

# NEWS



NEW YORK STATE BOARD OF REGENTS

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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## **NEW YORK STATE EDUCATION DEPARTMENT FINDS SERIOUS PROBLEMS AT JUDGE ROTENBERG CENTER IN MASSACHUSETTS**

The New York State Education Department has concluded site visits to the Judge Rotenberg Educational Center, located in Canton, Massachusetts, that showed reason for serious concern regarding the school's use of aversive behavioral interventions. The Department has taken a series of actions to correct these practices:

- The Department notified JRC that it must immediately take corrective actions to cease certain interventions that threaten the health and safety of students at the school. Failure to do so would affect its approval to serve New York State students.
- The Massachusetts Department of Education has been notified and requested to review the findings to determine whether action is required relative to their oversight responsibilities for the program.
- The report is being provided to the Massachusetts Probate Court that oversees the implementation of a settlement agreement that governs the procedures to be followed before and during the use of aversive therapies at JRC.
- The U.S. Food and Drug Administration has been notified regarding concerns relating to JRC's use of electric skin shock devices.

JRC provides residential and educational services to approximately 148 students from New York State. The site visits were conducted because of concerns raised regarding JRC's use of aversive behavioral interventions, including the use of skin shock, manual and mechanical restraints.

The Board of Regents will meet on Monday, June 19 to consider the adoption of regulations that would apply to JRC and all other public and private schools to generally prohibit the use of aversive behavioral interventions and to establish specific standards for behavioral interventions used with students.

The site visits revealed serious concerns for the health, safety, privacy and dignity of students attending this school, including findings that:

- The background and preparation of staff is not sufficient to oversee the treatment of children with challenging emotional and behavioral problems.
- The skin shock device is used for relatively minor behaviors, such as nagging, swearing and failing to keep a neat appearance.
- Skin shock is used in a manner inconsistent with U. S. Food and Drug Administration required safety precautions, such as application of shock while students bathe or shower. Various injuries to students have been reported.
- The potential harmful psychological effects (such as depression, anxiety and fear) of the use of aversive interventions such as skin shock on students is not adequately assessed or addressed.
- The combined use of mechanical restraints and simultaneous application of skin shock has been used with some students.
- Many students were observed as they arrived to and from school wearing leg and wrist restraints.