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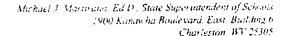
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September 23, 2014

Mr. James Waldeck Blue Creek Academy PO Box 67 Belva, WV 26656





Dear Mr. Waldeck:

On Friday, August 29, 2014 my office was notified by the West Virginia Department of Health and Human Resources (DHHR) that all students had been removed from your school. DHHR has now provided official notice of the incident to me; the official report indicates that maltreatment of children has occurred.

W.Va.Code §18-8-1(k) establishes an exemption from the compulsory school attendance requirement for a child who attends a non-public school that complies with the provisions of §18-28-1 et. seq. The purpose of this letter is to notify you that since your school did not comply with state law, I am revoking the Exemption (k) status for Blue Creek Academy. Due to the egregious nature of the non-compliance, children's health, safety and welfare, any future attempts by the school to seek reinstatement of the exemption status will be denied by this office.

I am providing a copy of this letter to Dr. Ronald Duerring, Superintendent of Kanawha County Schools, so that he may notify affected students/parents of this action. I will also notify additional counties, if necessary, once the placement of each child is verified. Those students will be enrolled in the appropriate public school.

Should you have questions about this letter please contact Betty Jordan, Executive Assistant to the State Superintendent, at bijordan@k12.wv.us or 304.558.2118.

Respectfully.

Michael J. Martirano, Ed.D. State Superintendent of Schools

MJM/BJJ:np

c: Ronald Duerring, Superintendent, Kanawha County Schools Eddie Ivey, Attendance Director, Kanawha County Schools Laura Sperry-Barno, Deputy IPC Compact Administrator Hank Hager, Counsel to Committee on Education, West Virginia Senate David Mohr, Legislative Policy Analyst, West Virginia House of Delegates



STATE OF WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES

INVESTIGATION OF ALLEGED ABUSE OR NEGLECT IN CHILD CARE AGENCY

- I. Identifying Information:
 - A. Date of Incident: 07/01/2014
 - B. Agency: BLUE CREEK ACADEMY
 - C. Agency's Address: 9382 Dutch Ridge Road

Clendenin West Virginia 25045-

D. Date of Report: 07/14/2014

11.	Allegation: Allegations are that in June of 2014, a student/resident of Blue Creek Academy named
	ran from the facility and made it to Clay County, where custody was taken by Clay
	County CPS due to garents (who are residents of Colorado) refusing to come and get
	begged to not return to Blue Creek Academy. and another child (
	were molested by another resident () at Blue Creek Academy in 2012. An
	investigation was completed at the time and was unsubstantiated. Since has been in
	custody, he has been disclosing abuse/neglect occurring at Blue Creek Academy. He stated that
	they shaved his head, whipped him with a paddle if he failed a test (the paddle was wooden with 16
	holes in it and left some red marks and a little bruising), whipped him with the paddle if failed to
	memorize scripture, de Thomoson (director) shoved him really hard up against the wall when he
	would not admit he had broken a bench, staff would monitor all phone calls and could only
	report good things to his parents. Punishment would also include a bean and water diet, and the
	length of time of this diet would be up to the thompson has stated the water was bad,
	undrinkable, and smelled of sulphur. Blue Creek Academy allegedly does not take the children to the
	doctor while they are residents there. reported they could not speak to anyone while in public
	nor were they allowed to make eye contact. reported when he attempted to run, he had to
	scrub the floors and bathrooms in the facility. reports being fearful of staff at Blue Creek
	Academy. There are seven more boys left at Blue Creek Academy. Concerns about Blue Creek
	Academy have also been voiced by Kanawha County Prosecuting Attorney, Rocky Holmes, and
(Guardian ad Litem, Casse Forbes

III. Summary of Investigation:

	All children present at Blue Creek Academy have disclosed abuse/neglect by He has left marks on children as a result of paddling with a wooden paddle for discipline, he has failed to properly supervise which resulted in molesting other children and bringing the children guns. drugs, and alcohol. The academy is infested with rats
_	Determination: A. Finding(s): Maltreatment has occurred, Maltreatment has not occurred, Unable to complete Intial Assessment
V. <u>I</u>	Recommendations:
1	A. Maitreatment:
	It was advised by Kanawha County prosecuting attorney, Rocky Holmes, that all children be removed from Blue Creek Academy. A maltreatment finding has been made against
1	B. Administration/Agency:
	Because the academy is unlicensed, there is no closure possible through DHHR. However, according to regional attorney, Michael Jackson, DHHR should alert the WV Board of Education.
(C. Licensing:
	N/A
Worl	ker's Signature:
Title	. IIU Investigator
Date	September 19, 2014
Appr	roved by:
Supe	ervisor's Signature.
Date	e: September 19, 2014