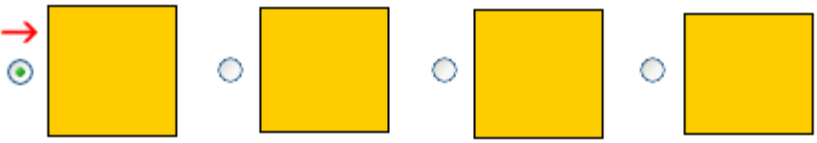


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State reprimands counselor; School worker pressured parent, allowed ADHD evaluation of student without parental consent

By JACK ENCARNACAO
 The Patriot Ledger

WEYMOUTH - A state department of education investigation concluded that a veteran adjustment counselor at the Thomas Hamilton Primary School violated federal law when she allowed a special education evaluation of a student without parental consent.

The mother pulled her children out of the school over the incident, said Andre Afonso, deputy director of the Massachusetts Citizens Commission on Human Rights, where the mother initially brought her complaints.

The commission on Human Rights was established in 1969 by the Church of Scientology to investigate psychiatric violations of human rights.

"This is a big issue right now with us," Afonso said. "Bypassing the written consent law ... it can lead to (unnecessary) drugging in the schools."

Under a law enacted in 1998 called the Protection of Pupil Rights Amendment, a student can not be required to submit to an evaluation of mental or psychological problems without prior written consent of a parent.

The state board of education also has a similar regulation about parental consent.

The state's investigation followed complaints from the student's mother that for three years the adjustment counselor pressured her to medicate her daughter for Attention Deficit Hyperactivity Disorder.

The student's mother, who was not named in documents about the case and did not respond to a call for comment, did not give verbal or written permission for a mental evaluation, only for an academic evaluation.

"The district acknowledged parental consent was not obtained for the administration of this test," reads a letter from the department of education to the Weymouth school district.

In an affidavit filed with the commission, the mother said the counselor, Cora Hall, acted "outside of the scope of her job description and her unrelenting harassment over these past

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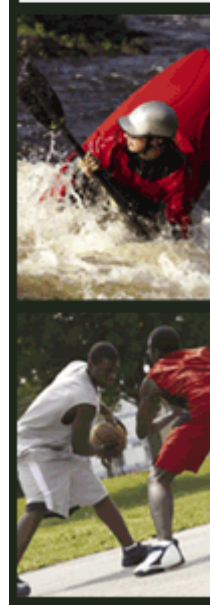
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three years (have been) outside the legal barrier.”

The mother was studying to become a nurse, and sensed something was wrong with the way her daughter was evaluated.

“She knew her rights,” Afonso said of the mother.

The state investigation concluded that Hall, a 30-year veteran of school counseling, administered a test called the Connors’ Teacher Rating Scale in April 2005 to detect signs of Attention Deficit Hyperactivity Disorder in the student, a first grader who was enrolled in a special education class due to a speech delay.

“I do think I rushed,” Hall said. “I regret that because we don’t want to alienate parents, we don’t want to upset anybody.”

Hall said a teacher, not her, conducted the evaluation with her direction.

The state concluded that no punishment is necessary. But officials did require the school district to hold review and training sessions on the issue, which were held in March.

“The penalty is more corrective action to address whatever violations were in place,” said Nate Mackinnon, a spokesman for the state Department of Education. “If a district were to decide not to comply (with corrective action), then we’d take additional steps. But typically with situations like this, the law tends to be rather complex, and it’s more about ensuring that it doesn’t happen in the future.”

Jack Encarnacao may be reached at jencarnacao@ledger.com.

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