New York education officials issued a scathing report yesterday on a Massachusetts school that punishes troubled and disabled students with electric shocks, finding that they can be shocked for simply nagging the teacher and that some are forced to wear shock devices in the bathtub or shower, posing an electrocution hazard.

The report, based in part on an inspection last month of the Judge Rotenberg Educational Center in Canton, portrayed a school in which most staff lack training to handle the students and seem more focused on punishing bad behavior than encouraging good acts.

The investigators said some forms of discipline, such as a device that delivers shocks at timed intervals, appear to violate federal safety regulations, and students live in an atmosphere of "pervasive fears and anxieties."

The report, denounced by Rotenberg officials as biased, is expected to play a key role next Monday when education regulators in New York are scheduled to vote on whether to severely restrict the use of painful punishment on students from New York.

Two-thirds of Rotenberg's students are sent from New York. The inspectors said they had notified officials in Massachusetts and at the US Food and Drug Administration about possible violations of state and federal safety rules.
There have been increasing allegations of abuse at the Rotenberg Center in recent months.

They include several assertions that students have been badly burned by the shock devices, known as graduated electronic decelerators. The Massachusetts Disabled Persons Protection Commission has received 22 allegations of abuse at the school since January, including 12 that involve injuries. Rotenberg officials have steadfastly denied the charges, but commission officials say that at least two have been substantiated.

Yesterday, a lawyer for the school, Michael Flammia, said the New York report grossly distorts what goes on at the school, which is often used as a place of last resort for students with autism, mental retardation, or behavioral problems. School districts in several states, including Massachusetts, refer students to Rotenberg after other methods to control their behavior, such as hospitalization or drugs, have failed.

The school has about 250 students, about half of whom wear electric shock devices that teachers can activate around the clock.

"These findings are completely false. They are the product of a biased review team sent by the New York State Education Department for the specific purpose of making derogatory findings" about the center, said Flammia, who denied that students are forced to wear shock devices in the shower.

He also said that New York officials are mistaken in asserting that the school is violating FDA or Massachusetts rules.
Flammia noted that New York inspectors had given the Judge Rotenberg Center high marks for safety last September, but he believes they turned against the school after the publicity surrounding a lawsuit filed this spring by the mother of a New York student.

Some parents of Rotenberg students rallied behind the school, as they have in the past, saying that most people don't understand how serious their children's problems are. The school, which costs states and school districts more than $200,000 a year per student, helps students who have failed everywhere else, they say, and turns to shocks and other punishments only if less painful methods fail.

"This school has saved my daughter's life," said Marcia Shear of Long Island, whose 13-year-old daughter, Samantha, used to punch herself in the head so often that she detached both retinas.

After she received a few high-level shocks, Shear said, the self-abuse stopped. "I am livid at these people and pieces of garbage who think they know what they're doing. Let them come and sit with my child and go through what I've gone through for 11 years."

The 26-page New York report intensified a debate over the Judge Rotenberg Center's methods that has gone on for much of its 35 years. The latest controversy began in March, when Evelyn Nicholson of Freeport, N.Y., went public with a charge that her son, Antwone, had been mistreated at the school, where he was shocked 79 times over 1 1/2 years. She initially consented to the procedure to curb her son's aggressive behavior, but

Antwone... was shocked 79 times over 1 1/2 years... became increasingly desperate to get away.
said she changed her mind after Antwone became increasingly desperate to get away.

"There's no education in what's happening here," said Ken Mollins, a lawyer representing the Nicholson family, which is suing New York for $10 million. "The head of this institution calls this therapy. I think this is more like a domestic torture chamber." PDF Read the report on the Rotenberg Center

The New York inspectors found that more than two-thirds of the direct-care providers at the Rotenberg Center have completed only a high school education, which they said "in many cases...is not sufficient to oversee the intensive treatment of children with challenging emotional and behavioral problems."

They also noted that only six of the 17 clinicians who oversee mental-health care at the school have a license in psychology.

The inspectors said the school appeared to violate FDA regulations in several ways, including a policy that allows the parents of students to administer shocks to students after only minimal training. The New York report also said that the school appears to violate Massachusetts regulations that allow painful punishments only for "extraordinarily difficult or dangerous behavioral problems," noting that they witnessed one student who was threatened with a shock after sneezing in class. School officials said no shock had been given in this case.

Finally, the report raised concerns about students' nutrition because the Judge Rotenberg Center withholds food as a punishment. The report found that one New York student was in a program [S]tudent ... threatened with a shock after sneezing in class.
where he could be denied up to 25 percent of his normal food intake.

New York Deputy Education Commissioner Rebecca Cort said the report painted a much darker picture of the Rotenberg Center than last year's review, because the state took a more in-depth look, including a surprise inspection that showed the school's practices are a lot different from written treatment plans for students.

Rotenberg's Flammia said the school was never given a chance to review the report before it was made public and he said the school would demand a fair chance to respond. He warned that if New York students are denied access to the Rotenberg Center, the state could be sued by parents of children who hurt themselves as a result.

Supporters of a bill in the Massachusetts Legislature to ban the use of electric shocks on students said they hoped the New York report would give new momentum to their efforts to force the school to change its methods or close. A proposed ban was written into the state budget passed by the Senate, but the House of Representatives has not taken a position.

"It's troubling that it's necessary for New York officials to point out the violations of Massachusetts law taking place at this facility," said state Senator Brian Joyce, the Milton Democrat who has led the effort to ban electric shock.

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