

DTR uses cooperative options for handling conflict, misbehavior

by Ron Claassen

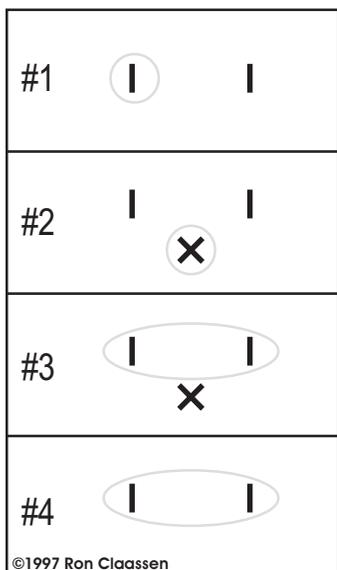
School Discipline Systems look a lot like the Criminal Justice System. They generally focus on what rule was violated, who violated the rule, and what should be the punishment. Discipline that Restores is an emerging discipline system for schools that parallels the emerging Restorative Justice System.

Roxanne, my wife, is an eighth grade teacher. Her classroom and her school are implementing Discipline that Restores. The results of her experience were written in our January Newsletter and because of the response to that article, I am in the midst of elaborating on the nine principles I have written to guide Discipline that Restores. I have found the process of going back and forth between the Criminal Justice System and School Discipline systems to be stimulating and enlightening in both arenas.

Principle #1 reminds us that the rule violation points to the real concern, the person who was violated. Principle #2 reminds us of the need to identify the person most impacted (victim) and not leave them out of the response (March Newsletter). Principle #3 identifies the goal of "making things as right as possible." Principle #4 reminds us that there is danger and opportunity in the response to each violation and each misbehavior can be transformed into a teaching/learning situation (April Newsletter).

Principle #5: Discipline that Restores prefers resolving the conflict or handling the misbehavior at the earliest point possible and with the maximum amount of cooperation (as little coercive force as possible.)

I have developed a model that I call Four Options For Handling Conflict (below).



In the model, the I's are the ones in the conflict and might be two students or a teacher and student or two teachers or a parent and teacher, etc. The X's are outside parties that are not directly involved in the conflict. The circle or oval is around the one(s) that have the ability to make the decision or cause something to be done their way.

#1 indicates that one has the ability to dominate over the other. It might be because one has positional power, or one is bigger and able to intimidate, or one has a gun, or one for any reason has the ability to make it go their way.

#2 indicates that the one who makes the decision is the X or the outside party. It might be a teacher deciding for two students, or it might be a principal deciding for a teacher and a student, or any combination in which the outside party is the one making the decision.

#3 and #4 indicate that the decision is made by the two together who are in the conflict. This is what I refer to as a cooperative decision. In #3, the X helps the I's make their decision.

Principle #5 simply indicates that Discipline that Restores prefers that we use options #3 and #4 as much as possible and use options #2 and #1 as back up when needed. This means that even if a person has the ability to be in the circle in the #1 method, they voluntarily choose not to do that and instead move into the oval with the other person in options #4 or #3. This principle is really about power and control issues. This principle says is that it is important for those who have the ability (because of positional power, size or information advantage, etc.) to use coercive power, to choose not use it except as needed and then only under carefully monitored conditions (this will be expanded on in Principle #7).

A teacher usually has many power advantages over the student. They have positional power, usually a size advantage, and usually a substantial information and experience advantage. Especially in the lower grades, #1 is very easy to use. But, the advantages begin to disappear as the students get older and bigger, etc. and the advantage may finally, in some cases, be reduced to positional power and may even be the opposite direction on some of the other items. This same transition happens between parents and their children.

So one reason for the person with the greater power to choose to use cooperation is the practical

reason that if we discipline by control only, we are giving the message that when the power is in your favor, you are expected to use it. This of course leads to the classic power struggle which is very stressful, consumes significant energy, and diverts attention away from the primary task of learning.

I am especially concerned about adults using option #1 with small children as the only or primary way of responding to conflict or misbehavior. Even if we teach cooperative skills to students and even if we set up peer mediation programs for students, I believe that the unintended message is that cooperation (options #3 and #4) are for kids only and when you grow up and have the power, you no longer use options #3 and #4, now you use the adult way using options #1 and #2. To say it another way, what we do will speak louder than what we attempt to teach. The ideal, is that as adults we model cooperative skills and strategies, use a curriculum to teach cooperative skills, and develop structures to provide significant opportunities for students to practice, with both peers and adults.

One misunderstanding I often run into when presenting this to parents, bosses, or teachers who

See 'Discipline system...', p. 2

Auto theft victim feels good about forgiving restitution after VORP meeting

by Dorothy Snyder with Ron Claassen

The VORP Story this month is from VORP mediator Dorothy Snyder. Names and some details have been changed to protect identities.

The case involved two young girls, Sharon and Becky. They stole a vehicle and damaged it when colliding into a telephone pole. During the individual meetings, I found that Sharon had been driving the car and that Becky was the passenger. When both girls agreed to participating in VORP, I called Elaine, the person who's car had been stolen. She lived in Sacramento, but she agreed to drive to Fresno for a joint meeting.

Our group meeting was held on Sunday at Sharon's home. Becky had said she would come to the meeting but she failed to attend. Sharon thought maybe this was because they were under court order not to communicate with each other.

See 'Participants discover...', p. 2

VORP relies on your contributions

This is a good month to make a resolution to continue or to start supporting VORP financially. As you can see from Dorothy's story, VORP is a community building activity for all involved.

If each person receiving this newsletter gave \$20 per month, VORP could double its case load.

Please consider making a modest yet significant contribution to building a safer and more peaceful community.

VORP Workday Report

Next Workday: Saturday, May 15

On March 27, VORP held a work day for young people who were serious about making their restitution payments. With your help of work sites or donations, five young people earned \$256 towards their restitution payments.

Galen, an employer, said, "I think the work day is an important part of the VORP program. Hiring the kids not only helps them to make money, but it also gives them an opportunity to feel they're making amends. That may help them be more responsible in the future." Sino, who

worked for Galen, said "The work helped me with my situation. I'd recommend it to other kids who can't find a job and have a debt to pay."

Perhaps you have work at your home or business, or perhaps you would like to sponsor someone to work at a community service agency that cannot pay for work done. Any of these options would be great.

Our next work day is scheduled for May 15, but we are still looking for jobs throughout May and June. Please call Sara at the VORP office (291-1120).

Discipline system 'makes things right' at school

Continued from page 1

have positional power to use #1 is the following: moving from option #1 to option #4 often feels like moving within option #1 from being inside the circle to being the "I" outside the circle. It feels like you are giving your power away. But that is not what is happening. Another way of saying what we are doing when we move from option #1 to #4 is that we are moving from having "power over" to having "power with." In option #4, the teacher is not agreeing to anything that they think is not appropriate. The difference is that in option #4 the student is invited to help decide what is appropriate. There is no agreement until both agree. If that is not possible, then you move to a backup option, #3, #2, or #1.

Principle #6: Discipline that Restores prefers that most conflicts and misbehaviors are handled using a cooperative structure directly between the ones in conflict.

A common resistance to this principle is "what about the misbehavior that is violent?" Most conflicts and misbehaviors are not serious violent episodes. In the criminal justice system, about 15% of all crime is identified as violent crime. This is even less in schools. Even if the misbehavior is a serious violent situation, the response should still be a restorative response. Safety needs to be assured for all parties and then the timing and strategy may need to be modified, giving the victim sig-

nificant control in the process along with the system authorities.

Now lets look at the other end of the spectrum, the least serious misbehaviors. One of the problems with the standard retributive response is that it minimizes the least serious offenses. It seems that a punitive response is not appropriate or needed in this minor offense so instead of punishing, nothing is done. This permissiveness is a serious problem. It sends a wrong message. One of the unintended consequences is that it gives the message to victim, offender, and the community that the offense was not serious. It gives permission to violate people in small ways. It doesn't hold the offender accountable and ignores the victim. Often these minor offenses are very disturbing to the ones they impact. When nothing is done in response, it encourages retaliation by the one who was victimized and therefore starts the "more than an eye for an eye" escalation.

Discipline that Restores says that instead of just punishing the offender, our response should be to view this as a learning opportunity and search for ways to "make things as right as possible." In order to do that, we will have to include both parties. DTR suggests that the two primary parties are usually in the best position to decide how to do this. DTR provides skills and strategies to help make it more likely they will be able to do this. DTR suggests that if they can't do it alone (option #4) they may want to invite oth-

ers to join them (still option #4) or it may help to provide a mediator (option #3).

One other resistance to this principle is from a person in authority, like a teacher, saying, "Do you expect me to bring myself to their level?" Moving from option #1 to #4 in one sense does mean being on the same level and in another sense does not.

To work at option #4 means that we do see the other party as having equal value. I think of it

this way. I think that we all have infinite value in the eyes of God and I think that whether we work at #1 or move to #4 does not change that. Moving to #4 is one way of letting the student know that we recognize their value. But moving from option #1 to #4 does not mean that the roles should change. The teacher is still the one with the responsibility to provide overall leadership and is the one accountable for the overall learning and climate of the class.

Participants discover forgiveness at VORP meeting

Continued from page 1

The meeting started off slowly. Sharon was hesitant to speak at first, and Elaine was clearly upset about the damage to her vehicle and the fact that she had to pay a portion of the cost to have it repaired. Finally Sharon explained exactly happened and what she had done. The information seemed to help Elaine. Sharon had brought her boyfriend with her to the meeting and she also described his part in the incident. Sharon went on to explain that the accident occurred when Becky grabbed the steering wheel.

Elaine described how she felt. She said she was frustrated and angry because this had happened to her several times before. She said the car was taken from the parking lot where she worked, and she was visibly angry as she related the way she felt when she realized the car was missing. Sharon summarized until Elaine felt she was beginning to understand her experience.

We then moved to the restitution and future intentions portions of the meeting. Sharon said that she was truly sorry and assured everyone that her behavior had been the result of a temporary re-

bellious period in her life. Sharon, who was only fifteen years old and had just had a baby six weeks earlier, described how difficult it would be for her to pay restitution. Sharon volunteered that she was now aware of her responsibilities as a mother and did not intend to do anything that would violate her probation or cause her child to be sent away to a foster home.

Elaine seemed moved by the exchanges. She accepted Sharon's apology and promise to live a better life and said she would not put more burden on her by asking her to pay restitution. She felt that the meeting was valuable in helping her put the incident behind her, and it made her feel good to have helped Sharon meet part of her probation obligation by forgiving the restitution through VORP. Sharon's boyfriend was also glad to have been a part of the process. In the end, Elaine wished Sharon, her boyfriend, and their baby well in the future. Sharon thanked Elaine for coming all the way from Sacramento in order to help her. Sharon truly appreciated this gesture.

Thanks Dorothy.

Blessed are the Peacemakers!

Volunteer mediators needed!

VORP mediators learn and practice peacemaking skills they can use in the home, workplace, and congregation.

The next training is scheduled on June 25 & 26. For participants who agree to take three cases, the cost of the training is only \$20; for others, the cost is \$100.

Call VORP at 291-1120 for details.

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