

Lessons Learned

By Barb Toews

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Seated in the circle were six students, a representative from Student Life, two security guards, three Physical Plant employees and two facilitators. Their reason for meeting was to discuss a prank in which a group of masked men raided a campus residence hall and, armed with paintball guns, pelted it with rotten food. Fourteen hours of custodial time were required before the hall was returned to its prior condition. This group of people would decide how this situation should be dealt with and how amends could be made to the people affected by the prank.

This meeting, known as a community conference, is a practice of restorative discipline which involves a conversation between all individuals involved in an offending incident—including the person(s) responsible and the person(s) affected by the behavior—so they can decide together how best to respond to the situation. Participation in a community conference is guided by a set of referral criteria. These criteria include an acceptance of responsibility by the offending student(s); an ability to identify affected individuals; and a voluntary agreement to participate in the conference by listening, talking and determining solutions which do not challenge community lifestyle expectations. When faced with the challenge of providing an effective response to the prank, the Student Life staff wanted to create an opportunity for those involved to understand how people were affected by the prank and to take responsibility for the damage they created. They wanted the students to hear directly from the people affected and give everyone involved a voice in the outcomes. Community conferencing provided this opportunity.

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Prior to the community conference, each party, or group of parties, met with a facilitator to prepare for the conference. After it was determined that this situation met the referral criteria, the group gathered for the two-hour meeting. During this time, information was shared about the risks of wearing masks from a security perspective. The men learned that when

custodial staff were cleaning the residence hall, other cleaning responsibilities serving the rest of the university were neglected. Concerns for the well-being of all students were expressed, as were desires for the de-escalation of destructive pranks and the use of more creative pranks. The students were able to discuss the prank from their perspective and work at understanding the effects of their actions on a wide variety of people. The whole group agreed that for this particular incident, the conversation, apology, and agreement to respect people and community property as well as an end to destructive pranks made amends and no further actions were necessary. Each participant also agreed to talk with others about what they had learned in the conference.

This is just one of several situations which have been offered for conferencing at Eastern Mennonite University this academic year. Even though the program is in its first year, the interest in community conferencing at EMU has been building over the past few years. Undergraduate students and Student Life administration spent a year discussing restorative justice and discipline before making the decision to facilitate a community conferencing pilot program this year. Each of the situations that were considered for conferencing raised new questions about how conferencing could be applied within the disciplinary procedure and what type of process should be used. As is probably the case with most pilot programs, more questions were asked than answers provided. This year of testing the use of community conferencing has been a year of lessons for myself as the conferencing coordinator as well as for the student body and the administration of the University, particularly the Student Life Office. I have summarized the pilot program in five Restorative Discipline Lessons.

Restorative discipline merges two fields—restorative justice and student development. Though based in the philosophy of restorative justice and its criminal applications, community conferencing in the university setting is directly impacted by the social and psychological development of the student. One cannot expect that the conferencing practice and process will transfer unchanged into an educational setting. Students at the university age are

exploring freedoms and adulthood. This exploration impacts the understanding of appropriate and inappropriate actions and consequences. It shapes their willingness to take responsibility for their actions or to consider the impact of their actions. It affects their willingness to confront people about behaviors that affect them negatively. This, in turn, impacts the effectiveness of restorative discipline processes, including conferencing. The university is not only a place for academic learning but also a place for personal and social growth. The challenge is to create a process that takes into account the individual's developmental stage so that the process not only addresses the consequences of the actions but also teaches skills and assists the student in her growth.

Ask students for their feedback on processes and techniques. Involve them as facilitators or in other leadership positions. All too often in the creation of new programs development is done without consulting with the individuals who will be most directly affected or served by the program. Without insider knowledge, these services may not be effective. The development of restorative discipline and conferencing programs is no different. Students know most intimately the nature of their lives, their conflicts and their needs. In order for disciplinary processes to be effective, they must be in tune to the needs, desires and social mores of the community. Unspoken codes of silence and conflict avoidance must be acknowledged and taken into account when creating processes and techniques. Because this knowledge is required for effective program creation, it is important to talk with students about their lives and their experiences with and perspectives on current and restorative discipline processes. Education specifically on community conferencing is also required. Our Community Conferencing Pilot Program has been structured to ensure student involvement. A group of students committed to the use of community conferencing organizes the dialogue activities and encourages the use of community conferencing among the student body. Students also facilitate the conferences. By involving students, the pilot program remains aware of their concerns and needs, allowing for the continual improvement of the process.

Be flexible; expect ambiguity and questions, not clarity and answers. This has been the most difficult lesson to learn. Just when I thought I had addressed the glitches that surface in the conference, a new one would appear. Sometimes a formal process is necessary and at other times, a more informal process is needed with or without a facilitator present. Sometimes a student just wants assistance in preparing to talk to another individual. A student facilitator may be acquainted with one of the parties and, as a result, does not want to facilitate; other times, prior acquaintance encourages someone to facilitate. Sometimes conferencing is the sole response to a situation; in another situation, it is just one of the disciplinary outcomes. A balance must be found between responding to the situation swiftly yet not so swiftly that more problems arise. It requires patience and flexibility for everyone involved, including the coordinator, the facilitators, the participants and Student Life staff.

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Restorative discipline and conferencing focus on harms done which require a disciplinary response. Most universities have guidelines for conduct when enrolled as a student. A violation of one of these guidelines does not always produce an identifiable harmed individual. A challenge that has surfaced is finding an appropriate conferencing response to these types of incidents. The role of constituents, parents and donors who support the institution for its lifestyle and value base are involved in creating and supporting the guideline which is broken. In addition, some guidelines are in place to contribute to a spirit of community. Restorative processes need to find ways to build on and explain the importance of this spirit.

Restorative discipline goes beyond conferencing. In order to address student development and norm issues, the need for flexibility and the variety of situations that will surface, restorative discipline needs to include not only conferencing but also non-encounter processes that are consistent with the philosophical principles. This may require an examination of peer review boards and staff reviews. It may involve the revision of job descriptions for student residence hall advisors. The application of the values and mission of

the university may need to be challenged. The campus guidelines may need to be reviewed and their existence communicated. Education and campus conversation can be part of a restorative discipline package addressing all the issues and questions that surface when one has violated a community guideline or expectation.

Restorative discipline is just one piece of a large pie. Restorative discipline can take place in the classroom as well as in an institution's disciplinary procedure but it does not stop there. Restorative discipline gives life to the university's mission for peace, justice and community. It provides a forum in which to look at whether accountability and responsibility are com-

ing to life in conflicts that do not involve students or disciplinary infractions. It brings into question how to respond to student-faculty/staff conflicts or faculty-faculty conflicts. If we are to expect students to be responsible community members who are accountable to people they harm, then so must the nonstudent community members. Restorative discipline cannot be used in isolation but rather must be part of a system of transformative practices campus-wide. As we consider the use of conferencing in the years to come, we are doing so within this "piece of the pie" perspective. ●

How Do Our Anabaptist Schools Rate?

Compiled by Kristin Reimer,
MCS staff associate

A request for current discipline policies was sent out to all 81 of the U.S. Christian schools listed in the 1999 Mennonite Directory. Of those 81, twenty responded. The following is a brief summary of the policies which we received:

Restorative Discipline (1 School)

- Gear discipline to individual students.
- Utilize conflict transformation practices on a day-to-day basis.
- Focus on the specific harm done, rather than on the rules that have been broken.
- Show concern and commitment for all affected by the event.

Mainstream Discipline with Restorative Signs (6 Schools)

- Set standards, but leave some room for flexibility.
- Focus on self-discipline and understanding the rules.
- Follow positive procedures unless more severe disciplinary action is deemed necessary.
- Believe idea that Restorative Discipline can work on occasion, but there are limits.

Mainstream Discipline (5 Schools)

- Set clear expectations, as well as consequences.
- Focus on ensuring a safe and positive environment.
- Take set actions when rules are broken.
- Don't leave much room for individual consideration—if a rule is broken, the consequence must be accepted.

Mainstream Discipline with Corporal Signs (2 Schools)

- Outline definite consequences for failure to follow rules.
- Have more severe consequences than Mainstream Discipline.
- Develop more rules governing day-to-day life with little space for individuality to emerge.

Corporal Discipline (6 Schools)

- Utilize demerit system.
- Focus on obedience and order.
- Clearly spell out consequences.
- Use spanking or paddling as a disciplinary action.