Curriculum Units by Fellows of the National Initiative 2018 Volume I: Race, Class and Punishment

# This is America: Restorative Peace Circles and the decline of Suspensions and Expulsions

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## Introduction

"What's fundamental about restorative justice (practices) is a shift away from thinking about laws being broken, who broke the law, and how we punish the people who broke the laws. There's a shift to: there was harm caused, or there's a disagreement, and how do we repair the harm, address the conflict so that relationships and community can be repaired and restored, It's a different orientation. It is a shift." Cheryl Graves- Community Justice for Youth Institute

As a teacher who has taught in some of Chicago's most marginalized communities, such as Englewood, Cabrini Green, Henry Horner and Robert Taylor Housing Developments, I've learned first-hand the magnitude of the School to Prison Pipeline. In the mid 1990's as I pursued National Board Certification, I was placed in a cohort with teachers who taught at schools just north of where the Cabrini Green Housing Developments once stood. The cohort meetings rotated as each of us were asked to host meetings at our respective school.

I will never forget the feeling of defeat and dejection as I entered the schools of my colleagues. Firstly, the walls were pristine and vibrant with creative bulletin board displays. I observed students moving unsupervised to their after-school chess or sports programs to laughter sprinkled with giddy conversations in the halls. I peered over into a small gym where a group of teachers were participating in Yoga classes. Once we settled into the host classroom I began looking around this enormous classroom with technology and instructional resources with envy. Out of admiration I pulled out a notepad and began jotting down some of the ideas from the instructional charts and student projects that were posted. The classroom library surely blew me away. The independent book titles organized in cute little baskets. The novel sets included classics like *To Kill a Mockingbird*, *I Know Why The Caged Bird Sings*, *Native Son* and *The Bluest Eye* by Toni Morrison.

In fact, I immediately flashed back to my mother's constant admonishment to my eight siblings. She would state that we were just as worthy of a quality education equated to the affluent kids on the Northside. My mother became a single parent on the south side of Chicago, however she instilled in us that going to college was our only option. So when my eldest brother went off to Princeton, it didn't surprise us when my second eldest brother followed in his footsteps. We all continued to earn admittance into top educational institutions like the University of Chicago, DePaul University, New York University, University of Pennsylvania, University of Illinois and Northwestern.

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So naturally I thought, "Aren't my students worthy of attending these same institutions?" Yes they are indeed! So where did this practice of school to prison pipeline come from? Why did my schools look like a prison with metal detectors and no doors on bathroom stalls? Why the random security searches in the middle of class instruction? Why are students being harassed about wearing braids when cultivating the brain should be our main focus? Why were only 25% of my students expected to go to high school and 75% expected to be in prison, shot or killed by the time they turn 18? But on the other hand, why are 100% of the eighth graders attending more affluent schools in the city were all expected to graduate from college?

These are questions that I will invite you to ponder as you consider the premise of this unit. This unit is suggesting that we evaluate our roles in the school to prison pipeline. I will offer valid reasons why we should consider restorative justice peace circles as alternatives to referring students for in-and out-of-school suspensions. First, there is compelling evidence that the zero tolerance approach, suspensions and expulsions has proven less effective and more harmful to the student and school climate. Second, disproportionately the imposition of school suspension on African-American students and those with disabilities is unfair and unlawful. Third, more than half of the referrals to the juvenile system come from urban public and charter schools.

## **Demographics**

Carter G. Woodson Elementary School is a pre-K through 8th grade Chicago Public School on the South side of Chicago. The student population consist of 400 students, of which 100% are considered low income and qualify for free and reduced lunch. The population is also 100% African American. Students that receive special education services account for a little over 25% of the student population. The majority of my fifth grade students come to school with social and emotional wounds that many parents don't have the time or resources to manage. Every week at least one student has experienced violence, death, physical, verbal, emotional abuse or some tragic event in their lives. This unit is designed for the entire school population of students.

# **Enduring Understanding**

Restorative peace circles are designed to provide students, staff, community members and law enforcement official's opportunities to analyze and discuss their issues and or concerns in a safe space. A peace circle is a restorative justice model that, like other restorative justice practices, can be used to address conflict holistically and solve problems. Peace circles emphasize healing and learning through a collective group process, aiming to repair harm done and assign responsibility by talking through the problem. In this unit students will learn a brief history on peace circles and its benefits. The unit will culminate in a PEACE project where students create poetry, technology integrated projects and public service announcements highlighting the benefits of conflict resolution as well as accountability through restorative practices.

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# **Objectives**

This curriculum unit focuses on the justification for implementing restorative justice peace circles in American schools. It will also share research and evidence that demonstrates how the vicious cycle of the school to prison pipeline is damaging our cultural foundation. What positions restorative justice peace circles apart from typical punitive methods is that restorative justice does not view crime as an act against the state, but rather "as an act against individuals and their community". This distinction is why restorative justice asks different questions such as "what happened?," "whose obligations are these?," and "what needs to be done to right the wrongs?" These questions focus on the needs of the victims and offenders. Along these same lines, restorative justice is "grounded in the belief that those most affected by crime should have the opportunity to become actively involved in resolving the conflict. The ACLU is committed to challenging the "school-to-prison pipeline," which it calls a disturbing national trend "where" children are funneled out of public schools and into the juvenile and criminal justice systems." Many of these children have learning disabilities or histories of poverty, abuse, or neglect, and would benefit from additional educational and counseling services. Instead they are isolated, punished and pushed out.

Michelle Alexander expresses in her book, "The New Jim Crow," that once you're considered a criminal and arrested, you are considered a felon and branded with this stigma for life. The term "felon" is stamped on the job, school and apartment applications, forms for welfare benefits, and petitions for licenses. Being labeled a criminal authorizes discrimination across all aspects of life in American society. This mindset also applies in school settings across this country. Once a student is labeled "misbehaving" this stigma can remain with the student for their entire academic career especially if educators pass this judgment on verbally or in writing. Expectations are also lowered for this student. It is truly a disservice to any child. I'm proposing that if Restorative peace circles are used for a student in first or second grade perhaps, they would have a clearer understanding of how their actions are negatively impacting them socially and academically. Hopefully, they would take accountability for their actions and demonstrate growth by the time they are promoted to the intermediate grades. It would truly disrupt the tendency of constant punitive measures to place these students in the school-to-prison pipeline and enhance their chances of becoming a productive, gratified and liberated citizen.

## **Rationale**

My Elementary School is located in the Bronzeville neighborhood of Chicago. The Great Migration started in 1916 and eventually millions of African Americans left the agricultural South for the industrial North. Many African Americans settled in the neighborhood of Bronzeville which was home to numerous notable figures including Gwendolyn Brooks, Louis Armstrong, Muddy Waters, Ida B. Wells, and Lorraine Hansberry. The community today has lost thousands of its low-income African American families as housing developments have been demolished or are being converted to condominiums. Traditional public schools like the one my eight siblings and I attended are being closed or transformed into charter or college prep schools. Neighborhood students struggle to make the top test scores for admittance to these reconfigured schools. District-wide we have experienced a high volume of school closings in low-income communities. As a result, public schools similar to mine are considered receiving schools. "It's" mandated to accept transfer students

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who are often unwelcome at nearby high performing schools. Particularly due to their stigma of poor attendance and academic performance. A large number of these students transfer into classrooms without their academic records or IEP's. These inefficiencies situate teachers at an instructional disadvantage. Thus when students are not performing on grade level or incapable of adjusting to the desired academic pace they risk being labeled "willfully-defiant".



Administrator at Carter G. Woodson Elementary greeting students as they enter school building Source: Chicago Public Schools

In American public schools, "willful defiance" is a widely used, subjective and random category for student misbehavior. It can include everything from a student; having a verbal altercation with a teacher, refusing to remove a hat in school to incomplete assignments. It's essentially a formalized way for schools to reprimand students who fail to follow orders. Willful defiance has been scrutinized for how often it is used to suspend students of color. In 2014, when California discovered that 43 percent of its suspensions in the 2012-13 school year were for "willful defiance," the state became the nation's first to limit suspensions tied to this offense. However this category remains a fixture in many other states and educational systems nationwide. It's the reason we find ourselves in the midst of an era of mass incarceration.

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Today, a legacy of willful defiance remains in the Chicago Public School system. Suspension rates in "Chicago Public Schools have declined." But they still remain very high, particularly among the system's most vulnerable students. This is according to "Chicago School Research (UChicago CCSR)," a new study by the University of Chicago Consortium. In the 2013-14 school year, 16 percent of CPS high school students received an out-of-school suspension (OSS), down from 23 percent in 2008-9. Still, 24 percent of high school students with an identified disability and 27 percent of high school students in the bottom quartile of achievement received out-of-school suspensions in 2013-14. Suspension rates for African American boys in high school remain particularly high with one-third receiving at least one out-of-school suspension.

A statement released by newly appointed CEO of Chicago Public Schools states: "As CEO of Chicago Public Schools, we know the importance of maintaining safe, supportive schools. But to be effective, disciplinary practices must be equitable and contribute to the social-emotional development of our students. Since 2012, CPS has made a dedicated effort to reform disciplinary practices and better support students by working to align the district's Student Code of conduct (SCC) with our values. As a result out-of-school suspensions have been reduced by 76 percent and expulsions have dropped 59 percent." Janice Jackson CEO Chicago Public Schools

Colleagues from around the country who teach in public and charter schools -- which primarily service a large African American student population -- are always engaging in stories of how zero tolerance policies alienates them from their students. In addition, it hinders authentic instructional engagement. Some accounts are of how students are put out of classrooms because they don't have pencils or are tardy to class. Students are suspended because they didn't do their homework or don't have the proper gym uniform. As someone who has taught for both Chicago Public Schools and the New Orleans Recovery School District, I realize the significance of students bringing supplies and being prepared for class. How assigning homework reinforces academic skills and accountability. I too have been forced to consider more creative classroom management alternatives. Those practices that build trusting relationships with my students. This unit is proposing that we put action behind Janice Jackson's assertion that "disciplinary practices must be equitable and contribute to the social-emotional development of our students.

Yale Law Professor James Forman Jr. describes a circumstance in his book titled *Locking Up our Own*, "wherein" he and co-staff members were infuriated with local police who continued to harass students at their Maya Angelou School in Washington D.C.. The staff met to organize a strategy with police officers who eventually accepted an invitation to the school for a town hall conversation with students and teachers. The teachers explained that their students were recruited based on their previous struggles and had been arrested, or kicked out of traditional schools, but were determined to turn their lives around. The perpetual police searches, they explained, risked undermining the fragile work that was being done to restore their faith in the educational system. Students were encouraged to share their thoughts and expressed how dehumanizing it was to be stopped and searched without reason, made to feel defenseless, deprived of dignity and privacy, degraded in public view. I would assert that meetings like these that involve law enforcement and community stakeholders that are based in restorative practices fosters trusting relationships. It also signifies to students that the adults around them believe that they should have opportunities to become productive citizens.

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## **Content Background**

#### **Zero Tolerance Policies**



Ms. Ponder's class Carter G. Woodson Elementary Source: Chicago Public Schools

Zero tolerance policies developed in the 1990's, in response to school shootings and general fears about crime. In 1994, the federal government passed the Gun Free Schools Act which requires schools to expel any student who brings a gun to campus. It was during this time that the "broken windows" theory of law enforcement became popular. The concept was that cracking down on minor violations prevented serious crimes. Therefore, schools enforced disciplinary policies that went further than the federal law. The rules varied from school to school, but they commonly required suspending or expelling students for a wide range of conduct violations. This included anything that could be perceived as a threat or insubordination. Such as talking back to a teacher or swearing in the principal's office, and any behavior considered disruptive, like playing with classmates in the bathroom. Data collected by the federal government shows that African American students were almost four times as likely to be suspended as white students. Additionally, students with disabilities were almost twice as likely to be treated unfairly based on these policies. Why do schools treat our students like criminals? School is a learning environment and students are expected to enhance their

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social emotional skills and learn from their mistakes. Therefore they should be given the opportunity to learn how to make choices that are productive to their overall wellbeing.

# **Trayvon Martin Suspended for 10 Days**



Trayvon-Martin I, Silkscreen and acrylic, 40" x 30" Source: by Artist Rhinold Ponder

After further investigation into the murder of Trayvon Martin, I discovered that prior to his death he was suspended from Dr. Michael M. Krop Senior High School in McDade County for ten (10) days. School officials stated that they found a baggie that contained traces of marijuana in his backpack. Growing up in a social media society where it is appealing for teens across color lines to experiment with marijuana, schools can no longer afford antiquated and ineffective responses to discipline issues. I can't help but speculate on Trayvon's outcome had both of his parents been called in by the McDade County school board to participate in a restorative justice peace circle. Would the school district been capable of assisting Trayvon with fully understanding the overall impact of his choices?

Suspensions are more reactive rather than proactive and in many cases the child doesn't get the root cause of the behavior. Additionally, parent(s) have to go to work and can't afford to take off for five to ten days and risk losing employment. The child is left to fend for themselves, there is no learning taking place. Ultimately, the entire family is being punished by the school board. If parents have to choose between a five to ten day suspension or coming up to school to participate in a restorative justice peace circle for a half day, we would

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have more desirable outcomes . Restorative peace circles can become that conduit to repairing the harm by bringing people together to dialogue about their concerns, come to a clearer understanding and end with agreements on how to move forward more amiably.

According to the Amos Clifford Center for Restorative Justice there is a growing body of research supporting the effectiveness of restorative practices in schools. Evidence shows that restorative practices can result in:

Reduction in disciplinary referrals to principals

Reductions in suspensions and expulsions

Reductions in amount of instructional time lost to managing student behavior challenges

Improved teacher morale

Improved teacher retention

Improved academic outcomes

Reduction in disproportionate referrals of minority students

### What are Restorative Practices?

Restorative practices are a method of school discipline and conflict resolution that include all individuals who have been affected by a transgression. which brings students, families, schools, and community members together to resolve conflict, promote healing, and restore communities. Restorative approaches enable those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to acknowledge this impact and take steps to make it right. Becoming a restorative school has many benefits, including increased attendance, reduced exclusions and improved achievement. It can also alleviate problems such as bullying, classroom disruption, truancy and poor attendance, antisocial behavior, and disputes between pupils, their families, and members of staff. To be effective, restorative approaches must be in place across the school. This means all pupils, staff (including non-teaching staff), management and the wider school community must understand what acting restoratively means and how they can do it. As a result, restorative schools adopt a whole-school approach to restorative methods.

# **Peace Talking Circles**

A restorative justice peace circle can used as an alternative to traditional suspensions and expulsions. The Circle process that many non-Native people are using today is rooted in the tradition of Talking Circles that Indigenous Peoples in North America use and have used for millennia. Different native peoples practice different forms of the Circle process. The form of Circles described in this unit most closely reflects the talking Circle process practiced by the Plains Peoples of North America. In these traditions, Circles are far more than a

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technique, they are a way of life. Circles are designed to help us access our common humanity and forge a healing response to conflicts. Circles promote interactions that allow individuals, families and communities to thrive. Circles assist with student safety. Circles present a radical shift in how we respond to hurt and creates social order. During circle time, students and school staff members "sit together in a circle and take turns sharing their thoughts and concerns."

When a participant wants to talk they hold a meaningful object called a talking piece, and only the person holding the talking piece can speak at that particular time. This practice gives each participant the opportunity to talk without being interrupted or challenged. A talking piece can be selected by the teacher or student. Objects found in nature make great talking pieces, feathers, driftwood, river stones, and seashells. Animal figurines are appreciated by many students. Some classes adopt a particular talking piece and use it for every circle. Some put a variety of talking pieces in the center and let the student who starts a round choose one for the round. Using a talking piece has a powerful effect in adjusting the group dynamics. It promotes open and worthwhile dialogue in many ways. For example, it promotes dialogue, affirms equality, develops listening skills, cultivates peacemaking abilities, promotes integrity and supports conditions for unity

All members of a classroom have three basic social needs which are to feel respected, accepted and worthy of attention. Restorative practices and unfulfilled desires can be the underlying cause of conflict or harmful behavior. If for example, a harmful behavior results from an unfulfilled desire for emotional comfort, then it will not be effective to respond by only appealing to the wrongdoer. When a conflict occurs, it is important to consider the unfulfilled desires of both the affected person(s) and the wrongdoer. A restorative peace circle held when both parties are present and relaxed, can provide insight about the unfulfilled desires that lead to the conflict. Aiming towards a response that directly addresses each person's needs is most likely to restore their relationship and their confidence in this process.

#### **Research Based Support**

There is evidence that restorative practice delivers a wide range of benefits for schools. A report published by the Department for Education gave whole-school restorative approaches the highest rating of effectiveness at preventing bullying, with a survey of schools showing 97% rated restorative approaches as effective. In Minneapolis, MN, circles, conferences and mediation were researched and office referrals and suspensions were decreased by 48 – 63%. In Denver, CO, classroom meetings, panels and conferences were researched and expulsions decreased by 82% and out of school suspensions decreased 36%. In Philadelphia, PA, circles decreased suspensions by 50%. In Oakland, CA, whole-school restorative justice circles were used and suspensions were decreased by 87% and expulsions dropped to zero. In Chicago, IL, restorative peer juries were researched and suspension days were decreased by 1,000 days. In Palm Beach, FL, circles were researched and resulted in a 78% decrease in referrals and a 54% reduction in absences. Whole-school restorative justice practices resulted in an 88% drop in suspensions in Baltimore, MD. A report published by the Department for Education gave whole school restorative justice approaches the highest rating of effectiveness at preventing bullying, with a survey of schools showing 97% rated restorative approaches as effective.

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## **Teaching Strategies**

Objective: To allow for classroom issues, such as bullying, patterns of disruptive behavior, lack of homework, name calling, not bringing supplies to school...etc to be addressed with the entire class.

Allow me to reiterate that it is important that the circle conveys respect. Everyone is held accountable and should be made to feel comfortable within the space. The Circle mostly consist of asking questions and listening to answers. I begin by thanking my students for their participation and may go around the circle really quickly for a check in and even during that time the talking piece is being circulated. Also, I usually have a journal to jot down particular notes just to make sure I can repeat the concern or celebration as a wrap up in the end. This reinforces to students that I am focus on their needs.

Sample Opening: It is so wonderful that everyone decided to participate in our peace circle this afternoon. As you know we are here to talk about what happened during recess today, so that we can figure out how to move forward in a positive way. Let me remind you of the norms:

## **Norms**

Respect the talking piece (It's your turn when you are holding the piece)

Speak from the heart (be authentic)

Listen from your heart (try your best not to hold grudges)

Trust that you will be heard (you are not being judged)

Be mindful that other may want to speak (make sure there is equitable time for all participants)

# **Prompts for Restorative Circle Dialogues**

What happened and what were you thinking at the time of the incident? Who have you spoken to about this situation since?

Who has been affected by what happened and why?

What about this situation has been the most difficult for you?

What do you think needs to be done to make things right?

Who do you respect and why?

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When do you feel most uncomfortable?

How do you feel about the statement "treat others how you want to be treated?"

What changes would you like to see here at school or in the community that would make you feel more valued? What can you do to promote that change?

## **Sample Circle Process**

Round 1: You can use one of the above prompts or feel free to create your own to get started. The talking piece is passed to the student that volunteers to go first.

Round 2: We are going to discuss what happened, so I've asked \_\_\_\_\_ and \_\_\_\_ to share their understanding of the event.

Round 3: We are going to discuss who has been affected by what happened and address any harm that may have occurred as a result.

Round 4: Now it is important to ask students what are they personally willing to do to repair the harm and move forward from this situation. (The circle keeper can write down suggestions on post it paper).

Round 5: can consist of you the teacher summarizing what the agreements are to move forward and remind students of their accountability promise. Congratulate everyone for their courage and participation and you could either end the session with hugs, high fives or fist bumps.

## Alternative Teaching Strategy to promote dialogue within the circle:

There are times when you may want to provide some alternative approaches to generating discourse within the circle and here is a activity that my students truly enjoy. Students get to talk about themes that impact them such as friendship, family, growing up, injustice or beauty.

#### Sample Lesson 2

Paired Text Strategy/ Music and Poetry Integration

Objective: To determine a theme of paired text using excerpts of musical lyrics and a poem, being able to cite text evidence from both text to draw individual conclusions,

#### Materials:

- Access to Youtube
- Lyrics from song God's Plan by Drake
- Copy of poem Still I Rise by Maya Angelou
- Student Journals

Song/Poetry excerpts.

Task #1 Compare the lines from both Drake and Maya Angelou and determine the overarching theme citing evidence from both excerpts. Include how this theme applies to your attitude about achieving your personal goals.

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Drake:
I been movin' calm, don't start no trouble with me
Tryna keep it peaceful is a struggle for me
Maya Angelou
You may shoot me with your words,
You may cut me with your eyes,
You may kill me with your hatefulness,
But still, like air, I'll rise.
Task #2 Compare the lines from both Drake and Maya Angelou and determine the overarching theme citing evidence from both excerpts. Include how this theme applies to your attitude about achieving your personal goals.
Drake:
I don't wanna die for them to miss me
Guess I see the things that they wishin' on me
Hope I got some brothers that outlive me
Maya Angelou
You may write me down in history
With your bitter, twisted lies,
Task #3 Compare the lines from both Drake and Maya Angelou and determine the overarching theme citing evidence from both excerpts. Include how this theme applies to your attitude about achieving your personal goals.
Drake:
I go hard on Southside G, ay, wait
Maya Angelou
I am the dream and the hope of the slave.
Closing Reflection:
Our encounters, particularly those that bring us memories of abuse or harm confines our desire to share with one another. Hopefully, the Restorative Justice Peace Circle will give us the opportunity to have authentic

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discourse that allows us to heal those wounds. Peace Circle may ultimately be our winning ticket to success.



Ms. Ponder's students on field experience Chicago Bulls Game Source: Chicago Public Schools

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Jones, Lealan and Newman, *Lloyd. Our America: Life and Death on the South Side of Chicago*. New York: Pocket Books, 1997. This book evokes the unforgiving world of two teenage boys with a gift for clean-cut journalism. What's even more appealing is their unrelenting resilience to make sure the entire community survives.

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Neri, G. Yummy: The Last Days of a Southside Shorty. New York: Lee and Low Books Inc. 2010. This graphic novel is a gripping true story about a young man that went through the foster care system and got shuffled around from house to house but to him the streets felt more like home.

## **Appendix A: Implementing Standards/Common Core/State Standards**

#### CCSS.ELA-LITERACY.SL.5.1.A

Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.

#### CCSS.ELA-LITERACY.SL.5.1.B

Follow agreed-upon rules for discussions and carry out assigned roles.

#### CCSS.ELA-LITERACY.SL.5.1.C

Pose and respond to specific questions by making comments that contribute to the discussion and elaborate on the remarks of others.

#### CCSS.ELA-LITERACY.SL.5.1.D

Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.

#### **Key Ideas and Details**

#### CCSS.ELA-LITERACY.RL.5.1

Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

#### CCSS.ELA-LITERACY.RL.5.2

Determine a theme of a story, drama, or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text.

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## **Anchor Standards**

Students will develop positive social identities based on their membership in the Restorative Justice Circle

Students will recognize stereotypes and relate to people as individuals rather than representatives of groups or cliques.

Students will express empathy when people are excluded or mistreated because of their identities and concern when they themselves experience bias.

Students will recognize their own responsibility to stand up to exclusion, prejudice and injustice.

Students will speak up with courage and respect when they or someone else has been hurt or wronged by bias.

Students will recognize unfairness on the individual level (e.g., biased speech) and injustice at the institutional or systemic level (e.g., discrimination).

Students will recognize that power and privilege influence relationships on interpersonal, intergroup and institutional levels and consider how they have been affected by those dynamics.

Students will identify figures, groups, events and a variety of strategies such as restorative justice circles and philosophies relevant to the history of social justice around the world.

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