Michigan State University

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Repairing Harm: Using Restorative Practices to Build Community

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Two African American students walked down a wing of a residence hall and spotted a large Confederate flag hanging in another student's room. The African American students were offended by the symbol and reported the sighting to the hall director. When the students met with the hall director, they learned displaying the Confederate flag is a form of free speech and is protected by the First Amendment. Under traditional campus conduct procedures, harm is only addressed when policy violations occur. How does one address harm when no policy was violated? For the residential community at Michigan State University, restorative justice is the answer. This article provides an overview of restorative justice and describes how institutions might implement restorative practices on their campus.

Overview of the Restorative Justice Philosophy
Conflicts arise in our residential communities over issues ranging from noise complaints and bathroom etiquette to roommate conflicts and intercultural issues, such as the one described above. Students are often frustrated when they feel harmed by another person, yet the person has not violated a policy and therefore cannot be held accountable under the traditional conduct process.

The traditional conduct process, or retributive justice, focuses on what policies were violated and how to punish the offender, whereas restorative justice focuses on who was harmed and how to make things right (Zehr, 2002). Restorative justice allows for open dialogue among students in a developmental way that encourages mutual respect and understanding. It provides victims an opportunity to articulate their thoughts with assistance from residence life staff, friends, and family and gives offenders the chance to address any harm they might have caused. Over the past two years, Michigan State University has expanded its use of restorative justice principles to also facilitate student conduct issues, create opportunities for community building, and enrich student leadership development.

Restorative Justice at Michigan State
Administrators at Michigan State University (MSU) have summarized their approach toward restorative justice into three questions:

- **What happened?**
- **Who was affected and how? and**
- **How can we make things right?**

Similar to student development theory, administrators use restorative justice as a philosophical approach. For example, they might ask the three questions as a counseling tool during meetings with students, staff members, and guests. Administrators might also use the three questions in a restorative circle or conference to address situations of misconduct resulting in harm. Restorative circles and conferences bring together all involved parties to sit in a circle and discuss the situation. The facilitator asks each of the three questions one at a time, passing around a talking piece with each question to help moderate discussion. Only the person who possesses the talking piece may speak. This process enables all participants to learn each other’s perspectives and understand how people were affected by the behaviors in question. At the end of the circle process, the participants mutually construct an action plan for repairing the harm that was caused.

For more serious conduct cases, administrators might use a restorative conference instead of a circle. A conference is a formalized version of the circle. The process is scripted and participants sit in assigned seats to reduce the tension between the involved parties. Similar to the circle process, the conference results in a signed agreement among the participants outlining how the harm will be repaired.
These are three examples of how administrators can use restorative practices to resolve conflict. The approach residence educators at MSU choose depends on the context and participants’ willingness to engage in the restorative justice process. They ask: Has a person been harmed in the situation? If so, are the people involved interested in the opportunity to address the harm that has occurred? If the answer is yes, the hall director will set up a time for the students to participate in a circle. If the answer is no, then the situation might be addressed through the traditional process in cases where policy violations occurred. In one example, conducting a circle gave a student accused of vandalizing the door of another the opportunity to learn about the impact of his actions by facing the harmed person. Our philosophy is that restorative practices create more opportunities for genuine learning experience compared to the traditional conduct approach. This learning occurred in the Confederate flag situation mentioned above when both sides sat in circle and talked about heritage, coming to understand how that symbol represented very different meanings and experiences for each participant.

When students involved are not interested in meeting with each other, we use alternative restorative practices to approach the situation. During one-on-one conduct meetings, hall directors might ask the three questions. In some cases, directors will use a restorative thinking form. This is a tool we adapted to assist students in the process of reflection. This approach can help students process the impact of their actions. This restorative worksheet is based on the three questions and asks students to list the decisions they made that led to the incident, to list who might have been harmed by their actions, and to describe what they plan to do to repair the harm that was caused. The form also prompts students to report what they should do differently in order to avoid a similar situation in the future.

**Restorative Justice as a Tool for Community**

The restorative philosophy focuses on creating an environment where all parties are considered equals and everyone has a chance to share their thoughts and feelings (Zehr, 2002). For this reason, restorative justice is effective for building community as well as addressing conflict, misconduct, and harm. By forming a circle at the beginning of a floor meeting and asking each resident to share something, a resident assistant can begin to build community by ensuring everyone is seeing and hearing each other as part of a cohesive group. Resident assistants can also use a restorative circle to “check in” with a group to see how everyone is feeling, get feedback on a recent event, or process something difficult that happened in the community. In one example, residents formed an impromptu circle to process the loss of a community member. The experience enabled the residents to mourn, while also strengthening their interpersonal connections.

**Developing your own Restorative Justice Program**

At Michigan State University, we are steadily expanding the use of restorative justice outside of residence life. Recently, students and administrators have used restorative practices to address infractions during sorority recruitment and to resolve employee performance issues. Students on an alternative spring break trip even organized their own circle to address a discriminatory incident. If you are interested in using restorative justice at your institution, we recommend pursuing the following steps on the next page.

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Restorative Justice Tips:

1. Assess Your Institution’s Needs and Possible Uses of Restorative Justice

Before instituting a formalized restorative justice program, think about how restorative justice can fit within your department or campus culture and how it can help you serve your students. At MSU, restorative justice has been useful for resolving conflict, addressing misconduct, and connecting residents. Institutional assessment efforts revealed that residents who reported receiving restorative justice-related information from a staff member reported greater satisfaction and learning compared to residents who indicated they did not receive the information. Moreover, the receipt of restorative justice-related information had a positive, but weak association with residential retention. How might restorative justice help you?

Implementing a restorative justice program can take time and resources. We suggest you obtain support from other constituents so they can support this initiative. Potential supporters include campus judicial officers, student activities staff, residence life staff, and the ombudsperson.

2. Obtain Buy-in and Support From Others.

When Michigan State’s residence life staff started the restorative justice program, one director was certified as a restorative justice trainer. Others earned their training certification more recently. This enabled us to set-up a core team of three restorative justice experts ready to train other staff members.

3. Get Trained.

The next step in the process is to train your staff members. When designing the training program, consider who should be trained to implement restorative justice at your institution and how you can infuse the restorative justice philosophy throughout different training opportunities. Restorative justice has a natural place in conduct training, but can also be infused in programming, staff discipline, and advising training sessions.

4. Develop a Training Program for Your Staff.

For additional resources on restorative justice, please visit Michigan State’s Restorative Justice website at: http://www.reslife.msu.edu/rj. The site features our fliers, brochures, conference and poster presentations, restorative thinking forms and informational videos about restorative justice at MSU. Watch both videos on our homepage to learn how the Confederate flag incident was resolved from the viewpoint of the hall director and one of the students. We welcome questions or comments at rj@msu.edu.