

MINUTES OF THE SPECIAL STUDY COMMITTEE ON SOCIAL AND REHABILITATIVE
INSTITUTIONS

Held in Room 313-S at the Statehouse, at 12:30 p.m., on March 11, 1980.

Members present were:

Senator Robert Talkington, Chairman
Representative Joe Hoagland, Vice Chairman
Senator Mike Johnston
Representative David Heinemann
Representative Phil Martin was excused

Staff present were:

Fred Carman, Revisor's Office
Ray Hauke, Legislative Research Department
Emalene Correll, Legislative Research Department
Robert A. Coldsnow, Legislative Counsel

Conferees appearing before the committee were:

Jack Pulliam, former SRS employee, Topeka
Kay Bruce, SRS EEO Officer
Traphenia McClelland, Youth Service Worker, Youth Center at Topeka
Gary W. Anderson, Youth Service Worker, Youth Center at Topeka
Evelyn Brown, Youth Service Worker, Youth Center at Topeka

The Chairman called the meeting to order.

Mr. Pulliam presented a statement (Attachment A) giving background information regarding state institutions, programs for children, the Department of Social and Rehabilitation Services, and making recommendations for improvement. In additional remarks concerning his statement, Mr. Pulliam pointed out, on page 4, paragraph 5, because of the establishment of cabinet level secretaries and the abolishment of advisory boards, programs have lost touch with the public; on page 8, paragraph 2, the administration at YCAA immediately started having trouble with the social services department when, in 1972, YCAA became part of SRS. He noted the top administrators up to the time of the merger with Topeka, Mr. Miller and Mr. Knapp, left that position.

The Chairman commended Mr. Pulliam on the preparation of his statement.

During questioning, Representative Hoagland noted that he had been a member of the 1972 legislature and served on the committee that studied the concept of creating the Department of Social and Rehabilitation Services, and now suggestions were being made to take the department apart again. He stated, at that time, it was felt a cabinet style operation would be more accountable to the Governor than a citizens' advisory group. Studies also indicated the umbrella approach would be a less expensive method of operation. He asked Mr. Pulliam if he thought the original justifications for the change were valid. He replied he did not think so now or at that time. They sound good but have not worked in practice. He felt they might have worked had the present secretary allowed the directors of the mental health and retardation institutions to continue to run them instead of dictating and doing everything himself. Representative Hoagland questioned how all the former considerations and studies that went into the SRS decision, which was overwhelmingly favored,

could be so wrong now. Mr. Pulliam said the institutions were sufficiently important in themselves to warrant cabinet level status with another secretaryship. He mentioned one reason that had been used to justify SRS was that a social welfare agency could serve as the eyes, ears, probation, rehabilitation, etc., for patients. He pointed out these employees resist having these duties written into their job descriptions as they simply do not have the time to do this. In his opinion, the system has not worked, and with many thousands of people involved in the agency, it is top-heavy.

Senator Johnston noted Mr. Pulliam had been at the committee hearings where much of the testimony has been laced with personality problems, and he felt Mr. Pulliam's was much the same. He pointed out the committee was charged with both SRS personnel and organizational structure, and he said Mr. Pulliam's reasons for feeling the cabinet system was not working had not been given except for personalities. Since it was not possible to turn the clock back, and Mr. Pulliam had suggested the next best thing would be to establish a mental health and retardation agency to be responsible for improvement, Senator Johnston asked Mr. Pulliam if he would be in favor of this concept if the current secretary was placed as the secretary of this new department. Mr. Pulliam said he would not be in favor because he does not think the current secretary knows enough about administration of institutions to do it. He noted a nationwide study a few years ago had recommended the director of state mental institutions should be a psychiatrist. Now the state just gets any "good old Joe" it can to take the job.

The Chairman clarified Mr. Pulliam's recommendations as being separation of the youth centers, a separate department of mental health and retardation services, and an independent Kansas Youth Authority separate from any other agency and which would be an accredited agency the same as the Adult Authority but with a much broader scope to include juvenile facilities and probation, a division of services to youth, and community based programs. Representative Hoagland pointed out these recommendations were all in direct opposition to those made when SRS was created.

Ms. Bruce gave a statement regarding the work of the EEO Officer under the Department of Social and Rehabilitation Services (Attachment B). She clarified that, as EEO Officer, she has the responsibility of all 9,000 SRS employees, clients, and patients.

Ms. McClelland appeared in opposition to the reclassification of YSW's resulting from the career ladder. She expressed her concern that youth service workers could not attain the III position unless they changed to the night shift regardless of how long they had been a state employee. She also felt concern that mental health technicians were giving medication. If they refuse to do this, it was reflected on their evaluations, it upset the cottage, and students had to go to wherever the nurse was to receive medication.

Mr. Anderson objected to the reclassification resulting from the career ladder and said qualifications and longevity were ignored by the staff at YCAT. The only way to advance was by changing to the night shift which he refuses to do. Until the reclassification, he planned to stay at the center until he retired, but now he may resign. Because of turnover, he said he is considered to be a long-time employee since he has

been there three years.

Ms. Brown appeared to express her objections as well as those of some cottage directors to the reclassification of youth service workers. Her statement is attached (Attachment C). Prior to the career ladder implementation, she had enjoyed her work and did not mind doing extra duty and overtime but feels there is no incentive for this anymore.

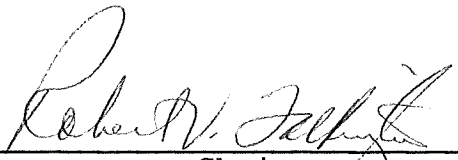
In additional remarks, Ms. Brown said she has been vocal in her objections to reclassification and was willing to risk unemployment because of it. She and the group from YCAT had come to this meeting feeling if they were going to be fired, they would all become unemployed together.

With respect to evaluations for trainees (Attachment C, page 3), Ms. Brown commented the only out the supervisor has is to rate the trainee as "good" and let the institution deal with him/her later. She questioned the future legal implications of this.

Ms. Brown said a letter had been written to Governor Carlin, but it had never been acknowledged. Her group is constantly seeking some kind of support and somebody who will listen to their concerns. She solicited the committee's assistance in remedying them.

The Chairman expressed appreciation to all conferees from the Youth Center at Topeka, who did not get to testify because of lack of time, for their attendance at this meeting.

The meeting adjourned at 1:35 p.m.


Chairman

ATTENDANCE SHEET

MARCH 11, 1980

<u>NAME</u>	<u>REPRESENTING</u>	<u>TOWN</u>
Frank Reese	Poor Citizen	Topeka
Phil D. Reagin	none	"
Homer A. Chert	YCAT	Topeka
Evelyn Brown	YCAT	Topeka, Ks.
Therisia McClelland	Y.C.A.F.	Topeka, Ks.
Gary W. Anderson	YCAT	Topeka Ks.
Ken Williams	YCAT	Topeka, Ks.
Andrew + 2	Way	Emporia
Starns	League + Women U.	
Judge Morrison		Wichita
Cameron		
Sackman		
Kirk with		
Miller	TARC	
Barton	Ombudsman	
Ray Jordan		

TESTIMONY BEFORE SPECIAL COMMITTEE ON SOCIAL
AND REHABILITATION SERVICES

Attachment A
3-11-80

I am Jack Pulliam and I appreciate having the opportunity to appear before this committee to give my observations concerning the problems in SRS.

Before getting down to specifics, I would like to give a brief resume of my 25 years of service in this area of Kansas government, and along with it a brief history of the treatment programs in Kansas' mental hospitals and juvenile facilities.

The programs started by Governor Frank Carlson were well under way when I joined the staff of the Division of Institutional Management as assistant supervisor in August 1951. Arthur Martin was the supervisor of institutions. The legislature in 1953, after a nationwide study, decided the institutions should be headed by a psychiatrist and Dr. George Jackson became director of institutions in April 1953. My job under him was to develop statistical information and public relations material, including a monthly news-bulletin covering the activities in the various institutions.

In December 1955, I was appointed superintendent of the Boys Industrial School by Dr. Jackson. My working relationships with him, and later with Dr. Meadows and Dr. Haines, were excellent. During my fourteen years as superintendent of BIS, I served under five governors who gave people credit for a good job. The treatment programs in the institutions reached an all-time high in effectiveness and were recognized nationally and internationally. Topeka State Hospital was hailed as an example of an outstanding mental hospital. Parsons State Hospital and Training Center had the same acclaim for its work with the mentally retarded. The Boys Industrial School was singled out for its work with juveniles. Hardly a week went by in the late 50's and 60's that the institutions did not have an out-of-state or foreign visitor. BIS was given a grant to demonstrate its program to delegations from five states. These delegations of six persons each came and stayed a week to learn as much as they could. Individual initiative was recognized and rewarded at all levels, and decisions were made at the lowest level possible. Employees were happy in their work! The state boards of social welfare were helpful and cooperative. Kansas gained a reputation for excellence in its state institutions. At national meetings, I was envied by the others because of the outstanding juvenile program at BIS and the support it had.

During my later years at BIS, it was becoming apparent that another type of juvenile facility was needed in our state due to the increasing rate of delinquency. Also there was developing a trend toward giving service as close to home as possible through state regional facilities or community based programs.

I was asked in September 1969 to take a new position - Coordinator of Children's Services - in the Division of Institutional Management. My job was to give assistance to all of the children's institutions, but more especially the ones serving juvenile offenders. Soon afterwards, the Division of Institutional Management was asked by the Governor's Committee on Criminal Administration to assume the task of developing a state-wide plan for the prevention and control of juvenile delinquency in Kansas. We took the job and I became the project director.

The full staff for the project was in place by April 1970 with a project manager, two research assistants, two secretaries and myself. We then began the task of determining what the problems were and how they might be solved. The project staff visited each of the 105 counties in Kansas and had personal contact with over 2,500 individuals, most of whom paid their own way to attend our meetings and conferences. Project activities had an aggregate attendance of 4,810 in five state-wide conferences, 257 scheduled meetings and 700 personal interviews. The project was by far the most extensive and comprehensive effort ever made to study the problems of juvenile delinquency in Kansas, and come up with possible solutions that were workable. Fifty reports were produced during the 30 months the project continued, finishing with a four-volume report of over 800 pages covering background, prevention, control, and organization.

Included in the report was a state-wide citizen oriented governance plan for a state agency that would be responsible for delinquency prevention and control. We also estimated a potential cost of \$17,000,000 yearly. We further proposed 50-bed regional juvenile facilities over the state, three in the beginning and eventually having six. Architectural plans for the regional facilities at Hays, Wichita and Olathe were completed in 1972 at a cost of \$45,000 state and \$90,000 federal dollars. They remain on file in the state architect's office.

The report, issued in June 1972, has been relegated to the bookshelves to gather dust. It was strongly opposed by the then director of social welfare. It is taken down occasionally and looked at by individuals and committees. A few of the recommendations have been implemented, but much more remains to be done.

The 1972 legislative interim committee decided to give the community based concept a try. A group from the Johnson County Mental Health Association recommended a funding level of \$1,500,000 to start the state-wide program. It was funded at \$150,000 for fiscal 1974 and has grown to a proposed \$852,000 for fiscal 1981.

The voters of Kansas, in the general election of 1972, approved a constitutional amendment which gave the governor new powers to organize or reorganize the executive branch. Early in 1973, Governor Robert Docking began the installation of the cabinet system and the Department of Social Welfare was abolished. Executive Order No. 1 set up the Department of Social and Rehabilitation Services with a secretary as its head to replace the State Board of Social Welfare. Robert Harder, the director of social service, was appointed the new secretary.

The Division of Institutional Management was absorbed into the new SRS and the effects of that implementation into such a huge new bureaucracy have never been resolved. Morale plummeted immediately as employees found there was no way they could redress their grievances except through channels of highly paid people, who were trying to protect their own jobs in the hierarchy that came into

(advance their ideas or

being. Formerly, the superintendents could talk to the director, the board, the legislature or even the governor, keeping channels of communication open and everyone advised of what was going on. Under the new rules of SRS, no one dared speak to anyone outside a strict chain of command that had the secretary at the top.

Efforts were made to create a separate Department of Mental Health in 1973. These efforts were dropped after Governor Docking wrote a letter assuring the mental health people there would be no change in the director of institution's job or his responsibilities. No statutory changes were made until 1979 when the requirement that the director be a physician with at least five years administrative experience was eliminated. About the same time Dr. Robert Haines was asked to step down as director. His performance as head of the institutional programs was recognized by resolutions passed by both houses of the legislature commending him for his sixteen years of service.

In the late spring of 1973, I was asked by the incoming secretary to help develop procedures for the implementation of SB 577 (Community based children's programs) as an additional duty to my job in the institutional division. I agreed, and recruited the authorized staff. We developed plans and procedures for disbursing the money.

We also worked on plans for organization of the new Division for Children and Youth created in SRS by the 1974 Legislature. Our small five-person unit (the Juvenile Services Section) provided most of the input for this planning. In planning for the new division, we proposed a Community Service section to help develop community programs. We were told we could expect at least one community service worker in each SRS office. When the new division was implemented, none was provided and none was requested in the next year's budget.

I feel sure many legislators in 1974 thought this new division, with high ranking in the SRS hierarchy, was a major step toward solving juvenile delinquency problems. We were not allowed to use the words "juvenile" or "delinquent" in setting up the organization of the new division.

In this session, Governor Carlin has presented Executive Reorganization Order No. 17 which puts the Division of Children and Youth under "Social Services", a definite loss of visibility for all children's programs.

Beginning in the summer of 1973, the secretary started a concerted effort to down grade and by pass the director of institutions and his office. Letters, memos, directives and phone calls went directly to the superintendents from the secretary. When monthly meetings of superintendents were held, the secretary set the time, the agenda, and also presided. The director of MH&RS was merely a spectator. All decisions, no matter how small, had to be cleared with the secretary. There was little discussion of issues and problems.

The lowered morale of the superintendents and their reflection of anger and frustration soon permeated through the staffs. Morale went down and turnover came up - both costly to the state and very damaging to the programs developed to help patients and delinquents.

I took a vacation in August 1974, and while I was gone, the secretary asked one of the other staff to take over as head of the Juvenile Services Section. When I returned, I wrote a memo asking about my role and future responsibilities for the section. Nearly a month later, I got a reply from the secretary to the effect that he had heard I thought I was overworked and he was trying to keep me satisfied. In all my 25 years of work with the state, I never complained of being overworked, although I always had plenty to do.

When I retired in September 1976, my position (Coordinator of Children's Services) was not filled, nor was any effort made to fill it even though it was fully budgeted for the 1977 fiscal year. My work had been sufficiently important that I was given a rating of "Outstanding" on my employee evaluation reports, which were signed by the secretary as the appointing authority.

At my "retirement party", my co-workers in MH&RS gave me a bronzed copy of the Declaration of Independence and told me "You have your independence now, Pulliam, go tell it like it is!" Here I am!

Last 10 years
It is my strong opinion the problems that have surfaced in SRS are due to two main factors. First, reorganization of state government, providing for cabinet level secretaries. Second, the way SRS is administered under the present secretary.

Before reorganization, the institutions were under a Director of Institutions, who was appointed by the State Board of Social Welfare, a lay group appointed by the governor on staggered terms of four years. These lay people - the board members - took their appointments seriously and really worked long hours with small remuneration to help the director, the superintendents and others. Many new programs were proposed, presented to the governor and legislature, funded and put into operation, always with the feeling that a good job for the patients and students was primary, even though it might cost money. It was a democratic setup - close to the people - and though there were problems then too, morale among the levels of employees was high. Most were allowed to use at least some personal judgment in the course of their daily jobs.

Kansas was noted for its training programs for psychiatric personnel in the 50's, 60's and early 70's. In fiscal 1974, there were 24 physicians in residency training at Topeka State Hospital. This has dwindled to nine for fiscal 1980.

The staff in the Division of Mental Health and Retardation Services has gone from 33.5 positions in fiscal 1974 to 19 in fiscal 1980. The other divisions in SRS had a total of 2,513 positions in fiscal 1974 and are budgeted for 2,719 in fiscal 1980.

The Youth Rehabilitation Centers at the state hospitals were started in 1971 as temporary programs, to be replaced either by community based programs or the regional facilities. They are still in operation, doing a fairly good job, but under difficulties.

Several children's programs have recently been instituted on the grounds of Topeka State Hospital. Most of them are without clear goals and some are pure warehouses. One of them has the name of "Unit for Temporary Housing", but some children stay there several weeks.

About three years ago, there was a five-year plan to phase out adult treatment at Topeka State Hospital and turn the entire facility over to a group of miscellaneous children's programs and SRS offices.

In my opinion, the institutions have suffered since they were put under the Department of Social and Rehabilitation Services. The current secretary of SRS has no direct experience in institutional management and operation, and has not been open minded to those who do have such experience. This has left the institution superintendents without a real advocate for their programs at the top level in state government. Further, they are prevented from doing it themselves by orders from the secretary that only he will speak to the legislature, the governor and others in positions of power and influence.

Very misleading at Post

The Director of MH&RS has not been allowed to perform his duties as outlined in KSA 75-3303. This section says in part "The director shall be directly responsible for carrying out all the general policies of the secretary and the duties of the department of social and rehabilitation services relating to the management, operation and maintenance of the institutions, and the treatment, education, care, and housing of the of the patients and residents in the institutions and the recruitment and training of the staff for the institutions."

KSA 76-12a02 through 12a04 states the director (MH&RS) shall appoint the superintendent of each institution, all of the physicians of all of the institutions, and all staff and other personnel of the division of mental health and retardation services who are not assigned to a particular institution. Even though the statutes clearly name the director as the appointing authority, my performance ratings and my termination papers were rubber stamped "Robert C. Harder" in the space allotted to the appointing authority.

The position of Director of MH&RS has been vacant since mid-February 1979. The former assistant director took over as acting director. The current acting director is planning to take early retirement on May 17, 1980. *early retirement*

Qualifications for the Director of MH&RS were changed by the 1979 Legislature, deleting the requirement he be a physician. Since the position is one that calls for appointment by the secretary with "consent of the senate", it appears to me that an all out effort should be made to fill the post before the end of the current legislative session, so the senate might decide if it wants to "consent."

No one in the organization, regardless of their rank on the "totem pole" is allowed to express an opinion that is not the "party line" under threat of chastisement, demotion or dismissal. The head of the vocational department at the Youth Center at Topeka was at a Boy Scout event in his neighborhood when he was asked by a state representative how things were going and what needed to be done. He told the representative of some of the unmet needs of his area as well as other areas of the institution and of some of the problems. The legislator later asked the secretary about those matters, which resulted in the secretary "eating out" the superintendent for the remarks made by one of his workers and telling him to let his staff know that the secretary was the only contact with members of the legislature.

When the new fiscal year began last summer, the superintendents were directed to refrain from writing in about any increase in their salaries, as the secretary had determined he would not recommend any increases. This despite the fact the legislature had approved salary adjustments for all state employees.

Many of the laws concerning the department of SRS designate the secretary to do various things and have custody of various people. There is no way he can be all things to all people. The old laws made reference to the department of social welfare and the director would decide who would do various jobs. Maybe this concentration of power is part of the problem.

The aging section of SRS was removed from the department in 1977 and converted into the Department on Aging, largely due to the fact persons interested in programs for the aging felt they were not getting proper attention from the huge department of SRS. A bill is pending to set up a separate department for the blind, presumably for the same reasons.

The board of directors of the Kansas Council on Crime and Delinquency has been concerned over numerous happenings in the past few years affecting children's programs in Kansas. At their meeting on October 19, 1979, they adopted a "Statement of Concern". A copy of the statement is attached.

News releases concerning changes in top administrative jobs seem to be slow coming out. Recent examples are: Lawrence Penny gave notice of his intention to resign, effective Nov. 1, on September 27. The first news story about it was printed October 23. Staff at YCAT was told of Gene Wilson's appointment November 21 and the first news story was printed December 11. Leonard Lavis' departure from Kansas Neurological Institute was given first local publicity by an UPI dispatch from Salt Lake City February 17 telling of his acceptance of a job in Utah effective March 16.

All of this points up a very definite lack of leadership at the top in the department. It is my opinion the secretary only gives lip service to the welfare of clients, care of patients and the rehabilitation of juveniles. Programs will continue to deteriorate and good employees will continue to leave unless definite action is taken to correct the real problem. The patients, clients, and

children who should be helped by these programs are not getting a fair shake under the present setup. They have no organized advocacy program, so it is up to those who know the facts to get busy and help them.

Former Governor Bennett may think it was the utility issue that tipped the ballot box and gave John Carlin the governorship in 1978. The 7700 employees in SRS and its institutions, their families and friends cast thousands of ballots for Carlin in protest of Bennett's retaining the secretary, the same as Bennett got thousands of votes in 1974 because these same people thought he would be more likely to make the necessary change than would Democrat Vern Miller.

A study should be made of the turnover of employees in this department. Interviews should be conducted with those who have left and not rely on statistics produced from looking at termination papers. The turnover has been tremendous and is not confined to the low-level, poor-paying jobs in the institutions. The number of professional people (licensed in some manner by the state) that have left is substantial.

At the top level, several have resigned, retired early, or taken lower level jobs rather than continue to "butt their heads against a stone wall" and try to overcome the lack of advocacy for progressive programs. These include Dr. Donald Rinsley, head of the Children's Unit at Topeka State Hospital; Dr. George Zubowicz, superintendent of Osawatomie State Hospital; Dr. George Getz, superintendent of Larned State Hospital; Floyd Sappington, superintendent of Youth Center at Atchison; Dr. Howard Bair, superintendent of Parsons State Hospital; Dr. Robert Haines, director of MH&RS; Lawrence Penny, superintendent of Youth Center at Topeka; Dr. Howard Williams, head of community mental health programs in MH&RS; and most recently Leonard Lavis, superintendent of KNI. Others are very unsatisfied and will make a move as soon as suitable employment can be found, or they can take early retirement.

It seems a great waste of talent when three top administrators, Robert Haines, Lawrence Penny and Howard Williams, with a total of over 75 years of service in Kansas government, are relegated to positions usually occupied by beginners.

In order to begin rebuilding Kansas' institutional programs to their former state of excellence and again provide excellent care and treatment for our fellow Kansans in the institutions, I suggest the 1980 legislature create a Department of Mental Health and Retardation Services to administer and supervise the state hospitals for the mentally ill and mentally retarded, the state juvenile facilities, the community mental health programs, and the alcohol and drug abuse treatment and prevention programs.

Second, to alleviate some of the problems at Atchison, I suggest the legislature repeal KSA 76-1701a and make the Youth Center at Atchison a separate institution as it was prior to July 1, 1977. Legislation should be enacted to give the Youth Center at Atchison and its staff the same legal authority the Youth Center at Topeka has under KSA 76-2102 through 76-2114.

I have heard most of the testimony regarding the problems at the Youth Center at Atchison. I had occasion to know about the Atchison program while at BIS and later when I was coordinator of children's services.

The experiment of making it a part of the Youth Center at Topeka has not worked out for either institution. It has taken time of several key persons at YCAT (superintendent, business manager, personnel officer, clinical director and chief engineer) to go to Atchison (55 miles away) once or twice a week to supervise activities there. These people really have enough to do to take care of their jobs in Topeka. (V)

It is no wonder the witnesses you have heard from Atchison complained of lack of mission and purpose. They feel like step-children of the big institution in Topeka. They remember when the Atchison institution was the Orphans' Home and feel like it is that again. There can be no esprit de corp among the Atchison staff when the assistant superintendent (when they have one) has to clear almost every decision with Topeka.

Dep from anything else

I am still convinced Kansas needs a Kansas Youth Authority, similar to the one proposed in the 1972 study. The youth authority should encompass the state juvenile facilities, the division of services to children and youth, state juvenile probation, and community based programs such as foster homes, group homes and private institutions for children. This would take some time to work out, but it certainly would permit the governor and the legislature to hold persons directly responsible for those programs accountable for their success or failure.

My final suggestion is that you take action to replace the top administrator of SRS with a person who can command respect from subordinates *and* *bring* and get Kansas moving again toward excellence in its institutional and social welfare programs.

Thank you very much for your patience and attention. If you have any questions, I will be glad to try to answer them.

-- March 11, 1980

STATEMENT OF CONCERN

Concern is expressed over numerous happenings the past few years affecting children's programs in Kansas, particularly in the state's institutions for children. Several top level people have either resigned, taken another job in state service, or retired.

A few examples follow:

Donald Rinsley, M.D., resigned as head of the Children's Unit at Topeka State Hospital June 30, 1975 rather than admit mentally retarded youngsters to an exemplary treatment program for mentally ill children.

Floyd Sappington was eased out in December 1976 as superintendent of the Kansas Children's Receiving Home, after serving more than a quarter of a century there. The functions of the Receiving Home were highly regarded by most of the juvenile courts of Kansas, but they were discontinued at Atchison and transferred to the various state hospitals. To further complicate the problem, the Youth Center at Atchison was abolished in July 1977 as a separate institution and put under the Youth Center at Topeka.

Jack Pulliam retired in October 1976 as coordinator of children's services in the Division of Mental Health and Retardation Services. His job was to consult with the various children's institutions, plan improvements, and provide liaison with the juvenile courts. No effort was made to fill this position.

Barbara Sabol recently resigned as Director of the Division of Services to Children and Youth in SRS to become Secretary of the Department of Aging.

Howard Bair, M.D., resigned as superintendent of Parsons State Hospital and Training Center early in 1979, after over 25 years there. He is now working in Oklahoma.

In the spring of 1979, Robert Haines, M.D., was asked to step down as Director of Institutions. He had held this position with distinction since 1966 and was commended by resolution by both houses of the 1979 Kansas Legislature. He is currently a ward physician at Topeka State Hospital. His salary as Director of Institutions had not been changed since before July 1973.

Lawrence D. Penny, superintendent of the Youth Center at Topeka for the past ten years and an employee there since 1951, has submitted his resignation with a suggested effective date of November 1, 1979.

Rumors abound of possible impending resignations of top-level administrators at the Youth Center at Beloit, Rainbow Unit at Kansas City, Osawatomie State Hospital, Kansas Neurological Institute and Topeka State Hospital.

Further, there appears to be general unrest and dissatisfaction among a majority of staff at all levels.

Undoubtedly the departure of these well qualified individuals has left gaps in services to Kansas children which may cause them to further deteriorate unless corrective action is taken to overcome the factors that have led to this turnover.

It is suggested the Governor and appropriate committees of the Legislature look into this problem and do what is in their power to correct it.

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Adopted by the Board of Directors,
Kansas Council on Crime and Delinquency,
at its meeting in Lawrence,
Kansas, October 19, 1979.

President of KCCD directed to send
copies to Governor Carlin and to the
chairmen of House and Senate Ways
and Means Committees.

Bill Fox is KCCD president.
KCCD Office address is:
449 North St. Francis
Wichita, Kansas 67202
(316) 267-4201



Attachment B
3-11-80

STATE OF KANSAS

JOHN CARLIN, GOVERNOR

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

ROBERT C. HARDER, SECRETARY

March 11, 1980

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

Re: 1980 Special Study Committee on
Social and Rehabilitative Institutions

The Honorable Robert A. Coldsnow
Kansas Legislative Counsel
Statehouse - 449-N
Topeka, Kansas 66612

Dear Mr. Coldsnow:

For the past three and one-half (3½) years, I have been employed as the Equal Employment Opportunity (EEO) Officer for the Department of Social and Rehabilitation Services (SRS).

BACKGROUND INFORMATION

The primary responsibility of the SRS EEO program is to assure compliance with applicable state and federal civil rights laws and regulations on behalf of all SRS clients and employees regardless of their race, religion, color, sex, national origin, ancestry, age, handicap or political affiliation.

The SRS EEO program carries out these laws by eliminating discriminatory practices within the department. The point of today's civil rights laws is to protect persons from discrimination because of their racial-ethnic identity, age, sex, handicap (which includes people with alcohol and drug abuse problems), and political affiliation (required by the Intergovernmental Personnel Regulations).

Since June 18, 1979, the SRS EEO Unit has been involved in the mediation, investigation, or conciliation of 16 cases filed with the state or federal civil rights enforcement agencies. Also, this unit provided technical assistance in the resolution of an additional 35 internal complaints or requests for assistance. Since June 1, the EEO Unit conducted or participated in 15 EEO training sessions for SRS staff and purchase-of-service providers, and there are currently about three (3) calls per week for some EEO assistance, *sometimes 3 calls a day*.

BASIC ISSUES

The primary responsibility of the EEO Unit is to focus on civil rights

problems within SRS. Therefore, I have considerable knowledge of the nature and validity of some of the situations on which you have heard testimony. I think it is fundamental to remember that there are almost always two sides to any problem. Next, in importance, is the impact of the problem. How does it affect clients or patients? How does it affect other employees? Does it represent a violation of departmental policy or federal and state law? How does it affect agency program requirements? And how does it really affect the employee? All these issues must be carefully evaluated. Aggrieved employees and their supervisors often have "tunnel vision" when conceptualizing and attempting to resolve problems about their jobs.

Many problems can be resolved by providing an employee with the facts in a situation and then soliciting the cooperation of top or upper level managers in developing more specific criteria on job expectations. In most instances the employee and the immediate supervisor are not able to eliminate personal feelings from these job requirements and expectations. Thus, a conflict results and communications cease. Many EEO cases, or other cases of problems on the job, fall in this category. Often in resolving problems, I find that the employee continues to be aggrieved even when job performance standards are clearly spelled out.

SRS exists to provide services to needy Kansans and some times these important philosophical concepts which support the agency are not accepted by aggrieved employees. It is very important in circumstances like these to give supervisors guidance in developing clear, consistent, and fair work procedures. The agency must always consider first the interests of the client or patient when it defines good management skills.

You have heard from several employees at the Youth Center at Atchison who have complained about the administration of SRS. Since 1977, I have been personally involved in many employee complaints at the Youth Center. The administration of the Youth Center previously focused on programs for homeless youth. The students at the Youth Center were conceptualized as "homeless waifs." When the Youth Center changed from being a home for homeless youth to a facility for youth adjudicated through the courts, older employees were required to make an important change in their thinking about the purpose of their jobs. Some of these YCAA employees successfully made this transition and have developed the skills necessary to deal with delinquent youth. For various reasons, other employees have not been able to adapt to these new changes at the Youth Center, and this has included an inability to accept the administrative style of the new administrator. It is unfortunate, but true, that for many people any kind of change is difficult to handle. These people will always feel aggrieved that the "good old days" are not still with us. The problem is that the "good old days", when closely examined, were not all that good any way, and that it is in the nature of things that they should change. As human beings, we must learn to adapt to change to service.

Sincerely,

Kay E. Bruce
EEO Officer

March 3, 1980

Mr. Robert A. Coldsnow:

This letter is to follow-up our Feb. 28, 1980 telephone conversation. I related to you in that conversation, our dissatisfaction with the reclassification of staff here at the Youth Center at Popers. We feel that it was an obvious case of discrimination against the female workers. The 9-5 shift & the 2-10 shift are held by female workers and neither shift workers were promoted. They were left as 1 positions irregardless of the workers abilities or years of experience. I have enclosed copies of job descriptions to show the duties listed for employees in 1 positions as compared to employees with 2, 3, or 4 positions. To obtain a 2 or 3 position is still unclear to us even tho' we have listened to several explanations. We were told that staff received these positions based on numbers put out by a computer. This we considered to be

A non explanatory answer, because we all know that a computer only puts out what is put into it. Another explanation was, 9-5 employees held the ideal shift, they work 9-5 Monday-Friday; This was unacceptable because several of us ~~had~~ are working 9-5 rotation. We are not suppose to work unsupervised, yet we are often left to work shifts alone.

The reclassification plan has created a problem where we do not have enough qualified staff to work in the cottages. When the cottages are operating short of staff, we are pulled from our regular shifts and placed where needed. This interferes with staff who find it necessary to work a second job in order to provide for their families.

The Youth Center has trainees enrolled in classes on campus & spending part of their training periods in the Cottages. They will be available for permanent Cottage assignments after completing three months of training. This has created a

problem for the trainees as well as the permanent cottage staff. Any employee on permanent status may be appointed to supervise and evaluate a trainee.

The problem with this is, the supervisor and trainee may be working different shifts or may not even be working in the same cottage. The appointed supervisor disagrees with this procedure because he feels it is impossible to supervise an individual you have no contact with, & unfair to evaluate based on hearsay. The trainee may be working in an open cottage & his supervisor in a closed cottage.

Some employees here are licensed Mental Health Technicians; having received their license prior to becoming employees at the Youth Center. The majority of them are female Youth Service Worker I's, & in addition to their regular duties they are given the responsibility of dispensing medication & charting meds. This ~~has~~ has created negative feelings among them for having additional responsibility & no compensation for it. The reclassification has taken away their feeling of wanting

to cooperate and give medication, and replaced it with a feeling of "not doing things you're not hired to do or compensated for doing."

The Cottage Directors are opposed to having to work with no limit of time put in, and no overtime. They are supposed to be able to take time off for any time over 40 hrs of work in a week and this was to be taken off within two weeks. How is this possible when the cottages are operating short of staff. They feel there should be a limit ~~to~~ on the number of hours they have to work without overtime pay.

Cottage Directors have also expressed concern about the alleged ten percent pay between open cottage staff and closed cottage staff. We used the term alleged because it is a fallacy. There is more than a ten percent difference in open & closed cottage salaries. How can it be justified to ~~pay~~ pay closed cottage staff more than open when the closed cottages are equipped with security rooms for

students who lose control. In an open cottage, staff has to use their verbal skills to get a student to settle down. There is no security rooms in open cottages.

Mr. Coldsnow I mentioned in our telephone conversation that we had written several letters to Governor Carlin regarding our concerns, and you requested me to send you copies of them. I regret not being able to find those copies to send to you. They were written immediately after the reclassification was implemented. We sent copies of each letter to Patrick Hurley, Peggy Shinn and Mr. Robert Harder. We received no acknowledgement from Governor Carlin as to having received them. We requested that he, or a representative for him, come to the Youth Center and call a meeting to listen to our concerns.

We look forward to appearing before your committee March 11, 1980.

Our thanks to you for being willing to listen to our concerns.

Sincerely,
Mrs. Evelyn Brown

POSITION DESCRIPTION

State of Kansas—Department of Administration
Division of Personnel Services

Class: Youth Service Worker
Agency No: 319
Position No: 60-70-11-020
Previous No: 60-70-11-020

Instructions: Use no more than one (1) additional sheet of bond paper for further describing the position and attach current organization chart. Show agency name, position number and duty number on additional sheet, if used. Make statements simple, brief, and complete. Form must be signed by supervisor and appointing authority.

Distribution: 1—Employee; 1—Supervisor; 1—Agency; 1—Division of Personnel Services (Original Copy)

PART I. Items 1-10 are to be completed by the supervisor or appointing authority.
Items 11, 12, 13 and 14 are to be completed by the appropriate personnel office

Present Class Title: Cottage Parent I

Proposed Title: Youth Service Worker II
Working Title: Youth Service Worker II

8. Check below
Full Time Perm. Inter.
Part Time Seasonal
9. Title of Supervisor: Youth Service Worker IV
10. No. of Supervisor's Position: 60-70-11-124

Budget Activity Number:
Agency Name and Number: Youth Center at Topeka 319
Division: Special Children's Service
Branch: Youth Service
Section: Kanza Cottage
City where position located: Topeka
County: Shawnee

Reserved for use by
Position Classifier

11. Allocation Reallocation
By Approval Supr Admin
12. Effective Date
13. Audited by Date
14. Inventory Record
Leg F.Y. Add Other

PART II. The position Supervisor or other designee of the Appointing Authority shall complete the remaining sections of the description using numbered statements and/or paragraphs in section B of Part II.

SECTION A: Position Purpose: 6:00 A.M. to 2:00 P.M.

Explain concisely why the duties and responsibilities assigned to this position are essential to agency operations
This is a paraprofessional youth service worker who has been trained to work in any type of cottage. Work is performed as a lead worker in a semi-closed cottage preparing residents for daily activities in an atmosphere that is conducive to therapeutic custody, care, education and to facilitate the treatment process. This staff is a crisis intervention specialist and is skilled in counseling youth with special behavioral problems. Prepares reports, provides safety and security as indicated.

SECTION B: Duties and Responsibilities:

Instructions: (1) Number each duty and indicate approximate percent of time spent on each major duty or group of duties. (2) Include specific data as to responsibility for direction of work of other employees; position numbers and class titles of employees supervised; degree of responsibility for funds or actions; decision making, and program and policy planning; nature, purpose, and level of contacts within and outside the agency. (3) Indicate how independently of supervision this position functions, or conversely, how closely and directly the position is supervised

Duty No. and
Percent of Time

Duties

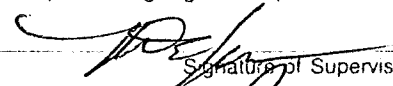
- 30% 1. Provides realistic approaches for youths regarding appropriate responses to situations and methods for solving problems. Serves as ongoing small group leader with an assigned group of youths in accordance with the program of scheduled activities. Each youth has specific behavioral goals and this staff counsels and instructs youth in groups of individually on matters concerning daily living skills, responsible behavior, personal hygiene and social skills.
 - 20% 2. Performs as a lead worker with a Youth Service Worker I. Prepares written reports, orders supplies, completes all log notes and daily reports, and assists Youth Service Worker I in writing reports such as AWOL Reports. Special Incident Reports (reports of any incident involving youth misconduct or incident between a youth and a staff member that may have serious medical-legal-administrative consequences or that endangers the safety or well-being of any student or staff member); must be completed on a timely basis. Observes and reports mental and physical condition of youth.
 - 25% 3. Follows Cottage Standard Operating Procedures, activities and routines assigned to this shift.
 - 10% 4. Inspects living units and reports conditions that might affect the health and safety of residents. Search for unauthorized items or contraband that might effect the safety or well-being of the youths. Know the whereabouts of all youths at all times and keep a close head count including frequently checking any youth deemed a special risk.
 - 5% 5. Oversees completion of shift log and informs on-coming staff of any health or behavioral problems or other pertinent cottage related information.
 - 5% 6. Confers as indicated with other disciplines regarding the process of students. Encourages good study habits and the completion of school assignments.
 - 5% 7. Attends in-service training and weekly individual supervisory meetings. Weekly staff meetings and daily informal conferences with supervisor are held to gauge the job performance and to keep Youth Service Worker II informed of procedure and policy of the Youth Center in addition to the Youth Center Policy Manual and state and federal regulations and statutes. May have occasional contact with parents of youth, law enforcement personnel and Youth Center administration personnel.
- Performs other related duties as assigned.


(Use additional sheet of bond paper if necessary)

SECTION C: MINIMUM QUALIFICATIONS: (Education and Experience, Certificates, Licenses, Degrees, Skills required)
Graduation from high school, completion of Youth Center Level II in-service training or approved comparable training, six months of experience in the care, education and treatment of delinquent and miscreant youths. Additional training or experience may be substituted for education or experience as needed.

SECTION D: CERTIFICATION:

I certify that this is an accurate non-fraudulent statement of the major duties and responsibilities of this position and its organizational relationships, and that this position is necessary to carry out the government functions for which I am responsible. (This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.)


Signature of Supervisor


Signature of Appointing Authority

8-20-79
Date

8-20-79
Date

PART III. Annual Position Audit or Review Dates: _____ Employee's Initials: _____ Supervisor's Initials: _____

STANDARD OPERATING PROCEDURES

Open

YSW II
6-2 shift

1. Starts to work at 6:00 a.m. and communicates with 11-7 staff
2. Reads communication log
3. Wakes students and prepares and supervises morning hygiene and room care
4. Makes medical observation and reports to nurse or doctor on duty
5. Prepares and escorts students to and from meals
6. Checks to see that all details are completed
7. Signs all point sheets for duties performed in cottage
8. Makes sure all students are ready for school schedule and leave on time
9. Conducts the cottage's low level program below Level 4
10. Responsible for escorting low leveling students
11. Between hours of 9:00 a.m. and 2:00p.m. staff is responsible for students' residential therapy on a regular basis, once a week and log each session in youths file
12. Transports students to off campus appointments
13. Picks up and dispenses all students' mail
14. Makes out students allowance
15. Responsible to attend all staff meetings on days scheduled to work
16. Responsible for supervising, instructing, and following through with youth on housekeeping activities
17. Summarizes shift in Communication Log and Youths' file before leaving duty
18. Room and personal property inspection and discussion as needed
19. Call in all maintenance repairs to maintenance department
20. Write progress notes on all students

POSITION DESCRIPTION

State of Kansas—Department of Administration
Division of Personnel Services

Class. Youth Service Worker
Agency No. 319
Position No. 60-70-11-244
Previous No. 60-70-11-244

Instructions: Use no more than one (1) additional sheet of bond paper for further describing the position and attach current organization chart. Show agency name, position number and duty number on additional sheet, if used. Make statements simple, brief, and complete. Form must be signed by supervisor and appointing authority.

Distribution: 1—Employee; 1—Supervisor; 1—Agency; 1—Division of Personnel Services (Original Copy)

PART I. Items 1-10 are to be completed by the supervisor or appointing authority.
Items 11, 12, 13 and 14 are to be completed by the appropriate personnel office.

1	Present Class Title: <u>Cottage Parent I</u>	8.	Check below: Full Time <input checked="" type="checkbox"/> Perm. <input checked="" type="checkbox"/> Inter. <input type="checkbox"/> Part Time <input type="checkbox"/> Seasonal <input type="checkbox"/>	
2	Proposed Title: <u>Youth Service Worker II</u>	9.	Title of Supervisor: <u>Youth Service Worker II</u>	
3	Working Title: <u>Youth Service Worker II</u>	10.	No. of Supervisor's Position: <u>60-70-11-266</u>	
4	Budget Activity Number:	11.	Allocation/Reallocation:	
5	Agency Name and Number: <u>Youth Center at Topeka 319</u>	Reserved for use by Position Classifier	By <input type="checkbox"/> Approval Supr: <input type="checkbox"/> Admin. <input type="checkbox"/>	
6	Division: <u>Special Children's Services</u>		12.	Effective Date:
7	Branch: <u>Youth Service</u>		13.	Audited by: _____ Date: _____
	Section: <u>Kanza Cottage</u>		14.	Inventory Record Leg. F.Y. <input type="checkbox"/> Add. <input type="checkbox"/> Other <input type="checkbox"/>
	City where position located: <u>Topeka</u>			
	County: <u>Shawnee</u>			

PART II. The position Supervisor or other designee of the Appointing Authority shall complete the remaining sections of the description using numbered statements and/or paragraphs in section B of Part II.

SECTION A: Position Purpose: 3:00 p.m. - 11:00 p.m.

Explain concisely why the duties and responsibilities assigned to this position are essential to agency operations.

This is a beginning paraprofessional youth service position in an open cottage working with delinquent and miscreant youths. This individual has continual daily contact with youth assigned to this cottage in effort to establish and maintain an atmosphere conducive to therapeutic custody, care, education and to facilitate the treatment process of delinquent youths. Work is supervised by higher level Youth Service Worker in providing counseling, directing daily activities of the youth and carrying out treatment plans. Receives training in preparing reports, providing security and resocialization of delinquent youth.

SECTION B: Duties and Responsibilities:

Instructions: (1) Number each duty and indicate approximate percent of time spent on each major duty or group of duties (2) Include specific data as to responsibility for direction of work of other employees; position numbers and class titles of employees supervised; degree of responsibility for funds or actions, decision making, and program and policy planning; nature, purpose, and level of contacts within and outside the agency. (3) Indicate how independently of supervision this position functions, or conversely, how closely and directly the position is supervised.

Job No. and
Percent of Time

Duties

- 30% 1. Leads and directs youth in individual or group activity both in and outside the cottage. Observes and monitors all activities of youth behavior. Responsible for recording all pertinent daily activities of youth in the daily log book. Must complete Special Incident Reports, (report of any incident involving student misconduct or incident between a student and staff member that may have serious medical-legal-administrative consequences or that endangers the safety or well-being of any student or staff member). Must judge and record behavioral incidents and apply the necessary disciplinary controls in the manner prescribed in case conferences and Youth Center Policy. Serves as a positive role model for identification. Instructs youth on daily living skills such as housekeeping and personal hygiene.
 - 20% 2. Assists in admitting and orienting new youth to cottage life, such as explaining staff functions, roles and authority, and touring the campus. At all times must know the whereabouts of youth. Must report a missing youth to supervisor and cottage committee, complete Absent Without Leave Report and will search for the youth on campus. When necessary may search quarters, property and person of youth for unauthorized materials in the youth's possession.
 - 25% 3. Follows Cottage Standard Operating Procedures, activities and routines assigned to this shift.
 - 10% 4. Daily inspects living unit to report on conditions affecting the health of resident fire protection and safety, to locate contraband and report critical conditions (either property or status of youth) to appropriate authorities. Takes precautionary measures with youth who exhibit special risks/needs (assaultive behavior, runaway, self-destructive, explosive, arsonists, etc.). Provides first aid emergency care and reports to medical staff and supervisor for further medical follow-up as required.
 - 10% 5. Communicates verbally and in writing with professional staff in evaluating, planning and implementing treatment programs for youth. Can assist in crisis intervention campus wide.
 - 5% 6. Attends in-service training and weekly individual counseling session. Weekly staff meeting and daily informal conferences with supervisor are held to gauge the job performances and to keep the Youth Service Worker I informed of procedure and policy of regulations and statutes. May have occasional contact with parents of youth, law enforcement personnel and Youth Center administration personnel.
- Performs other related duties as assigned.

(Use additional sheet of bond paper if necessary)

SECTION C: MINIMUM QUALIFICATIONS: (Education and Experience, Certificates, Licenses, Degrees, Skills required)
Graduation from high school, completion of Youth Center LEVEL II In-Service Training or approved comparable training, six months of experience in the care, education and treatment of delinquent miscreant youths. Additional training or experience may be substituted for education or experience as needed.

SECTION D: CERTIFICATION:

I certify that this is an accurate non-fraudulent statement of the major duties and responsibilities of this position and its organizational relationships, and that this position is necessary to carry out the government functions for which I am responsible. (This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.)

[Signature]

Signature of Supervisor

8-20-79

Date

[Signature]

Signature of Appointing Authority

8-20-79

Date

ART III. Annual Position Audit or Review Dates: _____

Employee's Initials: _____

Supervisor's Initials: _____

STANDARD OPERATING PROCEDURES

Open

YSW II
3-11 shift

1. Report to work at 3:00 p.m. and communicates with staff on duty and makes rounds to assure that all students are accounted for. Check all windows and doors for security.
2. Attends staff communication daily.
3. Will be a small group leader
4. Participates in all community meetings
5. Prepares student and escorts them to and from evening meal
6. Room and personal property inspection
7. Organize inside and outside activities in cottage area
8. Make sure all students who attend activities outside cottage area are properly signed out
9. Escort low levels to on campus activities
10. Supervises shower, details and snacks
11. Responsible for accurate laundry count that is to be sent out the following day.
12. Do necessary individual counseling or group counseling. Secure cottage by locking all doors and windows
13. Make a list of all maintenance repairs and place in the log
14. Prepare and supervise students for bed time
15. Make sure all students are in bed, lights out at 10:05 p.m., and makes rounds every 10 minutes until 11:00 p.m.
16. Make notes for communication in staff log
17. Write progress notes on all students
18. The YSW II is responsible, when working as control person, for decision making in the absence of YSW III.