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Read this [shocking article](#) ^[1] in the Globe (text below) about psychological and physical abuse of emotionally disabled children in a Holyoke public school program. As a preface, we wanted to share with you the role of Community Legal Aid in discovering this situation and referring the case to the Disability Law Center.

CLA Staff Attorney Alina Nir was hired in 2014 to start an Education Law Project in the Worcester Public School District, working to keep low-income kids with suspensions or expulsions in school when warranted, as well as helping kids with disabilities get appropriate support and education plans. Given the crisis in Holyoke Public Schools, she set up a small series of parent information workshops in Holyoke. Parents from Peck School approached Alina after one of these meetings to ask for help for their children, whom they believed were being abused. After meeting with many parents from the school, and examining the educational records, CLA drafted and filed a complaint with the Disability Law Center that launched this investigation. Many thanks to our wonderful colleagues at the Disability Law Center for investigating and issuing much-needed corrective actions.

Holyoke school abused disabled children, report says

By Brian MacQuarrie | GLOBE STAFF DECEMBER 09, 2015

A Holyoke public school program that serves emotionally disabled children subjected them to psychological abuse and used excessive force to punish even trivial offenses, according to an investigative report released Wednesday.

Disabled students in fourth through eighth grades at the Peck School were forced to the floor and immobilized, restrained for long periods, slammed into walls, and slapped by staff members, according to findings by the Disability Law Center, which investigated the school for the state.

The abuses are among the worst ever uncovered by the center, said Stanley J. Eichner, litigation director for the independent Boston-based group, which is empowered by the federal government to protect the disabled.

“Excessive force was used against them in a school that has been set up to address these needs,” Eichner said in an interview. “Pretty much to a person, these are students with emotional disabilities who have previously witnessed trauma or been traumatized at one time or another.”

The investigation uncovered a school culture in which aggressive discipline of students had become ingrained, Eichner said. Many students suffered injuries, including scratches and bruises, and one student was given a hospital exam for a bump on the head.

Shortly after the Disability Law Center received a complaint about the program in the spring, the school district was placed under state receivership for chronic underperformance. That move was not related to the allegations of abuse in the Therapeutic Intervention Program, which serves about 50 students at the Peck School.

Stephen Zrike Jr., the state-appointed schools receiver in Holyoke, said “these findings constitute abuse and neglect under federal protection and advocacy statutes.”

Zrike said he had heard concerns about the program during meetings with parents, students, and staff in Holyoke this year.

The district is making changes to the Peck School program, including naming an acting principal and hiring five new teachers, according to Eichner. The Disability Law Center, which will monitor the program, stated in its report that “we continue to have concerns about the extent of the abuse and neglect we found.”

Michael Moriarty, a member of the state Board of Elementary and Secondary Education and a longtime education advocate from Holyoke, said he first heard of the allegations Wednesday afternoon.

“I expect that this is going to be addressed aggressively and transparently to the board, the residents of Holyoke, and especially the parents of these kids,” Moriarty said. “What you read in this report is horrifying.”

The Disability Law Center’s review, which began in May, looked back for about a year before that time and conducted more than 45 interviews with students, parents, former staff members, and others.

One 67-pound student was restrained 50 times, including about a dozen times when the pupil was held prone on the floor, according to Eichner and the report. The child complained to a parent of being unable to breathe, and that some of the restraints had been painful, the center said.

Prone restraints can lead to serious injuries or even death, Eichner said. Some restraints lasted for longer than 20 minutes, the investigation found.

Children were thrown to the floor for not moving, pulled out of chairs for refusing to get up, tackled to the ground, and restrained for refusing to change into a uniform, investigators were told.

At least one child was punched, and others were tossed against a wall. Some children complained that they had been locked in an unlit closet, according to the report.

Under state law, physical restraint can be used only when a student's behavior poses an imminent, serious threat of harm to the student or someone else and other forms of intervention are not possible. Restraint cannot be used as punishment.

Investigators found that every student had an emotional disability, many with post-traumatic stress disorder. Children who entered the program had been exposed to extreme violence, as well as physical and sexual abuse, the center discovered.

The school did not report the restraints or their related injuries to the state Department of Elementary and Secondary Education, as required by law.

Eichner, of the Disability Law Center, said a combination of factors appears to have led to the abuse.

Holyoke is an underserved district, obviously, he said. We think there wasn't enough resources and not enough training, and this population is predominantly students of color. You combine that with students with emotional issues, and without adequate resources and training it becomes a power fight between the teachers and students.

The allegations surfaced during the tenure of former Holyoke superintendent Sergio Paez, who lost his job after Massachusetts education officials voted in April to place the district under state control.

On Monday, the Minneapolis school board voted to appoint Paez as that city's next school superintendent. Members of the board did not respond to requests from the Globe to comment on whether the allegations would affect his hiring.

Jeremy C. Fox of the Globe staff contributed to this report. Brian MacQuarrie can be reached at brian.macquarrie@globe.com [2].

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