

# Deseret News

## Ex-school owners OK \$450,000 settlement

*8 students accused couple of abusing and hazing them*

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The former operators of a Nephi school for troubled youths agreed to a \$450,000 settlement to eight former students who alleged they were abused and hazed while there.

Mark and Cheryl Sudweeks, the former owners and operators of the now failed Whitmore Academy, came under fire in 2005 when several students accused them of various types of abuse that led to criminal charges being filed against Cheryl Sudweeks.

A 4th District Court civil suit seeking damages in the case was settled Monday.

"We are happy to get it behind us," said Susan Schacherer, a plaintiff whose granddaughter attended Whitmore.

"Does it undo the damage that caused us to bring the lawsuit to begin with? No. The window of opportunity to help these kids was lost. The money can't replace that."

The complaint filed in Juab County said that the Whitmore Academy, which was advertised as a facility for "teens looking to accelerate their education intellectually, emotionally and spiritually," was actually nothing of the sort.

The complaint alleges that some students enrolled at the Whitmore Academy were physically bound with plastic handcuffs for several hours, others were forced to spend periods of time outside without any clothing on, and some were forced to sleep in a space referred to as the "shelf room."

The shelf room was a small, enclosed area where students could neither sit up, fully stretch out, and was located 10 feet off the ground, according to the complaint. The Sudweeks were also accused of recruiting students and encouraging the students to use violence against other youths to enforce the rules.

There were also accusations of "environmental abuse" due to problems with the sewage system. Students were asked to not flush used toilet paper down the toilet, and the complaint states that "soiled toilet paper was stored in open trash bags that were left in the bathrooms." There was also an apparent problem with mouse feces and rodents, among other accusations.

Schacherer said that when she and her daughter visited the Whitmore Academy, they had no idea that these types of things were happening and that apparently they were duped.

Schacherer's granddaughter now lives in Texas with her mother and still harbors animosity toward the people she believes mistreated her.

"I don't think that she feels like the settlement was justified for what she went through," Schacherer said. "She realized this was the best we could do and that is the way it is. She still has bitter feelings."

In September of 2006, Cheryl Sudweeks pleaded no contest to four class C misdemeanor counts of hazing and agreed to meet all court-ordered requirements and pay a fee.

In April, Gregory Kutz, the Government Accountability Office's managing director of Forensic Audits and Special Investigations, used several examples of problems at the Whitmore Academy and other behavior modification schools to show that boot camp therapy companies use deceptive practices enrolling troubled teens in programs where they can end up abused and neglected.

"The biggest part of the problem was that there was no regulation and oversight, and Utah is jam-packed with these types of facilities," Schacherer said.

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