
**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

THOMAS G. HOULAHAN,

Plaintiff,

v.

**WORLD WIDE ASSOCIATION OF
SPECIALTY PROGRAMS AND
SCHOOLS, *et al.*,**

Defendants.

Civil Action No. 04-1161-HHK

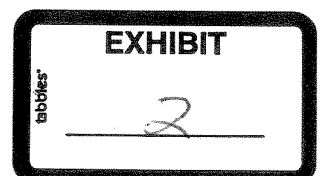
**Report of Plaintiff's Expert Witness
Mr. Lon Woodbury**

REPORT

I. Statement of All Opinions to be Expressed and the Basis and Reasons Therefore

A summary of the accepted professional standards common in the network of residential schools and programs for struggling teens, and comparison with practices by programs associated with the World Wide Association of Specialty Programs (WWASP).

1) Paying or accepting fees to a referring person or agency for the placement of a child in a program (Finders Fees) is considered unethical because it increases the possibility of inappropriate placements of teens in programs. Inappropriate placement of a teen can result in wasted tuition or even harm to the teen. The payment of such fees by its members is prohibited by NATSAP, and the acceptance of such fees by its members is prohibited by IECA. Teen Help and other marketers of the WWASPS program and the WWASP programs themselves commonly deal in referral fees.



2) Most schools and programs handle their own admissions and marketing, and to a parent that calls or visits their web site the affiliation is very clear. Hiring outside firms or agencies exclusively for marketing is considered a questionable practice. However, I have encountered several "anonymous" sites that do not identify themselves, nor explain what their affiliations are, but most of them are marketing WWASP facilities.

3) Paying admissions people or marketers of programs on a commission basis is frowned on. It gives the admissions person or marketer a financial incentive to "hard sell" a parent on a program that might not be the best fit for his or her child. In other words, the practice increases the possibility of inappropriate placement. Most marketers and admissions people working for or with schools and programs are therefore paid a straight salary. It is my understanding that most of the marketers or admissions people employed by referral agencies working for WWASPS facilities or employed directly by WWASP facilities are paid on commission.

4) Careful screening of potential program enrollees is vital to minimizing inappropriate placements. Many facilities require an evaluation by a licensed psychologist indicating that a placement is appropriate before a teen is enrolled. Concerns have been raised that WWASPS' screening procedures are far from these standards.

5) It is generally accepted that when students have significant behavioral and/or emotional problems, the size of the student body should be kept relatively small, with a school over the size of 200 considered being too large and unwieldy to give proper individualized attention to this type of student or to maintain proper levels of safety. The five exceptions (out of 130) in my Parent Empowerment Handbook who do have student populations over 200 either

work well primarily with students with relatively minor behavioral and/or emotional problems, or have divided their student bodies into smaller functioning groups. Most WWASP facilities have enrollments far in excess of 200.

6) Professional standards are increasingly requiring individual, written treatment plans for each teen. I have never heard that this standard has been adopted by WWASP facilities.

7) In hiring staff to work directly with students, it is considered very important that the staff have professional experience, training and credentials in order to maintain effectiveness, as well as physical and emotional safety. Requirements for staff have steadily been increasing over the last 20 years. Concerns have been raised about the lack of credentialed staff at WWASP facilities.

8) Taking on student leadership responsibilities in a school or program has tremendous healing potential for a student and is commonly utilized in mainstream therapeutic facilities. However, expanding that responsibility to using enrollees to enforce discipline (referred to as "junior staff" in WWASP facilities) is considered dangerous by giving too much arbitrary power to students and thus is considered "over the line" by mainstream therapeutic professionals.

9) Blackout periods (periods at the beginning of enrollment during which teens are not allowed outside phone contact) are common in this field. They are primarily used to enable the teen to settle into the facility's routine as quickly as possible without interference from confusing ongoing family dynamics or his/her old associates. Blackout periods of three or four weeks are common, and maybe even periods of six weeks or so might be necessary in some cases. The blackout period at WWASP facilities appears to be open-ended, continuing until a teen reaches a certain privilege level, which sometimes takes months. Most professionals would agree that a

blackout period longer than a month or two is an extreme measure that indicates that the student is not responding to the program, it is probably an inappropriate placement, and for the good of the student a more appropriate placement should probably be sought.

10) Claims of abuse in therapeutic facilities are not unusual. However, the number of claims against Teen Help/WWASP facilities seem to have been significantly higher than those made against other facilities.

11) Teen Help/WWASP facilities have seemed to have far more problems with government regulators than other facilities, partly indicated by the number of WWASP facilities having been closed by governmental action.

12) Independent consultants I have surveyed in my annual survey of their opinions on the safety and effectiveness of programs nationally have expressed an overwhelmingly negative view of WWASPS facilities.

II. Data or Other Information Considered by the Witness in Forming his Opinions

The ethical statements and printed behaviors of good practice for both the National Association of Therapeutic Schools and Programs (NATSAP) and the Independent Educational Consultants association (IECA).

The Woodbury Reports' The Parent Empowerment Handbook.

Data from the annual surveys sent to leading independent Educational Consultants by Woodbury Reports Inc.

Analysis of web sites oriented toward the business, including WWASP oriented web sites.

My knowledge of the industry and its participants from working 16 years as a publisher of a networking unofficial trade publication in the industry, and acting also as an independent Educational Consultant, as well as five years working in admissions for one of the schools.

3. Qualifications of the Witness, including a List of All Publications Authored by the Witness within the Preceding Ten Years

B.S. in education, and an M.A. from the University of Idaho.

Member of the Independent Educational Consultants Association (IECA).

A Certified Educational Planner (CEP).

Active for 16 years as an Independent Educational Consultant helping parents place their children.

Publisher, Editor and writer for the Woodbury Reports newsletter Places for Struggling Teens, a monthly publication devoted to the network of private parent-choice Emotional Growth/Therapeutic residential schools and programs. The first issue was published in Nov. 1989, and all issues are found online at www.strugglingteens.com
<<http://www.strugglingteens.com/>>. A site search for my name will produce all articles I have written.

4. Compensation to be Paid for the Study and Testimony

This issue has not been discussed.

5. Listing of any other Cases in which the Witness has Testified as an Expert at Trial or by Deposition within the Preceding Four Years

Idaho First Judicial District Court, Case No. CV-95-00969, *Echo Springs Center for Transition Studies, Inc., et. al. vs. CEDU Educational Services et. al.*

- Deposition for Echo Springs July 14th, 1998.
- Testimony in Court the Fall of 1998.

Idaho First Judicial District Court, Case No. CV-98-00525, *Accomazzo vs. CEDU*

- Deposition for CEDU October 16, 2002

Respectfully submitted,

 //SIGNED//
LON WOODBURY