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The Transformative Nature of Restorative Narrative Justice In Schools

Richard Jaffee Cohen, JD, *Senior Trainer & Board Member, Restorative Schools Vision Project*

Abstract: Restorative justice (RJ) over the last decade has had a positive impact on school cultures that have begun to shift from cultures of punishment and exclusion to ones of understanding and compassion. This article provides the tools to continue this transformation through an understanding of how narrative processes when merged with neuroscience help us gain deeper understandings of the effective use of restorative processes. Narrative processes encourage the examination of the whole person and his or her identity. Our lives are lived within a socio, cultural, and gendered setting. Being aware of this context, and recognizing the often problematic nature of educator-student relationships, we need the skills to try to prevent problems from arising, and when they do arise, respond to them with compassion, not react to them with anger. Narrative processes encourage and promote the separation of the problem from the person, and the deconstruction of power dynamics that allow for a more equitable, non-judgmental educational pedagogy to emerge. Neuroscience lends strong scientific support for our compassionate nature.

Introduction

Restorative justice in schools is a process that is based on relationships, not rules. The restorative practices and processes that have grown out of restorative justice are designed to teach empathy and understanding, as well as to *respond* to conflict by empowering those who cause harm to make things right, and in the process, heal those who were harmed. By contrast, traditional school discipline practices *react* to conflict by excluding students from class or use rewards to gain compliance to rules. The use of suspensions and expulsions create a process of banishment that both deprive students of an education and stigmatizes them as being morally deficient. Giving students rewards for good behavior is akin to buying them off and is just the other side of the punishment coin. Neither approach prepares young scholars for a future where self-control and pride in achievement for its own sake become her or his guiding light.

Restorative justice presents schools with both the opportunity and the means to change the punitive paradigm and to substitute it with a pedagogy of ethical values that promotes social and emotional learning and other compassionate practices that address the whole student. Those who are harmed and those who cause harm are given a voice and an opportunity to heal. This does not happen when resentment building suspensions or expulsions are the only choices. RJ and the restorative practices and processes that have grown out of it represent a paradigm shift in both prevention and response to actions that cause harm (Zehr, 2002; Amstrutz & Mullet, 2005; Evans & Vaandering, 2016).

This article will explore RJ and the restorative practices used in schools from a narrative perspective, (Winslade & Monk, 2008; Winslade & Williams, 2012; Kecskemeti, 2015; Kecskemeti, Kaveney, Gray, Drewery, 2013) and invite teachers, administrators, support staff, students, parents, and care givers to help shift the punishment paradigm. To implement this shift, we will examine the practices and processes of restorative circles, restorative conversations, restorative mediations, restorative conferences, and recent advances in neuroscience that support these practices and processes. Integrated within these practices will be a discussion of how culture, trauma and social and emotional learning operate to enhance our understandings.

We at the Restorative Schools Vision Project (RSVP) have embraced RJ and developed our own practices and processes that apply the healing and empowering aspects of restorative justice together with the transformative potential of narrative processes. We have also gained insights from the rapidly developing fields of neuroscience and neuropsychology (Goleman, 2006; Doidge, 2007; Iacoboni, 2008; Keltner, 2009; Siegal, 2011, 2013; Hanson, 2013). Our purposes are to shift the power dynamic paradigm from power and control to understanding, kindness, and healing.

Restorative justice relationships include students, parents, teachers, administrators, school staff, care givers, and community. The preventive practices include working with students to learn self-control and respect for self and others, or more precisely, to see the lines between self and others begin to dissolve. To highlight the significance of bringing about inner transformation in the lives of students, the Dalai Lama opines:

> When discipline is imposed from the outside, it is very rarely effective and sometimes can even be counterproductive. When discipline is imposed by fear, either fear of some external authority or fear stemming from our own cultural or religious conditioning, the individual often feels very little enthusiasm for it. As a result, imposed discipline rarely brings about inner transformation.
> On the other hand, if we adopt self-regulation voluntarily, out of appreciation of its value and the benefits of refraining from bad habits, it is only natural for us to undertake it with greater determination. This in turn makes our self-discipline more enduring. (Dalai Lama, 2012, pp. 147-148).

To prevent harm requires self-control and an awareness of how we affect others. This is not always easy for young people themselves exposed to lives of trauma and abuse. An antidote to loss of control is to learn empathy and compassion. This can only be generated in a supportive environment. Everyone makes mistakes. Old habits, fed by insecurity, fear, and anger can help to create a toxic school environment that effects all parties—students, teachers, administrators, staff, and families. In contrast, when we are invited into a caring and supportive environment, maybe for the first time, we can begin to see our interconnectedness and need for each other (Dalai Lama, 1999).

The responding practices are about healing, forgiveness and making amends. This requires a careful examination and deconstruction of the power dynamics between teachers, administrators, school staff, and students. It is not about giving up of power, but about the democratization of power and the recognition of the agency and dignity of our students.

To help make this cultural shift, this paradigm shift, we can turn to restorative justice as a framework or scaffolding. Other frameworks, like Social and Emotional Learning (SEL) (Collaborative for Academic and Social Emotional Learning (CASEL), 2008, 2013) need practices to be implemented. We believe that restorative narrative process and practices are the most effective

way to educate about and to implement RJ, SEL, Implicit Biases, and Trauma Informed Practices. Students respond to justice. Administrators, teachers, and staff benefit by working with processes that aim for transformation, not control.

Some practitioners prefer the term transformative justice, instead of restorative justice, since they believe that many of the students who they work with have no positive way of life to be restored. This is a limiting view of transformation. On an immediate environmental level, in some cases this may be true. However, on another more profound emotional and psychological level, Goleman has presented evidence that we are hardwired for kindness, (Goleman, 2006), and Keltner has presented evidence that we are all inherently good (Keltner, 2009). As restorative practitioners, and as peacemakers, our goal is to listen to and work with those who come before us in order assist them to reconnect to this inherent goodness. This is what transformation is all about (Freire, 2000; Davies, 2014).

Restorative Narrative Practices

Like restorative justice, restorative narrative practices are both preventative and responsive, although all restorative practices have a preventative aspect. What distinguishes narrative processes from other restorative practices is the inclusion of a larger context out of which change and healing takes place. Narrative processes look beyond the immediate factual setting of events and ask how gender, race, religion, poverty, culture, and other factors affect what is going on. By examining taken for granted assumptions about identity, a new awareness or mindfulness arises that allows for deeper understandings to take place, judgements to be suspended, and a clearer picture of what is really going on to emerge.

We will examine these restorative narrative practices within the context of the preventative tools of circles and conversations and then the more responsive tools of mediations and conferences.

Circles

Circles level the playing field. In a circle everyone is equal and hierarchal power structures are minimized (Riesenberg, 2012; Boyes-Watson & Prantis, 2015). The preventative circle is one where the student is heard and learns to listen to and understand others. Circles are like jazz, everyone gets his or her turn to shine. Students bring all their troubles to school, some of which are traumatic in their nature and origin (Brown, 2013; Van der Kolk, 2014). A check-in circle at the beginning of the school day gives students a chance to get in touch with her or his feelings and, if difficulties are occurring in their lives, to speak their troubles into existence. If the student sees the circle from a mindfulness perspective, a safe non-judgmental space (Kabat-Zinn, 2012), she feels safe to speak her mind. At first, some students may feel reticent to speak up, but with time and experience, trust builds and empathy grows. For some students, this may be the first time they have dealt with trouble this way, and the first time they felt so supported in their efforts to cope. This is social and emotional learning.

In an elementary school where we were facilitating a circle, one student spoke up and said he was unhappy and wanted to go back to the preceding grade. He said that he felt stupid because the math was too hard for him. In response to his concerns, half the class spoke up that they would help him with his math. But for this circle experience, this may never have occurred.

By using the narrative practice of externalization (*the person is not the problem, the problem is the problem*) (White & Epston, 1991; Winslade & Monk, 2001; Winslade & Williams, 2012; Trungpa, 1993, p. 74; Fischer, 2013, pp. 73-74), students not only deal with the problem, like

getting support from fellow students, but can also learn how to substitute strength, competence, resolve, and other positive emotions or ways of being, for their troubled ones. From a narrative perspective, this can be viewed as separating from the problem story and embracing the preferred story of one's life (Winslade & Monk, 2008). This is consistent with a neuroscientific perspective articulated by Hanson, that we are hardwired for happiness (Hanson, 2013). During a circle facilitated in a third-grade classroom, I asked the students: What do you do when you are in a bad mood? One student raised his hand and said: "I thrown my hands above my head and say, what a beautiful day."

Another example of embracing the preferred story of one's life is to ask, either in a circle or a conversation, a student who says that he feels sad because someone yelled at him the previous evening, if anyone showed him any kindness lately. By asking this simple question, the student is invited to rethink his sad mood and remember that he does not have to be dominated by his mood, and that he is cared for. The research conducted by CASEL has demonstrated that a positive emotional environment will set a student on a pathway where learning can be maximized. (Collaborative for Academic Social and Emotional Learning, 2013).

When trust has been well established through repetitive circle practice, circles can also be used to respond to harm causing behaviors and to problem solve. This practice strengthens class cohesion and promotes empowerment.

Conversations

Because of the public nature of circles, they may be inadequate for dealing with certain personal problems. The practice of a restorative narrative conversations allows for deeper and often more personal reflection. This type of conversation between student and teacher or administrator, above all, promotes trust and mutual respect. In the words of Cozolino, "These reports should not be taken lightly; they reflect the biological reality that we learn better when we are face-to-face and heart-to-heart with someone who cares about us." (Cozolino, 2013, p. 50). In this practice, the emphasis is, as in circles, mediations and conferences, always on the anti-essentialist statement that *the person is not the problem, the problem is the problem.* To assist the student to separate himself from the problem and understand that he is not the problem, multiple respectfully curious questions can be asked. Questions that mine the student's memory for coping strategies, for examples of successful attempts at conflict resolution, or past demonstrations of patience, resolve, and forgiveness. These unique outcome questions help the student realize that he is not a "trouble maker" or any other essentialist label that has been put on him, but that he has "problems" like everyone else, and he doesn't need to let them define him. Looking for unique outcomes is a narrative practice that seeks out those often neglected stories of one's life or of the relationships that influenced one's life, that is, those stories or success, courage, achievement or respectful relationships that are often forgotten or overlooked (Winslade & Williams 2012). These types of questions reinforce that the student has the ability, or can at least work on his ability, to deal with them. Here, the teacher or other empathetic person assists positive emotional development, a welcome addition to her usual role of putting all her energy into cognitive learning.

Restorative narrative conversations present an opportunity for students to discover the better formed story of their lives and to give them new life. Instead of dwelling on negative stories of her life, she is encouraged to articulate her best story, her story of competency, of courage, and of kindness.

One way to enter into this conversation is to deconstruct (Winslade & Williams, 2012), the context of events. If the student demonstrates a disrespectful reaction to the teacher, the teacher

may simply ask: "what's going on?" It would not be unusual for the student to respond that, "I'm having a bad day." Going deeper, the teacher, with permission, may ask, what does "a bad day look like", or "is there something that has happened in your life recently that has caused you to have a bad day?" This type of respectful deconstructive enquiry may help the student better understand herself and help isolate the causes of the trouble. In the process, the teacher is building a more trusting relationship with the student and helping her get beyond her troubles. The conversation can also reinforce in her the idea, that whatever the causes of her bad day, by going inward, she can find the resolve to push the bad mood away, and remember her best self, the one she truly wants to inhabit. This can be achieved by asking restorative-narrative questions.

Before asking any questions, it is crucial to recognize that relationships require responsibilities for all involved parties. Teachers, administrators, and supportive school staff need to become aware of how trauma, cultural values, and ways of expression impact students' lives. If we are to make a dent in the school-to-prison pipeline and school pushout, we, the teachers, administrators, and staff must open ourselves up to new learning, and the development of new positive neural pathways. A restorative narrative approach to understanding and transformation requires an examination and reflection of the full context out of which we respond to what comes before us. Recently, much has changed on the national scene and in our collective consciousness. The Black Lives Matter movement as well as the Me Too Movement have challenged us all to re-examine the cultural, racial and, gendered context out of which we relate and how we can become more mindful of the effects of both our conscious and unconscious efforts at cultural dominance, as well as our awareness of our explicit and implicit biases (Asante, 2017; Nylund, 2006; Steele, 2012; Alexander, 2012; Rumberger & Losen, 2016).

The purpose of using restorative-narrative questions is to move students away from being part of the problem and move them towards being part of the solution. These are conducted between the students and the teacher, or between student and principal, assistant principal, staff, or restorative coordinator.

Levy & Cohen, senior trainers for RSVP, prepared the following questions as some examples of restorative-narrative questions:

Asked of a student who demonstrates bullying acts toward another student:

- Can we talk about what is happening in your life?
- How would you characterize your greatest caring qualities?
- Do you demonstrate these qualities to your family? To your friends?
- How did you learn to act this way? e.g., loyal, friendly, helpful
- Do you prefer acting like a good guy?
- What gets in the way of your acting like a good guy?
- It seems like your bullying actions were out of character for you. Is that right?
- It seems like you have the strength to push away the problem of bullying actions. Do you agree?
- Do you have any ideas about how you will accomplish this?
- Will it help if some of your friends remind you when they see the bully problem trying to gain control over you?
- Do you want to try to challenge yourself to push the bullying problem out of your life for a week?
- Can we check in to see how successful you are at showing the strong and helpful side of you and how you have resisted the influence of that bullying problem?

In summary, after we have first carefully re-examined ourselves as educators and done the hard work of becoming more mindful, we can begin asking respectfully curious questions that will assist us in developing a caring collaborative relationship. When questions are asked from an external perspective, we take the time and have the courage to deconstruct what is really going on. When we search with our students and help them remember their strengths and competencies, transformation begins.

Mediations

When matters get to the point where others are seriously harmed, there are responsive restorative narrative practices such as mediations, conferences, and harm circles that are appropriate. For example, a restorative narrative mediation is appropriate in situations where two students have fought. Some practitioners refer to mediations and conferences as harm circles defined by the fact that everyone involved sits in a circle and follow circle quidelines. Before beginning the mediation process, the teacher/mediator or administrator/mediator needs to co-creating guidelines, i.e., speak one at a time, make "I" statements, speak and listen respectfully, the person is not the problem, the problem is the problem. These same guidelines are also used in circles and conferences. As in all mediations, the students in this case must be given a voice and, asked to give his perspective on what has happened. After listening carefully to what is said and reformulating what was heard, instead of entering into an extensive "who done it" discussion, the mediator asks the students how the events that just happened have affected them. By guiding the enquiry into empathy and understanding, not blame, the message is given to the students that the mediator cares about his feelings. This way of interacting has previously been reinforced by earlier circle or conversation practices. There is usually plenty of blame to go around, but there is no need to address this and start talking about taking responsibility until trust and deeper understandings are first established.

As in all narrative practices, trust and understanding can be established by always focusing on the "problem" not the person. By viewing the problem this way, it is easier for students to begin to take responsibility for the harm caused without making demoralizing self-judgments. By leading the students into an exercise that emphasizes the students' strengths and past abilities to resolve troubles in a non-aggressive manner, the student is empowered to take responsibility, again, not out of fear of punishment, but out of the realization that he is capable, and has the resolve and ability to do so.

Understanding is achieved by naming the problem, by deconstructing the problem (the context), and by seeking unique outcomes. Once deep understanding is achieved, resolution becomes the easiest part.

Conferences

If the level of harm is severe, or repetitive patterns have developed, or the student has been suspended or incarcerated and is returning to school, a more complex responsive practice is called for, that is, a restorative narrative group conference. Here family members and support people are invited to support both the party(s) harmed and the party(s) causing the harm. This conference provides the opportunity for all parties to heal. As in conversations and mediations, by relying on externalizing practices, deconstruction, and mining for unique outcomes, those who caused harm can begin to see negative behavior, as just that, behavior that exist separate from themselves. Viewing these behaviors as a third person, the student is given permission to separate from that harm causing conduct. These narrative conference practices can be enhanced by drawing two circles representing two pictures of the person causing harm. One circle depicts the harm causing

behaviors and their effects on others while the other circle depicts the strengths of the person causing harm and the effects of his strengths on others (Restorative Practices Development Team, 2003; Winslade & Williams, 2012). Each person causing harm is asked to choose which picture best illustrates who he really is, or who he aspires to become. These positive images and behaviors are supported by parents, teachers, coaches, friends or anyone who knows and cares for the students. When those who cause harm are supported, they have an incentive to make changes. In other words, they realize they are not alone in this and others have their back.

This responsive practice, like all restorative narrative practices, focus on the relational situation where all are respected and listened to, those harmed and those causing the harm. Since the focus is not on blame, nor is the result motivated by fear of punishment, those causing harm are empowered to become part of the solution and true accountability takes place.

In a classroom where circles have been practiced for some length of time and trusting relationships have developed among the students and with the teacher, a class participating harm circle can accomplish what mediations and conferences can achieve. There is real value in students solving their own problems. This requires time and patience to develop this trust.

How Neuroscience Informs Relationships

Neuroscience and neuropsychology provide us with a better understand of why troubles happen and then provide us with the tools to do something about them, to transform troublesome ways of interacting into empathetic and compassionate ones. We now understand that the brain has a quality of plasticity that allows it and us, with practice, to change from the negative to the positive (Hanson, 2013). Our evolving brain has both the tendencies to be defensive and protective, as well as being open, caring, and compassionate. Hanson suggested that our positive responses have evolved like Teflon and our negative reactions have become like Velcro (Hanson, 2013). Already limited by the immature development of the brain's executive or control functions, (Klingberg, 2013), students who have experienced trauma at home or in their neighborhoods and who have insecure attachments (Cozolino, 2013) have no difficulty "acting out" or being dominated by fight or flight reactions. However, because of neuroplasticity, this can change. For example, we can now understand the adolescent years as not simply being impulse driven and something to get over, but as the first truly creative period of a maturing life (Siegel, 2013). As in narrative practices, emphasizing strengths, not deficits, parents, teachers, and administrators can help shape positive brain development by appealing to the larger context of the adolescent's life, or as neuroscientist Siegel suggests, "encouraging the reflection on values and on gut instinct, not simply the inhibition of impulses, is the difference between turning down a compelling impulse and embracing a thoughtful belief and value" (Siegel 2013, p. 81).

Not only is the brain malleable, but with the discovery of mirror neurons, (Iacoboni, 2008), it is now understood that teachers and administrators who have a well-developed sense of calmness and compassion can project a caring, empathetic, and compassionate attitude to students instead of anger and frustration. Modeling positive ways of being and interacting as a part of social and emotional learning is the key to school cultural transformation. Teachers hold the keys to transformation of students' brains that have been turned off by neglect and negative experiences. Cozolino reflects that "...teachers literally build new brain structures that turn their students on to learning" (Cozolino. 2013, p. 40).

We now have scientific evidence that we can alter the brain through meditation and other mind training exercises. Goleman and Davidson (2017) lend credibility to our ability to change.

They conclude that, “mounting empirical studies confirm our early hunches: sustained mind training alters the brain both structurally and functionally, proof of concept for the neural basis of altered traits that practitioners’ text have described for millennia” (Goleman & Davidson, 2017, p. 290).

With the tools and understandings learned from restorative narrative processes and practices, mindfulness training, (Kabat-Zinn, 2012), and now neuroscience, teachers can help their students shift out of their old Velcro like habits or harmful neural pathways and transform them into new neural pathways lined with positive thoughts, emotions, and behaviors. What we do today will determine what happens tomorrow. Instead of “reacting”, together students and teachers can learn to “respond” to insults, disrespect, and bullying actions by first pausing and then entering into respectful dialogues. For example, a teacher or student can respond to negativity by expressing what may be his or her true emotion of hurt or sadness, instead of the reactive emotion of anger and impatience, and then proceeding further by ask respectfully curious questions such as: can you help me understand what is happening with you, and why you said or did that, or is something else going on? These types of respectful responsive questions are disarming to the one causing harm. They model a relational way of interacting that gives the one causing harm the opportunity to think deeper about his or her actions or words and thoughtfully respond, not react. It also sends the message that the person asking these questions cares. New meanings emerge from these collaborations. Gazzaniga opines that, “responsibility and freedom are found, however, in the space between brains, in the interactions between people” (Gazzaniga, 2011, p.137).

Accountability follows true understanding, including social and emotional understanding. When this understanding leads students to see that their “relationship” with negative ways of being and acting as the problem, not their “selves”, they are freed up to take responsibility for the problems that arise in their lives. When others respond to these negative or hurtful actions with an expressions of understanding, instead of punishing anger, they begin to better understand that they can take responsibility for their actions. When there is an honest and respectful questioning of motives, followed by questions designed to cause the students to remember their better selves, positive mirror neurons are activated, and the opportunity to change courses from the reactive to the responsive is reinforced.

This takes patience and practice, as does learning to read or remembering multiplication tables or practicing the new math standards. To practice peace-making requires being peaceful and requires teachers, students, and administrators to go within and be calm and peaceful. As the new math standards ask students to re-conceptualize their understanding of math, so also we, students, administrators, teachers and staff alike need to work creatively on our internal fitness, our understanding of our internal emotional functioning. This is a never-ending process, one that is required if we are to get beyond our reactive reliance on control of students through detentions, suspensions, and expulsions to solve problems as they arise in schools. This process requires mutuality, or as Fischer puts it, “dealing with others is dealing with ourselves dealing with others” (Fischer 2013, p. 98).

Conclusion

We at RSVP see restorative justice as a human right. It is a secular, ethical approach to conflict prevention and resolution. It is not just another program that comes in a box— it represents a paradigm shift in school discipline that implements systemic change. It requires the dismantling of old power and control ways of interacting. There is no them and us. We are all entitled to love and understanding. Our young scholars deserve to be treated with kindness and dignity. This way

we all learn from each other. We now know that to educate requires much more than cognitive learning, it requires social and emotional learning to be initiated and developed. The brain is a thinking and feeling organ. We need to learn to ask the right questions, to model respect, and to become the peaceful person we expect our students to be and become. This is not a teacher issue, but a whole school, and neighborhood issue. Neighborhoods are not simply important, they reflect the urgent need for change.

Just as cognitive learning is a lifetime endeavor, so also is social, emotional and inner peaceful learning. A school culture that values curiosity, critical thinking, and the promotion of a respectful, caring and compassionate environment is a culture that is prepared to teach the whole student, or in the words of the UN Convention on the Rights of the Child: “States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity....” (Human Rights Resource Center and Minnesota Advocates for Human Rights, 2006, Article 28,2).

Education is the key to creating a peaceful world. We must approach this endeavor with the same “fierce urgency of now” that Dr. King wrote about a half a century ago (Gomez, 2017). We cannot afford the same gradualism that Dr. King opposed, nor can we afford to keep saying it is “too late.”

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