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An Oregon School for Troubled Teens Is Under Scrutiny

By Maia Szalavitz

On April 28, the U.S. Supreme Court will hear arguments in a case that has caused anguish in the world of special education and children's mental health.

The case, *Forest Grove v. TA*, centers on the question of whether families with a disabled child have right to seek reimbursement for private-school tuition from the state if the child did not first receive special-education services in public school. The legal question is a narrow one, but the case raises larger, more troublesome issues about student safety and the quality of educational services that families should expect when they place their children in private residential care, because the school involved in the case, Mount Bachelor Academy, near Prineville, Ore., is under state investigation for allegations of abuse reported by students and one employee. ([See pictures of being 13 in America.](#))

A spokesperson for the Oregon Department of Human Services (DHS) declined to discuss the details of the ongoing investigations, which include a second inquiry based on possible licensing violations. But according to 10 students, two separate parents and a part-time employee interviewed by TIME — some of whom are involved in the inquiry — Mount Bachelor Academy regularly uses intensely humiliating tactics as treatment. For instance, in required seminars that the school calls Lifesteps, students say staff members of the residential program have instructed girls, some of whom say they have been victims of rape or sexual abuse, to dress in provocative clothing — fishnet stockings, high heels and miniskirts — and perform lap dances for male students as therapy.

Sharon Bitz, executive director of Mount Bachelor Academy, denies the charges. In an e-mailed statement to TIME, she said the reports of abuse are "inaccurate representations of Mount Bachelor

Academy's therapeutic approach for struggling or underachieving teens. Some of the accusations are demonstrably false, while others have been exaggerated for shock effect."

In response to the accusations of sexual humiliation, Bitz told Oregon's *Bend Bulletin* newspaper in a recent interview that school officials have never instructed students to act in a way that would "sexualize them," and that the students' costumes came from their own dorm rooms and were chosen by the students. "We would never ask a student to give a lap dance," Bitz told the paper.

When the Supreme Court hears arguments in *Forest Grove v. TA* this month, it will not determine whether Mount Bachelor Academy — or any facility chosen by families — offers appropriate care. The parents of the student, TA (because he was a minor at the time the case was filed, the student is identified by his initials, and his parents have not made their names public), stand to gain only the right to seek reimbursement for the child's stay at Mount Bachelor under the Individuals with Disabilities Education Act (IDEA).

A ruling for the parents could have serious financial implications for cash-strapped school districts. Federal funding for private special-education placements, including residential and nonresidential programs, totaled \$5.3 billion in the fiscal year 1999-2000, the most recent year for which data is available from the [Special Education Expenditure Project](#), a national study begun in 1999 and funded in part by the U.S. Department of Education. In New York City alone, the number of reimbursement claims by parents who have unilaterally placed their kids in private special education rose from 3,020 to 4,068, and the city's spending on private placements went from \$53 million in 2005-2006 to \$88.9 million in 2007-2008, after the Second Circuit Court ruled in favor of the families in two similar cases in 2005 and 2006.

It is not known how many of the thousands of families who send their children to so-called therapeutic boarding schools each year receive tuition reimbursement via IDEA. The exact number of therapeutic boarding schools operating in the U.S. is also unknown, since no official body tracks them, but some estimates put the figure at 150 to 300. Tuition is far from cheap. Monthly costs at residential facilities are \$5,000 and up; Mount Bachelor, which houses up to 125 students, charges \$6,400 per month, and in 2008 revenue for the Aspen Education Group, which owns Mount Bachelor and is one of the largest chains of residential facilities for problem students, it topped \$132 million.

The proceedings of *Forest Grove* are being watched with intense concern by school administrators and the teachers union as well as children's advocates. Most advocates argue that families should have access to private schools when public schools cannot provide free and appropriate public education for a disabled child, but most also say that public funds should not be used to pay for residential schools like Mount Bachelor. Such programs, they say, are overly restrictive and unproven, and virtually all their students — who typically have depression, substance use, behavioral problems or ADHD — can be safely treated within the community.

"We feel very strongly that for-profit residential facilities are completely inappropriate for special education. They have been shown to be ineffective and commonly employ practices that do harm," says Alison Barkoff, senior staff attorney at the Bazelon Center for Mental Health Law.

But because the programs are privately run, what happens within their walls is largely a mystery. No one knows whether the programs succeed or fail.

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The Case of *Forest Grove v. TA*

TA's case began in elementary school. He had trouble learning basic math, struggled to pay attention in class and could not finish his homework without his parents' help. In September 2000, he began attending Forest Grove High School. By December, he was failing or nearly failing most subjects. His parents had the school evaluate him for special education.

This is when the major disagreements arose. TA's mother originally agreed with Forest Grove's assessment that her son did not have the type of learning disability, such as autism or mental retardation, that typically qualifies a student for special education. Notes taken by the school district in a January 2001 meeting about TA include a comment that says "maybe ADD [attention-deficit disorder]/ADHD [attention-deficit/hyperactivity disorder]?", but TA's parents say they were not informed that a diagnosis of ADHD could have qualified him for special education if the condition affected his academic performance. The school did not further evaluate him for attention disorders. ([See pictures of teenagers in America.](#))

TA's behavior and grades continued to deteriorate. He began smoking large quantities of marijuana.

He was briefly suspended for bringing a knife to school. In January 2003, his parents took him to see a psychologist, who recommended that they enroll him in a wilderness program and then place him in Mount Bachelor Academy.

Later in 2003, TA's parents sought reimbursement from the school district for Mount Bachelor's tuition, claiming that Forest Grove never properly evaluated their son for special education and therefore could not provide him the free and appropriate public education that was legally required. The district countered that, under IDEA, as revised by Congress in 1997, parents may seek reimbursement only after the child has already tried special education within the public system.

The Ninth Circuit heard *Forest Grove* in 2008 and found that TA's parents had the right to seek reimbursement; otherwise, the court said, school districts could essentially avoid paying for special education simply by refusing to classify students as disabled. Presiding over a separate but similar case, however, the First Circuit Court came to the reverse conclusion, saying the law requires the child to try public special education first. In such instances, when the lower courts disagree, the Supreme Court is often called upon to clarify the law.

Should the Supreme Court decide in favor of TA, says Naomi Gittins, deputy general counsel for the National School Boards Association, "it would be detrimental to the whole framework of collaboration to figure out what an appropriate education for a particular child is ... A lot of private schools for which parents want reimbursement don't have to meet state standards. How does that really serve the interest of children?"

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Psychodrama — or New Trauma?

Mount Bachelor's executive director, Bitz, says her school uses widely accepted psychological treatments to help children overcome their problems. "We also use a psychodrama-treatment approach designed to do one or both of two things," said Bitz in her statement, "get a student to embrace qualities of their character (such as beauty or courage) about which they have doubt or assist them in recognizing qualities that are unproductive (such as selfishness or conceit) about which they have little insight."

There are plenty of parents, including TA's, who say they are happy with the services provided to the

children. Former students have also praised the school for turning their lives around, in comments on Internet message boards and in letters to regulators.

"All methods of therapy are done in a supportive atmosphere with trained professionals and the intent to raise self-awareness and self-worth," said Bitz.

But other students and parents describe a different experience. The students interviewed by TIME, who attended the school at separate times in recent years, said that humiliation, not support, was the foundation of much of the treatment at Mount Bachelor.

One 18-year-old former student and victim of rape wept while recounting what happened to her during a Lifesteps seminar. Jane, who asked not to be identified by her real name, left the school in March. "They had me dress up as a French maid," she said, describing an outfit that included fishnet stockings and a short skirt. "I had to sit on guys' laps and give them lap dances," while sexually suggestive songs, like "Milkshake" by Kelis, played at high volume.

"They told me I was dirty and I had to put mud on myself for being raped," she said in reference to another Lifesteps session. "They basically blamed me for getting raped."

Bitz dismissed Jane's story and called it "very suspect" in an interview with the *Bend Bulletin*, which also spoke with Jane. "We know that some current students have made a conscious decision to lie about our school, hoping that it will be closed as a result, and that they would then be sent back home," Bitz told TIME.

Amber Ozier, now 23, attended Mount Bachelor Academy from the summer of 2002 to October 2003 — at about the same time as TA. Her parents enrolled her after she started sneaking out at night and drinking as a teenager. She had also begun smoking marijuana, and her grades were suffering. Several years earlier, Ozier says, her 10-year-old sister had drowned in a lake during Amber's 12th birthday party.

Ozier describes being made to retell the harrowing story of her sister's death repeatedly in groups. In a role-playing session, Ozier says, her closest friend was asked to pretend to be her sister, so Ozier could again relive her death.

According to Ozier and others, in a Lifesteps seminar called Forever Young, students were placed on a mattress and taunted with painful information about their childhood that they had previously revealed, an apparent attempt to trigger regression to infancy. Once more, Ozier was instructed to recall her sister's death against her will. "That was probably the thing that traumatized me the most," she says, describing how she thrashed on the mattress until she vomited. "They prey on people who have already been hurt."

When teens tried to complain in phone calls to parents, the calls were cut off, according to several students interviewed by TIME. Even with good behavior, students say, they were permitted only one monitored, 10-min. phone call every other week.

"We were worried about Amber's life," says Jody Ozier, Amber's mother, regarding her decision to send her daughter to Mount Bachelor. But after hearing Amber's account of her experiences, she says, "I couldn't believe that they did that. I see where it's done her mental harm."

Resurrected Allegations

This is not the first time students have accused Mount Bachelor of abuse, nor is Mount Bachelor the only such program to face allegations of mistreatment. Similar allegations of abuse were documented by the Government Accountability Office for numerous programs in 2007 and 2008, when the agency investigated the troubled-teen industry at the behest of California Congressman George Miller.

In 1998, Mount Bachelor was investigated by the Oregon DHS based on claims by several former employees that students were "subjected to frequent obscenity-laced screaming sessions by staff members; students were deprived of sleep; a group of girls emerged from one group-therapy session with bruising on their arms after they were ordered to clasp their hands in front of them and pound a mattress for an extended period," according to the *Bend Bulletin*. The Oregon DHS cleared the program following the investigation.

"I am in a state of shock," says Sharon Ferguson, whose complaints about her son's treatment at Mount Bachelor in the 1990s helped spur the earlier investigation. "I can't believe that school is still open and the same things are being said and the same people are running it."

A former student, Melissa Maisa, now 32, married and a mother of two young children in San Diego, had a similar response when informed of the present investigation. Maisa attended Mount Bachelor

between 1992 and 1994 under largely the same management that runs the school today, and graduated the school with honors. She was sent there in part because of promiscuous behavior as a teen, which Maisa associates with being a victim of child sexual abuse and date rape. "Mount Bachelor made me feel even more dirty and more shameful than either one of those experiences ever did. I just want to make sure the things I suffered through there never happen again," Maisa says.

She describes a Lifesteps session in which she says she was required to perform an exercise called "the holidays." "I had to stand up in the sluttiest way possible and strut over to every male in the room," including the counselors, Maisa says. She was instructed to sit on the floor before each man, place her left foot on his right knee and say, "This foot is Christmas." She then placed her right foot on his left knee and said, "This foot is New Year's. Do you want to meet me between the holidays?"

Maisa says she performed the exercise more than 250 times. When she failed to show sufficient enthusiasm, Maisa says, she and her peers were punished, each having to repeat their own humiliating skit. When Maisa tried to tell her mother about it on the phone, she says, a staff member terminated the call.

Susan Owren, a part-time driver for Mount Bachelor, has heard similar stories from dozens of students. Owren spends several hours several days a week shuttling the school's students to doctor's appointments in town; during the rides, she says, students open up to her. She says she's seen teens being made to run in the snow without adequate footwear and to move rocks back and forth, apparently as discipline. "Every single kid has told me something horrifying," she says, adding that students who spoke with her independently corroborated one another. In mid-March, Owren went to the authorities, prompting the current state investigation.

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Roots in Utopian Principles

The techniques that Mount Bachelor allegedly uses, while unconventional, are not new. They are similar to the tenets of the once popular "human potential movement" of the 1960s and '70s, which purported to change people's lives through intense emotional experiences. The movement grew out of the practices of Synanon and other California experiments in utopian living, which later helped spawn so-called large group awareness training programs, such as LifeSpring and est.

Synanon began as a drug-rehabilitation program before morphing into a controversial cult and is credited with putting forth the idea that confrontation and boot-camp-style breakdown tactics could cure teen misbehavior and addiction. Synanon's confrontational techniques influenced est and LifeSpring, which began selling weekend seminars designed to prompt emotional breakthroughs in participants.

Food, sleep and access to the outside world — sometimes even to the bathroom — were strictly controlled. Using intense role-playing, humiliation and physical experience, the seminars attempted to liberate people from victimhood by teaching them that they are ultimately responsible for everything that happens to them, including being a victim of child abuse or rape.

Mount Bachelor's Lifesteps seminars appear to share these tactics and philosophy. Several of its top employees formerly worked at a now defunct chain of troubled-teen programs known as CEDU, which was founded by former Synanon members. "The process of breaking kids down is very much integrated into the therapeutic milieu," says Kat Whitehead, executive director of the Community Alliance for the Ethical Treatment of Youth, an expert on such abuse, who has testified before Congress on the topic. "Unfortunately, that seems to be very common, at least in the private facilities."

Although many people report being helped by cathartic seminars, studies suggest that programs like LifeSpring do not produce lasting change. Indeed, in the 1980s and early 1990s, LifeSpring lost millions of dollars in lawsuits related to suicides and psychiatric hospitalizations of participants.

Most mental-health experts today strongly disagree with the use of brutal confrontation or humiliation as therapy — particularly for vulnerable youths who have troubled pasts. Research suggests that feelings of being out of control characterize the typical patient's response to traumatic life events; consequently, recovery requires the avoidance of coercion. Experts say that pressuring trauma victims to retell their stories against their will tends to increase stress symptoms rather than alleviate them. And brain research associates feelings of shame and humiliation to stress responses that exacerbate depression and anxiety and may contribute to physical illness. In addition, isolation from parents, except in situations where they are abusive, can increase trauma further.

"There is absolutely no role for shame and humiliation in the treatment of youth," says Christopher Bellonci, medical director of the Walker School, a nonprofit serving children with serious mental,

behavioral and learning problems. "I know of no clinical rationale for treating youth for any condition in that fashion ... They are engendering new trauma, not repairing it."

Whatever the Supreme Court decides in *Forest Grove v. TA*, the case will put the spotlight on questions surrounding these troubled-teen programs. And while Oregon's investigations continue, yet more change may be forthcoming: a bill introduced by Congressman Miller to regulate private teen programs and ban "acts of physical or mental abuse designed to humiliate, degrade or undermine a child's self respect" passed the House of Representatives on Feb. 23. It is expected to be introduced in the Senate this year.

Maia Szalavitz is a freelance journalist in New York City and author of the book Help At Any Cost: How the Troubled-Teen Industry Cons Parents and Hurts Kids (Riverhead, 2006).

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