



## **Case Charging Abuse of Students at Mount Bachelor Academy Closes**

*The State of Oregon Concludes That There Was  
“Reasonable Cause to Believe that Abuse or Neglect Occurred”*

On September 28, 2010, an agreement was reached in one of the most significant and high visibility child abuse investigations in the troubled teen industry, both because of the nature of the accusations, and the visibility and size of the defendants. This article reviews the nature of the complaint, and the outcome of the agreement, while discussing the implications for the for-profit troubled teen industry.

The agreement released by the State of Oregon, through its Department of Human Services (DHS), essentially confirmed that child abuse had taken place at Mount Bachelor Academy (MBA), a therapeutic boarding school located outside of Prineville, Oregon. The agreement replaced the word “substantiated” that had been used with reference to the child abuse complaints in the initial report from with softer language. It indicates that, “Based on the evidence available to the Department, the Department found that there is reasonable cause to believe that abuse or neglect occurred.”

In an earlier order, released by the Department of Human Services of the State of Oregon, strong and clear language was used to indicate that “eight allegations of abuse involving five individual students were substantiated against the agency, Mt. Bachelor Academy. The report released on November 2, 2009 indicates that the abuse allegations are ‘exemplars’ in that these five clients’ experience is not unique and is ‘substantially consistent’ with the experience of all children enrolled in the program.’ This report as well that an allegation of abuse against the Executive Director of MBA was also substantiated.

The agreement was reached between DHS, the CRC Health Group, Aspen Education Group, Inc., and Mount Bachelor Academy. MBA was originally licensed in Oregon in 1988 and became a program of Aspen Education Group in 1998. Aspen in turn was acquired by the CRC Health Group in 2006. Aspen and the CRC Health Group are the largest owners of for-profit residential programs in the country, and they vigorously denied the allegations of abuse when they were made.

In exchange for the change in language from the November 2, 2009 report to the September 28, 2010 report, the agreement indicated that all legal actions involving this case were “dismissed with prejudice and without fees or costs to any party and no new or replacement actions will be filed.” In addition, the CRC Health Group and the former MBA Executive Director, Sharon Bitz, were required to send letters to parents, students, and employees acknowledging “the Department’s reasonable and good faith basis to investigate the allegations of abuse and neglect and to seek corrective actions by MBA.”

According to the November, 2009 report, MBA was located in a rural area, 26 miles east of Prineville, Oregon. It had a capacity of 125 students and an average length of stay of 14-16 months. It served both male and female students who were between the ages of 14 and 17.5 at the time of admission and charged more than \$6,000 per month. The 2009 report indicates that as of March, 2009, when reports of abuse were received by the Department of Human Services against MBA, there were 88 boarding students at MBA and approximately 77 staff.

### **2009 Report Documents Significant Abuse**

Significant acts of abuse at Mount Bachelor Academy that were found to be substantiated in the November, 2009 report include:

- The use of an “emotional growth” curriculum that was described by the investigators as being punitive, humiliating, degrading and traumatizing, and involved such things as “sexualized role play in front of staff and peers, requiring students to say derogatory phrases about themselves in front of staff and peers, requiring students to reenact past physical abuse in front of staff and peers, permitting staff to engage in the usage of derogatory names, phrases and ridicule of students, and deprivation of sleep”;
- Self studies and solo experiences that “included, but were not limited to, strenuous work projects and camping alone on an island and in inclement weather”;
- Discipline policy that included bans on certain behavior including students “not being allowed to talk, touch, or look at others and face the wall during meal time” for up to a week at a time;
- Enforcing restrictions on communication with parents as a means of controlling behavior, such as ending calls if a student complained, prohibiting students from mentioning any aspect of the “emotional growth” curriculum during telephone calls, and restricting the ability to call;
- Failing to develop and deliver individualized services to students;
- An absence of staff with an adequate background to provide care, safety, protections and supervision of students—MBA had only one staff member who was licensed in Oregon as a mental health professional and that staff member report that he did not meet with every student who was admitted and did not regularly participate in the “emotional growth” curriculum;
- Failing to provide students with adequate access to education or knowledge of their right to such education;

- Failure to have medication policies and procedures that ensure the safe management and administration of medication.

### **Mount Bachelor Academy Had Been Considered a Model Program**

MBA was a member of the National Association of Therapeutic Schools and Programs (NATSAP) from 1999 through 2009. In the 2009 NATSAP directory listing for MBA, it is reported that, “We enroll underachieving, unmotivated, and behaviorally or emotionally challenged students who are not doing well in traditional settings. We offer an accredited, year-round curriculum of interdisciplinary academic study.” Yet despite this listing that indicates that the program serves “emotionally challenged students,” the report for Oregon DHS indicates that there was only one staff member who was licensed as a mental health professional in Oregon for 88 boarding students, and although the NATSAP directory listing identifies the educational program at MBA as a special strength, the Oregon DHS found that MBA failed to provide adequate access to education.

MBA was also listed as one of “the 100 leaders in the industry of private, parent-choice, therapeutic and emotional growth schools and programs” in 2007 by Lon Woodbury, a prominent Idaho-based educational consultant in a posting on his Strugglingteens.com website. In this article, which addresses the issue of licensing and regulation, Woodbury indicates that he “went to the list of the top hundred schools and programs as viewed by the leading Independent Educational Consultants.”

### **Congress and Child Advocates Working to Increase Oversight**

Critics of the troubled teen industry, such as the Alliance for the Safe, Therapeutic, and Appropriate Use of Residential Treatment (A START), and Community Alliance for the Ethical Treatment of Youth (CAFETY), have expressed concern about abusive, misleading, and ineffective practices in the private-for-profit troubled teen industry, and called for improvements at state levels, the federal level, and within organizations such as NATSAP and the Independent Educational Consultants Association (IECA). Neither NATSAP nor IECA included any mention of the abuse reports at MBA on their websites. Nor was anything included on the website of Lon Woodbury.

Hearings on problems in the teen industry were conducted by the U.S. House Education and Labor Committee in 2007, under the leadership of Rep. George Miller, and two independent investigations of the industry were conducted by the Government Accountability Office (GAO). These resulted in criticism of the industry and a call for closer oversight and accountability, leading to the introduction of federal legislation to help address the problem. The legislation, H.R. 911, passed the U.S. House of Representatives in 2009, and as of this writing, awaits passage in the U.S. Senate.

### **Concerns Persist About Practices in Troubled Teen Industry**

The investigation and subsequent closing of Mount Bachelor Academy illustrates some of the issues of concern in the troubled teen industry. It is a program that is over 20 years old, and that is part of the Aspen Education Group and CRC which has 24 programs in eight states for adolescents and young adults. Another Aspen program, an Oregon-based

wilderness program called Sagewalk, had a teenage boy die while on his first hike in August, 2009, and is also currently closed and under investigation.

It was also one of nine Aspen and NATSAP programs included in a study by Behrens and Satterfield, a study that is on the Aspen website and has been used by Aspen to help promote its programs. However, the Behrens and Satterfield study has not been published in a peer-reviewed journal. Given this, and the fact that it was funded by the Aspen Education Group, it can best be viewed as marketing research and not as an independent, scientifically rigorous evaluation.

Despite the fact that MBA was a member of NATSAP, an organization which presents itself as having the highest standards, and that MBA was listed as one of the top 100 programs in an article by a prominent educational consultant based on ratings by other educational consultants, there were a number of humiliating and emotionally abusive practices taking place, as reported by the Oregon DHS. Further, there was only one Oregon-licensed mental health staff member despite the program maintaining that it served “emotionally challenged” youngsters, and the educational program was inadequate. MBA’s listing in the 2009 NATSAP directory, the most recent directory in which it was included, was at best misleading in the claims that were made for the program.

### **MBA Case Illustrates Need for More to be Done to Protect Teens and Families**

Disability Rights Oregon (DRO), the Oregon advocacy agency for individuals with disabilities, in a statement released on November 10, 2009, after the Oregon DHS issued its initial report, commended DHS for its thorough investigation while indicating that “more needs to be done in Oregon to safeguard children in therapeutic boarding schools and ‘wilderness programs’”. The significance of the MBA case goes beyond the borders of Oregon, however, particularly given the size and scope of the CRC Health Group and the Aspen Education Group, and the trade organizations that were involved with Mount Bachelor Academy.

This case adds to the information gathered by the GAO in its reports about abusive treatment practices, fraudulent marketing, and denial of basic rights, the testimony presented in the 2007 hearings of the House Education and Labor Committee on the same subjects, the description of abuses in the system presented by Maia Szalawitz in her book, “Help At Any Cost,” articles in peer-reviewed publications and in the general media (see A START website: and the descriptions presented by advocates, former residents of programs, and parents (see for example, the CAFETY website: [cafety.org](http://cafety.org)) It is one more illustration of the need for the entire industry to be examined, from the advertising and solicitation that is done to the referral procedures that are used to the treatment practices that are employed to the protection of basic rights to the monitoring and oversight that is provided.