EDUCATION TREPORTER

NUMBER 272

THE NEWSPAPER OF EDUCATION RIGHTS

SEPTEMBER 2008

Schools Use Restraint, Seclusion to Control Troubled Children

In the Name of

Overwhelmed by behavior problems and the needs of mainstreamed children who have autism or other disorders, some schools have turned to strong-arm tactics to keep students under control. In some cases, schools may have little choice; but in others, teachers and staff have clearly

gone too far, injuring students or even causing their deaths.

"In all the years I went to school, I never, ever saw or heard of anything like the horrific stories about restraint that we see just about every day now," Alison Tepper Singer of Autism Speaks recently told the *New York Times* (7-15-08).

At one school, a child talks back to a teacher, and the teacher locks him in a closet. Another school contains disorderly children in a fenced area, resembling a dog run, without food, water, or access to a bathroom. A U.S. Department of Education investigation uncovered these situations and many others at public schools in California.

A student whose ADHD-type behaviors landed him repeatedly in a closet as a 6th-grader in Livermore, CA spoke to local news channel CBS5 about his experiences. "Human beings aren't supposed to be treating each other like that, you know," he said. The student's parents pulled him from that school and began homeschooling him; they say he's doing much better. The parents also filed a complaint against the school. The district, acknowledging the problem with how staff had treated the child, shut that school's special education program down.

Leslie Morrison, an investigator with Protection and Advocacy Inc., explained schools' use of "takedowns" to CBS5. The tactic, commonly employed by juvenile halls and psychiatric institutions, involves holding the child or teenager facedown on the floor and leaning on his back or sides.

Morrison warned that without proper training — and few public school teachers are well trained in how to take down an out-of-control child — the tactic can be extremely dangerous. "As the child is struggling to breathe, the person is holding them down on the floor to stop the struggling. And what happens is you actually stop them breathing," she said. (CBS5, 6-27-08)

14-year-old Cedrick Napoleon died while being held in a facedown restraint in a Killeen, TX special education classroom in 2002. 15-year-old Michael Renner-Lewis, III, an autistic boy, died in 2003 after staff members at Parchment High School in Michigan held him facedown for over an hour. That same year, another Michigan special education student died

of heart failure after being restrained. Michigan's board of education has since adopted new regulations on restraint and seclusion in schools. The new policies prohibit teachers or staff from holding students facedown or using any restraint that restricts breathing.

Such deaths are more common for troubled children in residential treatment facilities or behavior modification programs, public or private. The Coalition Against Institutionalized Child Abuse (www.caica.org) documents about 120 deaths of children who were restrained, beaten, or neglected in such institu-

tions, many of them state-funded, since 1990. Other groups have estimated that between 50 and 150 people of all ages die in the United States each year while being restrained in an institutional setting.

State-funded nursing homes and psychiatric facilities that use restraints are accountable to the government; they must record and report physical incidents with patients. The problem in public schools, however, is still so new that few states have begun to ask whether schools, too, need such accountability. Pennsylvania and Tennessee, as well as Michigan, have recently passed laws regulating the use of seclusion and restraint in schools. Several other states, including California, Iowa, and New York, are also considering such regulations.

Dr. Stephen Anderson, CEO of Summit Educational Resources, opined that restraining students is sometimes neces-

(See Troubled Children, page 4)

Schools Use Restraint, Seclusion | HPV Vaccine Under Scrutiny

Pharmaceutical giant Merck & Co. has distributed 16 million doses of its HPV vaccine, known as Gardasil, in the United States since the vaccine's 2006 FDA approval. The vaccine protects against some strains of the human papillomavirus (HPV), which is a sexually transmitted disease that causes genital warts. HPV infection has also been associated with cervical cancer.

Merck's aggressive marketing of Gardasil has won pharmaceutical trade group awards, as well as billion-dollar revenues for the company. Parents and activists successfully fought against many of Merck's lobbying efforts for vaccine mandates last year (Education Reporter, March and December 2007), but state legislatures still moved ahead with laws promoting Gardasil in one way or another. Meanwhile, Merck's successful commercials told millions of girls that they could become "one less statistic" if they got the shots.

At least 17 states have enacted legislation requiring, funding, or providing one-sided "education" to the public about the HPV vaccine: Colorado, Indiana, Iowa, Maine, Maryland, Minnesota, Nevada, New Mexico, New York, North Carolina, North Dakota, Rhode Island, South Dakota, Texas, Utah, Virginia, and Washington. 41 states have considered such legislation, with 24 of them considering requiring the vaccine for school entry — even though the disease is not communicable in a school setting. (www.ncsl.org/programs/health/HPVvaccine.htm)

Only Virginia so far has actually mandated Gardasil for young girls. Texas Gov. Rick Perry issued such a mandate last year, but the Texas legislature overruled him. The New Hampshire Health Depart-

ment announced in 2006 that it would provide the vaccine at taxpayer expense to girls under age 18, giving them a false sense of security in sexual promiscuity. Lately, however, reports of adverse effects, skepticism from scientists, and even scrutiny by the mainstream media have made the nation think again about Gardasil.

'Guinea pig' death from HPV vaccine

Died as 'Guinea Pig' for Gardasil' screamed a New YorkPost headline on July 20th. The story recounted how Jessica, a 17year-old girl described as an "all-American teenager," complained of a pain in the back



Jessica Ericzon

of her head, soreness in her joints, and fatigue after receiving a second dose of the HPV vaccine. When she later received the third dose of the vaccine, she complained that the same spot in the back of her head hurt again, and within a day she was dead.

The autopsy found no cause of death. Medical professionals are typically reluctant to identify vaccination as the cause of any death, even though no one can deny that unproven vaccines have caused deaths. Distraught parents are often met by a wall of silence when they demand answers for the sudden death of a healthy child after vaccination. Moreover, courts are rarely willing to hold in favor of vaccine victims, and federal law grants immunity to vaccine manufacturers for much

(See HPV Vaccine, page 4)

Teens Less Likely to Drink, Smoke, or Use Drugs

A recent report shares good news about American teenagers: they are less likely to smoke, binge drink, or use illegal drugs than their parents

illegal drugs than their parents were at the same age. Between 2003 and 2005, 24% of high school seniors smoked, 28% engaged in binge drinking, and 23.5% used illegal drugs. Between 1975 and 1977, when the parents of today's high school seniors were seniors themselves, 38% smoked, 38% engaged in binge drinking, and 34% used illegal drugs.

These figures come from the Foundation for Child Development's annual Child and Youth Well-Being Index (CWI) report. The CWI Project, based at Duke University, has evaluated the well-being of American children between 1975 and 2006. CWI researchers examine 28 indicators of well-being, in

the categories of economic well-being, health, safety, educational attainment, and participation in schooling, eco-

nomic, and political institutions.

The report credits "parental monitoring, changes in lifestyles and time uses of adolescents, activist community groups, and policies of school, police and other official agencies" for these remarkable drops

in risky behaviors among American teens. Today's teens are also less likely than teens in the 1970s to bear children or to commit violent crimes. The high school graduation rate has risen slightly since the 1970s, and the rate of college attendance has risen steeply.

There's more good news about modern teens. Not only are they making better choices, they are also better off than their parents on several other key indicators. They are at a much lower risk of

death from accidents, violence, or disease, and are less likely to become the victims of any type of violent crime. The suicide rate has not changed since 1975; then as now, about 4.5 per 100,000 youths committed suicide.

On the other hand, teenagers now are less likely to attend church or other religious services than their parents were at the same age. 40% attended then, and 33% attend now. Many people today deprecate organized religion, saying they are "spiritual but not 'religious," and the FCD's data shows that 12th-graders, too, participate in that trend. Even though they are less likely to attend religious services than their parents were, they are 9% more likely to say that religion is important. 31% say that religion is important, compared to 28.5% of seniors between 1975 and 1977.

Academically, these teens are on a par

(See Teens, page 4)

EDUCATION BRIEFS

The California Assembly voted to establish Harvey Milk Day as a state holiday that all public schools will celebrate. Harvey Milk was a San Francisco supervisor and homosexual activist. "This is yet another example of the campaign to normalize homosexual behavior not just in schools, but in our culture," said Karen England of the Capitol Resource Institute. "Young children will be forced to celebrate the life of a man whose claim to fame is his sexual orientation." Milk described all religion as "true perversion," and promoted same-sex marriage. The California Supreme Court created samesex marriage in May, despite Californian voters' 61% support of traditional marriage in 2000. Voters will again address the issue by a referendum on the November ballot. (WorldNet Daily, 8-8-08)

High gas prices have motivated more college students to enroll in courses online, to save themselves daily or weekly trips to campus. Many colleges reported steep increases of 25 or 50%, or even more, in online course enrollment over the summer. The trend was especially apparent at community colleges, where most students commute and must consider many other demands on their budgets and their time. A few schools, such as Brevard Community College in Florida, have even gone to a four-day week to save gas money for students and employees. (New York Times, 8-11-08)

New York became the 12th state to pass anti-bullying legislation. The bill calls special attention to bullying over sexual orientation, and requires schools to train teachers to combat bullying and to document all cases of bullying. Sen. Thomas Duane (D-Manhattan), who first introduced such legislation in 1999, called the fact that this time Senate Republicans introduced the bill "emblematic of things to come." (New York Times, 8-8-08)

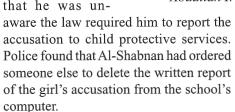
Education Reporter (ISSN 0887-0608) is published monthly by Eagle Forum Education & Legal Defense Fund with editorial offices at 7800 Bonhomme Ave., St. Louis, MO 63105, (314) 721-1213, fax (314) 721-3373. Editor: Andrea Curry. The views expressed in this newsletter are those of the persons quoted and should not be attributed to Eagle Forum Education & Legal Defense Fund. Annual subscription \$25. Back issues available @ \$2. Periodicals postage paid at Alton, Illinois.

Web site: http://www.eagleforum.org E-mail: education@eagleforum.org

Director of Islamic Saudi Academy Arrested, Charged

tor of the Islamic Saudi Academy in northern Virginia, and charged him with ob-

struction of justice for failing to report a possible sexual abuse case committed against a 5-yearold student. Director Abdallah I. Al-Shabnan later told detectives that he did not believe the girl's claims, and that he was un-

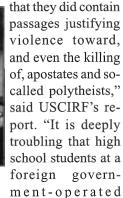


A court later found Al-Shabnan guilty of failure to report a child abuse allegation, which is a misdemeanor, Al-Shabnan pleaded no contest to that charge, and Fairfax County prosecutors agreed to drop the charge of obstruction of justice.

This is not the first hint that the Islamic Saudi Academy, operated by the government of Saudi Arabia, may harbor views of justice at odds with American law and practice. The U.S. Commission on International Religious Freedom (US-CIRF), a federal panel created by Congress, has recommended that the State Department shut ISA down (see Education Reporter, January 2008).

When the USCIRF requested copies of ISA's textbooks to review, school administrators failed to cooperate. The commission then obtained textbook copies

On June 9th, police arrested the direc- from "independent sources." What they found was not encouraging. "The Commission's review of these textbooks found



school in the United States are discussing when and under what circumstances killing an 'unbeliever' would be acceptable," concluded the commission.

In June, protestors picketed ISA, concerned that the school promotes intolerance. Fairfax County, which rents school property to ISA, has requested a State Department review of the textbooks in use at ISA. When the county submitted an official request for the State Department's opinion on whether it was acceptable to continue renting property to ISA, the department dodged the question. "No authorization from the Department to renew the lease is required," stated the response.

"This is the State Department's responsibility, and they have repeatedly tried to duck giving an opinion on this," said Rep. Frank Wolf (R-VA), who chairs the Congressional committee that oversees the State Department's budget.

In response to widespread criticism, ISA has announced it will create new textbooks, free of intolerant or violent passages, for students to use in the new school year.



Abdallah I. Al-Shabnan

Book of the Month



Boys Should Be **Boys: 7 Secrets to** Raising Healthy Sons, Meg Meeker, Regnery Publishing, 2008, 287 pages, \$24.95

As a pediatrician with more than 20 years ex-



perience, Meg Meeker has witnessed firsthand the toxic effects that several major cultural shifts have had on boys. American boys spend an average of 45.5 hours a week immersed in various media: TV, computers, radio, CDs or MP3s. Between school, organized sports and activities, and the equivalent of a full-time job spent tuning in to popular culture, too many boys lose touch with their parents and their parents' guidance.

Boys need less of everything, contends Meeker — less of everything except their parents. In Boys Should be Boys, Meeker challenges parents to ignore the pressure to overschedule their sons, and the pressure to buy them everything that magazines and commercials tell them they need.

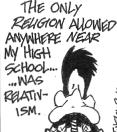
Parents, not peer pressure, play the largest role in the decisions teenagers make, according to Meeker. Sons need their parents' firm and loving discipline, but they also need close family relationships. This may not always be obvious to parents, which is one of the special challenges of raising sons. As Meeker reveals, a son really does need to feel "appreciated, loved, and affirmed for who he is as a young man." She discusses at length how both mothers and fathers can foster this kind of relationship with their sons, and her book is full of both principles and practical advice on raising sons.

"The truth is that much of the moodiness, the temper tantrums, and the defiance against parents that we assume is simply part of adolescence is not normal," writes Meeker. By resisting the degrading aspects of popular culture and providing positive, inspiring alternatives for boys, parents can encourage their sons to grow into strong, virtuous men. Meeker identifies specific virtues toward which boys should strive, and how parents and others can help them to do so.

"A boy can learn self-control in a matter of moments from a man he respects who exhibits self control," she writes. "When a boy sees how self control benefits his father, and everyone in the family, he learns an important lesson." There is no easy shortcut for parents — boys learn from what their parents do as well as from what they say. Meeker challenges every parent to live a virtuous life that will inspire sons to follow their parents' careful example.

MALLARD FILLMORE / by Jeff Tinsley







California Court Overturns **Anti-Homeschooling Decision**

In February, California's 2nd District Court of Appeal seemed to jeopardize the legal status of homeschooling in the state. Judge H. Walter Croskey wrote the decision demanding that two children attend public school, and implying that homeschooling by parents who were not credentialed teachers violated state law.

The state's largest teachers union, the California Teachers Association, accepted the court's invitation to get involved in the controversial case. According to the CTA, "parents do not have an unfettered right to dictate the terms of their children's education." A CTA representative said of the court's original decision, "We're happy. We always think students should be taught by credentialed teachers, no matter what the setting."

In response to widespread criticism from homeschoolers, legislators, Gov. Schwarzenegger and others, the court revisited the decision this summer. Homeschool activists applauded the court for recognizing, as a landmark U.S. Supreme Court ruling declared in 1925, that "the child is not the mere creature of the state."

The court did, however, call for new regulations on homeschooling. "California impliedly allows parents to homeschool as a private school but has provided no enforcement mechanism," wrote Croskey. "Given the state's compelling interest in educating all of its children . . . and the absence of an express statutory and regulatory framework for homeschooling in California, additional clarity in this area of the law would be helpful."

FOCUS: Louisiana Confounds the Science Thought Police Neo-Darwinism no longer protected orthodoxy in Bayou State's pedagogy

By John G. West

To the chagrin of the science thought police, Louisiana governor Bobby Jindal has signed into law an act to protect teachers who want to encourage critical thinking about hot-button science issues such as global warming, human cloning, and yes, evolution and the origin of life.

Opponents allege that the Louisiana Science Education Act is "anti-science." In reality, the opposition's efforts to silence anyone who disagrees with them is the true affront to scientific inquiry.

Students need to know about the current scientific consensus on a given issue, but they also need to be able to evaluate critically the evidence on which that consensus rests. They need to learn about competing interpretations of the evidence offered by scientists, as well as anomalies that aren't well explained by existing theories.

Yet in many schools today, instruction about controversial scientific issues is closer to propaganda than education. Teaching about global warming is about as nuanced as Al Gore's An Inconvenient Truth. Discussions about human sexuality recycle the junk science of biologist Alfred Kinsey and other ideologically driven researchers. And lessons about evolution present a caricature of modern evolutionary theory that papers over problems and fails to distinguish between fact and speculation. In these areas, the "scientific" view is increasingly offered to students as a neat package of dogmatic assertions that just happens to parallel the political and cultural agenda of the Left.

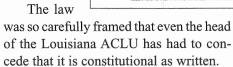
Real science, however, is a lot more messy — and interesting — than a set of ideological talking points. Most conservatives recognize this truth already when it comes to global warming. They know that whatever consensus exists among scientists about global warming, legitimate questions remain about its future impact on the environment, its various causes, and the best policies to combat it. They realize that efforts to suppress conflicting evidence and dissenting interpretations related to global warming actually compromise the cause of good science education rather than promote it.

The effort to suppress dissenting views on global warming is a part of a broader campaign to demonize any questioning of the "consensus" view on a whole range of controversial scientific issues — from embryonic stem-cell research to Darwinian evolution — and to brand such interest in healthy debate as a "war on science."

In this environment of politically correct science, thoughtful teachers who want to acquaint their students with dissenting views and conflicting evidence can expect to run afoul of the science thought police. The Louisiana Science Education Act of-

fers such teachers a modest measure of protection. Under the law, school districts may permit teachers to "use supplementary textbooks and other instructional materials to help students understand, analyze, critique, and review scientific theories in an objective manner." The act is not a license for teachers to do anything they want. Instruction must be "objective," inappropriate materials may be ve-

toed by the state board of education, and the law explicitly prohibits teaching religion in the name of science, stating that its provisions "shall not be construed to promote any religious doctrine."



Of course, that hasn't stopped the usual suspects from denouncing the bill as a nefarious plot to sneak religion into the classroom. The good news is that the disinformation campaign proved a massive failure in Louisiana. Only three members of the state legislature voted against the measure, which attracted nearly universal support from both political parties. Efforts to prevent local scientists from supporting the bill also failed. At a legislative hearing in May, three college professors (two biologists and one chemist) testified in favor of the bill, specifically challenging the claim that there are no legitimate scientific criticisms of Neo-Darwinism, the modern theory of evolution that accounts for biological complexity through an undirected process of natural selection acting on random mutations.

Fearful of being branded "anti-science," some conservatives are skittish about such efforts to allow challenges to the consensus view of science. They insist that conservatives should not question currently accepted "facts" of science, only the supposedly misguided application of those facts by scientists to politics, morality, and religion. Such conservatives assume that we can safely cede to scientists the authority to determine the "facts," so long as we retain the right to challenge their application of the facts to the rest of culture.

But there are significant problems with this view.

First, the idea that a firewall exists between scientific "facts" and their implications for society is not sustainable. Facts have implications. If it really is a "fact" that the evolution of life was an unplanned process of chance and necessity (as Neo-Darwinism asserts), then that fact has consequences for how we view life. It does not lead necessarily to Richard Dawkins's militant atheism, but it certainly makes less plausible the idea of a God who intentionally directs the development of life toward a specific end. In a

Darwinian worldview, even God himself cannot know how evolution will turn out which is why theistic evolutionist Kenneth Miller argues that human beings are a mere "happenstance" evolutionary history, and

that if evolution played over again it might produce thinking mollusks rather than us.

Second, the idea that the current scientific consensus on any topic deserves slavish deference betrays stunning ignorance of the history of science. Time and again, scientists have shown themselves just as capable of being blinded by fanaticism, prejudice, and error as anyone else. Perhaps the most egregious example in American history was the eugenics movement, the ill-considered crusade to breed better human beings.

During the first decades of the 20th century, the nation's leading biologists at Harvard, Princeton, Columbia, and Stanford, as well by members of America's leading scientific organizations such as the National Academy of Sciences, the American Museum of Natural History, and the American Association for the Advancement of Science were all devoted eugenicists. By the time the crusade had run its course, some 60,000 Americans had been sterilized against their will in an effort to keep us from sinning against Darwin's law of natural selection, which Princeton biologist Edwin Conklin dubbed "the great law of evolution and progress."

Today, science is typically portrayed as self-correcting, but it took decades for most evolutionary biologists to disassociate themselves from the junk science of eugenics. For years, the most consistent critics of eugenics were traditionalist Roman Catholics, who were denounced by scientists for letting their religion stand in the way of scientific progress. The implication was that religious people had no right to speak out on public issues involving science.

The same argument can be heard to-

day, not only in Louisiana, but around the country. Whether the issue is sex education, embryonic stem-cell research, or evolution, groups claiming to speak for "science" assert that it violates the Constitution for religious citizens to speak out on science-related issues. Really?

America is a deeply religious country, and no doubt many citizens interested in certain hot-button science issues are motivated in part by their religious beliefs. So what? Many opponents of slavery were motivated by their religious beliefs, and many leaders of the civilrights movement were members of the clergy. Regardless of their motivations, religious citizens have just as much a right to raise their voices in public debates as their secular compatriots, including in debates about science. To suggest otherwise plainly offends the First Amendment's guarantees of freedom of speech and freedom of religion.

It is also shortsighted. The history of the eugenics crusade shows that religiously motivated citizens can play a useful role in evaluating the public claims of the scientific community. It is worth pointing out that unlike such "progressive" states as California, Louisiana was spared a eugenics-inspired forced-sterilization statute largely because of the implacable opposition of its Roman Catholic clergy.

So long as religious citizens offer arguments in the public square based on evidence, logic, and appeals to the moral common ground, they have every right to demand that their ideas be judged on the merits, regardless of their religious views.

This is especially true when the concern over religious motives is so obviously hypocritical. In Louisiana, for example, the person leading the charge against the Science Education Act was Barbara Forrest, herself a militant atheist and a long-time board member of the New Orleans Secular Humanist Association. At the same time she was denouncing the supposed religious motivations of supporters of the bill, Forrest was seeking grassroots support to lobby against the bill on the official website of Oxford atheist Richard Dawkins.

Conservatives should not support such anti-religious bigotry. Neither should they lend credence to the idea that it is anti-science to encourage critical thinking. In truth, the effort to promote thoughtful discussion of competing scientific views is pro-science. As Charles Darwin himself acknowledged, "a fair result can be obtained only by fully stating and balancing the facts and arguments on both sides of each question."

John G. West is the author of Darwin Day in America: How Our Politics and Culture Have Been Dehumanized in the Name of Science and a senior fellow at the Discovery Institute. This article first appeared on National Review Online, and is reprinted with the author's permission.

Troubled Children (Continued from page 1)

sary, but only as a last resort. "Restraint is the emergency procedure, it's the back-up, it's the thing you may have to do if all else fails and there's a risk to the individual or others," he told New York's WIVB network (7-30-08).

Anderson sympathized with the challenges schools face as they try to accommodate students with behavioral or psychological problems. "I don't think school districts have ever seen this with the frequency that they're seeing it now because they're keeping kids with more challenging behaviors within the context," he said.

American public schools serve 600,000 more special education students now than they did a decade ago. In 2005, 472,000 children received special education services from the public school system specifically for emotional disturbances. While in 1990, only 17% of children receiving such services attended school in "fully inclusive" settings (regular classrooms), 35% do so today.

Parents who have pushed successful-

ly for their children to be mainstreamed in regular public schools are sometimes reluctant to complain or take action against teachers who overuse restraint and seclusion to keep kids in line. For many children with more moderate problems, mainstreaming works well; and almost all parents of children with such problems would rather try to make things work at the mainstream school. Out of the mainstream, their child would spend all day with others who are even more troubled; and in some other environments, takedowns and restraints are the rule rather than the exception.

"The danger comes when schools turn methods designed for extraordinary circumstances into routine disciplinary tools," concluded the *Wall Street Journal* (7-9-07). "The result can be a vicious cycle of punishment and rebellion, hurting the very children who were supposed to benefit from attending a mainstream school."

Teens (Continued from page 1)

with their parents. Current test scores in reading are the same as they were in the '70s for both 13-year-olds and 17-year-olds, and scores in math have just slightly improved. According to CWI Project coordinator Kenneth Land, it is actually good news that these scores aren't much worse. "We haven't lost ground in these test scores, despite the fact that teachers and school systems have to deal with quite a different student population than a generation ago, as well as changes in lifestyles," he told *USA Today* (7-22-08).

Land pointed out that in the 1970s, far fewer students started school with limited English skills. Teenagers used to read more outside of school, as well. "It's a matter of competing opportunities for spending time," said Land. Video games and the internet now compete with books for children's attention during their afterschool hours.

The report evaluates the well-being of American children of all ages, not just of teenagers. According to the CWI's in-

dicators, child and youth well-being has risen about 2% since 1975. 21 out of the 28 indicators have improved: notably, median family income, secure parental employment and educational attainment are all up, and infant, child, and adolescent mortality are down. The indicators that show children faring worse since 1975 include single parenthood, low birth weight, obesity, and church attendance.

The CWI indicators for children of all ages show the well-being of American children holding nearly steady since 2002. The index rose more steeply from 1994 to 2002, with a sharp up-tick in 2002. FCD now believes that the sharp rise in several indicators in 2002 resulted from the nation's reaction to the 9/11/01 terrorist attacks. "As America united behind a common purpose, communities and families came together as well," says the report. Indicators associated with "social relationships" and "emotional and spiritual wellbeing" rose at that time, but declined in subsequent years.

Evaluating and attaching a number to the well-being of 73 million children is no easy task. Not everyone will agree with FCD's methods. For example, preschool advocates will naturally agree with the Well-Being Index that the more children are in preschool, the better; but others, who consider preschool a "mixed blessing" at best, will challenge that assumption. The index leaves out several important factors in child and youth well-being: how much time children spend with their parents, for example, and the rates of premarital sex. Regardless of these details, the CWI brings together in one place a vast amount of information on the state of American childhood, and is a useful and interesting project. (http://www.fcdus.org/usr_doc/2008AnnualRelease.pdf)

that clearly cost the health system money rather than saved it, in contrast to less expensive shots, against measles and tetanus, for example, that pay for themselves by preventing costly diseases." (*New York Times*, 8-20-08)

Experts from various institutions confirmed that judgment again and again. "This vaccine will be more expensive than all other childhood vaccines put together," said John Schiller, of the National Cancer Institute.

Scientists at Merck made a laudable and successful attempt to create the first vaccine that could prevent some cases of cancer. Publicists at Merck, however, thought they could make billions from a vaccine of questionable safety, effectiveness, and utility — by forcing it on young girls through government mandates. Cervical cancer is not a major killer in the United States. It is preventable apart from the HPV vaccine: through abstinence until marriage by both husband and wife, or through regular Pap smears.

As pharmaceutical companies continue to explore how vaccines might prevent other types of cancers, let's hope they discover some for which there is actually a need. Then the free market, and not bad public policies, will reward the pharmaceutical industry's efforts with substantial profits.

HPV Vaccine (Continued from page 1)

of the harm they cause.

Parents and others, including Jessica's mother, are increasingly alarmed about the real effects of the HPV vaccine, which was approved after little testing on young girls.

Since its FDA approval, allegations have linked Gardasil to 20 deaths, 140 reports of serious adverse reactions, 27 of which were "life threatening," and ten spontaneous abortions. Since January 2008, it has also been linked to six cases of the debilitating Guillain-Barre Syndrome. The total number of adverse effects reported to the FDA for this vaccine is nearing 10,000, yet the FDA and Merck deny the harm.

In one reported case, a 14-year-old girl who received the vaccine collapsed almost immediately and fell unconscious to the floor, foaming at her mouth. Her blood pressure dropped to only 60/40, and she was described as having "a 60-second grand mal seizure" with "pale clammy skin." In another report, a girl given this vaccine subsequently "experienced a coma and is now paralyzed."

Scientists question effectiveness

Two August articles in the *New England Journal of Medicine* questioned the value of the HPV vaccine. In one article, Dr. Charlotte J. Haug said that insufficient evidence of the vaccine's effectiveness should make patients and policymakers proceed with caution.

Five years of testing simply cannot predict the long-term effects of Gardasil. Legislators in numerous states have reasoned that girls ages 12, 11, or even younger should receive the shots, since Gardasil is only effective before girls are exposed to the HPV virus through sexual activity. But no one knows whether the immunity from the vaccine will last into those girls' college years or beyond, when they are much more likely to contract HPV. The vaccine is not known to be effective for more than five years; most new vaccines are not effective any longer than that.

Even commercials for Gardasil admit, in the fine print, that "the duration of protection has not been established." According to Dr. Diane Harper, a principal investigator in clinical trials of Gardasil, some girls' immunity to HPV wore off just three years after they received the Gardasil series.

The long-term consequences of the HPV vaccine, just like its long-term ef-

fectiveness, are unknown. There have been no studies of possible longer-term risks of the vaccine, such as infertility or cancer.

Cervical cancer, a major killer in Africa and other parts of the developing world, is very rare in the United States. Routine Pap smears have removed cervical cancer completely from the list of the top ten most deadly cancers to Americans; it causes much less than a tenth of the number of deaths

that lung cancer and breast cancer cause. Most of the few women who die of cervical cancer each year neglected to receive the Pap test, which would have detected precancerous cells. The abnormal cells take about a decade to become cervical cancer; doctors recommend that sexually active women have Pap smears to check for abnormal cells every one to two years. This recommendation has been extremely effective in reducing instances of cervical cancer.

The second article in the New England Journal of Medicine, from Harvard researchers Jane J. Kim and Sue Goldie, questioned the cost-effectiveness of current plans to implement HPV vaccination. Since Gardasil protects girls only against the strains of the virus that are associated with 70% of cervical cancer cases, sexually active women will still need routine Pap smears.

Merck sells Gardasil for \$360 (\$120

per shot in a three-shot series). Adding administrative costs, the overall cost to the public is \$400-500 per child vaccinated. Doing the math, the cost of vaccinating 100 children will be at least \$40,000, but only three out of those 100 will ever be exposed to the HPV types targeted by the vaccine. The average age of diagnosis of cervical cancer is 48 years old. Accordingly, the effective cost is \$13,000 for each child who *might* be protected against a cancer over 30 years in the future.

The government is already providing Gardasil to the nation's poorest girls under age 18, at a likely cost of \$1-2 billion. But the Harvard study found that it would become a useful public health initiative for patients on government health plans only if the three-shot series gave lifelong immunity, and if it could reduce the need for routine Pap smears. Gardasil can meet neither condition.

Merck recently received approval to market Gardasil to women ages 26 to 45.

Merck also wants to vaccinate young boys, since they can pass on the virus to girls or women, and can themselves develop genital warts if they contract HPV. Angela Raffle, a British cervical cancer specialist, had her say on that idea in the *New York Times* (8-20-08). "Oh dear. If we give it to boys, then all pretense of scientific worth and cost analysis goes out the window," she said.

Media take a long, hard look

Gardasil enjoyed a long media honeymoon after its FDA approval, with many mainstream media outlets characterizing those who opposed HPV vaccine mandates as backward and anti-science. That changed this summer when the *New York Times* published two hard-hitting stories examining the case against Gardasil as an effective public health measure or mandate. Those stories informed readers that HPV vaccines were the "first vaccines approved for universal use in any age group