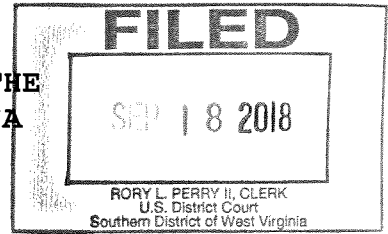


UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY GRAND JURY 2018  
SEPTEMBER 18, 2018 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:18-00196  
18 U.S.C. § 1341

MELLISSA KRISTYNAK

I N D I C T M E N T

The Grand Jury charges:

COUNT ONE  
(Mail Fraud)

Background

At times relevant to this Indictment:

1. Defendant KRISTYNAK was a counselor at Greenbrier West High School (GWHS), in Charmco, Greenbrier County, West Virginia, within the Southern District of West Virginia, from on or about August 22, 2011, until on or about June 30, 2017. As a counselor, defendant KRISTYNAK had administrator access to the GWHS's computerized grading programs. With her access, she was able to enter and alter GWHS students' grades.

2. Her daughter, G.K., was a student at GWHS from 2014 until she graduated in May 2017. During her last year of high school, G.K. applied for and received over \$10,000 in merit-based financial

scholarships. G.K. applied and was accepted to a college in West Virginia in 2017.

3. Another of defendant KRISTYNAK's daughters, S.K., was a student at GWHS from 2015 to 2017.

Scheme to Defraud

4. Beginning on or about February 24, 2014, and continuing through on or about January 5, 2018, defendant MELLISSA KRISTYNAK did knowingly devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations and promises from her employer, Greenbrier West High School, and other educational and scholarship institutions.

5. It was a purpose and object of the scheme for defendant KRISTYNAK to use her position as a school counselor to falsely inflate the grades and test scores of her children and use the resulting fraudulent records to obtain financial scholarships to benefit herself and her family.

Manner and Means for Carrying Out the Scheme

The manner and means by which defendant KRISTYNAK carried out her scheme to defraud included the following:

6. Beginning approximately in February 2014, defendant KRISTYNAK began to use her access to GWHS grading systems to falsely inflate the grades and resulting grade point average of G.K. and S.K.

7. Assignment grades at GWHS were uploaded by individual teachers onto the grading software Engrade. The grades on Engrade were periodically uploaded by a GWHS administrator into a computer program called West Virginia Education Information System (WVEIS). WVEIS calculated the Engrade assignment grades and generated class grades for each student. Once the Engrade grades were posted in WVEIS, someone with administrative access could log into WVEIS and alter grades. Defendant KRYSTYNAK had administrative access to WVEIS.

8. From February 24, 2014, to June 5, 2017, defendant KRYSTYNAK signed into WVEIS as an administrator and falsely inflated at least thirty-four of G.K.'s class grades. G.K.'s original grades were mostly Cs and Ds, and the grade changes inflated the original grade to an A or a B. The changes in her grades raised G.K.'s grade point average, which made her more competitive for scholarships.

9. Also during this timeframe, defendant KRYSTYNAK signed into WVEIS as an administrator and falsely inflated at least four of S.K.'s grades. All of these changes were from Bs to As.

10. These grade changes were not legitimate, in that they were not requested by G.K.'s or S.K.'s teachers, the other counselor, or the GWHS principal.

11. Defendant KRYSTYNAK falsely inflated the grades of her daughters to improve their standing in applying for merit-based scholarships and to educational programs.

12. During her senior year, G.K. applied for and won at least ten financial scholarships. In applying for each scholarship, defendant KRYSTYNAK submitted or caused to be submitted by email, mail, or hand delivery, G.K.'s transcript with the falsely inflated grades.

13. In 2017, G.K. applied and was accepted to a West Virginia college. In her application, she submitted her transcript with the inflated grades.

Use of Mail in Furtherance of the Scheme

1. On or about June 30, 2017, at or near Athens, Mercer County, West Virginia, and within the Southern District of West Virginia, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud and to obtain money and other benefits, defendant MELLISSA KRYSTYNAK knowingly caused to be delivered by United States Postal Service according to the direction thereon a check for \$2,000 from Scholarship A in Alexandria, Virginia, to the financial aid office at G.K.'s college.

In violation of Title 18, United States Code, Section 1341.

**COUNT TWO**  
**(Mail Fraud)**

1. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 13 of Count One of this Indictment.

2. On or about July 5, 2017, at or near Athens, Mercer County, West Virginia, and within the Southern District of West Virginia, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud and to obtain money and other benefits, defendant MELLISSA KRISTYNAK knowingly caused to be delivered by United States Postal Service according to the direction thereon a check for \$1,000 from Scholarship B in Rupert, West Virginia, to the financial aid office at G.K.'s college.

In violation of Title 18, United States Code, Section 1341.

**COUNT THREE**  
**(Mail Fraud)**

1. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 13 of Count One of this Indictment.

2. On or about July 21, 2017, at or near Athens, Mercer County, West Virginia, and within the Southern District of West Virginia, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud and to obtain money and other benefits, defendant MELLISSA KRYSTYNAK knowingly caused to be delivered by United States Postal Service according to the direction thereon a check for \$1,000 from Scholarship C in Ronceverte, West Virginia, to the financial aid office at G.K.'s college.

In violation of Title 18, United States Code, Section 1341.

**COUNT FOUR**  
**(Mail Fraud)**

1. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 13 of Count One of this Indictment.

2. On or about July 31, 2017, at or near Athens, Mercer County, West Virginia, and within the Southern District of West Virginia, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud and to obtain money and other benefits, defendant MELLISSA KRYSTYNAK knowingly caused to be delivered by United States Postal Service according to the direction thereon a check for \$250 from Scholarship D in Lewisburg, West Virginia, to the financial aid office at G.K.'s college.

In violation of Title 18, United States Code, Section 1341.

**COUNT FIVE**  
**(Mail Fraud)**

1. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 13 of Count One of this Indictment.

2. On or about August 1, 2017, at or near Athens, Mercer County, West Virginia, and within the Southern District of West Virginia, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud and to obtain money and other benefits, defendant MELLISSA KRYSTYNAK knowingly caused to be delivered by United States Postal Service according to the direction thereon a check for \$3,000 from Scholarship E in Chicago, Illinois, to the financial aid office at G.K.'s college.

In violation of Title 18, United States Code, Section 1341.



**COUNT SIX**  
**(Mail Fraud)**

1. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 13 of Count One of this Indictment.

2. On or about January 5, 2018 at or near Athens, Mercer County, West Virginia, and within the Southern District of West Virginia, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud and to obtain money and other benefits, defendant KRYSYNAK knowingly caused to be delivered by United States Postal Service according to the direction thereon a check from Scholarship C in Ronceverte, West Virginia, to the financial aid office at G.K.'s college. This check included a \$1,000 payment to be applied to G.K.'s tuition.

In violation of Title 18, United States Code, Section 1341.

**FORFEITURE**

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. Pursuant to 18 USC § 981(a)(1)(c) and 28 USC § 2461, and upon conviction of an offense in violation of 18 U.S.C. § 1341, the defendant, MELLISSA KRYSTYNAK, shall forfeit to the United States of America all property, real or personal, involved in the offense and any property traceable to such property. The property to be forfeited includes, but is not limited to, a sum of money equal to \$8,500, more or less, for which sum the United States will seek the entry of a judgment.

3. If any of the property described above, as a result of any act or omission of the defendant:

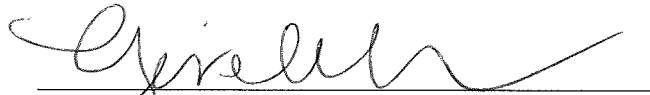
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property, which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

MICHAEL B. STUART  
United States Attorney

By:

A handwritten signature in blue ink, appearing to read 'Gabriele Wohl', written over a horizontal line.

Gabriele Wohl  
Assistant United States Attorney