Care before Censure: An Alternative Conversation about Educational Outcomes

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Abstract

In this Schools, Communities and Social Inclusion Colloquium Prestige Lecture Dr Cavanagh will focus on two important issues in the field of education today: the achievement and discipline gaps. To date the discussion has focused on the achievement gap, and the research has looked at the relationships and interactions between teachers and students as the primary factor in the improving student achievement, particularly for ethnically diverse students. However, more recent research has indicated that the achievement gap needs to be discussed in relationship with the discipline gap because the two are linked and the two gaps are racially based. In this lecture Dr Cavanagh is going to emphasize the importance of addressing the discipline gap and how the research has found systemic causes for this gap. Dr Cavanagh will talk about how the discipline gap is not only affecting achievement but particularly how it affects the human rights of our ethnically diverse students. In particular Dr Cavanagh will talk about how a Culture of Care, based on the implementation of restorative practices, can reduce the discipline gap. Dr Cavanagh will not only outline the theory of a Culture of Care in schools but also detail the steps that can be taken by a school to make the shift from a traditional culture to a more caring culture.
Care before Censure: An Alternative Conversation about Educational Outcomes

On the Friday following the inauguration of President Barack Obama, television host Bill Moyers shared his thoughts (Petrick & O’Neill, 2009) on Obama’s book, *Dreams from My Father* (2004), the state of education in America’s poorer neighborhoods, and the disproportionate number of incarcerated minorities in our prisons. During the narrative Moyers noted, “For the first time in history, more than one in every 100 adults in America is in jail or prison; that’s 2.3 million people.”

Moyers linked these incarceration statistics to education by referring to an article he had recently read in *Sojourners Magazine*. Quoting from the article, he pointed to the words of Carol Fennelly, executive director of Hope House in Washington, D.C.: “The education system, particularly for inner-city youth where the bulk of our prisoners come from, is abysmal” (Berger & Choi, 2009, p. 10).

The purpose of this Schools, Communities and Social Inclusion Colloquium Prestige Lecture and the accompanying paper is to discuss the current conversation in education regarding the achievement and discipline gaps. A further goal is to offer an alternative conversation about educational outcomes, particularly educational outcomes for ethically diverse students, including Māori students and Latino/Hispanic students who I currently work with in America. Finally, the purpose is to talk about how to turn the theory of a culture of care, based on restorative justice principles, into practice.

The title of this paper is *Care before Censure*. That title captures the essence of what I want to share with you in this lecture today. This title came from an interview that I had with a teacher at the area school where I had conducted research for about five years. That research started with my Fulbright Fellowship year that began in June 2004 and continued while I was working on the Te Kotahitanga research and professional development project at the University of Waikato. It was at that institution that I was privileged to meet Professors Angus Macfarlane and Ted Glynn. Of course, since then Professor Macfarlane has become Professor of Māori Research at here at the University of Canterbury. Both of those colleagues continue to play a key role in supporting my work in developing the theory of a *Culture of Care* in schools and to putting that theory into practice. Also at the University of Waikato I met Doctor Paul Whitinui, who has since moved on to become a member of the faculty at this respected university. With that background I want to turn now to the current conversation about education in America.
The Current Conversation

Before talking about the idea of Care before Censure and the Culture of Care in schools, I want to discuss the context of this alternative conversation. To do that I need to begin by talking about two important issues in the field of education currently. The first issue is the achievement gap, and the second is the discipline gap. However, we cannot talk about the one gap without talking about the other.

To date the emphasis on the achievement gap, has focused specifically on what happens in the classroom regarding the relationships and interactions between teachers and students. However, recent research shows that we need to also look at school systems and how they affect the actions of teachers and students in the classroom (Gregory, Skiba, & Noguera, 2010). We are called to do this because the two gaps are linked, and we can no longer afford in education to think about discipline measures and teaching pedagogy as two disconnected parts of school.

When we talk about the achievement gap and the discipline gap we need to remember two important things. Firstly, the two gaps are linked. That is important to note because often schools are set up so that achievement is the responsibility of one area of the school, handled largely by teachers, and discipline is the responsibility of another area of the school, handled largely by deans, counselors, administrators, or outside experts. Secondly, it is critical to remember is that these two gaps are racially based. This is a fundamental assertion because often these gaps are blamed on such factors as poverty, socioeconomic status, or conditions embedded in the students themselves or in their home life.

We need to note that when it comes to ethnically diverse students experiencing discipline, that the disparity that creates this discipline gap is due to two things: Firstly, the students of minoritized culture are disciplined disproportionately, that is, more often and more severely, than their Pakeha or White counterparts. Secondly, discipline in the form of exclusion from the classroom exacerbates the cycle of failure in school by keeping students from learning, and recent research shows that repeated exclusions from
the classroom often lead to students dropping out of school early because they simply cannot keep up with the learning requirements (Winn & Behizadeh, 2011).

Exclusion from the classroom has been a primary discipline tool up until the present time. The idea behind this response is that misbehaviour in the classroom is interpreted as a disruption to the learning, rather than a learning opportunity (Canter & Canter, 2001). As a result of removing a student from the classroom, recent research tells us that these students are being thwarted from engaging in the opportunity to learn (Winn & Behizadeh, 2011). Thus, educators cannot afford to think of achievement while ignoring the effects of discipline policies.

Winn and Behizadeh (2011) also show there is a strong positive correlation between the time that students spend in the classroom learning and their achievement. That is no surprise to us as educators. However, our discipline practices, particularly related to excluding students as a way to handle discipline issues, do not take this rather obvious link between being in the classroom and achievement into consideration. To the contrary, it seems that policymakers and educators tend to rely extensively on curriculum strategies to increase achievement rather than changing their discipline policies so that students, particularly ethnically diverse students, can spend more time in the classroom learning. We know that classroom exclusionary discipline policies are highly correlated with aggressive behaviour and disciplinary infractions. As a result, these students are caught in a spiral of involvement with discipline practices and policies and consequential underachievement.

Currently much of the conversation in educational research in the United States centres on the school-to-prison pipeline (Browne, 2003), particularly for ethnically diverse students. At the beginning of this school-to-prison pipeline, we find that the current climate in schools promotes a culture of zero tolerance. (Casella, 2003). This zero-tolerance policy particularly applies to young persons who have been minoritized, racialized, and marginalized (Cavanagh, 2009a). When I use those terms I use them deliberately to talk about our ethnically diverse students who suffer exposure from a social order that supports systemic discrimination due to their minority status, race, and living on the margins of society.
As educators we need to be aware that the media portrayal of these ethnically diverse students, both here in New Zealand and in the United States, as violent and dangerous, has resulted in a demand for up close management of these students. This focus creates a vicious cycle, where teachers come to expect these students to misbehave, and these teachers focus on discipline and order in the classroom at the expense of academic rigour, and as a result there is a tendency to discipline ethnically diverse students more severely and more often than their White counterparts. This focus limits the opportunities those students have to receive the academic tools they need in order to be successful persons in today’s society.

In my research I am focusing on the relationship between the achievement gap and the discipline gap. We are seeing more and more ethnically diverse students in the United States and New Zealand who are being expelled from school and ending up in the legal system and ultimately in jails and prisons (Cavanagh, 2009a). It is clear that this discipline gap results in a denial of these students’ basic human right to an education, particularly the right to be literate.

Not only are ethnically diverse students disproportionately disciplined by in-school detentions and out-of-school stand-downs, expulsions, and suspensions, but also they are disproportionately placed into self-contained special education classrooms. All of these special placements remove these students from their regular classroom. This, in turn, contributes to the achievement gap in standardized test scores between these ethnically diverse students and their White counterparts (Cavanagh, 2009a; Gregory, Skiba, & Noguera, 2010).

This denial of a basic human right is now being addressed in the United States (Winn & Behizadeh, 2011). Consequently discussions are being initiated revolving around the taking of legal action similar to the discrimination lawsuits that led to the Brown versus The Board of Education Supreme Court decision that resulted in the desegregation of American schools. Consequently, we as educators need to take the detrimental effects of this discipline gap seriously.
An Alternative Conversation

However, there is an alternative conversation to the current dominant one. This conversation focuses on the importance of relationships, specifically on building and maintaining caring relationships as the basis for creating a culture of care in schools (Cavanagh, 2009a; Noddings, 1992; Valenzuela, 1999). This conversation is based on the principles and practices of restorative justice. Combining these three ideas, culture of care, restorative practices, and relationships-based classroom, was explored earlier in a jointly authored journal publication written by Professors Macfarlane and Glynn, Sonja Macfarlane, and me (Macfarlane, Glynn, Cavanagh & Bateman, 2007b). These same authors updated their thinking in a paper presented at the 2010 American Educational Research Association Annual Meeting (Cavanagh, Macfarlane, A., Glynn, & Macfarlane, S., 2010), and then in a chapter contained in the recently-published book, *Responsive pedagogy: Engaging restoratively with challenging behaviour* (Glynn, Cavanagh, Macfarlane, A., & Macfarlane, S., 2011), and most recently in a journal article to be published this coming July (Cavanagh, Macfarlane, A., Glynn, & Macfarlane, S., 2012).

So how do we begin this new conversation? What we need to do is to look carefully and critically at our zero-tolerance policies and practices in schools and realize that these policies are a major contributor to construction of the school-to-prison pipeline (Hart, 2000). In order to reduce and eliminate these policies, we need to focus on the importance of building and maintaining positive, caring relationships among students and between students and their teachers so that the students can build and maintain key relationships in the school and retain their motivation to attend school and learn along with their friends. This is the heart of what schooling is about.

What I am proposing here is rather than focusing on how we can improve the achievement gap by focusing solely on curriculum, we need to look at how we can keep ethnically diverse students in the classroom so they continue to learn. In particular, I would like to suggest that the faculty in the School of Education here at the University of Canterbury plays an important role as mentors of future teachers and teacher educators in helping to disrupt and dismantle this pipeline of ethnically diverse students such as Māori dropping out of school and ending up in the legal system. This is an important social
justice issue, an issue of equity since disciplinary actions are denying them their right to become literate persons and fully access the education system.

Research is clear that the answer to the disparities in discipline policies needs to be addressed beginning at the classroom level. A major factor at the classroom level that the research points out is that there is a lack of awareness and acceptance of cultural difference. This is a difference that has been identified by Venezuela (1999). There is a major cultural gap between ethnically diverse students in a school and the teachers themselves. As an example, in the study that I am working on in the metropolitan Denver, Colorado, area currently the majority of students in the target school come from a low socioeconomic community, and the majority of these students are Latino/Hispanic. However, the majority of the teachers of these students are White, affluent, females, who live in other areas of the metropolitan Denver area, not the part of Denver where the students live. In this way there is a major gap between the culture that the students go home to and the culture that the teachers go home to. This gap is exacerbated by the fact that many of them not only have a different culture at home, but they also speak a different language, Spanish. This is similar to some Māori students here in New Zealand who go home to an environment where Māori is the primary culture practiced. As a result, there is a mismatch between the cultural identity of the teachers and the cultural identities of their ethnically diverse students. This cultural gap leads to even greater problems.

In the field of a culture of care, research shows that there needs to be a sense of school connectedness and caring and nurturing relationships between the teachers and the students so that there can be an increase in the students’ positive experiences of schooling and a movement away from zero-tolerance punishment strategies (Cavanagh, 2009b). The primary values in this culture of care environment are caring and high expectations, accompanied by a sense of trust and cooperation. Fundamental to creating a change in school cultures is the training that teachers receive in schools of education like the University of Canterbury and the professional development training teachers receive after they have gone into the classroom. Through such training experiences teachers can improve their culturally responsive relationships with ethnically diverse students by first creating a culture of care in the classroom.
When I talk about the culture of care I am talking about a theory that is based on principles of restorative justice. These principles offer an alternative way of thinking, believing, and behaving for educators who are responsible for responding to student wrongdoing and conflict (Cavanagh, 2011). The practices based on a culture of care serve as alternatives that support student motivation to attend school. Further, these practices are based on building and maintaining healthy and caring relationships such that when wrongdoing and conflict occur in school, relationships are harmed. The caring response to those issues should focus on healing that harm to relationships.

We need to think about this issue systemically. Schools are thought to be non-violent systems. While the current focus in education is on what is taught, where academic purpose is central, and hierarchical power structures dominate and control how curriculum is taught, pedagogical practices are rarely challenged.

It appears that many schools have created a bifurcated culture of good versus bad, right versus wrong, etc., where students are expected to be empty vessels or passive recipients of knowledge dispensed by teachers and experience discipline administered by administrators. In the name of fairness (equity) schools claim the need for uniformity (standardization). Standardization serves to protect the dominant discourse and maintain unequal access to quality education for those children who are excluded because of their cultural background, skin color, socio-economic status, or mental illness.

This systemically supported and enforced uniformity deprives students of the ability to handle problems and conflict non-violently. Students’ self-determination is denied because it challenges the control exercised by teachers and management. Student freedom is restricted. They have little or no power and are frequently punished when they exercise self-determination by seeking what they need. Such oppression can lead to anger and ultimately violence.

These systemic issues result because schools lack systems for students to address problems and conflicts with teachers and amongst themselves in a safe environment and to learn how to seek change in a peaceful and productive way. A new discourse of peace based on restorative practices offers schools different choices (Amstutz & Mullet, 2005; Cavanagh, 2009b). No longer do teachers and administrators have to accept the status
quoting as the only way to respond to wrongdoing and conflict. They can choose to accept new ways of thinking, believing, and acting in response to challenging student behaviour.

**Putting Theory into Practice**

The title of this talk, *Care before Censure*, is a mantra that was adopted by members of school where I conducted my Fulbright study when I came to New Zealand in 2004. I spent time over five years at this school studying how the school culture changed from a culture of control and punishment to a culture of caring before censure. The culture of punishment and control was based on policies of referrals, detentions, stand downs, suspensions, and expulsions. These policies were based on the Assertive Discipline model of Lee Canter and Mary Canter (2001) and the mantra introduced by Bill Rogers (2003) found posted in many New Zealand schools, “Teachers right to teach and students right to learn.” Within this frame of reference student behaviour problems are viewed as disruptions to the learning, and students are treated as passive receptors of punishment. This focus on control and discipline has been a popular classroom management tool among many principals and teachers in the United States in Zealand for the past 25 years.

However, there are schools that have chosen to do things differently. In 2004 the school that I studied here in New Zealand began to introduce restorative justice practices into the school. I spent from June 2004 to June 2005 at the school as a Fulbright Fellow learning about how the culture was transforming. I continued my research at the school, listening to the student and teacher voices, over the next five years. When I went back in October of 2008 to capture once again the voices of the teachers regarding the cultural changes at the school, I learned that the mantra *Care before Censure* was being used to emphasize that the focus of the school transformed from punitive discipline to restorative practices. The focus then becomes one of listening to students and having an opportunity to talk about problem behaviour rather than resorting to blame and punishment.

The four principles of *Care before Censure* I learned from these teachers were:

1. Responses to poor behaviour need to be individualized, appropriate to the student and the wrongdoing.
2. Poor behaviour can be an indication of other problems.
3. Students may not have the language to express their emotions or concerns.
4. Misbehaviours can provide opportunities for further learning about how to behave or react (Cavanagh, 2009a).

These principles were based on the following “restorative principles” created by staff at the school:

- Everyone speaks and everyone listens
- Using ‘I’ statements
- The problem is the problem (rather than labeling the person as being the problem)
- Externalizing the behaviour (by separating the problem from the person)
- Stating who is affected
- Clarifying misunderstandings
- Empathizing with others’ feelings
- Helping to provide solutions
- Restoring relationships (Cavanagh, 2009a).

**Restorative Conversations and Talking Circles**

As a result of this new *Care before Censure* culture, educators in the school recognized that students were motivated to attend school to be with her friends (Cavanagh, 2009a). Therefore, an important role for schools and educators was to encourage improved attendance by helping students create and maintain healthy and caring relationships. Teachers were also encouraged to not focus on exercising control and dominance over situations in the classroom. Rather, they were encouraged to take on the role of facilitating conversations, that is, restorative conversations that bring together those persons who caused the harm and those persons harmed by the wrongdoing. In that way these educators could provide a space where students could safely voice their emotions and concerns and listen to the voices of others who were affected by the
wrongdoing or conflict. As a result the persons affected by these behaviours were given the opportunity to come to an agreement about how to heal the harm to relationships resulting from the wrongdoing or conflict.

These restorative conversations fit well with the idea of talking circles and together conform to effective strategies that can be used in the classroom to create a learning opportunity when conflicts and wrongdoing occur in the classroom, rather than excluding the student from the classroom. If these restorative practices are used early on in the school day or school year when students first arrive, there will be much less time spent during the school year attending to minor incidents in the classroom such as silly behaviour, lying, harassment, and bullying (Riestenberg, 2012). Students will be more likely to feel they are free from harm and the threat of harm. The adoption of a culture care in schools will likely result in decreased violence and greater safety.

Research in this school revealed that the primary restorative practices used by the teachers were indeed restorative discussions or conversations (Cavanagh, 2009a). When a problem behaviour occurred, the offending student was asked to “stand outside the classroom” to let things calm down. During this “reflection or cool-down time,” which lasted 5 to 10 minutes, students were asked to remember “the one rule — no hurting — no hurting words, no hurting others, no hurting property, and no hurting self.”

After the cool-down period, the teacher asked the student if he or she was “willing to discuss things.” If the student agreed to participate, the prompts for these conversations, which were facilitated by teachers, were:

1. “Introduction — Setting the scene, honesty, take turns, agree to solve the problem, use ‘I’ statements, no blame.
2. “Telling stories — Each party tells their story, confirm each story. Tell me what happened. What were you thinking at the time?
3. “Effects of the problem — Talk to each other in [your] own words. Who was affected? Who else? And how? How did this make you feel? What promoted you to be angry — why? What were you thinking at the time? Establish misunderstandings.
4. “Externalize the behaviours. Empathize. How do you want your friends to think of you? How do you want to be remembered?
5. “Solutions — Discuss together. What do we need to do now? How can we make sure this doesn’t happen again? What do we want to happen?
6. “Review (may be later) — Have we sorted out the problem? Have we been fair? Do we need to talk to other people? Do we need to review this process later?” (Cavanagh, 2009a)

This process, in which “each person has a voice,” “requires both parties to talk about the problem behaviour” and gives “power for students to have their say and not be interrupted.” If they were not willing to talk things over, then they were given a red card and sent to the administration office for more formal consequences, including restitution and restoration.

Restorative discussions or conversations are one form of restorative practice. As noted earlier, they fit well with other popular restorative practices, talking circles (Cavanagh, 2009b; Pranis, 2005; Pranis, Stuart, & Wedge, 2003) and family group conferences (Burford & Hudson, 2000; Marsh & Crow, 1998). These practices empower students to learn to solve their own problems non-violently. They provide a safe place for students to express themselves and their emotions. Students who misbehave are able to repair relationships with friends and teachers harmed by their behaviour. As a result, students may be better motivated to attend school because they have the means to create and maintain healthy, caring relationships.

These restorative conversations also offer an alternative process for classroom management (Macfarlane, 2007). In the classroom, the teachers I came to know encouraged positive behaviour by:

- Developing respectful and caring relationships
- Giving students a voice
- Making expectations clear (but not imposing them unilaterally)
- Rewarding positive behaviours
- Helping students talk about feelings
- Encouraging open and honest conversations
- Involving parents (Cavanagh, 2009a).
Teachers realized time spent attending to these ideas early in the school year resulted in much less time being spent daily attending to minor incidents in the classroom, silly behaviour, lying, harassment, and bullying.

**Culture of Care Observations**

In order for a Culture of Care to be implemented in a school, schools need to change the way wrongdoing and conflict are responded to in the classroom. This change can begin by building the capacity of teachers and students to respond to these issues of misbehaviour nonviolently. This change starts with teachers.

Therefore, the ongoing development of a culture of care needs to centre on the classroom. As a result regular observations and feedback are needed to monitor how changes are being made in teacher practices over time. In order to make those observations in an objective and quantifiable manner so that they could be tracked over time, an observation tool was developed.

Macfarlane’s (2007a) seminal work on how to apply restorative justice principles in the classroom was adapted as a foundation for creating a culture of care. As a result the ideas represented in Table 1 were developed.

Table 1.

*Comparing traditional to alternative ways of responding to wrongdoing and conflict*

<table>
<thead>
<tr>
<th>Consequences*</th>
<th>Caring*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passive receptors</td>
<td>Co-creators</td>
</tr>
<tr>
<td>Rules, standards, &amp; curriculum</td>
<td>Relationships &amp; interactions</td>
</tr>
<tr>
<td>Teacher in control</td>
<td>Power is shared</td>
</tr>
<tr>
<td>Teacher responsible</td>
<td>Shared responsibility</td>
</tr>
<tr>
<td>Misbehaviour as disruptions to learning</td>
<td>Wrongdoing &amp; conflict as learning opportunities</td>
</tr>
<tr>
<td>Consequences determined by expert</td>
<td>Building capacity of students &amp; teachers to solve problems nonviolently</td>
</tr>
<tr>
<td>Punishment and retribution are deterrents</td>
<td>Healing the harm to relationships</td>
</tr>
</tbody>
</table>

Note: The consequences approach follows a medical model; the caring approach follows a cultural model.
These ideas were further developed into an observation tool (Appendix A). Cavanagh (2007, 2011) has described the way in which this observation tool can be used.

**Conclusions**

Our most recent findings regarding putting the theory of a Culture of Care into practice will be published soon (Cavanagh, Macfarlane, A., Glynn, & Macfarlane, S., (2012). These findings are:

- Effective education for culturally diverse students should be focused on building and maintaining healthy, caring, and respectful relationships.
- To succeed in teaching culturally diverse students, effective educators avoid explaining underachievement and discipline problems in terms of perceived individual and family deficiencies.
- Effective educators hold high expectations for all students.
- Within a Culture of Care effective educators are concerned about students’ holistic wellbeing as well as their learning and achievement.
- Effective educators respond restoratively to student wrongdoing and conflict.
- Effective educators regard student wrongdoing and conflict as an opportunity for building trusting and caring relationships that can repair harm and promote positive relationships.
- Effective educators help students and teachers build their capacity to solve problems nonviolently.

Clearly our research shows that the most important factor in helping students, particularly Māori students (and implicitly all racialized, marginalized, and minoritized students) to achieve and to stay in school is the quality of their relationships and interactions with their teachers. We have suggested that the emphasis on relationships should parallel the focus on curriculum being at the core schools’ work. Indeed, establishing healthy relationships between teachers and students and among students ought to be the primary work of schools.
References


Appendix A

# Appendix A

## Culture of Care Observation Tool

This document is an observation tool designed to measure how well teachers/mentors are implementing a Culture of Care in their classrooms. This observation tool will assist those researchers who observe teachers by having an evidence-based tool for making those observations. This observation tool allows educators to track changes in teacher/mentor practices over time so that changes in those practices are data driven.

Observers are asked to rate the teacher being observed across 7 dimensions using a Likert scale of 1 to 4. Those items rated 4 and 5 are in line with the Culture of Care, and those items rated 1 and 2 are not.

After making the observation, observers are asked to share the results of the observation with the teacher being observed within 48 hours in order to make a plan for changing classroom practices to be more in line with the Culture of Care.

Name of rater:  Date:

Time:

Teacher identification:

Setting:

Rate each element of the Observation Tool by underlining the number of the rating (1-4) that most closely applies to what was observed.

### 1. The teacher treated the students like:
   - Passive Receptors
   - Co-Creators

   1=All the time  2=Most of the time  |  3=Most of the time  4=All the time

### 2. The focus in this setting is on:
   - Rules & Regulations
   - Relationships & Interactions

   1=All the time  2=Most of the time  |  3=Most of the time  4=All the time

### 3. In this setting:
   - Teacher was in control
   - Power was shared
4. In this setting:
Teacher was solely responsible  Responsibility was shared
1=All the time  2=Most of the time  |  3=Most of the time  4=All the time

5. In this setting:
Misbehavior was viewed as a disruption to learning  Wrongdoing and conflict were viewed as learning opportunities
1=All the time  2=Most of the time  |  3=Most of the time  4=All the time

6. When discipline problems occurred:
Consequences were determined by someone other than teacher  Capacity of students & teachers was built to solve problems nonviolently
1=All the time  2=Most of the time  |  3=Most of the time  4=All the time

7. In this classroom:
Punishment and retribution were viewed as deterrents  Healing the harm to relationships was the focus
1=All the time  2=Most of the time  |  3=Most of the time  4=All the time