Restorative Justice and Disabilities: Raising Awareness and Building Inclusive Whole School Restorative Practices

Heather Dalmage, PhD
Nancy Michaels, MA
Sara Balgoyen
Declaration Related to Conflicts of Interest

I declare that neither I, nor my immediate family, have a financial interest or other relationship with any manufacturer/s of a commercial product/s or service/s which may be discussed at the conference.
Goal of this Presentation

1. Explore the challenges (and injustices) facing youth with invisible disabilities in schools.

2. Examine the use of Restorative Justice Practices with an emphasis on circles when addressing the unique challenges faced by youth with disabilities.

3. Explore how to create a sense of community and successful educational and life outcomes for the youth through Restorative Justice Practices in schools.
Students with Disabilities: Overview

• 13% or 6.4 million children in U.S. between 3 and 21 receive Special Education services in 2012-13. (Digest of Education Statistics 2015)

• Kids with disabilities enter the juvenile justice system at 5 times the rate of other children (Zipper and Hing 2014)

• More than ¼ boys of color with disabilities — and nearly 1/5 girls of color with disabilities — receives an out-of-school suspension.

• Students with disabilities represent 1/4 of students arrested and referred to police. (USDOE, OCR 2014)
13 recognized categories of disabilities as defined through the Individuals with Disabilities Education Act (IDEA)

- Autism
- Blindness
- Deafness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impaired
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment
Experiencing Disabilities

Through My Child’s Eye

Understood.org

https://www.understood.org/en/tools/through-your-childs-eyes/personalize
Bullying and Disabilities

• According to PACER, “children with disabilities were two to three times more likely to be bullied than their nondisabled peers.”

• One study showed that 60 percent of students with disabilities report being bullied regularly compared with 25 percent of all students.
Outcomes of Bullying for Individual Children

- Isolation
- Exclusion
- Disconnected
- Depressed
- Anxious
- Withdrawing
- Low self esteem
- Acting out
- Anger and Hostility
- Shame and embarrassment
What can be done?

- Incorporate RJ practices in a holistic way in the school so it becomes the way ALL individuals in the school treat one another, thus leading to inclusion.

Positive outcomes include:

- Increased empathy - 50% of bullying stops when a peer intervenes *
- Improved communication skills leading to awareness and self advocacy)
- Sense of belonging due to improved relationships and community building)

Restorative Justice (RJ) is a philosophy that uses an approach to conflict focusing on repairing harm and creating a space for open communication, relationship building, healing and understanding.

Restorative Practices in schools is the philosophy of RJ adapted for school settings including practices that are preventative/proactive and reactive to conflict or harm.
RJ builds inclusion and community

• Through **establishing values** i.e. respect, non-judgmental, inclusiveness, patience - values are then translated into behavior norms in school and out of school

• **Process fosters interactions** with others -- communication and a connectedness between students, teachers, and others who may not have connected otherwise

• **Process helps to youth to understand** the impact their behavior has/could have on peers and others in their community

• **Process cultivates positive behavior** and empathy inside and outside of the circle

• **Restorative practice builds a stronger community** by involving the whole community in the positive resolution of wrongdoing and by using conflict as an opportunity to strengthen positive relationships"
One RJ Practice: Circles
Types of Circles

• Conflict
• Healing
• Celebration

• Community / Relationship Building Circles

A proactive solution to increase understanding of and reduce bullying of youth with disabilities. This happens by building relationship and breaking down barriers between youth who have disabilities and their peers.
The Circle Process

- Check-out
- Closing
- Questions/Conflict
- Discussion
- Resolution
- Follow-up

- Opening
- Ice Breaker
- Check-in
- Storytelling

- Safe Space
- Values
- Guidelines
- Storytelling
Talking Piece
Hope: The circle process for youth with disabilities

- Shift school culture to a culture of caring
- Identify personal and academic strengths
- Build on strengths
  - Validation of feelings
  - Sense of belonging
  - Peers develop increased empathy
  - Kids with disabilities become part of the community
  - Increase confidence in social skills and reciprocity
  - Kids with disabilities become agents in the process
  - Kids learn to name and describe emotions
Circle Process: some challenges for youth with disabilities

- Difficulty expressing emotion
- Difficulty sitting still, taking turns
- Speech and language abilities (expressive, receptive and articulation)
- Lack of education of circle keepers about youth with disabilities
Solutions for Inclusive Circles

• Disability education and Restorative Justice training for all staff & circle keepers
• Work with Special Education teachers and staff, include process in IEP meetings, etc.
• Pre-circle preparation
  o Include parents, teachers and other adults in child’s life
  o Plan for & be aware of the needs of all circle participants
  o Universal design is the goal (e.g. options for naming and expressing emotion)
• Thoughtful follow-up plan when appropriate
Whole School Approach

- Restore Relationships
  - Managing difficulties & disruptions
  - Repair relationships

- Developing social/emotional capacity
  - Create relationships

- Restorative conferencing/circles
- Corridor conferencing, peer mediation, problem solving circles
- Relational practices, school/classroom policies, curricula, social skills, etc.

---

Brenda Morrison, 2007
Disabilities, Special Education and the Whole School Approach

• Communication between various adults
• Access to information across the school
• Coordination between SPED team and RJ practitioners
• Education about invisible disabilities circle keepers
• Clarify role and responsibility of RJ practitioners in the schools
• Develop plans for RJ in IEP and BIP
Review

- Youth with disabilities face the highest rates of suspensions and expulsions, particularly poor black boys.
- Youth with disabilities face exclusion and bullying by peers.
- Restorative Practices can create an inclusive environment in which all youth can feel connected and engaged.
- We need to work across the entire school and utilize tools to assure inclusion in the circle process.
For more information:

- Heather Dalmage: HDalmage@roosevelt.edu
- Nancy Michaels: nmichaels@roosevelt.edu
- Mansfield Institute for Social Justice and Transformation: https://www.roosevelt.edu/centers/misjt
- Sara Balgoyen: sarab@ibarj.org
- Illinois Balanced & Restorative Justice: www.ibarj.org
- Reading: “Restorative Practices and Special Needs: A Practical Guide to Working Restoratively with Young People” by Nicholas Burnett & Margaret Thorsborne

[Image of logos: Roosevelt University, Mansfield Institute for Social Justice and Transformation, and Illinois Balanced and Restorative Justice]
DISCLOSURE

I declare that neither I, or my immediate family, have a financial interest or other relationship with any manufacturer/s of a commercial product/s or service/s which may be discussed at the conference.