

Restorative Justice: The Zero-Tolerance-Policy Overcorrection

The rise of "soft discipline" hurts students

By Richard Ullman

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Why can't Johnny read? Or, assuming he can, why isn't Johnny closing the achievement gap?

It's politically fashionable to blame his tenure-protected teacher. But might it have more to do with the pathologically disruptive classmate who, given infinite "second chances" by detached policymakers and feckless administrators, never gets removed from Johnny's classroom?

Thanks, in part, to an increasingly popular behavior-management approach known as "restorative justice," soft discipline is on the rise in public schools at the same time that education reformers are demanding higher standards and teacher accountability.



—Getty

Restorative justice emphasizes correction and counseling over punishment, and seeks to replace strict zero-tolerance discipline policies with collaborative opportunities for restitution. Its primary goal is to keep students in school rather than suspending or expelling them.

Detractors argue that these programs are long on coddling but lacking in consequences, and that they make it a priority to warehouse students who've repeatedly demonstrated they can't be educated in a conventional classroom setting. We're not talking here about the kid who forgot his pencil.

So while many districts proudly point to a reduction in student-removal numbers, critics point out that fewer suspensions don't mean fewer infractions.

The concept of restorative justice has merit. Indeed, I've been practicing elements of it throughout my 27-year teaching career. When students in my classroom do something disruptive, I chastise the behavior and give them the opportunity to backtrack and apologize. "Fix it," I say. "Make it right." Almost without exception, they do. Justice restored.

Alas, in a profession where ideologically motivated reforms abound, restorative justice in many districts has recklessly morphed into de facto "no student removal" policies that are every bit as flawed as the inflexible zero-tolerance policies they were designed to replace.

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The process by which this happens is all too familiar to teachers.

Far removed from the pedagogical trenches, federal and state education departments craft behavior-management guidelines designed to vastly reduce suspensions and expulsions, and keep even the most dangerous and defiant students in the least-restrictive educational environment possible.

Then, at the district level, administrators oversee policy specifics based on their idealistic vision of how they wish schools could function, as well as a tendency to blame most classroom misbehavior on teachers who aren't sufficiently "engaging" students. Factor in the costs associated with alternative placement and the fact that many states make graduation rates the primary instrument for administrative evaluations, and even the most dangerous and defiant students aren't going anywhere.

But administrators and other insulated "experts" aren't the ones doing the heavy lifting in the now more dysfunctional classroom they helped create. Ultimately, teachers—and only teachers—are left to raise the academic bar while education policymakers lower or, in some cases, virtually eliminate discipline standards.

Wow, that's some powerful union those teachers have.

It should be mentioned that restorative justice is a reaction in part to statistics that indicate higher suspension and expulsion figures for minority students. The elephant in the classroom is race, and a phenomenon generally referred to as the school-to-prison pipeline. Students removed from schools do have a higher likelihood of ending up in the juvenile and adult criminal-justice system.

However, while all educators must be mindful of biases and pushing out kids considered at risk, it bears emphasizing that the biggest victims of warehousing miscreants are the large numbers of nondisruptive, genuinely teachable students who tend to come from the same home environments as their poorly behaved classmates.

Teachers, especially in high-poverty areas, are some of the most tolerant, patient, social-justice-oriented humanitarians in any profession. But just how many times should the student who spews obscenities be sent back to class with no reprisals? Just how much instructional time has to be sacrificed to hold yet another assembly on why yet another schoolwide brawl occurred?

Education reformers often argue that you can't have great schools without great teachers. That's probably true. But, given the numerous factors—especially related to discipline—over which teachers have minimal control, is it possible to have great teachers and still have "failing" schools?

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