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Advocates File Class Action Lawsuit Against Glen Mills Schools and Pennsylvania Officials, Citing Abuse of Children, Deprivation of Education

Juvenile Law Center, Education Law Center, and Dechert LLP suit maintains that the reform school violated rights of youth in its care and that Pa. officials also bear responsibility

Philadelphia, PA (April 11, 2019): Lawyers from Juvenile Law Center, Education Law Center and Dechert LLP filed [a class action lawsuit](#) today in Philadelphia on behalf of hundreds of youth who were held at Glen Mills Schools, a residential facility located in Delaware County. This site, the oldest reform school in the country, housed as many as 1,000 boys from all over the country – and the world – at one time. After an emergency removal order of all remaining children at the facility as well as the revocation of its licenses by the Pennsylvania Department of Human Services, it is currently empty; these actions followed [groundbreaking investigative reporting](#) by the Philadelphia Inquirer’s Lisa Gartner.

The suit maintains that youth housed at Glen Mills suffered at the hands of Glen Mills leadership and staff. Instead of receiving treatment and services, as required by the Pennsylvania Juvenile Act, plaintiffs claim that they were subjected to extreme and sustained physical and psychological abuse and deprived of an education. The abuse had a particularly dire impact on Black youth – disproportionately sent to Glen Mills – as well as students with special education needs and disabilities, whose educational rights were ignored.

The defendants named are: **Glen Mills Schools; Teresa D. Miller, Secretary of the Pennsylvania Department of Human Services** in her individual capacity; **Theodore Dallas, former Secretary of the Pennsylvania Department of Human Services** in his individual capacity; **Cathy Utz, Deputy Secretary for the Office of Children, Youth and Families** in her individual capacity; **Pedro A. Rivera, Secretary of Education of the Pennsylvania Department of Education** in his official capacity; **Pennsylvania Department of Education; Chester County Intermediate Unit; Randy Ireson, former Executive Director of Glen Mills Schools; Andre Walker; Robert Taylor; Sean Doe; Chris Doe 1; Chris Doe 2; and John Does 1-20.** Named plaintiffs include youth and families from Philadelphia, Camden, N.J., Luzerne County, Pa., and Monroe County, Pa.

The suit asserts that officials at the Pennsylvania Department of Education and the Chester County Intermediate Unit allowed Glen Mills’ education program to operate in the shadows without any oversight or monitoring to ensure the educational rights of students. PDE is responsible for the administering laws relating to public schools, providing general supervision, and it administers the licensing and certification of schools like Glen Mills to ensure a public education to all children in the Commonwealth. PDE also has specific responsibilities to ensure a free, appropriate public education for

children with disabilities. CCIU, a local educational agency, contracted with Glen Mills to provide educational services, yet failed to be involved in the education of students in any way, including ignoring its responsibilities to provide appropriate public education for students with disabilities and to participate in the special education process as required under federal and state law.

Plaintiffs seek damages as well as other equitable relief for violations of their rights under the Eighth and Fourteenth Amendments to the US Constitution, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and state common law claims.

“Youth at Glen Mills were traumatized by abuse and intimidation and deprived of their right to an education. Instead of educating youth with significant needs, children languished in a limited, self-directed, online credit recovery program without the support of teachers or instruction,” said Maura McLnerney, Legal Director for Education Law Center. “Many youth were forced to forgo any secondary education at all and handed a GED prep book. The special education needs of children with disabilities were ignored, and clearly, many youth were disciplined and subject to abuse based on their disabilities. This lawsuit seeks to hold Glen Mills as well as Pennsylvania’s state and local education agencies responsible for a profound dereliction of their duties and unconscionable deprivation of educational opportunities for youth whose lives are forever changed.”

The suit also maintains that the persistent and barbaric abuse went unchecked due to the Pennsylvania Department of Human Services and its “callous disregard for the safety and well-being of the children in its care.” PA-DHS is the body responsible for the licensing, oversight, and regulation of child residential facilities in the Commonwealth. Despite 18 publicly documented incidents of staff on youth abuse by Glen Mills staff between March 2014 and January 2017 alone, not once did PA-DHS take meaningful steps to protect children at the facility.

“Once considered one of the crown jewels of Pennsylvania’s juvenile justice system, with its myriad state athletic awards and renowned system for maintaining and instilling “discipline,” we now know Glen Mills was made of nothing more than glass,” said Marsha Levick, Chief Legal Officer of Juvenile Law Center. “The educational offerings were a sham, and youth walked the grounds intimidated and fearful for their physical safety. That the school now sits empty is a fitting, but long overdue end to an institution that valued violence and cruelty over treatment and rehabilitation. We are privileged to represent the youth and families who have found the courage to step forward and speak out.”

“We are proud to partner with Juvenile Law Center and Education Law Center on this critically important suit,” said Michael H. McGinley, Partner at Dechert LLP. “Abuse of children by anyone is intolerable; that these abuses occurred in a state-regulated facility is especially troubling. We hope this case will begin the process of rectifying these serious wrongs.”

The individual plaintiffs’ stories of their experience at Glen Mills tell grim tales of a culture of violence, negligence and intimidation:

“During the 2017-2018 school year, Walter attended a private school for students with disabilities due to the significant impact of his disability on his education. After years of struggling in school, Walter was making progress with full-time special education instruction and counseling as a related service due to his emotional dis-regulation and behavior. In March 2018, Walter was sent to Glen Mills School and assigned to Jefferson Hall (“Jefferson”). He was sixteen years old. Walter’s mother, Janeva, was never consulted at all about the education provided to Walter at Glen Mills. Despite the required services in Walter’s IEP, the only education initially offered him was a limited online credit recovery program that failed to differentiate instruction or accommodate his disabilities and included no live instruction. Walter told Glen Mills staff that he could not learn in this manner and refused to participate in the computer-based program. Walter was disciplined, placed on Concern status, for articulating his education needs and refusing to participate in the computer program. Glen Mills failed to provide any educational intervention or alternative instruction for Walter. Instead Glen Mills staff let him sit without any education services for two months.”

“One night, Derrick was punched in the middle of the night while asleep in Fillmore. He then realized there were more than a dozen other boys in the room. The boys were beating up his roommate, who was screaming for help. Derrick tried to help his roommate, but eventually was forced to run out of the room and the building to get away from the abuse. When staff found Derrick, he received a charge for attempting to run away. Staff never came to protect Derrick and his roommate while they were in the unit being physically assaulted by other youth, even though his roommate was screaming so loudly everyone in the unit was able to hear they needed help. ... Despite the number of assaults and injuries Derrick suffered he has rarely been seen by medical staff at Glen Mills. Despite their repeated requests, Derrick’s parents have been denied Derrick’s medical records from Glen Mills. Derrick witnessed over 200 fights among other youth while he was at Glen Mills.”

Attorneys from Juvenile Law Center, Education Law Center, and Dechert LLP are available for questions or interviews.

Juvenile Law Center advocates for rights, dignity, equity and opportunity for youth in the foster care and justice systems.

Founded in 1975, Juvenile Law Center is the first non-profit, public interest law firm for children in the country. We fight for youth through litigation, appellate advocacy and submission of amicus (friend-of-the-court) briefs, policy reform, public education, training, consulting, and strategic communications. Widely published and internationally recognized as leaders in the field, Juvenile Law Center has substantially shaped the development of law and policy on behalf of youth. We strive to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are rooted in research, consistent with children’s unique developmental characteristics, and reflective of international human rights values. For more information about Juvenile Law Center’s work, visit www.JLC.org.

The Education Law Center-PA (ELC) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, trainings, and policy advocacy, ELC advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, English learners, LGBTQ students, and children experiencing homelessness. For more information, visit elc-pa.org.

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