possess when engaging with individuals who have been historically oppressed and disenfranchised when he writes, “To any citizen of this country who figures himself as responsible – and particularly those of you who deal with the minds and hearts of young people – must be prepared to “go for broke” (p. 17). In other words, Baldwin (2008) asserts that educators must possess an unwavering sense of commitment in service of the betterment, wellbeing, and advancement of their students, regardless if they are appreciated for their efforts or not.

The current reality that we live in degrades human life and exemplifies what Friere (1970) meant when he argued that the central theme of our time is domination. In this paradigm of domination, dehumanization and subjugation are definitive truths rather than theoretical abstractions. We lay witness to so many blatant acts of disregard for human life on a daily basis

that we have become accustomed to feeling as if this is a normal part of life. Herein lies the power of education as means to bring students to conscientization, to teach them how to navigate the world and subvert the ravenous and insatiable nature of domination (1970). Freire (1970) upholds the idea that humanization is one of the fundamental aims of education and that the act of humanization is often “thwarted by injustice, exploitation, oppression, and the violence of the oppressors; it [humanization] is affirmed by the yearning of the oppressed for freedom and justice, and by their struggle to recover their lost humanity” (p. 44). Humanization is a precursor to liberation, a process where those oppressed become conscious of their oppression and move towards taking ownership over their lives (Freire, 1970). Liberation is not just an idea, it is “a praxis: the action and reflection of men and women upon their world in order to transform it” (Freire, 1970, p. 79). Breaking from the hold of oppression requires a purposeful education, so that our students can begin to understand the conditions of their oppressed existence and move towards reimagining new systems that uphold their humanity. Baldwin writes, “The paradox of education is precisely this - that as one begins to become conscious one begins to examine the society in which he is being educated” (p. 18). If one never reaches this consciousness, then they will not be able to make connections and critiques of societal oppression. Camangian (2015) asserts that a humanizing education “allows young people to explore the depths of their ‘unresolved historical grief’ while helping to cultivate a deeper knowledge of and compassion for self, mobilizing efforts to develop a deeper sense of control over their collective lives” (p. 426). Our students need to be equipped with the abilities to challenge and dismantle existing systems of oppression by learning how to think rather than what to think. A working democracy can only be achieved when every member of society has access to an equitable education that

empowers them with the knowledge to think critically about the society in which they live and participate in.

Before even thinking about beginning what it means to engage with multiple marginalized and underrepresented communities, educators must recognize their students as “whole human beings with complex lives and experiences rather than simply as seekers after compartmentalized bits of knowledge” (hooks, 1994, p. 15). Educators must regard students as their equals and not their underlings and possess an understanding of the social and historical contexts from which the students that they serve hail from. Youth of color did not happen into these circumstances by chance, they come from generation after generation of engineered pain and trauma facilitated by political, legal, and colonial actors. For example, students, especially those who come from low-socioeconomic backgrounds, are more likely to attend schools and school districts that are highly segregated and have experienced some form of historical marginalization and disenfranchisement (García, 2020). Impoverished communities of color have suffered from processes of social dispossession stemming from, but even further back with no clear start date, to The Great Black Migration of 1907, where approximately six million African Americans who were pushed out of the American South and into the cities of the American North, West, and Midwest (Fernández-Kelly, 2016). It is in these urban centers where African Americans, experienced the byproducts of white flight, namely the systematic denial of loans and mortgages to the residents of racially segregated neighborhoods, also known as redlining, and the expansion of government initiatives to aid people in poverty in conjunction with state disinvestment, also known as capital retrogression (Fernández-Kelly, 2016). These circumstances, all racially motivated and government approved, worked in tandem to structurally



disadvantaged African Americans and other peoples of color, act as evidence of what Fernández-Kelly (2016) refers to as “distorted engagement,” a scenario where the state is present in the affairs of its citizens but with the intention of further repressing populations who have little economic and political power. Legacies of Black dispossession are not just legacies, they are more complex than that as they are still actively causing harm and have real life reverberations that severely inhibit community members who have tried to make lives better for themselves and for their loved ones.

Students of color who come hail impoverished and segregated communities are “faced with unique social and environmental challenges; they must learn to cope with racism and its associated stressors, including family stressors, educational stressors, and urban stressors” (Grace & Nelson, 2019, p.666). The overarching racism embedded within the formation of dispossessed schools and communities makes it so that youth of color are more likely to attend underfunded schools and school districts with inequitable access to mental health services, inadequate teacher-student relationships, excessive punitive and disciplinary consequences, over policing, and stressful environments that increase the risk for detrimental life outcomes (Brown et al., 2019; Grace & Nelson, 2019; Gregory et al. 2010). By being criminalized at such a young age, many youth of color find themselves “just trying to survive,” living in a society that finds it difficult to esteem their humanity. In addition, students are overrun with constant criticisms and are pegged as being the burden of society, namely through stereotypes and discourses of academic underachievement and undesirability, being perceived as having “bad” attitudes, poor academic dispositions, limited self worth, and the need to be “fixed,” all of which affect how youth of color are educated within the context of public education and how they are treated and

regarded in society (Brooms et al. 2021; Nasir et al., 2019; Rios, 2011). Research indicates that Black and Brown students who internalize negative discourse about themselves underachieve early in their academic careers, and as they progress through the school system, “these deficiencies combine with students’ gendered and racial identities to (re)position them as outsiders within schooling context (Brooms et al., 2021, p.211). If a student assumes that their racial identity is a limitation to their growth, they will be more likely to internalize and perpetuate an oppositional or self-defeating resistance toward schooling (Bernal & Solozano, 2001; Carter, 2008). In other words, students' academic and social outcomes are heavily contingent on how they perceive themselves within a larger sociocultural context, which is why it is that much more important to be an educator who genuinely cares about the students they serve. Educators must exhibit genuine care and unconditional love for the students they work with to let them know their value and recognize their greatness even if they do not see it for themselves and remind them that they are loved and cherished (Nasir et al., 2019). Furthermore, a deep sense of responsibility and dedication on behalf of an educator should not only help students navigate inequitable systems, but it should also engender educators to take action on a systemic level and resist the perpetuation of educational inequity in the classroom and beyond.

Students of color are more adept at overcoming structural barriers in their lives when they are educated and supported by teachers, mentors, coaches, and role models who authentically care for their persons (Borck, 2020; Brooms et al. 2021; Carter, 2008). Educators must be intentional with their pedagogy to teach children of color to identify and comprehend structures of oppression and stand in opposition to dominant societies' damaging perceptions of their self-worth and intellectual capabilities. Borck (2020) states, “A crucial aspect to this praxis is the

ability to understand the utility of an education without also believing in the supremacy of an education” (p.389). Educators can tailor curricula and pedagogy to make learning something meaningful and intelligible for students without making students feel like their education does not serve a purpose in their lives or make earning an education seem like an otherworldly task fit for a small minority of people. Borck (2020) asserts that students are more inclined to invest in their education if the culture of the school that they attend reflects that of a student's home culture. Engaging students in a manner that is culturally relevant, where students can see themselves in what they are learning, can impart in youth a way to utilize their identity as a way to positively invest in the utility of schooling and it is instrumental in empowering students to formulate positive conceptualizations of self and community (Borck, 2020; Carter, 2008; Nasir et al., 2019). Research suggests that students, especially African American students, who possess a positive racial identity coupled with a knowledge of racism and its attendant manifestations are more inclined to achieve academically and foster an identity ground in racial resistance and resilience (Borck 2020; Carter, 2008; Graves, 2014). Feeling a sense of belonging and connectedness with one's racial group can positively expand a student's social and cultural capital, allowing them to position their academic endeavors as means to counternarrate negative and disparaging discourse (Carter, 2008; Yosso, 2005). Students need to be able to see themselves in what they are learning to reinforce the notion that they not succumb to the low expectations of greater society.

Shifts in student consciousness begin with educators because we can not rely on policy makers and government representatives in office to make any real radical changes necessary to the public school system because they protect corporate and private interests who are invested in

reproducing the status quo. Educators must meet students where they are and be explicit about using pedagogy that instills the importance of knowledge of self, the value of community, and the value of interdependence to our fellow human beings (Davis, 2019; Nasir et al., 2019). Education should not “merely strive to reinforce domination” (hooks, 1994, p. 4) or preserve the status quo, rather educators need to encourage students to question authority and find ways to resist and change oppressive institutions and dream of new and better ways forward that dignify and respect humans for who they are and who they chose to identify as. It is the responsibility of educators to deliver high quality teaching and demonstrate a fierce and authentic love for their students that is characterized not by the things they say but by the weight of their actions (Duncan-Andrade, 2009). Although educators do not have control over the social conditions of their students' lives and that of their families, teachers do have the power to control the conditions of their classroom. Educators also have the power to change the educational system at the structural level by participating in the creation of school policy and decision making by refusing to be passive bystanders while those in positions of authority make all of the decisions. The role of the educator is often reduced and relegated to the work they do in the classroom but they can also use their platform to engage in local, state, and federal politics to help bring about change that will benefit our school communities for all those who participate, particularly for those who are most vulnerable, marginalized, and oppressed (Andrews et al., 2017). It is up to educators to champion their students, and remind them that they are loved, cherished, and that they do in fact belong in the classroom and beyond.

## Summary

This literature review claims that it is paramount for educators to recognize the ways in which inherently racist systems and institutions perpetuate inequities that have historically oppressed and continue to marginalize peoples of color to this day. It is even that much more important for educators to recognize these structures at work in our public schools, so that we can collectively move towards dismantling oppressive systems through the cultivation of engaged, critical thinkers who know how to access information, make thoughtful decisions, respect their fellow citizens, and work towards equity and social justice. The body of scholarship that justifies my claim includes three sets of evidence that demonstrate: (a) systems of discipline and punishment in public schools disproportionately punish children of color; (b) restorative justice can be utilized as a mechanism to reproduce power structures within schools; (c) students of color prosper in academic settings in which they feel a sense of belonging to. Racial Contract theory, Racial Neoliberal theory, and Restorative Justice theory framed this body of scholarship. This claim and body of evidence addresses some of the complexities restorative justice coordinators face when navigating the contradictory nature of public schools. With my thesis, I propose to interview adult restorative justice practitioners who are committed to collaborating predominantly with students of color, in order to gain a better understanding of what their experiences are engaging students in these practices.

### **CHAPTER III: FINDINGS**

The purpose of this thesis is to examine and understand how restorative justice educators navigate their work in racialized and neoliberal schools. This chapter focuses on the findings of a study conducted amongst four restorative justice practitioners who have implemented, organized, and modeled the use of non-punitive and redemptive healing practices in charter and public schools, situated in urban communities that primarily serve students of color, across the United States. The participants of this study have served in schools that either currently use or once did but have shifted away from punitive discipline as a response to managing student behavior. I aim to accurately represent the thoughts, concerns, and opinions of educators who work tirelessly to foster and advance the reach of dignifying, healing, and humanizing restorative school cultures in their own communities and beyond. It is my hope that through learning from the lived experiences of seasoned restorative justice educators that others will be inspired to take action in their own communities as well.

#### **Restorative Justice Educators**

The following sections will focus on key findings and central themes from an analysis of interviews conducted amongst four restorative justice practitioners located in various school communities. The four educators who agreed to participate in this study are the following: Benjamin Rombro, School Counselor at Royal Sunset High School in the San Lorenzo Unified School District (SLUSD); David Yusem, Restorative Justice Coordinator for the Oakland Unified School District (OUSD); Pamela Rodriguez, Assistant Principal of School Culture at New Heights Academy Charter School in New York City; and Conor Lynch, 9th/10th grade English Language Arts Instructor at Great Oaks Charter High School in New York City.

Benjamin has been working in the field of education for 16 years. At the age of 27, he obtained a Pupil Personnel Services (PPS) credential and a counseling degree to work in the public school system. Benjamin has spent the past 12 years in a variety of roles, including head school counselor, dean of students, and assistant principal, at both secondary and post secondary schools. Currently and for the past four years, he has been serving as a school counselor at a continuation high school in the San Lorenzo Unified School District (SLUSD).

David has been serving the Oakland Unified School District (OUSD) community for 12 years as a restorative justice educator. David had previously worked in the nonprofit sector, conducting community mediation, group facilitation, and conflict resolution since 2000. David has specialized in restorative justice since 2007 and has plans to continue making advances in this field.

Pamela has worked for six years in the field of education as a dean of culture at a charter school in the Lower East Side of Manhattan before transitioning to her current role as assistant principal of school culture at New Heights Academy Charter School in New York City. Pamela is committed to learning more about restorative justice and expanding her skills in mediation and conflict resolution so that she can continue to make positive contributions to her community.

Conor has worked in the field of education in various roles for 15 years. Conor has served as an educational administrator in the roles of principal, lead dean, and dean of school culture. He has since returned to the classroom and is now focusing on teaching ninth and tenth grade English-Language Arts.

With regard to schools as sites of historical and modern manifestations of racism, unequal distributions of power, and neoliberal policies, the findings in this study capture the nuances and

complexities of restorative justice education in practice. This study is essential in naming structural and ideological tensions that educators face when carrying out restorative practices in their school communities. The grounded data produced from this study indicate certain themes that are essential to understanding the limitations, challenges, and opportunities of restorative justice in traditional school settings.

### **Finding 1: Restorative Justice as Personal Praxis**

Restorative justice practitioners are tasked with the responsibility of nurturing non-punitive and relational school cultures, as they aim to move beyond the constraints of the traditional hegemonic disciplinary practices that currently dominate popular schooling. As a baseline, restorative justice educators should approach their work with a deep understanding of the principles and values that guide restorative justice such as empathy, respect, relational community-building, healing, accountability, and empowerment. In addition to embodying these values as working professionals, participants described the principles of restorative justice as an extension of their own personal worldview. This involves incorporating personal politics into professional practice, acknowledging that there is no such thing as control in education, the desire to redefine conflict, and the necessity of restorative practitioners to show authentic care for their students.

#### **Way of Being in the World**

Results from the study indicate that becoming educators for restorative justice not only enabled but also actively encouraged participants to embody their personal politics into their practice. David Yusem best elucidates this point by asserting that the values of restorative justice resonate most with his “style of being in the world” (personal communication, February 8,



2023). In other words, working as a restorative justice educator allows David to channel his way of being in the world into creating positive outcomes for his school community. David shares similarities with his fellow participants in wanting to build a more just and equitable society that can recognize the inherent value of each individual in a community. David is passionate about shifting the way students experience interactions with the institution of public schooling, and it would be an added benefit if he could also reform the way the institution operates as a result. This is a sentiment expressed by Pamela Rodriguez as well, who, as a self-identified Latinx woman, recognizes herself as a scholar in the students that she serves. She views her duty as an educator to provide for her students a more humanizing educational experience than she received as a youth. According to Pamela, relying entirely on punitive disciplinary measures is unproductive to being in relationship with students. Not only are such measures fundamentally transactional and hierarchical, but they also ignore the reality that children have lives and challenges outside of school, which in turn influence their behavior within academic settings. Pamela's critique of oppressive schooling practices augments her praxis as a Restorative educator, as she seeks to create better living and learning environments for her students.

As reviewed in the literature, I recognize the dispositions of my interviewees to parallel Lustick's (2021) framing of Gramsci's (1971) concept of hegemony— in particular, positioning restorative justice educators as “organic intellectuals.” According to Gramsci (1971), organic intellectuals play a crucial role in creating the conditions for a hegemonic shift, or a shift in culture, by contesting dominant ideology and pursuing an alternative vision of society that resonates with a broader and oppressed populace. In this case, participants play the role of organic intellectuals by collaborating with students and other adults, through restorative

practices, with an alternate way of being in community, resolving conflict, reducing harm, and providing support for community members that is in line with their ways of “being in the world” (David Yusem, personal communication, February 8, 2023). Restorative educators use their platform to influence how their students, predominantly students of color, navigate and engage with the institution of school, creating the tangible conditions for a hegemonic shift away from traditional forms of operation into thriving relational school cultures (Lustick, 2021). Participants expressed that they are able to translate their ideas of social and racial justice into practice as restorative justice educators, enacting tangible change at the micro level, within their school community, with grander hopes of altering larger institutional practices at the macro level.

### **“No Control”**

Participants detest utilizing restorative practices as a means to control or manipulate student behavior. Participants express how essential it is to recognize restorative justice as a philosophy and a fundamental "mindset that everyone [in school] needs to be aligned with" in order to fully achieve a sense of community that is co-constructed around humanizing values (Pamela Rodriguez, personal communication, February 9, 2023). As Benjamin Rombro asserts, this is easier done in theory than in practice. Benjamin explains that in his prior experience, many teachers, especially older teachers with more years of experience, demonstrated more reluctance to adapt to new ideologies and practices in education. Although participants express that restorative justice has passed the threshold of resistance in most educational settings, meaning educators’ reluctance to engage in restorative justice has waned, there is still a fair share of educators who do not fully embrace a restorative ethos. Two participants recall being called into question by other teachers and leadership staff who mistakenly regarded restorative justice

practices as a behavioral control tool for learning settings. Much to others' dismay, Conor Lynch expresses, "People look at me sideways when they hear me say that there is no such thing as control in schools" (personal communication, February 9, 2023). Lynch is of the belief that educators need to let go of the idea that you will ever be able to control students or have control over them. Control is an illusion. David Yusem similarly states, "Your classroom should be out of control. It should be in relationship, you know, that should be, what your "classroom management" is... Have you ever met anyone that wants to be controlled?" (personal communication, February 9, 2023). Participants argue that educators who utilize restorative practices need to do so responsibly as to not reproduce oppressive relationships in their own classrooms. A learning environment should not be used as a place "to enact rituals of control that [are] about domination and the unjust exercise of power" (hooks, 1994, p. 5). The theory and practice of restorative justice are antithetical to hegemonic methods of manipulation, intimidation, and coercion because they prioritize social cooperation above social control.

According to Stovall (2016), traditional schooling demands subordination to authority, and schools have consistently demonstrated a propensity to exert control over marginalized and vulnerable students and coerce them into compliance. The introduction of neoliberal educational reforms, such as No Child Left Behind (NCLB) Act and the Race to the Top program, further concentrated on the social control of young people by normalizing the idea that in order for students to "succeed" in academia, they must be compliant to rules and outcompete their peers in their own community and across school districts on test scores (Hastings, 2019). Pitting students in competition against one another for artificially scarce resources exacerbates the existing inequities in the system of education that are rooted in colonial legacies of the division and

dispossession of BIPOC communities. Punitive behavior policies were implemented as a result of the pressures brought on by the neoliberalization of education to control students and guarantee that they meet specified and standardized norms set out by the state (Clarke et al., 2021). These policies reflect a conservative perspective on safety that is more focused on the absence of violence rather than the cultivation of a true sense of community. Controlling and disciplining racialized bodies, whose lives have been seldom reflected in academic curricula, are oppressive practices that reflect the racist and inhumane methodologies of slavery and colonialism (Rhee, 2013; Brown et al., 2019). When Restorative educators engage in their work, they do so to actively resist the aforementioned practices and to try and offer a more equitable alternative for dealing with disciplinary infractions to create a culture of connectivity rather than one of dissociation and sequestration.

### **Redefining Conflict**

Across the boards, participants expressed, explicitly or implicitly, the significance of using restorative justice to redefine conflict and to bring attention to the racist nature of traditional school discipline. An integral aspect of an effective school-based restorative justice model is the ability for educators to resolve conflicts without reproducing oppression or escalating any form of harm. Participants perceive their work as integral not only to facilitating healing and resolving conflict, but to create learning opportunities for all stakeholders that go beyond conventional ideas of discipline and punishment. In this sense, conflict resolution parallels indigenous conceptions of conflict transformation, where conflict is addressed in ways that heal relationships, restore harmony to parties affected by conflict, and provide opportunities of growth which otherwise would not be possible (Walker, 2004; Zehr 2014).

Cultivating opportunities of growth means being comfortable “Allowing someone to speak from their own authentic voice... allowing conflict in a healthy way instead of shying away from it because we're scared of what might happen... allowing voices to step outside of the framework” (Conor Lynch, personal communication, February 9, 2023). Allowing for students to be vulnerable and authentically express themselves without fear of backlash is an invaluable aspect of what restorative practitioners bring to the table when engaging students and other adults in settling disputes, making amends, and finding common ground. Participants shared how important it is to be able to model what effective interpersonal communication looks like for members of the school community, especially in moments of tension. This includes the use of “I” statements, modeling empathetic listening, managing body language, and being respectful at all times while demonstrating equal concern for all stakeholders.

Beyond the modeling of cordial and respectful interactions is the essential nature of acknowledging the humanity of students, who are racialized and minoritized by white supremacist and neoliberal institutions, and treating students with respect (Goldberg, 2009; Camangian & Cariaga, 2021). Conor refers to acknowledging the humanity of students in his aforementioned comment by allowing for student voices to rise above prescribed boundaries of “acceptable dialogue” to allow for authentic and meaningful interactions to take place. If educators and students “come to be ashamed of one another... mistreat one another...be very critical of one another... be unable to unite in a common cause, [they will] feel hopeless about one another” (Ruth, 1988, p. 436 as cited in Camangian & Cariaga, 2021) In other words, if educators and students cannot see through their perceived differences, the manufactured animosity within school culture can permeate through students’ interactions with each other,

their educators, and their feelings towards school. It makes it that much more important for practitioners to responsibly engage in situations of tension to set a precedence for what future interactions can be like.

A restorative approach to conflict entails curbing the formation of harmful racialized identities by rejecting the forms of scrutiny that students face in being punished and excluded from learning environments. This is especially true for one participant whose school lacks the necessary infrastructure and person power to eradicate punitive policies as a behavioral intervention. Participants expressed that because they demonstrate a proclivity for managing conflict, they were often sought out to mediate difficult situations and work with students inappropriately framed by colleagues as “bad kids” or “troublemakers.” Pamela argues that some educators do not take the time to genuinely dialogue with their students and thus “lack understanding and connection at a deeper level” which may lead them to label students in damaging ways “without truly uncovering what’s going on [with their students]” (personal communication, February 9, 2023). As traditional schools are spaces that perpetuate dominant cultural norms and institutional policies that reinforce racist white supremacist values; they have the power to perpetually disparage students of color through the shaping and regulating of their identity and behavior (Ferguson, 2000; Rios, 2011; Nasir, 2012). Situations where students are associated with negative stereotypes and deficit beliefs create opportunities for restorative practitioners to call their peers in and address educator biases. While participants expressed that calling another adult in on their personal biases may not be the most comfortable thing to do, it is necessary to engage in dialogue to disrupt and challenge harmful biases that can inflict harm on student perceptions of themselves and others.

Conor asserts that dialogue centering racial bias must be the “first conversation that you have to have [with fellow educators] because the system doesn't get broken until you have those difficult conversations around problems of racial bias, inequity, and discrimination” (personal communication, February 9, 2023). This means that it is crucial for educators to prioritize conversations around issues of race, inequity, and discrimination in order to address and break down the systemic issues that perpetuate these problems. David agrees when he states, “if [race] is not discussed explicitly in conversation, then it is absent yet implicit in every conversation, so the context of the work we do requires a racial justice lens” (personal communication, February 9, 2023). In other words, if the topic of race is not directly addressed in conversation, it is still present as an underlying implication that influences the conversation, even if it is not explicitly addressed. Engaging other adults in proactive conversations about ongoing social issues, especially how race permeates the institution of school, means that individuals and communities can work towards explicitly addressing and challenging racial inequity and discrimination and create more equitable learning environments where students feel they belong.

Embracing conflict also allows restorative educators to collaborate with students and redefine what constitutes a consequence. The concept of a consequence under a punitive disciplinary framework carries with it a stigma that students can use to inform their sense of identity. The prevalence of neoliberal logics of individuality and compliance to authority assumes that individuals who fail to comply with an institution's set rules and regulations are criminal and deserve punishment (O'Brien & Nygreen, 2020). Neoliberal logics are not race-neutral, and their policies can be theorized as racist projects that legitimize the use of violence, expropriation, and other unfair and unjust social practices towards criminalized and

racialized bodies (Goldberg, 2009; Rhee, 2013). Exercising a restorative justice intervention to respond to student “misbehavior” provides an alternative idea of consequence. This means holding students accountable for their actions, while also working with them and providing the support necessary in the process of conflict resolution and harm reduction to show that redemption is possible. This shift allows students to recognize that they can in fact reconcile relationships and learn from their mistakes, while also internalizing a sense of positive self worth, disrupting negative or deficit notions of self. Creating spaces for positive reparation can help students feel like they belong and motivate them to want to invest in a community that respects and values their personhood (Borck 2020; Carter, 2008; Graves, 2014). The ability to engage in conflict, enact reparation, and expand students' understanding of what is possible beyond traditional punishment is what distinguishes peacemaking pedagogies that nourish bonds of belonging from pedagogies of control (Morrison & Vaandering, 2012). Cultivating social engagement and authentic relationship making in schools is a way to establish safe, caring, and relational learning environments that devalue the need for pre-prescribed hierarchical relationships.

### **Cariño**

One of the more prominent attributes that participants shared was their sense of authentic care or “cariño” for the students in their community (Valenzuela, 1999), informed by what hooks (2000) refers to as a “love ethic.” hooks (2000) writes, “embracing a love ethic means that we utilize all the dimensions of love- ‘care, commitment, trust, responsibility, respect, and knowledge’ -in our everyday lives” (p. 94). In other words, embracing a love ethic is reflective of a righteousness and benevolence in relationship to humankind. In the context of education, the



act of caring or *cariño* is not a neutral or apolitical concept, but rather is influenced by complex social, cultural, and historical factors that shape how care is provided for and received by students.

There is a wise saying that goes: students do not care what they can learn from their educators unless they know their teachers care about them (Camangian, 2010; Hannegan-Martinez, 2019). Until students feel that they are seen and heard by their educators, students will be reluctant to engage in learning and relationship making (Borck, 2020; Nasir et al., 2019). Participants identify as caring educators who use their role to empower students to express themselves and develop a sense of ownership over their learning and their lives. Pamela considered herself to be an educator who advocates and cares for her students. Pamela affirms, “[Students] need somebody to hear them. They need somebody to care about them. They need somebody to truly show them that they matter, that's what they need” (personal communication, February 8, 2023). Pamela emphasizes the value of emotional intelligence and empathy in the classroom, as well as the role that teachers and other educators can play in supporting their students' emotional wellbeing. Leading with *cariño* is also a way for participants to counteract neoliberal scripts that underpin traditional schooling, where educators are tasked with producing efficient and competitive students that can then contribute to the market economy. Focusing solely on teaching students to reach academic standards detracts from appreciating students’ “academic knowledge,” which includes the distinctive perspectives and experiences that students bring to the classroom that serve as a foundation for interacting with schooling. (Johnson, 2022). *Cariño* also has the power to form solidarities across differences by fostering empathy,

compassion, and encouraging collective action in promotion of both individual and collective wellbeing.

Through the facilitation of community circles, participants open spaces that center student voices and set the “conditions for young people to be vulnerable as they share their stories and struggles in order to recognize and honor humanity in one another” (Hannegan-Martinez, 2019, p.9). Opening community circles around sensitive issues such as racism, sexism, classism, among other topics, allows marginalized students to address the impact of historical and ongoing traumas in their communities in a comprehensive and culturally responsive way (Ginwright, 2015). Benjamin recalls rich and productive student circles that took place in response to the highly polarizing socio-political climate during former President Trump's time in office. Benjamin states, “Students just weren't having it anymore... They called out the lack of cultural relevancy in the curriculum and the way Black and Brown students are marginalized in school districts” (personal communication, February 7, 2023). Benjamin shares that students were given a platform to express their righteous indignation, and as a result, a greater sense of empathy and interconnectedness was formed. Benjamin notes, “Those circles were really exhausting, complicated, and time consuming, but also so worthwhile... It was really cool to see students speak their truth and express their feelings and gain a better understanding of where everyone was coming from” (personal communication, February 7, 2023). Even though the conversations in community circles were strenuous at times, Benjamin can acknowledge that they were equally as rewarding as they were necessary. By centering student voices in community circles, students could share their experiences and perspectives in a validating way,

fostering a stronger community that is crucial for students academic success and emotional well being.

An element of *cariño* is also recognizing and actively listening to the unique and rich insight that students of color bring to the community. Through restorative practices, students can reflect, problem-pose, and begin the process to radically heal from and liberate their collective consciousness from the injustices that exist within society (Friere, 1970, Valenzuela 1999, Ginwright, 2015). Participants' *cariño* for their students is critical to their role as restorative justice educators, and their work would not be as effective or transformative if they lacked care and authentic love for their students.

### **Finding 2: RJ Educators Yearn for Support Across the Board**

Data analysis revealed a pattern of shortcomings as participants raised concerns and provided recommendations on how restorative justice should be supported and improved moving forward in their schools. It is important to note that the participants of this study work in schools with varying infrastructures, ranging from a minimal school wide restorative justice implementation to a more expansive and district backed structure that is supportive of racial and social justice initiatives. The following section summarizes the findings related to areas where restorative practitioners feel they need added support to fully live out the values of restorative justice in their respective schools. Among such areas, participants mentioned issues around limited time and funding, bureaucratic hindrances, lack of training around critical topics, and inconsistencies in restorative justice programs.

## **Funding and Time**

The field of education is a contested space as it is heavily polarized and politicized. There are many stakeholders at different levels and the power to make changes within the field is unevenly distributed. Furthermore, funding disparities between schools and school districts exacerbate an already inequitable educational terrain. Funding disparities have had a historical effect on students, educators, and entire communities, especially those situated in poor and low income areas (Barrett et al, 2021). Schools situated in historically disenfranchised communities have historically encountered unequal access to the necessary educational resources and support relative to those of more affluent school communities (Barrett et al, 2021). Participants of this study regularly alluded to a lack of funding and time, making it difficult to enact the necessary changes through their work in their respective schools. David asserts, “Our schools are constantly under-resourced and constantly needing more money to do [restorative justice] work because it's such a heavy lift” (personal communication, February 9, 2023). David underscores how crucial it is to be aware of the challenges associated with instituting and effectively practicing restorative justice in schools, as well as the necessity for sustained investment in order to bring about long-lasting change. The themes of insufficient funding and time come up far too frequently in educational discourse and they need to continue to be addressed for the sake of educational equity and to repay the educational debt that is owed to historically marginalized students (Ladson-Billings, 2006).

## **Challenges to Developing Restorative Shifts**

Vaandering (2014) asserts that in order for schools to shift from compliance based institutions to ones that operate on the basis of relationships and restorative values, it is necessary

for educators to contest and confront the current system. Herein lies challenges for restorative justice coordinators who are situated in both schools that have an established infrastructure to support restorative justice initiatives and those that lack the necessary structure and educator investment. For a progressive school district like the OUSD that has “embraced restorative justice” and has access to more comprehensive resources that encourage the growth of restorative justice in schools, David can still acknowledge shortcomings even though from an outside perspective it may seem as though there is adequate support (personal communication, February 8, 2023). One such shortcoming is that David is at capacity to train and coach the growing number of educators who want to be trained in restorative justice. David asserts, “I am down to one program manager from four... and training as many people as that want to get trained is more than we can handle” (personal communication, February 8, 2023). David indicates that the restorative justice program in the OUSD has been undersized, disinvested, and restructured due to a budget crisis in the district's recent history. Not only is there a growing rate of educators who want to become versed in and participate in the restorative justice movement that cannot be currently supported, but David also expressed a current lack of fidelity within the restorative justice program structure. As a result of restructuring due to budgetary issues, David no longer has the power to hire or supervise site based restorative justice practitioners as the OUSD restorative justice coordinator, but rather this power has shifted to school principals. This is a point of concern for David who now has to rely on the school principal's decision making to hire the right candidates for the job who also carry David’s same vision and understanding for restorative justice. Although David thinks that individuals in leadership positions, such as school principals and superintendents, do a great job of supporting restorative justice throughout the

district, he would like to see more of a connection between the philosophy of restorative justice and the practice of it throughout the operation of the district. This is evidence that even with a more comprehensive restorative justice program, David still feels limited and undersupported in fully being able to override punitive ideologies and systems that have dominated education for so long. This begs one to contemplate, if David can feel so hindered in his work due to bureaucratic decision making and its consequences, how much harder must it be for educators who work in districts that not only lack the rich history of social change that Oakland has, but also lack the overarching support for restorative justice initiatives.

Participants whose schools lack the comprehensive structures to support restorative justice initiatives agree that their schools could benefit from more restorative justice based training and professional development sessions that allow educators to critically reflect on their personal values, biases, and practices in the classroom on a consistent basis. While restorative justice practitioners are drawn to the field to build and establish positive relational and humanizing school cultures, they must be cognizant of the fact that not all other educators may share the same ideals, nor be as explicit in creating such school environments. Furthermore, participants shared that they have worked alongside educators who simply did not view restorative justice as an effective or adequate approach to discipline. Pamela recalls a conversation with a teacher in the aftermath of a complicated situation with a student when the teacher expressed to her, “You [restorative justice educators] are not doing what you're supposed to be doing. These kids are supposed to be suspended for having these kinds of [behavioral] outbursts” (personal communication, February 9, 2023). Pamela ponders the situation when she states, “but it was never a reflection of what she [the teacher] was doing” (personal

communication, February 9, 2023). Pamela believes that aforementioned situation could have been mitigated, or even avoided, if her school invested time and energy into consistent school year round training and professional development sessions for staff on critical matters such as cross cultural sensitivity, racial disparities in discipline, humanizing pedagogies, intersectionality, and addressing personal bias. If schools claim to have adopted progressive values, then those values need to be reinforced with critical conversations around such topics central to educational inequity such as racism, oppression, and white supremacy, among others.

### **School Support**

A point of concern expressed by some participants is that they are often viewed as the only individuals that an entire school community will rely on to conduct the necessary work involved in shifting towards a restorative school culture. A school that operates with a zero-tolerance framework but adopts only some restorative justice philosophies and practices into that framework, while well intentioned, is counterproductive (O'Brien & Nygreen, 2020; Lustick, 2021). This point is exemplified by Pamela who expressed that she, and one other staff member, were the only ones trained in restorative practices in the entire school and they both often felt overwhelmed by the demand for their support. Although Pamela expressed that her school maintained zero tolerance policies as its main form of discipline, taking a restorative approach to discipline is simply unsustainable with only a handful of members practicing. She has access to a limited capacity of adults that can help her carry out restorative practices and feels that with an unfair share of the workload, unless some restructuring is done in terms of administrator and teacher roles and responsibilities, her school may never be able to fully adopt a restorative ethos. Pamela expresses that she feels under supported by her peers to make certain

changes. She states, “Administrators tend to back away from restorative practices. Instead they see a need for stronger punishments, to represent how outside society will treat [students]” (personal communication, February 8, 2023). In other words, some staff members will be reluctant to pursue restorative justice because they believe that racialized children need to be punished to compel obedience to their oppressors (Friere, 1970). This kind of self-defeating ideology is indicative of what Hannegan-Martinez (2019) refers to as punk love, where educators are aware of larger systemic educational inequities but their actions and behaviors do not reflect the needs of the young people they are serving (Solorzano & Delgado Bernal, 2001). To oppose punk love, hooks (1994) asserts, “If we discover in ourselves self-hatred, low self-esteem, or internalized white supremacist thinking and we face it, we can begin to heal” (p. 248). In other words, restorative justice will simply be ineffective in schools if educators fail to critically reflect on their behaviors and practices and take action to confront the dangerous ideologies that inform their praxis. Members of the school culture team who are restoratively focused, under a zero-tolerance disciplinary system, will inevitably be constrained by other adults who have either not witnessed for themselves the power of restorative justice in practice or may be too set in their ways, practicing the ideological traditions of hegemonic education.

A change in school culture cannot be sustained by one person or even a small number of individuals; rather, culture change must be approached as a collaborative process including various stakeholders with sustained long-term commitment. Benjamin agrees that it can be challenging and exhausting taking on such a heavy workload when you “don't have the resources to train all of the staff properly” to assist in restorative practices (personal communication, February 7, 2023). Benjamin proposes that schools not only invest in training all staff in



restorative justice, but also training small groups of students to take on leadership positions as restorative justice facilitators who can lead appropriate proactive restorative practices. Benjamin emphasizes harnessing student power to advance restorative justice ideas as a potential course of action to consider for a community in need of further support. Benjamin states, “I think that a lot of people kind of just assume that kids don't have the capacity to take on certain things and be trained in certain practices but they do and they are so good at it” (personal communication, February 7, 2023). In other words, adults should not overlook the power of students to take on responsibility and take action that can lead to tangible changes within their community.

Benjamin further indicates the importance of harnessing students' power when he explains that “there should be a further investment in allowing the students to be the leaders in their communities and dissolve this adult-student hierarchy that exists” (personal communication, February 7, 2023). Students need to be seen as equals to educators and not inferior to them. This adjustment shows a commitment to community level change that is as sustainable as it is humanizing, as it may be counterintuitive for a school community to engage in restorative practices without making a commitment to community level change.

### **Finding 3: Restorative Justice Needs to be Experienced to be Understood**

Embracing and normalizing a restorative justice ethos within schools is a worthwhile endeavor that all participants seek to actualize. Participants express that educators would be more inclined to participate in restorative interventions if they allowed themselves to experience the humanizing, rewarding, and transformative effects of restorative justice in action. David Yusem states, “experience precedes belief when it comes to restorative justice” (personal communication, February 7, 2023). Experience often precedes belief when it comes to

restorative justice because it is through direct experiences that educators can gain a deeper understanding of the power behind the principles and values underlying such a philosophy and worldview (O'Brien & Nygreen 2020; Zehr, 2014). What makes restorative justice worthwhile is that it not only provides students and adults with an alternative to the dehumanizing reciprocity of punitive punishment, but it allows students to gain a sense of belonging, control, and agency in the learning environment (Borck, 2020; Camangian, 2015). Conor mentions that one of the most beautiful moments of his career took place during a restorative mediation between two ninth grade students who had previously engaged in a physical confrontation. During the tense mediation, Conor recalls that one of the students stopped him midway through a question, "she literally put her arm out in front of me and she's like, stop. I'm okay," at which point the student initiated a meaningful conversation that was reciprocated by her peer (personal communication, February 9, 2023). This is what Conor refers to as an "off-script moment," where instead of sticking to a preselected set of affective questions to help guide the mediation, Conor allowed the students to have their own restorative conversation. Conor states, "because my school had dedicated so much time to those kinds of conversations, those girls felt safe and in that moment, and they were comfortable both owning the use of restorative language to restore their relationship" (personal communication, February 9, 2023). In other words, Conor attributes the success of the restorative mediation between his two students to the fact that his school had invested a significant amount of time and resources into fostering and normalizing a restorative culture. By doing so, students were able to feel comfortable authentically expressing themselves and utilizing their agency to engage in the restorative process. Conor continues, "[Students] will replicate the conditions that you put in place for them" (personal communication, February 9,

2023). In other words, if schools prioritize punitive approaches to discipline, then students will respond to conflict and misbehavior in equally punitive ways, perpetuating a damaging cycle. Conversely, if schools prioritize restorative practices, such as dialoging and conflict resolution, students may be more likely to respond to conflict in ways that emphasize accountability, empathy, reparation, and solidarity. Witnessing students authentically expressing themselves and dialoging amongst their peers can help educators understand how restorative justice practices foster a community based on a shared sense of humanity (Knight & Wadhwa, 2014; Vaandering, 2014). Without taking the leap into restorative spaces or invoking a restorative mindset, educators will fail to comprehend the transformative power of restorative justice in action.

It is worth noting that some participants recognize a need for situational punitive disciplinary policies in school. Participants expressed that they can recall instances where they felt that a restorative intervention was not best suited to the situation, due to the gravity of the event. Participants felt that certain situations required the need for punitive disciplinary consequences, situations such as incidents of gendered violence, weapons use, or instances of egregious violence. Restorative practices may not be appropriate in such circumstances for victims or survivors of abuse to engage in communication with those who harmed them so immediately. Quite similarly, severe instances may require a need for the removal of those that caused harm from the community for an indefinite period of time. Conor expresses:

At the end of the day, expulsions and suspensions will always be necessary to maintain personal safety... you do still have a right and a duty to protect community that could be made vulnerable by somebody's behavior or actions. But if you're not matching that with support, with conversation about what real accountability looks like, where that behavior

was initially coming from to begin with, all you're doing is replicating harm and that is dangerous (personal communication, February 8, 2023).

In other words, suspensions and expulsions may still have a place within schools when it involves preserving the safety of the members of the community, but community removal needs to be met with the appropriate avenues of support. Adding a restorative component to the aftercare of school removal is important because students need to know that they can make mistakes and that there is a space and possibility for redemption to take place.

Creating an environment where students can grow in the process of learning from their mistakes while feeling a sense of belonging, instead of referring students to law enforcement or serving a time in suspension, can create positive outcomes for students. David recalls a story shared by a fellow restorative justice facilitator where a relationship was formed by bringing people together in a restorative circle. The story describes an incident where two students destroyed a shrine in front of a couple's yard that was dedicated to a soldier who had died in the Iraq war. The couple suspected that the two students who desecrated their shrine attended the local neighborhood middle school. The incident was reported to the middle school by the family, and students were identified within days. Rather than suspending the students, the school organized a restorative justice circle. The couple whose shrine had been demolished, as well as the students responsible for it, sat together with their parents and the principal to discuss what had occurred. During the circle, the couple discussed the impact of the shrine's destruction, and the soldier's mother even showed the students a picture of her son and handed it to one of them, stating that they reminded her of him. The circle was very powerful as it helped the students comprehend the consequences of their actions and they formed a bond with the couple which

otherwise would have never existed, which led to their reconstructing the shrine and they even played basketball together (personal communication, February 7, 2023). Instead of relying on punishment and retribution, this story shows the beneficial effects of restorative justice approaches in promoting communication, restitution, and healing relationships. This story is a great illustration of what can take place as a result of bringing people together in a way that respects everyone's voice and experience.

All participants can recall experiences where students have positively developed a sense of accountability and interconnectivity among other community members. Seeing for themselves contributed to their commitment to restorative justice. The moments where students can advocate for themselves, learn from one another, and build relationships where they otherwise would not have had an opportunity to do so makes all of the pre-work that goes into facilitating circles and mediations worthwhile. The participants believe that if more of their colleagues saw these same powerful processes, they would also become committed to restorative justice. They, too, would then want to create environments where students feel that they belong, where they are empowered, valued, and supported. Restorative justice flips the script on domination and oppression by shifting the focus away from antiquated neoliberal ideas of punishment and control and into creating a more collaborative and equitable community that values repairing harm and building relationships.

### **Conclusion**

It is my intention to accurately portray the experiences, thoughts, and concerns of restorative justice practitioners who seek to provide more equitable and just learning and living environments for students, as well as educators. Participant motivations are rooted in a desire for

a system-wide culture shift away from traditional hegemonic forms of discipline that are all too common in schools across the country and that disproportionately target communities of color. The shared concern for the imminent need of humanizing school cultures, which emerged from a shared critical understanding of how social (in)justice and racial (in)equity manifest in the current schooling paradigm. Their collective voices heed a call for an unwavering investment for restorative justice education in schools as a means to foster relational communities where all are esteemed, appreciated, and cared for.

## **CHAPTER IV: WHAT SHOULD STAKEHOLDERS DO?**

The purpose of this study was to gain a more profound understanding of how restorative justice practitioners navigate their work in schools that are highly racialized and influenced by neoliberal policies. Existing literature focuses on some of the impacts and constraints of implementing and practicing restorative justice in schools to address the racial discipline gap and create inclusive learning environments for students, without taking into account the values and experiences of restorative practitioners themselves. By centering the voices of four restorative justice practitioners, this study shed light on some of the complexities and nuances of practicing restorative justice within institutions whose foundational logics have historically relied on punitive punishment to establish authority and maintain order.

### **Conclusions**

The research questions that this paper explores are the following: How do the experiences, beliefs, and values of restorative justice practitioners shape their practice? How does the local and national context of schooling shape the practice of restorative justice practitioners? What are the challenges and resources for implementing restorative justice in schools? How do restorative justice practitioners navigate these challenges? In the following sections, I will address each of the research questions, and in turn, summarize the key findings of this study.

This study's findings suggest that the ways in which restorative justice practitioners approach their practice within their respective learning communities is significantly influenced by their experiences, beliefs, and values. Interviews conducted with four restorative educators found that restorative justice practitioners were more likely to embrace a restorative approach to

discipline, conflict resolution, and community building if they possessed a critical understanding of how the institution of school perpetuates social injustices. Practitioners who held a deep commitment towards the pursuit of educational equity and justice for all students, particularly those who have been historically marginalized and oppressed within the school system, were more likely to seamlessly integrate their personal politics into their praxis. The values and beliefs that reflected practitioners' approach to restorative justice include treating students with respect and genuine care, dissolving the idea of social control in the classroom, and the desire to redefine the idea of conflict to bring attention to the racist nature of traditional school discipline. Practitioners sought to incorporate their beliefs of social and racial justice to enact tangible change within their immediate school communities with the hope of contesting and transforming unjust institutional practices at a broader level.

This study also indicates that the local and national context of schooling profoundly shapes the practice of restorative justice. Data reveals that practitioners navigate a complexity of institutional policies, cultural norms, and power dynamics that can support or hinder the advancement of restorative justice in schools. For example, restorative practitioners situated within different localities face distinct challenges towards implementing and practicing restorative justice with fidelity. In the case of the OUSD, despite being a progressive school district that has widely adopted restorative justice and possesses the comprehensive structures to promote its growth, the districts' restorative coordinator still faces shortcomings. One of the limitations includes bureaucratic decisions divorced from input of restorative justice coordinators that restricts them from carrying out their work in a way that is most beneficial for students. On the other hand, practitioners located in schools that lack the necessary infrastructure to support



and make the transition to a restorative culture argue that traditional and punitive logics contest the work of restorative justice. A school's overreliance on punitive discipline and a lack of educators trained in restorative justice impedes the work of restorative practitioners who have to navigate between punitive and non-punitive practices. It is necessary for restorative practitioners to be cognizant of the broader socio-political context of their work, including the interconnections around race, class, power, and other issues, in order to effectively address systemic inequities that contradict or inhibit the power of restorative justice in schools.

The sustainability of restorative justice in schools requires a dedication of resources and a relentless awareness and commitment from educators to enact the changes they want to see reflected in their schools. Data suggests that restorative programs suffer from a lack of monetary funding, making it difficult to sustain the necessary momentum to disrupt the legacy of punitive institutional logics. Participants argue that financial strain aside, restorative justice is not simply an overriding framework to punitive school discipline, but rather, restorative justice needs to be understood as an ethos that defines the parameters in which human beings are in community with one another. Participants argue that all school stakeholders need to consistently engage in critical self reflection to evaluate their own personal values, biases, and practices in order to best foster a restorative and relational school culture. Educators can benefit from a series of dedicated training and professional development sessions that are culturally responsive and relevant to the lives of the students and the adults they work alongside. Educators must prioritize engaging in conversation around critical issues in order to establish a shared vision of what a humanizing education should look like and outline the steps that need to be taken to achieve such a vision.

Restorative justice practitioners navigate racialized and neoliberal school environments through meaningful dialogue, community building, and an unwavering commitment toward resisting injustice in hopes of co-creating the conditions for students to live out their dreams and aspirations without internalized self doubt. The findings in this study reveal that restorative practitioners dialogue in order to educate, empower, and engage others in the participatory process of community building. By engaging in open and honest conversations, practitioners enable those in the community to acquire meaningful information from the perspectives of others, which can lead to greater understanding, empathy, and the ability to work collaboratively towards common goals. Students and adults alike, need to be able to look inward and feel comfortable accepting that there are things that need to be unlearned in order to relearn how to be in a healthier community with one another, where all are dignified and treated with respect. Restorative practitioners are dedicated to their craft because they possess an unwavering belief that restorative justice is a powerful component for social transformation. Participants have experienced the profound effects that restorative justice can have on students, families, educators, and communities as a whole. Practitioners engage in restorative justice because it is a meaningful way to unite members of the community in liberating themselves from the various forms of oppression that have sought to keep them divided and conquered.

### **Recommendations**

Participants emphasize the pressing need to critically advance the aims of restorative justice, as such a framework recognizes that constraints can be overcome to bring about positive and transformative changes to schools. Such changes are geared towards nurturing non-punitive, anti-racist, relational, and humanizing learning communities that recognize the inherent self

worth and the rich forms of cultural capital that students possess. For this reason it is imperative for all stakeholders, including policy makers, school leaders, teachers, and other school staff, to reflect on the findings of this study and the significance and urgency of changes that these findings imply need to be made in order for schools to become places that live out restorative justice philosophies and values with fidelity.

### **Policy Makers**

The findings of this study can help policy makers make more informed and humanizing policy decisions that allow for a more sustainable commitment to restorative justice initiatives across schools. In the various interviews conducted, restorative educators were questioned about the areas in which they felt limited and where they could use support in carrying out restorative justice in their respective schools. As the data shows, participants expressed overlapping concerns indicating an overall lack of support and over-reliance on restorative educators to establish the necessary conditions for a sound restorative school culture to transpire. As aforementioned, a restorative culture cannot be achieved solely by the actions of one individual or a team of educators. A restorative culture shift requires entire school communities, as well as the vertical systems that govern them, to fully embrace and embody this ethos. Contradictions to the work of restorative justice ensue when the values of those on the ground doing the work do not align with those who decide on the overarching policies that affect educators on the ground. Policy makers need to be more in tune with, and gain more insights from the educators who are actively executing those policies instead of abstractly thinking on and creating those policies. Policy makers should be able to acknowledge that there is information and knowledge to be gained from having more open dialogue with those working within schools. It is a smoother

process when all school stakeholders, across the board, can be in open dialogue and community with one another. In order to best meet the needs of our students, policy makers need to make decisions that are congruent with the experiences of working professionals who are on the ground in tandem with up to date research conducted in the field.

### **School Leadership and Administrators**

As findings suggest, school leadership and administrators must be pragmatic about the contradictions that will arise when using a non-punitive disciplinary model in schools that are accustomed to punitive measures and practices. Such dilemmas require that school leadership and administrators take deliberate steps to consistently and responsibly engage all stakeholders in consistent training and dialogue in the transition to cohesive restorative school culture. As participants expressed, some educators and school staff may not be adequately trained through a social and racial justice lens, and may overlook or even be resistant to restorative approaches to discipline without stopping to grasp or even acknowledge overarching systemic inequities at play. School leadership needs to double down on providing staff with a continuous stream of knowledge on how to best work alongside students, especially those who are most vulnerable and marginalized by the inequitable conditions of schooling. Continuous education and training sessions should be dynamic and comprehensive, encompassing critical topics such as racism, classism, sexism, ageism, among other injustices that are likely to arise within schools, in order to provide educators with the necessary knowledge and support system to effectively navigate and address these issues.

## **Teachers**

The findings of this study can instill teachers with the confidence to take on a bigger role in the pursuit of restorative justice. Teachers can take more accountability in creating healthy and safe learning environments with the focus on fostering mutual trust and respect for students, both in and out of the classroom. This involves allowing students to express themselves authentically without fear of reprimand, so long as the conversation is rooted in the ideals of mutual respect. As the data show, students can have meaningful experiences when they are provided with the opportunities to authentically express themselves and step outside of the prescribed terms of what dialogue should sound like in schools. Teachers play an essential role in sustaining a restorative culture, as they are in a unique position to model and reinforce restorative values and practices among the student population that they work with. Students need to continue to be empowered, supported, and loved by their teachers so that they can better thrive, self actualize, and recognize themselves as full human beings worthy of a quality education with the capability to make great societal changes, if only given the chance.

## **Summary**

The effectiveness of restorative justice in schools hinges on the level of engagement demonstrated by policy makers, school leaders, teachers, and other staff, in consistently emphasizing the interdependence of personal vulnerability, the cultivation of community, an equitable education, and social change (Lusitck, 2022). Therefore, it is imperative that all stakeholders prioritize and actively participate in enacting the necessary changes for a humanizing and liberatory education to transpire in schools. This includes empowering students to critically think, reflect, and dialogue in order to establish meaningful relationships that build

student empathy, respect, and accountability. This also involves an unwavering commitment to addressing and abolishing systemic inequities that perpetuate social injustices. Although more research is needed when it comes to how to best incorporate restorative justice into education, hopefully this paper will serve as a jumping off point for the many stakeholders in education to start enacting the necessary reforms so that we can see an equitable and liberatory education system in our lifetime.

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