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RESIDENTIAL ALTERNATIVES TO JUVENILE DETENTION

Nicholas F. Dussault
Richard D Knudten
Lee H. Bowker
Mary S. Knudten
Wallace J. Gingerich
David R. Buckholdt

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Socio-Environmental Research Center, Limited

Milwaukee, Wisconsin

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PREFACE

Over the past months the Socio-Environmental Research Center, Limited has had the opportunity to examine many of the management issues relating to residential alternatives to juvenile detention. This report is a condensation of such issues and responses. As a work it touches on the theoretical and the practical, the organizational and the managerial. It probes the alternative residential forms in order to assist individuals, groups, associations, communities, or states in developing alternatives to long-term institutionalization.

Sixteen existing projects, which will remain unidentified, were visited by SERCL members who met as appropriate with executive or project directors, directors of finance or bookkeepers, board members, treatment staff, consultants or other staffers to gain insight into their special problems and their experienced responses. RESIDENTIAL ALTERNATIVES TO JUVENILE DETENTION is a summary of their wisdom as seen through the eyes of the Socio-Environmental Research Center, Ltd., of Milwaukee, Wisconsin. What follows then is an examination of issues and a discussion of practical solutions to management concerns. Included in the Appendices are sample copies of by-laws, personnel policies, and a wide range of other documents designed to acquaint the reader with the nuances of project management.

Now that the task has come to an end, many persons should be recognized. First are the residential alternatives project staffs and their associates, located from coast to coast, who shared so freely of their time and experiences. Second are the SERCL professional staff in the persons of Lee Bowker, David Buckholdt, Jon Bushnell, Wallace Gingerich, Mary S. Knudten, Sharon Noltz McLean, and Sam Stern, who shared, wrote, or helped to develop this project. Third, are the research assistants/associates who responsibly accomplished their assigned duties. They included Joan Curseen, Yvonne Johnson, Stephen Knudten, John McLaughlin, Mary Novak, John Novak, Tom Riek, Mary Stefanec, Cathy Stamps, and Marcia Wright. Fourth are the secretarial and production staff which membered Beth Brockmann, Cindy Glover, the late Carolyn Metoxen, Karen Nolting, and Alice Ormson.

Others should also be acknowledged. SERCL's Advisory Panel included Thomas M. Young, Catharine Gilson, and Yitzhak Bakal, who critiqued all phases of the project. David Steenson and Gilbert Geis served as final readers and offered their insights at various project points. The final editors, Mark Sachner and Mary Lee Knowlton, added substantially to the flow of ideas. Special mention should also be made of the contribution of the staff of the Office of Juvenile Justice and Delinquency Prevention, Peter Frivaldes, Phyllis Modley and Deborah Wysinger, the latter who has served well as SERCL's Project Monitor. In addition, SERCL's Richard D. Knudten and Nicholas Dussault served as Project Director and as Project Manager, respectively.

Richard D. Knudten
Project Director

November, 1979

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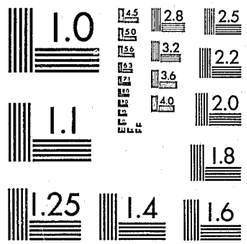

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CHAPTER ONE

INTRODUCTION

A. THE OBJECTIVE OF THIS MANAGEMENT REPORT

For many decades, especially after the development of the Juvenile Court in Cook County, Illinois, in 1899, questions have been raised about the operation and treatment of juveniles in detention. One recent issue concerns developing and managing residential alternatives to detention. This report concentrates on these facets of the problem.

An alternative to detention is a program which provides services to young people whose actions have brought them to the attention of the juvenile justice system, though the actions are not serious enough to warrant the youth's being held in a secure facility. This report provides managers of such alternatives and criminal justice planners with background information and guidelines that will assist them in defining, implementing, operating and evaluating the provision of services. This report addresses management problems at two different levels: the level of "nuts and bolts" day-to-day details of managing an alternative detention program; and problems which are involved when a community attempts to organize and provide resources for such an alternative. Its focus isolates key management issues, defines them clearly as they relate to local needs, identifies constraints in various community settings, and indicates to managers how they may avoid a frustrating and arduous trial and error process in developing a management system. The Socio-Environmental Research Center, Ltd. has provided this management report so that local communities may evaluate their needs and choose among alternative ways of providing services.

1. Public Policy Objectives

The impetus for this document was the Juvenile Justice and Delinquency Prevention Act of 1974, amended in 1976 and 1977 (Public Law

93-415, 94-273, 94-503, 95-116). In Title I of the Act, Congress concluded that the "present juvenile courts, foster and protective care programs, and shelter facilities are inadequate to meet the needs of the countless abandoned and dependent children, who, because of . . . failure to provide effective services, may become delinquent" [Section 101 (a), (3)] . To address these needs, Congress asked for the creation of "community-based programs and services for the prevention and treatment of juvenile delinquency through the development of foster care and shelter care homes, group homes, halfway houses, homemakers and home health services, 24-hour intake screening, volunteer in-crisis home programs, day treatment, and home probation and other designated, community-based diagnostic, treatment or rehabilitative service; . . . [and] community-based programs and services to work with parents and other family members to maintain and strengthen the family unit so that the juvenile may be retained in his home" [Section 223 (10),(A) and (B)].

The Federal and some state governments have attempted to meet these goals through a variety of funding mechanisms. The Federal government has provided Crime Control funds, both discretionary and on an individual basis and block grants channeled through State Planning Agencies; Juvenile Justice funds (including Special Emphasis Grants), and Office of Youth Development funds. Some states have also provided small amounts of funding for alternatives to detention. Other funding is available through other social service support monies. Sources such as Title XX and IV, Part A of the Social Security Act, general state or local mental health, medical support, or education funds have been made available to alternatives to detention.

However, as Donnell M. Pappenfort and Thomas M. Young report in Use of Secure Detention for Juveniles and Alternatives for Its Use, "appropriate use of both secure detention and of alternative programs can be jeopardized by poor administrative practices. Intake decisions should be guided by clear, written criteria. Judges and court personnel should monitor the intake decisions frequently to be certain they conform to criteria." The Law Enforcement Assistance Administration, first through the Office of Technology Transfer, and now through the Institute of Juvenile Justice and Delinquency Prevention, has recognized that the most well-intentioned public

policy goals may not be realized unless the services are implemented with sound management techniques. This document, therefore, is designed to assist Federal and state government to meet their detention alternatives goals by improving management at the action level of the service provision chain.

2. The Need for Alternatives to Detention

In many jurisdictions in the United States today, the only alternatives available to intake officers at courts, juvenile detention centers or police are either a secure detention facility or release to the family. In many situations there are no diversion alternatives, and where alternatives exist, there is no designated official to systematically divert juveniles to these alternatives. Even where diversion programs or treatment programs do exist, they are used only for deinstitutionalized status offenders and are not available to pre-adjudicated juveniles who do not require detention.

This work assumes that providing alternatives to detention means more than just finding a place for a young person to stay when s/he is in trouble. It views an alternative to detention as a delinquency prevention program directed at keeping youth from committing more serious forms of delinquency. It is hoped that referring juveniles to an alternative to detention will provide them with the help necessary to prevent their further involvement with the juvenile justice system.

An additional working assumption of this document is that most communities will not have to create a new service delivery system. Formal services for juveniles already exist where churches, Y.M.C.A.'s, other social agencies, and community organizations are providing help to juveniles in trouble. Therefore, a major goal of this report is to provide insight into how organizing existing services into a better system marked by increased management skills may contribute to the goal of creating better services to juveniles.

Perhaps the most prominent services provided on a nationwide basis are

services to runaways and other status offenders. The Juvenile Justice and Delinquency Prevention Act of 1974 mandated that "juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, or such non-offenders as dependent or neglected children, shall not be placed in juvenile detention or correctional facilities" [Section 223 (12)(A)]. Since the passage of the 1974 Act, many states have tried to remove status offense statutes from the legal codes, divert status offenders from the juvenile justice system, and provide services to those juveniles who are diverted. Perhaps most important for the work here is that the Federal government has aided the deinstitutionalization of status offenders by financing hundreds of programs throughout the country that can now be used as "laboratories" for analyzing ideas about the useful management of alternatives to juvenile detention. Additionally, those programs that were set up to deinstitutionalize status offenders and to shelter runaways can theoretically be used to serve pre-adjudicated delinquents who do not need detention.

3. Elements of a Successful Program

Several major factors appear to be associated with successful programs. Among them are good management, a sensitivity to local needs, an involvement of community leaders, and a consistent flow of resources.

a. Good Management

Inadequate management may be a significant factor in substandard service delivery and transitory programs. Good management means more than successful service provision. It also implies the ability to effectively mobilize, organize, and direct people and other resources towards a common goal over a long period of time. All too often, managers of community services are highly skilled in providing services, but unfamiliar with the management task of maintaining a continuing supply of resources to keep the provision of services functioning. Because of the specific service orientation of community managers, persons specifically trained in management tasks are not often recruited by alternative service systems. More often, a person skilled in providing services acquires some

management skills by the time-consuming process of working within the organization and uses these as well as s/he can in trying to cope with administrative problems on a reactive rather than proactive basis.

Many difficult challenges face managers of alternatives to detention programs. First, the funding sources for alternatives are rarely adequate or secure for the future. Second, staff members in these organizations are motivated by the satisfaction they get from helping young people solve their problems. This generally involves a significant level of personal commitment which produces frustrations often leading to early staff "burnout." Program administrators find this to be an especially difficult problem to solve. Third, funding sources require specific but widely varying financial accountability systems, necessitating the creation of a fiscal system which will satisfy the differing accounting demands of multiple granting agencies. Even the most durable programs have to come to grips with this problem sooner or later.

b. Sensitivity to Local Needs

Residential alternatives to juvenile detention are part of the community's response to problems of its young people. Alternative programs are most successful in securing resources, providing services, and helping youth when the community accepts them as an essential source of juvenile care. One of the greatest problems is community resistance, which is apt to be much greater if the program is not directed toward meeting the perceived needs of the community.

Because the local community is the environment within which the alternative program must work, the need for sensitivity to local needs cannot be overemphasized. This is particularly the case with programs which have been created by people with "non-traditional" lifestyles, such as young street-people and other non-mainstream groups. Although these programs may provide excellent services, have dedicated staff, and have remarkable success rates, years may pass before they can develop work relationships with other programs in the juvenile justice and social service delivery systems. A separation from the community-at-large may lead to poor working

relationships with other service providers, delays in referring juveniles to proper placement, and increased conflict with the community's social service response system.

c. Consistent Flow of Resources

Perhaps the most vexing problem confronting managers of alternative programs is finding reliable sources of funding for the long term. Many programs are started with Federal funds. However, one of the characteristics of Federal funding is that these funds are used as "seed" money, directed at starting innovative programs rather than at maintaining existing programs indefinitely. All too often, a Federal grant will expire, and a program, which has fought so desperately to become established, will be left without significant resources which permit it to continue. A farsighted manager needs to anticipate this probability and to diversify funding sources accordingly. With this accomplished, a program can continue to attract qualified staff, plan new activities, and develop long-range relationships with clients and other providers.

B. THE ORGANIZATION OF THIS MANAGEMENT REPORT

This report, which is directed toward the management of alternatives to juvenile detention, begins by addressing the major management issues involved in creating such a program and then proceeds to examine problems associated with providing effective services and with helping the program survive as funding sources and client needs change. This document places particular emphasis on the survival of the program in the changing resource setting and addresses the day-to-day issues of management, such as staff recruitment, operational policies, professional services, financial and legal issues, record keeping concerns, management of physical facilities, community relationships, and evaluation and planning techniques. It further focuses on the demands various treatment modes place on the management of facilities. Finally, the last part of the report advances four models for organizing alternatives to juvenile detention which reflect solutions to management problems in several community settings.

The suggestions provided here are a composite of solutions offered by programs located throughout the United States. Each was visited by one or more members of SERCL's staff. Although they are not mentioned by name, descriptions of their management and organizational structures have been used as examples to illustrate what may be done for youth when a program is well managed.

This report also provides sample materials, such as forms and flow charts, to illustrate how tasks may be organized and examines commonly defined roles for Boards of Directors, Executive Directors, and other staff members. The report discusses procedures to be followed in the hiring of staff and the helping of these persons to become accountable and it further outlines the types of resources available, both in the communities and elsewhere, which may be used to sustain alternative programs. The report gives particular emphasis to mobilizing community resources and to using effective techniques for securing other funds.

Finally, this report presents models for residential alternatives to juvenile detention. It gives careful attention to the problem of using available community resources, whether provided locally, by states, or by the Federal government, in the creation of a coherent service delivery system. The suggested models are based on the assumption that some management procedures and forms work better in some environments than in others. The last section, therefore, explains the modes of operation and advantages and disadvantages of each.

C. SITE SELECTION PROCEDURES

Sites visited by SERCL represented a broad range of residential alternatives to detention and were selected by a procedure which gave the researchers informational access to a nationwide sampling of such programs. SERCL began by defining the potential population and compiling a universe from which to select sites for visitation. This process began with the identification of program names, addresses, and phone numbers. Several strategies were enacted to collect this list. First, existing program directories were located and integrated into the list. Second, a phone call

was made to the juvenile justice planner in each of the fifty State Planning Agencies funded by LEAA and to Youth Service Bureaus or equivalent units in each state. Third, each alternative to detention, identified by the above sources, was contacted directly by the respondent to provide information about his/her project and other alternatives to detention programs in its region.

Of the 2,353 questionnaires mailed out to solicit basic demographic and service data and information about each program's treatment approaches, 496 were returned.

Once these responses were secured, SERCL staff categorized the responses by program type and other useful criteria. Those projects identified for visit were then selected according to several guidelines developed for site visits. First, the sample should represent a variety of service and treatment modes. Second, the sample should represent the geographic areas of the country. Third, the programs to be visited should have been in operation for several years and should employ experienced alternative to detention staff who could provide special insight into management issues. Fourth, a large number of the sites to be visited should have multiple programmatic thrusts.

Although actual site selection was through a random sampling process, the basic sample, once defined, was examined with reference of the above criteria. Several programs were then added to the sample to address deficiencies in programmatic types. This procedure brought the respondent core of 500 to a working series of 40 programs, each of which was called and administered a short questionnaire. The purpose of this contact was to determine if the program actually was a true alternative to detention and if it met the selection criteria for visitation. As a result of this telephone contact, several sites were excluded from the sample. The final proposed list of sites to be visited was then submitted to OJJDP for approval. Upon receiving this material, OJJDP made several suggestions for modification of the list. SERCL personnel visited the final group of 16 sites from January through April, 1979.

D. THE AUDIENCES TO WHICH THIS REPORT IS ADDRESSED

1. Managers of Alternatives to Detention

The most important audience for this management report is persons who are about to manage or who are already managing a program providing residential services to juveniles. This report is designed to aid communities wishing to start one or another alternative to detention and those managers who wish to improve their management abilities or to expand their programs into different service modes. In general, this report details procedures for improving program management.

2. Public Policy Makers

By using this report, those government agencies which fund various alternatives to detention should be able to assess accurately the management of such programs and to anticipate technical assistance needs. Public policy makers, too, should benefit as they further understand how the policies envisioned by the Juvenile Justice and Delinquency Prevention Act of 1974 are being implemented.

This information will give them an opportunity to re-evaluate policy and determine which steps should be taken to achieve their goals. Members of state planning agencies will also be assisted in the development of a system of services in various localities. The focus on models for services will permit states and regional agencies to improve their ability to convert local resources into improved service systems.

3. The Academic Community

RESIDENTIAL ALTERNATIVES TO JUVENILE DETENTION should be of value to those in the academic community who have an interest in providing services. Educators who train future managers of service organizations may find it especially useful as a course outline for a seminar on management. This is especially important because the recruitment of employees trained in both service provision and management continues to be a problem.

PART ONE

MANAGEMENT ISSUES

CHAPTER TWO

THE FRAMEWORK FOR RESIDENTIAL ALTERNATIVES TO JUVENILE DETENTION: COORDINATING THE PUBLIC AND PROGRAMMATIC ISSUES

The use of residential alternatives to juvenile detention should rest on a careful determination of community needs for such a program, and on such issues of public policy as the creation of a network of residential alternative services in the community, the role of government in creating such services, and the relationship between the public and non-public sectors.

A. THE NEED FOR DETENTION AND ITS ALTERNATIVES

The need for community juvenile residential alternatives should be considered within the current framework of national and state legislation pertaining to the topic.

1. The Current Status of Detention

The Juvenile Justice and Delinquency Prevention Act of 1974 mandated that juvenile justice policy emphasize prevention of delinquency, diversion from the traditional juvenile justice system, and development of alternatives to the holding of juveniles in secure facilities, both before and after adjudication. In the 5 years since the passage of the Act, the response from various states and localities has been mixed. Some states, whose programs were in accordance with the Act, continued or accelerated their efforts to reduce the number of juveniles being detained and/or incarcerated. Other states and communities took no action, citing lack of facilities, funds, and/or absence of clear direction from the Federal government, or support for the policy. However, as the goals of the Act and the arguments for reducing the number of juveniles in secure detention were communicated to state and local officials, interest in residential alternatives to juvenile detention increased even in the more reluctant

states.

Today, most communities have begun moving to implement the Juvenile Justice Act. They are developing a juvenile justice policy which stresses prevention and minimizes the punitive holding of pre-adjudicated juveniles in secure detention. Fewer communities now use one jail or lock-up area to mingle pre- and post-adjudication juveniles and adult prisoners. Increasingly, communities are emptying the juvenile detention halls and moving to an expanded use of alternative services. Typically, this progression is as follows: First, remove juveniles from all contact with adults while in local jails or lock-ups. Second, eliminate contact between convicted juveniles and pre-adjudicated juveniles who may be in the same detention center. Third, remove juveniles who do not need to be detained from jails and detention centers and develop alternative service systems.

Most juvenile justice system practitioners openly support the goals of separating detained youth from adults, and convicted juveniles from those not yet adjudicated. Thus, the development of separate facilities for pre-adjudicated juveniles is often openly supported in many locales. However, the goal of placing juveniles who are awaiting adjudication in the least restrictive environment necessary for the safety of the individual and the community has not been widely accepted or adopted. In most communities, the reason given for retaining the policy of holding pre-adjudicated juveniles in secure detention is simply that there are not any alternative placements available in the community.

The creation of an alternative system of services for juveniles, as one might think, is a long and sometimes difficult process. Each community must decide what its particular policy towards detention should be and what service response it should make. At the outset, the community should recognize that although the need will always exist for detention facilities to hold the most serious and violence-prone accused delinquents, many juveniles who now are placed in existing facilities may safely and more appropriately be placed under supervision in other housing alternatives where benefits may be greater for them as well as the state.

Many communities that have overcrowded detention facilities have found that an alternative service system may reduce operational costs as well as eliminate the need to build additional detention facilities. Therefore, they have been able to realize fiscal savings with the development of alternatives to detention. The same level of expenditures by the alternative system also often provides better services to juveniles.

The development of an extensive alternative service system has also been justified on the grounds that the traditional detention approach is primitive and unsuited for juveniles whose behavior might be changed by improving their family situation or by changing their self image. Additionally, most juvenile detention facilities are merely holding stations for juveniles, providing minimal services. If they do provide services, such services are often highly institutionalized and rarely individualized. If counseling services are offered, they are often limited to controlling juveniles who are in custody and are not directed towards resolving their current behavior problems.

Detention center limitations are perhaps the most apparent in addressing the juvenile-parent or juvenile-family problems. In many instances, the most effective treatment may be to involve the family in counseling. Detaining the juvenile in a holding facility makes it difficult for the family to have access to him/her and for the counselors to include all parties in any program. Additionally, removing the juvenile from the family situation makes it difficult for him/her to address the problems associated with family life.

Many juveniles placed in a detention center do not need punishment but rather preventive action to divert them from more serious delinquent activity. This can best be accomplished through an alternative service network that is concerned with aiding those youth, who, without the intervention of some successful treatment, run a high risk of additional and more serious involvement with the juvenile justice system. Because many youth have gotten into trouble with the law by acting out their frustrations with family or school in inappropriate activities, a detention center fails to address the primary causes of their delinquent behavior. An alternative

service network, however, is designed to give juveniles individualized attention, respectable role models, improved peer relationships, access to trained counselors, and an opportunity to involve both the juvenile and his/her immediate family in problem solving. It also has the flexibility to handle a wide variety of individual juvenile problems.

Another reason for providing a wider range of alternatives to detention is that adjudication may not be necessary for many first-time offenders. Many youths should neither be detained nor placed in an alternative program, but should be returned to their families on their own recognizance pending a hearing. Some juveniles often mature or resolve the problems that caused their involvement in delinquent activities without going through the juvenile justice system or, for that matter, any treatment program. In these situations, a stay in a detention facility while awaiting adjudication may be unnecessary and even harmful. Rather than allowing the maturation process to continue in a positive manner, it may expose the juvenile to situations that lessen respect for authority and stimulate greater rebelliousness and hostility. Referring such youth to an alternative service network not only will provide them with a place to stay and with supportive services until the emotional crisis has passed, but also spares them the negative image-making of the detention process.

Alternatives to detention may also be used to avoid placing a label or stigma on juveniles who have not committed serious delinquent acts. Many juveniles who have been placed in detention are labeled delinquent and find that others expect continued delinquency from them. This stigma may follow them throughout their lives and may restrict their future employment and educational opportunities. By minimizing unnecessary involvement with the juvenile justice system and unnecessary detention in secure facilities, the problem of labeling may be decreased, if not disappear.

Overall, an alternative system of detention provides a flexible and individualized response to the treatment of those individuals who do not need secure detention. It may also serve to prevent future delinquent activity.

2. The Need for Detention

Although many juveniles accused of less serious delinquent acts do not need to be detained in a secure facility, others require such a controlled environment. Therefore, prior to developing plans for an alternative service system, each community must decide on the types of juveniles it will detain and define its criteria for assigning of juveniles to detention or alternative programs. Several widely used criteria are presented below as examples.

The major reason for placing juveniles in a secure detention facility is to assure that they will not abscond or flee the jurisdiction before adjudication. Because this is a serious problem for many law enforcement and court officials, they are sometimes reluctant to create a non-secure system of alternatives to detention. If an alternative system is to have the confidence of law enforcement and court officials, it must develop controls or incentives to insure that juveniles who are referred to the system remain within the jurisdiction and make their court appearances. This is not an easy task because it often conflicts with several treatment approaches that stress the need for placing a troubled juvenile in a non-threatening environment. Additionally, the use of controls of any sort is seen by many treatment personnel as philosophically unacceptable. These persons believe that the juvenile must take it upon him/herself to make court appearances and become responsible for his/her actions. The conflict between these two points of view will be reduced only when the alternative to detention program can demonstrate its ability to produce juveniles in court at the appropriate time and can gain the confidence of law enforcement and court officers.

A further reason for the detention of juveniles in secure facilities is to prevent the occurrence of renewed delinquent behavior. In many jurisdictions, juveniles who have committed several serious delinquent acts have been detained illegally, regardless of their present situation, for the alleged protection of the community. These juveniles usually represent the most serious cases, but this is not always true. Many alternative programs see this type of accused juvenile offender as an inappropriate referral for

their program.

Perhaps the most frequent use of juvenile detention is the holding of a person who has demonstrated a potential of being dangerous to self or others. This category includes particularly violent, psychotic or suicidal persons. Most alternatives to detention are not equipped to deal with people in these categories. Because smaller communities may not have adequate resources to handle such problems and existing detention alternative programs refuse to service such people, detention in a secure facility may be the only viable option available.

Less convincing arguments for detaining youth also exist. Some law enforcement and court officials, frustrated with the leniency and the slow pace of the juvenile justice system, often urge the detention of juveniles for punitive reasons. These people may believe that the leniency of judicial officers allows youth the opportunity to avoid responsibility for their delinquent acts. In frustration, they circumvent many of the procedures in the juvenile justice system and deliver the juvenile to a secure detention facility. Because a delinquency case may be exaggerated, officials charged with making detention decisions may detain a juvenile in a secure facility until such doubt has been erased. In other instances secure detention has been misused to begin treatment or rehabilitation, a fate which may also await an alternatives program that fails to be true to its purpose.

Historically, some law enforcement and court officials and even parents have encouraged the detention of youth to frighten them from engaging in further delinquent activities. This group believes that detaining a youngster in jail or a detention facility for a few days will introduce the juvenile to the harsh realities of incarceration and will deter the youth from future delinquent activities.

When extensive community resources have been invested in the building of a juvenile detention facility, police and court intake workers have a tendency to make assignments to it. This fact in itself may encourage processing all youth through the facility.

Some argue that the use of detention is necessary to ensure that the juvenile will remain available for treatment. This assumes that youth are not interested in or do not want treatment and that delivery will be possible only through coercion. This philosophy denies that young people can understand their current situation and can confront their problems through a request for meaningful treatment. It also assumes that treatment is effective when coerced, a questionable assumption.

Still others contend that beds must be available for "throwaway" youth who are dependent, neglected and/or pushed out from home. In one community a need for such service was determined when a group of youth remained many nights at a program site after closing time. Upon investigation, the director found these youth had no place to go because their relatives had moved while they were in school without telling them.

B. PLANNING A SYSTEM OF RESIDENTIAL ALTERNATIVES IN THE COMMUNITY

The major problem with the development of community alternatives to detention is that most communities do not normally plan for such alternatives. Most juvenile justice systems have grown up haphazardly as a result of hundreds of uncoordinated, often idiosyncratic decisions. Frequently, the result of uncoordinated development is a fragmented system of conflicting services. Small groups, often without mutual knowledge, write a grant proposal, are funded, and begin offering services. It is not until much later that the groups begin to contact one another, exchange ideas, and coordinate efforts. In other communities, local government agencies begin to provide funding for new services without informing or securing the assistance of other governmental or non-governmental groups in the community.

Although these uncoordinated efforts often result in programs which provide excellent services, these efforts may also lead to the development of duplicate administrative systems and services and the wasting of community resources. Groups with different philosophies may offer similar services to the community. Programs suited to religious ideals, the

alternative lifestyles of "street people," or mainstream bureaucratic attitudes may often exist in the same community. Such uncoordinated efforts may lead, in the long run, to irreconcilable, institutionalized programs. Many such difficulties can be avoided if the programs communicate during the incipient stages of programming.

It is, therefore, essential to a collective planning process that the various service providers and components of the juvenile justice system maintain open and honest communications. All components of the community should be actively involved in planning, implementing and operating a system of alternative services. This is essential because law enforcement, court, protective services and treatment groups need to provide coordinated supportive service if the system is to maximize its potential. In one visited agency, the initial planning committee was composed of representatives of all treatment and criminal justice units, with the result that the alternative program created thereby had the full cooperation of all of these organizations.

Communicating and planning with divergent elements in the community is not an easy task. At the outset, the development of a coordinated system of services must overcome a number of conflicting demands and interests by entrenched service providers determined to protect their "turf." Frequently, a local government agency will resist an attempt by non-governmental groups to provide services. And because of their commitment to control-oriented and institutionalized programs, many long-established agencies are hostile towards and often oppose or ignore groups using new therapy techniques or program approaches.

A different situation occurs when the local government agency itself expands services without informing or involving other community service providers. Government agencies can, by their own efforts, locate a sufficient number of clients to supply a new program, often by expanding the delinquency web. This leads to more young people being brought into the juvenile justice system and to increased public outlays of tax money to support such a system.

The demand for autonomy by the various components of the system is indeed a difficult area in planning. The very fact that a coordinated system is being planned and implemented in a community means that some individual autonomy will have to be relinquished. However, if the system is too centralized or too rigidly controlled, several difficulties may occur. First, the system may lack the flexibility and variability that is necessary to address the wide variety of problems encountered by juveniles. Second, many professionals with unique and creative treatment approaches may become unhappy working within such a system. Third, a close and trusting relationship between the counselor/proctor and the juvenile may be difficult to achieve due to the youth's perception that the counselor is merely an agent of the law enforcement or court system.

Perhaps the most universal community conflict is between those concerned about the safety of the community and those interested in the provision of a non-threatening environment for juveniles. This problem can generally be resolved if all parties are willing to talk and to agree upon explicit criteria for a juvenile's detention in a secure facility or referral to an alternative service system. This effort requires close cooperation and respect for the other's point of view. Once the communication process has begun and the criteria are set, most of these conflicts may be resolved. A clear understanding of who has the ultimate authority in applying the criteria is also essential. This very well may be a juvenile court official, someone outside the program.

The challenge communities face in developing coordinated service systems and overcoming areas of conflict depends largely on their ability to use their available resources most effectively. By working in an uncoordinated way and by failing to involve the whole community in the planning and implementation phases, a community may fail to provide the services it is capable of delivering at a reasonable cost. Coordination is thus necessary for the system to provide the appropriate services in an effective and efficient manner. Additionally, controls and constraints must be constructed to ensure that the public expenditure of funds is accomplished in an accountable manner. On rare occasions, a charlatan or other person more interested in financial reward than meeting the needs of juveniles may

enter the service provision system. Some coordinating and supervising of services is necessary to guarantee that these undesirable events are kept to a minimum.

Most of the problems encountered by systems of alternative services can be resolved by frequent and open communication among the participants. Openness can lead to mutual trust and a recognition of each other's abilities and contributions. Successful programs begin to establish this cooperation well before the actual alternative operations begin. Through a series of informal meetings, luncheons, retreats, and other contacts, they begin to establish the trust and spirit of cooperative work that is then carried over and maintained in the actual operation of the program.

One should therefore begin by realizing that creating an alternative system does not begin in a vacuum. Most often, communities have already provided some services and are trying to provide others. Two general conditions usually underly the beginning of an alternative system. The first is a need to create a system of alternative placements to relieve overcrowded or expensive detention facilities and to provide a less secure placement for juveniles who are not security risks. The second is the existence of a service system to aid deinstitutionalization of status offenders and to provide other delinquency prevention services. The Federal effort to provide assistance to status offenders has resulted in a system of services which is ready-made for use as a residential alternative to detention. It is already able in many communities to provide alternative services to those juveniles who do not need to be detained.

C. CONSTRUCTING A PROGRAM: PUBLIC AND NON-PUBLIC SECTORS

Alternatives to detention programs do not emerge from a single process. The impetus for the beginning of services comes from many sources, both public and non-public and within and outside the community. As discussed in Chapter I, the Federal government has created a wide variety of financial incentives for enhancing public and non-public services in the local communities. The manner in which Federal aid is distributed to the community allows for both centralized traditional planning and for the

innovative development of projects by almost any qualified private service provider. Both categorical and discretionary project grants permit a wide variety of services. In some cases, widespread community cooperation is necessary for the acquisition of funding and in other cases it is not. A coordinated effort among community service providers is not necessary for the acquisition of Federal funding, but once the money is obtained it is very important that cooperation between those providers be established.

1. The Public Sector: The Role of the Government in Creating A System of Services

The role of government in providing public services has become controversial of late, particularly because of fears of higher taxes, increased regulation, and expanded bureaucratization which often accompany government efforts. Thus, the task of government leadership requires creativity and care in providing an extended system of services. Many of the problems associated with the expansion of the role of governments can be solved by the local community relying on other local resources where possible, and using government resources only when necessary to coordinate service systems, provide legal authority, or serve as an intake and referral agent.

a. The Federal Government

Historically, the Federal government has provided many resources to local communities. Through grants-in-aid for services and for new programs and through technical assistance, it has attempted to improve the delivery of services at the local level. Through the Juvenile Justice and Delinquency Prevention Act of 1974 and other efforts, the Federal government has taken both the financial and philosophical lead. What kind of role the Federal government will play or what kind of funding it will continue to provide is unclear, although it is reasonable to believe that in the near future the resources of the Federal government will not expand significantly.

The Federal government can provide start-up money for innovative

programs and a continued supply of money if a local program wishes to devote considerable effort to the increasingly competitive grant writing contest. Because Federal policy discourages long-term reliance on Federal resources, managers of alternative services should not rely on any specific Federal resource for a period of more than 2 to 3 years. The anxiety of short-range funding (maximum 3 years), the taxing process of proposal writing and continued delays in funding and implementation have encouraged many service providers to reduce even this level of reliance on Federal resources. A competent Executive Director will begin planning for future funding outlets and programs as soon as, if not before, first year funding is secured.

Despite associated problems, the Federal government plays a significant role in providing services to juveniles who do not require detention. In all probability, it will continue to fund innovative programs and develop and evaluate programs that could serve as "models" or examples. Additionally, there are some communities which do not have the local resources to develop programs to serve juveniles. For example, one agency was located in a city in which a high proportion of the adults were unemployed or underemployed. Businesses had fled to the suburbs and in many cases there was not enough capital locally available to fund private residential alternative programs. However, a combination of local, state and federal money was used to support an excellent alternative program for the youth in the community. If needs are to be met, many of the poor rural and urban areas of our nation will continue to depend on Federal dollars. Federal money will also be available to encourage state and local responses to changes in Federal policy.

b. State Governments

Historically, state response to the creation of a system of residential alternatives to juvenile detention has varied widely, and very few states commit resources sufficient to fund alternatives completely. However, a considerable number of states spend money to maintain placement and treatment space in facilities providing a wide range of services to juveniles.

State governments can play a key role in creating a system of juvenile assistance. Unlike the Federal government, the state is much freer to organize itself to serve a wide variety of needs under a single system. Because a state's population, delivery system, and political system are more homogeneous, the state government is in a better position than most local governments to overcome parochial interests and to allot financial resources to a wide variety of programs.

If a community elects to create an integrated system of services, the state has the authority and resources to encourage such a system. State resources could be used to support an integrated system of community-based service providers which may address a number of needs. This system may serve status offenders, pre-adjudicated accused delinquents who do not need detention, post-adjudicated delinquents on probation, children in need of supervision, and other juveniles whose family situation does not encourage trouble-free behavior.

States also have the legal authority to resolve juvenile problems. Custody, court disposition, social services, and juvenile correctional systems are most often operated under state authority. They have the authority to set up district-wide systems which, particularly in rural areas, can organize the necessary services. They are also able to pool resources, set up state-wide technical assistance programs, and organize technical manpower to staff a system of alternatives.

c. Local Governments

A community may also take the local path toward constructing a system of alternative services. In some communities, one or more local government agency may begin building an alternative system as it extends its own traditional functions. A police department may decide to open a diversion program to serve juveniles who do not need to be taken into custody but need some treatment. In one instance, a program begun as a police program has since broadened its base to include service units located in different community neighborhoods. In other cities, the juvenile court system may expand its court referral system to divert juveniles from the

adjudication process and from detention while they await adjudication. The court system may use its probation officers as counselors or purchase various treatment alternatives from other providers in the community. Despite the fact that the state has the authority and the resources to organize services to juveniles, the local units of governments are in the best position to provide those services. This statement provides an important basis for this report. Local community activity in creating and providing services to juveniles generally seems to make for the most cost-effective, caring, and effective system. If services are organized on the local level, a juvenile may remain in the community, where efforts can be made to stabilize the family situation and where the support system is known.

2. The Non-Public Sector

In most circumstances, systems of alternative services that are initiated by government agencies are better coordinated than those that are created by other agencies. Beginning an alternative program outside of government is a much more difficult task. An organizational "seed" is often necessary to provide the legal base to obtain funding. The seed may be a church, other religious organization, or even a group of citizens concerned about the plight of juveniles within their community. In one of the visited programs, a local ministerial association first expressed concern about problems youth were experiencing in the community. This group later evolved into a community board that subsequently organized several diversionary programs. In another community, a church Sunday school class began a program with one of its members donating a house and others bringing food on a daily basis. After about six months of this operation, sufficient funds were gathered to allow the hiring of a cook. Now, more than a decade later, this program continues to rely exclusively on non-governmental funding, except for the purchase of services under Title XX.

In some instances, a group emerges that is interested in setting up a runaway house, shelter home, or foster care program quite independently of the detention system emerges. Once the group becomes established and is

able to function positively, police officers and court intake workers may begin, informally and later formally, to refer juveniles to the system. Other seeds are community service organizations such as the United Way and fraternal and service organizations.

3. The Relationship Between the Public and Non-Public Sectors

The background work done for this management report suggests that the provision of services to juveniles should involve a mix of non-public and public resources, organization and effort. Although "public" and "non-public" agencies receive public funds, their operational authority rests in either a governmental or private sphere. Public agencies are under the authority and management of the state or of a unit of local government. For example, courts and welfare agencies are public units. Nonpublic service providers are managed by either publicly or privately-funded, non-profit corporations. Even though these organizations may receive public monies and comply with government guidelines, their legal authority is derived from a non-profit corporate charter.

In order for services to juveniles to be provided as efficiently and effectively as possible, a close working relationship between public and non-public agencies must be established in the local community. Unfortunately, the relationship between public and non-public/private agencies often involves mistrust, jealousy, or "turf" disputes, all of which may lead to fragmentation and duplication and a lack of focus in the mobilization of community services. Often, public and private agencies compete for existing resources. In these situations, the first task of the local community is to organize itself to provide a smoothly functioning system of juvenile services. A working relationship between the various public and private agencies can then be developed through a number of steps.

First, each agency or program must define its specific role. It needs to establish which juveniles it will serve at which point in the system. It must decide from where it will receive clients and under what circumstances clients are to be referred, what admissions criteria will be used, and where clients served will go after receiving services. Additionally, each program

must decide where to send those clients it chooses not to accept. To do this, it must understand the admissions criteria of other local programs. This system works best if prior coordination has reduced overlap in admission requirements between the programs.

Second, in order to create a working system, the various agencies must develop a sense of trust. This can best be accomplished by frequent communication, thorough knowledge about each other's programs, and at least some effort towards coordinating the various services in the community. A new or rapidly growing community can establish this kind of coordination more easily than can an older, established community. In an older area, the various agencies have been in existence longer and have already established distinct service roles that may have become hardened over time. Often, a program will develop and continue to provide services based on the assumptions, philosophy, and techniques of a past era. As this service becomes institutionalized, it becomes very difficult for the agency to change perspective and services. As new organizations enter the community, they must establish communication links with these older agencies, despite often radically different philosophies. Additionally, older institutions may try to expand and take on as many new functions as possible within the community. This means an older organization may become very large and unwieldy. The organization may also see its continued existence as a more important goal than serving the needs of juveniles.

To accomplish the goal of a working relationship between public and non-public service agencies, a community may organize the relationships between those agencies in several different ways. These may be predominantly publicly managed, predominantly managed by non-public organizations, or involve cooperative efforts by public and non-public agencies.

a. Predominantly Publicly Managed

Some communities, particularly those with a history of extensive publicly-funded services, may choose to have alternatives to detention publicly funded and managed by a public agency. This decision may

use one of several methods to achieve its ends, depending on the structure of the more traditional public services, such as juvenile courts, juvenile probation, juvenile police, and youth detention centers. One method is to expand the intake services of one of these agencies. A community may decide to place a juvenile intake officer at an early point in the court system to divert youth from detention. The same function may be performed by a juvenile officer in the local police department. Rather than detain a youngster, the officer refers him/her to alternative services.

The involvement of public agencies may go beyond simply providing intake and referral services. Some smaller communities offer both detention and alternatives to detention in the same administrative system. In addition to secure detention, a community may sponsor a shelter home, home detention, or intensive day services.

In some states, statute law places shelter care facilities under the control of local judges. Although the exact format of these programs is not specified, such statutes require that the judge appoint a person or an agency to manage the shelter homes. The authority used to enforce juvenile placement is the threat of a contempt of court citation, although it is rarely used. However, it is on this basis that an "involuntary" placement can be implemented. These shelter facilities, which include foster homes, small group homes and some semi-institutional homes, also can be used for a voluntary or informal placement from other referral sources.

Not all localities have had an easy time creating new systems of alternative services. Many local governments have not provided extensive services to juveniles outside of the probation and court social worker functions. Generally, most of the burden of services is borne by the social workers who generally have carried large caseloads with limited assistance.

b. Predominantly Managed by Non-public Organizations

In some communities, the services provided by the local public sector are limited. In many of these places, the court system and law enforcement officials do not have a strong commitment to providing

alternative services to juveniles or to finding alternatives for those juveniles who do not need detention. Thus, non-public agencies have shown such initiative that public officials often place children in privately operated residential alternatives to detention.

Non-public agencies have flourished in other communities without the recognition or cooperation of public agencies. In many of these communities, the non-public agency may have been able to attract enough referrals to have reduced the referral of juveniles to the court or police system.

c. Cooperative Efforts by Public and Non-public Agencies

Communities may produce a hybrid of one of the above systems. In these systems, public and private community agencies resolve their differences and agree to some working arrangement. Some of these forms of community level management are presented below.

1. Organized by the Public Sector

In some locales, the court system or the police department organizes a system of referrals and act as the central referral agency. This procedure may take several forms.

Some cities may have a police diversion system where the police informally divert juveniles instead of detaining them for status or minor delinquent offenses. In lieu of being processed through the juvenile justice system, the client is urged or directed to receive counseling or other services in an attempt to resolve problems underlying delinquent behavior. The service providers in many of these systems are a mix of publicly and non-publicly-managed programs. The role of the police is either to determine the appropriate referral or to have some other agency make that determination after the police have brought the youth to them.

In other cities, the courts have organized a system of referrals to which the intake worker can direct clients. After being brought to the

court intake center, which also serves as a detention center, a decision is made as to whether or not the juvenile needs to be detained. If a decision is made to detain, judicial authority is then requested. If the decision is not to detain the juvenile, an alternative placement is selected. Many times these alternatives are purely voluntary, with no compulsion on the client to attend and receive services. The goal of these programs is to clear the court system of minor juvenile problems, while at the same time to provide services to juveniles. The court system will purge its records of the case as soon as the referral is made. Only in cases where the juvenile fails the placement a number of times will the court act to place more judicial restrictions on the client.

Some jurisdictions report that any child who enters the court intake system can be detained by charging the juvenile with an offense. Most often, the offense with which the child can be charged and thus detained relates to compulsory school attendance laws. This use of judicial discretion gives the court system some authority over many juveniles and makes the system somewhat less voluntary. A juvenile may be sent to an alternative program with a warning from a judge or other official that s/he has committed an offense for which s/he can be detained, but that the court feels the juvenile needs an opportunity to get some help with his/her problems.

The court or police system in some jurisdictions may apply for Federal money to help fund a system of referrals and non-publicly-managed programs are paid on a per diem or per hour basis for a wide variety of services. The publicly-managed system in this situation can influence the success or failure of non-publicly chartered organizations by choosing or not choosing to refer juveniles to them. Those alternatives which do not receive any referrals may have difficulty sustaining their programs because the public agency controls the purse strings on referrals. One program's major problem was that a public agency that had promised to refer clients had failed to do so except on a highly limited basis. In order to survive, the program had to expand its network of referring agencies.

2. Organized by the Non-public Sector

In some areas, a non-publicly-managed organization serves the role of coordinator or referral agency for a wide variety of services. Often, this agency does not provide many specialized services, but merely acts as an organizer and referral source to other community outlets. As a community organizer, the agency attempts to mobilize and organize segments of the community to provide services to juveniles. In many instances, the public sector also provides services, but does not take an organizational or supervisory role. In these cases, the services provided by the publicly-managed sector generally consist of the traditional ones of court social services, probation services, and protective services. This process relies a great deal on communication and cooperation between community components and community volunteers.

D. PROGRAM OPTIONS

Several options for organizing the treatment provided by alternatives to detention are available. They range from non-restrictive, informal treatment to more structured treatment modes. The community often decides which treatment mode to initiate by determining what treatment outlets are available locally. The decision may also be based on what needs for structures or control already exist.

The decision involves choosing between residential and non-residential facilities. Larger communities and communities that are attractive to youth who run away from home may want to consider residential facilities where youth can stay while they resolve their problems. Smaller communities may want to consider constructing a system of foster homes. Other communities may decide that residential facilities are not needed and a system of one day services or short range diversion programs may be more appropriate. In one of the more affluent communities visited, foster homes were used rather than group homes or institutions because they were less visible and considerably more acceptable to the community.

The decision also concerns the level of structure or control imposed

upon juveniles in the alternative program. The basis for this judgment is often concern for the safety of the community and the seriousness of the offense committed by the delinquent who will be served by the system. In areas where the safety of the community is a greater concern, a more structured facility may be appropriate. In other communities, where there is agreement that the delinquency problem is not serious, a less structured system may be built.

In all, several potential options or treatment modes are available to communities. The first program option is to expand the services of the juvenile court probation program as a pre-adjudicated treatment option. These programs are initiated by hiring or transferring social workers to serve as counselors to juveniles, who are either sent home or referred to a foster home during the pre-adjudicated period. Although they are in the court system, many counselors may not have the authority of probation officers and may have to provide services with the agreement and cooperation of the juvenile. Other court systems may allow counselors to have more authority and to refer juveniles who do not cooperate back to the court system for detention. Both options provide counseling, referral to appropriate services and support to juveniles during the pre-adjudication period.

Another option is the delivery of day services (or in some cases night services) where the youth may go for two or three hours a day (or night) for counseling, recreation, tutoring or other forms of assistance. These services may be used in conjunction with placement in the juvenile's family or a foster home during the pre-adjudication period. Youngsters placed in a residential facility can also use day facilities.

While most of the options just discussed are non-residential, there are several residential options for communities where it is not appropriate to return the juvenile to the family. Many of these facilities attempt to provide a homelike atmosphere while removing the youth from the family situation or other environment which seem to lead to delinquent behavior. The type of services and the level of structure and control vary among these residential facilities.

The first is the foster home, which typically involves a family which has room to take in a juvenile awaiting adjudication. Most communities have both long-term and short-term foster homes available. Most pre-adjudication alternatives to detention consist of the short-term variety, retaining the long-term option for youth who need to be removed from their family situation for a longer period of time. Most foster home parents either work voluntarily or are paid a nominal fee. Funds may be available on a purchase of service arrangement from state governments. In most cases, the fee is not sufficient to cover the expenses incurred by the family. A foster home need not provide any services to the juvenile except a homelike situation. However, some foster home systems do have a service aide who visits the home to provide counseling to the juvenile and support for the foster parent. Other foster home systems rely on day services or other service outlets.

Another form of alternative to detention is a proctor program. It generally relies on a single young adult and is used for very difficult treatment cases. In such situations, a rebellious or seemingly incorrigible juvenile lives with a young adult and receives full time personalized attention. The proctor has complete responsibility for the juvenile's care. This option is generally used where professional therapy is inappropriate and a juvenile seems to need a proper role model. Most proctors can provide a big brother or a big sister surrogate to create a non-threatening environment.

Proctor programs are quite rare because of their expense and the difficulty of recruiting good proctors. Proctoring is almost always a full-time job and generally requires budgeting a proctor salary and juvenile living expenses. Added costs are related to recruiting and training proctors. Additionally, proctors require support from trained social workers who act as a referral source and provide other services to the juveniles.

Juveniles most appropriate for proctor programs are generally incorrigible, troubled, or likely to run away if they cannot deal with life situations. Such cases often do not fit the intake criteria of many

alternative programs, making secure detention the only viable alternative to a proctor program. Despite the relative expense of proctoring programs, they are, when compared to the cost of secure detention, an economical alternative to detention, especially if a well trained proctor is able to resolve problems and prevent future delinquency .

Perhaps the most common alternative to detention is a home for runaways. While such homes are commonly set up to serve youngsters who have left their usual family situations, many offer excellent short-term crisis resolution placement locations. They may serve as alternatives to detention for children who need counseling and a place to stay while awaiting adjudication. Homes for runaways, which are found throughout the country, receive support because they are readily available and do not share the same stigma as homes for adjudicated juvenile delinquents.

The small group home, which consists of six to twelve young people, is a further alternative to juvenile detention. The group home attempts to house juveniles who need more intensive treatment than other forms of residential alternatives can provide. In small group homes, juveniles are provided with counseling, concerned adult supervision, a stable living situation, and some control.

The final alternative to detention is the structured group home. This facility is not secure and youths may come and go as they please. Treatment here is much more intensive, with a greater emphasis on one-to-one counseling and peer pressure. The youth's day is tightly scheduled; support and control are much more intensive than in other alternatives to detention. These homes are generally used for youth who must be dealt with by highly trained professionals.

CHAPTER THREE

MAJOR MANAGEMENT ISSUES

A. IDENTIFYING SUPPORT AND OPPOSITION

Programs categorized as residential alternatives for juveniles may vary according to 1) the type of physical plant (a live-in facility versus a service center); 2) the length of time a youth is associated with the program (short-term vs. long-term); and 3) the auspices under which the program operates (public vs. non-public). The sources of support for these programs may vary correspondingly. For example, if the program is publicly sponsored, support from the public agencies from which it receives referrals or to which it provides support services is virtually guaranteed. If, for example, the law mandates the development of a particular program and a governmental unit is required to provide it, it can be assumed that the governmental unit will provide backing for the program. This does not mean that staff effort is not required to increase the support that may be needed for the program. However, it does imply that the need to acquire such support is lessened. On the other hand, if a program arises out of the non-public sector, backing for the program is never automatic. Whatever the circumstances, identifying support (and opposition) is crucial to the development and continuation of alternative programs to juvenile detention.

There are essentially three communities from which support must be secured. The first, and most critical, is the support of the juvenile justice community - that is, the officials who work with juveniles, such as the police, the courts, and probation departments. Lack of support from any of these groups to which a program is directly tied and upon which it depends for referrals may jeopardize that program's survival.

A second necessary support group or community is the social service community. An alternative residential program for juveniles depends on the

cooperation of the local social service community because their programs for delivering service interlock. Without the opportunity to make referrals to other programs, to call upon the services that are available within the geographical area, and to purchase services from such agencies, little chance of success is likely.

The third requisite community is the neighborhood within which the program is located. This grouping may provide moral, financial, or human assistance - e.g., service on a Board of Directors. Many programs have found that if they do not receive the acceptance or moral support of the neighborhood within which they are located, they have difficulty continuing. One program, located in an urban, upper-middle class neighborhood, was forced to move when a coalition of neighbors purchased its lease.

While programs have been able to operate despite opposition, chances for long-time continuation increases with the support of all three community groups. As will be noted later in this Chapter, one consideration in the selection of a Program Executive Director should be that person's ability to acquire the support of these three community groups. Identifying and securing support is not entirely the responsibility of the Executive Director, however. Some programs have found that employing staff who are active in the community and/or encouraging staff to join community groups is one means of securing support. Other programs have found that using volunteers provides a sense of community "ownership" of a program.

Neighborhood support, which sometimes is difficult to gain, may be increased when the program itself becomes a "good neighbor." This may involve providing assistance to others in the neighborhood. For example, the youth or the staff associated with the program can assist neighborhood residents with shoveling snow, mowing lawns, or other tasks. One project even loaned equipment to neighbors if it was not needed in the program at the time. Such service not only encourages positive relations within the neighborhood but also gives youth the opportunity to learn what it means to be a good neighbor. Some programs have found it helpful to hold community meetings in a church or school at various times of the day in order to reach

all people. While such meetings are frequently held early in the history of a program, it may be necessary to hold them periodically because programs change direction and populations are mobile.

B. ANALYZING THE NEEDS OF THE COMMUNITY

1. Number and Type of Youth Needing Alternative Services

Determining who and how many need alternative-to-detention services may be accomplished during program initiation, and the identified need will prompt individuals to determine that a program should be established. In other cases, the passage of legislation may mandate the development of a particular type of facility or program. In such instances, the number and type of youth needing alternative service will be less obvious. The program will have to be able to accept all those eligible, however. Or a new program may evolve from an already existing program when the needs and number of clientele change. For example, in the late 1960's a number of programs developed to serve runaway youth. Some of these programs have evolved to place greater emphasis on youth with other problems.

Thus a formula for determining what number and types of youth need to be served is not easily developed. Many youth served by alternative programs do not use traditional services. Creative youth-centered programs often find themselves serving many more youth than was originally expected. Usually, workers in the juvenile justice system or social services provide the most reliable estimate of need. Often however, the size of a program is determined not by need but by budgetary considerations. The experience of already existing programs suggests a rule of thumb: Start small and evolve into a larger program as the need requires and the resources allow.

Once a program has been initiated and its procedures developed, it can expand using the following approach. Even if it is known at the time of program initiation that a fairly sizeable number of youth require services, it is better to begin with a limited program and then expand rather than to try to provide services for all who may need them initially. Beginning small will permit experimenting through trial and error, recruiting the most

capable staff, and expanding the program as the community becomes aware of its services. Most programs cannot afford the luxury of the cost of starting large and waiting for the clients to emerge.

2. Setting

A maxim in real estate says that the three important factors in a decision to purchase or rent property are: location, location, and location. This principle also applies to a residential setting for a juvenile program, because the location chosen for the program is associated with acceptance and, consequently, continuation of the program. Several considerations that should be taken into account are mentioned here, but these issues are elaborated in Chapter Eight.

Some guidelines have been suggested by programs the SERCL staff visited. One is that a residential setting for a juvenile program should be housed in a neighborhood close to the youth it serves. This may mean being within the inner city in some instances, while in others it may mean locating in suburban outskirts. A neighborhood area with a strong sense of community and a strong community organization may be less likely to accept such a facility; however, if that community organization agrees that the program is necessary for the neighborhood, it can become a strong supporter.

Locating in an inconspicuous, "middle of nowhere" site may also work well for a facility. While a location close to services decreases the need to provide transportation and increases the opportunity for residents to find part-time jobs, some isolation is beneficial because it keeps the residents farther away from the "action" and consequently less likely to get into trouble. Having to transport residents for services and recreation allows some control over the movement of youth. This control diminishes when these services are too readily available. However, the advantages and disadvantages of having services within walking distance can vary depending on the types and ages of the youth being served. If the youth are older and likely to be involved in part-time or full-time work, then access to transportation and/or the center of activity is a more important issue. At any rate, the location should be within an area that is not saturated with

group homes, preferably one without any other group homes, if youth are to experience a normal community atmosphere.

When administrative offices serve several residential facilities, they should be centrally located so they are easily accessable to all staff members and service providers. While it is possible for the administrative offices to be housed within the same building as one of the facilities, the experience of existing programs suggests that this is less desirable than to have an independent administrative office. Under these circumstances management and treatment do not intrude upon each other; nor does one site seem to be favored by being the "main" site.

3. Existing Resources

A survey of existing resources will focus on both finances and personal services. During and after development, identifying sources of funding is one of the most critical aspects of any program's activity. Essentially there are two types of funds that can be used: Government and private. The government makes money available through grants and purchase of services agreements with the facilities. However, funds from these two sources may be available at the beginning of a program's existence. If a program develops strictly in response to a grant, its objectives and further development may be limited because the funding depends on an early analysis of needs. Only if the program adapts to areas that are currently being funded through grants can it be sure of financial support. Such a pattern may result in a disjointed, chameleon-like program that never establishes a clear objective. Nevertheless, program leaders will do well to pay close attention to weekly or monthly grant bulletins and to stay in close contact with local and regional LEAA and OJJDP officials. Whether a program should have clearly defined goals prior to soliciting funds or tailor its goals to the funding that is immediately available is a point of some disagreement and will be discussed further in Section D.1 of this Chapter, "Identifying New Funding Support."

The purchase of service monies is not always possible at the beginning of the program, although this will vary depending on the situation. In some

instances, a program must prove itself and/or be licensed before it can expect to receive purchase of service monies. If licensing is an issue, continuity and experience may be necessary before purchase of service monies become available.

Private sources of funding include grants from private foundations, inclusion in United Way programs, and private donations. Whether a private foundation can be found depends on the location of the program as well as on the aggressiveness of the sponsoring individuals. Foundation libraries exist in some of the larger cities, and these generally have copies of private foundation annual reports. Each foundation is required to prepare such a report. Most foundations like to give support, where it has already been given, to proven programs. Thus, access to these sources during the initiation of a program is not likely. Foundations like to receive specific credit; therefore, they often want to tailor their gifts to specific aspects of the project in order to be adequately identified with it.

Inclusion in United Way funding is, of course, also more likely once a program has been in existence for a period of time. One site evolved as part of an existing agency that already had United Way funding, and it was, therefore, supported in part by the United Way from its beginning. With a track record showing both stability and continuity as well as positive service to the community, it is easier to break into United Way, which is, in many communities, a fairly closed system.

The comments made to this point suggest that virtually all funding is easier to come by after a program has been in existence, rather than prior to its initiation. The one source of funding that is very critical to a beginning program is private donations. This is especially true for a program initiated by a private group. The nature of donations may include more than money, however. Services and contributions of facilities, food, clothing, may provide a basis for beginning that can be expanded as a program gains greater experience. For example, one successful program that has expanded over a period of years began when a Sunday school class of a local church provided space for short-term crisis services in a house which was owned by one of its members. This particular program entailed the

members of the church group bringing in meals and providing a minimal salary to houseparents whose primary benefit was room and board. From this humble beginning, which included the solicitation of funds within the community as a whole, the program has been able to acquire purchase of service monies from the state social service program and expand its private donation collection. The program now operates four facilities and does not accept government grants.

Whether private or government funds are being used as the resource base, one key principle applies: Do not open the program until sufficient funds have been accumulated to make a credible beginning. An initial budget should be devised which is flexible enough for cut backs and other adjustments. Projected budgets should not be pared to the bone or unexpected inflation and salary increases will make it more difficult to provide adequate funds as the program continues.

Another resource which is essential to program development and continuation is personal service by individuals. Such individuals may serve as members of a board or advisory committee or may work as volunteers in delivering service. Thus they may assist with the development and guidance of the program, may provide good public relations thus increasing agency or program acceptance and funding potential, may serve as advocates for the program, and may actually deliver services to clients.

If a program intends to use volunteers in delivering service, it may be necessary to designate one staff member as volunteer coordinator. Someone must assume responsibility for: soliciting volunteers and screening them for suitability for the service they will provide; training them or developing a manual that will describe in detail the activities they are to follow; and scheduling and supervising their activities. With a coordinator on the staff, it may be possible to use large numbers of volunteers for limited service or to use volunteers almost as staff members. Some programs have found that if volunteers are available for long periods of time (often college student interns) they can work just as a staff member would, attending staff meetings, and the like. Other programs have found that they can use volunteers for such diverse services as handling the bookkeeping and

serving as substitute house parents.

There are several advantages to using voluntary personal services. These include the very obvious advantage that their services are inexpensive. In addition, volunteers may help prevent the burn-out of paid staff, and may provide skilled assistance in areas where a full-time staff member will not be needed. Volunteers also provide a set of colleagues with whom staff may discuss issues. Many programs have also discovered that volunteers also provide a good link with the community and can help to win understanding and support from local individuals or groups. This low profile, word-of-mouth approach to establishing the presence of the program appears to be a result of using volunteers.

There are, of course, disadvantages to volunteer services as well. A primary disadvantage is the lack of commitment and continuity that is often evident. It is unusual to find volunteers who continue over a period of years with the same program. The administrative costs of training and supervising volunteers can be high. In some instances, programs have found that volunteers cannot provide the type of skilled service that is necessary. Nevertheless, the advantages usually outweigh the disadvantages and virtually every program has some functions that can be handled by volunteers if they are trained effectively. This issue is developed further in the following chapter.

C. ARRIVING AT PROGRAM GOALS

As indicated earlier, programs seldom begin without someone perceiving a need. This need is the most natural source for identification of program goals. The issue that causes a program to be initiated and developed is likely to provide the major purpose for its existence. However, clearly articulating the procedures that will be followed to deal with the issue and developing the program objectives so that they can be realized is not always simple. It is not precise enough to say that the program wishes to assist youth in trouble. A statement of program goals should include a description of the particular problems of youth that will be dealt with, how those problems will be dealt with, and under what

circumstances youth will be included or excluded from the program. Clearly stated goals are also needed to secure outside funding. Some programs have found that it helps to enlist the aid of people who are experienced in grant work when they prepare a statement of goals.

After the program goals and objectives are developed, and services begin, it is likely that an evolution will occur. For example, in one community, a group of ministers met together to discuss the fact that they were each counseling a number of youth with drug problems. From this discussion a program emerged. Once the program got underway, the staff discovered that drugs seem to be only a symptom and that such problems as inadequate family communication and truancy were the underlying issues. Thus, while the program initially articulated a goal of serving youth with drug problems, the eventual goal, more appropriately defined, was to deal with parent-youth relationships. The change from direct focus on drug use to communication and inter-personal relationships necessitated some change in direction for the program and a redefinition of objectives.

In other instances, changing times may necessitate redirection. For example, a number of programs, designed originally to provide temporary housing for runaway youths, have found that with a decrease in runaways a greater emphasis on youth living at home was appropriate. Such changes are a natural part of any viable and continuing program.

D. INITIAL CONSIDERATIONS

1. Identifying New Funding Support

As described earlier, funding support may come from both private or governmental sources. Once a program has been in existence for a brief period of time it is in a position to look for new funding. A track record of service delivery will enhance the prospects of such funds being awarded.

While private foundation money is limited both in quantity and the uses to which it may be put, it does provide a potential funding source for

programs providing residential alternatives to juvenile detention. Those who have been successful in acquiring foundation money have found that a primary requirement is the development of a short concept paper of two to three pages which explains the goals and needs of the program. The chief executive officer of the program or a board member should write a cover letter to the foundation and ask for a personal meeting with the staff or members of the foundation board. Follow-up is essential. Adequate understanding of the particular foundation's orientation is essential because the prepared concept paper must fit with the foundation goals if the program is to obtain funding from this source.

In many respects, the same principle applies to soliciting funds from the government. If a grant is sought, a concept paper or proposal must be written delineating the proposed program as well as the uses to which the grant money will be put. Grants are often awarded cyclically, which means that submissions must be made in a designated time frame. This cycle should be known to the program so that ample time is allowed to prepare a proposal. Identifying upcoming issues of concern may be simplified by checking with legislators, watching for media announcements, or monitoring grant agency programs. For the most part, greater success is likely when a program writes grant proposals only for the type of programming it can do well. For both grant and foundation support, including indications of community support is helpful. In many instances, this involves soliciting support letters from people who make referrals to or provide services for the program. Another method of indicating community support is to list the types of contributions that have been made by community members, stressing the variety of that support.

As indicated earlier in this chapter, there is one issue about which there is no total agreement. This is that the program should have clearly articulated goals and objectives prior to solicitations of either grant or foundation funds. The lack of agreement on this issue comes from the fact that many programs originate in direct response to the availability of grant money. Thus, they define their goals in response to the availability of funds rather than on the basis of what they want to do. Such programs can and do continue and thus are able to operate successfully. Some, however,

believe that a program will have greater stability and continuity if it determines its own purpose and approach rather than simply responding to an opportunity for acquiring funds. In the latter situation, continuity over time is more problematic; at the least it requires some adjustment of purpose.

Some programs have found that they can best identify new funding support by joining with other similar groups in an umbrella organization. In such situations, the overall administration and solicitation of funds is done by a single staff for several programs. The advantage of such an approach is that the umbrella organization appears as a multi-component system, which foundations may have more confidence in funding. If it is working well, such an administrative setup enables the staff of each program to focus on providing service and less on administrative issues. The disadvantages are that it may be cumbersome and may entail greater overhead for administration than would an individual program. However, if competing groups exist within the same community, this type of organization may eliminate the appearance of conflicting programs.

If program staff, such as the Executive Director, can sit on state and local committees that distribute money and participate in the decisions about how funds designated for youth services or alternative programs should be distributed, the chances of program funding are likely to be enhanced. In one program the Director was exceptionally effective in bringing money to the program through such an approach. Naturally, such involvement may be a "chicken and egg" situation. If the Director of a program is well enough known to be involved in such committees, it may be because the program is considered superior. This, as much as the fact that the Director is in on the decision making, may be the reason for additional funds being available. One drawback to this approach is that it exposes the Director and the funding agency to charges of conflict of interest.

2. Recruiting an Executive Director and Other Staff

As the program is developing, a charismatic leader, one with personal characteristics that enhance the development of the program, may be

appropriate for the position of Executive Director. Such an individual may be able to continue the leadership of the program indefinitely if s/he is multi-talented. However, many programs find that continuation requires less emphasis on an individual (who may have sparked an idea and brought it to fruition) and more on the services that are being provided by the program. As a result, the Executive Director's responsibilities change.

As elaborated in the following chapter, several characteristics are appropriate to the person filling this position. These include a commitment to youth, a philosophy which allows the handling of personal stress, fiscal knowledge, multi-cultural understanding, the ability to listen to staff needs and follow through on them, an understanding of the political or bureaucratic system within which the program must operate, writing and other communication skills, the ability to handle public relations and community organizing, and certainly a willingness to expend energy and enthusiasm. For the Executive Director's position, an understanding of counseling and ability to interview may be desirable but not as critical as strong supervisory and management skills. Essentially, the Executive Director should be able to handle administrative functions so that the service delivery staff need not be concerned about such issues. If the job is done well, the staff will not even realize what the Executive Director has to do. Because the primary function of an Executive Director is to seek funding sources and ensure continuance of the program, communication skills and an understanding of the bureaucratic and political structure within which the program operates are key criteria.

The recruitment of other staff depends upon the nature of the program and how extensive service delivery has or will become. Because increments for salary increases are often less likely to be included in subsequent funding, recruiting a good staff who will stay may depend on establishing an adequate salary structure from the beginning.

3. Selecting Treatment Modes

Several possibilities exist regarding the type of treatment to be provided. The treatment mode selected may depend in part on the type of

youth to be served. However, most residential alternative programs provide either short-term crisis intervention services or long-term counseling and other assistance. Few can do both at the same time successfully, at least in the same facility. If short-term crisis intervention is the model followed, it should be recognized from the beginning that little more than a "caring" shelter, offering a place to sleep and/or adequate food and clothing, may be possible. Although some counseling will be essential, a short-term facility can only provide a place to "cool off." On the other hand, if a greater degree of involvement with youth is desired, the only viable way is to provide for a long-term relationship. Whereas "short-term" may include from a few days up to approximately one month, "long-term" envisions at least several months and possibly a year or two of involvement. Under the latter circumstances, counseling and other educational and training opportunities will be both feasible and desirable.

If a program is interested in using a variety of approaches, gradually adding other facilities is the most likely way to achieve this pattern. At any rate, the youth being served under one mode or another should not be mixed in the same facility. The in-and-out pattern for those being served in the crisis situation may be very disruptive to those undergoing long-term counseling.

4. Identifying Obstacles to Program Implementation

In addition to obvious obstacles of not having sufficient resources to develop adequately, the primary obstacle residential alternatives to detention programs face is acceptance by a community. Whether the residential alternative is a facility dedicated fully to service troubled youth or involves the use of foster homes or even youth living in their own homes but receiving special counseling and supervision, the neighborhood and community area may resent its existence. As a result, some programs have tried to maintain a low profile, not advertising their existence to an extent greater than that which is necessary to operate. Where this practice has been followed, even when a residential facility housing a number of youth has been initiated, the neighborhood may have limited awareness of the program's existence. However, in many communities

zoning laws prohibit developing such programs without public hearings. Of course, the program must adhere to these requirements. To anticipate these hearings, some programs have found it useful to schedule informational meetings in a neighborhood facility such as a church, held at several times during the day so as to reach members of the community, to explain the program and to attempt to diffuse hostility. Some programs have found that these meetings are most productive when local community leaders are willing to endorse the aims and personnel of the program.

For a program with a less distinctly residential character, this may not be an issue. However, developing publicity material may in the long run assist the program and its acceptance. Many programs have found, however, that neither positive nor negative response is forthcoming. While concern for developing a group home and including troublesome youth in the neighborhood are major obstacles, these feelings may be overcome in many instances with patience and increasing good will.

E. WRITING THE PROPOSAL

Many volumes, articles, and magazines have been written and conferences developed to assist individuals writing proposals. The purpose of this management report is not to duplicate those efforts. Rather, the use of such books and resources is recommended for the individual or program that is faced with this necessity. In general, however, several principles should be followed in the preparation of a proposal. First, write clearly. Regardless of their virtues, if ideas are not expressed clearly, they cannot be readily understood. Second, organize a description of the program so that its purpose, goals and objectives are clearly delineated. Third, anticipate the expectations of the granting agency. If the potential funding unit has stated that certain items are expected in a proposal, include them. Determining what these key ideas are is not always simple; however, a careful reading of any proposal solicitation or announcement of funding is essential to adequate preparation of a proposal.

Finally, expect to spend time writing the proposal. It should not be dashed off quickly and casually. Consider carefully what you should include

and gather the necessary data and endorsements. The staff of one program that has been funded regularly reported that it writes only for what it wants and can do well. It takes the time to do the job satisfactorily. It has found that including signs of community support and involvement is important because this alerts the uninformed reader to a viable program in which the community has a vested interest. Another program that has had a very successful record of being awarded grants generally develops proposals that include letters from all the police and sheriff's departments, judges, probation officials, social service agencies, and other community contacts in its county. These attached appendices constitute a larger portion of the proposal than the substantive portions.

PART TWO

MANAGING CLIENT SERVICES

CHAPTER FOUR

RECRUITING AND TRAINING STAFF

A. RECRUITING AND HIRING

1. The Role of the Board of Directors

Although the responsibility for hiring all staff usually belongs to the Board of Directors, most Boards only act to select the Executive Director for the program. The most sophisticated boards encourage competition by advertising the position widely and seeking applications from qualified candidates beyond the immediate area. They may also consider applications from residents of the community and from within the program itself. Qualifications for the job are usually specified. A Sample Executive Director Job Description is contained in Appendix A.

Before arriving at these qualifications, the Board must have a consensus about the future of the program. Often, the selection of a new Executive Director is an opportunity for the Board and staff to sit down and decide on possible new program directions. Once that decision is made, the Board of Directors then can select a new Executive Director to move them towards the goals they have defined. One very successful program included the staff in the hiring process for the Executive Director. They provided suggestions for qualifications when the job analysis was drafted and drafted questions to be put to candidates by the recruitment committee. Similarly, representatives of the targeted client population could be asked to share in the process.

The fact that the program is an equal opportunity affirmative action employer should be stated in the job description and other publicity. Every effort should be made to encourage applications from minority candidates. At an appropriate time after applications have been received, the Board or

its subcommittee commonly selects the top three to five candidates and conducts interviews with each person. If the program is already in operation, program representatives attend these interviews and contribute to the final decision. Some projects have found it useful to have representatives from social service agencies and criminal justice units which deal with clients in the program or which refer clients to the program participate in this process. After considering all viewpoints, the Board makes its final decision and announces the reasons for its selection. Letters are then sent to rejected candidates tactfully explaining the reasons for their rejection. Public announcement of the selection is then made in newspapers and other media outlets. Special notices are often sent to agencies that do business with the program.

2. The Role of the Executive Director

The Executive Director usually does all other hiring. While the Board of Directors may supervise the process, the final decision is commonly the responsibility of the Executive Director. Many executives encourage the participation of program employees in this process by forming hiring committees which represent various levels or elements of the program. After these committees have reviewed the credentials of job applicants and have completed the interviews, they submit written recommendations to the Executive Director. In most programs these recommendations are considered advisory because the Executive Director makes the final decision. Because of equal opportunity requirements and because of the needs of the clientele who may come from a variety of social and cultural backgrounds, it is important in the hiring process to consider seriously the applications of minority candidates and to specify as clearly as possible the reasons underlying a particular hiring decision.

Most established programs have a written description of the hiring procedure and of the criteria used to fill each job opening, a statement promising non-discriminatory hiring, and a rationale for the qualifications specifying the needs of the clients served. Such a policy manual protects the program from arbitrary abuse of power and instructs both members of the program and outsiders of the procedure to be followed in filling vacancies.

Many programs struggle with the issue of the importance of educational credentials. Some apparently feel that personal skills and experience are much more important than paper credentials. For example, in one location the Board of Directors hired an Executive Director whose credentials were only an undergraduate degree, but who had participated heavily in the development of the original grant that funded the agency. In this case, he sought out special training in skills related to his job, such as public relations, budgeting, and administration, and acquired suitable training despite the lack of graduate education.

While this has been acceptable in one case, credentials have been found to have a value beyond their importance in the quality of services delivered to clients. Outside funding agencies and community groups often look closely at the Executive Director's credentials when they assess the overall quality of a program or try to determine whether to fund the program locally. A program may be accused of being immature if the staff does not possess the types of credentials that are believed to be necessary in dealing with juvenile clients. The failure to present these "union cards" may result in negative funding decisions and in grassroot criticism from groups opposed to the program. Perhaps the most important reason for requiring degrees such as a Master of Social Work is that in some programs this will facilitate the development of a system of foster homes. Many states allow individuals who possess an M.S.W. to certify foster home parents without the long delays associated with the state certification process. Several programs observed in this project used M.S.W.'s for this purpose.

In order to satisfy all critics, a program should search for candidates who have both the skills and experience needed for a particular job as well as the credentials needed to legitimate their activities. This is not to say, however, that the person with the credentials but without the experience and skills should be favored. Rather, this suggests that the Executive Director must realize the importance of legitimizing credentials as s/he seeks both to build an effective program and to make it appear viable in the eyes of the community, funding agencies, and other groups with

which the program must work.

B. ORGANIZATIONAL STRUCTURE

1. The Executive Director

Most programs are run by an Executive Director, who has overall responsibilities for all aspects of the program and who is accountable to the Board of Directors. Many small programs require that the Executive Director combine both administrative skills with direct service responsibilities to clients. However, as programs grow and diversify, the Executive Director is generally relieved of most of his/her direct service responsibilities. Although s/he may still be expected to have some clinical or counseling expertise, these may be increasingly less relevant to an effective leadership role.

The Executive Directors of those programs that have had longevity and considerable growth contend that the person occupying this position must be a skillful politician, an effective manager, and a strong leader. If programs are to survive following the cessation of their initial funding and to develop new funding sources, the Executive Director should have business and management experience and skills in carrying a program beyond its initial stages. One well-organized program had an Executive Director and Administrative Assistant with Master of Business Administration degrees. Both people spoke very highly of the benefits of such a degree.

The Executive Director should be skilled in proposal writing and in sustaining the political connections that are necessary for successful grantsmanship. S/he must have an intimate knowledge of the public service network upon which the program depends and must have the ability to obtain from these groups not only financial support, but also public advocacy of the program. The Executive Director cannot afford to assume the support of those individuals and agencies that are critical to survival, but must actively court their favor at the relevant levels of the city, county, and state bureaucracy.

Other important skills for an Executive Director are the willingness to work long hours, the ability to deal with continuing conflict and sometimes open rebellion both within and outside the program, the confidence to make decisions after receiving input from various parties, the appreciation and understanding of people from different cultural and social backgrounds, and an image that arouses enthusiasm and loyalty from the staff and conveys an image of confidence and success to outside constituencies.

In summary, a Board of Directors must consider many variables before hiring an Executive Director. Executive Directors often have training in social work, sociology, or psychology. In addition, they need to be trained and experienced in business and management procedures, proposal writing, budgeting, and program evaluation. A sense of fairness and enthusiasm for the program and a personal presence that inspires confidence seem to be desired personality traits and can probably be judged only through personal contact with candidates for the job.

2. The Associate Director

Many programs, particulary large ones, have a position of Associate Director. As programs expand and diversify, the attention of the Executive Director is often diverted from the program itself to the management of outside affiliations and contacts. The Associate Director is then called upon to manage the internal operations for the Executive Director. S/he must have expertise and experience in the social and behavioral sciences and personality characteristics which result in firm but fair management practices. S/he should also be able to assist the Executive Director in proposal writing and budgeting and in managing relationships with the social service network. Perhaps the most important characteristic is that s/he should be a strong leader capable of organizing and guiding the staff members who serve as supervisors or coordinators for various program components.

The most important function for the Associate Director is to serve as a conduit of information between the Executive Director and the staff. Many Executive Directors emphasized that the ideal Associate Director should be

able to understand and appreciate the policies of the Executive Director and to implement them creatively in specific situations without being told explicitly to do so by the Executive Director. The Associate Director should also be strong and confident enough to provide the Executive Director with information on the policies that are not working and grievances from the staff which might not reach the Executive Director otherwise. Several Executive Directors stressed that their Associate Directors should be creative and independent and able to assist the Executive Director in making the more important program decisions. However, once decisions have been made, Associate Directors should be loyal and willing to carry out the decisions of the Executive Directors without sabotaging them or altering them to any considerable degree.

In most large programs, the Associate Director has taken over many of the functions the Executive Director had in smaller programs, including managing the daily program. While the personal skills and experiences of the Associate Director are important, there is a need to establish credentials at this position. Staff are likely to show greater respect to a person with superior credentials and the outside community is likely to interact more positively when these credentials are present.

Perhaps even more important, however, is the relationship between the Executive Director and the Associate Director. The two should form a coordinated management team founded on trust, respect, and understanding. If the two do not work well together, the program is likely to suffer with chaos and discontent. When they do operate in tandem, the program will benefit from both effective internal management and positive relationships with the local community, relevant social service agencies, and political interest groups.

3. Unit Coordinators and Supervisors

Two or more unit coordinators or supervisors are often found at the level below that of the Associate Director. Educational credentials in the social and behavioral sciences are important at this level because these people must often deal with multiple social service agencies and must

be able to interpret the results of clinical evaluations or other tests. However, personal skills and experience still remain the most important qualifications for such jobs. The people who fill these positions should have experience in dealing with youthful clients and, perhaps more importantly, should have dedication and commitment to their jobs. Counseling research suggests that warmth and empathy are critical here if changes in client behavior and personality characteristics are to be expected. Of course, these are difficult qualities to measure precisely, although the Executive and Associate Director often have them and are able to recognize them in others. It is also important that such supervisors and coordinators be willing to work long hours and be capable of handling crisis situations both with clients and their families. This position requires a commitment to more than a nine-to-five-job. Other characteristics mentioned as important for this job include appreciation of different cultures and different socio-economic classes, an understanding of the community from which clients come, and a vague but nevertheless important characteristic generally described as "street-wiseness."

4. Service Delivery Staffers

Below the level of the coordinators or supervisors are the staff members who daily work directly with clients. While a bachelor's degree may be important for such a person, it is not essential. His/her most important qualifications are a dedication to helping youthful clients, an empathy with their problems, an ability to tolerate conflict and the clients' lack of short-term progress, and sufficient self-respect and maturity to deal with the emotional barrages that clients often direct against him/her. Such staff members are often community residents who understand the dynamics of the neighborhood and have an intimate knowledge of family problems and the attractions of the street that have enticed many of their clients into deviant actions. Not only is it difficult to specify these qualifications in written or measureable terms, but their identification also depends on the skills of those doing the hiring. Often these qualifications and skills are only recognized through experience with the person.

The need to recognize skill and ability in hiring a staffer touches on an important footnote to this discussion: One should not be hesitant to terminate an employee who demonstrates that s/he does not have the personal skills needed to deal effectively on a one-to-one basis with clients who are experiencing difficulties. Several programs visited by SERCL said that some of their most serious problems have been caused by the failure of management to terminate inefficient employees quickly enough. Many program directors emphasize that the one-to-one relationship between staff member and client is probably the most important dimension of the program and if it is not attended to seriously, the work directed at securing funds and establishing political connections to ensure the future of the program will be in vain. Hence, ineffective staff are a serious liability which should be remedied immediately.

5. Administrative Assistant

Another common position, that of Administrative Assistant, is particularly useful in larger programs where the Executive Director and his/her Associate need the assistance of someone in handling the many jobs which often fall through the cracks due to time constraints. Important to this position are competence in supervising clerical staff, skill in keeping program books and records, knowledge of the budgeting process and proposal development, ability to develop personnel policies and other codes of procedure for approval by the Executive Director and the Board, an ability to make decisions for the program, and an overall sense of responsibility for managing the daily purchasing, receiving, and documenting processes. One Executive Director gave her administrative assistant the responsibility of collecting the necessary data for monthly reports for the various funding sources of the program. The program was multi-funded and gathering the data necessary for these reports consumed a great deal of time.

The most successful people in this position usually have training and experience in business with a particular emphasis on personnel management and bookkeeping routines. While this employee is not involved in providing services to clients, s/he may be responsible for the daily operation of the business aspects of the program, following the guidelines laid out by the

Board and the Executive Director.

C. ORIENTATION AND TRAINING OF STAFF

1. Orientation to the Program

Most programs offer a general orientation to the program for each new employee. Its purpose is to provide new employees with the basic rationale for the program's organization, although it does not generally focus on the details of specific jobs. Rather, attention is given to the history of the program, its overarching design, and its functional importance and position within the total service network for youths in difficulty. This initial orientation also provides each new staff member with the opportunity to meet other staff, learn about internal system relationships and be introduced to personnel policies governing all program employees. While some programs allocate a specific amount of time for conducting this orientation, usually two or three days to a week, others do it more informally by permitting the new employees to spend time with different members of the program during the first week or so of their employment. Through this procedure, new staff learn about the divisions of the program. Initial orientation is usually conducted by the chief executive officer with the assistance of supervisors.

One Executive Director believed that a new employee should start learning the agency from the top down. The new employee spent the first week of employment following the Executive Director, attending meetings, doing community contact work, and observing other executive functions. The next week was spent with a mid-level supervisory person; the third week was with the individual's own supervisor. During the fourth week, the individual was placed in the position s/he was hired for. The Executive Director of the program enthusiastically endorsed this training process because it allowed the new employee to know where his/her job fit into the general scheme of things and gave him/her a feeling of belonging in the agency.

2. Training for Specific Jobs

Although few existing programs are entirely happy with their training program, believing they could be improved with more time and resources, most emphasize the need for training in specific job areas relevant to the new employee's work. General training programs for all new employees are not as satisfactory as those which focus on the specific skills. Supervisors also stress that training should address the skills already attained by the employee. That is, some new employees will need considerably more training than others with prior experience and more skills.

SERCL interviewees generally felt that the most demanding training tasks were required for those who work directly with clients, in counseling and supervisory roles. Among the skills to be stressed within a training program are: Individual and group counseling, interpersonal empathy, case management, case advocacy, interviewing techniques, needs analysis, family counseling and small group relationships, crisis intervention, behavioral change, and a knowledge of other service providers to whom clients may be referred. Skills such as grant writing, supervising, record keeping, and budget management are important training areas for employees not directly involved with clients.

Most programs provide several training methods. The Executive Director and the supervisors often have responsibilities for both general orientation and training in more specific skills. Sometimes, this is done through programs designated as training seminars. At other times, it is managed through frequent supervision shortly after a new employee begins working. The majority of programs visited by SERCL's research team filled vacancies by promoting, thus reducing many training functions for supervisory personnel. In fact, a surprising number of programs using volunteeers hired them for full-time employment when an opening arose. Thus, the need for the formal training sessions was eliminated. In addition, some programs hire outside consultants to do a portion of their training, or they may have new employees enroll in university courses or other structured learning experiences relevant to the job. One program had a cooperative arrangement with similar programs in its part of the state to pool their resources so it

could afford more and better qualified outside trainers for its staff development.

Most of the programs rely on some other resource for the structured training, either provided by the program or at a university or other training center. However, many respondents suggested that this alone was not sufficient training for the details of any specific job. What is additionally needed is continuing supervisory and peer teaching as the person begins a new job and experiences difficulties. It is unreasonable to expect that a person who attends a course or training institute will be able to perform satisfactorily without any support or feedback from the program staff.

3. Continuation of Training

Most successful programs have discovered that training should not end with the initial orientation. Instead, the program must continue efforts to upgrade skills and to introduce staff members to new techniques and methods. Many programs provide paid educational leave to staff members who wish to attend relevant workshops or university courses. Individuals who attend these training sessions are then asked to brief the staff on what they have learned. Many programs also plan frequent in-service workshops for their staff members. These may be held in cooperation with other community agencies that need people with the same skills or have identified similar problems in their programs. Other training systems include staff retreats, frequent staff meetings where problems are shared and new ideas are invited, and direct participation by all staff members in decision making. These efforts not only supply the program with greater input but also appear to give staff members a feeling that they are involved in the program, thereby providing them with some stimulus to think more creatively about staff and client problems.

4. Funding for Training

New programs tend to pay little attention to the need for training. Rather, they focus upon the selection of qualified people for

positions and fail to budget money for training. As programs become more complex and the need for project survival gives way to project institutionalization, they generally discover that even the most qualified persons can always benefit from initial training and that continued training is quite beneficial for both the individual and the program. Therefore, most mature programs provide funds for training in their budget and funding proposals.

D. PERSONNEL POLICIES

Many new programs, particularly if they are small, do not initially have a set of personnel policies. However, as programs mature and grow, they usually become aware that written personnel policies are necessary. Sometimes this need becomes apparent after a current or former employee complains about problems related to job discrimination, his/her paycheck or promotion. Sometimes these complaints are arbitrated by other agencies; sometimes they are addressed within the legal system. The wise program develops reasonable and comprehensive personnel policy before such problems arise.

The development of a personnel policy is often not an easy task. For example, it is difficult to identify all potential problems and issues. For this reason, it may be prudent for a program to examine the personnel policies of similar agencies, policies which were developed over years and which reflect the experience of programs with a wide range of personnel issues. A sample set of personnel policies is presented in Appendix B. A wise Executive Director will examine several such policy statements in order to determine their applicability to his/her circumstances. Most personnel policies include many of the following items. While few programs deal with each of these items, each should be included in a comprehensive personnel policy statement. They include: 1) a description of the agency and its philosophy in treatment and service; 2) an organizational chart and a responsibility flow chart for the agency; 3) a job description for each position within the program; 4) the educational qualifications and experience required for each position; 5) a statement of training that will be provided by the program for each position; 6) a delineation of the

methods and procedures to be used in evaluating staff and administrators within the program; 7) a statement covering grievance and appeal procedures; 8) a specification of employee benefits, holidays, and vacation policies; 9) a discussion of sick leave allotments and reporting procedures; 10) a presentation of disciplinary and termination procedures and procedures for resigning from a position; 11) a definition of procedures or methods to be followed when requesting maternity, emergency, and professional or educational leave; 12) a statement regarding affirmative action; and 13) a specification of the procedure or methods to be used for revising and updating the personnel policies.

Some agencies include more items than those listed here. For example, some insert a sample of each form used within the agency and include information about the circumstances under which it is to be used and how it is to be completed. Others provide lists of the Board of Directors as well as other program volunteer or community resources. Overall, the policy manual should be comprehensive but not too long to be cumbersome. If it is the latter, many employees will not read it.

After an agency has reviewed the personnel policies of other agencies and made a determination of the areas it will cover in its own policy, staff are frequently asked to share in the policy creation process. While the Board of Directors usually has final approval and legal responsibility for any such policy, many program directors report that their policies are much more widely accepted among employees when these employees have had a chance to participate in the creation of the rules and procedures.

Annual reviews of these policies, reviews which include program staff, should also be scheduled. Through this procedure, those procedures which are not working well may be identified and staff may have the opportunity to suggest areas in which policies may be needed for the first time. In anticipation of this yearly revision, it might be wise for the program to package its set of personnel policies in looseleaf notebooks so that particular pages can be replaced each year as necessary.

Personnel policies should be distributed to each new employee at the

beginning of his/her employment and the personnel manager or project director should review them with him/her. Many program directors suggest that an employee actually sign a form indicating that s/he has read the policies and fully understands them in order to avoid future personal or legal actions that may stem from a claim of misunderstanding or lack of information.

Not every item mentioned above can be included in one set of personnel policies. For example, many programs may have difficulty specifying precise promotional criteria. However, most other items can be included. Experience has shown that the areas which are particularly important to include are grievance procedures, personnel evaluation procedures, the hours of daily work expected from each employee, and compensatory time procedures.

E. SCHEDULING

Several Executive Directors suggested that scheduling difficulties and grievances can develop into a serious problem. In addition to suggesting that staff members help plan work schedules, these Directors felt that scheduling must be continually monitored if grievances are to be identified early and corrected before they escalate into more serious dissension problems.

Most of the difficulties involved in staff scheduling are related to residential programs, but they may also be experienced by non-residential programs, particularly if they involve more than one shift. One issue relates to the handling of compensatory time. While many, if not most, workers will put in an eight hour day, some conditions may necessitate a longer work day. In such instances, some programs will allow time off at slack periods to compensate for such work. Others pay regular wages for this overtime, while others have no arrangements for overtime pay, routinely expecting their employees to put in overtime even though they are only paid for an eight hour day. Some project directors have been known to evaluate the motivation of their employes according to the amount of overtime they are willing to put in without extra payment. Whatever arrangements are made concerning compensatory time, the policy should be clearly stated and new

employees should be informed of it as they begin their employment.

Several Executive Directors mentioned the advisability of having overlapping work schedules. This type of overlapping arrangement is used in many hospitals so that nurses pass on to the next shift information concerning the problems and conditions of patients. Any institution which deals with particularly difficult clients may find value in this arrangement. An overlapping schedule appears to smooth the transition from one shift to another and permits staff members to share information concerning problems or special opportunities which occurred earlier in the day and which may re-emerge later in the next shift.

Another suggestion is to have employees work a variety of shifts. Many directors have found, for example, that the behavior of clients may be different in the morning than in the afternoon, or may vary considerably from recreational to educational settings. For this reason they like to have experienced staff for each of the settings that comprise the program. Therefore, if a residential program has three shifts, each employee may expect to work each of these three shifts over a period of three months.

Another reason for varying employee's schedules is to allow for the staff's personal needs. Many good staff members are willing to work nights for a period but are unwilling to continue in this pattern for an extended period of time because it interferes with their home lives. If they are forced to continue working nights, they may resign. However, if working a late shift is only an occasional requirement, they may be willing to accept this duty. Many senior staff members regularly share this duty, finding that it raises agency morale.

Payments for these people thus will not vary from week to week. Positions should be salaried if the employees will each be working widely varying time spans.

Some programs permit staff members to work four ten-hour days rather than the ordinary five eight-hour days. This allows them more intensive client contact on the days they work and also gives them more free time away

from their clients to relax and restore their energy reserves and interest. In some instances even this is not enough for staff who have become too involved in their work and have lost their efficiency and sense of perspective without realizing it. Program directors need to be aware of these potential problems and may need to intervene before the person either resigns or needs to be fired. This problem can be countered by the provision for an extended leave of absence for persons who are still committed to their jobs but cannot presently function well due to the emotional burdens which their work entails.

One additional consideration needs mentioning. Directors of residential programs suggest there is likely to be a continuing problem keeping an adequate staff for the night shift. While this may be related to scheduling, it is also often the product of inadequate program budgets. Programs should consider the importance of the night shift in their budgeting process and should provide sufficient staff to cover the program during the evening hours. One program solved it by requiring all staff, including the administrators, to take their turn on the night shift. A sample of its scheduling process is included as Appendix C.

F. EVALUATION

Evaluation of the employees is in two parts. The first is a probationary evaluation which occurs three to six months after employment begins. The purpose of this evaluation is to review the initial work of the employee and decide if s/he should be eligible for continued project employment. Some programs have a second level of probationary evaluation which may occur after six to nine months. If this evaluation is positive, the employee then becomes a permanent staff member. A second type of staff evaluation is the periodic evaluation of all permanent employees. This generally occurs annually in conjunction with the consideration of a raise, although some programs choose to do it twice a year or even more frequently. Once a year, however, seems to be the most usual pattern for formal evaluations. A Sample Staff Evaluation Form is provided in Appendix D.

The annual evaluation is conducted by an employee's supervisor. The Executive Director of the program is evaluated by the Board of Directors. Some programs have experimented with verbal evaluations but most have found that a written evaluation is preferable. Evaluations are discussed in person with the employee and s/he is given a chance to defend him/herself against the criticism offered. If there are serious disagreements over the evaluation, the matter may be referred to a person higher in the organization for arbitration. Some programs even have a committee composed of administrators and staff personnel to consider disagreements that could not be settled at the supervisor level. The written evaluation is deposited in the employee's file after all parties agree to it.

Several programs were not completely satisfied with the criteria of the evaluations. While they felt the process is satisfactory, they were not happy with the vagueness of the evaluation items. These evaluations should relate specifically program functions. For example, a bookkeeper should be evaluated on technical efficiency and accuracy in maintaining the records of the program, while a counselor should be assessed according to his/her rapport and personal effectiveness with clients, attention to record keeping details, agency follow-up, sensitivity to pending problems and need for client referral. These specific evaluations according to function are very useful to program managers in administering their programs as well as to employees by giving them specific feedback. It is difficult to recommend a single form for personnel evaluations. Evaluation procedures should be kept fairly flexible and should allow both the employee and supervisor to define the criteria by which the employee will be evaluated.

Two other suggestions should also be considered by the program manager. First, peers should be given a chance to evaluate one another. In many cases they may have greater knowledge concerning a particular employee's functioning than the supervisor and it is often helpful to solicit their evaluations of their peers. Co-workers are very likely to be aware of the shortcoming and inexperience of their colleagues. However, a manager must be careful to avoid the trap laid by one who tries to advance his/her career at the expense of a co-worker. Second, a number of programs have found it useful to ask employees for written self-evaluations. These evaluations

should be independent of those completed by supervisors and employers. This self-evaluation process encourages employees to look carefully at their own work and to identify their own strengths and weaknesses. The sting of a supervisor's criticism is often lessened if the employee has previously identified the problem area. Also, the praise of peers and supervisors means more to the employee who has identified him/herself as deserving it.

It is probably unwise to rely on one person's evaluation as a mechanism for correcting or reinforcing the behavior of employees. A procedure which solicits information from the person being evaluated, from peers, and from supervisors probably provides a more accurate and detailed insight into an employee's work than any single judgment.

G. VOLUNTEERS

No general agreement about the usefulness or desirability of volunteers in delivering service was evident to SERCL staff. Several persons interviewed stated they had given up on using volunteers in their agencies. They claimed that too much time was taken in recruiting, supervising, and training volunteers to make the effort worthwhile. They further argued that the volunteer's lack of skills and their self-serving motives were often detrimental to program goals. Others, however, were much more favorably disposed to volunteer help. One place even filled full-time positions with volunteers, expecting the same work from them as from paid employees. Even these persons, though, had some reservations. They stressed the importance of special training and supervision for volunteers.

Most programs that use volunteer help carefully organize this activity. They provide extensive training in the skills and activities in which the volunteers will be engaged. They also assign very specific, tightly organized activities for volunteers and careful supervision of their work. Many programs maintain a special position entitled Volunteer Coordinator or Supervisor. Volunteers are asked to work a set number of hours per week, commonly five to fifteen, and must report their activities to the supervisor. These reports are carefully checked for accuracy and appropriateness. In many cases volunteers are asked to sign a contract with

the program specifying the type of activity they will be involved in and the amount of time they will devote.

Programs also emphasize the importance of careful selection in addition to training and supervision. Not every volunteer is accepted. During the training process, candidates are carefully watched and evaluated and those who do not appear qualified for the position or who show undesirable emotional traits are told tactfully that their services will not be needed. In addition, volunteers who following their training, do not fulfill their obligation to the program are quickly dismissed from their duties. In one program, where volunteers were used for crisis counseling, those who had not had an active case for the past three months were required to reapply and undergo retraining.

Program staffers often consider any volunteer, whether it be a community resident or a student from a local college or university. They feel that careful screening and training allow them to select appropriate volunteers from diverse backgrounds and affiliations. Some programs, however, prefer volunteers from local universities or colleges. They appreciate the requirement that the students put in a specific number of hours per week (commonly fifteen to twenty) in the program and that they be carefully supervised by the participating college or university. The only problem mentioned concerning student volunteers or interns was that they usually depart from the program following the termination of a current semester and therefore cannot be relied on for the future.

Use of ex-offenders as volunteers or staff employees is supported by some programs. Arguments against the practice stress that ex-offenders are not appropriate volunteers or staff members, because they are trying to solve their own personal and vocational problems and therefore cannot be much help to youth in trouble. The majority, however, feel that ex-offenders can be quite valuable because their backgrounds and experiences are often similar to the youth they will serve. The program's training, screening, and supervisory practices, they feel, are sufficient to solve any problems that might arise.

Programs that use volunteers mentioned the services they provide. Some participate in direct program functions. For example, volunteers may tutor clients in their school work or work in background areas, such as motivation, aspiration, or attitudes toward school and general learning. Others become friends and advocates of clients. They may serve as big brothers or friends, or take the client on recreational outings, camping events, or other similar educational and diversional activities. Volunteers who work directly with clients must coordinate their work with the case worker responsible for the particular client on at least a weekly basis.

Other volunteers work in the program but not directly with its clients. They may do typing, filing, or other secretarial and office management tasks. One program uses volunteers to do all its bookkeeping, billing, and check-writing. Some also answer the phone, follow up on client referrals, make certain that a client actually arrives at an agency, or do tasks that allow more staff time for direct contact with clients.

Other programs use volunteers to improve relations with the community. For example, volunteers can point out programs which may have valuable services or assistance to provide the alternative project. Volunteers may assist the program in its public relations activities with the media and with the local community; they may also engage in the local program fund-raising ventures. Many programs believe that their volunteers provide extremely valuable assistance to the program by increasing the level of community awareness of the problems faced by their clients and what is being attempted locally on their behalf.

Volunteers are particularly useful to privately managed agencies, especially if they are skilled in counseling and relate well to youth, although there is considerable variation in the use of volunteers in such programs. In agencies which focus upon the provision of highly skilled technical services, such as psychiatric counseling, drug treatment, and other professional services, the training costs are prohibitive and volunteers are unlikely to be used in the providing of direct services.

Good use of volunteers in an alternative program depends on a commitment

of time and effort on the part of the professional staff. Some staff member must be designated to recruit, orient, train, and supervise volunteers. However, exceptions are notable. The Board of Directors of one program recruited and managed a very helpful group of volunteers in a non-service delivery effort. Nevertheless, in order for volunteers to be used for service delivery there must be staff commitment and a significant number of volunteers must be used by the program. Because smaller programs often cannot afford this investment of staff time, they often fail to use volunteers effectively. Some programs will only consider using volunteers with the specialized training and commitment found among college or university interns and/or other experienced help. For larger programs, volunteers may become an important community resource.

H. FOSTER PARENTS

Programs which have foster home components need state licenses which are generally given only after state officials have had experience with the program and have confidence in its professional ability to oversee the operations of foster homes. Some states allow people with M.S.W. degrees to license foster home parents. Some of the programs visited in this project had an M.S.W. on their staff who routinely licensed foster homes. Generally, the state licenses the first few foster homes in this system. Later, the state oversees the M.S.W. licensing foster homes. Eventually, after the state officials are satisfied with the ability of the M.S.W, they permit the program to license its foster homes itself.

Being licensed to certify foster home care implies that a program has the necessary skills and facilities to recruit families for foster care, train them to provide successful foster home care, and provide continuing program resources and advice to ensure that the placement is satisfactory, both for the foster parents and for the clients. Two types of foster homes frequently exist. The short-term home generally houses youth who are in need of limited assistance, commonly for a period of 3-4 weeks to two months. A second type is a longer term venture with youth remaining in the foster home for a year or longer. In both types of foster home care, careful selection, training, supervision, and support are required.

The first task in any foster care program is to recruit foster care parents. Soliciting is done through radio and television announcements and flyers. Programs may also work closely with churches or other service-oriented organizations. Some programs even put advertisements on radio or in newspapers which identify types of children in need of foster care placement. Once potential foster parents are identified, the screening process begins. The program contacts the potential foster parents and schedules an initial meeting at the program offices or the candidates' home. Initial attention is given to conditions that may disqualify the candidate. For example, they may not live in the appropriate county and thus are ineligible for foster care reimbursement. Attention is also given to the adequacy of the living arrangements with respect to space, construction, number of floors, number of exits, type of heating system, and other safety matters. Staff look at situations that bear on individual health, such as water supply and sewage systems. They consider the location of schools, hospitals, recreational activities, and transportation. If this initial examination does not disqualify the candidates, their personal references are checked. A form developed for this purpose is usually followed up with an interview between program staff and those providing the reference. Information on the perceived strengths and weaknesses of the family, personal problems, marital difficulties, problems with their own children, and financial problems is sought out. Some attention is also given to the reasons these particular candidates desire foster home placement and what their reaction is likely to be when the foster child is withdrawn from their home.

If these initial checks are satisfactory, a second interview is usually arranged with the candidates. In this interview, the candidates are asked blunt questions about potential problems or concerns, including the effect of foster placement on their own children, the effect of a placement on their marriage, their motives for wanting foster placement, their ability to deal with possible deviant behavior and to face potential failure in this effort, their dedication to tolerant concern for human development and the problems which often arise therefrom, and their ability to take on a new family member who will undoubtedly add new complexities and possibly serious

problems to their lives. At this point, some applicants begin to realize that they are not suited to be foster parents and may withdraw. In other cases, the staff may realize that while there are no hidden problems with these people, they nevertheless will not be good foster parents. After in-depth probing, for example, staff may discover that a potential foster parent may not be a good role model for foster children. Sometimes, foster children may also challenge the emotional stability of the family. Sometimes, potential foster parents may be so uncertain of their own skills in interpersonal relations or career pursuits that they will be unable to provide the kind of stable living environment needed by the clients placed in their house.

Once the candidates are accepted as foster parents, they must participate in a period of training. One component of this period focuses on practical problems encountered in foster care. These include what to do in medical emergencies, how to assess their rights and responsibilities toward the young person living with them, what happens if the child should run away, what to do in case of further problems with law enforcement officials or school authorities, how to handle discipline, or what steps to take if the youth's actual parents show up at the house and demand to see their child. A second component of the training examines more interpersonal and counseling matters. Here, attention is given to the specific problems encountered by the client in the past and those that are likely to develop in the future. This is related to the possible difficulties the client might have relating to a new family and to the emotional traumas involved in establishing new trusting relationships while being asked to give up old ones. Attention is also given to the need to integrate the youth with the other children in the house and to allow him/her to participate quickly in the social system of the family without feeling left out or unwanted. The family is carefully prepared for initial failure in these ventures. In many cases the client or the client's natural parents will strike out at the family and attempt to reject them and to elicit hostile reactions from them. The foster family should be prepared for this eventuality and trained in procedures for accepting it and working toward more positive relationships with the youngster.

Training may proceed for six months or longer. In some programs, it is an on-going function where foster parents meet once a month with staff members and other foster parents to share their experiences and to learn about approaches to foster children. These concerns cannot be easily programmed into simple statements as "dos" and "don'ts," because the problems are often complex. Foster care training is increasingly being perceived as continuous and often involves sharing among a wide variety of people who can provide both helpful suggestions and support for this difficult job.

Foster homes should not be isolated from the activities of the parent program. Most programs ask for reports at least once a week on the progress and problems of each client located in the home. In addition, a counselor-caseworker from the program visits each foster client in the foster home at least once a week and attempts to resolve continuing problems and to reinforce good progress.

Initial training should not be limited only to parents as it is probably as helpful and important for the client as it is for the foster parent. Foster children need to be exposed to what is to be expected of them and the kind of opportunities that are available for them before they are actually placed into foster care. Some programs even have a group meeting for foster children where they can get together and discuss their own problems and seek solutions to these difficulties.

One problem that even the most talented foster parents frequently mention is the need to get away from their home occasionally. The foster parent does not have the freedom of a normal parent to arrange for babysitters and go out on weekends. Many programs have found it helpful to use volunteers as temporary foster parents. A volunteer couple may move into the foster home for the weekend and look after the children, while the foster parents have a chance to get away, at least occasionally.

I. STAFF BURN-OUT

Staff burn-out is a frequently mentioned management and service

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delivery problem. It is especially serious for those individuals who develop intense commitments to changing the lives of their clients. Programs routinely report on staff members who became so involved in their work and so exhausted from their intense efforts that they either become ill or are unable to maintain a high level of commitment to the program.

In order to avoid staff burn out, several strategies have been devised. Some have been identified in previous sections, and include frequent shift rotations, an allowance for four ten-hour days with three days off, and extended leaves for those who suffer from lack of energy and enthusiasm. At least four other strategies deserve further attention. One permits a variable work schedule, particularly for those who do not have to integrate their work carefully with other employees. For example, caseworkers and counselors may be able to perform their work satisfactorily at different times each day. Based on their own family schedules and other involvements, they may decide to work one day between 7 a.m. and 4 p.m. and another day between 11 a.m. and 8 p.m. This allows for variation and seems to give them the freedom they need. It further gives them some refreshing novelty in their jobs. The second strategy is that of job sharing. In this plan, two people, possibly a husband and wife, share one job. One works for the first half of the day and the second completes the shift. This holds promise as an attractive opportunity for a husband and wife who would like to share both career opportunities and household duties. This may also be attractive for a program that probably will get more than a half-time commitment from each of its workers and is less likely to be faced with a staff member whose enthusiasm and energy may decline sharply. However, a program risks alienating two persons rather than one if a disagreement arises at a later date.

A third strategy for minimizing burn-outs is to involve staff members in the total management of the program. Very few of the programs visited to prepare this report are hierarchically managed. Most have a high degree of staff involvement in management. Some programs are even managed collectively and the Executive Director wields no authority that is greater than that of any other staff member. Staff involvement in the management process gives members a feeling of control over a significant part of their

lives and reduces the frustrations and stress which can normally accompany jobs in which the employee has responsibility but no control.

A fourth strategy for reducing stress is to use the therapeutic community idea. Some programs use many of the same therapeutic techniques on themselves that they use on their clients. One program has a weekly group therapy session in which staff members are encouraged to express their frustrations with the program and to work out the problems among themselves. This leads to a very free working relationship among the staff and provides an outlet for frustrations which may accompany a difficult job.

CHAPTER FIVE

PROVIDING PROFESSIONAL SERVICES

Professional services to clients are often offered by members of the agency's own staff and by outside providers. The modes of services have a variety of management problems.

A. OUTSIDE PROVIDERS

1. Medical Services

The two major problems associated with providing medical care to clients in alternative programs are the extremely high cost of medical care and legal liability. Both of these problems can be eased with some community contact work and a proper intake procedure.

Although medical care is expensive and beyond the reach of the available funds of most alternative programs, funds for medical care are nevertheless available. A manager should begin by canvassing medical services available in the community. Some local medical personnel may contribute their services as a charitable act. Most medical personnel will offer some services for free but seek payment for others. If payment is required, there are several publicly-funded sources of payment, such as Title XIX, Medicare, and local welfare funds.

Numerous arrangements can be made to provide medical services through outside providers. In some instances, a physician may come once a week to handle routine health care needs. If this is the case, the program may "save up" the new admissions and have a doctor provide physicals and other needed care during this once-a-week visit to his/her facility. Alternately, youngsters may be taken to a doctor's office for these routine matters. If program clients live in the immediate area, they may even use the services

of their own physicians. Many projects, however, have found that medical clinics and hospital out-patient services are adequate substitutes for the services of a personal physician. One project was able to recruit a physician for its Board who was willing to be on call for project emergencies and more routine medical services without charge. Sometimes a National Guard doctor will be willing to provide assistance as part of that group's expanded effort to serve the community.

All medical services need not be provided by a single source. One medical provider may be able to meet one client need, while another may meet other needs. For example, a physician may willingly serve in the administration of venereal disease tests, but may express hesitation in providing more extensive services.

The least complicated way of providing medical services to clients is to have them go to a nearby free clinic and use that facility as it is used by other neighborhood residents. Another way of avoiding excessive involvement in medical matters is to ask parents or guardians, upon intake, to sign a medical responsibility form in which they agree to be billed directly or have an insurance company pay for any medical service given to their child. This frees the program from having to assume costs of medical care.

Managers, upon client intake, should assess clients' eligibility for local publicly-funded medical care and should be familiar with local program eligibility requirements. In addition, each manager should develop specialized files on local free clinics, special hospital programs, or doctors who are willing to give health care at no cost. This information should be made available to the youth as well as to his/her parents. Having a physician on the Board of Directors of the alternative program has been extremely helpful in contacting and recruiting low cost medical services and personnel.

Because most states have strict liability laws for medical services, a medical release should be obtained during the intake process from the parent or guardian of all youngsters who are under legal age. This is especially important because medical emergencies have been known to occur within hours

after intake. Unnecessary delays in obtaining a medical release on each client should be avoided to insure that a client gets prompt medical care if necessary and to reduce the program's legal liability.

If, for some reason, a release cannot be obtained, each program must have an alternative strategy ready for immediate implementation. The easiest way to proceed is to have the client declared a temporary ward of the state by the Protective Services Division or some other appropriate state agency. This court order can be obtained very quickly if a good working relationship is developed with the protective services division and/or the court. The order can be written to make the child a temporary ward of the state only for the purpose of receiving medical services. As an example of what good relations with the juvenile court can do, one program was able to get a temporary court order by simply placing a phone call. This action fulfilled legal responsibilities until a formal hearing could be arranged.

Of the agencies visited, few had any significant difficulties associated with the delivery of medical services to their clients. The five relatively minor problems that were mentioned are typical of those that arise when medical services are offered by outside providers. Physicians associated with one program sometimes lectured youngsters in a manner that interferes with the youth's treatment plan. In another program, the manager sometimes encounters physicians who insist on contacting clients' parents before providing medical services to them even when the youngsters are runaways and the program has not yet counseled them to a point where they are willing to call their parents. A third problem is related to the slowness of bureaucracies to react to the needs of their clients. This sometimes means that clients have to wait for extended periods of time before receiving medical care. In addition, free clinics and other neighborhood medical centers often restrict service hours so that they are not open when an alternative program's clients need medical services. Finally, laws requiring the reporting of child abuse are taken seriously by some clinics and hospitals, who may initiate legal action on a case while an agency is still trying to solve the youth's problem through other action. When this occurs, the agency's therapy plan is undermined and the youngster may suffer

additional long-term harm. This and other problems in providing medical services can be minimized if program managers and other staff develop effective and understanding relationships with local medical personnel.

2. Other Services Delivered to Program Clients

A wide range of special and general services may be provided to clients by alternative programs and other outside agencies. These commonly include psychological evaluation, psychological counseling or therapy, vocational training, vocational and employment placement, academic upgrading, recreational activities, and legal services. While alternative programs may provide a wide range of services, the most common types of service offered are nonprofessional counseling, family counseling, and foster care or group shelter care. Nonprofessional counseling refers to counseling services provided by bachelor degree level staff, student trainees, or volunteers. Some programs provide peer counseling. Many alternative programs have professional psychological and psychiatric services available, usually on a contract basis.

Family counseling is offered by nearly all alternative programs. While this service may be provided by nonprofessionals or professionals, its distinguishing characteristic is that both the youth and his/her parents participate in the counseling sessions. Family counseling is usually seen both as a means of preventing subsequent status or delinquent offenses by the youth and as a service that enables the youth to return home to live with his/her family. In some cases, this involves family home care in foster homes licensed by the state or county. For some programs, these foster homes are secured by the alternative program; in others, the home is provided by the county. Foster home placement is usually used for periods of less than thirty days and often for periods of one or two days. Group shelter care, a service also commonly provided, is usually in a group home, a shelter home for runaways, or a publicly-operated shelter home for dependent and neglected youth.

Other specialized services are sometimes also provided by alternative programs. A common service is a 24-hour crisis telephone hotline which

permits intervention at a critical point in the youth's life. While some programs merely leave a recorded message during nighttime hours, giving numbers that the caller may contact, other programs staff the telephone switchboard with trained counselors during the daily twenty-four hour period.

Sex and pregnancy counseling is offered by some alternative programs. Other programs provide what are referred to as "pre-independent living services," which are designed to help youth who are nearing the age of majority and who are not able to return to their natural homes learn skills necessary for independent living.

Educational and/or vocational training may also be provided, particularly if the alternative program in question is a longer term residential program. Unemployment counseling may also be offered. Although many of the youths served by alternative programs could benefit from legal counseling, these services are not provided formally by most alternative programs. The legal counseling that is provided is usually given during family counseling by the nonprofessional or professional counselors. However, legal advice is usually given by the public defender's office if the youth is accused of delinquent offenses.

In keeping with their emphasis on preventive intervention, some alternative programs provide a variety of services to the parents of their youthful clients. Programs may offer support groups for parents or classes in parenting skills and parent effectiveness.

B. TYPES OF SERVICE PROVISION AGREEMENT

Once a program manager has decided which services are appropriate for program clients, s/he has to determine how to deliver high quality services to the clients at minimum cost and with a minimum of bureaucratic confusion. Four models for outside service provision are commonly found: Formal purchase of services contracts, pooling of resources between programs, concurrent service provision (an informal arrangement among agencies in which clients under the care of one agency are seen by other agencies as needed), and informal purchase of service agreements.

1. Formal Purchase of Services

Once the specifications of service are formally written, they constitute a purchase of service contract, which is a legal contract that specifies the type, quantity, and quality of services to be delivered, as well as the payment to be received for the services. Binding on both the alternative program and the outside service providers, it provides the primary source of income for many alternative programs, especially those funded by government agencies.

Purchase of service contracts are advantageous because they legally commit outside providers to a state service delivery plan at a defined cost, thereby allowing greater control of fixed costs. However, among the disadvantages of purchase of service contracts is their relative inflexibility. Field observations suggest that the informal agreement is frequently more effective in meeting client needs because its flexibility makes it possible to create individualized client treatment plans.

Frequently, it is difficult to estimate a client's needs ahead of time and to evaluate the quality of services and programs in urban areas where many service outlets may exist. Sometimes programs in such settings have entered needlessly into purchase of service agreements with agencies that provide little service that is needed, and some that is not. Alternatively, the need for services can also arise in a service area for which no purchase of service agreement has been negotiated. If all purchase of service money has been committed for the year when a new need is recognized, there is no possibility of purchasing services until the following budget year begins.

Happily, many of these problems are more hypothetical than real. Many can be solved by a careful wording of the purchase of service agreements. For example, the service agreement need not specify the number of hours to be purchased in a month. Rather, it can merely identify the level of payment for each hour of service provided, or it may guarantee the service provider only a minimum number of hours per month. This permits the purchaser greater flexibility in meeting client needs as its population

develops and changes. Then, too, agencies that have become unhappy with the quality of services provided may then reduce their use of these service outlets and seek services elsewhere. If an agency serves only short-term clients, it can probably avoid, even in large urban areas, most purchase of service contracts. In this case, it is preferable to refer these short-term clients to other agencies at the termination of their stays at the alternative program.

2. Pooling of Resources

Resource pooling refers to the cooperation of community agencies in trading services and clients so they may be more effective in their service delivery. This method is most efficient when agencies cooperatively hire specific service providers who then divide their time between the member agencies. When grouped in this manner, these agencies act as a social services consortium. An informal version of this method exists when agency administrators call each other on the telephone to secure services, as needed, for their clients. Here, there are no written agreements, and the exchange of clients and services is based upon the personal trust and professionalism of cooperating program managers. One agency, for example, may provide counseling and testing services, while another may supply recreational and educational activities.

3. Concurrent Service Provision

Provision for concurrent service occurs when other service providers pay for the services delivered to clients out of their own budgets rather than by billing the alternative program. They do this because the alternative program clients meet the criteria under which the service program operates. Providers operating in this context do not expect to be paid for the services they deliver to these clients. A client may be a simultaneous client of more than one agency at a time, with the full knowledge and approval of each agency. Financial arrangements generally are not made by providers. Rather, a third party, such as a government agency, normally is billed and pays for such services. In one agency the Executive Director had developed warm personal relations with other agency heads in

the area, and was able to conclude informal purchase of service agreements with them over the telephone. Although there was neither a formal contract nor an informal letter of agreement to document the purchase of service arrangement, no auditing problem existed.

4. Informal Purchase of Service

The final variant is an informal purchase of service in which unwritten negotiations between program administrators establish remuneration rates for services provided. Clients are sent by alternative programs to other agencies as necessary. These agencies then bill the alternative programs at the end of each month, using the informally agreed-upon rates for services delivered.

C. IN-HOUSE PROVISION OF SERVICES

Another way of reducing medical costs to alternative programs is to require that staff members have some training in first aid techniques. Aside from this financial incentive, training in first aid can often save lives, especially in cases of serious accidents or of attempted suicide. Many minor medical services can be provided in-house if staff members have even minimal first aid training. Program managers should attempt to hire staff members who have received such certification and should require all newly-hired staff who have not yet completed first aid training to participate in in-service training during the first several months of employment. A solution to the training problem is to hire a staff member who has had previous experience as a nurse or a physician's assistant. If this is not possible, the Red Cross or other county or public agencies may be able to provide appropriate first aid instructors. First aid courses are often given free or for a minimal charge and are available in all but the smallest communities.

Professional psychological evaluation services and some types of psychological care, often undertaken by psychiatrists, are commonly provided to clients through external sources. Depending on the skills of available personnel, informal counseling and even professional counseling may be

provided in-house. The same is true of informal employment counseling, evaluation, and placement, as well as informal legal advice and many recreational services. Because most alternative programs provide short-term care and have limited facilities and small client populations, vocational training and extensive employment placement are not generally handled in-house. While limited academic upgrading through tutoring may be be handled in-house, long-term educational programs generally require a full-time teacher, who is sometimes paid by the school district rather than by the alternative program. Some programs have at least a few of their youngsters attending classes in regular public schools, while others send them under purchase of service agreements to private schools. Of course, comprehensive programs, that serve clients over an extended period of time may establish their own educational services.

D. MODES OF SERVICE PROVISION AND SPECIAL MANAGEMENT PROBLEMS

Alternative programs may be classified by the extent to which they disrupt client unrestricted or "normal" family living patterns. Six types of alternative programs exist, ranging from almost no disruption of unrestricted living to a high degree of disruption of unrestricted living. Because the modes of service provision and the problems associated with each are somewhat different, the six types will be discussed independently.

1. Supervised Independent Living

In this alternative program, the client is allowed to live away from the family or institutional setting and has only limited external supervision. This may include the proctor program, in which a client lives with a responsible adult as a roommate for a short period of time before the court appearance or until some other critical incident occurs. It may in other instances involve a group home where the degree of control over time is minimal and each client is allowed to plan his/her own schedule. The major management problem in supervised independent living occurs in those instances where individual clients are located in small apartments throughout the city. Service delivery is possible only if the clients come to a central office or if staff members spend a great deal of time traveling

from client to client. The recommended mode of service delivery for supervised independent living is to refer clients to other agencies for medical, vocational, academic, and other services. Counseling and training in basic living and related subjects are the only services that can be easily provided to clients in a supervised independent living program, and even these services are sometimes awkward to deliver except when all are living in close proximity. Program costs may be minimized by referrals as needed rather than by purchase of service agreements which commit funds regardless of use. Because the time that each client spends in supervised independent living is not long, there is often no need to provide intensive services of any kind, except through referral to an appropriate agency or service at the termination of the independent living period.

2. Home Detention

In home detention, the client returns to his/her parents until (or after) the court appearance. The agency provides regular supervision but no more than a medium level of service delivery, which is often directed towards both the client and the family rather than just the client. When used with younger youth, this mode of service delivery is, in some ways, more "normalizing" than other forms of alternative supervision. When older youth are being served, especially clients who lived on their own at the time they contacted the agency, being returned to their parents' homes under home detention is more of a disruption of their present lifestyle and certainly a greater restriction of their freedom than supervised independent living would be.

The strategy for home detention programs must address similar problems to those of supervised independent living because clients are widely dispersed, the time period is limited, and the service delivery that is possible has to be restricted in both range and quantity. Aside from providing basic counseling services and a limited degree of supervision, agencies administering home detention programs are well advised to use extensive referrals rather than purchase of care contracts or in-house service provision. Otherwise, budgets will climb prohibitively and the efficiency of the program will decrease.

3. Intensive Day Services

These programs are essentially home detention programs onto which are grafted more than eight hours of direct service delivery per client per week. An intensive day service program can also be associated with supervised independent living or foster home programs. In intensive day services, there is usually a central facility to which clients report on a regular basis and where they receive a variety of psychological services, often accompanied by vocational and employment evaluation, employment placement, academic upgrading, and other aids to personal success. Intensive day services may provide the same quality and intensity in service delivery that one sees in the better residential programs without having the added expense and often negative effects that one finds in the residential programs. Intensive day service programs can provide professional and extensive services, and the expense of these services may be justified by the severity of the problems of the youngsters who are being helped. Some services may be made available to clients by outside providers through purchase of service contracts or, with small agencies in rural areas, through informal arrangements with other agencies.

4. Foster Homes

Foster homes provide what is essentially "normal" home life, but differ from the average home in that the foster parents are paid by the state or have volunteered to "take in" clients for a period of time. Some foster homes are long-term, while others are limited to very short client stays. The remuneration received by foster parents varies greatly from state to state and from program to program. Although licensed by the state, foster homes may be paid by private agencies rather than by the state in some circumstances. Some foster parents are not paid at all or are just reimbursed for specific items such as client clothing. These are referred to as volunteer foster homes. The foster parents in those homes work with youngsters for no more reward than the personal satisfaction they get from the activity.

Service delivery by alternative program staff members in foster home programs is often oriented as much toward the foster parents as toward the client. Foster parents are trained before they accept their first client and then are continually supervised and trained "in-house" while they are associated with the alternative program. Foster parents should be initially screened to determine their suitability for handling youngsters who may have emotional problems, and should never be pressed into service without receiving adequate pre-service training. Continuous in-service training, perhaps by a staff member who visits foster parents on a weekly or bi-monthly basis, is also essential for high quality service provision. Although treatment is not provided at a professional level, since houseparents are not professional, it can be highly individualized and matched to the needs of the client. That is why some initial client evaluation is such an important part of the foster home placement. It is not enough to individualize treatment plans within each foster home, for the initial assessment of foster parents and clients should also lead to the assignment of clients only to those foster parents who are most capable, both personally and in their home situation, of meeting specific client needs. In many programs, direct client service delivery is limited to some basic testing, counseling and referral services.

Foster home programs believe that regular contact with two relatively healthy and mature adults in itself constitutes treatment for foster home youngsters. Those youth who experience more severe personal problems need to receive more intensive services. For these people, linking the foster home program with an intensive day services program is a promising possibility. In addition, youth in foster homes can be referred to a wide variety of other community agencies. Some clients will be eligible to receive free services from a number of community agencies so that there is no need to negotiate a purchase of services contract with these agencies. Pooling and informally exchanging clients and services, as described earlier in this chapter, are also appropriate techniques for organizing service delivery to clients in foster homes.

Extensive training and involvement of foster home parents in the alternative program is an excellent way to develop the "community" in

community-based programs. Particularly in small communities, an extensive and well-integrated foster home network can be the basis for grassroots community support.

5. Temporary Shelter Homes and Short-Term Group Homes

For stays of no more than a month, and generally a week or less, youth are housed in temporary shelter homes and short-term group homes. Runaway homes of various types are placed in this category of alternative programs. The population of these programs varies, although it is usually between six and twenty clients.

Temporary shelter and short-term group homes represent a large category of institutions that are difficult to summarize. The staffing needs of a home for 6-8 youth are completely different from those for twenty youngsters. The needs of clients in emergency or crisis group homes are quite different from the needs of clients in temporary group homes that do not cater to runaways or emergency situations. The larger facilities can afford to hire specialists, such as full-time teachers and clinical psychologists, and to provide many services in-house, while the smaller facilities have to use referrals, informal exchanges of services, and purchase of service contracts to see that their clients' needs are effectively met. Crisis-oriented programs have even more client turnover than other temporary programs so that educational services and other services requiring time for successful service delivery are not likely to be a part of such programs. Instead, there may be more of an emphasis on the availability of crisis counseling services twenty-four hours a day.

6. Long-Term Group Homes

These programs are intended for stays of generally two weeks or more and may house clients for a number of months. The size is usually no larger than the size of temporary shelter homes, ranging from 6 to 20. The level of supervision and service provision is usually somewhat higher than the level provided in temporary shelter homes, and the reduced client turnover allows programs to offer educational and vocational services. Both

temporary and long-term group or shelter homes have to decide whether they will employ live-in houseparents to supplement their professional staff. This is probably the least expensive way of ensuring around-the-clock supervision. The difficulty with live-in houseparents is that they are generally not extensively trained as crisis counselors and therefore are not adequate in a crisis-oriented short-term shelter home. They are more likely to be found in a long-term facility than a short-term facility.

Some facilities have a professional staff available in shifts so that there is always at least one professional staff member on hand. If this is done, there is no need for live-in houseparents. The disadvantage of this is that a number of professional staff members need to be employed not only for three shifts a day but also during weekends, vacations and sick time.

In general, long-term group homes can develop a more stable pattern of programming than can short-term facilities, which makes it easier to enter into purchase of service agreements with cooperating community agencies. A wider range of services can be made available to clients in these institutions without greatly increasing the costs of the programs. In this respect, long-term homes are moving toward the kinds of programs and organizational structure that we find in secure juvenile facilities.

New programs that are in the initial planning stages are faced with deciding which of these six major modes should be selected for development and implementation. Two crucial questions must be answered before making the final decision. The first is whether the program will be residential in character and the second is what degree of professionalism will be necessary in the delivery of services to clients. The more professional the services, the higher the level of training required in staff people who are to be recruited. Just as residential programs tend to cost a great deal more per client than non-residential programs, professional service delivery costs a great deal more than non-professional service delivery. Once these decisions have been made and their budgetary implications worked out and accepted, many other questions in the program planning process can be more easily answered.

E. THE ORGANIZATION OF MULTI-MODE SERVICE PROVISION

In most larger communities, a single organizational structure cannot efficiently and effectively provide all services to juveniles. Juveniles need highly specialized assistance when they are in trouble, and it is very difficult for service providers to organize such a wide variety. Highly specialized services, like psychiatric treatment, drug counseling and work training programs, require special emphases and special training. Some communities have addressed these specialized needs by creating a large number of highly specialized providers. Each agency or group focuses on providing a particular form of assistance.

Typically, organization growth follows the same pattern of increased specialization creating increasingly specialized needs. Once new components are added, separate operations work for a time while each component handles its own hiring, firing, training, financial matters and other ancillary functions. However, the organization begins eventually to find duplication of functions, confusion in policy and conflict over various functions. If too many services are undertaken, serious management problems may arise, requiring a change in the operating style of the organization. Once this organizational crisis is recognized, several changes usually occur: First, managers of various components are no longer selected for their ability to provide service, but for their ability to administer and to communicate with other components. Second, specialized functions evolve within the organization. Specifically trained people are hired to handle finances, personnel recruitment, office management, volunteer training, and funding source data collection. The Executive Director of the organization now finds him/herself two or three organizational levels away from actual service provision. S/he becomes more concerned about regulating and supervising the specialized functions and the component supervisors, and the Executive Director no longer has much time for service provision.

Other organizational changes also occur. The organization develops a procedures manual. Financial arrangements, including the hiring of an accountant or an auditor, become more formalized. Job descriptions now become written. Personnel policies are more detailed. More formal

communication networks are created. As the organization grows, it becomes less dependent on a narrow range of services. As often happens, a program which is successful providing one service will add additional services as its staff becomes aware of its ability to respond to multiple needs. For example, an agency created to provide immediate crisis care for juveniles may find that there is no location for the juvenile after his/her crisis has been addressed. At this point, the agency may create a second component, one providing housing facilities for one week to two months. After creating this service, the agency may find that there is a demand for independent living skills, adolescent parenting skills, alcohol and other drug treatment or a number of other highly specialized needs.

As the organization's ability to attract and organize resources increases, other needs are met by the creation of new components. As time passes, the once simple organization becomes a complex web of different service providers operating under the same administrative umbrella. As funding sources increase, financial management may become more difficult, project components may engage in "turf" battles, and the organization of communication links and work flows may become more complex. People who once spent most of their time providing direct service now find that they spend more time administering and communicating with these components. Once this occurs, the formerly self-sufficient person will become dependent upon formalized relationships among a number of people. Several programs report that this gradual evolution of single programming into a more complex, diversified operation may create problems for program staff. Informal relationships give way to more structured supervision and reporting. The founder of the program, who exuded enthusiasm and charisma, may be replaced by a professional manager as he/she becomes less involved in his/her creation. This is not a necessary development but it does occur often enough that people involved in providing alternative services for youth should keep the experience of other programs in mind as they reflect on the gradual development and change of their own programs.

CHAPTER SIX

CLIENT MANAGEMENT

This report has already mentioned two areas that must be recognized in managing residential alternatives: one, the wide variety of client types; and two, the wide variety of alternatives to programs and services generally provided to such clientele. Related to these variables are such special client management issues as intake policies and procedures and client termination, discharge, and follow-up.

A. TYPES OF CLIENTS SERVED

Alternative programs can serve clients will different backgrounds and needs. Because alternative programs are more flexible and responsive to adolescent needs than traditional institutional programs a wide variety of clientele and referral sources request their services. Therefore, it is not uncommon to find that a program originally developed in response to one need also serves other needs as well. For example, one program that currently operates a shelter for runaways and other adolescents in need was originally set up for young children awaiting adoption. Another program expanded the range of its clientele to include youth with more serious problems in order to improve their service to youth and to maintain the support of the community and criminal justice system.

Youth requesting services from alternative programs represent a variety of legal statuses, ranging from alleged to adjudicated for delinquent or non-delinquent misbehavior. Again, it is common and appropriate for alternative programs to serve each type. Although these legal statuses seem to suggest there are discrete groups of youth, such is not the case. Many youth who have committed a status ("pre-delinquent") offense have also committed delinquent acts. Youth who have run away from home or request services for some other reason may later become delinquent. Services to these youth, even though they are not formally considered delinquents or status offenders, are, in a sense, offered to "pre-adjudicated" delinquents.

Although it was unusual in the past for alternative programs to function as both an alternative to secure detention for pre-adjudicated youth and as a home for runaway or other status offenders, many programs could do this well. While alternative programs do not have the resources to serve all youth who do not need detention, they can respond to a substantial number of such youth through a minimal modification of existing program policies and procedures. What follows in this chapter is applicable to programs serving non-offenders as well as offenders, including programs whose objective is to provide an alternative to secure detention for alleged (pre-adjudicated) delinquent youth.

The majority of clients currently served by many alternative programs are what could be considered "pre-delinquent" or status offenders. That is, they are not in the process of being adjudicated delinquent at the time they request service. This is largely the result of recent legislation in many states which clearly specifies which youth may be detained and under what circumstances. It is not uncommon, for example, for state statutes to restrict the reasons for detainment of pre-adjudicated delinquent youth to: a) protecting the person or property of the child or other person, b) securing the child's presence at the next hearing, or c) holding the youth for another jurisdiction. Status offenders, such as runaways and ungovernables, cannot be legally detained in most states.

Clients served by alternative programs include a number of fairly well-defined but overlapping problem types:

- runaway
- uncontrollable
- alcohol or other drug problem
- truant
- family problem
- sexual acting-out

Often these problems occur together and a youth may have run away from home, be truant from school, have an alcohol problem, and be experiencing family

difficulties. In many states, these youth are no longer considered delinquent; thus, if they come to an alternative program for help, they do so voluntarily. They may be in a state of crisis with their parents and need crisis counseling or a temporary cooling-off place. Some programs get requests for help from youth who accuse their parents of abusing or neglecting them.

A number of different subgroups fall into the category of sexual acting-out. Increasingly this includes male and female prostitutes. Youth experiencing confusion in their sex-role identity also come for service. Finally, pregnant teenagers who have been rejected by their parents or who have run away from home, request service. In many cases, the pregnancy is not sufficiently advanced for the youth to be eligible for service from a maternity home, if she desires such care.

Several groups of potential clients are typically excluded from alternative programs. One such group is the seriously emotionally disturbed. Most programs are not prepared to provide the intensive and specialized care and supervision such youth require, and, if admitted such clients sometimes become too disruptive or take away from staff time for other clients. If the youth is actively psychotic (delusional, hallucinational, irrational, disoriented, uncommunicative), suicidal or potentially violent, s/he is usually best served by referral to a qualified mental health facility. Likewise, mentally retarded or borderline youth are generally not considered approprite for most alternative programs. Many programs also screen out youth with a history of violent crimes, sex crimes, or drug- or alcohol-related crimes. Clients with a history of setting fires are also likely rejects.

Although many programs accept youth who have a history of alcohol and drug use, almost all programs make total abstinence a condition of admission and stay in the program. As with physical violence, possession or use of drugs or alcohol is grounds for a sanction, possibly immediate dismissal. Occasionally, some programs find that youth they have admitted under the influence of drugs or alcohol are unmanageable after the effects have worn off. Consequently, such youth should always be admitted with extreme

caution. Alternative programs should also be careful not to admit youth who are addicted to a narcotic, if the program is not equipped to handle detoxification.

Most alternative programs find it necessary to screen out older teenage youth who have run away repeatedly and lived on the street, and are simply looking for a place to "crash" to obtain food and lodging overnight. Such youth typically do not want to involve themselves in the alternative program or to change their behavior. Not only are they often a negative influence on residents in the program, but they will frequently take other youth with them when they leave. In effect, they serve as undesirable "models" for younger clients. Similarly, youth who have a pattern of running away frequently are also often screened out of alternative programs. These youth are usually unable to make and follow through on a program commitment and, therefore, are generally unsuited for open settings.

New as well as ongoing programs must clearly specify the types of clients they will and will not accept. Obviously, such criteria are the basis for an admissions decision. A clear statement of admissions criteria serves to protect the program against unintended shifts in the clientele served or the character of the program. Alternative programs without such criteria are more susceptible to community pressures to accept clients who have a real need but are not the target of the project's efforts. Lack of clarity regarding what types of clients are suitable for admission can result in confusion and inconsistency in admissions decisions. Specific suggestions for admissions procedures are presented below.

B. PRIORITIES FOR SERVICE

Alternative programs may provide a wide range of services. The most common types of service offered are nonprofessional counseling, family counseling, and foster care or group shelter care. Nonprofessional counseling refers to counseling services provided by bachelor degree level staff, student trainees, or volunteers. Some programs provide peer counseling. Many alternative programs have psychological and psychiatric services available, usually on a contract basis.

Programs with limited resources must decide which services are most important for the program to provide. Although there is no clear way to determine that services should be offered, there are a number of factors which should be taken into consideration. First, what are the most prevailing and immediate needs of the clients? Usually, they are physical care and safety (housing and food). In addition, clients may have immediate need for medical or counseling services. Finally, all clients have a need for positive personal relationships. A second factor in the decision is whether the service is already available in the community. If so, the alternative program may choose to use available resources (particularly medical emergency services) rather than provide its own. A third factor is whether the program has adequate facilities and staff to provide a service. This is particularly a concern for highly specialized services which require special staff training.

C. INTAKE POLICIES AND PROCEDURES

The purpose of the program and the needs it is designed to serve will largely determine the intake policies and procedures. Nevertheless, programs retain some latitude in the specific policies and procedures they wish to implement. It is essential that each program define its intake policies and procedures so that decisions can be made rationally and the program can function smoothly.

A major intake issue is the extent to which the program retains control over who is admitted. Usually, the program has some control, if not complete control, over the referrals it accepts. It is not impossible, however, for an agency that is functioning as an alternative to secure detention to have little or no control over its intake. In these instances, the court system determines which youth are referred to the program, and the program may be required to accept all youth who are referred. When this occurs, the intake procedure has the sole function of gathering relevant information about the client and orienting the client to the program.

Generally, the alternative program has at least partial and usually

complete control over the clients it accepts. When this is true, the intake procedure should be designed specifically to gather the information necessary to make a decision to accept or reject the applicant. In larger alternative programs, where several units or components operate within one agency, the issue arises as to whether each unit should have its own intake procedure or whether there should be a centralized intake unit with responsibility for all components of the program. In some cases, each program or component is responsible for gathering the necessary information, conducting the screening, and making its own intake decisions. The advantage of a centralized intake unit is that intake procedures can be standardized and specialized records can be centralized; and often evaluation and follow-up activities can be performed in the centralized unit along with the standard intake activities.

1. Initial Screening

For most alternative programs, the intake procedure involves several phases. The initial phase usually consists of the referral from the referring agency or person, or the client's request for help. In this initial screening contact, a preliminary determination should be made as to whether the client meets the eligibility requirements and seems to be suitable for the program. This initial screening is easily accomplished with referrals from other agencies or professionals. It is a somewhat more sensitive matter in the case of self-referrals or referral by parents. Sometimes the initial telephone contact with the client or parent is not sufficient to resolve doubts about the appropriateness of the client for the program. In such cases it is advisable to arrange for a face-to-face interview with the client and, if possible, the parent(s) at a site other than the location of the program itself. This is particularly true for programs serving runaways and other youth who may be pursued or threatened by others (e.g., youth involved in drugs, prostitution). Programs that are willing to provide protection and shelter for their clients from potentially dangerous or threatening people in the community need to make a special effort to determine if prospective clients are suitable for the program and are genuinely requesting service. It is important to screen out youth who wish to exploit the program for their own purposes. This initial screening

can reduce considerably the security problems for the program and its clients. It is also a way the program can control the contacts of its current clients with undesirable influences within the community.

Once the initial determination has been made that the applicant is potentially suitable for the program, a face-to-face interview should be held prior to the actual decision to admit. The interview should be used to obtain relevant information regarding the needs of the client, the eligibility for service from the program, and his/her motivation to involve him/herself in the program and potentially benefit from it (see Sample Intake Interview Form in Appendix E). This face-to-face interview is also a chance to inform the potential client of the purpose of the program, requirements and rules for clients, the nature of services to be provided and any costs to the client, and the potential benefit the client may receive. Some programs accomplish this by drawing up a contract between client and agency, specifying rules, goals, procedures, services provided, and expected outcomes. Longer term residential programs may find it useful to include current clients in the interview setting since they may be required to live with the "new" client.

a. Intake Decision

The actual decision as to whether to admit the applicant may be made during the face-to-face interview or soon after. In some programs, the staff person conducting the interview has the authority to admit, at least on a provisional basis, and can do so during the interview itself. In other programs, the admission decision must await review and approval by other members of the program staff or even of the other clients. In some cases, the program director may retain final authority over intake decisions, and in others, the intake decision is made jointly by designated staff members. In any case, if clients can request service at any hour of the day or night, it is important to make some provision to accommodate these clients until the final intake decision can be made. This is usually accomplished by giving the staff person on duty the authority to admit, pending final approval of the staff or program director.

Unless the decision to admit is made by the referring agency (such as the court), program staff usually retain the final authority on intake decisions. They may, however, make their decisions subject to the participation and review of other persons. In many cases, the staff will want to consult the parents of the youth and involve them in the decision to admit. The referring agency or person often participates in the intake process. Occasionally, such people will sit in on the staff meetings where intake decisions are made. Some programs have included community representatives such as police, school, citizen groups, and board members in making admission decisions. A few allow present and/or former clients to participate. This is done with the intention of helping to make the community more responsible for the daily operation of the program. Programs that serve as alternatives to secure detention may work with the child's attorney in reaching the decision about admitting the child to the program.

b. Authority For Intake Decision

Three sources of legal authority to house juveniles exist. These are parents, the courts, and the welfare (or social service) department. Parental permission is required for youngsters under the age of 18, except for emancipated minors (see Appendix E for an example of a General Release Form). This means that a complete self-referral is not possible. Youth can enter an alternative facility on their own, but the program must contact their parents within a stated period of time to obtain parental permission if the children are to stay in the facility. The time varies from 24 to 72 hours in different states. The best procedure for obtaining permission to house is to call the client's parents first. If they refuse permission, they may be told that the client will have to be released to the street. If they cannot be contacted, the police should be informed and a court order should be obtained for permission to house the client. The problem presented by youth whose parents are suspected of abuse or neglect is an increasingly common and serious one. Most alternative programs are not equipped for and do not possess authority to handle such matters. The usual procedure in such cases is to refer the youth to the local child abuse and neglect authorities (e.g., Department of Public Welfare and/or police department).

The welfare department receives its authority in many states from the courts, and decisions come through a division of the department, such as the Division of Family and Children. Juvenile court authority is exercised for a variety of reasons, including child neglect or abuse. The court's authority is often implemented by the juvenile probation department. Many judges attempt to convince parents to cooperate voluntarily and only exercise their legal authority, in the form of a court order, if the parents of a client refuse to cooperate.

The interaction of parents, police, the courts, the welfare department, and the alternative program is crucial. The legal situation is a delicate one in which there are considerations, such as the political ramifications of the case, that go beyond the simple determination of a plan of action for the client's welfare. Because legal authority never resides in the alternative program, the only way to facilitate this process is to have good relations with criminal justice agencies in general and judges in particular. Criminal justice personnel should be made aware of the goals of the alternative program and how the program is structured to achieve these goals. If they don't trust the judgment of the professional staff of the alternative facility, they will not accept or implement their recommendations.

Where there is good rapport, police departments routinely bring certain types of youngsters to alternative facilities. However, some police departments rarely bring anyone anywhere, except to court. Some courts are very cooperative, while others see alternative programs as an unnecessary interference in judicial prerogatives. When relationships are very good, service delivery to adolescents is facilitated. For example in one city if a judge thinks that a youth should be in an alternative facility but the parents will not agree, a court order is given that immediately places the child in the custody of the facility. Then, within 72 hours, there is a "shelter hearing" at which the judge directs an open-ended order that supports the alternative program's custody of the child. The judge tries to convince the parents to cooperate but is willing to force them to do so if they are uncooperative. In another city, the relations between the juvenile

court and an alternative program are so good that whenever a problem arises, the director of the alternative program calls the judge and is given a temporary order over the phone so that custody can be legally provided until the court hearing can be scheduled.

Residential programs, as noted above, must obtain the permission of the parents of the youth to house that youth beyond the initial period of 24-72 hours, depending on the state statute. In most cases, if the parent refuses permission for the child to be housed by the program, the child is released. Such releases occur only after program staff have worked intensively with the parents and the youth to try to reach an agreement about alternative resources to be used in the effort to resolve the conflicts. It is not uncommon that parents refuse to give permission for the program to house the youth, but the youth refuses to return home. There is little the agency or other authorities can do in such cases other than release the youth, because in most states running away is not an offense for which a youth can be legally held or detained.

In group homes and shelter care facilities the parents are usually informed of the location of the child and how they may reach or visit him/her. When the alternative program consists of care in a foster home, the location of the foster home is usually not revealed to the natural parents in order to protect the foster parent from interference. One program in a small community had trouble hiding the location of a foster home from bothersome parents and had to get a court order in several instances to keep them away. Telephone contact and face-to-face visits with the child are usually permitted under specified circumstances. These may occur in locations other than the foster home, and usually involve program staff members facilitating the meeting.

2. Eligibility for Admission

a. Age

The typical age range of clients in alternative programs is 12 to 18. Some programs accept clients as young as 5, but most have a

minimum age restriction of 13 or 14. Age restrictions are usually related to the services the agency offers and the needs of the clients. Occasionally, programs will serve youths older than 18. This happens most often in the case of runaways or youth for whom the juvenile court has continued jurisdiction beyond the age of majority.

b. Sex

Almost all alternative programs admit clients of both sexes.

c. Geographical or Jurisdictional Areas

Although most alternative programs, except publicly funded agencies with a limited mandate, have a defined geographical and/or jurisdictional area to serve, this is seldom imposed as a restriction on the clients. Programs which serve runaways, for example, frequently get requests for service from youths from other jurisdictions and even other states. Some programs in large metropolitan areas have a substantial number of clients from U.S. Possessions, such as the Virgin Islands and American Samoa. Jurisdiction is primarily an issue of payment for services. Occasionally, the program is ineligible for reimbursement for youths from other jurisdictions. In such cases, reciprocal arrangements may sometimes be made with the other political unit for payment for the care provided.

A related issue, especially for runaway youth, is what to do with youth who must be returned to other jurisdictions, especially those from out of state. The usual procedure in such cases is for the jurisdiction where the youth is presently located to contact the home location and make arrangements for original jurisdiction to transport the youth back to the home area. In many cases, this is a time-consuming procedure during which the present jurisdiction is responsible for the care of the youth. In view of the cost incurred by the present jurisdiction during this waiting period, some jurisdictions have found it economically feasible to purchase a bus or plane ticket home for the youth. Generally, this is less expensive than housing and feeding the youth for an extended period of time. When this

occurs, parents are commonly billed for the tickets.

d. Offense History

The past offense history of the youth is usually not a major factor in determining eligibility for services in an alternative program. The exception is a history of violent behavior or sexual crime. Youths who are wanted in other jurisdictions for delinquent offenses should be returned through referral to the local police department.

e. Other

A common factor in determining eligibility or suitability for admission is whether the youth would be compatible with the current residents in the program. Most group living arrangements require some balance according to age and sex, and the need for supervision among the clientele. Occasionally, programs are unable to admit one more male, one aggressive acting-out female, or one more manipulative devious person due to requirements of program balance, staff load, or facilities availability or the like.

3. Referrals

a. Sources

Referrals of potential clients come from courts, police, schools, parents, welfare agencies, self, or other sources. The courts are a primary source of referrals, particularly for programs which serve as alternatives to detention for delinquent or pre-adjudicated delinquent youth. Police may be a major source of referrals, particularly for police diversion programs. Other alternative programs provide a measureable service to police because they are a resource the police may use to divert youths they do not want to involve in the criminal system. Except for truancy cases, schools are not a major source of referrals for most alternative programs.

In many established residential alternative programs, self-referrals are a substantial source of intake. Most self-referrals are nondelinquent youth who have run away from home, been ejected by their parents, become involved in drugs, or are engaged in prostitution. Self-referrals can be caused by parents, relatives, or friends who have moved from a community, leaving no forwarding address, forcing the youth to survive on the streets. In other instances, youth have been forced out of the home and have turned to an alternative program for help. Parents are also a source of referral for both delinquent youth and youth who are uncontrollable or may be perceived as delinquent.

Welfare agencies are not a major source of referrals for alternative programs, except in states such as Florida, where the state welfare agency acts as an intake and referral unit for all public human services and many private human services. In those places, the welfare agency is a significant referral source.

Churches, private social agencies, and medical personnel may also be sources of referrals for alternative programs. Similarly, the juvenile defender in the Public Defender's Office may be a source of referrals, particularly for programs which are designed as alternatives to secure detention.

Overall, the referral sources for a residential alternative program are largely determined by the purpose of the program and the clientele it is designed to serve as well as the program's links to the community. It is important that the alternative program make a planned and concerted effort to establish and maintain good relationships with the referral source, whatever it is. For many programs, personal contact with individuals working for the referring agency are helpful. Informative and educational contact may be made with referral sources through speeches at luncheons, staff meetings, and in-service training sessions. The director of one program regularly participates in the training program at the police academy.

b. Referral Source Needs

Communication with referring agencies and individuals should describe specifically the kinds of clients the program serves, the services it provides, and the criteria it uses to accept or reject clients. Referral agencies and personnel should also be informed of the admission procedure the program uses so they will be able to use the program efficiently.

When a referring agency has used the program, it is important to provide it with regular feedback on client progress in the program. It must be clear, however, what kind of information the alternative program is able to report. For example, police departments may expect reports from the program on potentially illegal behavior, such as drug use or sexual misbehavior, during the time the youth is in the program. Because providing such information may jeopardize the credibility of the program, Executive Directors and agency boards should establish a policy on how to handle such issues.

Another way to improve the relationship between the alternative program and the referring agencies is to ask the referring agency to evaluate the services that have been provided to its clients. One program that engages in periodic evaluation makes a special point to follow-up every negative comment from referring persons until the problem is resolved. Such evaluation not only elevates the stature of the program in the eyes of the community, but also makes the alternative program more accountable to the needs of the community. In this way potential opponents may be turned into friends.

If the alternative program deals with delinquent or alleged predelinquent youth, it must establish and maintain good relationships with the local juvenile court judge(s). As discussed earlier, a good personal working relationship can facilitate securing court orders for housing youth.

Relationships with referral sources can work both ways, however. It is often helpful for staff members in the residential alternative program to

learn about the program and needs of referring agencies. One alternative program does this by having its staff participate in a ride-along program with police officers. Not only does this present an opportunity for the program to educate police about the residential alternative program, but the program staff has become more informed and knowledgeable about the needs of police officers.

Programs that are characterized by the significant number of self- and parental referrals must make a concerted effort to inform potential clients and parents of the existence of the program, the services it provides, and its requirements for providing services. This can be done through brochures distributed in the community, through publicity and media efforts, and through presentations at schools, PTA's, and other community groups. One program relies heavily on its volunteers to communicate the existence of the program and the services it offers. This word-of-mouth "advertising" can be very effective in many communities, particularly where there is minimal acceptance of alternative programs. Programs which seek to serve clients from a large geographical area must be certain that they are accessible to potential clients throughout that area. One program has increased its accessibility by installing toll-free lines to areas it serves that would otherwise involve long distance calls. Not only does this make it easier for clients to refer themselves to the program, but it also provides an image of accessibility to the community.

D. TERMINATION OF SERVICE

Termination refers to the situation where the youth is asked to leave the program or has withdrawn from the program before a suitable plan has been agreed upon or the initial problem has been resolved. Termination usually comes about as a consequence of the misbehavior of the youth. Most programs have rules which the youth must abide by as a condition of staying in the program. These rules usually pertain to such things as destroying property, behaving violently, and using drugs. Violation of these rules is often grounds for termination from the program, as is commission of a crime. When the parents of the youth withdraw their consent, the program has no choice but to terminate the youth.

In some programs, the above situations are grounds for immediate termination without review. In other programs, selected staff members and sometimes the client discuss whether termination should actually be carried out. Depending on the grounds for termination, law enforcement authorities, parents, and the referring agency should be notified. A Sample Termination Form is provided in Appendix G.

E. DISCHARGE OF CLIENTS

Discharge refers to the situation where a client leaves the program as the result of a mutual decision between the client and the program staff. For programs where admission is controlled externally -- e.g., by the court -- discharge may also be controlled externally. In other programs, there may be a maximum length of time services can be provided. Consequently, discharge may be largely beyond the control of the staff of the program, although in most instances it can be anticipated. Discharge is usually the result of a joint decision by the client and the staff. This decision also often involves the parents of the youth and referring agency personnel.

Several programs see structure of the program as a contractual agreement between the client and the program. The program agrees to provide housing, food, and counseling to the client. In turn, the client agrees to abide by the rules and to work towards solving his/her problems. As part of the agreement, the program will agree to house the client for a certain number of days. At the end of this stay, the client and program representative meet to determine if a new contract needs to be negotiated for another period of time. The contractual agreement makes it easy to terminate a client if that becomes necessary. If the client has violated one of the terms of the contract (i.e., violated a rule of the house), the program is under no obligation to fulfill its end of the contract (i.e., housing and feeding the client). Often a renegotiation session will allow the program to address difficult behavior that the client has demonstrated during the first stay. When a new contract is drafted, it will propose changing client behavior in return for another stay at the facility.

Discharge should be based on one of two criteria. First, the problem that necessitated admission has been resolved. Second, a suitable plan has been agreed upon to treat the initial problem. In the former case, where discharge is based on successful resolution of the initial problem, the decision to discharge may be made easier if specific and measurable goals for service are identified and recorded upon admission. If the initial intake consists of a youth in crisis or under considerable stress, discharge from many short-term facilities is generally to parents or to a longer-term facility. If return to the family is impossible or undesirable, referral is often directed toward developing independent living skills.

F. FOLLOW-UP ON CLIENT SUCCESSES AND FAILURES

Follow-up can occur in face-to-face interviews at the program or in the client's home, phone calls to the client and/or parents, and through the use of mailed questionnaires and forms. A Checklist for Follow-Up Phone Interviews is included in Appendix H.

Follow-up contacts are most important during the first weeks after discharge. Contacts often occur weekly or more frequently during the first several weeks following discharge, and then taper off, but may continue for up to five years. One agency sends birthday cards to each of its former clients and includes a brief follow-up and feedback form that the client is asked to return. To save staff time, another program has arranged to have volunteers make most of its follow-up contacts.

Follow-up contacts with youth served by alternative programs are an important part of services. Many youth use the alternative program during a crisis period in their lives and may have experienced substantial changes in their living environment as a consequence. Although some programs are so understaffed and underbudgeted that they are unable to mount even the most limited follow-up program, follow-up contacts are a relatively inexpensive and efficient way to secure feedback on the program's effectiveness and to help the client receive the maximum benefits to be derived from participation in the program. A good follow-up program increases the

likelihood that the client will use the program in the future if the need arises.

CHAPTER SEVEN

OPERATIONAL ISSUES

Each new residential alternative to juvenile detention program may expect to face issues related to financial management, legal regulation and legal assistance, client record keeping, and transportation of clients. The first three are problems encountered by all projects, while the last is less of a problem for programs located close to public transportation.

A. FINANCIAL ISSUES

Within the financial issues question are problems related to budgeting, non-profit organizational accounting procedures, insurance, fidelity bonding, and payroll procedures. Each project should maintain accurate and auditable financial records from the outset. Generally, it is better to have too much rather than too little documentation of expenditures and income because future funding, after the initial period, will depend heavily on financial credibility. An efficient Executive Director will pay special attention to financial matters because a future grant request may be refused no matter how good the actual program is if financial difficulties are believed to exist. Special care should be taken to lessen the possibility of embezzlement or misappropriation of funds. If this is controlled at the outset, later grief may be kept to a minimum.

The best words of advice a Director may receive are: "Develop your books with the expectation you will be audited, get good financial advice, and anticipate what the auditor will want." Usually, necessary documents will include: copies of invoices; separate vouchers for cash payouts, noting purpose of payment, amount, date, and person paid; payroll stubs, including specific information on amounts withheld; check stubs detailing amount spent, invoice number (if available), payee's name, and date of payment; deposit slips, kept sequentially in bank-supplied deposit books; monthly check statements, including cancelled checks, from the organization's bank;

and other such items. Even the smallest of the successful programs in this study had a fully developed accounting system that would be able to stand up to a vigorous audit.

1. Budgeting

The concept of budgeting is easy to understand, but it is often difficult to get Executive Directors of new or newly expanded programs to follow this procedure. Yet, their long-term success may depend on their ability to control expenses within the boundaries of the developed budget. It is not uncommon for granting agencies to require budgeting by such categories as personnel, fringe benefits, materials and supplies, telephone, equipment, consultants and consultative services, travel, printing and reproduction, rent and utilities, overhead or indirect costs, and other pertinent categories. Because most grantors know that changes in expenditure plans will occur (few projects are ever able to follow their projected spending plans exactly), they will often allow a 5 or 10 percent shift of funds from one category to another without previous notification or with a simple letter requesting such change. When this is done, the grantee must relate the proposed change to the original budget and request a letter of agreement to the budget modification. Budgets should not be feared by the project's officials, but should rather be welcomed as a roadmap for project emergence and development.

In the smaller programs, budgets are usually created by key management. In larger projects, budgeting may be created cooperatively by component or unit managers, who define their needs for the next period, and upper management personnel, who work these unit requests into a realistic budget. In small programs, budgets are usually defined by the proposal writers, usually two or three people, one of whom is often a Board member.

The budget may be formulated primarily by one person, although his/her work is then reviewed by others; or it may be formulated in one session by two or three people collectively. In larger programs, especially those having multiple subprojects, varied funding sources, and a need for close financial planning, the budget may be "rough cut" by the Program or

Executive Director, the Comptroller or Director of Finances, and one or two other key program personnel. Pertinent parts also may be referred to unit or subcomponent heads for reaction before they are sent to the Board for approval. In most instances, this is not done, but the budget is instead submitted through its Finance Committee, if it has one, to the program's Board of Directors for approval. In a few instances, Board approval has been delegated to the Executive Director, who acts as the Board's agent. Because the Executive or Project Director should maintain close working relationships with the Board to ensure future harmony and strong fund raising support, referral of the budget to the Board or one of its committees is highly appropriate and good politics.

2. Accounting for Non-Profit Organizations

Non-profit organizational accounting procedures should include using ledgers, managing disbursements, anticipating audits, and developing internal and external financial reports. The financial ledger is the foundation upon which all other records are based.

a. Keeping Ledgers

All records of income and expenditures should be kept in ledgers, which are updated monthly or as needed. Commonly used ledger books are the cash disbursements journal, the general journal and the general ledger. Examples of books that can be used for these purposes are the Wilson Jones Post Binder with columnar sheets or the National Post Binder with Boorun and Pease ruled accounting sheets. In most instances, cash disbursement entries are taken directly from the program's check stubs on which payments to vendors are recorded. The general journal is used to list transactions during the life of the program. These entries are then transfered to the general ledger, which breaks the entries down into debits or credits to individual accounts. These accounts can be numbered in any way. Appendix I shows a sample List of Accounts. In most instances, ledger entries are taken directly from the program's check stubs on which payments to vendors are recorded. All entries must conform to the system that is created at the time funding is secured.

For the most part, each residential alternative to detention programs should use a fund accounting approach in its financial record keeping. In essence, this means that every grant or income source should be kept separate and every expenditure should be charged, as appropriate and justifiable, to a designated categorical subaccount in the main checking account. For example, if the project is receiving funds from HEW, LEAA, and NIAAA, a separate accounting ledger system should be created for each. If this is done, the funds from these various sources may usually be left in one checking and/or savings account, although in a few instances a granting agency may insist on a separate checking account for its grant funds. The latter situation is the exception to the rule, however.

When checks are received, they should be deposited immediately in the program's checking account, using a deposit slip system that records in triplicate. The first two copies, usually in white and yellow, are deposited with the check; the last one, usually pink, should be left attached in the deposit book as a running record of the treasurer's deposits. In order to avoid confusion, the paying agency, check number, and reason for check should be recorded on the deposit slip for later recall. Once the deposit has been credited, the yellow copy will normally be returned as the project's deposit receipt and the white deposit slip will be returned with the cancelled checks at the end of the month. At the time the check is deposited, it should be noted in the agency's checkbook so the cash account is always up-to-date. At a later time, deposits noted on the pink deposit slips should be recorded in the income ledger as well.

b. Managing Disbursements

When bills are to be paid, the procedure is quite different. Each payment stub, as well as check, should record the name of the vendor being paid, the invoice number(s), the type of purchase made and the amount. If one check is paying three invoices, the numbers and amounts of each invoice should be recorded separately. This is important if a project officer later has to determine whether payment was made previously or if an auditor is to judge whether the amount was charged to the correct

account.

Under the fund accounting procedure, however, a further designation should be made. Just as each grant or funding source should have a separate income code [e.g., LEAA-001 (Alternatives), LEAA-002 (Youth Diversion), HEW-001 (Runaways)], each expenditure should be delegated to one of the grant subcategories [e.g., LEAA-2-594 (Supplies), LEAA-1-500 (Rent)]. In these instances, LEAA or HEW are the granting agencies, 001 or 002 the code number of the grant, and 594 and 500 the numbers reflecting the subaccounts charged for supplies and rent, respectively. An example of codes for a fund accounting system appears in Table 7.1. This system is rather simple, although it may appear complex at first look. Under its requisites, the treasurer takes an invoice and decides whether it is to be split between two (or more) accounts or is rightfully an expense of only one account. If two accounts, the bill is divided in two, and a half is billed to each account. In this instance, if the bill is for supplies, one-half is then billed to LEAA-1-594 and the other half to LEAA-2-594. In both instances, the category of supplies is being charged. If payment is charged against only one project, then only one charge code is recorded (e.g., LEAA-2-594). When bills are paid and recorded in this manner, the treasurer and other project officers will be able to maintain financial control and to meet the challenge of a later audit with documented records.

c. Audits

A grantee may be audited at any time. Generally, an audit is designed to uncover whether the funds were spent for the specific purposes they were given, whether they were expended within the more general limitations placed upon the grantee by the funding agency (allowable expenses), and whether they were spent on real needs. Although grantees are not always audited by grantors or their agents, a program leader should assume his/her project will be audited and proceed accordingly. Auditors will be concerned with establishing the legitimacy of expenditures and should be treated with courtesy and cooperation. One grantee has concluded after years of experience that the best thing to do in an audit is to give the auditor a quiet and private space in which to work, a continuous supply

TABLE 7.1

FUND ACCOUNTING SYSTEM CODES

100 -	GENERAL CHECKING ACCOUNT	587 -	PRINTING AND REPRODUCTION
101 -	PAYROLL CHECKING ACCOUNT	589 -	PROGRAM DEVELOPMENT
105 -	SAVINGS ACCOUNT	592 -	SUB-CONTRACTS
110 -	PETTY CASH	594 -	SUPPLIES
120 -	RECEIVABLES	596 -	TELEPHONE
130 -	PREPAID EXPENSES	597 -	TELEPHONE WATS LINES
140 -	DEPOSITS	598 -	MISCELLANEOUS EXPENSES
150 -	DUE FROM (TO)	599 -	TRAVEL AND PER DIEM
170 -	FURNITURE ACQUISITION		
171 -	FURNITURE-ACCUMULATED DEPRECIATION		
171 -	EQUIPMENT ACQUISITION		
173 -	EQUIPMENT-ACCUMULATED DEPRECIATION		
200 -	ACCOUNTS PAYABLE		
205 -	NOTES PAYABLE		
210 -	ACCRUED INTEREST		
220 -	PAYROLL ACCRUED: FEDERAL WITHHOLDING TAX		
221 -	STATE WITHHOLDING TAX		
230 -	ACCRUED STATE UNEMPLOYMENT COMPENSATION		
300 -	FUND BALANCE		
440 -	GRANT RECEIPTS		
450 -	CONTRIBUTIONS		
460 -	INTEREST INCOME		
490 -	MISCELLANEOUS INCOME		
500 -	SALARIES AND WAGES-ADMIN		
502 -	SALARIES AND WAGES-HOLIDAY		
503 -	SALARIES AND WAGES-SICKNESS		
504 -	SALARIES AND WAGES-VACATION		
505 -	SALARIES AND WAGES-REGULAR		
510	EMPLOYEES FICA CONTRIBUTION		
511 -	FEDERAL UNEMPLOYMENT COMPENSATION TAX		
512 -	STATE UNEMPLOYMENT COMPENSATION TAX		
520 -	EMPLOYEE LIFE INSURANCE		
521 -	EMPLOYEE HEALTH INSURANCE		
522 -	EMPLOYEE DISABILITY INSURANCE		
525 -	WORKMAN'S COMPENSATION INSURANCE		
550 -	OFFICE RENT		
551 -	ELECTRICITY		
552 -	MAINTENANCE AND REPAIRS-EQUIPMENT CONTRACTS		
553 -	MAINTENANCE AND REPAIRS-ACTUAL		
554 -	INSURANCE-GENERAL LIABILITY		
560 -	ACCOUNTING FEES		
561 -	ADVERTISING		
563 -	BANK CHARGES		
565 -	BOOKS AND SUBSCRIPTIONS		
566 -	CONFERENCES AND SEMINARS		
567 -	CONTRIBUTIONS		
569 -	CONSULTANTS		
571 -	DATA PROCESSING		
573 -	DUES AND MEMBERSHIPS		
575 -	EQUIPMENT RENTAL AND LEASING		
577 -	INSURANCE-OTHER AND VEHICLE LIABILITY		
579 -	INTEREST FEES		
583 -	OUTSIDE SERVICE		

of coffee, and access to a telephone. Approaching an auditor with hostility or fear only makes the individual probe deeper and harden his/her stand, especially if the audited project later challenges the auditor's findings. In short, audits are a necessary part of the granting and funding business. If they are accepted as such at the outset, everyone's life will be much easier.

Audit reports are especially valuable for a program that is seeking new funding sources; entrance into new grant programs; revisions in overhead or indirect cost rates; or loans from local banks for equipment, motor vehicles, or facilities. They represent an impartial third party's assessment of a program's financial history and stability. Audits are common when an agency applies for licensing as a service deliverer. An organization should expect an annual expenditure of $1,000 to $2,500 for an independent audit.

d. Financial Reports

Two types of financial reports, internal and external, are needed by each project. Each series has a different purpose.

1) Internal reports

The purpose of internal reports is to provide project management with the necessary financial information to maintain a credible and viable operation. Valuable internal financial reports are:

a) Monthly report of expenditures

This report offers a monthly look at expenditures in contrast to budget categories. Statistics commonly provided are expenditures for the month, expenditures-to-date by fiscal year, and balance remaining. If the project has multiple funding sources, this report is given in detail for each account, with a summary of totals provided as an overview of expenditures. Such a report may be done manually, although computerized bookkeeping services offer similar output more quickly. For

example, one packaged manual fiscal account system, "Safeguard," has been used by one project with good results.

b) Quarterly report of expenditures

While the monthly report is generally used by key staff members for decision making, copies of the quarterly report are more likely provided to Board members as well. The quarterly report includes a balance sheet, income statements, details of expenses (broken down by facility or subprogram), and any other desired information (see Appendix J).

2) External reports

The most common financial reports required by external sources include a statement of income and expenditures, a copy of a certified financial audit, and a copy of the report(s) required by the granting or reimbursing agency.

a) Statement of income and expenditures

Often prepared by the treasurer, comptroller, or agency bookkeeper, this financial statement, done soon after the end of the fiscal year, presents the financial year in summary form. Included in this package are a statement of income sources, of expenditure sources, and of balances outstanding and on hand. The Statement of Revenue and Expenditures, illustrated in Appendix J, is a concise financial status presented at the close of the operational fiscal year.

b) Certified financial audit

The certified financial audit is conducted by an independent auditor employed by the grantee agency or brought into the program's office by the grantor or service purchasing agency. In either instance, the purpose of the audit is to determine the appropriateness and accuracy of the grantee's expenditures. Upon completion of this audit, a report is furnished to authorized parties for their use. If some

expenditures are questioned as a result of this audit, the program may challenge these conclusions, return some funds, or seek other avenues of redress. Because the grantor does not have time to audit every grant it gives, it depends upon the audit for information upon which to base a refunding decision.

c) Special reports required by granting agency

In some instances, special reports are also required. Where monthly advances are given a project, the agency may have to provide the funding source with a quarterly statement of expenditures. If funds are provided an agency in direct relation to beds filled in the facility or services provided, often determined by daily head count, this report may also be required. A few agencies have found that this latter form of reporting, especially when tied closely to reimbursement for services rendered, is very difficult to monitor. For example, one program had a regular problem securing reimbursements to which it was entitled because it had to have a parental sign-off for each child served. Without this release and ensuing report, it could not recover per diem costs for services already provided. In such instances, the reports generated under these special circumstances turned out to be more important than the reports normally required of each project.

3. Insurance

A common project expenditure is for insurance, which may cover liability and casualty, homeowner's, employee health, Workmen's Compensation, state and federal unemployment, group life and/or group disability, and, in a few instances, professional malpractice liability insurance. If the program owns, leases, or otherwise secures a van or other transportation vehicle, motor vehicle insurance is common as well.

At a minimum, each project should carry liability and casualty, Workmen's Compensation, state and federal unemployment, and employee health insurance. In instances of building occupancy or auto use, the appropriate

insurance, especially liability insurance, should be purchased as well. Because rates vary so widely, a number of insurance vendors should be asked to bid on each policy category. For competitive and comparison purposes, the agency should develop a list of specifications before it requests quotations from potential vendors.

4. Fidelity Bonding

Each person who handles agency funds or is authorized to disperse these funds should be bonded. This is especially necessary for the treasurer, comptroller, or others authorized to sign agency checks. The purpose of fidelity bonding is to protect the agency against embezzlement or misuse of funds and the individual against charges of mismanagement of resources and unauthorized use of funds. Fidelity bonds guarantee the recovery of monies lost through the misuse of trust given one who manages money. The costs of fidelity bonding are low, in some instances less than 25 cents per $1,000. In having this protection, the agency is securing its own future. No person in a position of financial trust who absconds with agency funds can cause program bankruptcy or insolvency. If the position of trust is misused, the bonding agency reimburses the program for its losses so its work can continue.

5. Payroll

Many smaller projects (1 to 6 staff) do their payrolls by hand. As projects become more complex, however, a manual system becomes rather inefficient and inadequate. This is especially true if the program becomes large and receives funds from multiple sources. While a project may begin with a volunteer part-time bookkeeper-payroll clerk, most organizations find that the financial and bookkeeping needs grow as the agency receives more money. As a general rule, one part-time person may be able to handle one grant involving $100,000 to $200,000, but a full-time financial employee will probably be needed when income reaches $300,000 or so. Other plateaus appear to be two financial employees at $500,000, three at $750,000 and four at $1,000,000.

If a project is unable to afford more financial personnel, its logical alternative is to simplify its bookkeeping arrangements or to use a computerized payroll service. Attempts to simplify bookkeeping generally are not realistic because record needs appear to grow rather than decline as a program becomes more complex. The best alternative is the use of a computerized payroll service which is not only reasonable in cost but will provide a complete display of hours, costs, money paid in current payroll and in year-to-date by charging source and potentially by specialized subtasks. Costs for such a service commonly are $25 to $30 per biweekly or monthly payroll, an amount well below the actual costs of maintaining a manual system. Other benefits of this approach include an up-to-date listing of fringe benefits to be paid, a continuing total of sick days and holidays paid, a listing of vacation days used, and a complete roster of employee work by project or areas within the project. For example, by simply entering the hours worked in the project subareas by each employee on a time card, the project director will see that Fred Smith spent 5 hours on proposal development, 10 hours on administration, 15 hours on crisis counseling, and 10 hours on client referral. If these services are paid for out of different fund sources or grants, this information will be quickly available to the project or program manager. The key to this computerized operation is accurate time reporting by employees. Every time reporting instrument needs to be customized to project needs. Just how deeply one should go in requiring time documentation is a decision to be made by each project's leaders.

B. PROVIDING LEGAL SERVICES FOR MANAGEMENT

In most projects, legal services are needed to develop the articles of incorporation and by-laws and to solve other legal problems. Because most projects have limited funds for legal help, they normally reduce their costs by appointing a lawyer to the Board of Directors at an early stage of their development. This person usually gives free advice and will sometimes donate office assistance. With this approach few projects will have to pay for legal assistance.

1. Incorporation

Projects offering services to clients should be incorporated. One major reason for incorporation is to establish a legal basis for receiving and disbursing funds; another is to decrease the financial risk to members of the Board of Directors. A local lawyer who understands the incorporation process should be contacted early in the project's development to file the incorporation document with the state. The fee for registering with the Secretary of State is usually nominal. Once incorporated, the non-profit corporation is eligible to file for an Internal Revenue judgment on a non-profit corporation status [501(c)(3)]. This exempts the organization from having to pay taxes, although it also obliges the non-profit organization to provide a plan for disposition of assets to other non-profit organizations or agencies in case of legal dissolution. These matters are usually covered in the Articles of Incorporation developed in cooperation with the organization's legal advisor.

2. By-Laws

While the Articles of Incorporation define the structure of the organization, the By-laws provide the rules for organizational operations (see Appendix K). The topics covered in a typical By-law document are much the same as those identified in the Articles of Incorporation. However, the By-laws are much more responsive to the particulars of the organization and may be changed more readily than the Articles of Incorporation. As a result, the By-laws are important because they represent the document that is used daily. Because the By-laws are legal documents, it is important that they be developed with the help of a lawyer versed in corporate law.

3. Other Legal Advice

Periodically, projects need legal advice. The need usually revolves around such concerns as the acquisition of property, the defense of the project's name or reputation, the need to deal with issues related to labor relations, questions related to staff maintenance, or representation

in cases of malpractice or liability exposure. Generally, local projects visited by SERCL used legal experts to resolve documentary issues rather than issues relating to personnel or client abuse. The feeling was unanimous that a lawyer should be available to every project to keep project officers and staff from making missteps which could damage the entire project. Because legal advice is so important to the operation of any project, the legal advisor should be included in the original group incorporating the agency or elected to the Board at the earliest possible time. Of course, projects operating under local government authority usually can use the legal counsel for that government jurisdiction.

C. RECORD KEEPING FOR CLIENTS

Each project has different needs, but certain records are common to nearly all projects in the alternative service network. These records include identifying data, referral person/agency reports, case history data, diagnostic information, documents dealing with problems and goals, referrals to other agencies, evaluation or progress reports, case correspondence, significant incident records, release of information forms, discharge reports, and other specific data secured on each client for special project purposes. While service providers often rebel at spending lots of time preparing records, some of these forms and reports are crucial to a program's smooth operation and continuation.

1. Identifying Data Record

This record is usually used at intake to gather all pertinent data relating to the client. Information pertaining to the youth's problems, family background, legal status, and other facets of the client's life are recorded on this form which is filed in a secure place, as are all other records, for use by staff as needed.

2. Referral Person/Agency Report

A referral or agency report is either sent by the referring person or agency or completed at the new agency based on information

received from the referring source. This report defines the nature of the previous relationship, problems associated with the primary event, the referring person's understanding of the situation, and other pertinent information.

3. Case History Data

Case history data attempts to analyze the individual's background, particular problems, basic needs, and other personal as well as social dimensions. The basic aim of this data gathering is to see the individual wholly and to understand the individual, the family setting, and the rest of his/her environment.

4. Diagnostic Information

Diagnostic information may include aptitude test results, education achievement results, medical conditions, or other records which relate to the physical, psychological, social, and economic condition of the client. Data for these records may be secured annually, each semester, monthly, or at time intervals defined by the project.

5. Problems and Goals Reports

A report dealing with the person's problems and the efforts to define realistic goals may also be included among the client's records. In some agencies, contracts are made between the individual and the agency staff goals and their timetables. By contracting them this way, agencies are able to motivate clients toward growth rather than allow them to drift aimlessly. While these contracts have a questionable legal status, they are often perceived as valuable in defining goals and in helping the client to become an adult.

6. Referrals to Other Agencies

When a program refers its clients to other agencies for services or transfers them to another agency outright, a referral record is

usually written for the files and may also be sent to the other agency for its use. This record reports all referrals to other agencies and gives the staff member a quick understanding of the configuration of services that have been provided for the youth in question.

7. Evaluation and Progress Reports

While periodic progress reports (weekly, monthly, quarterly, or other) are added regularly to client files, evaluation reports are somewhat less frequent. Progress reports are a staffs member's assessment of the individual's growth and progress. An evaluation report tends to be more detailed and attempts to ascertain the growth which has occurred by comparing data from before and after service. While a progress report may be a narrative written by the appropriate staff member, evaluation reports require greater comparison and synthesis.

8. Case Correspondence

Correspondence from private, family, or state agencies will deal with the client's current condition. This material is usually included in the client's file and provides a trail which a staff member can follow when the case is reassigned to a new counselor or social worker.

9. Significant Incidence Record

Nearly all projects maintain a recording system which identifies significant incidents as they occur. It may record attempted suicides, runaways, thefts, assaults, or other events that are not common to the whole agency or client population. Literally they are the exceptions to the rule and are written up to provide clear cut documentation of the client's problems as well as to protect the agency from later charges brought by the client or his/her parents. Significant records are filed only in the more serious situations and are not written daily.

10. Release of Information Form

Because of issues relating to client confidentiality, the program can release information usually only if the client allows it. This necessitates having a signed form authorizing such release. See Appendix L for a sample of such a form. If the youth is underage, the release of information form must be signed by one or both parents. The release form should focus on a particular issue (e.g., medical history) rather than on a general problem.

11. Discharge Report

The discharge report provides an overview of the client's growth as well as any pertinent information relating to the client's discharge. It generally is a summary of what has happened to the client as well as the reasons for discharge, which may be dismissal, completion of treatment, or other disposition.

12. Other Important Information on Client

Each project normally develops its own idiosyncratic forms for recording important information that is especially useful to the project. In some instances this information may include follow-up data or evaluation of success information. Usually, these forms are devised in response to a need that becomes apparent to the project.

D. TRANSPORTATION OF CLIENTS

The transportation of clients is a basic operational issue for projects that need to move clients throughout a geographical area. Every project must transport clients to service providers, recreation outlets, schools, or other places where assistance is to be provided. Purchase of an automobile or a van is one solution. Because a new project usually has limited funds, it is unlikely that it will invest a large portion of its budget in transportation. Many projects try to develop a list of volunteers who will drive clients as the need arises. For social or recreational

events, board members may be encouraged to take a carload of youth. In other instances, a project may lease a vehicle from a registered leasing agent.

Because leases will often be for two or more years, an agency should have reason to believe that its future is secure before it signs a lease. The organization should also make certain that its driver has met the legal requirements of the state, which may include a driver's test for a chauffeur's license. In any case, the legal ramifications of accidents and liability should be considered in order to protect the organization from later civil suit or financial claim.

CHAPTER EIGHT

MANAGING RESIDENTIAL FACILITIES

Because of their small size and the way they are developed, alternative residential facilities are rarely administered by people who have a great deal of experience with such matters as site selection, facility acquisition and maintenance, authority and techniques for the control of juveniles, zoning, licensing, and public relations with neighbors and community organizations. Many management problems exist in this area.

A. SITE SELECTION

The site selected for an alternative facility is very important. Among the major factors to consider in site selection are: 1) Accessibility to public transportation, clients, service providers and volunteers, 2) the travel pattern of citizens within the area, and 3) the kinds of people frequenting the area.

Public transportation is important both to bring clients to the program and also to take clients to other services and to recreational outlets. Even if a residence is located a great distance from other resources and facilities, public transportation may allow the program to get along without having to create its own transportation system. If public transportation is not readily available, the facility must either be located close to other services and resources or it will have to consider the purchase or lease of transportation vehicles. The purchase of even a single van for client transportation means a fixed operating cost plus maintenance and insurance expenses. These costs, of course, are beyond the van's original purchase price. In some states it may also be necessary for staff members who drive the van regularly to have special driver licenses, requiring another financial outlay. Where such licenses are not required, some programs, such as those located in rural areas or those whose service area is large, have recruited a network of volunteer drivers who spend an hour or so each day

transporting clients to counseling sessions, court appearances, or other important events.

Whether the facility should be located near its clients is less important if its clients are residential or are referred from other social agencies. It is however, an important question if the program expects to serve self-referrals and drop-ins, who are common in alternative projects. If service to clients is provided by referral, client incentive to follow the referral is significantly diminished if s/he cannot get there easily. Most alternative programs must expect to attract a clientele representative of the area in which they are located and should not expect to serve an extremely wide territory. In the case of programs focusing on runaways, it would be helpful to seek sites near bus terminals and other areas frequented by runaway youth.

Related to the question of location of facilities is that of staffing these facilities. Most urban areas are segregated by ethnic, racial, and social class groupings. Locating a facility in one of these areas is likely to mean that most clients will be from the cultural or ethnic group dominating the area. One group was eventually able to serve only black youth (because it was located in a black neighborhood), although it originally had intended to work with clients from a variety of racial and ethnic backgrounds. Programs located in an area with a specified ethnic composition are likely to be closest to those other social services and recreational facilities that focus on the same ethnic population. In addition, volunteers are most easily drawn from this same neighborhood. Because of the importance of these interlocking factors, careful thought should be given to hiring staff members who have particular expertise in working with youth from the ethnic groups served. In most cases, it will probably turn out that they will be from the same ethnic group as the clients, although this is not a hard and fast rule. It is unnecessary to match totally the ethnicity of both clients and staff with the ethnicity of the neighborhood, although this is not universally true. It is more important to hire a multi-racial, multi-cultural staff which contains people who are capable of bridging racial and cultural gaps among themselves as well as with the client and the community. If a program is not intended to

focus on any particular ethnic group, it may be wise to find a site that is on neutral ground, on the boundary of neighborhoods, or in a public area which is not identified with any particular ethnic group. In that way, clients from a variety of ethnic groups can feel comfortable visiting the facility.

The travel pattern of people in the facility's area is important because it affects the visibility of the program. If an out-of-the-way site is chosen, potential clients, not noticing that it is there, will fail to use its services. On the other hand, if it is too obvious in its location, some youth will avoid it. Some potential clients will not want to be seen entering the facility, and a highly visible facility may face greater neighborhood opposition than a less one. One alternative is to have only a small nameplate on an alternative residential facility. Because most clients find out about alternative programs through past and current program clients rather than through conspicuous signs, the disadvantages of conspicuousness appear to outweigh the advantages. In one instance, an agency began with a facility located on the main street in town and topped its building with a large, conspicuous sign, but later moved into a nearly residential area, where it occupied an older house and was identified by only a small sign on the front porch.

Providing services at a fixed location is not always necessary. One program has counselors who meet clients in their own homes or at some specified location in their neighborhood. Counselors often use their cars as meeting places as well. This seems to be more acceptable to some clients than meeting at the facility, and it often reduces the number of "no shows" and cancelled appointments.

A final consideration in site selection concerns the kind of people who frequent the area where the facility is located. Some people pose a threat to the welfare of the clients and staff. If the facility is in a high crime area, the program may have to exercise more stringent controls over its clients than if it is in a relatively crime-free area. For example, both male and female runaways may be harassed and victimized if pimps are operating in the area. One program had to modify its policies from

unrestricted to restricted access, having a locked door to avoid having youth come under the influence of neighborhood criminals. Although programs that maintain a considerable degree of control over access do not have to be as concerned with the quality of the neighborhood as do open programs or programs that are not residential, even they will have to take additional security precautions if they are located in a high crime area.

Outside doors are a particular problem for programs located in hostile or dangerous neighborhoods. In many neighborhoods, outside doors are more important for keeping other people out than for keeping clients in. Because residential alternatives facilities are rarely secure, clients can usually leave whenever they want to whether or not the doors are locked.

B. ACQUIRING FACILITIES

1. Searching for Suitable Facilities

The obvious way to locate new facilities is to contact real estate agents and to have them look for appropriate locations. A second possibility is to have staff or board members with real estate experience or personal contacts locate possible facilities before they go on the open market. Board members can sometimes play a major role in the search for facilities, not only through personal connections, but because they may be real estate agents or they may be willing to buy a house, either individually or corporately, and then rent it to the agency. Buildings that are being vacated by other agencies may be perfect locations for alternative programs, because problems with zoning and neighbors have probably been settled. Traditional programs sometimes need to move on to larger facilities because of expansion, and alternative programs, which are usually smaller than traditional programs, are often the right size for the abandoned facilities. Care should be taken in all such dealings to avoid issues of conflict of interest.

One way to deal with the high cost of both renting and purchasing property is to seek out a source that is willing to allow the alternative program to occupy the property at less than the market rate. Churches that

have a social action philosophy may be willing to consider this possibility. Many religious groups have acquired property by donation or purchase over the years and are willing to rent the property to alternative programs at less than the going rate, or perhaps donate the use of the property entirely. Unused city or county government facilities are another possibility to look into before buying into high priced areas. Another source of low cost rentals is public spirited citizens who may be willing to lower the rent for a house when it is occupied by a responsible residential alternative program. At one site, the landlord rented a house to the agency at the market price, but returned fifty percent of the rental payment each month as a contribution, thereby receiving a tax break. An Executive Director seeking such facilities should familiarize him/herself with the arguments supporting such donations and be prepared to discuss these financial arrangements with a potential contributor or landlord.

2. Deciding to Purchase or Rent

Because most programs cannot make a down payment on a building unless they have a wealthy benefactor, they are unable to purchase or build their own facility. Instead, small programs usually look for rentals in the community they plan to serve. They often have to pay higher rental rates than families would because the landlords anticipate a considerable amount of deterioration as a result of the activities of the program. Small programs serving six to eight youngsters can usually adapt a large house to meet their needs, but larger programs have to be more creative in using rental facilities. For example, they may need to rent four adjacent units in a large apartment building and then knock out walls to combine the apartment units into one large facility. Programs of 8 to 12 youth, or even 16, can sometimes accomplish the same goal by renting a duplex.

3. Physical Plan Requirements

With the exception of their buildings, most programs seem to pay little attention to their property, except as necessary to avoid conflict with neighbors. Outdoor recreation and public areas are usually available to program clients. One program greatly reduced its client

management problems when it moved to a new location with outdoor recreational space because clients no longer needed to use public facilities regularly. In addition, interaction with negative community elements was lessened. The only outdoor concern is staff, client, or parental parking, which should be considered in planning office space.

Necessary internal areas include office space, bedrooms, recreation rooms, quiet rooms, group meeting rooms, bathrooms, visiting areas, school or vocational training rooms, kitchens, and storage space. The program may need administrative office space, but some have located this outside of the facility. Opinion is divided about whether administrative offices should be on or off the premises.

Office space is necessary for keeping records, for secretarial services, for the administrative work of the project's director, and for use by counselors and other staff members. Offices must be well enough insulated so that youth in one room cannot hear counseling or administrative conferences in another. There should be enough space so that records may be kept in locked file cabinets to preserve client confidentiality.

State requirements may dictate the number of square feet of floor space per youngster to be given to project bedrooms. This should be investigated well before any residential commitment is made. There should always be enough room for personal storage space in addition to the beds or bunks assigned to each client. Male and female clients not only need to be housed in separate bedrooms, but they also usually require separate bathrooms and separate access to bedrooms. Bathrooms should be designed so it is unnecessary for females to go through the rooms of males in order to get to their own rooms or vice versa. Many projects have found that separation of sexes by floor is helpful.

Storage space is necessary for food, supplies, and client valuables. Doors to storage areas should be substantial and lockable, while those to bathrooms and bedrooms probably should not be lockable, especially if some clients are suicidal or have self-destructive episodes. After several close calls with suicidal runaways, one program removed all locks from bathrooms

and bedrooms in the facility. Since there was only one bathroom on the main floor, this meant that males and females shared the same facility. Clients were asked to knock before entering, a request that seemed to work well. On the less well supervised second floor where the bedrooms were located, there were separate, although still unlocked, bathrooms.

General activity rooms can be used for recreation, quiet time and study, visiting, school, or vocational training activities. If possible, recreation rooms should be sufficiently separate from the rest of the house so that clients may make noise without disturbing other activities. A quiet room is useful for study or "cooling off" and may double as a group meeting room, visiting room, or even craft room. The visiting area should be set up so that it has enough chairs to allow groups of visitors to form relatively initimate circles rather than to force interaction with other groups of visitors. Also, it should be large enough so that used furniture, something more than unpleasant and institutional-looking folding chairs, will fit comfortably into it.

The alternative program should look as little like an institution as possible. Fireplaces are particularly pleasant in rooms that are used for group meetings or visits. A group meeting around a roaring fire helps bring focus to the ensemble and immediately creates a homelike atmosphere. The special equipment necessary in a school room or vocational training room requires that the room be set off separately from the rest of the facility, and probably that it be locked when not in use. Finally, kitchens must be equipped to meet state health standards. Because most facilities will want clients to aid in food preparation and/or cleanup, kitchens need to be large enough to permit a number of people to work in them simultaneously without creating a safety hazard.

C. MAINTAINING FACILITIES

Very few residential alternative programs can build new facilities or even occupy new structures. The average program buys or rents an aging former home that is in advanced stages of disrepair. Something is always going wrong and maintenance is a continuing, costly problem. While

renovation can lower daily costs, it also requires a greater initial financial outlay than many programs can afford. The cheapest way to handle maintenance problems is to hire counselors or houseparents who have natural maintenance skills. A second possibility is to hire a part-time handyman or handywoman. Recently retired people who have worked many years in the trades may be willing to put in time for very little money and may even assume a grandparents' roles when relating to the clients. They may even be willing to teach classes in such areas as minor repair and woodworking. Bringing in outside businesses to repair everything that goes wrong is prohibitively expensive and should be avoided except in relatively new structures where little maintenance will be required and an investment may still be protected.

In addition to structural maintenance, there is the daily need to clean the facility. Some programs hire cleaning personnel, but most appear to use client labor to do at least the bulk of the cleaning. When used therapeutically, housecleaning can help clients to develop good life habits and a responsible attitude toward work. It also provides a sense of collective accomplishment. A common method of organization is to set up a rotating schedule of chores so that all clients do each of the cleaning and maintenance tasks over a period of a week or two. Except where client turnover is extremely high, the use of clients for routine cleaning work is preferable to spending limited program funds on cleaning personnel.

D. DEGREE OF CONTROLS

Although there are some highly structured alternative programs, most try to minimize the amount of external control placed on their clients. The degree of control seems to increase as the size of the program increases and as the hostility or dangerousness of the neighborhood increases. The three main categories of control that are exercised in alternative programs are time, movement, and visits or leaves. Programs need to structure some of the clients' time or they will never get to therapy sessions. Meals, recreational activities, bedtime, clean-up time, and therapeutic activities are usually scheduled. Flexibility is viable when youthful clients are allowed to prepare their own meals at different

times or when relatively few activities are scheduled for the client's day.

Movement control includes access to the facility as well as within it. Some facilities are completely closed, while others are open 24 hours a day. Between these extremes are programs which permit their clients to leave during specified periods of the day. Some programs keep their doors locked, but others have an open-door policy even if clients are not allowed to leave. Not being permitted to leave usually means that if a client leaves, s/he will receive a sanction ranging from further restrictions to termination.

Special areas within the alternative facility that are off-limits at least some of the time include staff areas and the bathrooms and bedrooms used by the opposite sex. Some staff areas must be off-limits in order to guarantee the security of records or confidentiality during counseling, or to provide a place of relaxation for staff. In order to minimize sexual tensions and guarantee privacy, bedrooms and bathrooms are generally declared off-limits to the opposite sex, though many older houses have only one bathroom for the entire house.

Visits by parents and friends are normally permitted at designated times so that they minimize disruption of the alternative program's activities. They are also restricted because parents may use visiting privileges to manipulate their children, and in so doing interfere with the staff's therapy plan for the client. Program limitations on visits are common, and additional limitations are individualized according to the needs of each client. Because of the emotional turmoil associated with the first week or two in a relatively long-term residential alternative program, visits are often prohibited during this period. However, home leaves may be granted and are taken as a right in many alternative programs. Because programs have the explicit goal of uniting clients with their families, the use of home leaves and visits is encouraged in all cases except those in which clients are judged to be the victims of parental or family abuse.

Program rules are most effective if they are few. Rules against overt sexual behavior, violence, dangerous weapons, alcohol and drug use appear to

be universal in residential alternative programs. Other rules may focus on such things as eating snacks between meals, access to facilities, time requirements, or limitations on association with people outside of the program. Again, some of these rules will be program-wide, but others will be part of the treatment plan for only a few clients, based on their apparent needs.

1. Rule-Making

Staff members usually set as few rules as possible for the maintenance of their program (see Appendix M). In the case of individualized programs such as foster homes and supervised independent living, there may be no written rules or the rules may be left to the judgment of the foster parents or supervisors. In group homes, basic rules developed by staff members often are supplemented by rules negotiated with client populations. If a therapeutic community has grown up among the clients, it may be possible to leave most of the rule making up to clients sitting as a representative committee. Staff should be very clear, however, about the extent to which they exercise final authority and in what areas of community life this applies.

2. Communicating Rules

Rules are communicated to clients when they are admitted to most programs. Clients are handed a rule sheet, which is read through with them. They are then given a chance to ask questions about any of the rules and to commit themselves to following them. The rules sheet is usually posted on the walls throughout the facility. As with any social organization, many of the norms are not formalized as written rules but are communicated to new clients by staff members and, to a greater extent, by clients who have already spent some time in the facility. Peer socialization in rule communication is crucial, an important reason for establishing a therapeutic community atmosphere in residential alternative facilities. However, staff in programs that experience high client turnover do not have enough time with the clients to develop a therapeutic community, which forces them to rely more on formal rule making. If a program has

contracts with clients, adherance to rules will probably be included in the contract conditions.

3. Determining the Extent of Violation

Many rule violations are directly observed by staff members. Others are reported by clients. In the case of client-reported incidents, residential alternative programs generally talk directly with those involved in the incident. If agreement cannot be reached as to what occurred and what should be done about it, the incident's participants may be called into a disciplinary meeting in order to reach a decision on matters both of substance and of discipline. This meeting may involve only the participants and a staff member, or it may include all clients and staff in the facility. Nothing can be more demoralizing to all concerned than long arguments with clients about whether their behavior has broken one of the institution's rules. The way to avoid this is by having all rules clearly defined so that there is little room for discretion in rule enforcement. This way, clients will always know exactly where they stand, and staff members will not have to feel that they are harassing clients unfairly when they enforce these rules.

4. Enforcing Rules

Confrontation counseling between the suspected rule breaker and a staff member is usually the first line in rule enforcement. Other sanctions may include banning the violator from desirable activities, such as phone calls, snacks, or recreation periods; confiscation (in the case of use of drugs and alcohol); token penalties, if the program uses a token economy; formal warning that the next incident of this type will result in termination; and personal embarrassment, by subjecting the violator to a group disciplinary process with the other clients. Any discomfort forced upon a client as a result of his or her having broken rules should be limited to discomfort that may naturally result from the breaking of those rules in the larger society. Punishments that are not directly related to the rules are more likely to be seen by clients as arbitrary, unfair, and punitive. Some programs have client representation on disciplinary or rule

enforcement committees. This helps not only to bring the client perspective to the process but also to resolve the feeling that penalties are being imposed by outside authorities.

Constant communication between staff members on different shifts is necessary when enforcing rules. Clients will notice uneven enforcement, wide discretion in punishment, and staff confusion. The use of group process brings peer pressures to bear on the rule breaker and is usually more effective than action by staff members alone, which runs the danger of encouraging other clients to support the rule breaker rather than to condemn rule-breaking behavior.

The police are almost never called, regardless of the nature of the incident, so that the perception of the program as a sanctuary in the minds of most clients will not be violated. However, some programs will call the police if a client becomes too violent. Others will first expel a client from the program and then call the police if s/he continues to make trouble when outside the facility. Occasionally, special problems may arise with the police (e.g., they come to pick up a client suspected of drug dealings or sex offenses). These must be dealt with by the agency within the law and yet within the bounds of client protection. In such instances, project administrators must work to mitigate the damage that an insensitive police officer can inflict on the project's clientele.

Termination is the last resort in rule enforcement. Programs vary widely in the use of this process. Some automatically terminate clients for serious violations, while others strive to work with these youth. Definitions of serious violations vary as some programs terminate clients who are found with even a single joint of marijuana, while others do so only for repeated violent behavior. The initial decision to terminate is usually discussed among a number of staff members before being made official, and some facilities will not terminate a client without the approval of the other clients. Most programs do not have a structure for appeals, although Title XX regulations require that certain appeal procedures be followed for those programs receiving these funds. In most programs, the only possibility of appeal is through the program director, who normally

participates in the decision to terminate in the first place, so that appeals are not technically feasible. Some programs terminate temporarily and permit clients to reapply after a stated period of time (usually 7 to 19 days), while others consider termination to be final and will not readmit terminated youngsters.

5. Special Problems in Maintaining Order

a. Violence

Most programs exclude violence-prone clients at intake. Some, however, attempt to discriminate between pathological violence and conditioned response violence. Youth with violence produced by deep-seated psychological problems are referred to intensive treatment facilities. Those expressing a conditioned response violence pattern, based upon individual "buttons" which set off violence in the client in a certain situation, may be accepted by some projects. With experienced staff counseling, this type of client may learn to locate his or her "buttons" and address that behavior. The problem is differentiating these violence-prone clients at an early period. The more comprehensive and detailed the intake process, the easier it is to spot these younsters.

Violence appears to be rare in residential alternative programs, possibly due to the intake screening process. Most clients appreciate how lucky they are to be in an alternative program and make a significant effort to control violence. The client group as a whole is normally strong enough to exert peer pressure in a direction of avoiding violent confrontations. Staff members who expect violence will probably get it, but if they assume that clients will not become violent and are careful to reduce conflicts that might lead to physical violence, it will rarely erupt. Staff should receive training, theoretical and experiential, in managing potentially violent or threatening situations. This training should cover how to isolate the youth from others if necessary, how to exert control over the situation and provide a sense of security for youth without returning the threat, and how to help the youth to think through his/her alternatives and their consequences as rationally as possible. Youth should always know that

acts of violence are cause for immediate dismissal from the program. Threats of violence are very common, but most are usually attempts to "get a rise" out of or to intimidate staff members. They may be handled in a non-violent fashion without much difficulty.

b. Sexual Misbehavior

Sexual misbehavior is generally considered to be the least serious of the major rule infractions. Overt expressions of sexuality are generally prohibited in residential alternative facilities, although many programs make no statement about such conduct occurring outside of the facility. Penalties for overt sexuality within the program are usually quite minor, consisting of a talk with a staff member about the necessity for avoiding sexual misbehavior in a program of this type. Because program staff members want clients to think of sex as normal and desirable, they are careful not to confuse problems of overt sexuality within the program with a general prohibition of sexual behavior. Most programs claim they prohibit overt sexual misbehavior due to the bad feelings it causes among the other clients. The exact level at which sexual contact is prohibited varies from program to program. Some programs do not permit hand holding; others allow hand holding and kissing, and still others permit clients to have some intimate contact so long as there is no serious petting. Sexual intercourse is not condoned. However, not all programs are willing to terminate clients for engaging in sexual intercourse. One agency handled such incidents by counseling rather than expulsion on the theory that expulsion would be bound to be interpreted by clients as a general disapproval of human sexuality. This would harm rather than help the sexual adjustment and maturation of clients.

Sexual conduct between youth who are committed to each other and who have engaged in sexual behavior over an extended period of time before they entered the program is particularly difficult to control. Some programs deal with this problem by separating the lovers, but that is a rather unnatural solution that seems to result in jealousy and instability. Lover triangles frequently develop when the lovers are arbitrarily separated.

c. Drugs/Alcohol

No alternative program can afford the use of drugs and alcohol in its facility, and so all programs regard their use as an extremely serious matter. However, they differ in the severity of sanctions that they apply when a client is caught breaking this rule. A number of programs immediately terminate a client without further discussion. Others warn the client, impose a number of unpleasant sanctions, and threaten termination if there is a second occurrence. The least severe reaction is merely to confiscate the drugs or alcohol. Because of the high staff-client ratio and the intimate setting of alternative programs, clients rarely can use drugs for very long before it comes to the attention of a staff member. This fact, combined with the seriousness with which drug and alcohol use is viewed, means that residential alternative programs are remarkably free of drug and alcohol abuse. This is noteworthy considering the fact that a majority of clients have been extensive abusers on the streets before entering many programs.

d. Theft

Some programs rarely experience theft, but for others it is a frequent problem. The theft of valuable items is most effectively reduced by requesting clients not to bring valuables into the alternative facility. It is also reduced if anything worth stealing is locked up. The difficulty with this approach is that it implies lack of trust. For this reason, trust-oriented programs refuse to lock up anything and depend on staff surveillance and peer pressure to enforce the rule against theft. Again, the intimacy of alternative programs and the high staff-client ratio aids in bringing thefts to the attention of both staff and the client group. The application of peer pressure usually results in the return of missing items.

e. Weapons

Alternative programs ask clients to turn in their weapons at intake, and almost all of them do so. While a few cases have been

reported of clients attacking other clients with knives or with everyday items that happen to be at hand in a fight, most programs have gone for years without a single incident of serious violence and without the use of even a dangerous weapon. Weapons, it is fair to say, are not a problem in most alternative programs.

E. ZONING

Few alternative programs have difficulty finding a suitable location because of zoning regulations (see examples of zoning regulations in Appendix O). Most choose to locate in an area that is already properly zoned rather than attempt to obtain a variance from the zoning board to locate in a community that would not normally permit them to be there. Before granting a variance, zoning boards hold public hearings at which neighbors have an opportunity to testify. A great deal of opposition to residential alternative programs is sometimes expressed by neighbors at these hearings, with the result that some variances are not approved and most are delayed.

The level of opposition to a zoning variance for an alternative facility is less in a lower-class neighborhood than it is in a middle-class neighborhood. It can be reduced if the program undertakes a careful public relations campaign before applying for the variance. By canvassing the neighborhood, contacting local leaders and officials, and explaining the need for a program, leaders can mitigate much of the potential opposition before the variance process reaches the hearing stage. An effective strategy is to make sure a large number of the program's articulate supporters attend the hearing. This strategy works even more effectively if the supporters are neighbors.

One way to avoid zoning problems is to occupy a facility that was previously used by another social agency. A more innovative way of dealing with a community where zoning regulations and neighborhood opposition combine to make it impossible to find a suitable site is to create a network of foster homes that are expanded to house up to six youngsters each. Most zoning codes are flexible when the number of juveniles being housed is

small. The larger the program, the more restrictions that apply.

Instead of housing twenty-four youngsters in a central facility, a program may have five or six expanded foster units scattered around the city into which youngsters can be placed. Some of these expanded foster homes may accept youngsters on an emergency basis, while others will only care for longer-term clients. The location of these alternative program types must be considered with respect to zoning requirements and neighborhood acceptance of certain programmatic elements (e.g., psychiatric counseling, drug treatment).

F. LICENSING

Residential facilities in most states must maintain a license to operate. Licensing procedures vary from state to state. Many states regulate the size of the facility, qualifications of staff, length of stay, and ages of youth served. Regulation and inspection are most often undertaken by a state agency, generally a bureau in the state welfare or social services department. Generally three types of programs require licenses. The most common license required is one for residential facilities, whose name may vary from state to state. Most frequently used labels are child caring facilities, group homes, boarding homes, child welfare agencies, and boarding care facilities. Foster homes are similarly required to be licensed in most states. Licensing may be done either directly by the state or indirectly by some other agency. In states which license indirectly, a third form of licensing is often issued for a "child placing agency," which has the authority to license foster homes under the powers given it by the state.

Some states have very broad categories for residential facilities. Managers of such facilities often find that their license is similar to many other types of residential units. This often results in some difficulty for alternative to detention facilities because they must meet licensing requirements not specifically relevant to their type of services.

States also vary in the stringency of regulation and enforcement of

licensing programs. Some states have exhaustive inspection programs and require all health, safety, fire, and food servicing codes to be met before a license is issued. Some states examine the experiences and qualifications of key staff, while other states may only be interested in examining physical facilities.

Because of the wide variance in state licensing procedures, it is recommended that individuals interested in starting a residential alternative to detention check with state social service officials and carefully review licensing procedures before purchasing or renting a facility. If difficulties arise, the services of an experienced lawyer may be invaluable in interpreting and meeting some of the state licensing requirements.

The state health department licenses the food service operation of the facility. Because inspections are like those for restaurants and larger secure facilities, state standards impose severe difficulties on small alternative programs. They necessitate high costs per client to install and to maintain food processing facilities. New programs should be careful not only to examine the state standards but also to have state inspectors make a site visit before remodeling kitchen facilities. Otherwise, newly-bought equipment may have to be returned or discarded because it does not meet rigorous state regulations.

Fire prevention and client safety standards must also be considered. Any administrator should expect the fire department to make periodic inspections of the facility. Although there is no license associated with these inspections, facilities that do not meet fire department regulations can be closed down. The comments of fire inspectors must be taken seriously. As with food processing standards, this can be a particularly heavy burden for small programs that have to install second floor fire escapes and other safety devices. Because this may involve an unexpected expenditure, a project should arrange for the fire department to inspect the facility before renting or purchasing the building.

G. NEIGHBORS

Some programs have never contacted their neighbors and give no attention to public relations issues. Others have followed an extensive and carefully worked out program of public relations before moving into their present location. Short courses on public relations are given at a number of universities, and it is desirable for the staff member in charge of public relations to take one or more of these courses. An Executive Director in a rural residential alternative program who had received special training in public relations suggested the following principles in dealing with neighbors:

1) The project should "be together" before contacting neighbors. The program should be structured and fully worked out before any attempt is made to explain it to the neighbors;

2) Answers to all possible questions should be formulated in brainstorming sessions before any contacts are made outside the program;

3) The approach to neighbors should be professional and informal at the same time;

4) The Executive Director of the facility and the chairperson of the Board of the facility should be the ones to deal with neighbors rather than lower-level staff members, and;

5) Needless involvement in controversial issues that are not really germane to the specific mission of the residential alternative program should be avoided. Such involvement makes enemies without solving problems and ends up exhausting agency resources on relatively peripheral issues.

Among the problems that may lead to difficulties with neighbors are noise, vandalism, increased deterioration of facilities leading to depression of area land values, parking congestion, excess garbage, and client "hanging around" or misbehavior which causes neighbors to fear that

clients are bad influences on their children. These kinds of considerations are frequently behind neighborhood opposition to a proposed facility. They may also increase neighborhood annoyance with a facility that is already in operation. Alternative programs should make an effort to find out what issues neighbors are concerned about and then to deal with those issues in the best way possible. For example, the program should pay for vandalism that results from client behavior, or should make an agreement with the victims of vandalism to have clients work off their indebtedness to the victim. Neighbors should be warned if there is going to be any unusual amount of noise, such as a party. They should be informed of how frequent these events will be in the future and at what time in the evening the events will end. Once these agreements have been entered into, residential alternative programs should be careful to hold to them so that their credibility with neighbors remains high.

Programs that only deal with neighborhood issues after they are articulated will not be as successful as programs that are aggressive in seeking the support of neighbors. In addition to personal contacts and other conventional public relations activities, programs can make a special effort to deliver services to the neighborhood. Program clients must be made aware that they are, in a sense, guests in this neighborhood and they should conduct themselves accordingly. Beyond this, a number of favors can be done for neighbors by clients and staff. These include cleaning up the neighborhood in general, cutting the grass or shoveling snow for aged neighbors, and even loaning neighbors equipment from the alternative program (such as folding tables and chairs for a party). When an individual client causes problems in the neighborhood, one way to undermine the negative impact of his/her behavior is to be sure the neighbors understand that the incident is related to the client's particular personal problems. This way the neighbors will not think the acting-out behavior is typical of program clients as a whole.

In addition to problems with hostile neighbors, problems with dangerous neighbors who may attempt to lure clients into their houses and apartments may also arise. Both male and female clients are potentially subject to these seduction attempts. Pimps and other sexual exploiters have been known

to attempt recruitment of clients by using a variety of manipulative and aggressive techniques. Runaways have traditionally been a major source of prostitutes for pimps in many areas. It is also possible that clients may be robbed or assaulted in high crime areas or that neighbors may try to involve them in criminal activities. There is an inverse relationship between zoning and location problems on one hand and problems with dangerous neighbors on the other. Desirable neighborhoods in which clients need not fear neighbors tend to be the neighborhoods that strongly resist the establishment of alternative programs, while neighborhoods that offer little or no resistance to alternative programs and other residential facilities are the neighborhoods that are often high in crime and present other risks to client well-being. At the same time, the incidence of violence tends to be away from the area of the facility and few neighbors experience the problems they fear will occur. In general, the closer one is to the neighborhood facility, the safer one is.

H. COMMUNITY ORGANIZATIONS

1. Community Resistance

The whole community rarely resists the establishment of alternative programs. Instead, resistance is located in the surrounding neighborhood. This resistance can be extremely strong in some cases. Community groups have been formed with the specific goal of opposing the establishment of an alternative facility in their neighborhood. There have been occasions in which these groups bought a rental facility themselves in order to be sure that an alternative facility could not use it, and there has been at least one occasion in which neighbors allegedly burned out a facility when they were unable to block its use by a residential alternative program. Once community resistance has become very strong, the usual public relations techniques and the activities of the community advisory board are not likely to be sufficient to solve the problem. In this situation, it is probably better to look for another site for the facility.

2. Community Contributions

Church groups, men's and women's clubs, and other community groups sometimes contribute volunteers to alternative programs. These volunteers may act as tutors, counselors, trip leaders, bookkeepers, or anything they are suited to. In addition to contributing services, community groups and individuals may also offer bookcases, furniture, clothing, tickets to sporting events, and other useful items to the alternative programs. Businesses sometimes make sizeable contributions to alternative programs. Neighbors in high crime areas will sometimes act as lookouts for the residential alternative programs and warn if anyone appears to be burglarizing the facility or hanging around in an attempt to seduce clients. Other neighbors develop a real interest in clients and may be willing to serve as volunteer staff members in emergency situations. Although most alternative programs do not depend on these types of community contributions, the good will value of contributions is usually greater than their economic value. That is to say, groups and individuals contributing to the program have an investment in that program and are unlikely to oppose the program when it has difficulties.

CHAPTER NINE

COMMUNITY RELATIONSHIPS AND RESOURCES

Among the resources available to residential alternatives are the juvenile justice system, the welfare system, social service networks, and community management resources. Many potential dificulties with these organizations can be avoided if their representatives serve as members of the Board or Advisory Committee of the program.

A. JUVENILE JUSTICE SYSTEM

Virtually any residential alternative for juvenile detention program will have relationships with various elements of the juvenile justice system, particularly the police, courts, and probation. The primary concerns of management within these relationships are: 1) to prevent potential conflict because of philosophical differences between the program and the juvenile court system; and 2) to foster cooperation between the program and the system. The philosophical differences between the program and the system will need to be worked out as the program develops. Once those issues have been resolved, there should be little further difficulty.

1. Courts and Probation

Issues that may create difficulty for the program's relationships with the courts and the probation system include conflicts among those involved in supervising youth 1) about legal responsibility and sharing of supervision; and 2) about the appropriateness of the youth's placement in a program. If a program is publicly sponsored and is essentially an arm of the government, it is likely to be directly associated with the juvenile justice system. Consequently, it is likely to be considered an arm of the juvenile courts. While this relationship may not eliminate difficulties, there is less likelihood of a difference in philosophy concerning youth should be handled than there might be in the

relationship between a privately-sponsored group and the courts. For example, in one project studied, the program eventually declined to have a formal relationship with the courts because the courts insisted that the agency use forms that the unit felt would violate the youth's rights to confidentiality. The courts may also be reluctant to recognize that a privately-organized program can provide legitimate services for youth over whom the court has legal responsibility.

For staff of either a governmentally-sponsored or privately-sponsored program, there may be additional frustrations regarding supervision. For example, the program staff, which presumably are familiar with the youth, may make recommendations to the court which the court chooses to ignore. In other instances, the court may insist on placement in a program that the program itself regards as inappropriate. When the program is privately sponsored, it may have more authority to refuse such placement. A governmentally sponsored program that is essentially an adjunct to the court may not be able to refuses such placement. In these instances, the persuasive powers of the staff may be the only recourse.

In most states, the probation system is considered to be a part of the juvenile court, which includes social workers or case workers in its proceedings. The major problems between programs and the system result from their need to share supervision for each youth. That is, the probation officer assigned to a particular youth is one supervisor, but because the youth is placed within a program, the staff of the program become the more intimate day-to-day supervisors for that youth. Occasionally, a conflict may arise because the probation officers feel that the staff of the program "oversteps the bounds" in dealing with the youth. Programs that have encountered this difficulty have found that documenting contacts made with the youth, listing services provided as well as extent of communication, and providing all information requested by a probation officer will usually result in the staff member becoming the lead supervisor. This solution also eliminates the potential problem of youth playing one supervisor off against the other.

2. Police

Some of the same misunderstandings that exist between the courts and/or the probation system and a program also exist between a program and the police. In some instances, the police may want to use a program as a convenient dropping off place for youth they have no other way of handling easily. This is exactly what some programs are designed for. In other instances, this may not be appropriate; consequently, the police must be clearly informed which youth meet criteria for the program and which do not. After the program has developed, these problems usually diminish. Some programs have members of the police department on the Board to help prevent this problem.

A second issue is that police may provide to agencies or parents information about the youth which the program feels is inappropriate. For example, if a program serves as a crash pad for youth who are having family problems, informing the parents that the youth is staying in a particular location may aggravate the problem. The cooling off period that is necessary to allow the youth to come to a better understanding of his/her situation is eliminated if the parents begin to make immediate contacts and pressure the youth to return. One program that has faced this problem solved it by instructing staff who answered the phone to say, "I'm not sure where the person is, but you might try calling....." and then giving a phone number. The phone number given is that of the living area for the house. Between the time the call is initially received by the staff person and the parent has an opportunity to place a call to the second number, the youth is informed and given the opportunity to decide whether s/he wishes to speak to the person calling. If the youth is not interested in speaking to the parent, another resident will intervene to answer the call and say that the individual is not available.

B. WELFARE SYSTEM

Some residential alternative to juvenile detention programs house youth who are classified as "needing supervision" but who are not clients of the juvenile justice system. In such situations, the children's court

rather than the juvenile justice system may have jurisdiction. Conflicts may result when the welfare system and the program disagree philosophically over what constitutes an appropriate client for acceptance into that particular program. These conflicts can be resolved if people communicate programmatic goals, confront the issues, and avoid personality clashes between staff and welfare workers.

C. SERVICE NETWORKS

Most residential alternative programs exist in a system of service providers who offer assistance to the juveniles as well as to the community as a whole. In fact, most programs depend on alliances which can be developed to provide adequate services to clients. In some instances, these alliances create coalitions of agencies under single umbrella organizations. In other situations, there is an informal or formal process through which referrals are made among agencies.

1. Coalition Building

Where several similar programs exist within a single community, they may find it very helpful to develop a coalition. If a single umbrella organization that handles administrative matters for several programs is well developed and organized and if the staff that handles the administrative matters are good managers, this arrangement may provide greater efficiency and reduced administrative expense for the coalition. Within such an arrangement, one person may become a "marketing" expert, seeking out funding sources while being on the lookout for new opportunities for financial support and growth. For a fairly small program, this may eliminate some major problems because the coalition can afford to hire someone with the experience necessary to keep books for a multisource-funded program. Before forming such a coalition, each participating program should be sure that such an arrangement is best suited to that program's particular needs.

Other ways in which programs may form alliances with one another are less formalized than the development of a single umbrella agency. One way

may be to have monthly or periodic luncheons with the administrators of programs that share mutual problems and issues. A second approach may be to share such services as the development of seminars or workshops on child care skills.

2. Service Linkages

Even if a coalition does not develop among programs and agencies, most will find a need to establish relationships with other service providers. Particularly in the area of medical care, legal services, and services to individuals with acute psychological and emotional problems, services linkages may be the answer. Few programs have found it necessary to establish direct purchase of services agreements with other agencies. Rather, they are more likely to make a direct referral and to transfer the custody and jurisdiction of an individual to that agency or, in the case of medical care, to forward the payment (usually Medicaid) for the provider of the medical services.

3. "Turf" Issues

Regardless of the type of linkages, a question may arise about who is responsible for youth under what circumstances, as well as who has the opportunity to seek support and funding for a particular purpose. Within a coalition, programs that are not comparable but that may compete for limited funding may find themselves moving in similar directions so that they become comparable after the coalition is formed. In other situations, as mentioned earlier with regard to the probation system, issues of authority and client supervision may arise between service providers. While it may be a cliche to say that the way to deal with such issues is to resolve them by communicating, this tends to be the single most effective way of handling these problems.

4. Community/Citizen Involvement

Using citizens to provide personal services either as volunteers or as board or advisory committee members may also help establish

relationships with powerful individuals as well as with agencies and programs. Thus, it is sometimes very useful to have community group members on the Board of Directors or Advisory Committee. Occasionally, a staff member from another service agency may even be "on loan" to a program.

The community may be involved with a program in other ways as well. For example, service groups may request that the program provide speakers and/or presentations for meetings. As a result, the service groups may provide some form of service to the program, such as a recreational outing. One program allowed service groups to redecorate and remodel rooms in the building. This way, each group helped improve the facility and received recognition for its efforts. This made the cost manageable for the service group and allowed each to get recognition. This same idea could be applied to individuals as well.

Relations between the community and the program may be promoted if the clients in the program provide services for the community as well. As mentioned in the previous chapter, in some situations the youth may be able to assist within the neighborhood by mowing lawns or shoveling snow. In other instances, they may work for a community-wide program such as an ecology center. Although the clients of a program may rightly feel exploited if they are expected to do too many things, such activity provides an opportunity for both good public relations and training in community living.

D. COMMUNITY MANAGEMENT RESOURCES

Two groups often provide management resources: The Board of Directors and the Advisory Committee. In practice, these terms are sometimes interchangable, depending on the local situation. With a private corporation, a Board of Directors may have the legal responsibility to establish policy and assure that a program is carrying out its mandated functions. Essentially, the Board has the legal responsibility and authority to direct the program or agency. On the other hand, an Advisory Committee may be developed to solicit input from persons who are more knowledgeable about the service area to which the program is directed. An

Advisory Committee is not likely to be concerned with financial and administrative matters, except as they relate to service delivery.

For purposes of description, the term "Board of Directors" will be used here to denote a group of people who have legal and financial responsibility for a program or agency; the term "Advisory Committee" will refer to a group who provide advice and input particularly regarding service delivery.

1. The Board of Directors

Members of a Board of Directors have various roles and responsibilities. These include: Serving as a liaison with the leadership of the community; providing legal advice; providing financial advice; developing and assisting with fund raising; serving as liaison with the juvenile justice or social service system of the community; serving in a public relations role; and providing direct services as needed by the program. Because of these many functions that a Board may carry out, there is a need for some diversity in the types of individuals selected. One essential criterion, of course, is interest in the philosophy and approach of the program. Assuming that interest, people with varied types of expertise are needed to fulfill the above-mentioned responsibilities. For example, it is generally agreed that approximately two-thirds of the board members should be business or financial leaders within the community. Such people are going to be able to relate more effectively to others within the community from whom support is needed and will provide the kind of financial and business guidance that the program desires. Others may come directly from within the juvenile justice or social service systems. A program should avoid having too many Board members from other social services providers, however. There is also some question about the legitimacy of having individuals who have direct financial relationships with the program serve on its Board of Directors. The perspective of the Board can become too narrow, too isolated from the community at-large, and too "inbred."

Because funding and developing a program are always major issues, recruiting board members who will help with fund raising and solicitation is important. For the most part, however, this type of person will not be

selected initially. When a program is beginning, most Board members will be people who are interested in providing alternative services. Not all of the people with this type of interest, however, are willing to become involved in the financial aspects of the operation. Thus, as the Board evolves over time, it may be important to replace some early members with persons with a greater financial and fund-raising potential.

Another function of the Board is to serve as liaison with various segments of the community. Consequently, persons who have positive relations with other community groups should be recruited if possible. A respected community leader who is a strong advocate for a program can influence its acceptance and continuance, particularly if it is a new program.

In order to formalize and to specify clearly the responsibilities of the Board, a constitution and bylaws is generally mandatory (see Chapter Seven). Such bylaws frequently specify that the Board is self-perpetuating (i.e., will replace members itself). Assuming they have good relations with the Board, the staff may be able to provide direction to the Board as it replaces Board members.

If a program is government-sponsored or within the public sector, the function of the Board of Directors may be assumed by another public unit, such as the County Board or the staff of another county agency. Under these conditions, the Board is less likely to have the same direct involvement in the activity of the program and usually serves in a supervisory capacity. Here, the development of an Advisory Committee may be much more important.

2. Advisory Committee

Advisory committees are usually composed of people with more interest in providing residential alternatives for juveniles than in the financial, administrative and management issues. An Advisory Committee is an appropriate place from which collateral service providers or members of the juvenile justice system can provide input and direction to the program. Often, an Advisory Committee can serve as a sounding board where the staff

of the program can try out new ideas and plans.

For programs that have both Boards of Directors and Advisory Committees, the Advisory Committee is less likely to meet as often as the Board. On the other hand, if the program is governmentally sponsored, the Advisory Committee may meet more often because it serves as the group that gives direct advice to the program, whereas the governmental board serves a more perfunctory function.

In summary, various skills are needed on an efficient Board of Directors or Advisory Committee. These include financial and funding skills, legal advice, and liaison and public relations skills. Distributing these resources between a Board of Directors and an Advisory Committee is a function of the organization itself. However they are used, such resources provide valuable assistance to programs.

CHAPTER TEN

SURVIVAL ISSUES FOR PROGRAMS

At least three issues have major consequences for program survival. They are: evaluating programs, planning for new services, and developing new and continuing funding sources.

A. EVALUATION

Why bother doing program evaluations? There are at least six reasons why administrators of alternative programs should support doing evaluations of their programs. The first is to comply with the reporting requirements of funding agencies. All fund sources require some evidence that services have been provided, personnel have responded to client needs, and money has been well spent. Although this evidence constitutes a superficial type of program evaluation, funding will be terminated if these reports are not submitted.

A second grant-related reason for evaluation research is to use the results of the research to bolster grant submissions for future funding. In this case, the research is used to show what is being done at present, with an indication of the quality, not just the quantity, of services being delivered. Future granting sources are more likely to fund programs when evidence shows they have been effective. Of course, when a program is just beginning, there are no evaluative data to support it. In this case some programs have benefitted by being able to cite evaluative studies of similar programs elsewhere.

A third reason for doing evaluation research in alternative programs is to find out what is happening in the program. Are staff members actually doing what their job descriptions say they are doing? In what ways is the service delivery system being modified as a response to the ongoing development of the program? Program administrators like to think that they are always aware of everything that happens in their program, but this is

rarely the case. Evaluation research usually brings to light some facets of program operation that were previously unknown, especially conditions which need to be corrected.

The fourth justification rests on the need to find out more about the clients in the program. This parallels the third reason except that it concentrates on clients rather than on staff members. What are the characteristics of clients entering the program? Have these characteristics changed over time? How do the characteristics of clients produce different results from the same treatment? How do clients feel about the program at different points during their involvement and after they have left the program? How do clients find the program? Are there new services which should be provided or emerging needs which should be met? Each of these questions can be answered through a carefully designed program of evaluation research. One program modified its operations significantly when a survey of clients revealed a great desire for technical training and opportunity to prepare for GED exams.

Another reason, the fifth, for maintaining a continuing evaluation program is to refine treatment used in the program. This refers to short-term adjustments in treatment systems that can be made, based on feedback received through evaluation about the effectiveness of these methods. To be used in this way, evaluation research needs to be a continuing process rather than a once implemented and completed procedure.

The sixth reason for engaging in evaluations is to help plan future programs. By taking a careful inventory of what an alternative program is doing at the present, and at the same time, finding out about client needs and the effectiveness of treatment modes, plans for future programs can be developed with a reliable data base. This not only increases the chances that future programs will be successful, but it also can increase the support that knowledgeable board members will give to these program plans.

Although none of these previous reasons for maintaining an ongoing evaluation research effort deal with what is normally thought to be the main reason for doing evaluation studies, that is, to find out to what extent and

how well the program is reaching its goals, this is obviously an important topic. This is particularly true with the increasing demand for social services program accountability. While many administrators are understandably leery about committing themselves to an evaluation study that claims to summarize the value of their entire program in one document, the value of evaluation results far outweighs its threat to the program or to the administrator. For the most part, only ineffective administrators or poorly operated programs need fear program evaluation. Nevertheless, many administrators may distrust the evaluation process, although they feel personally confident about the quality of services delivered by their organization, because they do not understand its current use or its potential value. This opposition to evaluation reflects a misunderstanding of the potential benefits of the evaluation process.

The primary purpose of program evaluation is not to make judgments about the program as a whole, but rather to meet the needs of program administrators, funding agencies, or other interested parties through a flexible and more objective process than is usually followed. By securing objective data from clients and other parties and by measuring progress in relation to goals, the evaluator is able to get a more objective picture of program elements and is not left to make impressionistic or subjective judgments. Evaluation, however, tends to be most effective when carried out by impartial skilled evaluators. Evaluation is quite different from project monitoring, which is important in itself. While the latter tends to focus on matters like body counts and the number of times each staff member provided a type of service, evaluation efforts generally focus on program impact and effectiveness. If programs cannot afford the cost of evaluation and monitoring activities, monitoring must be a minimum requirement.

Another important point about evaluations is that measurement instruments need to focus on the variables that are most strongly affected by the program and that these instruments must be sensitive enough to pick up whatever changes are occurring in the program's clients. This means that the choice of how an evaluation is to be done and what measurement instruments or indices are to be used is crucial and program administrators should be involved in the decision. A poorly conducted evaluation is worse

than none at all. The best evaluations are worked out between professional evaluators, who can offer technical advice on evaluation matters, and program administrators, who understand better than anyone else what the questions are that need to be answered in an evaluation study. When the evaluation proceeds with this kind of give and take between administrators and evaluators, or when it is performed in-house with the help of technical advice from qualified evaluators, the evaluations potential for positive contributions increases.

Three possible foci exist for an evaluation effort: An evaluation of management, of the process of service provision, and of the program's impact on the clients. In practice, program evaluations combine two or even all three of these foci. Each of these topics can be evaluated by different people, resulting in different levels of objectivity and sophistication. These evaluations can be routine in-house evaluations, in-house evaluations submitted to or conducted by the Board of Directors, site visits by licensing agencies, superficial evaluations required by funding agencies, intensive evaluations required by funding sources and implemented by outside professionals, and evaluations carried out by academic professionals as part of the research program.

1. Auspices for Evaluation

Routine in-house evaluations consist of the continous monitoring of program activities by the program director. Informal comments made by clients, parents, and representatives of other agencies are taken into account in these routine evaluations. When one asks the Executive Director how the program is doing, the answer usually received is based on this sort of informal in-house evaluation. The second type of in-house evaluation is an improvement over routine in-house evaluations in that it is of direct interest to the Board of Directors who either requested the information originally or who commissioned the data gathering. The information received by the Board, however, is not necessarily any better than the data the Director uses in a routine evaluation. However, the Board of Directors may be more objective and less willing to accept unsubstantiated statements as factual because the Board is further removed

from the day-to-day operation of the agency than the Director. The advantages of these two types of evaluations are that they are inexpensive, can be easily molded to meet the immediate administrative needs of the program, and can give immediate feedback so that program changes can be implemented quickly.

The next two types of evaluations are conducted by governmental agencies. Site visits for the purpose of licensing are considered evaluations since they compare facilities with state standards. The licensing visits focus on the physical characteristics of the site and their adequacy to meet client needs. They may also check management characteristics, but this is not the case in most states. The examination of the physical facility is often so cursory that deficiencies in the facility go undetected. Funding agencies also conduct routine auditing, mainly to ensure that the program is delivering the amount of service to clients that it claims to be providing. Documentation of case flow, intake procedures, the adequacy of the facility, staff qualifications, community relations, and referral practices may be requested. These evaluations are generally limited to statistics on service delivery plus statements on other topics by the Executive Director of the program.

Auditors are often sent from funding agencies to a number of programs in rapid succession so that they rarely spend more than one day at each facility unless there are signs that the program has deviated from its proposed operations or exhibits other irregularities. Generally, auditors make no attempt to check the statements of the Executive Directors unless something is obviously wrong with the program. Because most alternative programs function at a moderately high level of efficiency these superficial evaluations are not useful in helping the programs move from that level to a level of excellence in their service delivery. Such audits only catch those programs that are functioning at a substandard service delivery level. Because they take the Executive Director's word for so many things, auditors do little more than repeat the Executive Director's words back to him/her in their evaluation reports, which themselves are brief narratives rather than research reports or statistical analyses. Many of the annual evaluations written by auditors from funding agencies are no more than two or three

pages in length. In addition to their superficiality, they often make both negative and positive statements that are not correct. For example, a negative impression picked up on a one-day site visit may be incorrect but may become a major factor in the two-page evaluation report that is written that evening in a motel room. If the program staff have no opportunity to correct this mistaken impression, it may be accepted as fact about the program. The advantages of these quasi-evaluative reports, however, are that they meet the criteria for licensing or continued funding and therefore are of value to the program. They generally do little else for alternative programs. They offer no sophisticated guidance in management or service delivery, and they are not sensitive enough to what is going on in the program to be able to show meaningful differences from one site visit to another.

Truly adequate and comprehensive evaluations are often performed by evaluators who are external to both the service delivery agencies and the funding sources. Alternatively, in-house personnel may be used to carry out most of the evaluative operations if technical expertise is acquired from external evaluators. In some instances, it may be necessary to have certain parts of the evaluation carried out by external personnel, especially if it is not in the client's interest to have these parts carried out by in-house staff members. For example, if information solicited from ex-clients in a follow-up study may prejudice in-house staff members against re-admitting these clients at a future date, the follow-up interviews should then be conducted by external personnel.

Consulting firms or academic institutions are often the best sources of objective and capable evaluators. It is not as difficult to find the funds to hire consulting agencies and academic institutions as it once was because evaluation money is increasingly being built into funding contracts for alternative programs. One government agency, for example, suggests that 15% of a program's budget be committed to program evaluation. If a substantial portion of the evaluation is to be implemented by an external source, then the contract should be put out for bids. The bidding process assures that the evaluations will be done competently because inferior evaluation proposals can be weeded out in the bidding process. Because each funding

agency has areas it wants evaluated, any project anticipating an evaluation should investigate agency requirements thoroughly before signing an evaluation contract or commitment.

The final method of evaluating an alternative program is an academic research evaluation that is carried out by volunteer academic personnel. This differs from the previous type of evaluation only in that it is not funded. Because services are donated, academic researchers are not joined by consulting agencies in this work. Both of these types of externally conducted evaluations have the advantage that they are carried out by experts who have had experiences in evaluating similar programs and who are familiar with the professional evaluation literature. Their interest is in doing the best evaluation possible rather than in portraying the program in one light or another. Frequently, it is difficult to separate bias from fact in an in-house evaluation. Even when they are carried out with complete objectivity, the fact that they have been conducted in-house leaves them open to community criticism. The opinions of external evaluators are more likely to be accepted as objective by critics in the community and also by funding agencies.

The disadvantages of external evaluations are their higher cost and the possibility that the external evaluator will not work closely enough with program administrators in measuring all appropriate variables or will not use sensitive enough measurement instruments to be able to show the changes that are actually occurring in program clients. For this reason, all evaluation proposals should be carefully examined for the degree to which they commit the evaluator to work closely with program administrators. No evaluation study should be funded in the absense of assurances of cooperation and open communication between the evaluator and the program administrator.

2. Foci of Evaluations

a. Management Evaluations

Management evaluations focus on the procedures or systems used

by the agency director and his/her staff in administering the agency. In large agencies, there will be additional administrators and a wide range of policies and administrative actions to be evaluated. These large, complex, multi-mode agencies will find management evaluations essential, while small, informally managed programs will benefit to a much lesser degree. Some of the questions to be answered in management evaluations are: Is the administrator using management by objective or other planning procedures, and if so, how effectively? How clearly are the goals and objectives of the program formulated and how well are they communicated to service delivery personnel? Are the resources of the program, both human and material, being used in the most efficient manner? How well does the alternative program relate to other social service agencies in the community and to the community as a whole?

The problem with management evaluations is that they concern technical issues that do not directly touch on either the process of service provision or its impact. It is entirely possible that a program having no positive effects on clients could receive an excellent management evaluation. The other side of the coin is that no matter how well a program is doing in terms of service delivery or impact, it can still benefit from improvements suggested by a management evaluation component in a multi-dimensional evaluation.

b. Process of Service Evaluation

A process evaluation determines whether services are being delivered according to accepted professional standards. It answers such questions as what services are being delivered, how they are being delivered, and what needs of clients are not being met. This evaluation is similar to a management evaluation except that it focuses on service delivery by lower level staff members instead of on management activities carried out by administrative staff. For example, a process evaluation deals with whether the therapeutic techniques used by staff members are the most efficient techniques available to achieve the goals set by the program.

c. Program Impact Evaluation

The impact model is a more empirical and scientific model for program evaluation. Ideally, it involves the calculation of pre-test/post-test differences in client attitudes and/or behavior that can be attributed to the services delivered to the clients. This implies that the data used in impact evaluations are more objective than the data used in management and process evaluations. One problem with impact evaluations is that pre-test/post-test differences can never be technically nor fully attributed to service delivery unless there is also a control group that has not received any of the program services but on which similar pre-test/post-test differences have been calculated for the purpose of comparison. In the absence of a control group, one can only guess that the pre-test/post-test changes demonstrated in clients are due to services provided by the alternative program.

The crucial question in any impact analysis is by what criteria should impact be measured? Grant applications usually state specific goals and objectives. Once these have been agreed on, there is a subsidiary question of how the achievements will be measured. Some of the statistics collected routinely in a program can be used for pre-test/post-test purposes, such as the number of disciplinary incidents or the amount and quality of participation in group therapy meetings. Pre-test/post-test differences in juvenile justice system contacts and home adjustment are examples of external factors that can be evaluated. Evaluators who wish to test for differences in attitudes should first decide what attitudinal dimensions should be tested and then consult several of the recent reference volumes on attitude scaling to select appropriate scales to be used. Two of these volumes are MEASURES OF SOCIAL PSYCHOLOGICAL ATTITUDES, by John P. Robinson and Philip R. Shaver (Ann Arbor, MI: Survey Research Center, Institute for Social Research, 1973), and SCALES FOR THE MEASUREMENT OF ATTITUDES, by Martin Marvin E. Shaw and Jack M. Wright (New York: McGraw-Hill, 1967).

B. PLANNING NEW SERVICES

A new service in a residential alternative program may evolve

without any previous planning process if a need arises. In one project, for example, new services developed because youth who had no home to go to simply stayed at a program that normally closed in the early evening. However, usually the innovation of new services is preceded by planning procedures. In many programs visited by SERCL members, the planning process consisted largely of the formulation of a good idea by the program administrator or Board member, followed by informational consultations with other key staff members, Board members and interested community members. At this point, if funds could be found, the new service was added to the program's existing package of services.

The initial idea may be stimulated by the program administrator's or other staff's perception of client needs, input from other alternative programs in neighboring areas, LEAA or other agency models and program suggestions, or perhaps no more than the realization that there is money available for certain kinds of services. In any case, it appears that the planning process for the implementation of new services is rarely based empirically on a client need survey. In fact, the best predictor of the extensiveness of the planning process is how much is required by the funding agency. The more detail the potential grantor requires, the more careful the alternative program's planning process.

One reason the planning process is so poor in many residential alternative programs is that program administrators have not performed the necessary monitoring and evaluation functions in the past and, therefore, do not have a base of information or skills with which to adequately plan the new service. For example, an analysis of the characteristics and needs of present clients and potential clients in the service area may never have been made. A careful evaluation of the resources available in the agency and other agencies in the community may never have been completed even when client needs have been carefully documented. A systematic evaluation of alternative modes of service delivery through which client needs can be met when the new service is implemented also may not have been carried out.

Planning new services for residential alternative programs does not usually occur at any one time during the year. Instead, it is accomplished

in connection with the filing of continuing grant applications. The plans that are required as part of these applications are usually the only plans ever formulated by alternative programs, and are generally written by the Executive Director of the program, sometimes with the help of key aides. Board members are sometimes heavily involved in the planning process, but they are just as likely to rubber stamp whatever has been presented to them by the Executive Director. The fact that program planning seems only to occur in connection with grant applications suggests a lack of independence in the alternative program's planning processes. To the extent that a program is publicly funded through grants, it tends to be dependent upon those grants and controlled by the funding agencies in precisely the same way other publicly funded programs are controlled. A disadvantage of planning around grant applications is that such planning tends to be done quickly and only at the last minute. The specificity of goals and objectives described in the proposal is usually no more than what is required by the funding source. Furthermore, what is proposed is only what the funding source is willing to support.

In this situation, however, a residential alternative program may be able to secure flexibility which will allow it to add new services within each funding source budget, or to be able to change from one funding source to another source. This process is facilitated if the program is funded from multiple sources rather than a single source. The only programs with any significant degree of autonomy are those that are privately rather than publicly funded. Such programs have the luxury of being able to innovate new services with no more than the approval of the Board of Directors, if sufficient funds are available or can be diverted.

Three recommendations emerge from this discussion of planning for new services. First, an ongoing evaluation and monitoring system should be instituted in a program so that it can produce information that will be useful in planning for new services as well as continuing or modifying present services. Second, planning for new services should occur as the need arises rather than on an emergency basis just before applications for funding renewal are to be submitted. Finally, the planning process should involve as many knowledgeable staff and Board members as possible, and

should also include representatives of significant private and public community agencies. One way to involve Board members in the planning process is to have a weekend or even a week-long retreat at which all issues can be fully discussed without interruptions.

C. NEW AND CONTINUING FUNDING SOURCES

Most alternative programs begin with a single source of major funds. LEAA may have provided money through State Planning Agencies, in which case the money is generally reduced each year and LEAA funding is terminated at the end of the third year. The intent of the LEAA phase-out of funds is to encourage state and local funding sources, if the program is worth continued support, to assume responsibility for it. Unfortunately, this requirement often turns the decision over to people who either lack information or who are not skilled in evaluating the quality of the program and who make their decision on local or state political criteria rather than service delivery ones. As a result of this policy, a number of useful residential alternative programs have been terminated in recent years. A second consequence of this phase-out policy is to encourage programs to find additional federal money, but through different mechanisms and funding structures. For example, some alternative programs have switched from LEAA money to Title XX money, which flows through state Offices of Youth Services. In one case, an alternative program made the switch at the end of the second year of LEAA funding because of the anticipated phase-out period. Other sources of funding include financial "pass-throughs" from other agencies, welfare departments, juvenile courts, local governments, United Way, private foundations, or private donors.

As residential alternative programs grow, they tend to add additional functions and find that single funding agencies are not likely to support a multitude of service delivery functions. They are, therefore, obligated to seek multiple funding sources, often as many as eight or ten for a single residential alternative program. In addition to the complications which result when some sources will only fund certain kinds of service delivery, there is also the complexity introduced by certain sources that will only fund specific types of clients. Eligibility rules are promulgated by a

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number of governmental agencies, so that some youth in a residential alternative facility may at least be partially funded by the welfare department while others are supported financially by the juvenile court and still others by private rather than public money.

Contributions from private citizens and businesses may be sought on a local, regional or state-wide basis. Their support may be limited to special items, such as remodeling the facility or buying new equipment, or it may be for general funding. Local funding is also possible in some communities through the United Way. One alternative agency substantially funds its programs through a state-wide mail campaign. Others are mainly supported by Title XX funds, but also appeal to local businesses for funding and for donations of material for special projects. At least one program with a long history of success receives a sizeable portion of its budget from individual contributions resulting from appeals within its community. A special source of local contributions is created when residential alternative programs request that parents pay at least part of the cost of services to the youth unless the parents meet low-income criteria. Again, this can be limited to special services such as medical costs, or it can be fee-assessed on a sliding scale for all services provided by the alternative program to the client.

The examination of funding strategies in a number of alternative programs around the nation suggests that it is wise for programs to seek multiple sources of funding as early as possible. This strategy has the disadvantage of increased difficulties in record keeping and bookkeeping because each funding source tends to require a different type of reporting form for services delivered. However, this disadvantage is more than offset by two major advantages of using multiple funding outlets. The first is the multiplicity of services that can be offered when diverse funding sources are used and the second is an increased chance for survival. Single funding sources can disappear, decrease their level of funding for a program, or decide that they will continue to fund some services, but not others. Alternative programs can reduce the extent to which they are at the mercy of funding agencies by having multiple funding sources. That way, if one source will not pay for services that the alternative program thinks should

be offered in their area, perhaps another source will assume the responsibility. This is practically the only way in which publicly funded alternative programs may maintain a reasonable degree of program autonomy. Some programs operate their own fund raising in the form of an annual dinner or annual fund appeal. While these procedures require concerted effort, they are helpful in generating a greater level of community and citizen involvement and support.

All programs that have survived for several years find that they must learn to tap multiple funding sources. In order to do this successfully, the program must have the support of community and governmental leaders. Politics cannot be ignored, but politics alone may not insure survival. Good evaluative data of management process and outcomes is at least as important to the longterm life of a program.

PART THREE

ORGANIZATIONAL MODELS

CHAPTER ELEVEN

MODELS OF MANAGEMENT IN COMMUNITY SETTINGS

As the information presented in Chapters Three through Ten indicates, multiple factors within the community affect alternatives to juvenile detention. The level and type of available resources, the level of social and political integration, and the culture of the community must be considered when decisions are made to set up residential alternatives to juvenile detention. In fact, they may dictate the form and the type of alternatives adopted by the community. In this chapter these factors are combined in the following set of models.

A. RESOURCES AND CONSTRAINTS IN THE COMMUNITY SETTING

Once a community has decided how committed it is to the deinstitutionalization of juveniles who do not need to be detained in secure facilities, several policy issues regarding implementation need to be addressed. First, the community must determine the type and level of resources that are available in the community and elsewhere. Next, it must evaluate the existing service system and judge how the system will relate to any new components, and if and how it should change system philosophy or operations. This decision must take into account community values and the degree of consensus and cooperation available in the community. The community must also decide who is to take the responsibility for beginning and continuing residential alternative programs.

A first step in creating a system of residential alternative services is to determine the level of resources available in the community. Perhaps the most obvious resource in a community is the amount of money available in both the private and public sectors to fund an alternative to detention program. Community resources may be channeled to alternatives to detention in a number of ways. Wealthier communities use a large tax base on which they impose local taxes for the funding of alternatives. Without substantially increasing the burden of taxes upon citizens, they can expand

their court system to include a large referral system or to support programs within the police or welfare departments. Wealthy communities are also more likely to have strong community charitable organizations such as the United Way. These communities may also have several private foundations that will consider grants to worthy social causes.

Wealth in the community, however, does not always mean more assistance will be given for local residential alternatives to detention. In some such communities, alternative programs have a difficult time obtaining local funding due to philosophical differences or to an upper-middle class community's reluctance to admit that it has problems with its youth. In many of these communities, the prevailing belief is that the family in a financially well off area is a stable institution and non-family social services are unnecessary. In fact, wealthier communities often have as difficult a time as poorer communities convincing their citizens that alternatives to detention and other services are needed. Some programs, have had to disguise the alternative nature of their services to win the cooperation of the community.

The wealthier community also has indirect benefits from its high level of resources. Because its citizens have more leisure time, they are able to volunteer their time to aid residential alternatives to juvenile detention programs. In many poor communities, citizens are more concerned with providing the basics for their families and have less free time to commit to volunteer activities.

Other aspects of the community environment have an impact on the community-level management of residential alternatives to juvenile detention. The level of community volunteerism is affected by the level of cooperation and interaction between community groups. A community lacking this integration may have considerable conflict among the racial, ethnic, financial, or commercial groups. In these communities, concerted action is often difficult. On the other hand, a well-integrated community is one where the community groups and interests have a harmonious working relationship and are able to resolve intergroup difficulties. Communities with a low level of integration may have to choose a different strategy for

creating a system of alternatives to juvenile detention than those with a high level of integration.

The cultural environment is another factor that affects the setting in which alternatives to detention programs must operate. Sometimes it is conditioned by a political philosophy. In some areas, a political group will oppose any institution for the resolution of juvenile problems other than the natural family. The commitment to the family by these groups is often very strong. On the other hand, the family in other subcultural settings may be so devastated that no support for any external social services, such as residential alternatives to juvenile detention through the family structure, can exist. In this situation, the family cannot be relied upon to help support the goals of these alternatives.

In other locales, the philosophy of state government affects the availability of resources. Some states have a high commitment to social services and will provide monetary and human resources to supplement the local community's effort. In other states, the lack of financial resources, which can limit the commitment of state government, may make alternative services very difficult to establish. In these states, communities have to seek other sources of funding for their programs. In some instances, they must convince the states to manage Federal "pass-through" money to communities, such as is done under Title XX. Several programs have done exactly that, and they are now relatively secure in their future funding.

B. DESIGNING AND OPERATING MODEL SYSTEMS

Several prototypes of programs for alternative services to juveniles are possible within the context of the resources and constraints that may exist within communities.

1. The Theoretical Foundation of Alternatives to Juvenile Detention

The following presentation of the prototypical models is founded upon a number of theoretical assumptions. The first is that the

local community is ultimately the cheapest and most effective provider of services to juveniles. Second, the community is primarily responsible for the prevention of delinquency and for the provision of services to its young people in need. Third, because communities differ in the volume of resources locally available for detention alternatives, state and federal resources should be used to supplement inadequate local resources or to provide seed funds where such services are nonexistent. Fourth, the local community should be responsible for determining how it will organize itself to provide these services. By taking on this responsibility, local officials and concerned citizens will learn to communicate better with each other and to organize themselves in a more effective manner. Fifth, the local community will have to accept the Federal and state governments' statutory limitations on the types of juveniles who can be detained in secure facilities. This issue can only be resolved in the long run if communities accept responsibility for developing residential alternatives for juvenile detention programs. Although these communities will take issue with the authority of the Federal government and many of the state governments to impose such dictates upon local communities, most objections of this kind have no basis in law. In some communities, resistance to Federal policy has resulted in conflict among community service providers and has significantly reduced their ability to provide services.

An additional assumption supporting this study is that the resources available in the community and the characteristic aspects of the community setting determine to some extent the type of program which can evolve. Based on judgments from a limited sample, there seem to be some differences between the types of program provided by wealthy communities and those of poorer urban communities. Isolated rural communities and newer suburban areas show still different configurations. It also appears that communities which are small enough to have well-integrated leadership in the provision of social services organize a different service delivery system than other communities.

In other situations, local historical circumstances may determine the type of program that emerges. For example, a history of public or government participation in the provision of services will generally result

in an extensive, publicly-funded commitment towards residential alternatives to juvenile detention. Newer communities, on the other hand, are apt to develop much different responses to these needs. Rapidly developing suburban communities may start extensive volunteer organizations which are independent of publicly-funded agencies. Perhaps a wealthy community's most important resource is the organizational skills of some of its members and the free time homemakers and others have for volunteer work. Then, too, a serious commitment to making the community a better place to live encourages volunteer participation.

Based on study of these and other factors, four models of residential alternatives to juvenile detention appear feasible. They are based upon those variables in the local community which seem to be crucial for the management of alternatives. Additionally, they take into account the extent of resources available in the community and other aspects of the community setting. These models are labeled: 1) The Grassroots Organization, 2) Publicly-Funded Community-Based Network, 3) Grant-Funded Service Cluster, and 4) Publicly-Operated Agency.

a. The Grassroots Organization Model

1) Description

This service delivery approach is primarily dependent on a high level of commitment and volunteerism in the community. Its form is much like the hundreds of "community organizing" groups which have emerged throughout the country to address local problems. It consists of a small group of committed leaders and organizers who reach out to mobilize greater numbers of people in the community. Its operating mode is to bring the relevant resources from the community and elsewhere into a service organization. It inspires volunteers to commit themselves and their time to the cause of providing services and then trains them as members of the organization.

The grassroots organization generally sees other service providers, both publicly and non-publicly managed, as components of a system to be brought

into a growing coalition. The organization may write other organizations into its funding proposals, cooperate with these units on requests for services, and work with them to build joint projects. By these methods, the organization creates linkages to a large portion of the service delivery network in the local community.

2) Service Arrangements

The grassroots organization has a central core of administrators, volunteer coordinators, and program coordinators. The professional core provides only a small portion of the direct services. Most of the grassroots effort is directed towards recruiting and directing community volunteers, coordinating funding proposals, interacting with other service providers, and referring clients to appropriate services. Volunteers provide such services as informal counseling, transportation, foster home care, management of the funding effort, and interaction with other service agencies.

3) Community Setting

Although volunteerism is generally higher in affluent communities, a great deal of wealth is not required for the implementation of the grassroots community organizer model. All that is required is sufficient funds to begin the administrative core. This can often be accomplished by a grant. Although organizational skills and knowledge of the community are more prevalent in middle class communities, they are also available in communities of limited financial means. Thus, all that is required from the community setting is a small amount of seed money and energetic organizational work by a small number of committed people. Residential alternatives may be encouraged by a mother whose son was mistreated by the police while in jail or a women's club that believes it may help youth best by developing a short-term group home. Some of the most effective programs were initiated by a church or a league of churches. They had the advantage of a formal church organization to begin with and a network of social relations which could be counted on for everything from volunteer help with foster care to legal advice and construction skills.

4) Advantages

The grassroots community organizing model has a number of advantages. First, it has a very low cost due to the high level of volunteer commitment that marks its operation. Volunteers do not require extensive salaries and other benefits. Because it uses such volunteer services as volunteer foster homes, it may not need to rent or purchase a building. Another advantage is that Federal funding agencies are often very impressed with an organization that is strongly linked with other service organizations within the community. Communities that have a high level of cooperation and a strong commitment to providing services are generally considered good funding risks.

Extensive community links are vitally important to the political relationships of the residential alternative to detention program. Because there is often considerable political resistance to the development of detention alternatives, this mode of service provision has two distinct advantages. One, it does not depend upon any centralized institution-like residences, and two, it is interwoven with groups in the local service provision network. Thus, it is able to join with other frequently more politically attuned local groups to secure the ends desired by the program. By participating in a consortium of effort, the grassroots model is able to press its demands upon state legislators and state agencies. This enables the program to have greater power than its size would normally dictate.

5) Disadvantages

Perhaps the most important element in the success of this program type is a committed and energetic central staff, that can recruit volunteers and maintain the extensive communication links required. This commitment is very difficult to secure and is even more difficult to maintain, especially if the community is unsupportive.

6) Management Tasks

The grassroots-community organization model is unique in that the organization itself provides only some or, in some cases, none of the services. That is, the organization serves as an analyzing structure, linking the existing service providers and public agencies in the community with the needs of the clients. It does this by providing temporary homes, transportation, short-term counseling, and the impetus necessary to get the clients to the service. The central management acts more in an administrative and less in a service delivery capacity. These tasks are directed toward securing nonmonitary resources from the local community and creating networks between existing service providers. Communication, conflict resolution, coalition building, volunteer recruitment, and collective action are all necessary managerial skills.

b. Publicly-Funded Community-Based Contract Network Model

The publicly-funded community-based contract network, the second model, consists of a publicly-managed agency (e.g., police department or juvenile court system) which contracts with various providers for services through a system of purchase of service contracts. When the need arises to house or provide other services for a juvenile, the referring agency will send the juvenile to the appropriate service outlet and will pay the agency according to the terms of a pre-existing contract. The contract in many cases is rebid yearly.

Typically, the referring agency annually announces that it will accept proposals for service delivery to juveniles from local service providers. Under a competitive bidding process, the best offer(s) of cost and quality of services are then selected. Contracts are signed, giving the central referral agency a system of service placement to draw upon. Payments are made according to a per diem or per hour rate, depending upon the type of service offered. Generally, no provider is guaranteed a specified number of clients or hours because referrals are in relation to need, which itself is variable.

1) Service Arrangements

The service arrangements under the publicly-funded community-based contract network should be flexible in order to meet the needs of the juvenile. When new or revised services are necessary, a mere announcement by the referral source that it will accept proposals for a needed type of service should stimulate service providers to develop the service. If the central referral agency finds an existing service is unsatisfactory, it usually can stop referring clients to it and find alternative services.

2) Community Setting

The publicly-funded community-based contract network appears to work best in metropolitan areas where a large number of service providers are available. In order to justify the creation of a multi-faceted service network, a jurisdiction needs clients. The costs of such a network alone are extensive. The large tax base needed to support such a multi-faceted network is normally only available in a metropolitan area.

Despite these problems, a modified version of this model will work in rural areas where there is a single outlet or a limited number of service outlets. It reduces the amount of competition between service agencies, but the "network" may still be established if an effective agreement can be reached with competent service providers.

3) Advantages

This form of organization has a number of advantages. It allows the publicly-funded agencies to maintain some control over the quality of services delivered. For example, if the publicly-funded agency is unhappy with any contractor, it may merely stop referring clients to it and deny it part of its funding. Second, this system allows the court or police systems to have some control over their clients, particularly if

the court is the referral agent. A judge may place a child in one of these agencies and require the child to receive specified services. If the child leaves the service agency, s/he may then be cited for contempt of court.

Another advantage of this system is that it provides, in many jurisdictions, service at a lower cost than is available to individuals generally. This system does not require the creation of a large public service bureaucracy and offers the advantages of competition within the public service framework. In most instances, the private service providers compete with their peers for a high quality service at a reasonable cost. If the quality of service is too low or the cost of the service is too high, the referral system may seek out other providers.

4) Disadvantages

A potential disadvantage of this approach is that it requires a commitment of local funds. In many communities, the local jail has served as the only publicly-funded residential alternative for juveniles. Because a single public jail may house both juveniles and adults, fixed costs are low. Yet, this system will fail to meet the requirements of juveniles who need not be institutionalized. Local funding commitment is lessened, however, because the creation of an alternative contract-funded system generally provides a lower per diem rate than detention and allows a higher level of services to juveniles than usually provided by publicly managed alternatives to detention.

The network established under this approach does not have to serve exclusively the clients of the juvenile justice system. Nothing prevents the network from serving other juveniles or from seeking other funds.

5) Management Tasks

The management tasks for the staff of the central referring agency are quite simple. Other than the annual proposal and contract procedure, the staff needs to refer clients to the appropriate service provider, review claims for reimbursement, and disburse funds.

Perhaps the most difficult task is to monitor the provided services. This must be done to guarantee quality of services and to insure that sufficient cost controls are present.

The proposal and contract award procedure occurs annually. At this time, the central referral agency announces that it is funding services, receives proposals, negotiates contracts, and sets rates for reimbursements. When this has been done once, the procedures are clear for later years. After that time, rates are fairly well established, quality of service is well known, and increments to the system will be relatively small. Management tasks for those who provide services are similar to those of service providers described in the previous chapters.

c. Grant-Funded Service Clusters

1) Description

In locations where external funding must be provided, the grant-funded service cluster is an appropriate model.

The grant-funded cluster has become a common model throughout the United States. It consists of an agency which provides a multiplicity of services, each supported by a different funding source. Typically, it is the result of a program which has successfully secured several grants. The more successfully managed programs have been able to maintain multiple long-term funding outlets.

Typically, the building of a grant-funded service cluster is accomplished by a small group of committed people who pool their efforts to write a proposal. Once the proposal is funded and the services are being provided, the group begins to realize that many more services are needed in the area. They might then write additional grants to provide expanded services, using the same administrative infrastructure. If they are successful, they will include from three to as many as twelve different external funding sources in their budget. This allows the group to provide a large number of services where local support is low or nonexistent and

also permits them to offer some continuity in service provision. Although many grants have a time limit, the loss of one terminating grant may be made up by other funding sources.

Often, a grant-funded service cluster will stimulate local interest in providing more services. If constructively administered, the program may begin to train community volunteers and to educate local political leaders and other interested parties to social service needs. The success of this program in meeting genuine needs can often create a constituency which in turn presses its own demands on local government for approved services.

2) Service Arrangement

Within each of the components of this cluster, service provision is much like that in single mode agencies.

3) Community Setting

Local resources in many urban and rural communities of the United States are not sufficient to fund an alternative to detention. Either the area is too poor, or the tax base is too small to support extensive social services. Resources other than money are also lacking in some of these places. Organizationl skills, volunteers, and referral systems are often unavailable in some of the poorer communities. Thus, outside resources must be sought. Although this form of service delivery can be provided in nearly every community in the country, it seems most appropriate for those communities which cannot otherwise provide services.

4) Advantages

The grant-funded service cluster in some communities provides the only source of funding. In such areas, it can channel the nation's resources to the areas of greatest need. It also permits the quick transfer of skills and innovative programs as needed. An additional advantage is that the Federal funds it secures are often free of local

political power struggles. Local resistance often gets transferred to the political system, which in turn declines to fund services to adolescents. By using Federal (or in some cases, state) funds, this problem can be circumvented.

Another advantage is that a group within the community, which may not be able to secure an adequate portion of the community's resources, may now have an alternative source of funds. Minority groups within a community, for example, have been known not to receive local funds in proportion to their needs. This is especially true if the minority is a racial or ethnic group or an adherent to a particular political or service philosophy. When such groups are excluded from the normal flow of local resources, they often turn to Federal or state outlets for additional resources.

5) Disadvantages

The major disadvantage of relying on external funding for service provision is that the local community generally does not have control over those funds. Federal units have a time and money limit, and a local community may find itself without a program when Federal funding or priority patterns change. Often, the feedback process between the local community and the funding source is slow or nonexistent. This prevents the local community from communicating with its funding source and recommending changes within the service provision system. At other times, funding is met by frequent delays and marked by a lack of knowledge about the bureaucratic procedures the community must go through to secure continuing funding.

A further disadvantage is that reliance on external funding does not permit the local community to develop its own resources and resolve its own problems. It does not provide incentive for local political groups to organize themselves and take the responsibility for providing these alternative services. However, the program itself can provide incentive independent of the funding source. One program of this type perceived a grant funded program as the only way of meeting its community needs. In this case the community was a poor racial minority. The larger metropolitan area was not responsive to the needs of this minority group. Federal funds,

however, allowed it to take the initiative in solving some of its problems with juveniles.

6) Management Tasks

In the grant-funded service cluster, the principal management effort must be to organize its resources in proposal writing and in the management tasks necessary to coordinate various grants. Because the reporting requirements and financial systems may be different for each agency of government providing funds for this organization, the financial system may become cumbersome and a major commitment of staff time and energy will have to be made to maintain the system.

d. Publicly-Operated Agency

1) Service Arrangement

The Publicly-Operated Agency Model is very common in many small and medium-sized cities throughout the United States. Consisting simply of local community funding and a publicly-operated alternative to detention program, it is sponsored and funded by a city, town, or county government. In some cases, the alternative is associated with a detention facility. Because philosophies between detention and alternatives staffs vary considerably, the link is strongest when it is made between the units at the highest managerial level.

Because the publicly-operated alternative to detention program is able to meet most of the needs of a small community, there is often little demand for a wider range of services or a more complex organizational type. However, local communities may choose to institute a shelter home, a home detention program operated through the court system, or intensive day services.

2) Community Setting

The publicly-operated agency is most appropriate in

small to medium-sized communities where privately-operated services are not available and where the local community believes that it is the responsibility of the local government to provide such services. Under this approach, the policy process is largely controlled by local political units and, therefore, by the local citizens. Where local citizens are involved with services of the local government, this model works best.

3) Advantages

A major advantage of the publicly-operated agency is that it has a stable local community funding base which allows it to provide services through a centralized organization.

4) Disadvantages

Among the disadvantages of the publicly-operated agency is its dependence on tax funds from local tax revenues. In times of fiscal difficulty, the alternative program may be forced to suspend a portion of or all operation or to fire staff. However, institutional "resurrection" may be easier if funds are later secured. By associating an alternative program directly with a detention program, the two organizations may grow closer together in philosophy and in service provision, thereby giving the alternative program greater strength and survival potential. However, this association may undermine the deinstitutionalization effort, especially for youth who do not need to be detained. The potential for this happening is much greater in this model because of the centralization of management and the closeness between detention facilities and alternatives to juvenile detention.

2. Community Size and Selection of Treatment Modes

The need for services varies according to community size. Due to their size, smaller communities must make difficult choices when constructing an alternative service network. While larger communities must also make choices, their choices are structured differently than those of smaller communities.

In general, smaller communities must select and prioritize the services which they intend to deliver. Medium size communities, which have greater flexibility, also need to confront these monetary barriers to the construction of extensive service networks. Larger communities, on the other hand, must sometimes overcome problems of fragmentation of services and size of the environment in order to deliver services effectively.

a. General Guidelines

Given these problems, some guidance is possible in understanding what treatment modes may be introduced effectively into communities of differing sizes. However, before the problem of community size can be addressed fully, several general guidelines useful for communities of all sizes and levels of development should be considered.

1) Meeting the Most Pressing Needs First

Because starting a highly specialized program which does not meet the basic needs for juveniles is a waste of community resources, a needs assessment should be undertaken early. Among the most pressing needs are housing, food, and crisis counseling. Children who are awaiting court dates, who have run away, or who have been expelled from their homes by their families may need a crisis center outlet. Thus, communities with no services to juveniles must meet these needs first.

2) Developing Simple Programs First

Starting an alternative to detention is difficult enough without attempting to do too much too soon. Program planners should begin with the most fundamental needs and establish a workable program with good linkages to the community before branching out and trying to meet other needs.

3) Working With Short Term Before Longer Term Options

This goes hand-in-hand with identifying primary needs. Many juveniles do not know what they need or what alternatives are available to them when they are in trouble. It is not feasible to talk about long range solutions before the short range problems are addressed and potential crises stabilized. Once this has happened, service providers can then begin to discuss longer range options with the juvenile.

4) Developing Flexible Options in Smaller and Previously Unserved Communities

Although parts of this manual have presented treatment modes in service types as if they were discrete entities, many of these modes can be combined for small programs.

5) Developing Wide Range Over Narrow Range Alternatives

This principle applies particularly to communities where the only alternative to juvenile detention is the street. Before that community creates a moderately secure facility, it should have a non-secure unit that can address the widest possible range of needs.

6) Developing a Longer Term (Over One Week) Facility as the Need Arises

Communities must guard against a too rapid expansion of treatment types. If a program expands more rapidly than need dictates, resources may be wasted and credibility problems may arise.

7) Finding Out What Needs Are Already Being Met

Particularly in larger communities it is important for citizens wishing to start an alternative to detention to find out what other service providers are doing. This will help to determine what needs are currently being met and at what capacity those services are now

operating. This search should reveal what needs are not being served and what kinds of programs are necessary to address those needs. As a result of this investigation a system of alternatives which may overlap but not duplicate other services may be constructed.

8) Determining Community Support for Kinds of Treatment Modes

Beginning a new treatment mode without community support is risky and may lead to program failure. Programs isolated from the community-at-large face difficult times in trying to provide services.

9) Determining Demand for Specialized Services

In most small cities and towns, specialized services such as independent living arrangements, psychological/psychotic treatment programs, adolescent child caring skill programs, and alternative education programs may not be feasible for the number of clients needing services. Thus, any service provider should anticipate the demand for services in an area before considering development of a treatment mode. If there is an insufficient number of juveniles requiring a treatment mode, this service should be regionalized.

b. Services in Relation to Community Size

Applying these guidelines to communities of different sizes results in some explicit recommendations. Citizens of very small communities can generally afford to address only the most basic needs of juveniles within their communities. For very small communities, the most plausible alternative is a short term group home and emergency shelter where young people can go if they are having difficulties with their families or they need housing for a few days. However, the length of stay permitted in the group home should be no more than one month, because longer stays are incompatible with the short range services provided by an emergency shelter facility. Once this program is established, the next logical step is to create a longer term foster home network. For small communities or rural

areas this need may be met by locating five or six families with only two or three families actively housing juveniles at a time. Perhaps one or two of these families may serve children who need a longer term place to stay.

Most smaller communities or rural areas cannot support a more sophisticated network; thus specialized forms of treatment should be provided on a regional basis. Unfortunately, the only way to provide efficiently for regional needs is by creating long term residential programs. However, many of the more specialized needs such as psychological treatment services require a long stay and involve the possibility of institutionalization.

Smaller communities and rural areas generally have an advantage in being able to work very closely with the families involved and with staff of a regional detention center. This close personal contact should permit people living in rural areas to accomplish many tasks that would be more difficult in larger locations.

In communities above 30,000 - 40,000 residents, an alternative service network will probably generate a demand for more sophisticated services. In communities of this size it may be possible to separate the short term crisis centers (overnight to one week) from the short term group home (one week to one month). This differentiation is necessary because the intensive needs of youth in crisis require different services than juveniles who have stabilized their lives and need some longer term work towards resolving the problems which brought about their situtation. Again, communities of this size can rely upon a foster home network to provide longer range care.

When a community reaches a 70,000 - 80,000 people, even more specialized services can be provided. At this point, two or three crisis centers, serving different communities, and both a short term and a long term group home can be supported. When this size is reached the needs of juveniles can justify the creation of more specialized services such as alcohol and other drug counseling, job training programs, alternative education programs, or day treatment facilities. This is not to say that smaller communities cannot provide these services, but it is doubtful that they will produce the

demand for separate agencies or separate components within larger agencies to provide these services. Rather, smaller communities would do well to recruit counselors or other staff members who have skills and experiences in providing more specialized services. These skilled personnel can provide those services within the structure of a less specialized agency.

Communities with a population over 100,000 can generally afford most of the specialized services necessary for the provision of all juvenile needs. In addition to the above mentioned services, larger communities can afford to set up independent living skills programs, adolescent child care programs, alternative schools, learning disabilities and other special education schools, and psychological treatment centers. These specialized centers may be independent agencies or may be components to a large multi-component agency.

Communities of over 100,000 can elect to develop multi-component organizations. Multi-component agencies provide a wide variety of services under various treatement approaches and have the capacity to provide a more coordinated range of services. However, a community must be prepared to provide the overhead costs for such an organization. When an organization reaches a certain size and complexity, it must develop organizational components such as a personnel department, a finance department, and an Executive Director with more management than treatment responsibilities. Only larger communities can afford to develop these functional specialities within their organization. Smaller communities generally do not create a demand for the services of such a large organization. Only where the treatment needs encompass a large number of juveniles and treatment modes is this type of organization feasible.

In many respects, alternative service networks in the largest urban areas are very much like those described for cities around 100,000 in population. What is generally the case in larger urban areas is that a number of systems, similar to those in a medium size or larger community, develop in different sections of the metropolitan area. Each of these service systems may then serve a particular part of the city or a specific racial or ethnic community, although it may do so independently and not as

part of an administrative superstructure providing services to an entire city. Once an agency has four to five treatment components it begins to reach a natural effective growth limit. At this time it must limit its expansion and depend upon someone else to begin other organizations in other areas of the city or risk the costs incurred in expansion.

The complexity of large cities requires a professional administrative superstructure to deal with the external demands upon the organization. Large publicly funded bureaucracies, unresponsive business and governmental organizations, and a variety of communities and cultures to be served demand specialized administrative effort. Thus, a separation of administrative and treatment matters becomes a necessity for organizations serving large urban areas.

3. Conclusions

People who wish to start an alternative to detention in a community of any size should survey services already being provided in the area by other agencies. This examination should focus on the treatment modes currently being provided, as well as on the areas of the city and the types of cultures presently being served. Thus, in situations where there are already alternative service networks, new providers must carefully determine that the needs they are addressing are real. Only then can the potential of residential alternatives to juvenile detention be realized.

APPENDICES

The following Appendices contain sample documents from facilities studied by the SERCL staff in its examination of residential alternatives to juvenile detention centers. The fictional title "Residential Alternatives, Inc." appears wherever a document calls for the name of a facility. In Appendix J, all titles of agencies and services providers other than "Residential Alternatives, Inc." are also fictional.

APPENDIX A

SAMPLE JOB DESCRIPTION AND RECRUITMENT BULLETIN FOR EXECUTIVE DIRECTOR OF MEDIUM-SIZE NON-PROFIT PROGRAM

POSITION: Executive Director

STARTING DATE: Approximately (date)

SALARY: $20,000 per annum, negotiable. Plus fringe benefits

FUNCTIONS:
Residential Alternatives, Inc. is a private, non-profit, organization that provides family crisis counseling; assistance to runaways and their families; temporary shelter to youth in crises; and certain other human services.

DUTIES:
The Executive Director is responsible to the Board of Directors for implementing policy, current and future planning, preparing grant and contract proposals and negotiating grants and contracts, developing funding sources, budgeting, fiscal control, personnel administration, organizing, supervising and directing IFC staff and programs, quality control, public relations, developing standards for human services programs, and developing criteria for legislative input.

QUALIFICATIONS:
This position requires a suitable background of education and experience in both human services and management. The applicant shall evidence skill in relating with people from all walks of life; in leading people; in oral and written communications; and in counseling and other human services. The applicant shall be a person of good character and integrity, and shall exhibit other qualities such as dependability, initiative and industry. This position requires, above all, a caring person who has a deep concern for the well-being and progress of both individuals and families. The applicant must be flexible regarding hours of work. Residential Alternatives, Inc. provides services on 24-hour basis and the Executive Director must often work or be available during long or irregular hours to meet the demands of the position.

TO APPLY: Send Resume, qualifications and a statement indicating why you want this position and what you believe you can offer Residential Alternatives, Inc.

FOR MORE DETAILED INFORMATION: Write, do not call, Residential Alternatives, Inc., Executive Director Recruiter.

APPLICATIONS MUST BE RECEIVED no later than(date). Applicants will be notified of results of preliminary screening by (date).

PROPOSED JOB DESCRIPTION

I. INTRODUCTION

The incumbent of this position is the Executive Director of Residential Alternatives, Inc., a private not-for-profit corporation established to provide certain human services as specified in the IFC charter.

II. MAJOR DUTIES AND RESPONSIBILITIES

The Executive Director is responsible to the Board of Directors for personal and organizational performance directed toward the accomplishment of Residential Alternatives, Inc. purposes, goals and objectives in accordance with policies and programs defined or approved by the Board.

A. Policy

The incumbent implements all Residential Alternatives, Inc. policies. When s/he perceives a need for new policy, s/he formulates proposals and presents them to the Board for consideration.

B. Planning

The incumbent is responsible for:

1. Creation and development of the Residential Alternatives, Inc. "visions" of what is possible and what is ahead. In this proess s/he will entertain and include inputs from staff, Board members and others as appropriate;

2. Planning of all programing.

C. Funding

The incumbent is responsible for:

1. Preparing grant proposals and conduct of grant negotiations;

2. preparing contract proposals and conduct of contract negotiations;

3. developing sources of funds; conceiving and conducting fund-raising activities as needed; and

4. communicating with all funding sources.

D. Budgeting and Fiscal Control

The incumbent is responsible for:

1. Preparing Residential Alternatives, Inc. annual budget and submitting it to the Board for approval;

2. modificying the budget and expenditures as may be necessary and within guidelines approved by the Board;

3. maintaining an adequate system of accounting and fiscal control;

4. arranging financial audits a prescribed by the Board.

E. Personnel Administration

The incumbent is responsible for:

1. Establishing a suitable complement of personnel to perform the work of the Corporation including numbers, levels and classes of positions;

2. employing suitable persons to staff the approved complement of positions; removing of persons who prove to be unsuitable;

3. designing and implementing appropriate training programs;

4. formulating personnel policies, salary schedules, and fringe benefit packages for submission to the Board, via the Personnel Committee, for approval; and

5. determining performance and merit evaluation procedures.

F. Organizing

The incumbent designs and charts an organization which will enable the efficient and effective performance of Residential Alternatives, Inc. programs; allocates personnel and other resources to the several organizational functions in accordance with needs and proper balance; modifies the organization as necessary to meet changing conditions.

G. Supervision and Direction

The incumbent:

1. Supervises directly the following positions: Staff Services Coordinator, Program Director, Arts Center Coordinator and Fiscal Coordinator;

2. directs the overall Residential Alternatives, Inc. work processes;

3. leads the Management Group, staff meetings and other decision-making processes;

4. reviews work and work processes to evaluate effectiveness in meeting desired objectives; supervises management information system; implements and monitors a system for the quality assurance of Residential Alternatives, Inc. programs.

H. Preparation for Meetings

The incumbent provides necessary personal and staff preparation for all Board meetings, Corporation meetings, official committees, membership groups and special prototype groups.

J. Public Relations

The incumbent prepares and submits public relations plans to the Board for approval; implements approved public relations plans and activities.

K. Development of Standards and Legislative Input

The incumbent participates in special study groups, ad hoc committees, and panels set up by Federal, State or Local government agencies for the purpose of developing standards for human services programs. The incumbent, as an expert in the field of human services, testifies before legislative committees or in other ways provides criteria which may become bases for new legislation.

QUALIFICATIONS

I. INTRODUCTION

The position of Executive Director of Residential Alternatives, Inc. requires the incumbent to have a suitable background of education and experience; skills in the areas of Leadership, Interpersonal Relations, Business Management, Oral and Written Communications, and Human Services; and certain personal attributes. The qualifications for the position are detailed in subsequent paragraphs or in the Job Description.

II. EDUCATION

A. HUMAN SERVICES EDUCATION

The Human Services Education requirement can be met by one of the following:

1. A Bachelor's degree in behavioral science; or

2. a combination of education, training and experience which provides the substantial equivalent of a Bachelor's degree. A Master's degree in Psychology or social work has additional value.

B. MANAGEMENT EDUCATION

The requirement for management education can be met by one of the following:

1. A degree, preferably Master's, in public or business administration; or

2. a combination of education, training and experience which provides a suitable foundation for managing an organization with 25 to 30 full-time employees and 125 to 130 part-time employees.

III. EXPERIENCE

A. HUMAN SERVICES EXPERIENCE

The applicant's background shall evidence significant experience in counseling or other human services. Experience in family counseling and therapy are especially valuable. The experience should include the perception of need for services; conceptual design of programs; and the planning, organizing and implementation of pilot and continuing programs.

B. MANAGEMENT EXPERIENCE

The applicant shall present evidence of management experience which would predict ability to function as the chief executive of an organization of the size and type as Residential Alternatives, Inc. Applicant should indicate abilities in the areas of planning, budgeting, fiscal control, staffing, organizing, supervising, directing and review of performance. Additional details may be found in the job description.

IV. LEADERSHIP SKILLS

The applicant shall give evidence of having the skills of a leader; shall have a desire and inclination to assume a leadership role; shall be a person whose leadership behavior is such that other people can follow and will be inclined to follow; shall be able to provide dynamic, creative and democratic leadership to the Interface organization.

V. INTERPERSONAL RELATIONS SKILLS

The applicant shall have the ability to relate well with other people. Ways in which the Executive Director must relate to other people include the following:

1. One-on-one
2. As a member of a group
3. As a supervisor of other employees
4. As a subordinate in relation to the Board of Directors
5. In relationships with government and other agencies
6. In relation to the public at large

The Executive Director will deal with people of all socio-economic levels, of different races, and those with an original language other than English. S/he must be able to deal with many kinds of people effectively.

VI. COMMUNICATIONS SKILLS

The Executive Director must be able to communicate well in English, both orally and in writing. Oral communications may include a range of situations from person-to-person conversations to giving public speeches before sizable audiences.

Skill in writing will be exercised in situations varying from internal office memoranda to the preparation of grant and contract proposals.

Ability to communicate in the Spanish language would have some added value.

VII. PERSONAL ATTRIBUTES

The Executive Director is expected to be a person of good reputation and to exhibit such qualities as honesty, integrity, dependability, initiative and industry. Above all, this person must be a caring person, must have a concern for the well-being of individuals and families, shoul desire personal growth for individuals, including him/herself, and increased harmony and contentment for families. This person should be able to dedicate him/herself to the accomplishment of Residential Alternatives, Inc. purposes and objectives through both personal and organizational efforts. The Executive Director must be no respecter of the clock; provides services on a twenty-four hour basis and the Executive Director must often work or be available during long or irregular hours to meet the demands of the position.

APPENDIX B

SAMPLE PERSONNEL POLICIES

POLICY STATEMENT

Residential Alternatives, Inc. endorses and supports the concept of equal opportunity in employment for all persons. Residential Alternatives, Inc. complies and intends to comply with Title VI of the Civil Rights Act of 1964, insuring that in Residential Alternatives, Inc., equal opportunity in employment be given all persons regardless of race, color, religion, sex, or national origin.

PROCEDURES FOR AFFIRMATIVE ACTION OFFICER
AND PERSONNEL OFFICER

Residential Alternatives, Inc. insures the application of the Policy Statement through the following procedures:

1. A Personnel Officer shall be appointed annually by the Executive Director to design and implement employment practices including but not limited to: Recruitment, screening, hiring, placement, orientation, transfer, promotion, training, compensation, benefits, layoffs, terminations, disciplinary actions, and grievance procedures. All employment practices shall be in compliance with applicable labor laws, and shall be reviewed at least annually.

2. An Affirmative Action Officer shall be appointed annually by the Executive Director to conduct an analysis of all employment positions in relation to the Affirmative Action plan regarding the recruitment, screening, hiring, placement, orientation, transfer, promotion, training, compensation, benefits, layoffs, terminations, disciplinary actions, and grievance procedures. The results of this analysis shall be provided to the Personnel Officer who will annually revise the Affirmative Action plan and goals. This will be reviewed by the Executive Director and submitted to the Board of Directors for approval.

3. The Personnel Officer and the Affirmative Action Officer shall jointly share the responsibility to insure that all personnel systems are designed and implemented in compliance with applicable labor regulations. In the event of disputes or grievances the Personnel Officer shall represent the Agency and the Affirmative Action Officer shall represent the employee(s) as an Advisor.

4. The Affirmative Action policies, plans and goals are explained to all staff at least annually and to new employees at the time of hire.

5. A copy of thi Personnel Practices and Policies which includes an Affirmative Action policy statement is provided to each staff member at the time of hire. Any and all revisions to this document are provided to staff within one month following adoption of the revisions by the Board of Directors. These tasks are the responsibility of the Personnel Officer.

6. Questions regarding the application of these policies are addressed to the Personnel Officer. Should the Personnel Officer be unable to adequately interpret the intent of these policies, the issue is to be presented to the Executive Director for review and comment.

7. Proposed revisions of this policy are reviewed by the Personnel Officer, Affirmative Action Officer, Executive Director, and the Personnel Practices Committee. Proposed revisions are made by the Personnel Practices Committee in written recommendation format including pros and cons to the Management Group for action.

8. Notices required by the Equal Opportunity Commission, the Office of Federal Contract Compliance, the Wage and Hour Commission, the Department of Labor, and any other authorized governmental agency are displayed in the Central Administrative Offices.

9. The Personnel Practices Committee conducts an annual audit of the Personnel Systems to insure the adequacy of the system and to monitor the progress towards the achievement of adopted Affirmative Action plans and goals.

10. The Personnel Officer insures that those sources of recruitment used to facilitate the accessibility of minority applicants are informed in writing of the equal employment policies statement.

11. Written notification of this policy statement is sent to all major subcontractors, vendors and suppliers, in compliance with Federal regulations.

RECRUITMENT AND HIRING PROCEDURES

With the exception of temporary hourly employees or transfers with existing employees, all vacant positions are filled through an open recruitment and hiring process. To insure an open and equitable employment process, Residential Alternatives, Inc.is an Equal Opportunity/Affirmative Action employer.

Recruitment and hiring are subject to the following policies:

1. Applications are accepted for a period of at least one week after recruitment opens.

2. A final application date is set in advance and is stated in all written advertisements or announcements of the position.

3. Affirmative Actions (see Affirmative Action Plan) is applied to all recruitment and hiring.

4. Staff positions are advertised in at least one area newspaper of general circulation and/or employment opportunity announcements are mailed to or posted in identified area agencies and organizations.

5. Late applications are not accepted unless the potential applicant obtains written permission from Residential Alternatives, Inc.no later than the final application date.

6. Applications should meet all established minimum educational and experiential qualifications for the position.

7. Hiring decisions are made by the Executive Director. The Executive Director may appoint a selection committee consisting of no less than three members. Generally, selection committees include at least one member of the staff most knowledgeable about and affected by a particular position. The Selection Committee shall be responsible for designing and establishing the screening and selection process to be used, screening applications, interviewing eligible applicants and submitting a recommendation to the Executive Director as to best qualified candidate(s) for hiring.

8. An applicant is not formally hired until references, prior employments, educational background, criminal clearance or other relevant data are authenticated by the Selection Committee.

9. The actual selection process consists of screening written applications and conducting such group and individual interviews as the Committee deems necessary. Under no circumstances is an applicant selected without participating in at least one interview.

10. In the event that the applicant selected declines to accept the position or terminates within two months after hiring or in the event that an identical position opens within two months, the applicant who was deemed second most qualified may be offered the position.

11. The Selection Committee may decide that no applicant is acceptable and reopen recruitment.

12. It is the responsibility of the Selection Committee to document the procedures used in the recruitment and selection. This documentation is submitted to the Personnel Officer.

EMPLOYMENT PRACTICES AND POLICIES

A. APPLICANTS

1. Applicant's skills are assessed in relation to the job requirements. A standardized assessment tool is used to rate applicants resulting in a numerical listing of qualifying applicants.

2. The applicant review process is conducted in such a fashion to insure nondiscrimination due to race, sex, religion, national origin, color, age, affectional preference, and handicap.

3. All applicants are sent a written notice by the Executive Director or designee within 5 working days following the selection, informing them that their application has been reviewed and rated resulting in their selection or nonselection.

4. Applicants requesting information regarding an unsuccessful application are sent an application of the process or reasons for nonselection as requested, within 5 working days of a written request. The Personnel Officer is responsible for all responses to questions regarding the process or criteria for hiring.

B. NEW EMPLOYEE

1. New employees are sent a written acceptance notice by the Executive Director or designee. Included in this notice is the name and role of the Personnel Officer, the date on which the employment becomes effective and instructions as to any and all orientations that are required prior to assuming the position.

2. An orientation is provided to all new employees which includes but is not limited to: Required employment and tax forms, the nature and structure of the program, a copy of the specific job description, a copy of this Personnel Practices and Policy, the rate of pay, the types of fringe benefits applicable, and the dates on which wages are disbursed.

C. EMPLOYMENT STATUS

1. All members of the staff are employed under one of the following categories:

   a. Regular employees are those engaged with the expectation that they will remain with (program) as long as their performance is satisfactory, as long as their services are required, and as long as funding is available for the position. Regular employees are eligible for all corporate benefits.

   b. Special employees are those employed to perform specific functions for a defined period of time or unpredictable period of time. Special employees may or may not be eligible for corporate benefits as determined prior to selection and advertised accordingly. Special employees are compensated on a per diem or hourly basis.

   c. Part-time employees are Regular or Special employees who are retained to perform functions which do not require full-time activities or for which funds are limited requiring a part-time effort. Part-time employees are compensated on a per diem or hourly basis and may or may not be eligible for corporate benefits as determined prior to selection and advertised accordingly.

2. The first three months of employment for all new employees and the first three months for existing staff transferred or promoted into new positions is considered a probationary period. At the end of the probationary period each staff person receives an evaluation on his/her job performance by their immediate supervisor. The performance evaluation serves as the basis for retention, continued probation or termination. At any time during the probationary period, either the employee or the program may terminate the employment. If termination or continued probation occurs, the employee receives a written explanation

for the action within 5 working days of the action from the Personnel Officer. The immediate supervisor is responsible for writing the explanation. New employees are informed of this policy at the time of hire.

d. PERSONAL INFORMATION

1. Each employee is responsible for reporting any change in home address, telephone number, legal name, tax status, and person to be notified in case of illness, accident or death. Notification is made within 5 working days by the employee and in writing to the Personnel Officer.

2. Each employee is informed at the time of hire that all personnel and personal records are retained in the Central Administrative Offices and are held in strict confidence. Employees are permitted to review any and all records placed in their personnel file upon request to the Personnel Officer. No individual without administrative rights as determined by Management Group may review the personnel files for any reason. Permission may be granted to unauthorized individuals to review an employee's file upon written release by the employee to the Personnel Officer.

POSITIONAL DESCRIPTION

All positions within (program) shall be described in the following manner and a copy of this description shall be placed in the Personnel Policy Manual. Each position description will include the following information:

1. Job Title
2. Job Class
3. Desired Qualifications
4. Job Description and Duties
5. Number of hours to be worked.

Any changes in positional descriptions will be approved by Management Group and discussed with the employee.

Any revised description shall be included in the Personnel Practices Manual and shall be initialed and dated by the Employee and placed in his/her personnel file.

At the time of any organizational change, affected positional descriptions shall be reviewed and revised appropriately.

EMPLOYEE DEVELOPMENT AND TRAINING

Residential Alternatives, Inc. is firmly committed to enhancing the professional and personal skills of all our employees Residential Alternatives, Inc. has a written Training and Development plan. Employees are provided comprehensive initial and ongoing training.

A. All employees, Regular, Special or Part-time, are given weekly supervision by their immediate supervisor. This supervision is intended

to provide the employee with constructive criticism and review of work performed. Supervision is also used to validate and give credit to employees who perform their duties well.

B. Each program holds weekly staff meetings which include activities for staff development and training.

C. When funds are available, employees are encouraged to obtain or participate in training and development activities external to the agency. The Center Managers also provide employees with information on training and development activities being conducted in the community by other agencies or schools.

D. Specific employees may be required to obtain training in areas related to their job functions during probationary periods, if the terms of probation require the enhancement of skills that cannot be accomplished on the job.

MANAGEMENT GROUP

Management Group shall include: The Executive Director, component Managers, Fiscal Coordinator and Program Coordinators. The resonsibility of the Management Group is to set organizational policy and coordinate overall organizational programs.

STANDING COMMITTEES

Standing Committees are established by Management Group and shall include but not limited to: Personnel Practices Committee; Training Committee.

The membership of a standing committee is comprised of at least one representative from each component and may include other corporation members as ex officio committee members. It is the responsibility of these representatives to function as liaison from and to their component regarding issues to be brought to the committee and decisions and recommendations made by the committee. A member of Management Group shall be appointed as chairperson of a standing committee and is responsible for selection of committee members (subject to review by Management Group) and to report to Management Group.

PERSONNEL PRACTICES COMMITTEE

The Personnel Practices Committee members shall be elected by general staff annually at the beginning of each calendar year. The Personnel Practices Committee shall be resonsible for the amendment procedures 9see Personnel Practices and Policies Amendment Procedures). This committee shall also function as a grievance/appeal body (see Grievance/Rights of Appeal Procedures). Any committee member involved in a matter of grievance or appeal brought before the committee will be excluded from serving on the committee in the determination of this matter.

TRAINING COMMITTEE

The Training Committee shall be resonsible for development of training designs for orientations, on-going training, and special workshops for continued skills development of staff and volunteers. This committee may provide consultation to projects and programs for special training needs.

HOURLY REQUIREMENTS

Employees may work for pay only those specific hours as scheduled by themselves and their supervisors. Class I employees are required to work a minimum number of hous per month as stated in their Employment Agreements. (Full-time is equal to the number of working days (Monday through Friday) in a calendar month times eight hours.) Thus, a full-time employee must work a minimum of 160-184 hours per month depending on the number of work days (20-23). A half-time employee must work 1/2 full-time minimum hours per month.

It is important to stress, though, that these are the monthly numbers of minimum hours required. All employees agree that they are hired to perform certain duties which may require working more hours in a given month. The hours and days of work may be changed by mutual consent of employee and supervisor.

ALLOWABLE HOURS

Employees may credit as work any actually assigned "on-duty" hours, attendance at any required meetings or training meetings, travel time (except normal commuting to and from home and work) and, in general, time at any location that is directly related to program business. Our general policy is to allow all staff to schedule as much of their work hours as possible according to their own personal needs and preferences as well as in the best interestes of our clients and organization.

MEAL AND BREAK TIME

A. Employees are allowed one rest break during each 4 hour working period. Each break is 15 minutes long and employees are expected to take this break away from their desks or immediate work site.

B. Full-time employees receive meal breaks for a period of 45 minutes. Business conducted during meal breaks as drequired in the job description or by arrangement with the supervisor are considered work time or with pay.

WAGES

Employees are paid on an hourly rate. Wages are paid by position according to the following schedule. Each step or increment is 10% of current hourly

rate for all employees. Generally a new employee will begin at increment one. To advance an increment, an employee must be in the position for at least eleven months and have the recommendation of his/her supervisor for advancement. Thus, increments consider both seniority and merit. In any event, the granting of increment raises is contingent upon the availability of sufficient funds.

Hourly rates are set at least annually by Management Group and will be approved by Board of Directors. The wages and ranges are reviewed by the Board of Directors every 6 months.

If funding allows, cost of living raises may, from time to time, be granted in addition to increment raises as determined by committee.

An employee may start at a salary greater than Step I only if s/he is promoted into the position and would otherwise receive a decrease in pay or if a new employee is considered to be of such merit as to deserve a higher salary. The latter condition requires the recommendation of the Executive Director and the approval of the Management Group.

In addition to those positions shown, others of a time-limited nature may from time to time be established without complete salary ranges.

Employees are paid to perform certain duties regardless of hours worked as long as a minimum monthly hourly requirement is met.

WORK RECORDS

All staff members are required to record daily on their work records all hours that they work. Distribution of hours according to funding sources must be noted on the work record. Work hours ar recorded as the total number of consecutive hours rounded off to the nearest quarter hour. Work records must be signed by employee and turned into the Fiscal Coordinator by the first working day of the following month. Work records are in turn verified by employee's supervisor. Delays in submitting timesheets can result in paychecks being delayed by one month.

PAY DAYS

Pay Day is the 10th working day of each month following the month worked. A new employee, after 2 weeks of work, is eligible for an advance. The advance shall be deducted from employee's first pay check. This advance shall be the only advance an employee may receive. Please contact Fiscal Officer for further information.

COMPENSATORY TIME OFF

All employees who must work more than the required minimum number of hours in any given month may accumulate such excess hours to use as time-off. A maximum of 40 hours per employment year may be accrued. Compensatory time

may not be carried over from one employment year. Compensatory time-off may be taken with prior approval of the supervisor. Compensatory time off is not a reimbursable benefit upon termination. In the event that an employee is absent from work due to illness, time lost is first charged against sick leave, then compensatory time.

OVERTIME COMPENSATION

Overtime will be paid only by prior approval of the Executive Director.

NOTIFICATION OF ABSENCE

When compelling personal reasons require an employee to be absent from his job, he should notify his immediate supervisor in advance. If this cannot be done because of illness or some other emergency, the employee should notify the Residential Alternatives, Inc. office as soon as possible.

EMPLOYEE BENEFITS

Benefits provided to all employees include Workmen's Compensation Insurance, State Unemployment Insurance, and State Disability Insurance. Additionally, employees receive sick and vacation leave. Health Insurance and/or Retirement in an amount not to exceed 10% of employees wages is available to any staff member who has been employed for a minimum of one month and works a minimum of 20 hours a week.

WORKMEN'S COMPENSATION INSURANCE (WCI)

In the event that an employee is injured on the job, the Personnel Officer must be notified promptly by the employee. Procedures must be followed to apply for Workmen's Compensation Insurance coverage of necessary medical care and treatment.

STATE UNEMPLOYMENT INSURANCE (SUI)

If, after an employee has earned $750.00 during a calendar year and is laid off or terminated from his/her job, s/he may be eligible to receive state unemployment payments. The actual amount s/he can receive depends on a number of factors. See the Personnel Officer for further information.

STATE DISABILITY INSURANCE (SDI)

In the event that an employee is disabled so that s/he cannot work, s/he may be eligible to receive payments from the State until s/he is able to return to work.

For further information regarding criteria, process for filing, payment rate and period of time covered, see the Personnel Officer.

HEALTH INSURANCE

For electing eligible employees Residential Alternatives, Inc. pays an amount not to exceed 10% of an employee's wages.

If the monthly premium exceeds the 10%, the remainder is deducted from the individual's pay checks.

An employee may elect to obtain group health insurance any time after s/he completes the policy waiting period.

RETIREMENT PLAN

An optional retirement plan is available. For further details on this plan, contact the Personnel Officer.

HOLIDAYS

Since our clients do not observe holidays from their personal needs and problems, we do not. However, on the following days the office will be closed and minimum staffing will be available to provide service:

New Year's Day
Washington's Birthday
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

Each employee has the option of choosing two floating holidays per year -- to be taken in conjunction with a holiday. For employees working less than a 40 hour/week, the number of paid hours for a holiday will be pro-rated.

When a holiday falls on a Saturday, the previous Friday shall be considered a holiday for purposes of this section; or when it falls on a Sunday, the following Monday shall be considered to be a holiday for the purposes of this section.

Counselors will not be scheduled during the day or evening on Christmas Eve and New Year's Eve. However, this will not be a paid holiday for staff.

VACATION

Employees are entitled to an annual vacation of one week after 6 months and one additional week after one year. After three (3) years' service, employees are entitled to three (3) weeks vacation.

Exceptions are: No vacation is accrued by an employee who works less than half-time or less than 20 hours per week.

Vacation time is accrued based on actual days on the job. Employees on sick leave or any other kind of leave do not accrue vacation credits during the time of absence with the exception of the first twelve days of sick leave in any year. Vacation time may not accumulate from one employment year to the next unless authorized by Management Group.

SICK LEAVE

Full-time employees accrue 1 day of sick leave per month up to 12 days total at any one time. Part-time employees who work at least 20 hours per week accrue proportionate sick leave. Sick leave may be used for immediate family illness or in the case of death in the family. Employees do not receive any payments for sick leave at termination. Accrued sick leave will be adjusted upon change of employment status.

PERSONAL LEAVE

Permanent employees may use four (4) days each year as personal leave for any purpose desired by the employee and be paid at their regular rate. This is meant to give emotional and physical space when needed, not to extend vacation time or turn into cash at termination. Unused personal leave may not be accumulated.

MATERNITY/PATERNITY LEAVE

Maternity/Paternity leave without pay may be given after the eighth (8) month of pregnancy, and may extend until six (6) weeks after delivery.

LEAVE OF ABSENCE WITHOUT PAY

Permanent employees may be granted a leave of absence without pay on approval of the Executive Director.

All requests for a leave of absence must state the specific reason for the leave and the proposed length of absence. Leaves in excess of six (6) months must be approved by the Board of Directors.

Failure to return from approved Leave of Absence at the specified time shall be construed as automatic resignation.

TRAVEL

Employees shall be reimbursed for their travel expenses when they are required to travel on behalf of the program.

Use of an employee's private automobile shall be reimbursed at the rate of 15 cents per mile. Private automobiles may not be used for travel at authorized rates for trips over 100 miles one way except by permission of the Executive Director.

If Out-of-area travel, employees will be reimbursed for Coach air fare. Employees may also claim reimbursement for ground transportation at actual cost.

Claims for transportation expenses must be supported by a receipt or a mileage claim for auto travel.

Allowable travel expenses may be adjusted from time to time to reflect budget and contract limitations.

PER DIEM

An employee required to be away from home 10 hours or more on business for Residential Alternatives, Inc. shall be reimbursed on a per diem basis for lodging and meals.

Residential Alternatives, Inc. shall reimburse per diem expenses at a rate of $35.00 per day. This rate may be adjusted up to $50.00 per day depending upon geographical location and upon approval of Executive Director. When on Travel Status per diem expenses will be reimbursed on a pro-rated/1/4 day basis.

If lodging and meals cost less than $35.00 per day participants will be paid the actual costs.

Anything involving per diem reimbursement shall be pre-authorized by Executive Director or his/her designated representative.

Claims for per diem must include a per diem claim form with all receipts attached.

Per diem may be adjusted from time to time to reflect budget and contract limitations.

PROMOTIONS

Any open position in the organization excepting that of the Executive Director is open to existing employees (regardless of program assignment) who desire advancement. All employees requesting the promotion are first screened by a committee appointed by the Executive Director. All vacant positions go into open recruitment. Any employee who is qualified, as deemed by committee, shall be given first consideration. If employee is as equally qualified as the highest qualified candidate(s), the employee shall be given the promotion.

RESIGNATIONS

All regular and temporary employees are required to submit notice in writing a minimum of 2 weeks prior to the last day of employment. These notice periods are minimum. Employees are encouraged to give resignation notices as soon as possible or known to facilitate replacement.

Exception to the above paragraph: The Executive Director and members of Management Group are required to submit notices in writing a minimum of 30 days prior to the last day of employment.

LAY-OFFS

Lay-offs for lack of work or lack of funds shall be on the basis of an evaluation of ualifications, performance, and seniority, within the affected job position and the affected job center.

An employee whose position has been abolished due to a lack of work or lack of funds shall be re-assigned by his/her supervisor to any vacant position within the program in an equivalent or lower job position for which s/he meets the minimum requirements. Employees so re-assigned shall be placed in the salary step of the appropriate salary schedule closest to their rate of pay. Employees so re-assigned shall be re-instated to their former job position and salary step status when their former job position becomes re-established. Such re-instatement shall be on the basis of an evaluation of qualification, performance, and seniority in the former job position.

SAFETY AND WORKING CONDITIONS

Residential Alternatives, Inc. insures the conditions and safety of the work site and meets all applicable regulations as set forth in the Occupational Safety and Health Act (OSHA) and other state and local codes.

A. All employees are expected to report safety and health violations or unacceptable conditions to their supervisor immediately.
If action is not taken to correct the hazard within 5 working days, the employee is further expected to notify the next level supervisor or Executive Director.

B. An employee who engages in unsafe or unhealthy practices receives first a verbal reprimand from the supervisor. If the practice is not discontinued, disciplinary action can be taken by the Executive Director.

C. An employee involved in or witness to an accident or injury of an employee or client is required to report the incident immediately to the supervisor with a follow-up written description, in detail, of the individuals involved, the nature of the accident, the reasons or cause of the accident, the extent of the injury or damage, other witnesses, the date and place of the incident. In the event of a major accident, the employee is to follow the Emergency Disaster Plan procedures which apply to the specific program.

D. Each employee is expected to maintain his/her work site in a clean, orderly, and safe condition.

ATTENDANCE AT MEETINGS

A. Staff Meetings: Any staff member scheduled to work at the time of a staff meeting is expected to attend that meeting. All of staff is expected to attend specially scheduled staff meeting if at all possible.

B. Management Meetings: All members of Management Group will be expected to attend management meetings. Management shall include: The Executive Director; component Managers; Program Coordinators and Fiscal Coordinator.

C. Counselors are expected to attend a minimum of 4 MCTM's a year.

D. At least two staff membrs shall attend each Board meeting.

E. All members of Residential Alternatives, Inc. are encouraged to attend the Annual Meeting.

CODE OF CONDUCT

No employee, volunteer, corporate director, agent, or other individual involved in Residential Alternatives, Inc. activities may use his/her position for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for her/himself or others, particularly for those with whom s/he has family, business or otherties. Neither shall any of the above-named solicit nor accept gratuities, favors, or anything of monetary value from any contractors or potential contractors.

In general, employees may not use their relationship to Residential Alternatives, Inc. to solicit or accept private outside work, particularly of a consulting nature, that is related to their duties with (name of program). This shall not preclude employees from securing secondary employment that does not conflict with their employment with (name of program). Employees are advised to always consult with Management Group before engaging in any of the above.

In the event that any employee, volunteer, agent, corporate director, or other involved individual violates anything contained herein, s/he is subject to immediate termination, dismissal, or other disciplinary action as appropriate.

PERSONAL INVOLVEMENT WITH CLIENTS

We most strongly recommend that any staff member, whether paid or volunteer, never, under any circumstances, become personally involved with any client. A client is anyone who seeks or receives services from Residential

Alternatives, Inc. by phone or in person. Any staff member who does become personally involved with a client is subject to immediate dismissal. Personal involvement includes any interaction that cannot be reasonably construed as program services related. Sexual interaction, is, of course, the most serious and obvious type of involvement. Remember, most of the people who contact us are experiencing personal problems. Often they desire or even encourage personal involvement with counselors. Also, please remember that your involvement with a client can not only jeopardize your job but the entire organization.

If personal involvement is suspected, then the supervisor is responsible to take appropriate action.

DISCIPLINARY ACTION

Any staff member may be disciplined for any of the following:

1) Inappropriate or non-professional conduct.

2) Failure to perform assigned duties as per job description

3) Unexcused absences from work.

4) Illegal activity which adversely affects either or both the organization and the employee's ability to perform his/her duties.

5) Lack of compliance with any of the requirements delineated in the counselor notebook or Personnel Policies.

Disciplinary action is the responsibility of the Executive Director, Program Coordinator, or whoever is the concerned staff member's most immediate supervisor. Disciplinary action may be in the form of verbal or written reprimands and depending upon the severity of the offense, may take any of the following forms:

1) Reprimand
2) Suspension
3) Demotion or transfer
4) Probation
5) Termination for cause

With the exception of verbal reprimands, disciplinary action proceeds as follows:

The most immediate supervisor informs the staff member in writing of impending disciplinary action and advises him/her that s/he has the right to a hearing before any formal action is taken. (See section: Grievance/Rights of Appeal.)

TERMINATION/SUSPENSION/DISMISSAL

Terminations are made "for cause" and "not for cause." "For cause" refers

to a termination based upon inappropriate behavior or inadequate job performance. "Not for cause" refers to a termination based upon factors not related to the individual holding a position.

1. Employees terminated for cause are given a written evaluation which clearly describes the specific behavior or factor involved in the decision to terminate.

   A. Prior to any termination action, an employee shall be given a regular or special evaluation by his/her supervisor that describes clearly a behavior or performance deficiency. An unacceptable evaluation results in probation for the employee. The terms of the probation are made clear in verbal and written form and signed by both employer and employee. A copy of these probation terms is provided to the employee, a copy is retained by the supervisor, and a copy is placed in the employee's personnel file. The length of the probationary period is determined by the supervisor but may not be less than 2 weeks or no more than 1 month. Employees who, at the end of the probationary period, have not improved to a satisfactory level, are given a final written evaluation and a notice of termination. The notice of termination details the reasons for the action, the date on which the termination becomes effective, and a list of accrued and due benefits. Any compensation or benefits due at the time of the termination are paid within 1 month following the date of termination.

   B. An employee may be dismissed or suspended immediately for illegal or unethical activity which adversely affects either or both the organization or the employee's ability to perform his/her duties. Unethical activity shall include:
      1) Conviction of a crime or a plea of Nolo Contendere, if the crime is substantially related to the qualifications, functions or duties of the employee.

      2) Using any narcotic or any hypnotic drug or alcoholic beverage to an extent or in a manner dangerous to himself or any other person or to the public, and to an extent that such action in the judgment of his/her supervisor impairs his ability to perform his/her work.
         The use of any narcotic or hypnotic drug on the job is cause for immediate dismissal.

      3) Committing a dishonest or fradulent act as an employee.

      4) Willful, unauthorized communication of information received in professional confidence.

   Employees suspended from work receive no compensation during the duration of the suspension. Employees terminated immediately receive all due compensation and accrued and due benefits within 1 month of the day of termination. Prior to any suspension or termination, the employee receives a written evaluation and notice of termination from the supervisor. The notice of termination

   details the reasons for the action, the reason for the decision to suspend or terminate immediately, and the date on which the termination becomes effective. Copies of the evauation and notice of termination are provided to the employee, the supervisor, and the employee's personnel file. Employees suspended receive continued payment of all existing benefits at the time of the suspension, but not to exceed 3 months. This does not imply that a suspended employee receive wages, but that his/her medical insurance, etc. are not discontinued pending the outcome of the suspension period.

2. Employees terminated "not for cause" are given written notice of termination detailing the reason for the termination, the date on which the termination becomes effective, and a list of accrued and due benefits. Employees under termination notice may be offered other available positions within the agency if their qualifications meet or exceed the qualifications for the available position. Employees terminated receive special consideration (see hiring procedures) regarding re-employment during the 6 months following the date of the termination. The reasons for "not for cause" termination include, but are not limited to: Loss of funds for positions, agency reorganization. Regular or special employees terminated receive 1 month notice prior to the date of termination. Temporary employees receive 2 weeks notice prior to the date of termination.

3. Employees terminated during a new hire probationary period receive one (special) evaluation. An unacceptable evaluation results in an immediate termination.

GRIEVANCE/RIGHTS OF APPEAL PROCEDURES

The following procedures are followed in case an employee wishes to appeal a disciplinary action, an evaluation, probation, suspension, termination; or to grieve working conditions or a practice that is in violation of Affirmative Action regulations or labor laws or the Personnel Practices Policy:

1. The employee shares the problem or disagreement with the supervisor and resolves the problem or issue.

2. The employee who does not resolve the problem or issue through the informal process submits a letter of grievance to the supervisor and a copy to his/her next immediate supervisor. Within 5 working days the next immediate supervisor holds a meeting with the employee and the supervisor to discuss openly and fairly the issues or problems.

3. The employee who does not resolve the problem or issue to his/her satisfaction may submit a letter of grievance/appeal within 5 working days to the Executive Director. This letter details the specific points of disagreement with the prior decision. The original (1st) letter accompanies the one to the Executive Director. Within 5 working days following the receipt of the letter, the Executive Director holds a meeting with the employee and involved supervisors. Prior to this

meeting the Executive Director, when necessary asks the Personnel Officer to review the problem or issue from an organizational or legal perspective. The personnel officer serves as a resource to management in appeal and grievance procedures. The affirmative Action Officer serves as an advisor for employees in grievance procedures.

4. The employee who does not resolve the problem or issue to his/her satisfaction may submit a letter of grievance/appeal within 5 working days following the meeting with the Executive Director to the Chairperson of the Personnel Practices Committee. Within 5 working days following the receipt of the letter of grievance/appeal, the Chairperson holds a meeting with the employee, Executive Director, and the uninvolved members of the Personnel Practices Committee. This meeting is held to resolve the problem or issue resulting from the decision of the Executive Director. The Personnel Officer and Affirmative Action Officer or the empoyee's designated representative are involved when called upon for assistance by either the Executive Director or grieving employee.

5. The employee who does not resolve the problem or issue to his/her satisfaction, may submit a letter of grievance/appeal within 5 working days following the meeting with the Personnel Practices Committee to the Chairperson of the Personnel Committee of the Board of Directors. Within 5 working days following the receipt of the letter of grievance/appeal, the Board Personnel Chairpersonholds a meeting with the employee, Executive Director, and two Board of Directors members. This meeting is held to resolve the problem or issue resulting from the decision of the Executive Director. The Personnel Officer and Affirmative Action Officer or employee's designated representative are involved when called upon for assistance by either the Executive Director or employee.

6. The employee who does not resolve a grievance to his/her satisfaction, may request assistance from the Affirmative Action Officer in filing petitions to the appropriate agency responsible for hearing employee grievances. The agencies to which a grievance is filed include, but are not limited to: U. S. Department of Labor, State of _____ Labor Practices Department. The decision of this appropriate grievance agency is final and binding on both Residential Alternatives, Inc. and the employee.

7. At any point in this grievance/appeal procedure, the Personnel Officer and/or Affirmative Action Officer may be requested to participate. The Personnel Officer serves as a resource to the supervisors, Executive Director, Personnel Practices Committee and the Board of Directors. The Affirmative Action Officer or employee's designated representative serves as the advisor for the employee. At no time may the Personnel Officer or the Affirmative Action Officer participate in any decisions made by a staff person representing the management or by the employee; their role is only advisory.

SPECIAL COMMITTEES

Management Group may establish any special committees as needed.

PERSONNEL PRACTICES AND POLICIES AMENDMENT PROCEDURES

Employees and/or management may propose changes to this document by submitting suggestions to the Personnel Practices Committee for review. The Personnel Practices Committee will provide notice of proposed changes or modifications of this document to employees for their review and comment at least 2 weeks prior to the date on which the Management Group considers the proposed amendment. Revisions of this policy are forwarded to the Personnel COmmittee of the Board of Directors. Following the amendment of these policies and procedures, each employee is provided a copy of the modifications within 1 week.

APPENDIX C

SAMPLE STAFF SCHEDULE

The attached information suggests alternate types of schedules for crisis centers and group homes, both on a non-rotational and rotational basis.

A. CRISES CENTER (INTENSIVE CASE DEMANDS)

1. Non-Rotational

These shifts are often 10 hours/day, four days a week and result in six shifts per week. The four day week overlaps on Wednesday; a day when staff meetings and other communication takes place. The six shifts can be scheduled as follows:

Sunday - Wednesday/Wednesday - Saturday

8:00 a.m. - 6:00 p.m.
3:00 p.m. - 1:00 a.m.
12:00 p.m. - 10:00 a.m.

These shifts overlap during the late afternoon and between other shift changes. This is done to allow one shift to report the situation to the next shift and to provide coordinated services.

2. Rotational

The procedure is similar to that above, except custodial staff (but not treatment staff) rotate every 6 to 8 weeks around the three shift per day schedule.

B. GROUP HOME (LONG OR SHORT TERM)

The needs of a group home differs from that of a crisis center in that there is a more stable client population, less intensive treatment needs, and less need for immediate continuity of service provision. The following schedule takes this into account.

1. Non-rotational

Day Shift
8:00 a.m. - 5:00 p.m.; Monday - Friday; 40 hrs. per week. For administrative personnel, main treatment staff and some custodial staff members.

P.M. Shift
4:00 p.m. - 12:30 a.m.; Sunday - Thursday; 40 hrs. per week. For one member of the treatment staff and one (or more) custodial staff members.

Night Shift
12:00 midnight - 8:30 a.m.; Sunday - Thursday; 40 hrs. per week. For one (or more) custodial staff members.

Weekend Days
8:00 a.m. - 5:00 p.m.; Saturday & Sunday; 16 hrs. per week. For one treatment and one (or more) custodial staff members.

Weekend P.M.
4:00 p.m. - 12:30 a.m.; Friday & Saturday; 16 hrs. per week. For one treatment and one (or more) custodial staff members.

Weekend Nights
12:00 midnight - 8:30 a.m.; Friday & Saturday; 16 hrs. per week. For one (or more) custodial staff members.

2. Rotational

Shifts may be rotated through the staff. The following rotation requires 12 people (rotations over 12 weeks and extra persons for p.m. and weekend days, as needed, as well as extra persons for vacations and other time off.

PERSON	MON.	TUE.	WED.	THUR.	FRI.	SAT.	SUN.
1	Night	Night	Night	Night	Night	Off	Off
2	Off	Day	Day	Day	Day	Day	Off
3	Off	Day	Day	Day	Day	Off	Off
4	Day	Day	Day	Day	Day	Off	P.M.
5	P.M.	P.M.	P.M.	P.M.	Off	Off	Day
6	Day	Day	Day	Day	Off	P.M.	Off
7	Day	Day	Day	Day	Day	Off	Off
8	Day	Day	Day	Day	P.M.	Off	Off
9	Day	Day	Day	Day	Day	Off	Off
10	Day	Day	Day	Day	Off	Night	Night
11	Off	Day	Day	Day	Day	Off	Off
12	Day	Day	Day	Day	Day	Off	Off

APPENDIX D

STAFF EVALUATION FORM

NAME OF PERSON RATED_____

NAME/ROLE OF RATER_____

DATE OF CONTACT_____

Rate each item by entering the appropriate number in the space provided according to the following scale:

1. Excellent
2. Above Average
3. Average
4. Needs Improvement
5. Unsatisfactory

I Understanding of Program

____1. Understands philosophy & purpose of program.

____2. Sees how program fits into the network of services in the community.

II Personal Attitudes and Growth

____1. Is able to communicate effectively with persons in authority.

____2. Is able to communicate effectively with persons in authority in community.

____3. Is able to communicate effectively with clients who operate as authoritarians.

____4. Is able to communicate effectively with co-counselor.

____5. Shows acceptance and awareness of own judgemental attitudes towards diversity of clients.

____6. Is aware of self and implications of selfstyle.

____7. Is aware of response and perceptions of others to self.

____8. Is able to cope with conflict.

____9. Uses opportunities for learning.

____10. Relates and builds upon learning experiences

____11. Is sensitive to potential reaction of clients to personal dress and appearance.

III Interaction w/Clients

____1. Is able to establish appropriate relations with clients.

____2. Is able to be non-judgemental, non-accusative, non-blaming with clients.

____3. When communicating own opinion, takes responsibility for opinion and makes biases known when appropriate.

____4. Is able to communicate an awareness of client feelings to client.

____5. Deals in present with relevant factors of past and anticipated future.

____6. Recognizes the strengths and weaknesses in clients and is able to apply appropriate problem solving and intervention action in accord with facts and needs.

____7. Is able to communicate clearly and concisely.

____8. Engages client participation throughout the intervention process.

____9. Knows how to locate and use resources in the community in behalf of clients.

IV Practice & Knowledge of Program Processes

____1. Knows generally about program procedures or where to find out.

____2. Has a basic understanding of training and supervision objectives.

____3. Has understanding of the various functions of each:

____ Intake (include information necessary to get on phone prior to going out).

____ Needs assessment.

____ Case Management.

____ Family counseling.

____ Follow-up termination services.

____ Limit setting and follow-through consequences with clients.

APPENDIX E

SAMPLE INTAKE INTERVIEW FORM

Client No:_____Age:_____Sex:_____Birthdate:_____Race:_____Rel:____

Interviewers:_____/_____ Date:_____

Why did you come to (Name of Program)? (i.e. food, counseling, housing, legal aid, placement)

How did you hear about (Name of Program)?

Do you live with your parents? Yes___ No___

If not, with whom do you live and how long have you lived there?

Are your real parents still married? Yes___ No___

If not, how long have they been divorced?

Do you have any feelings about the divorce?

Do you have step parents?

Who has legal custody of you?

How long have they had custody?

What is the occupation of your father (stepfather/guardian)?

What is the occupation of your mother (stepmother/guardian)?

Do you have any brothers (stepbrothers/halfbrothers)? List by age only.

Who is now living at home? Brothers_____Sisters_____Parents_____Others
(Identify relationship of others)

History of places lived: (Be detailed and specific - who they lived with/for how long and why changed--list these chronologically.)

Referral Source_____

Reason For Referral (please check)

_____Truancy
_____Suspension from school
_____Failure in school
_____Behavior problems in school
_____Adjustment problems in family
_____Burglary
_____Runaway
_____Theft
_____Drug Abuse
_____Shoplifting
_____Beyond Parental Control
_____Violation of probation

Other:_____

_____

Have you ever been arrested? (Be specific - When/where/charges/disposition)

Are you on probation now? Yes___No___Where?_____How long?_____

Who is the P.O.?_____

Please tell me the reason and number of times, you have been to court and whether you have been found guilty:

1._____

2._____

3._____

4._____

Have you ever been committed to any correctional institution?_____.
If so, where and when?

_____

Do you feel you have received any unncessary physical force at home? If so, to what extent?

Do you think you had anything to do with the difficulties at home (or in the placement)?

What could you do to change things there to make them better?

How do you feel about your mother?

stepmother?

How do you feel about your father?

stepfather?

Do you feel that you have disappointed your parents?

Do you feel that your parents have disappointed you?

How do you feel about the rest of your family? (i.e. brothers, sisters, etc.)

How do you feel about yourself? How might you describe yourself?

Do you go to school? Yes___No___Where:_____What grade are you in?_____

How do you feel about school?

Have you ever been in trouble in school (i.e. suspended, etc.) Yes___No___ If yes, explain fully.

How do you get along with your friends?

Do you use alcohol? (How often?)

Do you use drugs? (What kind, how often and for how long?)

How do you feel about the way you are using drugs?

Do you take any prescribed medication? (For what?)

Is there anything you would like to talk to a doctor about?

Have you ever had sex or birth control education? YES NO would you like more? YES NO

Are you sexually active? YES NO How long?

Have your experiences been with people of (a) the opposite sex (b) the same sex (c) both? Explain:

Do you cosider yourself to be (a) heterosexual (straight) (b) homosexual (gay) (c) bisexual or (d) undecided?

Who is aware of your sexual identity? (relatives, friends, school)

Have you had any hassles involving your sexual activity at home, in school or with peers? Explain:

Have you ever had V.D. or been in contact with someone who had it? YES NO

Have you ever been tested for V.D.? YES NO

Have you ever had any bad experiences with sex, either recently or when you were young? (i.e., been raped, almost raped, received unwanted sexual advances from family members or family friends or peers?)

How do you feel about this?

Have you ever been involved in prostitution (hustling, turning tricks)? YES NO

Have you, or anyone in your family, ever seen a counselor or psychiatrist? YES NO If so, why and how was that?

Have you ever thought about or attempted suicide? Explain: (Give circumstances when considered. If attempted, when, how long ago and events leading up to attempt.)

WHAT WOULD YOU LIKE TO CHANGE ABOUT YOUR LIFE?

How can we help you to make these changes?

What kind of life do you want for yourself eventually?

What would you like to do to make money?

What previous work experiences have you had? (Give type of job and length of each work experience. Use reverse side of page to answer.)

Have you ever received assistance from an agency such as a mental health center, psychiatric or psychological clinic, child guidance center or family service agency?_____

_____

_____

_____

_____

Are you on Medicaide?_____

Interviewer's comments and impressions. Indicate here, as you feel appropriate, the general physical appearance and mood of the client.

APPENDIX F

GENERAL RELEASE FORM

TO: Residential Alternatives, Inc.

As_____ of_____
(parent, guardian, etc.) (name, age and

_____
(address)

(the "Resident"), the undersigned hereby grant(s) permission for such Resident to reside at the above premises or any other premises which may be owned or operated by Residential Alternatives, Inc.

Until Residential Alternatives, Inc. receives written notice to the contrary, the undersigned shall be available at the address listed below for communications from Residential Alternatives, Inc., or its representatives, and the undersigned shall retain full responsibility for the support and well-being of the Resident and for any and all action taken by the Resident while residing at premises of Residential Alternatives, Inc., while participating in any program of Residential Alternatives, Inc. or while visiting or temporarily lodging with the permission of Residential Alternatives, Inc. at any premises other than those of Residential Alternatives, Inc..

The undersigned further agree(s) that, in offering its program and other services to the Resident, Residential Alternatives, Inc., and its officers, agents and represents shall be liable only for willful misconduct; and the undersigned hereby release(s) Residential Alternatives, Inc., and its officers, agents or representives, from any and all demands, actions and other claims that the undersigned may now or hereafter have against any of them on account of any services rendered or to be rendered by them, or on account of any other matter relating to the Resident's participation in programs or activities offered by Residential Alternatives, Inc.

Without limitation of the foregoing the undersigned agree(s) that the Resident, with the permission of Residential Alternatives, Inc., may visit or temporarily lodge at premises other than those of Residential Alternatives, Inc. for a period not exceeding seventy-two (72) hours. Without limitation of the foregoing, the undersigned further agree(s) that Residential Alternatives, Inc., in an emergency, may authorize medical treatment for the Resident.

Notwithstanding any other provision herein to the contrary, the authority and release set forth above will not apply to the Resident's residency with Residential Alternatives, Inc. or to any other matters arising under programs or activities of Residential Alternatives, Inc. commencing ten (10) days after any date upon which Residential Alternatives, Inc. shall have received from the undersigned written revocation of this authority and release which was mailed

to Residential Alternatives, Inc. at the above address by certified mail, postage prepaid, or which was otherwise delivered to Residential Alternatives, Inc. and the receipt of which was acknowledged in writing by Residential Alternatives, Inc..

This release is intended to have the effect of a sealed instrument and to be legally binding upon the undersigned and his (her, their) respective successors and assigns.

Name(s)	Name(s)
Address	Address
Telephone Number	Telephone Number

APPEXDIX G

TERMINATION FORM

Name:_____ Date left:_____

Left to: _____Parents
_____relatives
_____foster home
_____independent living

On the run:

If not parents: Address:_____

Name:_____

School status: _____Remained in school
_____Returned to school
_____Dropped out
_____Suspended
_____Expelled

Comments:

Legal status: Unchanged: (no legal involvement)

Legal involvement minimized: YES NO
Explain:

No change in legal involvement

Job status: _____No job
_____Increased vocational interest
_____job

General evaluation of effect of program on youth:

Results:

____Evaluated and organized life situation

____Became better able to communicate with: ___Others

____Parents ____Friends ____Authorities

____Became free from (circle) alcohol drugs illegal acts

____Became able to live at home

____Developed plan for independent living

____Found long term residential placement at_____

____Enhanced self image

____School (circle) passed obtained good grades, behaved graduated

____Became sexually adjusted

____Became able to function better (explain)_____

_____

_____

____Obtained services of (circle) medical psychological legal

____Family reconciled

____Alternate placement found at_____

APPENDIX H

CHECKLIST FOR FOLLOW-UP PHONE INTEVIEWS

Youth name:_____

Address:_____

Who are you living with now?

Name:_____Relationship:_____

Who has legal custody of you?_____

If no, why not?_____

Are plans being made for you to enroll?_____

If yes:

Name of school:_____Grade:_____

Number of days absent since last phone call: excused____unexcused___
Have you been suspended during this term?_____

If yes, how many times_____and for what reason(s)?_____

_____

Do you have a job?_____

If yes:

Full time or part time?_____Employer's Phone #:_____

Name of employer:_____

Address:_____

How long have you had this job?_____What kind of work do you do (job title or description)?_____

Exhibit 3. Prompt questions from first page of phone checklist.Checklist for Follow-Up Phone Interviews

School counselor:_____ Phone:_____

Address:_____

School principal:_____ Phone:_____

Address:_____

Court counselor or
(probation officer):_____ Phone:_____

Address:_____

Employer:_____ Phone:_____

Address:_____

Natural or foster parent_____ Phone:_____

Address:_____

Other:_____ Phone:_____

(Relationship):_____

Address:_____

Is there anything else you'd like to talk about before we hang up?_____

_____

_____

_____

Call date:_____ Name of Interviewer:_____

APPENDIX I

RESIDENTIAL ALTERNATIVES, INC.
SCHEDULE OF OTHER OPERATING EXPENDITURES
FOR THE YEAR ENDED DECEMBER 31, 1978

	HOME DETENTION	GROUP HOMES	ATTENTION HOME	PROCTOR PROGRAM	TOTAL
Fringe Benefits & Payroll Taxes	$	$	$	$	$
Food					
Clothing					
Allowances for Children					
Children's Activities					
Bedding, Linen & Staff Uniforms					
Transportation & Workers Expense					
Rental & Repair of Vehicles					
Purchase of Health Services					
Conference					
Tuition & Related School Expense					
Insurance					
Rent					
Repairs & Maintenance					
Replacement of Furniture & Equipment					
Rental of Furniture & Equipment					
Supplies					
Medical Supplies & Equipment					
Telephone					
Postage					
Dues & Licenses					
Subscriptions & Publications					
Audit, Legal & Advisory Fees					
Utilities					
Interest					
Administrative					
Outside Camp Fees					
Miscellaneous					
	$	$	$	$	$

APPENDIX J

RESIDENTIAL ALTERNATIVES, INC.
STATEMENT OF FINANCIAL POSITION FORM
DECEMBER 31, 1978 AND 1977

	1978	1977
Current Fund		
Assets		
Cash - including savings accounts of $____ in 1978 and $____ in 1977	$	$
Receivables - principally contacts and grants		
Prepaid expenses and deposits		
	$	$
Liabilities		
Bank overdraft	$	$
Accrued expenses		
Accounts payable		
Short-term note payable		
Deferred revenue and support		
Total obligations		
Fund (deficit)	(____)	(____)
	$	$
Property and Equipment Fund		
Assets		
Land	$	$
Residential buildings		
Equipment:		
Automotive		
Household and office		
Total cost		
Less accumulated depreciation	(____)	(____)
	$	$
Liabilities, including current installments of approximately $_____		
Real estate mortgage loans	$	$
Conditional sales contracts, due in monthly installments of approximately $_____ including interest, from __% to __% maturing in____.		
Total obligations		
Fund (deficit)	(____)	(____)
	$	$

RESIDENTIAL ALTERNATIVES, INC.

STATEMENT OF REVENUE AND EXPENDITURES FOR THE YEARS ENDED DECEMBER 31, 1978 AND 1977

	1978			1977		
	Current Fund	Property and Equipment Fund	Total	Current Fund	Property and Equipment Fund	Total
REVENUE AND SUPPORT						
Revenue:						
Placement Fees	$		$	$		$
City and County of Paradise						
Crisis Resolution Program						
Fee-for-Service Contracts						
State of Utopia - Department of Health						
County of Paradise - Office of Criminal Justice						
Gain from Sale of Property and Equipment						
Interest Income		$			$	
Other						
Total Revenue	$	$	$	$	$	$
Support:						
United States of America - Department of Health, Education and Welfare grants (restricted to specific programs):						
Office of Youth Development						
National Institute of Drug Abuse						
National Institute of Mental Health						
Other						
City and County of Paradise - Mayor's Office of Employment and Training						
County of Paradise - Office of Employment and Training						
United Way of Paradise						
Contributions for General Public, including Donated Services						
Restricted to Specific Uses:						
Utopia Arts Council						
Gasahol Foundation						
Other						
Total Support	$	$	$	$	$	$
Total Revenue and Support	$	$	$	$	$	$
EXPENSES:						
Utopia Program Services:						
Crisis Center, Inc.						
Alternative Group Homes, Inc.						
Downtown Center, Inc.						
Project Utopia						
Middle Core						
Human Services, Inc.						
Paradise Program Services:						
County Circuit Homes, Inc.						
Ambulatory Services, Inc.						
Support Services, Ltd.						
Total Program Services	$	$	$	$	$	$
Supporting Services - Administration	$	$	$	$	$	$
Total Expenses	$	$	$	$	$	$
EXCESS OF EXPENSES OVER REVENUE AND SUPPORT	$	$	$	$	$	$

RESIDENTIAL ALTERNATIVES, INC.
STATEMENT OF EXPENSES FORM
FOR THE YEARS ENDED DECEMBER 31, 1978 NAD 1977

	1978			1977		
	Program Services	Supporting Services Administration	Total	Program Services	Supporting Services Administration	Total
COMPENSATION:	$	$	$	$	$	$
Co-Directors						
Coordinators						
Staff:						
Regular						
Temporary						
Volunteer						
EMPLOYEE BENEFITS AND PAYROLL TAXES						
Total compensation and related expenses	$	$	$	$	$	$
PROFESSIONAL FEES AND CONTRACT SERVICE PAYMENTS						
RENT, INTEREST AND OTHER OCCUPANCY						
FOOD AND OTHER SPECIFIC AID TO MINORS						
AUTOMOTIVE, INCLUDING INTEREST						
TELEPHONE AND POSTAGE						
PRINTING AND PUBLICATIONS						
SUPPLIES AND EQUIPMENT						
CONFERENCES AND OTHER						
Total expenses before depreciation	$	$	$	$	$	$
DEPRECIATION OF BUILDINGS AND EQUIPMENT						
	$	$	$	$	$	$

RESIDENTIAL ALTERNATIVES, INC.
STATEMENT OF CHANGES IN FUND BALANCES
FOR THE YEARS ENDED DECEMBER 31, 1978 AND 1979

	1978			1977		
	Current Fund	Property and Equipment Fund	Total	Current Fund	Property and Equipment Fund	Total
FUND (DEFICIT) AT BEGINNING OF YEAR	$	$	$	$	$	$
EXCESS OF EXPENSES OVER REVENUE AND SUPPORT						
PROPERTY AND EQUIPMENT						
Acquisitions						
Dispositions						
MORTGAGE AND EQUIPMENT OBLIGATIONS						
Additional borrowings						
Repayments						
FUND (DEFICIT) AT END OF YEAR	$	$	$	$	$	$

APPENDIX K

SAMPLE BYLAWS FOR PRIVATE NON-PROFIT ORGANIZATION

I

Principal Office

The principal office for the transaction of the business of the corporation is fixed and located at_____. The Board of Directors may at any time or from time to time change the location of the principal office from one location to another in this county.

II

Membership

Section 1. Members There shall be two classes of members of this corporation. The first class of members shall be known as institutional members, and the second class of members shall be known as individual members.

Section 2. Qualifications of Institutional Members. The institutional members of this corporation shall be all institutions holding any type of membership in any other institution which shall have during that year made a contribution of $25 or more.

Section 3. Qualification of Individual Members. Any person who currently is actively serving as a volunteer worker for the corporation and has expressed in writing an interest in becoming a member of the corporation, and any person who has made a contribution, and any person who has made a contribution in excess of $10 for that year shall be an individual member of this corporation.

Section 4. Annual Meeting. The annual meeting of the members of this corporation shall be held at such time between October 24, and November 14, of each year and at such place as may be determined by a resolution of the Board of Directors. Written notice of the time and place of the annual meeting shall be delivered personally to each member or sent to each member by mail or other form of written communication, charges prepaid, addressed to him at his address as it is shown on the records of the corporation, or if it is not shown on the records or is not readily ascertainable, at the place where the meetings of the members are regularly held. Any such notice shall be mailed or delivered at least five (5) days before the date of the meeting.

Section 6. Special Meetings: Special meetings of the members of the corporation for any purpose or purposes may be called at any time by the president of the corporation or by not less than one-fourth (1/4) of the members of the Board of Directors. Written notice of the time and place of

special meetings of the members shall be given in the same manner as for annual meetings of the members. The transactions of any meetings of the members of the corporation, however called and noticed, shall be as valid as though had at a meeting held after regular call and notice if a quorum is present, and if either before or after the meeting each of the voting members not present signs a written waiver of notice, a consent to holding this meeting or an approval of the minutes of the meeting. All the waivers, consents or approvals shall be filed with the corporate records or be made a part of the minutes of the meeting.

Section 7. Quorum: A quorum for any meeting of the members shall be twenty-five percent (25%) of the total number of members of the corporatin.

Section 8. Liabilities of Members: No person who is now, or who later becomes, a member of this corporation, shall be personally liable to its creditors for any indebtedness or liability, and any and all creditors of this corporation shall look only to the assets of this corporation for payment.

III

BOARD OF DIRECTORS

Section 1. Number of Directors: The Board of Directors shall consist of fifteen (15) members until the number of directors is changed by amendment to these bylaws.

Section 2. Quorum: A quorum for the transaction of business shall be five (5) or one-third of the total number of the elected directors, whichever is larger. Every decision of the Board of Directors shall be determined by a simple majority of those directors present at a meeting duly held, except as prescribed otherwise in these bylaws.

Section 3. Powers of Directors: Subject to the limitations of the Articles of Incorporation, other sections of the bylaws, and of (name of state) law, all corporate powers of the corporation shall be exercised by or under the authority of, and the business and affairs of the corporation shall be controlled by, the Board of Directors. Without limiting the general powers, the Board of Directors shall have the following powers:

(a) To select and remove all other officers, agents and employees of the corporation, prescribe such powers and duties for them as may not be inconsistent with law, the Articles of Incorporation or these bylaws, fix their compensation and require from them security for faithful service.

(b) To conduct, manage, and control the affairs and business of the corporation, and to make rules and regulations not inconsistent with law, the Articles of Incorporation or the bylaws.

(c) To borrow money and incur indebtedness for the purposes of the corporation and for that purpose to cause to be executed and delivered, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations or other evidence of debt and securities.

Section 4. Election and Term of Office: Except as provided below for the initial terms of the first directors, the term of office of each director of this corporation shall be three years or until his successor is elected. Successors for directors whose terms of office are then expiring shall be elected at the annual meeting of the members in the year such terms expire. A director may succeed himself in office.

At the organizational meeting of the first directors of this corporation, the directors shall, by lot, classify themselves into three groups. The first group shall consist of five (5) directors whose initial term of office shall be one year. The second group shall consist of five (5) directors whose initial term of office shall be two years. The third group shall consist of five (5) directors whose term of office shall be three years. This classification and the short initial terms are for the purpose of providing, as nearly as numerically possible, for the election of one-third of the Board of Directors in each year. In the event that the directors at the time of such initial organizational meeting number less than fifteen, such directors (and subsequent appointees) shall be so grouped with respect to their initial terms of office as to permit, insofar as possible, the preservation of said scheme of staggered elections of members of the Board of Directors.

Section 5. Vacancies: Vacancies in the Board of Directors shall be filled by a namority of the remaining directors then in office even though less than a quorum, or by the sole remaining director, after nomination by the Nominating Committee. A successor director so elected shall serve for the unexpirec term of his predecessor, unless such unexpired term shall exceed one (1) year, in which case his election shall be subject to confirmation by the members at the next annual meeting of members.

Section 6. Place of Meeting: Regular meetings of the Board of Directors shall be held at any place that has been designated from time to time by resolution of the Board or by written consent of all members of the Board. In the absence of this designation regular meetings shall be held at the principal office of the corporation. Special meetings of the board may be held at either a place designated or at the principal office.

Section 7. Organizational Meeting: Immediately following each annual meeting of members, the Board of Directors shall hold a regular meeting for the purpose of organization, election of officers and the transaction of other business. No notice of such organizational meeting need be given.

Section 8. Other Regular Meetings: Other regular meetings shall be held during at least eleven (11) months during each year at such times as may be established by resolution of the Board of Directors.

Section 9. Special Meeting: A special meeting of the Board of Directors for any purpose or purposes may be called at any time by the president, the vice-president or by any two directors.

Section 10. Notice of Regular and Special Meeting: Written notice of the time and place of each regular and special meeting shall be delivered personally to each director or sent to each director by mail or other form of written communication, charges prepaid, addressed to him at his address as shown on the records of the corporation, or if it is not so shown on the records of the corporation, or if it is not so shown on the records or is not readily ascertainable, at the place where the meetings of the directors are regularly held. The notice shall be mailed at least five (5) days before the time of holding of the meeting.

The transactions of any meeting of the Board of Directors, however called and noticed and wherever held, shall be as valid as though had at a meeting held after regular call and notice, if a quorum is present and either before or after the meeting each of the directors not present signs a written waiver of notice or a consent to hold the meeting or an approval of the minutes. All such waivers, consents or approvals shall be filed with the corporate records or made a part of the minutes of the meetings.

Section 11. Action without a Meeting: A director may be removed from office, for cause, by the vote of a majority of the directors. Such cause shall include, but not be limited to, the absence of a director from three consecutive regular meetings without having previously requested an excuse from the Board. Directors are required to attend a minimum of seven meetings within a Corporate year. The sixth absence constitutes automatic resignation. The Board may waive resignation if mitigating circumstances are presented to the Board. For the purposes of this section, the term "a Corporate year" shall refer to the twelve month period between annual meetings.

Section 13. Compensation: The directors shall receive no compensation for their services as directors.

IV

OFFICERS

Section 1. Officers: The officers of this corporation shall be a president, vice-president, secretary, and treasurer and such other officers as the Board of Directors may appoint. One person, other than the president, may hold more than one of these offices. Officers other than the president need not be members of the Board of Directors.

Section 2. Election: The Board of Directors shall elect all officers of the corporation for terms of one year, or until their successors are elected.

Section 3. Vacancies: A vacancy in any office because of death, resignation, removal, disqualification or other-wise shall be filled by the Board of Directors.

Section 4. President: Subject to the control of the Board of Directors, the president shall have general supervision, direction and control of the business and affairs of the corporation. He shall preside at all meetings of the members and directors, and shall have such other powers and duties as may be prescribed from time to time by the Board of Directors.

Section 5. Vice-President: In the absence or disability of the president, the vice-president shall perform all of the duties of the president and in so acting shall have all the powers of the president. The vice-president shall have such other powers and perform such other duties as may be prescribed from time to time by the Board of Directors.

Section 6. Secretary: The secretary shall keep a full and complete record of the proceedings of the Board of Directors, shall keep the seal of the corporation and affix it to such papers and instruments as may be required in the regular course of business, shall make service of such notices as may be necessary or proper, shall supervise the keeping of the records of the corporation, and shall discharge such other duties of the office as prescribed by the Board of Directors.

Section 7. Treasurer: The treasurer shall receive and safely keep all funds of the corporation and deposit them in the bank or banks that may be designated by the Board of Directors. These funds shall be paid out only on checks of the corporation signed by such officers as may be designated by the Board of Directors as authorized to sign them. The treasurer shall have such other powers and perform such other duties as may be prescribed from time to time by the Board of Directors.

V

Committees

Section 1. Executive Committee: The Board of Directors by a majority vote of its members may designate two (2) or more of its members as an Executive Committee of such Board and delegate to such committee any of the powers and authority of the Board of Directors, except the power to adopt, amend or repeal the bylaws. Such committee shall act only in the intervals between meeting of the Board of Directors and shall be subject at all times to the control of the Board of Directors.

Section 2. Nominating Committee: The Nominating Committee shall be appointed by the president prior to the first regular meeting of the Board of Directors following the annual membership meeting and shall be ratified by the Board of Directors, and the remaining two of whom shall be corporation members. Members of the Nominating Committee shall serve not more than two consecutive years. The committee shall prepare a slate of nominees for the office of directors, obtain the consent of the nominees to serve, and present such slate of nominees to the Board of Directors for its consideration and any additions or deletions which it may have.

Section 3. Ad Hoc Committees: Ad hoc committees for specific purposes or activities may be designated from time to time by resolution of the Board of Directors. Chairpersons of such committees shall be appointed by the Board. Members of such committees shall be appointed by the respective chairpersons in such numbers as the chairpersons deem advisable, unless otherwise provided by the Board in its resolution designating any such committee.

Section 4. Rules: Each committee may adopt rules for its own government and procedure not inconsistent with law, with these bylaws or with rules and regulations adopted by the Board of Directors. At the discretion of the Board of Directors, all regular and ad hoc committees may have as their members members of the corporation or advisory members (persons with special skills) in addition to members of the Board of Directors. When the Board of Directors commits the task to a regular or ad hoc committee, it may not again assume responsibility for that task until such committee makes its report and recommendations or reports that it is unable to complete the task in the time limit specified in the authorizing resolution.

VI.

Amendment of Bylaws

These bylaws may be amended or repealed and new bylaws adopted by the vote of a majority of the members of the Board of Directors at any directors' meeting, except that a bylaw fixing or changing the number of directors may be adopted, amended or repealed only by vote or written consent of a majority of the members of the corporation or the vote of a majority of a quorum at a meeting of the members called for that purpose and which is the vote of the majority of those present and voting.

VII

Miscellaneous

Section 1. Execution of Documents: The Board of Directors may authorize any officer or agent to enter into any contract or execute any instrument in the name of and on behalf of the corporation, and this authority may be general or confined to specific instances; and, unless so authorized by the Board of Directors, no officer, agent or other person shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or render it liable for any purpose or any amount.

Section 2. Inspection of Bylaws: The corporation shall keep in its principal office the original or a copy of these bylaws, as amended, or otherwise altered to date, certified by the secretary, which shall be open to inspection by the members at all reasonable times during office hours.

Section 3. Rules of Order: The rules contained in Robert's Rules of Order, revised, shall govern all members' meetings and directors' meetings of the corporation, except in instances of conflict between Robert's Rules of Order and the Articles of Incorporation or bylaws of the corporation or provisions of law.

Section 4. Annual Report and Financial Statement: The Board of Directors shall provide for the preparation and submission to the members of a written annual report, including a financial statement. Such report shall summarize the corporation's activities for the preceding year and activities projected for the forthcoming year; the financial statement shall consist of a balance sheet as of the close of business of the corporation's fiscal year, contain a summary of receipts and disbursements, be prepared in such manner and form as is sanctioned by sound accounting practices, and be certified by the president, secretary, treasurer or a public accountant.

Section 5. Fiscal Year. The fiscal year of the corporation shall begin on the first day of July and end on the last day of June in each year.

APPENDIX L

AUTHORIZATION FOR RELEASE OF INFORMATION

STATE OF_____

COUNTY OF_____

I do hereby authorize

_____,
(Name of person or institution releasing record)

its agents and employees to release to the (Name of Program) Program, (city, state) any and all information, copies, photostats or otherwise, which it now has or which it may in the future have in its possession pertaining to the educational, social, physical or mental condition of_____

_____
(Child's Name)

for professional use by the (Name of Program).

This authorization shall be subject to revocation at any time upon specific request, and shall expire upon final disposition of the matter presently pending before the Juvenile Court. All information obtained under this authorization shall be considered as confidential information.

Dated at (city, state), this

_____Day of_____197_____.

_____
(Parent)

_____
(Child)

APPENDIX M

RESIDENT COMMUNITY RESPONSIBILITIES

Expectations and consequences for being at (Name of Program) are listed here. The staff will be glad to explain the reasons for any of these rules to you. By agreeing to be a resident, you are responsible for following these rules or taking the consequences for breaking them. If you break three rules in one week, the staff may decide to put on a trial week. If you choose not to take the consequence for a rule you break, you'll be put on a trial week. If your attitude and behavior show that you cannot live up to your committments, the staff may use its right to have you leave.

If you are dissatisfied with an assigned consequence, first talk it over with the counselor on duty who assigned it. Next, if you are still unhappy set up a meeting with your counselor and the staff person who assigned the consequence. During that meeting you may have one person there to speak on your behalf.

Consequences are to be taken as soon as possible. People too sick to meet their daily contract responsibilities, stay in bed and rest that day and night. Upset stomachs mean light foods.

Trial week: There are 2 ways to be put on trial week.
1. If you refuse to take a consequence.
2. If you break 3 or more rules in one week.

If you break a rule during trial week you will be asked to leave in 48 hours.

RESPONSIBILITY	CONSEQUENCE
1. No drugs or alcoholic beverages in the house or on the premises. This includes all drug paraphrenalia (pipes, etc.).	You will leave residence within 48 hours. Staff will try to help you outside of the program since you were unable to work within the program. Plus, if you come in drunk or high daily your counselor will confront you about this. Drugs, pot & alcohol found in the house will be taken away and destroyed.
2. No sex in the house.	You will be asked to leave until you can maintain appropriate behavior.
NOTE! 3. No violence in the house.	You will be asked to leave until you can maintain appropriate behavior.

4. Any weapons or medication will be given to the staff to lock in the cabinet during your stay.	You will be asked to leave until you can maintain appropriate behavior.
5. What you do outside the house on your own time in terms of drugs or alcohol use, is your responsibility; however, coming into the house influenced by these to the degree that you are disturbing other community members is not O.K.!!!!	You will be ased to leave the house until you can maintain appropriate behavior. You will pay the consequences if it means staying out overnight, missing curfew, meetings or dinner.
6. Everyone will respect each other; especially in terms of noise, violence and stealing.	Problems will be dealt with by the community at a community or emergency meeting.
7. Community Meetings: Sunday and Monday: 5:00-6:00 p.m. Wednesday: 5:00-6:00 p.m. Or if a community member calls a meeting to discuss an important issue or an emergency.	More than 10 minutes late-Two hours early that night with no visitors. Missed meeting - in house with no visitors next two nights.
8. Everyone participates in cleanup every night before dinner. A big clean up will happen Sunday from 9-12 after a community breakfast.	Dinner is not to be served until clean up is completed. Person not participating earns obnoxious job.
9. Dinner is served at 6:00 p.m. or when clean up is completed. No visitors during dinner, clean up, or community meetings. Residents are to be at the table at least 10 minutes after dinner is served. Dinner can be missed on Saturday night only. If you plan to be here for dinner, staff must be told.	More than ten minutes late - two hours early that night with no visitors. Missed dinner - no meal or snack that night; in house one night with no visitors. If dinner is later than 7:00 residents may leave at 7:00 if the counselor agrees.
10. Dinner is prepared very night except Saturday by the residents. Your dinner night will be scheduled each week when the menu is planned. Resident is responsible to make sure food is ready to be prepared.	If you don't show up to prepare the dinner for your night, and don't make arrangements to switch with another resident-do dishes three nights in a row.
11. Eating hours: Breakfast until 9:00a.m. Mon.-Fri. Until 10:00a.m. Sat.-Sun. Lunch Noon - 2:00 p.m. Dinner 6:00 p.m. Snack 10:00 - 11:00 p.m. 11:30 weekends	Anyone eating during non-eating hours, except designated "snacking food" (fruits and vegetables) causes snacking to be cancelled for everyone that night. Coffee, tea and juice can be had at any time.

12. Curfew: Sunday-Thursday - 10:00 p.m. Friday-Saturday - 11:30 p.m.	More than ten minutes late - two hours early next night with no visitors. If you return after curfew and there is no staff awake to let you in, it is assumed that you were out overnight. You may not get into the house without staff permission. If you find a way into the house without staff permission, it will be assumed that YOU HAVE BROKEN IN, AND YOU WILL BE ASKED TO LEAVE WITHIN 24 HOURS.
Out after 12 o'clock is considered overnight.	Out overnight - in house two nights with no visitors. If you are to be out past midnight and don't notify staff on duty we will notify the police that you are missing.
13. Everyone washes his/her own breakfast, lunch and snack dishes, and cleans up their food messes. Evening meal is cleaned up by person who cooks.	Unwashed dishes or kitchen mess causes snacking to be cancelled that day. Problems in dishwashing to be worked out by the community.
14. Bedtime is midnight every night. This means that all residents are in their rooms and respectfully quiet.	Problems worked out by the community. Loud radios will be removed for 24 hours. Staff has the right to ask you to leave the house overnight and pay consequences if you are making too much noise.
15. No males in females' rooms, and no females in males' rooms before 10:00 a.m. or after curfew.	This could be interpreted as having sex in the house and that's your responsibility. "Not allowed upstairs from supper to bedtime."
16. USE ASHTRAYS FOR BUTTS AND ASHES. NO SMOKING UPSTAIRS NO SMOKING IN THE KITCHEN. NO SMOKING IN THE PANTRY. NO SMOKING IN THE CELLAR.	No smoking in residence for one day. 2nd time - 2 days no smoking. 3rd time - Trial Week.
17. No candles are allowed to be upstairs, lit or unlit. No burning of incense.	1st time - candles will be confiscated and returned to you when you leave. 2nd time - Trial Week.

18. Visitor Hours: 1:00 P.m. - Curfew. (not during meetings and dinner)	Visitor is banned 1 week. No visitors for resident 1 night.
19. Visitors are not allowed upstairs. Each resident is resonsible for the actions of his/her visitors as far as house rules; especially no drugs, sex or alcohol.	Visitor is banned 1 week. No visitors for Resident for 2 nights.
Visitors are not allowed in the kitchen or downstairs counselor's room. If the bathroom needs to be used, resident whose visitor it is shall go with them. (Downstairs) A visitor can be in the kitchen if a counselor or volunteer is there also.	Consequences if broken.: Visitor will not visit for 2 days. Resident can have no visitors for 2 days.
20. TV HOURS: Mon-Fri. 7:00 - 11:30 p.m. Sat-Sun. 9:00a.m.-11:30p.m.	If TV or stereo has to be made softer more than twice, it goes off for 24 hours. TV on during non-hours, off for 24 hours.
21. No pets allowed in the house.	Either pet, or you and pet gone!
22. Staff phone is to be answered by staff, unless staff delegates responsibility.	Phone abuse results in phone being locked or use restricted.
Residence phone is answered in the pantry. The number is and must be dialed in office and transferred to the pantry. All calls in and out should be on that phone. Local Calls only, no longer than 10 minutes.	Resident making long distance phone calls without staff permission loses all use of phones while at (program).
23. Office and upstairs counselor's room are for the use of the staff. Please Please ask to use any materials or equipment.	Cost for any equipment abused will be resident's responsibility. Telephone consequences.
24. Residents must ask a staff person to turn on the washer and the dryer. Do not turn on the washer yourself. This also applies to the dishwasher.	Abuse results in no use of machine for 24 hours.
25. It is the resident's business whether or not s/he attends school, but all residents who are supposed to be attending school, must leave the house during school hours: by 9:00 a.m. the latest.	If resident leaves the house after 9:00 a.m. the amount of time s/he is late will have to be made up by coming in that much earlier that night.

26. Additional note on drug/alcohol use. This means: If a resident comes in and consistently abuses drugs or alcohol (drunk or hight nightly) they will be confronted by their counselor.

APPENDIX N

COUNSELING AND HOUSING AGREEMENT

HOUSING: From:_____ To_____

DAILY AGREEMENT: (e.g., going to school, talking to staff, phone calls, meetings)

SHORT TERM PLAN: (e.g., family session, counseling, seeking job)

LONG RANGE PLAN: (e.g., placement, go home, on-going counseling, living on own)

SPECIAL AGREEMENTS: (early curfew, etc.)

I agree to the above contract that both myself and a counselor worked on. I also understand that a new agreement needs to be done when my housing is up or when any plans are changed. I can talk to a counselor anytime I feel my agreement should change.

I have read and understand the house rules and agree to follow them.

I have read and understand my rights if I feel I do not get the services from (name of program) I requested.

CLIENT:_____ STAFF_____

DATE:_____

APPENDIX O

SELECTED STATE LAWS CONCERNING

DEINSTITUTIONALIZATION, LICENSING, AND ZONING

1. DEINSTITUTIONALIZATION

Arizona has no current statute or proposal relating to deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 8-501 defines "child welfare agency," and this definition includes any agency or institution maintained . . . to receive children for care and maintenance. Child welfare agencies include such entities as "group foster homes" (5-10 minor children), "regular foster homes" (1-5), and "receiving foster homes" (immediate placement). "Special foster homes" which are licensed foster homes capable of handling not more than five children who require special care for physical, mental or emotional reasons or who have been adjudicated delinquent are also classified as child welfare agencies.

Section 8-503 states that the division (department of economic security) exercises supervision over all child welfare agencies and shall establish rules, regulations, and standards for licensing and classifications of foster homes. According to Section 8-505, no child welfare agency [may operate] without a license from the division. Before issuing a license, the division must investigate the activities and standards of care of the agency, its financial stability, the character and training of the applicant, the need for such agency, and the adequacy of its intended services to insure the welfare of children. Section 8-505(D) states that each license shall state in general terms the kind of child welfare service provided; the number of children (ages and sex included) that can be received; and if relevant, the geographical area the agency is equipped to serve.

3. ZONING - LOCATION OF FACILITY

Article 6.1 of Chapter 4 under Title 9 of the Arizona Statutes empowers the legislative body of any municipality to regulate all matters with regards to building, zoning and land use. Article 6 of the same chapter authorizes the legislative body to establish a planning department whose functions include the preparation of a long range general plan for the development of the municipality. A municipality is not required to adopt a general plan prior to adoption of a zoning ordinance.

Section 9-462.04 dictates an adoption procedure. If the municipality has a planning commission or a hearing officer, the planning commision or hearing officer shall hold a public hearing on any zoning ordinance, and make recommendations to the governing body. Before taking action on a proposed ordinance or amendment, the governing body is required to hold a public hearing only if specifically requested

to do so. If there is no planning commission or hearing officer, the legislative body shall perform those functions. Section 9-462.04(G) provides a procedure in the event of a protest by affected property owners of a proposed change. Alternatives to detention are not mentioned.

CALIFORNIA

1. DEINSTITUTIONALIZATION

According to Section 207 of California's Annotated Codes of 1978, no status offender who is taken into custody can be detained in any jail, lockup, juvenile hall, or other secure facility. If any minor is detained, he will be detained in a shelter-care facility, crisis resolution home, or a non-secure facility. At present, there is no new proposal for future legislation related to deinstitutionalization.

2. CHILD CARE FACILITY LICENSING

Chapter 3 of Division 2 of the Health and Safety Code deals with the licensing of community care facilities. As defined in Section 1502, "community care facility" means any facility, place, or building which . . . provides nonmedical residential care, day care, or homefinding agency services for children, adults, or children and adults, including but not limited to, the physically handicapped, mentally impaired, or incompetent persons, and includes: 1) "Residential facility" which means any family home, group care facility, or similar facility determined by the director of social services, for 24-hour care of persons in need of personal services, supervision, or assistance . . . 4) "Homefinding agency" which means any individual or organization engaged in finding homes or other places for placement of persons of any age for temporary or permanent care or adoption. 5) "Foster family home" which means any residential facility providing 24-hour care for six or fewer foster children . . . in the residence of the foster parents in whose care the foster children have been placed. Such placement may be by a public or private child placement agency or by a court order, or voluntary placement by parents or guardian.

Section 1520 states that any person desiring issuance or renewal of a license for a community care facility or a special permit for specialized services under the provisions of this chapter shall file with the state department of social services an application which includes: a) evidence of the ability of the applicant to comply with the provisions of this chapter and rules and regulations promulgated by the state department. b) Evidence . . . that the applicant is of reputable and responsible character. c) Other information as may be required by the department for the proper administration and enforcement of this chapter.

Under Section 1530, the state department shall adopt, amend, or

repeal . . . reasonable rules, regulations, and standards necessary and proper to carry out the intent of this chapter. Such regulations shall designate separate categories of licensure under which community care facilities shall be licensed . . . Regulations shall also designate the specialized services which community care facilities may provide. The state department (1530.5), in establishing regulations . . . under this chapter for family homes providing 24-hour care for six or fewer foster children shall consider such homes as private residences, and establish regulations for such family homes separate for all other community care facilities.

Section 1531 states that the regulations for a license shall prescribe standards of safety and sanitation for the physical plan and standards for basic personal care, supervision, and services based upon the category of licensure.

The regulations for a special permit shall prescribe standards for the quality of specialized services, including, but not limited to, staffing with duly qualified personnel which take into account the age, physical and mental capabilities, and the needs of the persons to be served.

The state department's regulations shall allow for the development of new and innovative community programs.

Other articles of this same chapter cover such things as evaluation and inspection of facilities, violations, encouragement of local development of residential care facilities, and provision for the establishment of community care facilities serving wards of the juvenile court.

A pending piece of legislation, Senate Bill No. 444 would require the department to develop a standardized curriculum for training staff personnel employed at community care facilities . . . by providing in-kind type services for training persons employed at such facilities.

3. ZONING - LOCATION OF FACILITY

The Legislature declares in Chapter 4 of Title 7 of the Government Code, that in enacting this chapter it is its intention to provide only a minimum of limitation in order that counties and cities may exercise the maximum degree of control over local zoning matters. The legislative body of any county, or city by ordinance may regulate and restrict with regards to building, zoning, and land use matters. If a city had adopted a general plan, Section 65860 states that city zoning ordinances shall be consistent with the plan. The legislative body may create a city planning commission, but if there is no such commission, the legislative body shall do all things required or authorized by this chapter of the city planning commission.

The legislative body may direct the planning commssion to hold

hearings and make recommendations on any zoning ordinance or amendment. Under Section 65857, the legislative body may approve, modify, or disapprove the recommendation of the planning commission. However, any proposed ordinance or amendment not previously considered by the planning commission during its hearings must first be referred to the planning commission for report and recommendation. Also, Section 65856 requires the legislative body to hold a public hearing upon receipt of the recommendations of the planning commission. In the event that neither a board of zoning adjustment or the office of a zoning administrator has been created and established, Section 65902 transfers such functions and duties to the planning commission. No section of this chapter mentions specifically alternatives to detention.

Section 1520.5 of the Health and Safety Code, effective Sept. 19, 1978, deals with the overconcentration of residential care facilities. It is the policy of the state to prevent overconcentration of residential care facilities which impair the integrity or residential neighborhoods. Therefore, the director of social services must deny an application for a new residential care facility license if he determines that the location is in such proximity to an existing facility as would result in overconcentration. "Overconcentraion" means that if a new license is issued, there will be residential care facilities which are separated by a distance of 300 feet or less. Based on special local needs and conditions, the director may approve a separation distance of less than 300 feet with the approval of the city or county in which the proposed facility will be located. Foster family homes and residential care facilities for the elderly shall not be considered in determining overconcentration, and license applications for such facilities shall not be denied upon the basis of overconcentration.

Section 15.66.3 of the Health and Safety Code states that whether or not unrelated persons are living together, a residential facility which serves six or fewer persons shall be considered a residential use of property for the purposes of this article. In addition, the residents and operators of such a facility are considered a family for the purposes of any law or zoning ordinance which relates to the residential use of property . . . Assembly Bill No. 448, introduced into the 1979-80 regular session, would require a conditional use permit, zoning variance, or other zoning clearance for such a residential facility if any of the persons in such a facility are adjudged wards of the court and are ordered by the court to be placed in a residential facility.

COLORADO

1. DEINSTITUTIONALIZATION

Colorado has no current statute relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 26-6-102 defines "child care center" as any facility . . . which is maintained for . . . the care of five or more children under the age of sixteen. The term includes those facilities which give twenty-four hour care for dependent and neglected children. A "child placement agency" arranges for placement for care of any child under the age of sixteen years. "Family care home" means a facility for child care in a place of residence of a family or person for the purpose of providing family care and training for an unrelated child under the age of sixteen.

Section 26-6-106 states that the department of social services shall establish minimum standards for licensing. Standards prescribed shall be limited to: a) the operation and conduct of the facility or agency and the responsibility it assumes for child care; b) the character, suitability, and qualifications of the applicant for a license, and of other persons directly responsible for the care and welfare of children served; c) the general financial ability and competence of the applicant; d) the number of individuals or staff required to insure adequate supervision and care of children served; e) the appropriateness, safety, cleanliness, and general adequacy of the premises, including state fire and health standards, to provide for the physical comfort, care, well-being and safety of children served; f) keeping records for food, clothing, equipment, and individual supplies; g) provisions to safeguard the legal rights of children served; h) maintenance of records pertaining to the admission, progress, health, and discharge of children; i) filing of reports with the department; and j) discipline of children.

3. ZONING - LOCATION OF FACILITY

Article 23 under Title 31 of the Colorado Code provides the governing body of each municipality with the power to regulate and restrict building, zoning and land use concerns. Section 31-23-301(4) states that no statutory or home rule city or town or city and county shall enact an ordinance prohibiting the use of a state-licensed group home for the developmentally disabled which serves not more than 8 developmentally disabled persons and staff, as a residential use of property for zoning. ("Residential use" means specifically, although not exclusively, single-family residential zoning).

All regulations are to be made in accordance with a comprehensive plan. In Subsection (2)(a) of Section 31-23-303, the general assembly declares that the establishment of state-licensed group homes . . . for developmentally disabled persons is a matter of statewide concern . . . and that such a home (as defined above) is a residential use of property for zoning purposes. Nothing in this Subsection (2) shall be construed to supersede the authority of municipalities and counties to regulate such homes appropriately through local zoning ordinances or resolutions, except insofar as such regulations would prohibit such homes from any

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residential district. If reasonably related to the requirements of a particular home, a local zoning or other development regulation may . . . attach specific location requirements to the approval of [a] group home, including the availability of such services and facilities as stores, commercial services, transportation, and recreation facilities.

Section 31-23-204 empowers the governing body to provide for the manner in which (zoning) regulations are determined, amended, or changed. However, no such amendment or regulation will become effective until after a public hearing is held. In the event of a protest against such changes by affected property owners, Section 31-23-305 provides a procedure to be followed. In order to avail itself of these powers, a zoning commission must be appointed to recommend and report to the governing body. A board of adjustment is also required as provided for in Section 31-23-304.

CONNECTICUT

1. DEINSTITUTIONALIZATION

Connecticut has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

On May 18, 1978, Connecticut passed Public Act. No. 78-108 concerning the licensing of institutions. No orphan asylum, children's home or similar institution, and no person or group of persons, . . . shall care for or board a child without a license obtained from the commissioner of social services. An application for a license must state the proposed location for child care, number of children, the purpose of the institution and the names of its chief officers and of the actual superintendent in charge of the children. The commissioner of social services and the commissioner of children and youth services are each authorized to fix the maximum number of children to be boarded and cared for in any such home or institution. Annually, each licensee must file a report stating the number of children received, number and causes of deaths, the average cost of support per capita and much other data as may be prescribed.

Section 17-49a of Chapter 301 is concerned with licensing of child-placing agencies. Applications for such a license shall be in a form furnished by the commissioner, and shall state the location, its organization, purposes, and the name, title and degree of professional training of each of its staff. Section 17-49b states that (a) the commissioner of human resources shall adopt regulations in accordance with Chapter 54 (Uniform Administrative Procedure Act) setting forth standards of licensing [for] child-placing agencies. Also, (b) the commissioner will adopt regulations prescribing minimum standards for

(1) homes in which children may be placed on a temporary basis, and (2) homes in which children may be placed on a permanent basis.

3. ZONING - LOCATION OF FACILITY

Chapter 124 of Title 8 delegates to the zoning commission of a municipality the power to regulate and restrict building, zoning, and land use matters. All regulations are to be made in accordance with a comprehensive plan, although the legislative body may exempt municipal property for the regulations prescribed by the zoning commission of a municipality. Section 8-3 of the statutes states that the zoning commission shall provide for the manner in which regulations and boundaries are to be established or changed, although a public hearing must be held before such action is taken. A procedure to be followed in the event of a protest by affected property owners is also provided.

Section 8-19 of Chapter 126 under the same title gives any municpality the power to create a planing commision whose duty shall be to adopt and amend a plan of development for the municipality. Although powers may be integrated under a planning and zoning commission, if a municipality has established a planning commission separate from its zoning commission, Section 8-3a under Chapter 124 requires that any proposed changes being considered by the zoning commission be submitted to the planning commission for consideration and recommendation. Section 8-5 mandates the establishment of a zoning board of appeals in each municipality having a zoning commmission. Alternatives to detention are not specifically mentioned.

DISTRICT OF COLUMBIA

1. DEINSTITUTIONALIZATION

The District of Columbia has no current statute specifically regarding status offenders. However, Section 3-121 of Chapter 1 under Title 3 states that no court shall commit a child under seventeen years of age, charged with or convicted of a petty crime or misdemeanor punishable by a fine or imprisonment, to a jail, workhouse, or police state. If such a child is unable to give bail or pay a fine, it may be committed to the board of public welfare temporarily or permanently, in the discretion of the court, to make suitable provision for the child. Section 3-120 allows the judge of the juvenile court of the District of Columbia to commit to the custody and care of the board of public welfare children convicted of petty crimes or misdemeanors. The board shall place [these] children in suitable homes, institutions, or training schools for the care of children as it may deem wise and proper.

2. CHILD CARE FACILITY LICENSING

The purpose of Chapter 7B of Title 32 as stated in Section 32-781 is to secure for each child under sixteen years of age who is placed in a family homes, such care and guidance as will serve the child's welfare . . . and to secure for him custody and care as near as possible to that which should have been given him by his parents. Any person . . . or agency that receives or accepts a child under sixteen, and places or

offers to place such child for temporary or permanent care in a family home is maintaining a "child-placing agency." No child-placing agency may operate without a license from the Commissioner of the District of Columbia.

According to Section 32-784, before a license is issued, the board of public welfare must investigate the activities and standards of care of the agency and consult with persons having official connection with the agency. If the board is satisfied as to the good character and intent of the applicant, and that the agency is adequately financed, and that its staff, procedures and services conform to the established standards of care, the board shall recommend to the Commissioner that a license be issued.

Section 32-785 states that any licensed child-placing agency may accept children for placement in family homes and shall have and maintain care, custody and control of any such child until responsibility for the child is transferred to another child welfare agency, or returned to the person from who received, or terminated by court order.

Every agency must keep careful supervision of all children under its care, including those placed in family homes, and its agents must visit all such homes and families as often as necessary to promote the welfare of each child. Provisions related to record keeping are included in this section.

3. ZONING - LOCATION OF FACILITY

Section 5-412 of Chapter 4 under Title 5 creates a zoning commission, for the District of Columbia, to regulate with regards to building, zoning and land use matters. Zoning maps, regulations, and amendments must be consistent with the comprehensiveness plan. According to Section 5-417, no zoning regulation or map, or any amendment, may be adopted by the zoning commission until it has held a public hearing, and has submitted any such proposal to the National Capital Planning Commission for comment and review. Section 5-420 creates a board of zoning adjustment. Alternatives to detention are not mentioned.

FLORIDA

1. DEINSTITUTIONALIZATION

As of July 1, 1979, Florda will institute a program called "Community Control" involving children found to have committed a delinquent act. Section 1, Subsection (10) of Section 39.01, Florida statutes reads as follows: "Community control" means the legal status of probation created by law and court order in cases involving a child who has been found delinquent. Community control is an individualized

program where the freedom of the child is limited and the child is restricted to a noncommitted residential program or restricted to the child's home in lieu of commitment to the custody of the department in a training school, halfway house, or other residential program of the department. (This statute does not include the term "status offender," only delinquents as a whole.)

2. CHILD CARE FACILITY LICENSING

Section 409.168 defines "foster care" as care provided a child in a foster family or boarding home, group home, agency boarding home, or child care institution. A "licensed child-placing agency" means any child welfare agency that the department of health and rehabilitative service determines to be qualified to place minors for adoption.

In each case in which the custody of a child has been awarded to the department or a licensed child-placing agency and such child has remained in foster care for a continuous period of 6 months, the court shall review that status of the child. It is the intention of the legislature to help ensure a permanent home for children in foster care by requiring a periodic review and report on their status.

Under Section 409.175, the department may set minimum standards for the care of dependent children away from their own homes, and for dependent children in the care of child-placing agencies, and shall prescribe, amend, or alter rules as may be necessary for the care and supervision of children. Any person or institution must have a license before receiving a dependent child. An application for such a license may be approved by the department only after inspection of health and sanitary conditions.

Section 409.175 is repealed by laws 1976, c 76-168, Section 3, effective July 1, 1982 (Section 11.61). By that date, as part of a legislative review of regulatory functions, it will be determined whether or not Section 409.175 should be continued, modified or repealed.

3. ZONING - LOCATION OF FACILITY

Part II of Chapter 163 empowers municipalities to establish planning commissions whose duties include the preparation, adoption, amendment, and revision of a comprehensive plan. After a comprehensive plan has been prepared, and adopted by the governing body, Section 163.205 allows the governing body to enact or amend a zoning ordinance in accordance with the plan. In the zoning ordinance, the governing body may regulate with regards to building, zoning, and land use matters.

Section 163.215 gives the governing body the power to amend or supplement the regulations and districts fixed by the zoning ordinances after referral and recommendations of the planning commission. Proposed changes may be suggested by the governing body, by the commission, or by

petition of the owners of 51 percent or more of the area involved in the proposed change.

Public hearings must be held by the planning commission before making recommendations to the governing body, and the governing body before acting on a proposed change. As part of the zoning ordinance, the governing body must create a board of adjustment. Alternatives to detention are not directly mentioned.

GEORGIA

1. DEINSTITUTIONALIZATION

1975 - Georgia signed into the JJDP Act.

1976 - Two pieces of legislation were submitted to the 1976 General Assembly.

1) a House Bill was developed by the Department of Human Resources to redefine "unruly child" to be consistent with the LEAA definition "status offender." The legislation passed both houses and was signed into law.

2) a Senate Bill support by a coalition of social agencies sought to define the kinds of community non-secure shelter care available to juveniles. The bill was amended to make non-secure placement an option, not a requirement. It was never brought to vote in the House, but passage in the Senate was considered a good sign for the next year.

3) Senate Resolution: During the 1976 legislative session, the Senate created, by resolution, a Study Commission on Status Offenders. The Study Committee was authorized to "do all things it deemed necessary to investigate and study the issues of status offenses and problems related thereto for the purpose of correcting those problems by appropriate legislation."

1977 - Legislation amended the Juvenile Court Code to require a 24-hour officer to make detention decisions, eliminated the use of jail for status offenders and put time limits on holding status offenders in RYDC and delinquents in jails.

According to Senate Bill 100, which was approved by both houses of the Georgia legislature in 1977, a status offender cannot be detained in jail. A status offender may be detained in a licensed foster home or a home approved by the court, or a facility licensed by a licensed child welfare agency. Status offenders may only be detained or placed in a secure juvenile detention center for less than 72 hours. Upon the written order of the judge having jurisdiction of the case and upon cause shown, a child alleged to be unruly may be detained for one

additional period not to exceed 48 hours. In addition, status offenders shall have a detention hearing promptly and not later than 72 hours.

2. CHILD CARE FACILITY LICENSING

Section 99-214 states that all child welfare agencies will be licensed annually by the Division of Children and Youth in accordance with procedures, standards, rules and regulations to be established by the State Board for Children and Youth. Section 99-203 defines "child welfare agency" in various modes. A "child caring institution" provides full-time care for children under 17 years of age outside of their own homes. A "child placing agency" places children in foster homes for temporary care or for adoption. A "maternity home" receives, treats, or cares for illegitimately pregnant women. A "family boarding home" means a home operated by any person who receives three or more unrelated children under the age of 17. "Family day-care homes" provide care and supervision for three or more unrelated children under 17 years of age.

3. ZONING - LOCATION OF FACILITY

Chapter 69-8 provides each municipality with the power to make, adopt, promulgate, and, from time to time, amend, extend, and add to regulations, and restrictions of building, zoning, and land use matters. Such regulations are to be made in accordance with a comprehensive plan. Each municipality seeking to exercise the powers conferred in this chapter must appoint a municipal planning board as provided in 69-803, as well as a board of adjustment as provided for in 69-815. The planning board shall recommend a zoning plan for adoption by the governing authority. The governing authority may amend zoning districts or regulations, but Section 69-814 requires the submission of any proposed changes or amendments to the planning board shall have an advisory effect only and not be binding on the governing authority of a municipality in any way. Before the adoption of a zoning plan, or any zoning regulation or amendment, a public hearing must be held. No specific reference to alternatives to detention is made.

HAWAII

1. DEINSTITUTIONALIZATION

Hawaii has no current statute or proposed legislation relating to deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Any child placing organization, child caring institution, or foster boarding home must be licensed by the department of social services. Section 346-17 states that the department [is responsible for] setting standards of conditions, management, and competence. Also, the department may make rules and regulations relating to (1) standards for the organization and administration of child placing organizations, (2) standards of conditions, management, and competence for the care and training of minor children in child caring institutions, and (3)

standards of conditions and competence of operation of foster boarding homes as may be necessary to protect the welfare of children. Section 346-16 defines a "child placing organization" as one engaged in the investigation, placement, and supervision of children in foster care, excepting family courts and the department of social services. "Child caring institution" means any non-state institution which maintains and cares for six or more minor children on a twenty-four hour basis. A "foster boarding home" means any children's boarding home providing care and maintenance on a twenty-four hour basis for one to six minor children, provided that this term does not apply to boarding homes into which children may be placed by a family court or the department of social services.

3. ZONING - LOCATION OF FACILITY

Chapter 46 of Subtitle I under Title 6 states that zoning in all counties shall be accomplished within the framework of a comprehensive general plan to guide the overall future development of the county. The board of supervisors or city council of any county shall prescribe any rules and regulations necessary for carrying out zoning functions. Zoning, as defined in Section 46-4 means the establishment of districts . . . and the adoption of regulations . . . deemed best suited to carry out the purposes of this section. The zoning power relates to building, land use, and general zoning matters. Any final order of a zoning agency may be appealed to the circuit court of the circuit in which the land in question is found. Section 46-5 empowers the legislative body of any county of less than 100,000 persons to create a planning commission whose duties include the formation of a master plan and zoning regulations. Alternatives to detention are not mentioned.

IDAHO

1. DEINSTITUTIONALIZATION

Idaho has no current statute or proposed legislation relating to the deinstitutinalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 39-1209 defines a "children's agency" or a "children's institution" as an organization, corporation, society or association which receives children for control, care, maintenance, or placement, or a place maintained or operated . . . which specializes in maternity care to unmarried mothers, or provides group care for children who are in its custody and control through legal action or informal arrangement, or which places children in adoptive or foster homes.

Under Section 39-1210, the state department of health and welfare has the power to promulgate the rules and regulations to implement and enforce the following standards: 1) organizational stability of the

agency; 2) requiring a statement setting forth the agency's purposes and objectives; 3) require evidence of income and resources sufficient to maintain facilities and personnel; 4) assure record-keeping and reporting; 5) assure the safety and physical care of children; 6) establish the legal status of each child accepted; 7) require a statement of intake policy; 8) provide for studies of homes into which children may be placed; 9) in the case of an institution specializing in maternity care to unmarried mothers; assure social services and the protection of legal rights and rights to confidential treatment.

3. ZONING - LOCATION OF FACILITY

Chapter 65, Title 67 of the Idaho Code provides that planning and zoning actions as dictated by this chapter may be handled by the city council (hereafter referred to as the board) of a municipality. If the board does not elect to exercise these powers, it must establish a planning commission and a zoning commission or a planning and a zoning commission acting in both capacities, which may act with the full authority of the board excluding the authority to adopt ordinances.

Section 67-6511 empowers the board to regulate building and zoning matters and establishes a zoning district amendment process through the zoning or planning and zoning commission. Section 67-6508 requires the planning or planning and zoning commission to prepare, implement, and review a comprehensive plan for all land within the jurisdiction of the board. Section 67-6509 states that a public hearing must be held prior to recommending the plan, amendments, or repeals to the board, and that the board also must hold a public hearing before taking action or recommendations from the commission. This section also allows any person to petition the commission or board for an amendment at any time. Alternatives to detention are not mentioned.

INDIANA

1. DEINSTITUTIONALIZATION

Indiana has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Effective October 1, 1979, Acts 1978, P.L. 136 amended certain sections of Chapter 2 of Article 3 (Child Welfare) under Title 12. Under this new law, "boarding home for children" means the place of residence of a person who has custody or control of an unrelated child, for the purpose of providing him with care, food or lodging. "Children's home" or "child caring institution" means a children's home, orphanage, institution, shelter care facility, or other place . . . engaged in receiving and caring for dependent children, children in need of services, or delinquent children. "Shelter care facility" is defined

as a place of residence, other than a secure facility, that is not locked to prevent a child's departure. A "secure facility" prohibits the departure of a child. Section 12-3-2-5 defines a "child-placing agency" as [one] which assists in the placement of children.

Section 12-3-2-6 provides the state department of public welfare with the power to grant licenses . . . that it believes is needed and for the public good. The license must state the name of the licensee, the kind of business, the particular premises of the business and the number of children that may be maintained, boarded or cared for at any one time.

3. ZONING - LOCATION OF FACILITY

Chapter 4 of Article 7 under Title 18 proposes that expanding urbanization has created many new problems which are beyond the ability of a single city or county to solve, and encourages cities, towns, and counties to cooperatively establish single and unified planning and zoning agencies, to deal with the problems on a county-wide basis. Section 18-7-4-3 authorizes the establishment, in any county, of an area planning department in the county government composed of an area plan commission, a board of zoning appeals, and an executive director. The area plan commission shall establish a comprehensive plan of the county and certify it to the legislative bodies for approval, and shall recommend a zoning ordinance which may regulate and restrict building, zoning, and land use matters. Section 18-7-4-51 dictates that if the legislative body rejects the ordinance, or amends it, then it shall be returned to the commission for its consideration. Also, a referendum for a zoning ordinance is required if 25% of the registered voters so request it. Public hearings are required in the formation of the comprehensive plan and the zoning ordinance.

The legislative body may amend the zoning ordinance, but any amendment shall follow the same procedure as the original zoning ordinance. Amendments may be proposed by a legislative body, an area plan commission, or involved owners. Section 18-7-4-54 states that in case the proposed zoning ordinance or an ordinance for its amendment or repeal is adopted by one but not all the participating legislative bodies, it shall have full force and effect within the jurisdiction which adopted it. The fact that the ordinance was based upon a comprehensive plan developed for a larger territorial area does not affect its validity.

Chapter 2 of Article 7 makes mandatory the establishment of a single planning and zoning authority in counties containing first class cities (at least 250,000). In any such county, a metropolitan plan commission, a board of zoning appeals, and a position of executive director are created. The zoning procedures are simlar to those of Chapter 4, except that in counties having a first class city, the county council becomes the legislative body of the metropolitan area with regards to planning and zoning. The metropolitan plan commission

recommends and reports to the county council.

Alternatives to detention are not mentioned in the planning and zoning statutes.

IOWA

1. DEINSTITUTIONALIZATION

Under Iowa Acts, 1978 (Ch. 1088*), no child may be placed in detention unless he has committed a delinquent act or there is probable cause that the child has committed such an act. A "delinquent act" (Ch. 1088, Section 1) means:

a. The violation of any state law or local ordinance which would constitute a public offense if committed by an adult except any offense which by law is exempted for the jurisdiction of this chapter.

b. The violation of a federal law or a law of another state which violation constitutes a criminal offense if the case involving this act has been referred to the juvenile court.

*(This Act repeals Chapter 232 of the 1978 Iowa Code, and takes effect on July 1, 1979.)

2. CHILD CARE FACILITY LICENSING

Chapter 237 of the Iowa Code defines a "children's boarding home" as any person who receives for care and treatment . . . one or more children under the age of sixteen, for the purpose of providing food, care and lodging . . . This definition does not include any person who is caring for children for a period of less than thirty days. The director of the division of child and family services of the department of social services has the power to grant a license to any such home that is for the public good, has adequate equipment, and is conducted by a reputable and responsible person. Section 237.4 requires the premises (of such a home) to be in a fit sanitary condition, and the application approved by the state department of health.

Chapter 238 defines "child-placing agency" as one which places children permanently or temporarily, or receives children for placement. Section 238.4 states that no license for such an agency will be issued unless the applicant and his agents are properly equipped by training and experience to find and select suitable temporary and/or permanent homes for children and to supervise such homes when children are placed in them . . . to safeguard the general health, well-being, and morality of the children.

3. ZONING - LOCATION OF FACILITY

Chapter 414 of the Iowa Code empowers any city to regulate and restrict building, land use, and zoning concerns. Section 414.3 requires all such regulations to be made in accordance with a comprehensive plan. The city council provides for the manner in which regulations, restrictions, and boundaries are determined, established or changed. However, no such action will become effective until after a public hearing is held as mandated in Section 414.4. Section 414.5 provides a procedure to be followed in the event of a protest against a change by affected property owners. In order to exercise these zoning powers, the city council must appoint a zoning commission which shall recommend and report to the council. Section 414.7 also requires the appointment of a board of adjustment. Alternatives to detention are not specifically mentioned.

KENTUCKY

1. DEINSTITUTIONALIZATION

Kentucky has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 199.011 of Chapter 199 defines a "child-caring facility" as any institution or group home other than a state facility [which] provides residential care on a twenty-four hour basis to children . . . not related to the person maintaining the facility. "Child-placing agency" means any non-state agency which supervises the placement of children in foster family homes or child-caring facilities . . . "Foster family home" means a private home in which children are placed for foster family care under supervision of the department of human resources or of a licensed child-placing agency. "Group home" means a homelike facility for not more than eight foster children. "Institution" means a child-caring facility providing care or maintenance for nine or more children. "Family rehabilitation home" means a child-caring facility for appropriate families and comprising not more than 12 children and two staff persons.

Section 199.640 requires each child-caring facility and child-placing agency to be licensed by the department of human resources. Each license must specify the type of care or services the licensee is authorized to perform. The commissioner may adopt regulations establishing standards of care and service relating to sanitary and hygienic conditions, the accommodations available for each child, the diet provided, the safety of the child from fire and other accidents and hazards, and other factors necessary to promote the welfare of children cared for or placed. Provisions also are made in this section for record maintenance.

3. ZONING - LOCATION OF FACILITY

Chapter 100 of the Kentucky Statutes requires the formation of a planning unit before any planning operations may begin. Joint planning units encompassing cities and counties are encouraged, although any city or county may act independently. Each planning unit must create a planning commission, which in turn shall prepare a comprehensive plan. Once the elements of a land use plan have been adopted, Section 100.203 gives such cities and counties the power to zone through zoning regulations, all building, land use and general zoning regulations and hold at least one public hearing.

Section 100.211 states that a proposal for amendment to any zoning regulations may originate with the planning commission, any fiscal court, the legislative body, or with the owner of the property in question. Regardless of the origin, the proposed amendment shall be referred to the planning commission for hearing and recommendation before adoption. A board of adjustment must be appointed. Although no specific reference to alternatives to detention is made, a provision under Section 100.87, dealing with the formation of a comprehensive plan, allows a community facilities plan element which may, among other things, address itself to social welfare facilities.

LOUISIANA

1. DEINSTITUTIONALIZATION

Louisiana has no current statute or proposed legislation relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Chapter 14 of Title 46 defines the term "child welfare agency" as any child caring institution, child-placing agency, maternity home, family boarding home and day care center. "Child-caring institution" means any institution . . . or facility which provides full-time care for children outside of their own home. A "child placing agency" is any institution . . . or facility which is engaged in placing children in foster homes for temporary care or for adoptions. "Family boarding home" means a home which receives seven or more children under 17 years of age . . . for supervision, care, lodging and maintenance with or without transfer of custody.

Section 1402 states that the department of health and human resources shall develop and publish standards for license for each type of child welfare agency. According to Section 1403, a license issued to a child placing agency must also include all family boarding homes approved, supervised, and used by the licensed agency as a part of its work.

3. ZONING - LOCATION OF FACILITY

Chapter 14 of Section 33 gives the governing authority of municipalities the right to regulate and restrict building and zoning matters. However, in order to avail itself of the powers conferred by Sections 33-4721 through 33-4729, Section 33-4726 requires that the legislative body appoint a zoning commission which shall report to the body. Section 33-4724 dictates a mandatory hearing procedure in the event of a change in regulations, restrictions, or the comprehensive zoning plan. While an appeal procedure in the event of a protest against a change is provided, a provision for the optional establishment of a board of adjustment is also included. No reference to alernatives to detention is made.

MAINE

1. DEINSTITUTIONALIZATION

Maine has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Chapter 1663 requires that any boarding care facility, drug treatment center, children's home, child placing agency, or day care center be licensed by the department of health and welfare. The commissioner, who is head of the department, must promulgate rules, when applicable to a particular type of facility, pertaining to administration, staffing, the number of residents, the quality of care, the quality of treatment, the health and safety of staff and residents, the rights of residents, community relations, the continued welfare of the child placed, the quality of the program, and the administration of medication and licensing procedures.

Chapter 1665 defines a "boarding care facility" as a place which is maintained for the purposes of boarding and caring for residences. A "drug treatment center", as defined in Chapter 1667, means a residential facility for the care, treatment, or rehabilitation of drug users. A "children's home" is described in Chapter 1669 as a place maintained for the purpose of boarding and caring for one or more children under the age of 16. "Child placing agency" (1671) is a facility for placing children under the age of 16. A "day care facility" (1673) carries out a regular program providing care and protection for three or more children under the age of 16.

3. ZONING - LOCATION OF FACILITY

Article VIII-A of the Constitution of Maine provides the inhabitants of any municipality with the power to alter and amend their charters on all matters, not prohibited by the Constitution or general law, which are local and municipal in character. Subchapter VI of Chapter 239

under Title 30 subjects any zoning ordinance or provision adopted pursuant to the home rule power granted to all municipalities under Article VIII-A to the following conditions: 1) in the preparation of a zoning ordinance, the public shall be given an adequate opportunity to be heard; and 2) such ordinance or provision is to be consistent with a comprehensive plan adopted by its legislative body. Section 4962(E) states that any zoning ordinance shall be advisory with respect to the state.

Section 4963 requires the establishment of a board of appeals in any municipality which adopts a zoning ordinance. No mention of alternatives to detention is made.

MINNESOTA

1. DEINSTITUTIONALIZATION

The State of Minnesota does not make the distinction between a "delinquent" child and status offender. Included in the definition of "delinquent" (260.015 - Juveniles) are status offenses such as truancy and disobedience. However, if the child had been taken into custody and detained as one who is alleged to be delinquent by reason of:

a) Being uncontrolled by his parent, guardian, or other custodian because of disobedience; or

b) Having committed an offense which would not constitute a violation if he were an adult; or

c) Having been previously adjudicated delinquent and has violated his probation;

he may be placed only in a shelter care facility (260.173).

2. CHILD CARE FACILITY LICENSING

Laws 1976, Chapter 243, Sections 2 to 14 is known as the "public welfare licensing acct." This enactment was incorporated into the statutes in Sections 245.781 through 245.813. Section 245.782 defines "agency" as any individual . . . or organization which regularly provides counseling services for persons living in their own homes, or receives persons and places them in residential or foster care, or in adoptive homes. "Residential facility" means any facility, public or private, which provides one or more persons with a 24-hour per day substitute for care, food, lodging, training, education, supervision, habitation, rehabilitation, and treatment they need. Residential facilities include, but are not limited to: state institutions under the control of the commissioner of public welfare, foster homes, residential treatment centers, maternity shelters, group homes, residential programs, or schools for handicapped children.

"Placing persons in foster care" means placing persons in any of the following residential facilities: foster homes, work home, free home, group home, residential treatment center, institution, residential program, or maternity shelter.

According to Section 245.783, no agency or residential facility may operate without a license from the commissioner of public welfare. Among other things, every license issued shall prescribe the number and age groupings of persons who may receive care at any one time, as well as the rule or rules under which the program is licensed.

In developing rules and regulations, the commissioner, under Section 245.802 must consult with: 1) other appropriate state agencies such as the health commissioner and the fire marshal; 2) persons and the relatives of persons who use the service; 3) advocacy groups; 4) representatives of those who operate residential facilities or agencies; and 5) experts in relevant professional fields.

3. ZONING - LOCATION OF A FACILITY

Chapter 462 allows a municipality to create a planning agency whose duties include the recommendation of a comprehensive municipal plan, as well as amendments, to the governing body. The plan is effectuated through Section 462.357, which empowers municipalities to regulate and restrict with regards to building, zoning, and land use matters. After the adoption of a land use plan, the planning agency may prepare a proposed zoning ordinance to the governing body. An amendment to a zoning ordinance may be initiated by the governing body, the planning agency, or by petition of effected property owners. All proposed amendments must be referred to the planning agency for study and report. Subdivision 3 of Section 462.357 requires a public hearing before adoption of any zoning ordinance or amendment. A governing body adopting a zoning ordinance shall provide for a board of appeals and adjustments.

Subdivision 7 of the same section states that a state licensed group home or foster home serving six or fewer mentally retarded or physically handicapped persons shall be considered a permitted single family residential use of property for the purpose of zoning. Subdivision 8 continues, that unless otherwise provided in any town, municipal or county zoning regulation . . . a state licensed residential facility serving from 7 through 16 mentally retarded or physically handicapped persons shall be considered a permitted multi-family residential use of property for purposes of zoning.

Section 245.812 of Chapter 245 deals with the location and zoning of residential facilities. No license may be granted when such an issuance would substantially contribute to the excessive concentration of residential facilities within any town, municipality or county. In determining whether a license shall be issued, the commissioner of

public welfare shall specifically consider the population, size, land use plan, availability of community services and the number and size of existing public and private community residential facilities in the town, municipality or county in which an applicant seeks to operate a residence. Except as specified in Minnesota statutes, Section 252.28, under no circumstances may the commissioner newly license any group residential facility pursuant to Laws 1976, Chapter 243, if such residential facility will be within 1,320 feet of any existing community residential facility unless the appropriate town, municipality or county zoning authority grants the facility a conditional use or special use permit.

MISSISSIPPI

1. DEINSTITUTIONALIZATION

Mississippi has no current statute or proposed legislation relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 43-14-5 of Chapter 15 entitled "Child Welfare" states the following: The state department of public welfare shall have authority and it shall be its duty to administer or supervise all public child welfare services, including those services, responsibilities, duties and powers with which the county departments of public welfare are charged and empowered in this chapter; administration and supervise the licensing of all private child placing and child caring agencies, institutions and boarding homes; provide for the care of dependent and neglected children in foster family homes or in institutions, supervise the care of such children and those of illegitimate birth; supervise the importation of children; and supervise the operation of all state institutions for children.

3. ZONING - LOCATION OF FACILITY

Chapter 1 of Title 17 authorizes the governing authority of any municipality to regulate building, zoning and land use affairs. Zoning regulations are to be made in accordance with a comprehensive plan. Section 17-1-11 allows the governing authority to create a local planning commision to assist in carrying out an official plan. Each municipality may make use of suggestions, proposals, or recommendations of a local planning commission. The governing authority provides for the manner in which zoning regulations, restrictions, and boundaries are established, amended or changed. However, Section 17-1-15 requires a public hearing before any such action becomes effective, and Section 17-1-17b provides a protest procedure in the event of such action by affected property owners. Alternatives to detention are not mentioned in the zoning statutes.

MISSOURI

1. DEINSTITUTIONALIZATION

Missouri has no current statute or proposed legislation relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 210.201 defines "boarding home for children" as a house or other place . . . maintained as a place of residence for one or more children who are unattended by parent or legally appointed guardian, except day care homes or day nurseries. "Child placing agency" means any person who . . . places or finds homes for children, or who causes or assists in the adoption . . . or change in custody of one or more children . . . Section 210.211 requires a license for the operation of a boarding home for children or a child-placing agency. Section 210.221 delegates to the division of welfare the following powers and duties: 1) to grant [such] licenses if satisfied as to the good character and intent of the applicant and that the applicant is qualified and equipped to render care or service conducive to the welfare of children. Each license shall specify the kind of child welfare work the licensee is authorized to undertake, the number of children that can be received or maintained, and their ages and sex; 2) to investigate the conditions of the homes, inspect their books and records, premises . . . agents; 3) to promulgate and issue uniform rules and regulations deemed necessary or proper in order to establish standards of service and care to be rendered to children; and 4) to determine what records should be kept and the methods to be used.

3. ZONING- LOCATION OF FACILITY

Chapter 89 of Title VII empowers the legislative body of each municipality to regulate and restrict with regards to building, zoning, and land use affairs. Regulations are to be made in accordance with a comprehensive plan. The legislative body shall provide for the manner in which such regulations and restrictions are established, amended or changed. However, Section 89.050 requires a public hearing before any such action takes effect. Section 89.060 mandates a protest procedure in the event of a protest against an amendment or change by affected property owners. A zoning commission, to recommend and report to the legislative body, must be appointed. Also, Section 89.080 requires the provision of a board of adjustment. No mention of alternatives to detention is made in this chapter.

MONTANA

1. DEINSTITUTIONALIZATION

Montana has no current or pending legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Part 5 of Chapter 3 under Title 41 of the Montana Code states that any person (in the legal sense) owning or operating a home or institution into which he takes any unrelated child or children to care for them and maintain them . . . is deemed to be an "operator" of a "foster home" or "boarding home" whithin the meaning of this chapter. No person shall maintain such a home without first securing a license from the department of social and rehabilitation services.

Section 41-31503 authorizes the department of social and rehabilitation services to issue licenses to persons conducting boarding or foster homes and to prescribe the conditions upon which licenses shall be issued, and to make rules for the operation and regulation of foster and boarding homes for minor children consistent with the welfare of such children.

3. ZONING - LOCATION OF FACILITY

Part 3 of Chapter 2 under Title 76 provides the legislative body of cities and incorporated towns with the power to regulate and restrict in regards to building, zoning, and the various factors of land use. All regulations are to be made in accordance with the comprehensive plan. The legislative body shall provide for the manner in which zoning regulations and restrictions are established, amended or changed, although a public hearing must be held before any such action is taken. Section 76-2-305 dictates a procedure in which a protest by property owners who would be affected by a proposed change is considered. In order to avail itself of the above powers, Section 76-2-307 requires the appointment of a zoning commission to make recommendations to the legislative body. A board of adjustment may be appointed if the legislative body so requires.

Section 76-2-313 defines a community residential facility as 1) a group, foster, or other home specifically provided as a place of residence for developmentally disabled or handicapped persons . . .; 2) a district youth guidance home established pursuant to 41-5-902; 3) a halfway house . . . for the rehabilitation of alcoholics or drug dependent persons; or 4) a licensed adult foster family care home. Section 76-2-314 defines the relationship of foster homes, boarding homes, and community residential facilities to zoning. 1) A foster or boarding home . . . or community residential facility serving eight or fewer persons is considered a residential use of property for purposes

of zoning if the home provides care on a 24-hour-a-day basis. 2) The homes are a permitted use in all residential zones, for single-family dwellings. Any safety or sanitary regulation . . . which is not applicable to residential occupancies in general may not be applied to a community residential facility serving eight or fewer persons. 3) Nothing in this section shall be construed to prohibit a city or county from requiring a conditional use permit in order to maintain a home.

NEBRASKA

1. DEINSTITUTIONALIZATION

A child in need of supervision is defined (NRS 1978 43 - 202) as "any child under the age of eighteen years a) who, by reason of being wayward or habitually disobedient, is uncontrolled by his parent, guardian or custodian; b) who is habitually truant from school or home; or c) who deports himself so as to injure or endanger seriously the morals or health of himself or others."

Under Section 43-210.01, the court, with regards to these children, may 1) enter any order as it is empowered to enter in the case of juveniles who have committed criminal offenses (except that no such child shall be committed to the Youth Development Centers at Kearney or Geneva*), or 2) enter an order committing the child to the care and custody of the Department of Public Welfare.

*these are secure facilities under the jurisdiction of the Nebraska Department of Corrections.

2. CHILD CARE FACILITY LICENSING

Section 71-1901 of Article 19 defines "child care" as engaging in the business of exercising the care, supervision, custody or control over children under sixteen years of age . . . Section 71-1902 states that no person shall furnish child care without being licensed by the department of public welfare upon such terms and conditions as may be prescribed by general rules and regulations promulgated by the department.

Before issuing a license, the department shall . . . determine if the character of the applicant and the place where the child care is to be furnished are such to insure the proper care and treatment of children. The State Fire Marshal and the Department of Health may inspect such places to determine if they meet sanitation and health standards.

Under the authority of Section 71-1904, the department shall make such rules and regulations deemed necessary for 1) the proper care and

protection of children by licensees, 2) the issuance, suspension, and revocation of licenses, and 3) the proper administration of Article 19.

3. ZONING - LOCATION OF FACILITY

Chapter 14 of the Nebraska Statutes empowers the city council in a city of the metropolitan class (300,000 or more) to regulate and restrict with regards to building, zoning and land uses. Municipalities of less than 300,000 inhabitants may exercise the above powers under Chapter 19, provided that the legislative body first appoints a planning commission. The planning commission will formulate a comprehensive development plan and make recommendations and reports pertaining to the adoption or amendment of zoning regulations. A comprehensive plan is also required for cities of the metropolitan class.

The city council or legislative body shall provide for the manner in which [zoning] regulations are established . . . amended or changed. However, Section 14-404 requires the city council of a city of the metropolitan class to first submit any such proposal to the appropriate planning board for recommendations. In the case of all other municipalities, Section 19-904 requires the legislative body to receive the advice of the planning commission before taking action on any modification. Public hearings are mandatory on all proposals for every city and municipality. Protest procedures are provided. While Section 14-409 allows a city of the metropolitan class to appoint a board of appeals, Section 19-907 make mandatory the appointment of a board of adjustment for all other municipalities. Alternatives to detention are not mentioned.

NEVADA

1. DEINSTITUTIONALIZATION

Nevada has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 449.007 of Chapter 449 defines "health and care facility" as any alcohol or drug treatment facility, ambulatory surgical center, child care facility, group care facility, intermediate care facility, or a skilled nursing facility and hospital. "Child care facility" means an establishment operated and maintained for the purpose of furnishing care on a temporary or permanent basis to five or more children under 18 years of age. Section 449.030 states that no person, state or local government unit or agency shall operate any health and care facility without first obtaining a license from the state board of health.

Under Section 449.037, the state board of health shall adopt: a) Licensing standards for each class of health and care facility after

considering any recommendations of the health facilities advisory council; b) rules and regulations governing the licensing of such institutions; c) any other rules it deems necessary. The practices and policies of each health and care facility must provide adequately for the protection of the health, safety, physical, moral and mental well-being of each individual accommodated in the facility.

Each applicant for a license must file an application form containing among other things:

1. The name of the applicant.
2. The type of facility to be operated.
3. The location of the facility.
4. The nature of services and type of care to be offered, as defined in the licensing regulations.
5. The service delivery capacity.
6. Other information as may be required by the health division.
7. Evidence that the applicant is of reputable and responsible character.
8. Evidence satisfactory of the ability of the applicant to comply with . . . the standards, rules and regulations promulgated by the health division.

According to Section 449.070, these provisions do not apply to child care facilities in any county or city where the governing body has established a child care licensing agency and enacted an ordinance requiring that such facilities be licensed. Standards, rules and regulations cannot be less restrictive than those adopted by the state board of health and shall take effect upon their approval by the state board of health.

3. ZONING - LOCATION OF FACILITY

Chapters 268 under Title 21 and 278 under Title 22 empower the city council or other legislative body of any incorporated town to regulate building, zoning and land use matters. Sections 268.270 and 278.260 require a public hearing before such regulations are established, amended, or changed. While Section 268.030 makes optional the creation of a city zoning commission, Section 278.030 requires the governing body of each city and county having a population of more than 15,000 to create a planning commission. The planning commission must develop and maintain a long-term master plan for the physical development of the city, although such plans and any amendments to the plan must be submitted to the governing body for approval. Section 278.220 holds

that at least one public hearing must be held before adopting the master plan or any amendments. Specific regulations pertaining to alternatives to detention are not mentioned in the zoning and planning statutes.

NEW JERSEY

1. DEINSTITUTIONALIZATION

Present law (Chapter 306, Section 20, Laws of 1973) prohibits juveniles adjudged in need of supervision to be committed or placed in facilities established for the care of delinquent children. Pending legislation would permit counties to place juveniles in need of supervision in wards, wings, or floors of a facility which also houses delinquents or juveniles placed in detention so long as these juveniles in need of supervision are not physically restricted and are not in any manner permitted to mix in with the population of the facility. Such placement would occur only between the hours of 8:00 p.m. and 8:00 a.m. and would not extend beyond 24 hours.

This measure (Assembly, 1979, No. 3156) would afford counties a place to house juveniles in need of supervision during the late evening and early morning hours, before a home has been secured for them.

2. CHILD CARE FACILITY LICENSING

Section 30:4C-2 under Title 30 defines the term "care" as cognizance of a child for the purpose of providing necessary welfare services, or maintenance, or both. "Foster home" means and includes private residences, group homes and institutions where any child in the care, custody or guardianship of the Division of Youth and Services may be placed for temporary or long-term care . . . The term "group home" means and includes any single family dwelling used in the placement of 12 children or less pursuant to law recognized as a group home by the Department in accordance with rules and regulations adopted by the Commissioner of Institutions and Agencies; provided, however, that no group home shall contain more than 12 children.

3. ZONING - LOCATION OF FACILITY

Article 8 of Chapter 55D under Title 40 allows the governing body of a municipality to adopt a zoning ordinance relating to the nature and extent of the uses of land, building, and other such things. The zoning ordinance shall be adopted after the planning board has adopted the land use plan element of a master plan. All provisions of the zoning ordinance or any amendments or revisions, must be designed to effectuate the plan element. According to Setion 40:55D-65, the zoning ordinance may limit and restrict buildings, regulate land uses, provide districts, and perform other similar functions. Section 40:55D-10 states that the municipal agency shall hold a hearing on each application for development, adoption, revision, or amendment of the master plan. Prior

to the hearing or adoption of a zoning ordinance, or any amendments, the governing body must refer any such proposal to the planning board. Section 40:55D-63 dictates a protest procedure. Upon the adoption of a zoning ordinance, Section 40:55D-69 requires the governing board create a zoning board of adjustment.

Section 40:55D-66 states that no zoning ordinance shall discriminate between children who are members of families by reason of their relationship by blood, marriage or adoption, and foster children placed with such families in a dwelling . . . or a duly incorporated child care agency and children placed pursuant to law in single family dwellings known as group homes. The term "group home" means any single family dwelling used in the placement of children recognized as a group home by the Department of Human Services, provided that no group home shall contain more than 12 children.

Subsection D of the same section continues that no zoning ordinance shall discriminate against, prevent or otherwise prohibit the provision for or location of appropriate and desirable sites for community-based residences for the mentally retarded, mentally ill, or physically handicapped. Such residences shall house no more than eight persons at any one time and shall include, but not be limited to, the following: halfway houses, transitional homes, group homes, and congregate care homes.

NEW YORK

1. DEINSTITUTIONALIZATION

An act taking effect on April 1, 1979 (1978, ch. 548), amending N.Y.R.S. 44-720, states: "Where the director of the state division of youth certifies that a county has available conveniently accessible and adequate non-secure detention facilities in conformance with the requirements of subdivision B of section 218a of the county law or that the city of New York has available conveniently accessible and adequate non-secure detention facilities, a child alleged or adjudicated as a person in need of supervision may not be placed by that county or the city of New York in a secure detention facility."

2. CHILD CARE FACILITY LICENSING

Title 1 of Article 6 of the social services law deals with the care and protection of children. Section 371 is concerned with definitions. "Authorized agency" means any agency . . .. institution . . . or organization . . .. empowered by law to care for, to place out or to board out children . . . "Place out" means to arrange for the free care of a child in a non-related family for the purpose of adoption or providing care. "Board out" means to arrange for the care of a child in a family to whom payment is made for care and maintenance. "Home" includes a family boarding home or a family free home. "Agency boarding home" means a family-type home for children and/or minors operated by an authorized agency . . .. "Group home" means a facility for not more than twelve, nor less than seven, children operated by an authorized agency.

Section 372 outlines records and reports required of any court, institution or other entity who receives, accepts, or commits children. Section 374 empowers an authorized agency to place out or board out children. Sections 374-b through 374-e empower authorized agencies to operate boarding homes and group homes, and permits public welfare officials to operate public institutions for children.

Except, among others, persons with whom a child or children are placed out, no person shall receive, board or keep any child under the age of sixteen years unless certified or licensed by the department of social services.

Section 377 requires that all applicants to receive, board or keep any child be investigated by the department. If it appears that the applicant maintains a home suitable for the care of children in accordance with the regulations of the department, a license shall be issued.

Section 378 dictates the form, duration and limitation of certificates and licenses. Certificates and licenses are in the form provided by the department to the effect that such person is regarded as maintaining a home suitable for the care of children and specifying the name, address, and religious faith of the person to whom issued, the number of children and/or minors for whom the person is licensed to care, and other information that the department may require. No license or certificate may permit the reception or board of more than six children in the home of a person. Also, the department shall establish and may alter or amend regulatons governing the issuing and revocation of licenses and certificates prescribing standards, records, accommodations, and equipment for the care of children and/or minors received under such licenses and certificates.

Effective October 1, 1977, New York enacted Article 7 of the social services law entitled "Residential Care Programs for adults and Children." It is the purpose of this act to transfer certain direct administrative functions, powers and duties currently performed by the state board of public welfare, relating to operational and programmatic supervision of facilities, agencies, and programs providing care or services to children and adults, so that the board can more effectively perform its constitutional role of visitation and inspection of such facilities, agencies and programs.

3. ZONING - LOCATION OF FACILITY

Zoning provisions in the New York statutes fall under the titles of Village Law, Town Law, and General City Law. Village and town zoning are nearly identical and will be outlined together.

Section 7-700 of Article 7 under Village Law and Section 261 of Article 16 under Town Law empower the Board of Trustees or town board to regulate and restrict with regards to building, zoning, and land use

affairs. All regulations are to be made in accordance with a comprehensive plan. Sections 7-706 and 264 authorize the board to provide for the manner in which regulations and restrictions are determined, established, amended . . . or changed. However, no such action will become effective until after a public hearing is held. Protest procedures are provided in both village and town law. Sections 7-710 and 266 require the appointment of a zoning commission to recommend the boundaries of the original districts and appropriate regulations. Boards of appeals must also be appointed.

Section 20, paragraphs 24 and 25, of General City Law empowers every city to regulate and restrict building, zoning and land use matters. Section 83 of Article 5A under the same title states that the common council may from time to time on its own motion or on petition, after public notice and hearing, which hearing may be held by the council or by an appointed planning board, amend, repeal . . . or change the regulations and districts established pursuant to paragraphs 24 and 25 of section 20. Protest procedures are provided. Section 81 allows the appointment of a board of appeals.

Alternatives to detention are not discussed under the titles of Village Law, Town Law, or General City Law.

NORTH CAROLINA

1. DEINSTITUTIONALIZATION

Effective January 1, 1980, House Bill 474 revised the juvenile code of North Carolina. This new legislation will be incorporated into the statutes of North Carolina under Chapter 7A. Section 7A-507 states that in North Carolina, a status offender is called an "undisciplined juvenile." Included under this term are runaways, disobedient juveniles, truants, and juveniles "who are regularly found in places where it is unlawful for [them] to be."

According to Section 7A-536, if a juvenile is believed to be undisciplined, he may be taken into temporary custody without a court order. However, Section 7A-539 states that a judge cannot issue an order for secure custody with regards to an undisciplined juvenile, with one exception: a runaway should be detained for a period of less than 24 hours to facilitate reunion with his parents or to facilitate evaluation of his need for a medical or psychiatric treatment.

2. CHILD CARE FACILITY LICENSING

Section 110-49 of Article 3 under Chapter 110 states that no individual . . . [or] agency seeking to establish or carry on any kind of business or organization for the purpose of giving full-time care to children or for the purpose of placing . . . children, shall be permitted to organize and carry on such work without first securing a

permit from the Department of Human Resources. A permit shall be issued only after an investigation of the purpose, character, nature, methods and assets of the proposed business has been made. This article is repealed effective July 1, 1981, by Session Laws 1977, c. 712, s. 3. The 1977 act also repeals, with postponed effective dates, numerous other chapters and articles creating licensing and regulatory agencies, and sets up a Government Evaluation Commission whose function is to conduct a performance evaluation of the programs and functions of each such agency and report whether or not the program or function in question should be terminated, reconstituted, reestablished or continued.

Section 108-78 under Part 2 of Chapter 108 requires the department of human resources to inspect and license child-caring institutions under rules and regulations adopted by the Social Services Commission. This section does not apply to state institutions for the mentally handicapped or to state institutions for the detention of juveniles.

3. ZONING - LOCATION OF FACILITY

Article 19 of Chapter 160A gives any city the power to regulate and restrict buildings, land uses and zoning matters. Zoning regulations must be made in accordance with a comprehensive plan. In order to exercise the power to enact a zoning ordinance, Section 160A-387 requires the creation of a planning agency whose purpose is to prepare a comprehensive zoning ordinance. With regards to procedure, the city council shall provide for the manner in which zoning regulations, restrictions, and boundaries are established, amended, changed or repealed. Although no hearing procedure is mentioned in this context, provision is made for review in the event of a formal protest filed by effected property owners. Section 1160A-388 states that the city council may provide a board of adjustment. Alternatives to detention are not mentioned.

OKLAHOMA

1. DEINSTITUTIONALIZATION

Oklahoma has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 402 of Chapter 18 defines a "child care facility" as any public or private institution, child-placing agency, foster family home, group home, day care center, or family day care home [which] provides either full-time or part-time care for children (under 18) . .. . A "child-placing agency" places children in foster family homes and group homes. A "foster family home" is a family home . . . which provides full-time care for five or less children. ("Full-time care" means

continuous care given to a child beyond a minimum period of twenty-four [24] hours.) All other homes providing full-time care for more than five children are considered to be "group homes." "Family day care homes" and "day care centers" provide care and protection for children for part of the twenty-four hour day.

Section 404 states that the Department of Public Welfare shall appoint advisory committees of representatives of child care facilities and others to prepare minimum requirement and desirable standards for adoption by the Department. These standards shall include requirements for a constructive program and services to meet the needs of each child and family; staff of good moral character and ability for child care; adequate and safe housing, sanitation, and equipment; good health care; full educational and religious opportunities; good community relationships; essential records and administrative methods; and sufficient funds for sound operation.

The Department shall prescribe and publish such rules and regulations to carry out the provisions of this act after consultation with the Department of Health and Education, and the State Bureau of Investigation or other agency performing the duties of State Fire Marshal.

No license for a child care facility is to be approved by the Department until it is satisfied that such facility will meet known needs for the services proposed to be provided and that the facility will meet minimum standards for a license to operate.

3. ZONING - LOCATION OF FACILITY

Article XLIII of Chapter 1, under Title 11 of the Oklahoma Code, empowers the municipal governing body to regulate and restrict building, zoning, and land use matters. Regulations are to be made in accordance with a comprehensive plan. The governing body shall provide the manner in which the regulations are established, amended, or changed. While Section 43-104 requires a public hearing before the enactment or amendment of any regulation, Section 43-105 presents a procedure to be followed in case of a protest by property owners against a change. In order to exercise the powers of this article, the municipal governing body must appoint a zoning commission whose duties shall be to recommend boundaries and appropriate regulations to be enforced therein.

Article XLIV of the same chapter states that where a municipality is exercising zoning powers, the governing body shall provide for a Board of Adjustment. Alternatives to detention are not specified under the zoning laws.

PENNSYLVANIA

1. DEINSTITUTIONALIZATION

Pennsylvania has no current statute or pending legislation which involves the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Reorganization Plan No. 2 of 1973 (71 P.S. 755-2) transferred the licensing duties as specified in Articles IX and X, from the department of public welfare to the department of health. Insofar as these articles conflict with this reorganization plan, they are suspended. As used in Article IX under Title 62, "children's institution" means any organization . . . or agency, public or private, which may receive or care for children, or place them in foster family homes; or any individual who receives for care a child; or any duly certified individual who becomes a party to the placing of children in foster homes.

Article X dictates . . . powers and duties as to licensing. "Boarding home for children" means any premises in which care is provided for a period exceeding twenty-four hours for any child or children under sixteen years of age. "Facilities" include, among others, boarding homes for children. Section 1002 states that no person shall maintain or conduct any facility without having a license from the Department. Any person desiring to secure a license must submit an application to the Department with information required by the department.

When, after investigation, the department is satisfied that the applicant or applicants for a license are responsible persons, that the facility is suitable, is appropriately equipped and that the applicant(s) and place to be used meet all the requirements of this act and of applicable statutes, ordinances and regulations, a license shall be issued as dictated in Section 1007. Section 1021 empowers the department to authorize and adopt regulations establishing minimum standards for building, equipment, operation, care, program and services for the issuance of licenses.

3. ZONING - LOCATION OF FACILITY

Article VI under Title 53 empowers the governing body of each municipality to enact, amend and repeal zoning ordinances, to implement a comprehensive plan, and to accomplish other such purposes. Zoning ordinances shall be made in accordance with an overall program and may regulate building, land uses, and related matters. Each zoning ordinance must contain a statement of community development objectives. Sections 607-609 state that the planning agency will prepare the zoning ordinance, and review amendments to the ordinance prior to action by the

governing body. Public hearings must be held by the planning commission before submitting its final report, and by the governing body before acting upon the recommendations of the commission. A landowner may challenge an ordinance or provision which prohibits or restricts the use or development of land in which he has an interest.

Article IX of Title 53 requires every municipality to create a zoning hearing board, which replaces any boards of adjustment or appeals already in existence. Alternatives to detention are not mentioned.

RHODE ISLAND

1. DEINSTITUTIONALIZATION

Rhode Island has no current statute or proposal relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Chapter 12 of Title 40 requires every person permitted by law to receive children, secure homes for or otherwise care for them to keep personal records on each child as specified in Section 40-12-1. Section 40-12-10 states that it is the duty of the state director of social and rehabilitative services to pass annually on the fitness of every such agency which engages in receiving and caring for children or placing them in private homes. Annually, each agency of this type must make a report showing the number of children received, cared for or placed out during the year, the system of visitation employed for children placed in private homes and such other facts as the director may require.

According to Section 40-12-11, when the director is satisfied that an agency or individual is competent and has adequate facilities to care for children, a license shall be issued.

Chapter 13 of the same title defines children's boarding home and group home. Any person who receives for care or treatment or has in his custody one or more children under the age of 16 years for the purpose of providing care and lodging, is maintaining a "children's boarding home."

A "Group Home I" for children under 16 years, as defined in 40-13-2.1, means a specialized facility for child care and treatment in a dwelling or apartment owned, rented or leased by a public child-placing agency, private licensed child-placing agency, a family, an independent operator or private or public organization which receives no more than seven children under 16 years of age for care both day and night. A "Group Home II" may receive no more than twelve children under 16 years of age.

Children's boarding homes are licensed by the director. Section 40-13-4 requires each such application contain the name and location of the home, its owners or officers, the person in charge, the number of persons to be cared for, the financial ability of the home, the provisions of the home for the medical care of its patients and any other information as may be required by the state director of social and rehabilitative services.

3. ZONING - LOCATION OF FACILITY

Chapter 24 under Title 45 of the Rhode Island Statutes empowers the city or town council of municipalities to regulate building and zoning matters as well as to enact, amend or repeal zoning ordinances. Section 45-24-4.1 prohibits specific changes in the zoning map until after a public hearing, while Section 45-24-5 provides an appeal process in the event of a protest by property owners affected by a change. Alternatives to detention are not mentioned in the statutes. Section 45-24-22 as enacted by P.L. 1977, ch. 257 is entitled "Community Residences," and states that "Wherever six (6) or fewer retarded children or adults reside in the community, they shall be considered a family and all requirements pertaining to local zoning are waived."

SOUTH CAROLINA

1. DEINSTITUTIONALIZATION

South Carolina has no current statute or proposed legislation relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

A "child welfare agency" as defined in Section 71-231 of Chapter 4 under Title 71 means any agency, institution or family engaged in the business of receiving children for care and maintenance, either part- or full-time.

The state department of public welfare, as stated in Section 71-233, shall administer the provisions of this chapter and make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of this chapter.

Section 71-237 states that a licensed child welfare agency may place children in family homes for care, if authorized to do so by the department. Any child so placed may be taken from such family home when the child welfare agency responsible for his care is satisfied that the child's welfare requires such action.

3. ZONING - LOCATION OF FACILITY

Chapter 10 of Title 47 empowers the legislative body of cities and incorporated towns to regulate and restrict in regards to building, zoning, and land use matters. The legislative body may provide for the manner in which such regulations are amended, however, Section 47-1004 requires a public hearing before any change becomes effective. Provisions are also made in case of a protest by property owners of a proposed change. All regulations shall be made in accordance with a comprehensive plan, and each legislative body must appoint a zoning commission to make recommendations and hold preliminary hearings. Section 47-1007 allows the appointment of a board of adjustment which determines special exceptions to the terms of particular zoning ordinances. As far as specific mention of alternatives to detention, none is made.

SOUTH DAKOTA

1. DEINSTITUTIONALIZATION

South Dakota has no current statute or proposal relating to deinstitutionalization.

2. CHILD CARE FACILITY LICENSING

Section 26-6-1 of Chapter 26-6 under Title 26 defines a "child welfare agency" as any agency or institution maintained by a municipality or county, or person . . . or corporation to receive children for care and maintenance or for placement in a family home, or that provides care for unmarried mothers and their children. According to Section 26-6-9, all child welfare agencies must be licensed by the division of social welfare.

Section 26-6-14 provides categories of child welfare agency licenses. A child welfare agency shall be licensed for activities which fall within one or more of the following categories:

1) The providing of group care, maintenance, supervision and protection of children on a regular full-time basis . . . in a nonfamily group setting, which shall be known as a group care center or as a group home as each shall be defined standards established pursuant to Section 26-6-16;

2) The providing of care, maintenance, supervision and protection of a child or children without transfer of legal custody or placement for adoption, on a regular full-time basis in a family home, which shall be known as a foster home;

3) Day care center (defined);

4) Foster day care home (defined);

5) The receiving and placement of children in foster homes or for adoption as a regular activity of any agency, shall be known as a child-placement agency;

6) The providing of care for girls or women pregnant out of wedlock, before or after confinement or birth, shall be known as a maternity home.

Section 26-6-15 states that each license shall specify the kind of child welfare work to be undertaken, the number of children, their ages and sex, and if authorized to place and supervise children in family homes, the area that the agency is equipped to serve.

According to Section 26-6-16, standards shall be established by regulations of the board of social services and shall include qualifications of personnel engaged in child care services; requirements relating to safety, sanitation, condition and maintenance of physical plant and equipment utilized in child care; controls relating to the keeping of records, numbers, ages, and sex of children cared for, and such other provisions as may from time to time be adopted.

3. ZONING - LOCATION OF FACILITY

Chapter 11-4 of Title 11 empowers the governing body of any municipality to regulate and restrict in regards to building, zoning and land use matters. All regulations are to be made in accordance with a comprehensive plan. Section 11-4-11 allows the governing body to appoint a zoning commission to recommend boundaries, zoning rgulations, and related subjects. The governing body shall enact a zoning ordinance, as well as any amendments or changes, provided that it first hold a public hearing as dictated in 11-4-4 before taking any such action.

Any zoning ordinance, or amendment to that ordinance adopted by the governing body, shall take effect unless a popular referendum be involved or a written protest is filed, signed by at least 40 percent of the effected landowners. If such a protest occurs, Sections 11-4-5 and 11-4-10 state that the ordinance or amendment shall not become effective. Section 11-4-9 allows the governing body to require, by ordinance, as a condition precedent to the introduction of any ordinance proposing changes in the zoning ordinance that there first be filed the written consent of the owners of not more than 60 percent of the area having the right of protest as provided by 11-4-5. Section 11-4-13 requires the appointment of a board of adjustment. No mention of alternatives to detention is made.

UTAH

1. DEINSTITUTIONALIZATION

Utah has no current statute relating to the deinstitutionalization of status offenders. Senate Bill 116, which was introduced in February of 1979, but ultimately failed to pass, would have specifically removed curfew offenders (a type of status offense) from the original jurisdiction of the Juvenile Court. The division of family services would have had the primary responsibility for a juvenile who had violated any curfew law or ordinance which prohibits or restricts children unaccompanied by an adult from public places during fixed hours.

2. CHILD CARE FACILITY LICENSING

"Child placing, as defined in Section 55-8a-1 of Chapter 8a under Title 55 means the receiving, accepting or provision of custody or care for any child under eighteen years, temporarily or permanently, for the purpose of finding a person to adopt the child or placing the child temporarily or permanently in a home for adoption or foster home placement. In order for a person . . . agency or group children's home to engage in child placing, it must have a license from the Division of Family Services to do so.

Section 55-8a-2 states that the Division of Family Services shall investigate the application for a license as a child placing agency and grant one only after assurance that the applicant is qualified. Such a license is renewed automatically annually upon filing a report showing the condition of the agency, its management and competency to care for children committed to or received by the agency, the system of visitation employed for children placed in private homes and other information required by the Division of Family Services.

According to Section 55-8a-4, the Division of Family Services shall prescribe rules and regulations for: a) the manner of organization, administration and financing of child placing agencies; b) standards for employment and performance by employees; c) records and reports to be made and kept by child placing agencies; d) standards of practice to be followed; e) the use of homes to receive and care for children received by child placing agencies; f) any other matters necessary to assure the competency and suitability of such agencies to place children.

3. ZONING - LOCATION OF FACILITY

Title 10 under Chapter 9 of the Utah Statutes authorizes the legislative body of cities and towns to regulate and restrict building, zoning and land use affairs. All regulations are to be made in accordance with a comprehensive plan. A legislative body may choose to appoint a planning commission to recommend a zoning plan and report on

changes, but it is not required to do so. Section 10-9-5 does require a public hearing before enactment or amendment of a zoning ordinance. If a planning commission does exist, proposed amendments shall be first submitted to it. Also, in order to avail itself of the powers provided in this article, the legislative body must appoint a board of adjustment. Specific mention of alternatives to detention is not present.

VERMONT

1. DEINSTITUTIONALIZATION

Vermont has no law specifically relating to the deinstitutionalization of children who are status offenders. However, Section 645C of Chapter 12 under Title 33 states that "In the event that the court finds, upon the detention hearing, that the continued detention of the child would not be to his best interests and welfare and that public safety and protection do not reasonably require such detention, the court shall forthwith order the child released to his parent, guardian, or custodian." There is no pending legislation in regard to deinstitutionalization.

2. CHILD CARE FACILITY LICENSING

Under Subchapter 1 of Chapter 34 "foster care" means care of a child, for a valuable consideration, in a child care institution or in a family other than that of the child's relatives. Section 2851 of Subchapter 3 states that a) A person, other than an employee of a department within the agency of human services shall not place any child in foster care for more than fifteen consecutive days unless the person has a license from the department of social and rehabilitation services to do so or is an employee of a child placing agency licensed by the department; b) A person shall not receive board or keep any child in foster care for more than fifteen consecutive days unless he has a license to do so from the department. This does not apply to foster homes approved by the Department within the agency of human services or by a licensed child placing agency; c) This section does not restrict the right of a court, parent, guardian, or relative to place a child, nor the right of a person not in the business of providing foster care of child care to receive board and keep a child when valuable consideration is not demanded or received for the child's care and maintenance.

Section 623 of Chapter 11 dealing with juvenile courts states that a person shall not receive a dependent child under the age of two years to board or care for (non-placing), unless he has obtained a license from the commissioner of social and rehabilitation services. The commissioner may grant such a license and may make reasonable regulations relating to the conduct of business so far as concerns the health of the children and the sanitary and moral conditions surrounding them.

3. ZONING - LOCATION OF FACILITY

Section 4401 under Chapter 117 of Title 24 states that any municipality which has adopted a plan for development, and has created a planning commission, may implement the plan by adopting, amending, and enforcing any or all bylaws provided in this chapter. Such bylaws include zoning regulations, specific uses of land, population density, and other related concerns. Section 4404 requires a public hearing before the adoption of any proposed bylaw, amendment, or repeal. If a written protest against an amendment or revision is filed in accordance with the requirements dictated in Section 4404, the revision shall not become effective until approved by a majority of the legal voters of the municipality present and voting at a meeting of the municipality.

Section 4407 states that certain uses may be permitted only by the board of adjustment, if general and specific standards to which each permitted use must conform are prescribed in the zoning regulations and if the board of adjustment after public notice and hearing determines that the proposed use will conform to such standards. Among other things, such general standards shall require that the proposed conditional use shall not adversely affect [the] capacity or existing or planned community facilities.

Section 4409 states that unless reasonable provision is made for the location of, among other things, state or community owned and operated institutions and facilities, [such] uses may only be regulated with respect to size, height, and other such matters. Also, a state licensed or registered community care home or group home, serving not more than six persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it locates within 1,000 feet of another such home.

VIRGINIA

1. DEINSITUTIONALIZATION

Virginia has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 63.1-195 of Chapter 10 defines a "foster home" as the place of residence of any natural person in which any child, other than a child by birth or adoption of such person, resides as a member of the household. "Child-placing agency" means any person licensed to place children in foster homes or adoptive homes or a local board of public welfare or social services authorized to place children in foster or adoptive homes. "Child-caring institution" means any private

institution which receives children for full-time care. "Group home" means a child-caring institution that does not care for more than twelve children. "Independent foster home" means a private family home in which a non-related child resides as a member of the household and has been placed there independently of a child-placing agency. "Child-welfare agency" means a child-placing agency, child-caring institution, independent foster home, . . . or a family day care home.

Section 63.1-196 states that every person not an officer, employee or agent of the state, county or city or duly licensed child-placing agency acting within the scope of his authority who serves as or maintains a child-placing agency, a child-caring institution, an independent foster home . . . or a family day care home shall obtain an appropriate license from the commissioner (director of the department of welfare and institutions). The commissioner shall provide for the issuance of five categories of licenses, namely, 1) child-placing agency licenses, 2) child-caring institution licenses, 3) independent foster home licenses, 4) child care center licenses, and 5) family day care home licenses.

Section 63.1-197 requires that each applicant for a license contain a statement of the name and address of the applicant, a description of the activities proposed to be engaged in, and the facilities and services to be employed, together with such other pertinent information as the commissioner may require.

3. ZONING - LOCATION OF FACILITY

Article 1 of Chapter 11 under Title 15.1 of the Virginia Code requires each municipality to create a local planning commission to serve primarily in an advisory capacity to the governing body. Section 15.1-446.1 of Article 3 under the same chapter states that the planning commission shall prepare and recommend a comprehensive plan for the physical development of the municipality.

Article 8 of Chapter 11 empowers the governing body to regulate and restrict building, zoning, and land use matters. Section 15.1-491(g) permits the amendment or repeal of zoning ordinances by the governing body, although any such amendment may also be initiated by a property owner or the planning commission. While no zoning ordinance shall be amended or enacted unless the governing body has referred the proposed amendment to the planning commission for its recommendations, no zoning ordinance or amendment may be adopted by the governing body before a public hearing is held.

Section 15.1-491.1 of Article 8 provides a method of conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions preferred by the zoning applicant for the protection of the community that are not generally applicable to land similarly zoned. Conditional zoning is not to be used for the purpose of discrimination in housing, but rather to provide a more flexible and

adaptable zoning method to permit differing land uses, and at the same time to recognize the effects of change.

No direct mention of alternatives to detention is made. Section 15.1-486.2 deals with zoning ordinances relating to homes for mentally retarded and other developmentally disabled persons. Locally adopted zoning ordinances shall provide for family care homes, foster homes, or group homes serving mentally retarded or other developmentally disabled persons in appropriate residential zoning districts. The number of such group homes should be proportional to the population. Conditions may be imposed on such homes to assure their compatibility with other permitted uses, but such conditions shall not be more restrictive than those imposed on other dwellings in the same zone unless additional conditions are necessary to protect the health and safety of the residents of such homes.

Section 15.1-494 states that any municipality which has enacted a zoning ordinance must create a board of zoning appeals.

WASHINGTON

1. DEINSTITUTIONALIZATION

Washington has no current statute or proposed legislation regarding the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Effective March 29, 1979, Washington enacted Senate Bill No. 2768 which comprehensively amended a large portion of law relating to juveniles. This act amended Chapter 74.15 which deals with childrens' agencies, care and placement. Section 74.15.020 as amended defines "agency" as any person, firm . . . corporation, or facility which receives children, expectant mothers, or developmentally disabled persons for control, care, or maintenance . . . , or which places or assists in the placement [of such people] for foster care or placement of children for adoption, and shall include the following: a) "Group-care facility" means an agency which is operated for the care of a group of children on a twenty-four hour basis; b) "Child-placing agency" means an agency which places children for temporary or continued care, or for adoption; c) "Maternity service"; d) "Day-care center" e) "Foster family home" means an agency which regularly provides care during any part of a twenty-four hour day; f) "Crisis residential center" means an agency which is a temporary protective residential facility operated by the department to perform the duties specified in Sections 15 through 34 of this 1979 Act, in the manner provided in Sections 78 through 82 of this 1979 Act.

Section 74.15.30 of the Washington Code delegates the following

powers to the director of the state department of social and health services: 1) in consultation with the child welfare and day care advisory committee, and with the advice and assistance of persons representative of the various type of agencies to be licensed, to designate categories of facilities for which separate or different requirements shall be developed; 2) in consultation . . . adopt minimum requirements for licensing applicable to each of the various categories of agencies to be licensed.

The minimum requirements shall be limited to: a) The size and suitability of a facility and the plan of operation; b) The character, suitability, and competence of an agency and associated persons; c) The number of qualified persons required to render the type of care and treatment for which an agency seeks a license; d) The safety, cleanliness, and general adequacy of the premises; e) The provision of necessary care, including food, clothing, supervision and discipline; physical, mental and spiritual opportunities for those served; f) The agencies financial ability; and g) Record maintenance.

3. ZONING - LOCATION OF FACILITY

Chapter 35.63 of Title 35 requires any city council or county board, desiring to exercise the zoning powers conferred by this chapter, to create a city or county planning commission to act as a research and fact-finding agency. Section 35.63.080 empowers the council or board, upon recommendation by its commission, to regulate and restrict all matters pertaining to building, zoning and land use. All regulations are to be worked out as parts of a comprehensive plan for the physical development of the city. The council or board may amend or change any such plan or regulations, but all proposed amendments must first be submitted to the commission for its consideration. Public hearings must be held by the commission before recommending with regards to a plan or amendments. The council or board, before taking action, may hold a public hearing upon request or by its own order.

As an alternative to planning commissions, Section 35.63.130 allows the legislative body to adopt a hearing examiner system. Duties of a hearing examiner may include the hearing and deciding of proposed zoning amendments, as well as applications for conditional uses, variances, and other land uses.

Chapter 35A.63 lays out the zoning procedures for two optional classes of cities called noncharter code cities and charter code cities. Code cities are characterized by broad powers of local self-government. Planning and zoning in code cities is very similar to that of other incorporated cities, except that Section 35A.63.110 requires each code city to create a board of adjustment.

Alternatives to detention are not mentioned in any section of the planning and zoning statutes.

WEST VIRGINIA

1. DEINSTITIONALIZATION

Effective June 7, 1979, West Virginia established rehabilitation facilities for status offenders as part of the West Virginia Juvenile Offender Rehabilitation Act (H.B. 1484). This new legislation is incorporated into the statutes as Article 5B of Chapter 49, and instructs the department of welfare to establish and maintain rehabilitative facilities to be used exclusively for the lawful custody of status offenders. Each facility shall be a non-secure facility having as its primary purpose the rehabilitation of adjudicated juvenile offenders who are status offenders.

2. CHILD CARE FACILITY LICENSING

Section 49-1-5 of Article 1 under Chapter 49 of the West Virginia Code defines a "child welfare agency" as any agency or institution maintained by a municipality or county, or any agency or institution maintained by a person, firm, corporation, association or organization to receive children for care and maintenance or for placement in a family home or day care center or any institution that provides care for unmarried mothers and their children, but shall not include county shelters established and maintained for the detention of delinquent children or those charged with delinquency.

Section 49-2-4 of Article 2 states that no such above entity may establish or maintain a child welfare agency unless licensed to do so by the state licensing board. Before issuing licenses the licensing board shall investigate the activities and standards of care of the applicant. If satisfied as to the need for the agency, as to the financial stability, equipment, good character and intent of the applicant, and that the services are conducive to the welfare of children, a license shall be issued.

3. ZONING - LOCATION OF FACILITY

Article 24 of chapter 8 grants the governing body of a municipality or county court the power of regulation and restriction over buildings, land uses and zoning. The governing body of every municipality and the county court of every county may create a planning commission. Section 8-24-47 states that amendments, supplements, or changes of the rules and regulations of the zoning ordinance shall be considered as amendments to the comprehensive plan. Any proposed change not originating upon petition of the planning commission shall be referred to the planning commission for consideration and report before any final action is taken by the governing body of a municipality or a county court. Provisions are made for hearing procedures and, in the case of a protest by property owners or a request by the planning commission, for review of action taken by the governing body. Section 8-24-48 articulates a

process for popular selection of zoning ordinances by ballot. No direct mention of alternatives to detention is made.

WISCONSIN

1. DEINSTITIONALIZATION

Wisconsin recently enacted a major recodification of its Children's Code. That Act, Ch. 354, Laws of 1977, which became effective November 17, 1978, labeled "status offenders" as children in need of protection or services and provided a new range of dispositional alternatives. Section 48.345, states that a child in need of protection or services may be given any one of the dispositions given a juvenile under Section 48.34, with some exceptions. (For example, such a child may be placed in the home of a relative, a foster home, a group home, or a residential treatment center, but may not be placed in a secure state juvenile correctional facility.) Sections 48.205, 48.207 and 48.209 place limits on whether and where a juvenile may be held prior to disposition as a child in need of protection/services, or as a delinquent.

2. CHILD CARE FACILITY LICENSING

Subchapter XIII of Chapter 48 (Children's Code) deals with child welfare agencies. Section 48.60 states that no person shall receive children with or without transfer of legal custody, to provide care and maintenance for 75 days in any consecutive 12-months period for four or more children at any one time unless he obtains a license to operate a child welfare agency from the department of health and social services. Before issuing any license, the department must review the need for additional placement resources that would be made available by the licensing or relicensing of any child welfare agency after August 5, 1973 providing care authorized under Section 48.61(3).

Section 48.61 lays out the powers and duties of child welfare agencies. "Foster home" means any facility operated by a person required to be licensed by Section 48.62 that provides care and maintenance for no more than four children. "Group home" means any facility operated by a person required to be licensed by the Department under Section 48.625 for the care and maintenance of five to eight children. "Shelter care facility" means a nonsecure place of temporary care and physical custody for children, licensed by the department under Section 48.66.

If the department, a county agency specified in Section 48.56, or a child welfare agency authorized to do so, places a child in a foster home under a court order or voluntary agreement under Section 48.63, it shall enter into a written agreement with the head of the home as specified in Section 48.64. Every child in a foster home or group home shall be under the supervision of a county agency, specified in Section 48.56, a child welfare agency authorized to place children in foster homes or group homes, or of the department.

Section 48.66 dictates the licensing duties of the department. The department shall license and supervise child welfare agencies, as required by Section 48.60, group homes, as required by Section 48.625, shelter care facilities, as required by 48.48, and day care centers, as required by Section 48.65. The department may license foster homes, as provided by Section 48.62, and may license and supervise county departments of social services or public welfare as provided in Section 48.43(1)(am) in accordance with the procedures specified in Sections 48.67 to 48.74.

Under Section 48.67, the department shall prescribe rules establishing minimum requirements for the issuance of licenses to and establishing standards for the operation of child welfare agencies, foster homes, shelter care facilities and county department of social services or public welfare. These rules shall be designed to protect and promote the health, safety and welfare of the children in the care of all licensees. The department must consult with the department of industry, labor and human relations and the department of public instruction before prescribing these rules. Child welfare agencies and group homes shall report upon application for renewal of licensure all formal complaints regarding their operation under Section 48.745(2) and the disposition of each.

Section 48.675 states that the department shall develop a foster care education program to provide specialized training for persons operating family foster homes. Participation in the program is voluntary and limited to persons operating foster homes licensed under Section 48.62 and caring for children with special treatment needs. A variety of programs and support services are listed in this section.

Upon receipt of an application for a license, the department shall investigate to determine if the applicant meets all minimum requirements for a license. Upon satisfactory completion of this investigation, the license shall be granted. Also, within ten days after the receipt of an application for initial licensure of a child welfare agency or group home, the department shall notify the city, town or village planning commission or other appropriate agency. The department shall request that the planning commission or agency send to the department . . . a description of any specific hazards which may affect the health and safety of the residents of the child welfare agency or group home. In granting a license the department shall give full consideration to such hazards determined by the planning commission or agency.

Section 48.75 states that child welfare agencies, if licensed to do so by the department, and county agencies, specified in Section 48.56(1) to furnish child welfare services, may license foster homes under the rules adopted by the department under Section 48.67 governing the licensing of foster homes.

3. ZONING - LOCATION OF FACILITY

Section 62.33 of Chapter 62 of the Wisconsin Statutes allows the council of any city to create a "city plan commission" whose function is to make and adopt a master plan for the physical development of the municipality. Subsection (7) of the same Section states that the city council may by ordinance regulate and restrict with regards to building, zoning and land use. Such regulations are to be made in accordance with a comprehensive plan.

Upon the request of the city council, the city plan commission, or other appropriate body shall prepare and recommend a district plan and regulations for the city. Notice and hearing procedures before adoption are dictated. The city council may adopt amendments to an existing zoning ordinance after first submitting the proposed amendments to the city plan commission, or other appropriate body, for recommendation and report. Public hearings are required before final action is taken. Procedures are also included in this section in the event of a protest against an amendment by effected property owners. The city council must appoint a board of appeals [which] may make special exceptions to the terms of the [zoning] ordinance in harmony with its general purpose and intent.

Subsection (15)(i) of Section 62.23 states that for the purpose of this section, the location of a community living arrangement as defined in Section 46.03(2) in any city ("community living arrangement" means any of the following facilities licensed or operated under the authority of the department: child welfare agencies under Section 48.60, group homes for children under Section 48.02(7s) (48.02(7)) and community-based residential facilities under Section 50.01 . . .) shall be subject to the following criteria:

1) No community living arrangement may be established after March 28, 1978 within 2,500 feet, or any lesser distance established by a city, of any other such facility. Exceptions may be granted at the discretion of the city.

2) Community living arrangements shall be permitted in each city without restriction as to the number of facilities, as long as the total capacity of such community living arrangements does not exceed 25 or one percent of the city's population, whichever is greater. When the capacity of community living arrangements in an aldermanic district reaches 25 or one percent of the population, whichever is greater, of the district, the city may prohibit additional such arrangements from being located within the district. Exceptions may be granted at the discretion of the city.

2m) A foster family home which is the primary domicile of a foster parent, which is for four or fewer children and which is licensed under Section 48.62 shall be a permitted use in all residential areas and is not subject to subdivisions 1 and 2 except that foster homes operated by

corporations, child welfare agencies, churches, associations or public agencies are subject to subdivisions 1 and 2.

3) In all cases where the community living arrangement has capacity for eight or fewer persons being served by the program, meets the criteria listed in subdivisions 1 and 2, and is licensed, operated or permitted under the authority of the department of health and social services, that facility is entitled to locate in any residential zone, without being required to obtain special zoning permission except as provided in subdivision 9.

4) In all cases where the community living arrangement has capacity for 9 to 15 persons being served by the program, meets the criteria listed in subdivisions 1 and 2, and is licensed, operated or permitted under the authority of the department of health and social services, that facility is entitled to locate in any residential area except areas zoned exclusively for single-family or 2-family residences except as provided in subdivision 9, but is entitled to apply for special zoning permission to locate in those areas. The city may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

5) In all such cases where the community living arrangement has capacity for serving 16 or more persons, meets the criteria listed in subdivisions 1 and 2, and is licensed, operated or permitted under the authority of the department of health and social services, that facility is entitled to apply for special zoning permission to locate in areas zoned for residential use. The city may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

6) The department of health and social services shall designate a single subunit within the department to maintain appropriate records indicating the location and number of persons served by each community living arrangement, and such information shall be available to the public.

7) In this paragraph, "special zoning permission" includes but is not limited to the following: special exception, special permit, conditional use, zoning variance, conditional permit and words of similar intent.

8) The attorney general shall take all necessary action, upon the request of the department of health and social services, to enforce compliance with this paragraph.

9) Not less than 11 months nor more than 13 months after the first licensure of a community living arrangement and every year thereafter, the common council of a city in which a community living arrangement is located may make a determination as to the effect of the community

living arrangement on the health, safety or welfare of the residents of the city. The determination shall be made according to the procedures provided under subdivision 10. If the common council determines that a community living arrangement's existence in the city poses a threat to the health, safety or welfare of the residents of the city, the common council may order the community living arrangement to cease operation unless special zoning permission is obtained. The order is subject to judicial review under Section 68.13, except that a free copy of the transcript may not be provided to the community living arrangement. The community living arrangement must cease operation within 90 days after the date of the order, or the date of final judicial review of the order, or the date of the denial of special zoning permission, whichever is later.

10) A determination made under subdivision 9 shall be made after a hearing before the common council. The city shall provide at least 30 days notice to the community living arrangement that such a hearing will be held. At the hearing, the community living arrangement may be represented by counsel and may present evidence and call and examine witnesses and cross-examine other witnesses called. The common council may call witnesses and may issue subpoenas. All witnesses shall be sworn by the common council. The common council shall take notes of the testimony and shall mark and preserve all exhibits. The common council may, and upon request of the community living arrangement shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the city. Within 20 days after the hearing, the common council shall mail or deliver to the community living arrangement its written determination stating the reasons therefor. The determination shall be a final determination.

Village zoning is identical to that of city zoning. Zoning power exercised by towns is essentially identical with the exception of certain procedural matters. The above criteria for the location of community-living arrangements are applicable in any city, village or town.

Assembly Bill 225, introduced on February 27, 1979, and referred to the Committee on Local Affairs, would limit the protection of subsection (15)(i) of Section 62.23 to community living arrangements only for nondelinquent children, developmentally disabled persons, elderly persons, physically handicapped persons or victims of domestic violence.

WYOMING

1. DEINSTITUTIONALIZATION

Wyoming has no current statute or proposed legislation relating to the deinstitutionalization of status offenders.

2. CHILD CARE FACILITY LICENSING

Section 14-46.1(8) under Title 14 defines a "child-caring facility" as any private person, . . . association, or corporation which is operating a business . . . where children under the age of 17 are kept and cared for, for their parents or legal guardian or at the request of the agency which has responsibility for the child.

All privately operated child-caring facilities . . . are required to be certified by the certifying authority, which is the department of health and social services. "Child-caring facilities" as used in this act include privately operated 1) children's institutions; 2) child-placing agencies; 3) foster homes; 4) group day care centers; 5) detention homes; 6) receiving homes, public and private; 7) correctional schools; 8) homes for defective children; 9) children's ranches; 10) nurseries; 11) boarding homes; 12) any other entity . . . having the legal or physical care of minors where custody is not supervised by an official agency of the State.

Section 14-46.4(2) dictates the following standards to be used as the requirements for certification: a) Good moral character of the applicant, his employees and all those persons who will come in direct contact with the children cared for; b) Practical experience or education or training of the applicant in the care and treatment of children. c) Facilities that are: 1) Uncrowded, 2) safe from fire, 3) clean and well repaired; d) Wholesome food prepared in a clean and healthful environment.

3. ZONING - LOCATION OF FACILITY

Article 7 of Chapter 1 under Title 15.1 empowers the governing body of any city or town to regulate and restrict with regards to building, zoning, and land use affairs. All regulations are to be made in accordance with a comprehensive plan. Article 6 of the same chapter makes optional the creation of a planning commission.

The governing body shall determine the manner in which zoning regulations are established, amended, or changed. However, before any such action occurs, Section 15.1-86 requires a public hearing be held. Provisions in case of a protest by effected property owners are also provided. While a governing body must appoint a zoning commission to recommend the boundaries of the original districts and appropriate regulations, the appointment of a board of adjustment, as provided in Section 15.1-89, is optional. Alternatives to detention are not mentioned.

END