JOURNAL OF EDUCATIONAL RESEARCH & PRACTICE

Journal of Educational Research & Practice
2022, Volume 12, Issue 0, Pages 28–38
DOI: 10.5590/JERAP.2022.12.0.03
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Forward

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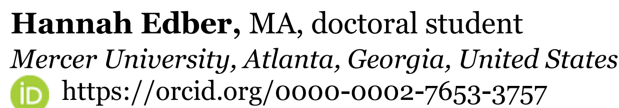

Special Issue: Inclusive Learning

Community Circles in Response to Restorative Justice Research and Critique

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Abstract

Zero-tolerance discipline in schools has resulted in disproportionate referrals, suspensions, and expulsions for Black students, students with disabilities, and low-income students of color. Restorative Justice (RJ) seeks to intervene in these patterns by emphasizing community interconnectedness and a discourse of harm, accountability, and repair. Although RJ has been shown to increase school connectedness and decrease suspensions and expulsions, teachers and students using RJ (as a response to discipline issues) report varying degrees of satisfaction with the framework. Frustrations can include limited time and limited depth of conversations with students who have caused harm, so that root causes of behavior are not addressed or explored. Ultimately, if there is no sense of community or accountability established prior to harmful interactions, there is no justice to be restored. Community circles (a practice of ritualized egalitarian discussion) can establish the interconnectedness needed for RJ to be effectively practiced in schools. This paper instructs teachers and school staff how to plan, run, and train students to facilitate community circles in their classrooms.

Keywords: restorative justice, community circles, community building, school discipline

Date Submitted: July 17, 2022 | **Date Published:** December 22, 2022

Recommended Citation

Edber, H., (2022). Community circles in response to restorative justice research and critique. *Journal of Educational Research and Practice, 12*, 28–38. https://doi.org/10.5590/JERAP.2022.12.0.3

Introduction

Students of Color and Black students in particular are more likely to both receive referrals and to be suspended from school (Bryant & Wilson, 2020), a reality in a cavern of race, discipline, and punishment that echoes larger patterns of incarceration throughout the country (Alexander, 2010). Policy changes in both criminal systems and school systems have shifted over the last 50 years from rehabilitation to a “tough on crime” approach (Mallett, 2015), which has borne both “three strikes” legislation and zero-tolerance policies in schools. Zero-tolerance policies refer to harsh penalties—notably, suspension and expulsion—as school responses to a range of student (mis)behaviors. Instead of addressing the root cause of behavior, and devising

a solution to repair any harm caused, zero-tolerance policies simply remove the offender from the community. Zero-tolerance policies echo larger tendencies, beginning in earnest in the 1970s and 1980s, for legislation and judicial processes that demand incarceration for even minor offenses (Alexander, 2012; Gilmore, 2007). As prison scholar and activist Angela Davis (1998) wrote, “Prisons do not disappear problems. They disappear human beings.” The same is true for discipline policies in schools that separate and exclude students for a variety of infractions, instead of attending to the problems these students are facing—and the problems unaddressed sources of harm are causing for them and for others.

Research has well established the connection between zero-tolerance school discipline practices (Heitzeg, 2016) and incarceration patterns for disciplined students during adulthood (Kim et al., 2010), a process and relationship known as the *school-to-prison pipeline*. Zero-tolerance school discipline practices also disproportionately affect students with disabilities (Kim et al, 2010). Understanding alternatives to punitive zero-tolerance practices as the only response to harm—and working to put those alternatives in place—is thus a project of seeking greater equity and access for our most marginalized students.

Restorative Justice

As an alternative to traditional systems of punitive justice, Restorative Justice (RJ) seeks to interrupt the school-to-prison pipeline (Nocella et al., 2014) by working to address conflict by attending to relationships, experiences of harm and collaboration toward harm repair. Because RJ is grounded in the specific needs of communities, there is no single model for what RJ looks like in practice (Gardner, 2016; Lodi et al., 2021). In general, elements of RJ are rooted in indigenous practices that seek to repair harm to an interconnected community, instead of to punish and exclude harm doers (González et al., 2018; Ortega et al., 2016). In indigenous communities around the globe, RJ emerged as a way to prioritize the voices and experiences of those impacted by harm, and to make determinations about how to address that harm as a community (Dickson-Gilmore & La Prairie, 2005).

RJ can also be used to honor the humanity of those who have committed harmful arts in accountability processes. Last year, for example, two young men were speeding down a residential road, lost control of their vehicle, and careered into a neighbor’s parked car. The blaring car alarm awoke the car’s owners, who—recognizing the young men as neighbors—prioritized concern for the well-being of the young men over their concern for their damaged property. Police were called in for the sake of making reports for insurance purposes; instead of drawing weapons, they took reports and worked to calm the car’s drivers, who were shaken and upset. Through a conversation with the owners of the damaged car, the drivers of the out-of-control vehicle took responsibility, offered sincere apologies, and even called the next day to make sure everything went smoothly with the insurance. What could have been a violent altercation resulting in arrest and incarceration became a way to build trust, connection, and collaboration between neighbors.

Since the 1990s, government policies and school leaders have taken up indigenous conceptions of addressing harm through repair (Dickson-Gilmore & La Prairie, 2005; Gónzalez, 2016) instead of through punishment and exclusion. In Europe, use of RJ models to address criminal acts has resulted in “a more satisfactory feeling of justice” for both victims and offenders, and “affirms a pro-social identity” in those who have caused harm—diminishing the chances for recidivism (European Forum for Restorative Justice, n.d.). In New Zealand, restorative justice processes are widely used to address both criminal harms (New Zealand Ministry of Justice, 2022) and harm within schools (Drewery, 2016) in ways that leverage the cultural knowledge and ways of being and knowing from aboriginal Maori communities. Eighty-four percent of victims involved in New Zealand RJ processes have reported satisfaction with the process; however, the complex interaction between communities, governments, courts, and culture makes standardization of RJ from a top-down

approach difficult (Pfander, 2020). This article thus calls on educators and school leaders to consider the specifics of their site and their students in initiating RJ practices in their own communities.

Empirical studies on RJ in schools indicate that its use reduces both misbehavior and discipline issues, including fighting, bullying, and suspensions, and increases student connectedness, sense of community, and parent engagement (Fronius et al., 2019). However, if there are no relationships, no trust, no community, and no sense of accountability to begin with, there is no justice to be restored once harm is done. Teachers can feel frustrated with a lack of structure and time to implement RJ processes (Katic et al., 2020; Livingston, 2021; Mosby, 2019), or they may determine that RJ doesn't work—that is, does nothing but let students off the hook by replacing suspensions with surface-level one-on-one conversations that return a student to a classroom without dealing with root causes for behavior and harm (Mosby, 2019; Schiff, 2018). Some teachers may feel unsure about implementing new techniques when RJ is a mandate coming from the top by administrators who have little to do with the actual process (Dutil, 2020; Gregory et al., 2021; Livingston, 2021; Lustick, 2021). In addition, many schools use RJ not as a way to radically restructure damaging hierarchies, traditions, and structures of school but, instead, to reify old systems of exclusion and domination through updated language (Lustick, 2017; 2021). Thus, students who are alienated by traditional schooling remain alienated, and the radical vision of RJ is lost to the ongoing desire to punish, control, and exclude.

Building a sense of community and accountability is the missing piece for schools working to implement RJ. To avoid reproducing systems of punishment, exclusion, and power, it is critical that teachers and school staff provide opportunities for establishing relationships outside of existing hierarchies, and to offer students spaces to meaningfully shift culture and conversation at school.

Community Circles

Community circles, drawn from symbols of importance and empowerment among many First Nations peoples (Dickson-Gilmore & La Prairie, 2005) can be a powerful tool to establish the interconnectedness and accountability that are prerequisites to implementing RJ. The use of community circles has been shown to improve relationships, promote better ways of engaging in conflict and social-emotional growth (Katic et al., 2020), and can be used as a tool for students to hold themselves—and each other—accountable for appropriate behavior (Green, 2017).

A community circle is a ritualized conversation that takes place with participants gathered in a circle around a special object (special to the facilitator and/or the participants). To encourage equity in speaking, listening, and valued experiences, participants talk only with a talking piece and sit at eye level (Raveche Garnett et al., 2020). When used to repair harm, community circles are facilitated by a person who has identified an act of harm and involves the person who caused harm, the person who experienced harm, and the community, which might include classmates, parents, and friends of those affected. The terms "author" of harm and "receiver" of harm are significant because they speak to the unfixed positions of harmer and harmed (instead of fixed positions, like "offender" and "victim") and highlight people's ability to harm without intention and to inhabit a complexity of positions in a community (Ortega et al., 2016).

Planning and using community circles as a classroom practice follows the recommendations of RJ scholars who call for elements of RJ to be incorporated into classroom curriculum (Gardner, 2016; González et al., 2018). The early and consistent use of circles can also mitigate the frustrations of teachers who are frustrated with RJ for its top-down implementation and its surface-level dealing with conflict (Livingston, 2021). To establish the value of the ritual space of community circles, circles should be run consistently and proactively, as a Tier 1 intervention (Raveche Garnett et al., 2020). To disrupt hierarchies of power and to develop student voice and agency, students should also be trained in how to lead circles as the process develops in the classroom (Gardner, 2016; González et al., 2018; Johnson & Johnson, 2012; Katic et al, 2020; Lustick, 2021).

Purpose of the Paper

The purpose of this paper is to guide teachers on how to implement circles effectively—from planning to leading—and on how to move from leading circles themselves, as adult facilitators, to training students to do so themselves. Community circles can be used with students of all ages; practitioners can modify their processes, topics, and questions to best serve their student population.

Implementing Circles in Your Classroom

Planning

First, establish what days and time you will hold circles in your classroom. To ensure consistency, plan to hold circles at least weekly. Determine what object you will use for a talking piece, which will be passed around the circle to indicate whose turn it is to speak (and thus should be non-porous and non-fragile). Then, introduce what circles are to your students; you might show videos of examples and speak with them about the intention to build community, address harm as it inevitably occurs, and to intervene on racialized patterns of discipline and punishment in schools. Explain the idea behind the ritual item(s) to be placed in the center; describe or show the item(s) you will include; and invite students to bring their own. Next, introduce norms of the circle to your students and facilitate a conversation about why and how each norm will support the goals of the circle (see Table 1). Research has shown that the formalized rules or norms of circles can shift typical patterns of interaction (Marcucci, 2021), so this step is critical. Finally, teach your students how to move their desks and/or tables from rows or groups (however they are normally arranged) into circle formation. Practice this movement to ensure clarity and understanding prior to starting your circle practice.

Table 1. *Community Circle Norms and Rationale*

Norm	Rationale
Speak only with the talking piece.	A talking piece guards and protects the right for everyone to speak and be heard; intervenes against established patterns of who speaks and who is heard in a classroom context.
100% participation.	Everyone needs to be present and included in the process and to “opt in” to restorative processes. If students do not want to speak, they can take the talking piece when it is their turn and pass it on. They can say “pass” as their speaking turn.
Speak loudly enough to be heard.	Everyone’s voice and participation is valuable enough to be heard.
Listen silently.	No one voice is more important than the next. Everyone’s voice and participation is valuable enough to be heard.
What is said in the circle, stays in the circle.	Confidentiality protects and encourages vulnerability, which is key to address root causes of harm in conflict.

Community Building Circles

Start your circle practice with questions that require limited depth or vulnerability; this will allow your students to gain familiarity and comfort with the circle process before being challenged with questions to ask or invite them to share more deeply (see Figure 1). Provide your students time to answer the question(s) privately by

writing or jotting down notes and invite students to bring their written thoughts into the circle to refer to. After the circle, encourage your students to reflect on what it felt like to be in the circle, how they felt the circle went, successes and challenges in upholding the circle norms, and anything they'd like to try differently next time.

Figure 1. *Starting Questions to Get Comfortable With the Circle Process*

Examples
What is your favorite season or holiday? Why?
If you could travel anywhere in the world, where would you go? Why?
What has been a positive experience you've had in the past year? What did you like about it?
Who is your favorite person to talk to? Why?
What makes a good friend?
If you could have dinner with anybody, living or dead, who would it be? What would you like to talk with them about?

Getting Deeper

Once students are comfortable or familiar with the process of talking in a circle, passing around a talking piece, etc., begin introducing questions that invite deeper vulnerability and sharing. Emphasize that students can decide what to share, and that they can always pass if they don't want to share. Providing multiple questions and inviting students to select which one(s) they would like to share about can also support student choice and voice during this period (see Figure 2).

Figure 2. *Questions to Get More Vulnerable*

Examples
What is a challenge you've had at school?
What is it like to be in conflict with a friend? What about with a parent, older relative, or teacher?
What is one thing you would change about our society, if you could change anything at all?
What is justice? Is justice the same thing as fairness?
Who is someone who has been a positive (or negative) influence on your life? How has this person changed you or your perspective?
Complete this sentence: "If you really knew me, you would know…."
What do you think students should learn at school?
Is it difficult to talk about race? Why or why not?
What feelings do you experience when people talk about race around you?
Why might it be important to talk about difficult topics? Are there some topics you don't believe should be talked about in school?

Talking About Race

Restorative Justice research indicates that RJ is more meaningful for school communities when it explicitly addresses historical and ongoing racial disparity (Dutil, 2020; Gregory et al., 2021), but explicit conversations about race are too often missing from implementation of RJ practices (Gregory & Evans, 2020; Lustick, 2021). Community circles can act as containers to disrupt silences about racialized experiences in a school community, and as spaces to explore shared and disparate racial realities for both individuals and institutions. Restorative Justice work is political, not just social and emotional (Lustick, 2021). Thus, RJ practices need to go beyond the one-on-one, the individual, and the relational and help students connect their interactions to larger nexuses of social, cultural, historical, and political contexts. In addition, when students (and their teachers) process the racialized, gendered, and classed implications of traditional discipline processes, everyone has a better understanding of the mission and goals of RJ, which helps establish a sense of collective ownership and accountability to the circle process (Lustick, 2021). Some questions to prompt conversation about race in school are included in Figure 3.

Addressing Harm

Once students are comfortable and familiar with the circle process, facilitators can begin using circles to address harm; ongoing and open conversations about harm acknowledge that conflict is an inevitable part of interconnected experience, and that discussing harm is the key to repairing it (Johnson & Johnson, 2012; Reimer, 2020). When a community member is harmed, a facilitator—who will first be a teacher but, eventually, may be a student—meets with the author and the receiver of the harm before facilitating a larger community circle. Discuss the goals and possible outcomes of the circle with both parties and ask who should be involved in a community circle called to address the harm. Both parties may suggest friends, family members, or peers whom they believe were impacted by the events. Then, call a larger circle together with the author, receiver, and community. The purpose is to ask questions and for each party to engage in reflective listening (Ortega et al., 2016) and then for all parties to agree on steps to repair the harm (see Figure 3). Once the circle is over and a predetermined time frame has passed, call an additional community circle with the same participants to check in and reflect on the process, outcome, and any next steps.

Figure 3. *Questions for Circles to Address and Repair Harm*

Questions for receiver	Questions for author	Questions for community
What happened?	What happened?	What happened?
What were you thinking when this happened? What were you feeling?	What were you thinking when this happened? What were you feeling?	What were you thinking when this happened? What were you feeling?
How has this affected you?	How has this affected you?	How has this affected you?
What do you think needs to happen to make this right?	What do you think needs to happen to make this right?	What do you think needs to happen to make this right?

Note. Adapted from Costello et al., 2009.

Training Students

Research widely indicates that RJ and community circles are most effective and meaningful when they are led by students (Raveche Garnett at al., 2020; Lodi et al., 2021, Lustick, 2021); however, students need training

and guidance to learn how to do this (Gardner, 2016; Green, 2017; González et al., 2018). To teach and guide students, teachers start by gauging student interest. Depending on the students and school community, consider nominating students, collecting peer nominations, and/or instituting formalized processes for selecting peer leaders and facilitators in ways that engage the full community. For example, an application process might include a statement of interest and endorsements from two peers, one staff member, and one community member outside of the school.

Once you know which students will be training to facilitate circles, ask them to observe a circle you facilitate without participating. As they observe, students can take notes on what they notice, wonder, and think. Engage with student leaders in reflective conversations about their observations and the practices or elements they might adopt (or leave out) once they become facilitators.

Develop a facilitation rubric alongside student facilitators as a collaborative process that ensures that youth values are embedded in community circles (Figure 4). Student facilitators can then train peers, students at other schools, and outside organizations in the use of circles (Gardner, 2016).

Figure 4. *Example Rubric for Circle Facilitation*

	Always	Often	Sometimes	Never
Welcomes community and establishes norms	●	●	●	●
Establishes space to honor participants and community	●	●	●	●
Upholds norms throughout the circle	●	●	●	●
Leads by example	●	●	●	●
Ensures all voices are heard and valued	●	●	●	●
Manages talk time, think time, and periods of silence	●	●	●	●
Connects participant experience to larger social, historical, structural issues as appropriate	●	●	●	●
Closes the circle by reviewing what was said, honoring participants, and/or leading appreciations	●	●	●	●

Conclusion

As classroom teachers, we can leverage the imaginative possibility of our classrooms by engaging in explicit explorations of power, community, oppression, resistance, harm, and repair in our communities and by empowering our students to lead these conversations. Schools need to avoid the “top-down” approach (Gregory & Evans, 2020) and to ensure that students, staff, and community members are all involved in leading RJ practices. Instead of determining and enforcing what RJ practices should look like in schools,

administrators and school leaders should take on supportive roles to nurture development from a youth-driven perspective.

Of course, some conflicts in schools will not be suitable for RJ, such as exceptionally violent or abusive crimes, or sexual harassment offenses that fall under Title IX statutes. But the use of circles to build stronger community, and thus more meaningful accountability, is a proactive measure against many types of school-based harm.

As youth facilitators, students could play a pivotal role in persuading school and district leadership to consider an RJ model, but so could involving parents and community members. Interest convergence—the merging of interests for those in power with those resisting power—is a key tenant of critical race theory, but also of effective restorative justice structures (Dutil, 2020). Youth presentations to school leadership should speak to both the inequity of the existing system and to the favorable numbers an effective RJ system can produce—lowered rates of suspensions and expulsion look good for the leadership record of any principal or district.

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