

1-1-1982

Child advocacy agencies in state government : a case study and comparative analysis.

Mark Warren Segar

University of Massachusetts Amherst

Follow this and additional works at: https://scholarworks.umass.edu/dissertations_1

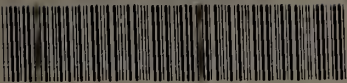
Recommended Citation

Segar, Mark Warren, "Child advocacy agencies in state government : a case study and comparative analysis." (1982). *Doctoral Dissertations 1896 - February 2014*. 3847.

https://scholarworks.umass.edu/dissertations_1/3847

This Open Access Dissertation is brought to you for free and open access by ScholarWorks@UMass Amherst. It has been accepted for inclusion in Doctoral Dissertations 1896 - February 2014 by an authorized administrator of ScholarWorks@UMass Amherst. For more information, please contact scholarworks@library.umass.edu.

UMASS/AMHERST



312066013594167

CHILD ADVOCACY AGENCIES IN STATE GOVERNMENT:

A Case Study and Comparative Analysis

A Dissertation Presented

By

MARK WARREN SEGAR

Submitted to the Graduate School of the
University of Massachusetts in partial fulfillment
of the requirements for the degree of

DOCTOR OF EDUCATION

February 1982

School of Education

©

Mark Warren Segar
All Rights Reserved

1982

CHILD ADVOCACY AGENCIES IN STATE GOVERNMENT:
A Case Study and Comparative Analysis

A Dissertation Presented

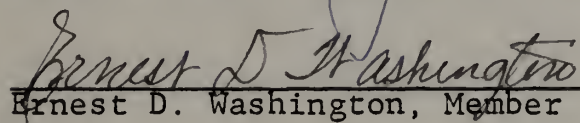
By

MARK WARREN SEGAR

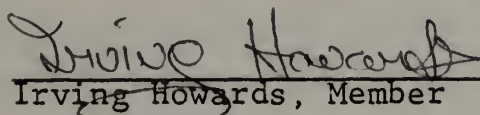
Approved as to style and content by:



David E. Day, Chairperson of the Committee



Ernest D. Washington, Member



Irving Howards, Member



Mario Fantini, Dean
School of Education

ACKNOWLEDGEMENTS

This study would not have been possible without the support of others. I want to express my appreciation to Dissertation Committee members Ernest Washington, who first encouraged me to enroll in the Policy Studies Cluster at the School of Education; Irving Howards, who introduced me to the concept of political culture; and especially David Day, whose patience and clear thinking sustained me for six years.

Bill Diepenbrock and John Tretton of the Administration for Children, Youth, and Families both offered advice and insights on advocacy projects in other states, not to mention the federal funds which supported the New Hampshire project. Talu Robertson and Judith Ryan, my employers in New Hampshire, were generous in affording me the flexibility to undertake this study. The members of the National Association of State Directors of Child Development, particularly Val Emerson, provided access to much of the data for the comparative portions of the research. Lynn Howell and Kim Stohrer turned illegible notes into typescript for early drafts. Ginger Reynolds prepared the finished copy.

Most importantly, Susan Metters provided the personal and professional example of unselfish commitment to chil-

dren which has given direction to my work, and meaning to my life. Any responsibility for errors in the present study is mine. Any credit, for whatever contributions this research may make to positive progress for children, is hers.

PREFACE

A Personal Preface. The study of state child advocacy agencies presented in the following research was undertaken in partial satisfaction of the requirements for the Doctorate in Education from the School of Education at the University of Massachusetts. It represents considerably more than that to me. I left Amherst in the spring of 1978 to accept a position as Executive Director of the New Hampshire Commission on Children and Youth, with the expressed intention of developing a child advocacy program in a state which had lagged far behind its neighbors in public commitment to the welfare and development of young children.

The decision to leave Amherst at that time was a difficult one. My comprehensive examination paper had focused, in part, on the often negative effects of pulling up roots for professional job transfers, and yet our own family was confronted with those very circumstances less than a semester after completion of comprehensive exams. My interest in the ways in which public institutions and their policies affect the private lives of young children and their families has been consistent and continuing, but it has been sustained at some personal cost.

My experiences in New Hampshire, which offered

the case study opportunity here reported, have combined great excitement with great frustration. Efforts to strengthen New Hampshire's commitment to children have gained support from the Federal government in the form of grants totaling more than a million dollars. In 1980 I served as Special Assistant to the Governor for Children and Youth Services to further develop the advocacy efforts in New Hampshire with newly acquired federal funds. A subsequent series of political thunderstorms clouded what had originally been clear and positive prospects, but real opportunities for progress remained.

More importantly, I became convinced of the importance of stepping back from this experience to incorporate it in dissertation research. The degree of distance which I have been able to obtain remains uncertain, for the study involves issues and activities in which I have played a part, and to which I bring a strong point of view. I believe that responsible researchers must make clear their own preconceptions and prevailing values from the outset, and I have adhered to that belief in working through the present study. It is important, however, to recognize the differences between a study and a story; the present research follows the format of the former.

Finally, I draw support for the structure and the

subject matter of this study from W.F. Dearborn's admonition to his student, Urie Bronfenbrenner: "If you want to understand something, try to change it."¹

¹Bronfenbrenner (1979), p. 37.

ABSTRACT

Child Advocacy Agencies in State Government:
A Case Study and Comparative Analysis

(February, 1982)

Mark Warren Segar

B.A., Harvard University,
Ed.D., University of Massachusetts

Directed by: Professor David E. Day

This is a developmental study of child advocacy agencies and programs within state governments in the United States. A case study of an advocacy project in New Hampshire between 1978 and 1981 is presented, together with comparative data and three case profiles of related efforts in other states. Research questions posed for both the comparative and case study portions of the study lead to the development of five hypotheses designed to guide future advocacy and research.

Two bodies of literature are reviewed: child advocacy literature and public policy analysis literature. Organizing concepts are derived from the review which indicate the very limited degree to which child development and early education information and attitudes have been applied within the public policy-making process at the level of state government in this country. Research questions are developed which address the particular

nature of advocacy programs for children which have been carried out under governmental auspices.

The study presents a research perspective grounded in the history of child care and early education policy in the United States, in which questions of economic impact and needs of the adult community have often played a more prominent part than child welfare and development concerns. An exploratory methodology is constructed to juxtapose the case analysis of New Hampshire with comparative review of other states' programs.

The comparative research examines programs funded at the state level with federal support which was originally developed for the Community Coordinated Child Care (4-C's) program. The case study addresses five research categories: 1) political and social policy contexts, 2) the history of prior advocacy efforts, 3) the fund-raising phase of the study period, 4) disputes over the control and direction of the advocacy project, and 5) legislative advocacy activities during the study period, in which legislation proposing the creation of a consolidated state Office for Children and Youth was introduced unsuccessfully in the 1981 session of the New Hampshire state legislature.

Analysis of the data is presented for three research questions in the comparative section, and four research

questions for the case study. Conclusions offered deal with the appropriate relationship between policy analysis and child advocacy strategy.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	iv
PREFACE	vi
ABSTRACT	ix
Chapter	
I. INTRODUCTION TO THE STUDY	1
Viewpoint	1
Purpose and Objectives	2
Organization of the Study	4
Literature review	4
Child care policy	5
Research methodology	6
Comparative research	6
Case study	7
Analysis of the study	8
II. LITERATURE REVIEW: CHILD ADVOCACY AND PUBLIC POLICY	10
Child Advocacy Literature	11
Consumer advocacy	15
Consumer action	15
Mediation	17
Legal advocacy	17
Case and class	18
Operational advocacy	20
Administrative advocacy	24
State level advocacy	27
Public Policy Analysis Literature	28
Policy actions	30
Contents and contexts	33
Distinguishing analysis of/for policy	35
Descriptive vs. prescriptive	38
Policy analysis and analysts' values	40
Summary	48
III. CHILD CARE POLICY - AN ADVOCACY PERSPECTIVE	50
Historical Development	52
Standards for care	53
New interest in the children	55
Early programs	56

Governmental involvement	57
Nursery schools	61
Work and depression	63
Recent Analysis	67
Summary	73
1. Policy orientation toward adults	73
2. Child care policy as responsive to economic change	73
3. Child care policy as investment in children	73
IV. METHODOLOGY FOR RESEARCH AND ANALYSIS	75
Introduction	75
Research focus	76
Data sources	79
Purpose and Objectives	80
Key informants	81
Rationale for Research Design	82
Constraints	83
Case Study Site Selection	85
Selection of Programs for Comparative Study	86
Initial survey	88
Comparative review	88
Purpose	90
Selection criteria	91
Case Study in Comparative Context	93
Analytic Perspective	98
Methodology and the role of analysts/ advocates	99
Precise measurement units are lacking	100
Individual values and social concerns	102
Strategic Potential of Research	102
Research variables revisited	105
Viewpoints	106
Interdisciplinary Research	108
Summary	109
V. COMPARATIVE STUDY: SURVEYS AND CASES	111
Comparative Survey	111
National survey data	111
Survey of state advocacy statutes	115
Capacity-Building Projects: Federal	120
Interest in State Level Advocacy	125
Comparative Case Profiles	125
Hawaii	125
Alaska	128

Virginia	130
Distinguishing features	133
Budget review	134
Program monitoring and evaluation	134
Interagency authority	135
Summary	138
VI. CHILD ADVOCACY CASE STUDY OF NEW HAMPSHIRE: BOOTSTRAPS FOR THE BAREFOOT	140
Introduction	140
Contexts for Advocacy - A Unique Political Culture	142
Political culture	142
Legislature	142
Executive branch	142
Local government	144
Finances	144
Recent growth	145
Political culture	146
Child development, early education, and youth services	148
Status of political forum for advocacy	153
Prior Advocacy Efforts in New Hampshire	154
Summary Chronology	158
Fund-raising for the advocacy project	158
Disputes over control	159
Legislative advocacy begins	161
Getting Started	162
Finding funds and facing election	162
Political judgments and false assumptions	165
Double your money	167
Kierkegaard and kids	169
Disputes Over Control	170
Checking the fine print	170
Fiscal committee	171
Executive Council	173
Out of the frying pan	175
Your place or mine?	176
Split decision	178
Still moving	178
Advocacy Activities Begin	179
Legislation	181
Clash of the Titans	183
VII. ANALYSIS	186
Comparative Research	186

1. What role have child advocates played in state governments?	186
2. What are the common features of State Capacity-Building Programs?.	188
3. To what extent can key variables be identified in the design and operation of advocacy agencies within state government which influence specific outcomes	188
Profile of participants	193
Scope of advocacy proposals	194
Alliances	195
Case Study	198
1. What advocacy strategies were employed in the New Hampshire project?	198
2. How were the policy issues addressed perceived by different interest groups?	201
3. What factors influenced the direction and the results of the New Hampshire advocacy project?	210
Political disputes	210
Timing	211
Finances	212
Federal policy	212
Turf	213
Lack of a positively oriented constituency	213
Political culture	214
4. How did the interplay between child development advocates and policy-makers compare to similar experiences in other state programs?	215
VIII. CONCLUSION	217
Different Decisions	217
Role for Analysis	218
Strategy for Advocates	219
Hypotheses for Further Research	220
A Final Comment	222
BIBLIOGRAPHY	223
APPENDICES\$	241

LIST OF TABLES

1.	Approaches to Advocacy	19
2.	Comparative Research Matrix	77
3.	Case Study Research Matrix	78
4.	State Advocacy Agency Mandates Compared to All Advocacy Activity Identified in Federal Review - 1975	114
5.	Federally Funded Capacity-Building Projects: Planning Activity Matrix	121
6.	Per Capita State and Local (combined) Expenditures for Selected Services	145
7.	Capacity of Licensed New Hampshire Day Care Facilities: 1970-1978	150
8.	Effects of Alternative Day Care Policies on Six Criteria: A Decision Matrix	191

LIST OF FIGURES

1. Frequency Distribution of Functional
Responsibilities Found in State Child
Advocacy Statutes 118

C H A P T E R I
INTRODUCTION TO THE STUDY

This is a developmental study of child advocacy agencies and programs within state governments in the United States. A case study of advocacy efforts in New Hampshire is presented in comparison with related events in other states. A review of the literature indicates that studies of advocacy programs for children within state government are lacking. Such a study should contribute to knowledge about the impact of alternative public policy-making processes and agency mandates on child development programs and services in this country.

The goal of the research is to develop hypotheses about appropriate and effective methods for developing and implementing child advocacy programs within state government. A case study and comparative analysis methodology is employed to generate propositions which may serve to guide and inform child advocacy practitioners or research studies in the future.

Viewpoint

The author's personal and professional interest in child advocacy derives from a firm belief that children deserve the best that society has to offer: that all children have a right to a secure, safe, happy and loving

environment, to the company of their peers, to unconditional love from their families; and that these rights must be protected if children are to grow up to be adults who are strong enough to take the risks that come with investing love in others, and to reach their fullest individual potential for participating in our society. It is this writer's personal belief that we as adult members of society have a collective responsibility for the physical, intellectual, and emotional welfare of all our children. If government in some sense is the vehicle for articulating a society's collective sense of responsibility, for acting on values held in common, then it is an appropriate forum for child advocates.

Children need advocates in politics, as well as in the whole process of social change. There should be a sense of urgency about such advocacy; because the political process can be so lengthy, and childhood is so short.

Purpose and Objectives

This study is intended to explore the nature of child advocacy efforts which have been conducted within the confines of state government. Political discussions in 1981 are characterized by a new emphasis on the role of state governments in developing public policies,

and delivering public services.¹ To the extent that programs and priorities for children may be affected by such a shift, the outcomes of advocacy undertaken at the state level will be increasingly important.

Hypotheses about effective advocacy strategies are drawn from case study and comparative analysis to provide direction for future research, and to serve as a guide to action for child advocacy practitioners. The study acknowledges the difficulty of constructing statements with general implications, in view of the significant differences among states which result from political and economic change, diverse cultural backgrounds and governmental structures. It is hoped that the New Hampshire case history itself may inform future efforts by presenting the salient issues which arose during the study period, regardless of the applicability of the tentative hypotheses developed.

Research objectives for the present study are primarily descriptive. Literature review suggests that

¹The administration of President Ronald Reagan typified this shift in proposing block grants to states instead of categorical social service programs, and in reducing federal expenditures for social services. Indicative of the impact on children, perhaps the most prominent direct federal program for children (Project Head Start) was to have been exempt from these changes. Yet before the Congress had completed action on the 1981 appropriations bill, the Office of Management and Budget was pushing for inclusion of Head Start in a Community Services Block Grant (Washington Post, December 11, 1981).

there has been little systematic study of the application of child care and early education knowledge and perspective to the policy-making process in state government. The present research attempts to illuminate a portion of such activity by focusing on federally funded child advocacy programs carried out within state agencies. Research objectives are constructed in order to:

- a) Describe the nature of state-sponsored child advocacy programs.
- b) Identify similarities and differences among such programs.
- c) Conduct in-depth research on the development of a state government child advocacy project at a single site (New Hampshire).
- d) Identify tentative hypotheses about the role of child advocacy within the public policy making process at the state level.²

Organization of the Study

Literature review. Two categories of literature are reviewed in Chapter II. Literature in the field of child advocacy is reviewed for the purpose of describing previous

²The study may be thought of as action research involving description and analysis of an on-going project. The Vail Conference on Professional Psychology has stressed such an approach as a valid research alternative. Ivey, A. (undated).

efforts, and to identify operational concepts for conducting the present research. These concepts include case and class advocacy, consumer action, legal, operational, and administrative advocacy. Public policy analysis literature is also reviewed as it contributes to an understanding of case study and comparative materials presented. The public policy analysis section includes treatment of studies which have been concerned with the role which individual values or beliefs play in the analytical process, in order to address distinctions and connections between the advocacy and analytic functions which were mingled in the New Hampshire project reported in the case study portion of this research.

Child care policy. Chapter III discusses the child care and early education concerns which formed the original subject matter for the advocacy project in New Hampshire, and for many of the state projects reported in the comparative review as well. This is an area where significant public policy analysis has been conducted in recent years, most of which has been directed toward decisions made at the federal level.³

³See for example Ruopp et al. (1979), Clarke-Stewart (1977), Haskins and Gallagher (1980), and Woolsey (1977).

Research methodology. The methodological procedures for research and analysis are discussed in Chapter IV. The chapter outlines the exploratory approach employed, and the data sources developed. Research questions and data sources are juxtaposed in a matrix which distinguishes the approaches to the comparative and case portions of the study.

The methodology section also details constraints which delimit the study, primarily the exclusion of child advocacy programs not housed within state governmental structures. The strategic potential of the research is discussed, together with a further treatment of the issues of perspective raised in the review of public policy analysis literature.

Comparative research. The New Hampshire project presented in the case study section was supported by federal funds from the Administration for Children, Youth and Families, formerly the Office for Child Development. These funds were part of the State Capacity Building program which grew out of O.C.D.'s Community Coordinated Child Care (4-C's) program. The experience of other state projects with similar sponsorship is summarized to provide comparative context for analysis of the New Hampshire case. More detailed reports of three such projects (in Alaska, Virginia, and Hawaii) illustrate the range of

policy outcomes characteristic of the states surveyed.

Survey data are also presented for states which established child advocacy committees or agencies by statute. The statutory mandates of these programs provide a composite picture of typical advocacy activities undertaken by governmental groups.

Case study. Chapter VI describes the origins and development of a child advocacy project in the state of New Hampshire between 1978 and 1981. The chapter is divided into five sections which describe:

- a) the political and social policy contexts for the New Hampshire project
- b) objectives of prior advocacy efforts in the state
- c) the process of raising funds for the project
- d) political disputes over control of the advocacy project and its staff
- e) the advocacy activities, both legislative and administrative, which took place during the study period.

The advocacy project in New Hampshire generated a remarkable level of political disagreement. Funds from children and youth agencies in the Department of Health and Human Services and the Department of Justice were first used to establish an advocacy project within the Office of the Governor. A subsequent Supreme Court ruling

resulted in removal of project personnel from the Governor's personal staff. Legislation was eventually developed to establish a permanent state Office for Children and Youth. The proposal was passed by the New Hampshire House of Representatives, but the State Senate postponed action until 1983, effectively ending the legislative advocacy effort during the period under study.

Chapter VI develops the major operational and policy components of the case study project, and details the degree to which the project was substantially diverted from its child development origins. The implications of the case, and comparison to experiences in other states, are presented in Chapter VII.

Analysis of the study. Analysis, conclusions and implications for further research are included in the final two chapters of the study. Chapter VII presents an analysis of both the comparative and case study portions of the research. Chapter VII presents tentative hypotheses derived from the exploratory research, offers recommendations as a guide to action for practitioners, and suggests needs for future scholarly inquiry.

Remaining portions of the document append additional relevant materials and sources referenced in the text. In summary, it may be said that the present research is organized around case study materials, and is designed for

the dual purposes of describing data and care observations within an analytic framework, and generating hypotheses about efficacious advocacy approaches to child development issues at the state level which may help to identify questions for further research.

C H A P T E R I I

LITERATURE REVIEW - CHILD ADVOCACY AND PUBLIC POLICY ANALYSIS

Two bodies of literature are reviewed for this study; child advocacy literature, and relevant studies in public policy analysis. Literature dealing with the operation and evaluation of child advocacy programs which currently exist in state governments is discussed only briefly. Analysis and content comparison of primary source material available in this category will comprise a portion of the comparative research presented in Chapter Five.

The present research focuses on child advocacy programs within state government, particularly on a case study of New Hampshire between 1978 and 1981. There is a need for general understanding of recent child advocacy activity in the United States in order to place the case study portion of the research in an appropriate context. The literature review identifies five organizing concepts for child advocacy: consumer (action, representation), mediation, legal (case and class), operational, and administrative.

The review suggests that interest in child advocacy has been more tactical than theoretical; that analyses of alternative advocacy strategies have been more common than efforts to construct theoretical frameworks.

Public policy analysis literature is reviewed somewhat more briefly in an effort to understand the particular atmosphere of advocacy efforts conducted within state government at the policy-making level. The child advocacy literature alone is insufficient as context for the present study, because the greater portion of such activity has been conducted outside the confines of state government.

It will be argued in this study that child development professionals must apply their expertise, their experience, and their values in political settings if public policies in this country are to have more positive impacts on the welfare and development of young people. An understanding of how public policy is made and influenced is necessary if such "applied science" is to take place. The policy analysis review will also be used to analyze the decisions that were actually made during the case study period in New Hampshire. Five organizing categories are presented in the public policy analysis section of the literature review: policy actions, contents/contexts, of/for distinctions, descriptives vs. prescriptives, and values.

Child Advocacy Literature

Political slogans suggest much about scale of interest, and the scope of literature available for review

and pertinent to the present study. Political rhetoric in the early 1980's decries intrusive public policies of government grown too big, and calls for reforms to remove government programs and regulations from private family and business matters. In keeping with this trend, public sponsorship of advocacy programs is limited, and lessening.

The period between 1960 and 1975, conversely, was a time when expectations for government were higher: to set higher standards for public programs, to allocate additional resources for the needy, to extend new opportunities to the disadvantaged. Interest in public sponsorship of advocacy programs to benefit children and youth burgeoned during this period. Academic research in child advocacy lagged somewhat behind developing policy concerns for children and youth. The following literature review suggests a pattern of after-the-fact research, of a literature becoming rich enough to sustain serious analysis only after a significant amount of actual advocacy activity in the public sector had already been undertaken. More importantly, it will be suggested that interest in advocacy is not reflected in the research literature until after the political climate which was supportive of advocacy activity had already begun to shift toward today's significantly less hospitable atmosphere. Hypotheses tested in different times may have limited validity in present contexts.

Bronfenbrenner (1971) summarizes a prevailing attitude toward advocacy for children in a country where self-reliance and individual effort have been the values which shaped much of our social policy. He comments that children cannot pull themselves up by their bootstraps. The concept of child advocacy has developed into a focused set of activities and ideas only in the last twenty years. Its historical antecedents include the whole range of social welfare movements and child protection reforms that have characterized western society's increasing willingness to move away from a legal attitude toward children as the chattels of their parents, as personal property over whom parents had absolute authority. Children's rights have been recognized in child labor laws, court decisions about equal educational opportunity and juvenile justice procedures, and public policies for child abuse and neglect proceedings and termination of parental rights, yet the common law heritage of Great Britain and her colonies continues to influence present day attitudes in the United States.¹

Child advocacy (much like policy analysis, unfortunately remains a difficult category to define. Two major

¹Newspaper and television coverage of the Gallison (child abuse) case in Massachusetts is an example which became an advocacy springboard for reform of protective service policies. Source: K. Hunt, New England Resource Center for Child Abuse and Neglect. Personal Interview, 3/12/79.

policy reviews of children's services conducted in the 1970's made major recommendations about the need for child advocacy. Both the 1970 White House Conference on Children and the Report of the Joint Commission on Mental Health of Children are regularly cited as contributing to recent interest in an support of child advocacy activities in the public sector (Kahn et al. 1973, Solnit 1977, Westman 1979).

Other evaluations of these public efforts are quite harsh. Reviewing the advocacy statements published by both groups, Steiner (1976) laconically suggests that, "If invention of as amorphous a concept as child advocacy must stand as the principle contribution of either, . . . neither can expect immortality."

Kahn and his collaborators undertook the most comprehensive review of child advocacy activities yet published (Kahn, Kamerman and McGowan 1973). The authors trace the roots of the child advocacy movement to the hospitable period of reform in the 1960's, during which the advocacy concept was attractive in its particular mixture of promising necessary social change without being very specific or technical. Kahn et al. identify the same amorphous quality criticized by Steiner as one of the reasons for the rapid growth and popularity of the child advocacy movement, offering a description of child advocacy as representing a kind of "social venture capital." Recognizing the lack of clarity, the Kahn study was designed

to develop organizing concepts for the field. Child advocacy is distinguished from the field of children's services in general by its focus on accountability, and on rights. The authors maintain that this particular focus is retained regardless of differing targets or methods of advocates in pursuit of reform.

Consumer advocacy. Consumer advocacy as typified by the work of Ralph Nader is one of the organizing categories presented. Interest groups formed around specific and often limited issues with notable success, and this strategy has been adopted as tactically advantageous by Edelman (1975).

Consumer action. A prevalent type in the literature follows the consumer advocacy model and is labelled variously as handbook, guidebook, or workbook. These are hand-on guides for those already at the point of seeking effective tactics to achieve identified objectives (Jewett 1978, Dow 1978, Diamond 1979). Common components of such manuals are outlines of the legislative process, goal-setting suggestions and formulae for contacting key decision-makers (Dickman 1972, Addison 1976, Beck 1979). An appropriate heading for activities guided by such materials would be consumer action advocacy, since all involve citizen groups coming together to work toward goals which are determined by their own immediate interests or

needs. They have a self help flavor.

Consumer representation. The consumer advocacy concept in Kahn et al. (1973) covers an additional form which might be headed consumer representation advocacy. These projects are at least a step removed from the more direct approaches of consumer groups acting on their own behalf. Typical among such efforts have been the projects sponsored by the Children's Defense Fund, advocating changes based on independently conducted research and analysis on topics such as child health, juvenile justice, and day care (Children's Defense Fund 1979, Steiner 1976). Sheehan's (1976) study of services to children in Massachusetts followed a similar format while enjoying sponsorship from within government. The Children's Puzzle was commissioned by the Commonwealth's House Ways and Means Committee for use in planning governmental reorganization, and was funded in part by private foundation grants. One might consider the legislature itself as the consumer being represented in this case, since the legislature in effect consumes services provided by the executive departments of state government which were the subject of the study. It might be more appropriate, however, to consider this study under the operational or administrative advocacy headings presented below.

A number of publications of the Massachusetts Advocacy Center, most recently dealing with secure

detention of juvenile offenders (Vorenberg 1980) are in the same mode as Children's Defense Fund studies.

Related literature presented from a more academic perspective has dealt with child health (Silver 1978), children in the family (Keniston 1977), preschool education and day care (Fraiberg 1977, Moore and Moore 1977).

Mediation. Advocacy literature dealing with institutionalized populations contributes several key concepts to the child advocacy field. One of these is the concept of advocacy as mediation, rather than the more adversarial advocacy reflected in lawsuits and legal proceedings. The Council of State Governments sponsored a comparative review of mental health services in Maine and corrections programs in Connecticut (Kessler and Tag 1977). Kessler and Tag portray advocacy for the institutionalized as developing from the Scandinavian concept of an ombudsman mediating between state and citizen, and representing both sides. Weisberg (1978) reports similar developments in state advocacy systems for the developmentally disabled. The ombudsman function in child advocacy programs within state government will be detailed in the comparative analysis section of the case study portion of the present research.

Legal advocacy. The legal advocacy category presented in Kahn's framework is also discussed by Haggerty in analysis of class action suits for the educational rights of

retarded children (Haggerty in Addison 1976). Efforts to expand the range of the legally guaranteed rights of children are the most common features of legal advocacy projects. The equal educational opportunity issue ruled on by the United States Supreme Court in Brown v. Board of Education (1954) is perhaps the most far-reaching such case in terms of consequences for public policy. Other major cases have extended due process rights to young people in juvenile court proceedings (Kent v. U.S. 1966, In re Gault 1967), established specific guarantee to parents before state agencies can remove children from their homes or terminate parental rights (Stanley v. Illinois 1973), and resolved litigation of any number of questions about access to special education services or other programs governed by public policy.

Case and class. As with most forms of child advocacy, legal efforts have adopted both case and class advocacy strategies. Comparing the two approaches, Westman (1979) suggests that class advocacy for children provides the social matrix within which it becomes possible to undertake individual case advocacy efforts. One catalogue of roles of case and class advocates which suggests the variety of possibilities in approaching issues offers evocative terminology.

TABLE 1
 APPROACHES TO ADVOCACY*

<u>Case Advocacy</u>	<u>Class Advocacy</u>
citizen advocacy	legislative
ombudsman	community organizing
legal advocacy	program brokerage
case management	protective
protective services	consumer action

*Source: Moore, in Dow 1978.

Guardian ad litem programs are a notable example of advocacy programs established as ongoing mechanisms in response to more than one of the above approaches. Court-ordered consent decrees (Maine, Pennsylvania) as well as legislation (New Hampshire) have created guardian ad litem programs to provide independent representation for the interests of children in such situations as contested child custody in divorce proceedings.

Westman's (1979) presentation of case and class advocacy methods shares with Kahn the view of child advocacy as a powerful but elusive concept, one which is not readily fitted to catalogues such as Moore's. Westman's description of child advocacy techniques includes strategies whose appropriateness depends upon both the case level (primary, secondary, or tertiary care called for) and the child caring system (social service, educational or medical) involved. Westman's thesis that advocacy strategies should derive from an awareness of the develop-

mental needs of children, and that public policy is guided by larger social policies which articulate "a society's wishes for itself," helps account for some of the failures evident in the history of child advocacy which have not accounted for policy inbeddedness or adequately been grounded in a developmental perspective.²

Operational advocacy. Hobbs' report for the Project on Classification of Exceptional Children (1976) has become a baseline work in considering education and services for children with special needs. The author introduces another important category for this review: child advocacy within the public sector. Hobbs recommends that public schools become advocates for individual children with special needs. Such an approach is typified in mental health literature as operational advocacy focusing on ease of access to appropriate services at the local level (Berlin 1975).

Operational advocacy theorists identify a number of problems in children's service delivery systems to be addressed from within the system itself: provider-dominated planning, crisis-oriented services, inadequate monitoring and evaluation are commonly cited (Lourie 1975, Blum 1980, Mudd 1980). A major study of child advocacy

²Ibid., p. 140.

within the public sector describes advocacy as a balancing concept which is required by the presence of the system itself (Paul, Neufeld, and Pelosi 1977). Operational advocacy, it is argued, can serve to protect the child against systems that favor the interests of the system at the expense of the child.

Reviewing several of the advocacy categories already described, Paul and his collaborators present advocacy as able to articulate values in a central role, even though they defy measurement and scientific observation. Paul argues that legislation cannot coerce commitment to children, and that society's laws are only beginning to reflect its creeds. The framework which Paul presents supports the ecological approach of Bronfenbrenner. Too much public policy for children is based on assumptions that the trouble is the child, according to Paul, without taking the ecology of child development into account. The authors present intra-system advocacy designs for community, institutional, and school-based programs as well as legislatively mandated advocacy systems at the state government level with the potential to direct, monitor, and promote improvement in the service delivery bureaucracy.

Action strategies and operational features for such advocacy are discussed.³ The system must be invested with

³Ibid., pp. 104-6.

the administrative authority to implement its mandated responsibilities, but must also fit in as a component of the service system which it is intended to improve. The advocate working on the inside must maintain a delicate political and organizational balance.

Such advocacy programs are frequently housed in Governor's Committees for Children and Youth, or other groups with similar titles. Such programs will be reviewed in detail in the comparative analysis section in Chapter Five.

It is sometimes difficult to distinguish child advocacy programs inside government from children's services generally. Agency administrators think of themselves as "advocates." An example in the literature is the listing of national advocacy resources published by the Children's Bureau's National Center for Child Advocacy (DHEW 1976). This catalogue appears to amalgamate whatever programs the researchers could find, many of which were funded by O.C.D. It includes everything from state Departments of Education to neighborhood storefront coalitions without any systematic attempt to distinguish categories or functions.

As noted earlier, Kahn, Kamerman, and McGowan (1973) attempt to clarify such confusion by emphasizing the particular preoccupations with children's rights and public accountability of true child advocacy programs.

Advocacy is not defined by its particular topical target, they suggest, nor by the vehicle chosen for presenting a case, but rather by its consistent focus on specific needs and rights of children. The authors view child advocacy as a necessary function in a public policy-making system which relies on checks and balances. They recommend institutionalized support for children's rights litigation, a biennial "state-of-the-child" inventory, and a federal child advocacy agency as intra-governmental advocacy efforts which could improve child welfare policies and services.

The recommendations of Kahn and his collaborators contrast markedly with Steiner's negative assessment of advocacy and policy initiatives for children in this century (Steiner 1976).⁴ Steiner has recently commented further on why positive children's policy has seemed so hard to accomplish through advocacy (Steiner 1980). Philosophical ambivalence, federalism, and political processes are among the factors identified.

Steiner suggests that too little attention is paid to the peculiarities of the structural forces which bear on policy-making for children, the specific missions and methods of legislative committees, administrative agencies,

⁴Steiner cites as exceptions the early days of the Children's Bureau inside government, the Keyserling "Windows on Day Care" report outside. 1976.

and special interest groups. He sees advocacy failure deriving in part from too all-encompassing agendas, and suggests that advocacy in categorical rather than comprehensive causes may be more appropriate and effective.

Other commentators also offer specific strategies and tactics to would-be child advocates. The broad and comprehensive approaches recommended by Kahn, Sugarman and others in the early 1970's have gradually given way to less elaborate expectations, with increasing evidence on fact-gathering (Vorenberg 1980) and focused negotiation, and less emphasis on major legislative initiatives and public child advocacy centers (Wooden 1976).

Administrative advocacy. Edelman (1973) uses a case study of the Massachusetts Task Force on Children Out of School to discuss advocacy tactics. As Steiner lamented the "degradation of bureaucratic spokesman for the children's cause" by advocates over-emphasizing of legislative activity, Edelman expresses similar regret about the relative newness of what he labels administrative advocacy. Unlike the civil rights movement or the advocacy coalition built around the Mondale/Brademas comprehensive child care legislation of the early 1970's, administrative advocacy is concerned with such 'mundane' issues as promulgation of regulations, contracting and purchase of service policies, and program administrative procedures.

The most important generalization is that the effort to achieve social change for children has been hampered by a serious imbalance: too often the talk is about ends, with scant attention given to means.⁵

The process of advocacy through administrative negotiation is one of the most overlooked vantage points for advocates, in Edelman's view. Like Edelman, Perez (1980) recognizes that change usually results only from interaction among several such viewpoints. In developing a policy agenda for social change advocates, Perez asserts that groups trying to provide policy guidance must combine accurate information with effective communication and political sophistication.

That children's needs have not been considered until adult needs have been met is an assertion supported by Westman with evidence from the self-centeredness of the 'me-generation'. The child care policy chapter of the present study suggests that policy for day care in the United States has similarly developed in response to adult needs (employment, economic or military crises) rather than children's needs.

Central to most understanding of the lack of effective child advocacy efforts in the political policy-making arena is the fact that children have had no voice in social policy-determining processes. Senior citizen advocacy

⁵Edelman, P. (1973), p. 652.

groups like the Grey Panthers represent a voting constituency. Their advocacy has a self-help flavor. Children have had to depend upon surrogate advocates to represent them, and the political system has been predictably unresponsive.

This theme has been elaborated in an analysis of the increasing competition from handicapped, women's and aged advocacy groups for public attention to children's policy questions (Steiner 1980). Women and senior citizens (grandparents) historically served as advocates for children; lately that advocacy potential has been turned toward issues of their own. Related developments in fore-stalling retirement age and increasing female participation in the world of work outside the home have placed new strain on traditional child care-taking systems. Noshpitz (1974) calls for a social policy for children based on the organizing principle of conserving developmental potential. Such conservation is made difficult by present social policy and demographic trends which have eroded the rationales on which much earlier policy decisions were based.

Noshpitz suggests four classes of objectives for child advocacy efforts: conserving child care systems, providing support systems for children and families, supporting individual differences in children, and protecting children from the impact of economic

stress.⁶ Specific policy recommendations focused on similar objectives are presented in the Carnegie Council on Children's Report on All Our Children: The American Family Under Pressure (Keniston 1977).⁷ Other studies which articulate advocacy strategies from a developmental and ecological perspective include Hobbs (1976) and Bronfenbrenner (1979) on a more theoretical level.

State level advocacy. The barriers to broad-scale advocacy raised by federalism are discussed by Haas (1975). She proposed a shift of emphasis to advocacy at the state level because most services are provided, and funds expended and administered through state and local agencies. Children's mental health literature focuses on advocacy based in even more local units: families. (Solnit 1977, Rainsberry 1977). Parents' advocacy rights were historically connected with the absolute power accorded to parents over children in English Common Law.

The context for the case study portion of the present research is suggested by remarks of the Speaker of the Maine House of Representatives, who told a gathering of child advocates that,

It is all too easy for you to get carried away in your own emotional concern for your particular

⁶Ibid., pp. 385-401.

⁷Keniston (1977). See particularly pp. 214-22.

program and to subconsciously transfer that involvement to every legislator you meet, only to find out too late that his or her commitment was all in your mind. For while human services people may tend to see everything as interrelated, politicians tend to view the immediate crisis before them and to put off other matters until they become pressing . . . I cannot emphasize enough that people in your vocation do not make sufficient use of the political process.⁸

Martin argues for the possibility of successful advocacy at the level of state government, but suggests that advocates have lacked an understanding of the political process. The review of public policy analysis literature presented in the next section is intended as a first step toward constructing such an understanding.

Public Policy Analysis Literature

Two Yankees won a raffle at the county fair. Their prize was a ride in a hot air balloon. The balloon was blown off-course, and the passengers became disoriented. Descending, they saw a man working in a field. "Where are we?," called the first balloonist. "You're up in a balloon!," the man replied.

Reflecting on this exchange, the first balloonist referred to the man in the field as a farmer. He's not a farmer," said the second balloonist, "he's a policy

⁸Martin (1977), pp. 122-132.

analyst."⁹

This story illustrates a central problem in public policy analysis. Information presented may be correct, but off the point. It may not solve the problem which first provoked the request for information. It may be irrelevant or unappealing to the decision-maker's viewpoint. Each of the above found illustration in the New Hampshire case. The literature reviewed for this study includes policy analyses in order to provide focused concepts for the public policy-oriented activities within state government which are the subject of this study.

The staff of the New Hampshire child advocacy project reported in the case study portion of the present research assumed roles as public policy analysts during much of the period under study. Some of this work was carried out in response to citizen concerns, some at the request of elected officials, some on the basis of the staff's own judgment about children's needs and priorities.

Few of the staff were trained in public policy analysis. Rather, most were child development or social service professionals who saw their role as advocates, and who brought a strong and consistent point of view to their

⁹From a story told by S. Johnson, Chief of Staff for the Senate Subcommittee on Child Development, at the 1981 meeting of the Society for Research in Child Development, Boston, Massachusetts.

work. The orientations of political scientists toward public policy analysis reported in this review is often at odds with the New Hampshire approach. Policy analysis is seen as a developing discipline unto itself, ranging across diverse subject matters.

The New Hampshire Project was premised on a commitment to extend a child development point of view beyond traditional academic contexts. Some understanding of the world of public policy in which the project operated is necessary to present the case study in perspective. The literature review which follows, and the comparative survey of other state efforts in Chapter Four, contribute to such a perspective.

The theoretical literature on models for policy analysis which view policy alternately as system outputs, elite preferences, goal achievement, incremental change and the like is not considered in detail except as it may inform a specific example of research on reforms in child development policies and programs. Dye's (1975) basic text offers a useful introductory overview of such models.

Policy actions. The present study is concerned with what Wildavsky (1979) calls policy actions, specifically change or reform efforts in child welfare and development policies. Much of the literature on policy analysis derives from a

traditional political science approach to research in government. This literature is concerned primarily with the process of politics (Lindblom 1968, Dye 1976).

Meyerson and Banfield's case study defines politics itself as a policy-making process (Meyerson and Banfield 1955).

Some authors offer a narrower construction of "policy," distinguishing goals or aims of public programs from policies which guide systematic efforts to realize goals. This limited conception of public policy as rules is treated at length in Rich's (1974) study of educational policy. The avenues for policy-making are generally seen as the branches of government: legislatures, executive departments and courts (Jacob and Vines 1971).

One study of the growing interest in applying policy analysis technique to social issues such as child development and early education (Haskins 1980) proposes a synthesis of political science definitions (Rein 1976, Macrae and Wilde 1979) to view policy analysis as a process for selecting the best policy from a group of alternatives, through the use of scientific evidence and logical reasoning. Such approaches are the norm in policy analysis models found in the literature.

Some authors question the utility of these approaches. In a Chinese encyclopedia invented by the poet Jorges Borges, animals are categorized as follows:

- a) belonging to the Emperor
- b) embalmed
- c) tame
- d) sucking pigs
- e) sirens
- f) fabulous
- g) stray dogs
- h) included in the present classification
- i) frenzied
- j) innumerable
- k) drawn with a very fine camelhair brush
- l) et cetera
- m) having just broken the water pitcher
- n) that from a long way off look like flies

Tribe (1972) uses this remarkable list to focus on the weakness of the policy sciences in differentiating analysis from ideology. Real possibilities and perspectives are obscured or obliterated, Tribe argues, by the basic presuppositions and design of analytical systems and methodologies. Scientific policy analysis runs the risk of anesthetizing moral feeling, inadequately representing the complexities and diversities of individual preferences, and co-mingling or collapsing processes into results. The policy analysis literature reviewed for this study addresses several of these concerns.

A number of studies focus on the components which

are critical in the policy-making process. Wade (1972) describes the task of policy analysis as an effort to comprehend the structure of the various elements of public policy. He constructs a model with both economic (benefits and costs) and political elements. Wade's model pays particular attention to the symbolic uses of politics, a category which bears directly on the case study portion of the present research.

Contents and contexts. Other theorists approach the study of policy analysis as a process for determining the distribution and/or redistribution of resources, costs and benefits in a society (Salisbury and Henrig 1968), or as analysis of the relative power and scope of influence of particular individuals and groups (Putnam 1976). A basic distinction can be made in the literature between the study of policy contents and policy contexts. The study of contexts is the more traditional political science approach (Truman, 1960, Lindblom 1968). Policy-context literature may have the flavor of ecological studies in other disciplines. Levine and Levine's (1970) thesis is that public policy for social services is determined more by the political and social attitudes of the times than by advocacy efforts aimed either at directing public attention or applying new social science knowledge to a particular problem. Similarly, some child care analysts

have argued that child advocates in the 1980's should limit their efforts to incremental or scaled-down proposals in view of the political climate expected to prevail in the coming decade (Hoffman 1980, Phillips 1980).

The authors of the Levine study of social service policy development over the past one hundred years argue that helping services which are designed to change social environments will flourish in reform times (using the mid-1960's as a case in point) and that in conservative times, conversely, helping services will be promoted which focus on individual inadequacies. The Levines assert the importance of awareness on the part of advocates about ways in which the social and political climate both influences and constrains the potential for action. This analytical stance will be important to the understanding of timing and attitudinal change in the case study of New Hampshire child advocacy efforts.

Both the contexts and content of particular policies are examined in policy analysis literature. Rice's (1977) study of family policy in the United States, for example, reviews both public programs for, and parental attitudes toward a range of child care modes. A number of authors acknowledge the importance of analysis which examines both the content of current policies and the politics of policy development (Heidenheimer, Heclo, and Adams 1975).

Distinguishing analysis of/for policy. A second distinction emerging from the literature is the difference between analysis for policy and analysis of policy (Jenkins 1978). Analyses of public policy have as their goal the observation, evaluation, or understanding of particular policy processes, contents, or effects. Analysis for policy is designed to predict policy consequences, costs, and benefits in order to focus choices in the policy-making process.

The policy analysis movement as such is described as having evolved from interest in social indicators, cybernetics, and management information systems, and the uses of public policy to apply social science findings (Lane in Charlesworth 1972). Wildavsky's (1979) text on policy analysis reviews the failure of a number of policy study systems (PPBS, PERT, Delphi) when applied to child welfare or human services issues. Wildavsky reads as if his editors had been excessively indulgent toward the dean of one of the first graduate schools for policy analysis, yet he argues persuasively that families are not built the way submarines are. The phenomenon of rational analysis leading to absurdly wrong-headed recommendations is delightfully illustrated in the hypothetical possibility of Pentagon analysts during the Vietnam war concluding that reservoir height causes rainfall (Strauch 1973).

Wildavsky presents the task of analysis for policy as one designed to create problems: "preference tempered by possibilities, which are worth solving" (Strauch 1973).¹⁰ Applied to such subjects as the study of advocacy for child development, Wildavsky suggests an appropriate goal for analysis as expanding the range of the acceptable, pushing against social and political constraints. His argument suggests the role of values sharpened rather than disguised by analytic structure which will be advanced in the rationale for constructing a methodology for the present study.

Rivlin's (1971) analysis of social action programs expressed doubts about the worth of certain cost-benefit analyses of public welfare programs. She argues that the eagerness of governments to produce politically justifiable results too often gets in the way of systematic approaches to the testing of social action strategies. Comparative analysis of the development of child care programs in Denmark (Wagner and Wagner 1975) identifies the same American impatience in the policy-making process in contrast with the trial and error development of child care and family service programs in Denmark over a seventy-five year period. Rivlin writes of the problems for policy analysts in generating recommendations about where to put

¹⁰ Strauch (1973), p. 26.

limited resources. Our political system is seen as creating false policy dichotomies between cures for cancer or for heart disease, and their human service analogs.¹¹

It is worth noting at this point that in the intervening ten years since Rivlin's study, the focus of analysis for public policy has shifted toward decisions about where to save public dollars instead of where to spend them. Rivlin's model for random innovation strategies to uncover effective policies argues for a consciously experimental approach to social action that would seemingly be intolerable in today's political context. Yet Wildavsky's more recent work presents a similar conceptual model for public policy analysis to use policy error as the "engines of change."¹²

A very recent example of analysis of policy in the field of children's services offers a detailed comparative study which focuses on Title XX policies in several states (Kirst, Gorms, and Oppermann 1980). The authors identify a number of major concerns about equity of access, efficiency, and accountability of children's service delivery systems at the state level. Earlier policy-relevant research in child development and early education has been conducted to both guide and evaluate public

¹¹See also Nelson (1977) for a related discussion of the "moon-ghetto metaphor."

¹²Wildavsky (1979), p. 404.

policies for young children (Ruopp 1979, Westinghouse 1969, White 1973).

Descriptive vs. prescriptive. Dye (1976) divides public policy studies into two categories: those which assess the causes of policy are referred to as policy determination research. Studies of consequences are categorized as policy impact research. A related model for analysis differentiates descriptive analyses to explain policies produced from prescriptive analyses designed to improve decision-making (Dror 1975). Others have been less willing to separate approaches, arguing instead for recognition of the interdependence and connectedness of causes and consequences alike (Wildavsky 1979, Wade 1973). Cook and Scioli (1975) present a policy impact model which echoes Dye's distinction. The authors would shift research emphasis from what causes policy to the study of what policy causes.

Programs represent the basic units of analysis for evaluating consequences in the policy impact model, which identifies components of objectives, activities, and effectiveness criteria in programs under study. The central question presented for impact analyses is whether a program's procedural objectives are necessary, and secondly, sufficient to achieve the outcome objectives. The model's authors assert that links between policy

outputs (Federal Interagency Day Care Requirements, for example) and policy impacts (quality of care for children in federally supported programs) can only be proved by systematic impact analysis. The Abt/SRI-conducted National Day Care Study (Ruopp 1979) developed prescriptive conclusions for components such as group size and staff qualifications from a related research process. Additional support would appear to come from the more recent studies of Head Start and early education programs (Lazar op. cit.) which have produced conclusions substantially different from those suggested in research a decade ago.

The human services themselves have generated impact analysis methodologies through family impact analysis study groups at George Washington University (Johnson 1978) and Minnesota (Ory 1978). These proponents have tended to put less stock in precise analytic methodologies than their political science counterparts, however, in part because of the complexity of contexts and impacts which bear upon individual children and families. The same policy may have the opposite effect on two different families. The family impact analysis concept was originally drawn from environmental protection models (Johnson 1980), but the formulae for predicting the impact of DDT on falcon eggs are not transferrable to the impact of AFDC on poor people.

It seems accurate to conclude from the literature

that policy analyses 'come in all shapes and sizes'. Agreement about the purpose of policy analysis is more readily evident in the literature than any methodological consensus. MacRae presents analyses as contributing to public choices between the alternative merits of specific policies (MacRae 1975). Public policy issues often arise from disagreements in communities about how to deal with particular problems (Coplin 1975). The prospects for analytically-based resolutions to such disagreements are limited by question of both methodology and politics.

Policy analyses and analysts' values. A number of authors articulate the limitations of quantitative analytic methods when applied to policy questions where basic value choices are involved (Strauch 1973, Meehan 1969, Wildavsky 1979). Nelson (1977) also acknowledges the role of preconceptions and values in his review of the failure of traditional research methods, but goes on to suggest that such recognition of values frameworks can in fact strengthen analytic structures.

Commitment to a particular point of view need not mean that analysts are irrational, Nelson suggests, referring to declining faith in so-called rational or objective analytic methods in the wake of Great Society program failures in the 1960's. Nelson adds an important caution about the purpose of policy analysis, arguing

that analysis should not be used to resolve basic political disagreements. For the advocate, he counsels use of judgment in selecting policy issues that turn on more than merely political criteria.

Lane sees public policy analysis as applied social science (Lane 1975). Analysis in this view can identify needs to which subsequent policies are addressed, study consequences of governmental action, or undertake evaluation of public programs. Several volumes present perspectives on public policy analysis from a variety of social science disciplines (Nagel 1975, Dolbeare 1975, Rainwater 1978). Dye describes the evolution of policy studies within the larger domain of political science as leading to the development of a large policy science collection of specialists from economics, sociology, education, public health, planning, social work and other fields. He encourages inquiries which cut across disciplinary boundaries. Haskins (1980) sees child care policy analysis as being interdisciplinary of necessity. Historical trends, economic analysis of market conditions, as well as information from sociological and developmental psychology perspectives are among the many categories of evidence which must be brought to bear. Haskins argues that no single discipline can provide all the evidence necessary for effective analysis, and that analysts have no choice other than to broaden their perspectives. The

series of lectures which Nelson (1977) begins with the question of why we can't solve the problems of the ghetto if we can put a man on the moon, concludes with a similar call for interdisciplinary studies and eclectic methodologies in order to enable analysts to deal effectively with problems that existing disciplinary delimitations cannot accommodate.

Nelson also calls for two kinds of structure for public policy analyses: a positive (or scientific) structure which can be compared to a map of the terrain for a particular issue, and a normative structure for analysis to assist in choosing good directions or appropriate roots across the terrain. This bifurcated structure is helpful in reviewing arguments about the role of social preferences and value systems in public policy analysis.

Coplin catalogues value dimensions of research which takes a problem-solving approach to the analysis of public policy (Coplin 1975). Reagan (1973) sees the need for policy research to include analysis of both facts and values. Another commentator points to inability to determine evaluative considerations in the abstract as one of the facts of life for policy analysis (Lynn 1980).

We discover our objectives and the intensity we assign to them only in the process of considering particular programs or policies. We

articulate "ends" as we evaluate "means."¹³

Meehan (1969) and Wildavsky (1979) are similarly willing to integrate value judgments into analytical work. Meehan sees values as instruments for expressing preferences or making choices from among a number of alternative outcomes. Wildavsky describes a role for public policy analysis in enabling the public to "learn what we want in comparison to what's available to get it with."¹⁴ In this view the results of analysis for policy (the solutions) become hypotheses to be tested. Proposals for new programs help to articulate new values, values which form and reform the basic structure of social relations.

The degree of advocacy in approaches to public policy analysis is debated at length in the literature. Dye and Dror stand out among the authors cited as representative of the view that advocacy and analysis must not be allowed to contaminate one another. The field of urban planning offers an alternative point of view in the example of advocacy planning, a movement among professional urban planners to develop systematic allegiances with the less powerful parties in public policy disputes.

Reviews of the advocacy planning case (Piven 1970,

¹³Lynn (1980), pp. 85-90.

¹⁴Wildavsky (1979), p. 386.

Genovese 1979) focus on some of the political and organizational obstacles encountered in such attempts, particularly when client participation in program development and policy formulation was encouraged. Genovese's review is skeptical about the potential for building social action components into occupations or professions, but suggests the example of legal services programs for the poor as a significant exception. A similarly negative perspective on advocacy-based analysis from short-lived groups like the Children's Lobby is presented in Steiner's (1976) study of the child advocacy movement.

The example of Ralph Nader's Center for the Study of Responsive Law is a frequently cited example of an advocacy approach to public policy analysis. A recent study comparing Nader-sponsored analysis with management reviews conducted by the General Accounting Office within the federal government (Siegel and Doty 1979) distinguished the journalistic, investigative flavor of advocacy research from the more strategic, policy-oriented studies conducted under government auspices. The authors maintain that the strength of advocacy analysis lies in its ability to deal directly with political contexts, with efforts to choose from among competing social values and groups. Advocacy researchers are explicitly committed to their own normative assumptions, while in house management reviews are policy analyses conducted by research units subordinated to

policy-making units in government. (See Bissell 1979 for examples of such a study in the field of child development services.)

Cohen and Garet (1975) examined efforts to reform public educational policies using applied social research. The authors reviewed cases in educational policy research, concluding that applied studies such as program evaluations have had little impact on public policy decisions. They question the attitude toward particular policies as consisting of discrete decisions, suggesting an alternative notion of policy as a large and loose set of ideas, "a grand story."¹⁵ Focusing particularly on compensatory education programs, the authors find only vague and un-disciplined connections between educational policy and research. This argument is also drawn in part from the urban planning example earlier discussed, and from a paper on social policy analysis as the interpretation of beliefs (Rein 1971).

Cohen and Garet (op. cit.) argue that policy research often follows in the wake of social action programs, analyzing the effects and expense of actions already undertaken. They cite broad agreement that applied researchers can help to clarify the goals of public policy, and that they can document and evaluate the

¹⁵Ibid., p. 21.

appropriateness of various means to specific ends. They suggest that policy studies should not be discouraged because of the lack of scientific clarity in the goals of policy research, presenting instead a view of policy-oriented research as exploratory in nature.

This suggestion is an important one for the present study. Policy research, not unlike naturalistic observation in child development, can be put to powerful use as much to describe and discuss policy actions as to predict their effects. The authors offer a metaphor of applied research as a kind of social action program. The goal of such a program is to change the bases for making policy decisions.

Massive analysis and evaluation of child development programs such as White's (1973) review of federal programs for young children, although broad in scope, has not reversed the trend cited in the literature of analysis, and even social science (Bronfenbrenner 1973) following in the wake of public policy rather than informing it in advance. The White study commissioned by the planning office of the Department of Health, Education and Welfare included sections on goals and standards of public programs for children, evaluation data, and recommendations for program planning at the federal level. White's analysis is so broad in scope that it was the subject of two major forums on child care and public policy sponsored by the

Educational Testing Service (Goldman and Lewis 1976).

Responding to White's review at the ETS forum, Harold Stevenson noted that the series of studies and reports commissioned in the previous ten years had all reached similar conclusions. Sensible recommendations were made, and children's needs were still not being met. Stevenson called not for more reports, but for political action.

Another view of policy analysis and research is presented in Rein's (1970) discussion of social policy issues as related to social welfare concerns in the United States. Rein examines reform (or advocacy) strategies both for their possibilities and their limitations. He sees policy choices as based not on scientific principles, but on beliefs, as well as on reason and compromise in a political context. Values or beliefs on which public policy choices are based typically conflict with one another, in Rein's view.

In a chapter discussing conflicting goals in social policy, Rein argues that methods for managing conflicting goals (he lists rational, economic or market, and political as strategy categories) all share an emphasis on process. While quick to acknowledge the danger in assuming that policy science and impartial measurement techniques can resolve conflicts among goals, Rein offers three roles for research to contribute positively to policy-making.

1. Advocacy for choices already made on grounds other than research.
2. Specification that details a feasible, least-cost route to implement a given choice.
3. Formulation to help determine what policies should be adopted.¹⁶

Rein's presentation of a limited role for research in public policy as well as Stevenson's call for political action, contribute to the methodological framework for the present study.

Summary

The preceding review of literature in public policy analysis and child advocacy offers organizing concepts which are subsequently applied to the study of governmental activity in New Hampshire and other states. The concept of administrative advocacy becomes particularly important to analysis of government advocacy projects whose targets were found within those same governments. The discussions of analytic viewpoints and value choices identified in the policy analysis literature are appropriate to any study of public policy-making for children's services, where so many of the options available may be criticized as subjective.

The distinction between analyses of and for policy contributes to operationalization of measures employed for comparative and case study. Analysis of policy will be

¹⁶Rein (1970), p. 267.

shown to be variously labeled by advocacy projects as "monitoring and evaluation," needs assessment, and program review. Analysis for policy will form the larger portion of activity undertaken during the New Hampshire project.

The central question posed in the present study concerns the methods (and results) of raising a voice for children in a political context. The tones of voice available to the actors, and the acoustics in the theater, have been the subjects of this review.

C H A P T E R I I I

CHILD CARE POLICY - AN ADVOCACY PERSPECTIVE

This chapter reviews historical elements in the development of public policy for child care and early education in the United States. The New Hampshire child advocacy project reported in Chapter Six was motivated in part by concern about the lack of a strong policy foundation for investment in child care and early education programs in this country.

Child care and early education issues are the advocacy subject matter which the State Capacity Building grant program in New Hampshire and other states originally addressed.¹ The historical perspective presented in this chapter suggests three significant themes which underlie advocacy efforts to improve public policies for services to very young children. First, a significant portion of public policy initiative for child care and early education has been more oriented to adult needs than to child development concerns. Second, the development of child care policy has often been reactionary rather than proactive;

¹The federal grant program was the direct successor of the Community Coordinated Child Care (4-C's) program in the Office of Child Development. Inter-state coordination of the Capacity-Building Programs in the early 1970's was coordinated by the Early Childhood Project of the Education Commission of the states.

responding to large scale social and economic crisis rather than a new set of values for children's welfare. Third, the idea of child care and early education programs as having an investment value for positive human development has only recently been established as a primary rationale for public policy decisions.

These three themes are discussed in historical context. Together they form a framework for analysis of attitudes and political processes which affected the outcome of state-sponsored child advocacy projects in New Hampshire and other states.

Public interest in child care policy has intensified since the Second World War as increasing numbers of women with dependent children have entered the work force. Most recently, tax reform proposals at the federal level have addressed the needs of working parents for affordable child care.² Public policy analysis of child care issues has been organized around economic issues rather than child development concerns. The U.S. Civil Rights Commission's report on working women and child

²Omnibus Reconciliation Act of 1981 provides child care tax credits sealed to family income, a proposal originally presented as separate legislation by Rep. Barber Conable (R-NY). Some advocates have expressed concern that reductions in Title XX support coupled with higher tax credits will mean that child care centers will not be serving more middle class families, and fewer poor children. Martha Phillips, Asst. Minority Counsel, House Ways and Mean Committee. Personal Communication, April 1981.

care.³ represents the most recent systematic effort in the field, and is consistent with earlier work in emphasizing market concerns.⁴

The development of present approaches to child care policy is central to the present study of advocacy programs in state government. Child care and early education concerns represent the initial advocacy focus for the programs under review, and for the case study of the New Hampshire experience. Documentation of the child care policy context, its origins and orientations, should aid analysis of recent advocacy efforts.

Historical Development

Public and institutional policy for day care of young children has been an issue in the United States for at least 150 years. From the drafting of a constitution for the Boston Infant School in 1828 to Congressional consideration of the continued funding for Project Head Start in 1981, there is a continuous record of debate about the welfare and development of young children in our society. One sees in that record a generally positive impulse to protect and nourish the lives of young children. Yet it is estimated that one out of every four children in

³In press.

⁴Low and Spindler 1968.

this country lives in poverty.⁵ For too many children, a tradition of public expression of concern has not led to a level of decency in the individual circumstances of life. Politicians seem never to tire of citing children as our nation's greatest resource. Yet political action has had limited success in increasing public investment in development of these resources.

Standards for care. That children in the U.S. continue to experience poverty, despite a tradition of pronouncements of concern and announcements of reform, is a paradox which can be illustrated by any number of statistics. Infant mortality remains higher in the U.S. than in fifteen other industrialized countries (Wallace, 1977). The current degree of child abuse is just beginning to be understood. It is believed that one-third of all the bone fractures in children under three are due to inflicted injuries (Talbot, 1976). In the case study state of New Hampshire where the State has mandated responsibility for protective services, reports of child abuse have increased 400 percent in five years as new laws and increased public awareness (due in part to effective child advocacy) have uncovered more of the problem.⁶ Of all age groups in our

⁵America's Children, 1976.

⁶Radigan, L.,

society, children are making the least progress out of poverty. In 1970, 16.7 percent of all American children under three were living in families below the official poverty line; five years later the figure was 17.4 percent.

Study of child day care services confirms the pattern presented in more readily quantifiable areas such as infant mortality and family income. Day care services can be crowded, underfunded, and unprofessionally staffed. Family day care homes, which provide the bulk of American day care, remain mostly untouched by even the partial support and regulation which center-based programs receive.⁷ New Jersey's entire Capacity-Building Program has addressed child care standards and regularion; the state still sets no standards at all for care of children under three.⁸

Rhythmic expansion and contraction of support for extra-familial child care has been tied to a succession of military and economic crises. Child care has been variously viewed as a way to win wars, end depressions, neutralize ghettos, immunize the disadvantaged, liberate housewives, lower staff turnover, reduce the welfare rolls, and otherwise address the shortcomings of modern capitalism (Steinfels 1973). Frequently, the stimulus for day care

⁷Coelen et al. 1979, Day Care Centers in the U.S.: A National Profile.

⁸ Personal communication, Ms. Tynette Hills, Early Childhood Specialist, NJ State Dept. of Education.

has been the dollar, and not the child. This statement is not intended to degrade the legitimate efforts on behalf of children of generations of parents and professional educators. Yet the notion that children are sometimes of secondary concern in the formation of child care policy is recurring (Roby 1973).

New interest in the children. Beginning with public reaction to early evaluations of Head Start and continuing through the controversy over the Family Assistance Plan and the Nixon veto of the Comprehensive Child Development and Family Services Bill, child care policy commentators have focused on a variety of topics, but have combined child development rationales with economic concerns. The work of Hunt (1961) and Bloom (1964) was cited in rationales for a flurry of legislation providing Federal funds for day care.⁹ In 1962, the Social Security Act was amended to allow money for day care to be channeled through state departments of public welfare. The Economic Opportunity Act of 1964 heralded the creation of Project Head Start. Title VII of the Housing and Urban Development Act of 1965 authorized technical and financial assistance for

⁹U.S. Congress, House Select Subcommittee on Education, Committee on Education and Labor. Comprehensive Preschool and Child Day Care Act of 1969: Hearings on H.R. 13520. 91st Congress, 1st and 2d sessions, 1969 and 1970.

day care centers (Roby, 1973). In 1966, the Model Cities Act was passed including funding for day care projects as part of the neighborhood demonstration program. The Social Security Act amendments of 1967 raised the proportion of Federal funding for day care of welfare client children to 75 percent.

Day care became a topic for discussion in almost every consideration of public support for social services (Steiner 1972). Would Head Start repair the damage of poverty? Would day care reduce welfare rolls by giving more women a chance to work outside the home? Would the supply of day care be adequate if the Federal share of the cost was increased? In many policy initiatives of the 1960's and 70's, from the first changes in the social security system to provisions for day care in the Work Incentive Program and CETA, policy concerns combined economic rationales with stated concern for child development (Kahn and Kamerman, op. cit.).¹⁰

Early programs. Robert Owen's notion of infant schools received considerable attention in the U.S. during the first two decades of the nineteenth century, after his work

¹⁰It seems important to distinguish the child-centered rationales advanced by many advocates (Steiner 1976) from the motives of political decision-makers, which were more often related to interest in adult economic self-sufficiency (ibid.).

had become well established in Great Britain (Steinfels, 1973; Ross, 1976). The experimental community which Owen founded at New Harmony, Indiana included such a school for the children of working parents. In 1828, a group of Bostonians drafted a constitution for a day care center which never actually began operation (Braun and Edwards 1972). The first program with documented operations was a day nursery which opened in 1838, also in Boston, to care for the children of seamen's wives and widows (Kerr, in Roby, 1973). The motivating concern for this program appears to have been the welfare of children in what would today be referred to as single-parent families.

One of the earliest day care centers on record is the day nursery opened by Nurses and Children's Hospital in New York City in 1854. The program's stated objective was to provide care for and protect the health of children of working mothers (Steinfels, 1973). Hospital-based programs were responsible for much of the early development of group day care facilities in the United States, a trend which has continued through the twentieth century. Nearly one hundred hospital-sponsored centers were reported in a study of employer-subsidized day care (Ogilvie, 1972).

Governmental involvement. The role of government in the child care market has gradually increased (Haskins 1980). There was an increase in public involvement in day care

during the Civil War. Local boards of charity began regularly to inspect child care facilities. Some cities organized public day care programs to allow war widows to seek employment (Lazar and Rosenberg, in Frost, 1973). Detail about the precise nature of services provided in these centers is generally lacking. A Philadelphia center which opened in 1863 reported that mothers whose children were in care were working in nearby factories and hospitals (N.S.S.E., 1929).

Despite evidence of growth in the number of day care facilities during this period, governmental involvement remained limited. No regulations were imposed on day nurseries by either state or federal authorities. Pennsylvania was the first state to enact any day care licensing law; statutes providing for program inspection were adopted in 1885 (Lazar and Rosenberg 1973).

Kindergartens moved into the public domain in many cities near the turn of the century (Lazerson 1971). Day nurseries also began to receive public funds. Impetus for this change in public policy was created by the large number of immigrant families who swelled urban populations. Cities began to find it too expensive to care for growing numbers of institutionalized children, many of whom had been given up to municipal authorities by desperately poor immigrant families. In 1899, for

example, 15,000 children were turned over to orphanages in New York City alone.¹¹ Day nurseries were seen as an intermediate policy alternative which would be less expensive than orphanages (which were then costing the city \$500,000 a year).

The expressed rationale for day nursery programs during this period was often explicitly economic. Reference to parental work habits were frequent. The policy manual from a Baltimore day nursery in 1888 stated that, "Children who can be well cared for at home will not be received, nor will children of idle, unworthy parents."¹² Just after the turn of the century, one advocate for continued funding of public kindergartens in New Bedford argued that:

In an industrial city like ours we believe it essential to begin the education of hand and mind of the child at the earliest possible time.¹³

Day care was seldom seen as an opportunity for the social or personal development of children or parents. A notable exception is the work of Charlotte Perkins Gilman, an early critic of child care in small and insulated nuclear family settings. Writing for a middle class audience in

¹¹Fein, in Roby, 1973, p. 87.

¹²Health and Welfare Council of the Baltimore area, cited in Roby, 1973.

¹³Lazerson 1971, p. 68.

1903, Gilman argued in favor of day nurseries because, "Our homes are not managed in the interests of little children, and the isolated homebound mother is in no way adequate to their proper rearing."¹⁴

Gilman was distinctly in the minority, however, and day nurseries declined in favor during the early part of the twentieth century. The report of the first White House Conference on Children in January of 1909 gave an indication of what was to come. Of the fourteen recommendations sent to President Roosevelt by conferees, one of the strongest was a, "reassertion of the value of home life and insistence that the home not be broken up for reasons of poverty" (Jones 1976). The Conference recommended a mothers' pension program as an alternative to public support for day nurseries.

Within four years, twenty states had mothers' pension laws on the books, and the trend toward public support for child care in the home continued into the prosperous decade after the first World War. The number of registered day nurseries declined by nearly twenty percent between 1916 and 1925 (Rothman, 1973). The shift in public opinion and policy away from group care programs accelerated a series of pressures which gave criticism of day care a tone of self-fulfilling prophecy. Professionals who might have

¹⁴Gilman, 1903, p. 338.

helped day nurseries focused instead on parent education (N.S.S.E., 1929). Municipal and philanthropic funds were withdrawn from day nurseries in favor of mothers' aid programs (Steinfels, 1973). Lack of support and loss of funds made it difficult to maintain program standards. Day nurseries were effectively prohibited from developing beyond the custodial limits for which they were criticized. The parallel to current policy seems clear; funds are not provided to allow for quality group care services, while day care continues to be criticized as an inadequate environment.¹⁵

Nursery schools. The nursery school movement of the 1920's moved beyond the custodial limits of many day nurseries, as the academic sponsorship of many early programs suggests, and early advocates were careful to differentiate nursery school curricula from the custodial emphases associated with day nurseries.

Nursery schools have been primarily for educational experiment . . . and not for

¹⁵The case study period in New Hampshire reflects this same trend. None of the federal funds have been used for day care services. Major pilot programs for parenting education, on the other hand, have received major attention. Specifically, funds were allocated to educate adolescent parents at three demonstration sites, and to provide support services for parents at three community mental health centers.

the relief of working mothers or neglected children.¹⁶

Reports of nursery schools in the popular press made similar distinctions.¹⁷ But the difference in programs was not created by hours of operation or family status of the children, as we tend to assume today. All but one of the programs described in a 1929 survey operated full day (ibid.). Nursery school chauvinists were merely intent on communicating the fact that their programs were more than custodial.

There has been some merging of the two traditions of nursery schools and day nurseries in the last twenty years. It is now not uncommon for nursery school and day care advocates alike to refer to "developmental day care" as a worthy goal for all family service programs. The Office of Child Development's consumer study of 1975 found that parents used the terms "day care" and "nursery school" to describe indistinguishable programs.¹⁸ Numbers of nursery schools today are in fact characterized by shorter hours and child-centered rationales. Many are cooperatives

¹⁶N.S.S.E., 1929, pp. 19-20.

¹⁷See for example Kelley, in Parents Magazine, 1936, pp. 48-59.

¹⁸This phenomenon is summarized by Woolsey, who proposes the following guidelines. "If the church is in the South Bronx, the basement is a day care center; if it's in Forest Hills, it's a nursery school," Woolsey, 1977, p. 130.

requiring parents to be present on a regular basis. The needs and resources of families and children associated with these programs are clearly different from those which confronted immigrant families and sweatshop laborers. It would seem that more research is needed to explore factors in children's experience, parental expectation, and staff viewpoint which differentiate day care centers from nursery schools.

It is interesting to note the degree to which the policy shift from group care to at-home support coincides with the end of a major war. Similar policy patterns were followed after World War II, when Federal funding for day care was cut back and aid to families with dependent children increased (Steiner, 1976). As with A.F.D.C. in the 1950's and 1960's, the pension programs which replaced day nurseries were inadequate. Payments ranged from \$8 to \$15 per month for the first child.

Work and depression. The two great crises which dominated the middle third of the twentieth century produced dramatic changes in public day care policy. The New Deal programs designed to cope with depression included nearly 2,000 nursery schools. Almost as many day care centers were supported by Federal funds during World War II.¹⁹

¹⁹Most of these were in fact the same "nursery schools" which had first opened during the depression

One encounters frequent references to these programs in the current literature on day care policy, but their quality and quantity is often misrepresented.²⁰

Day care was a major part of the New Deal programs designed to cope with the Great Depression. The nursery schools program announced by Harry Hopkins in 1933 was administered by the Works Progress Administration from 1935 until the American entry into World War II. In 1935, W.P.A. reported a total of 1,900 nursery school programs in operation across the country with an enrollment of 75,000 children.²¹ This seems to have been the peak of the program. In 1937, enrollment averaged 40,000; in 1940, 38,000. By 1942, enrollment was down to 35,000.

The New Deal nursery schools were not organized to meet the needs of working parents, or to enrich the lives of children, but "to provide jobs for teachers, nurses, and dieticians."²³ Though the official reports do not make it explicit, one assumes that declining enrollments

(Bremner, 1974).

²⁰See for example Demand For Day Care, A Boston Area Day Care Workers Union Newsletter.

²¹U.S. Federal Works Agency, Second Annual Report, 1941, p. 197.

²²U.S. Federal Works Agency, Final Report on the W.P.A. Program, 1935-1943, 1947.

²³Women's Bureau Bulletin #246 (in Bremner, 1974).

in the nursery schools paralleled improving economic conditions toward the end of the Depression.

The nursery schools were in fact day care centers, providing full day service, concerned with child health and nutrition as well as educational enrichment, and there is no doubt that they offered a positive experience for many children. But the political motivation for the program was explicitly economic, and the major beneficial effect cited for the program was jobs.²⁴

That the public policy decision for child care programs begun by the Federal Emergency Relief Administration were not motivated by a primary interest in children's welfare may be further demonstrated by a review of the transition to wartime funding under the Community Facilities (Lanham) Act. A family life education program which had grown to four times the size of the nursery school system was dropped in 1942 because it had no effect on employment.

Sponsored by Representative Fritz G. Lanham (D-Tex.), the Community Facilities Act of 1941 was passed to provide Federal matching funds for 50 percent of the cost of local social service programs. The legislation was actually approved in October of 1940, more than a year before the United States declared war on Japan. It was not until

²⁴Ibid.

²⁵Landgon, in Bremner, 1974.

1942, moreover, that the Lanham Act was interpreted as applicable to day care.²⁶

Rothman's analysis of the Lanham Act day care component suggests that anything "better than a locked car" was called a success, because things had been so bad at the beginning of the war.²⁷ She categorizes much of the day care provided under the program as makeshift, and also notes the conscious impermanence built into the program. A Children's Bureau conference determined in 1942 that centers should not be located so close to factories that they would become "too convenient." Fear of women continuing to work outside the home after the war was an explicit factor in wartime day care policy, but women stayed in the work force anyway, as it turned out.

Analysis of these publicly funded services shows that the scope of the programs was more modest than is sometimes reported today, and that most of the day care for pre-school children funded under the Lanham Act was actually no more than a continuation of services sponsored by the W.P.A. during the Depression.

²⁶It was noted that at the time that, "few if any legislators had day care in mind when they voted for the original legislation" (Close, 1943, in Bremner, 1974, p. 690).

²⁷Rothman, 1973, p. 20.

Recent Analysis

Reviewing the history of public funding for child care, one commentator notes that, "Now, as in the past, it seems day care programs are being provided in response to the needs of the economy and will not necessarily benefit the families directly involved" (Kleinberg, in Breitbart, 1974). The theme repeated here is that public funds for child care have been dispersed for the wrong reasons--for the sake of the economy in times of depression, or for the maintenance of industry in times of war. Piven and Cloward (1970) suggest an overarching purpose of social control in the cyclic adjustment of relief programs and attendant services such as child care.

The economic motivation for public day care policy to address labor shortages or national crises should be distinguished from the welfare policy orientation of the Social Security Amendments enacted during the Kennedy Administration, the comprehensive child care policy passed by Congress in 1971, or the more developmentally oriented intent of Project Head Start (Haskins and Gallagher 1980). The values reflected in these and other child care initiatives are indicative of a tension between social policy attitudes about the relative responsibilities of families and governments.

Bane (1976) sees a tension in social policy for

child care which is created by two continuing themes in family life in the United States. Tension develops between the family's perceived functions as a unit of social responsibility as well as a refuge for emotional privacy. This notion is useful as a context for consideration of child care policy.

The varying expectations for child care programs of politicians trying to trim welfare roles, professionals committed to positive child development, or school teachers seeking new markets for their skills add to the tension about policy direction (Haskins 1980, Levine 1978).

Bane (1976) sees the question of child care arrangements as having potential to create serious difficulty between parents. Listing the various family solutions for combining paid employment with child care responsibility, she concludes that none can serve as an exclusive model for society at large, in part because of the diversity of family structures and individual aspirations. Responding to advocates of public funding of day care for everyone, Bane projects disproportionate use of day care by the rich and the poor.²⁸

Such disproportion already exists, particularly in states like Massachusetts without a sliding fee scale for Title XX funding of day care. To take advantage of public

²⁸Bane, p. 83.

support for day care, parents must be poor and stay poor. For educated women who are able to secure high paying jobs, on the other hand, the cost of day care will not put too big a hole in their total earnings. But for many parents between these two extreme, the cost of quality day care is almost as much as their earnings from paid employment. In such families, the choice is often for the man to moonlight at an additional job as a bartender or cabdriver, or for the children to be placed in lower cost and lower quality child care.²⁹

Bane is critical of plans for universal access to publicly funded day care, not only because it would be economically inefficient, but because it would in fact rob the poor to pay the rich by using tax dollars to subsidize middle class women's choice to work. The tax reforms enacted by the 1981 session of Congress make this prediction accurate in substantial detail; Bane agrees with those who argue that no one should be restricted to child care at home all day without any adult interaction. She reasons that there are a number of solutions to this problem short of full day care; playgroups and neighborhood centers among them.

Like some other analysts, (Rowe 1976) Bane suggests changes in employment practices as more effective policy

²⁹ See for example Rubin, L. Worlds of Pain; Terkel, Working; and Komarovsky, Blue Collar Marriage.

alternatives. Provisions for maternity and child care leaves, and for part-time employment, which are among the reforms suggested, might lead to higher business costs due to absenteeism. Since companies tend to pass their increased costs on to consumers in the form of higher prices, there would be, "a transfer of part of the cost of having children to the society as a whole."³⁰

Economic analyses of child care policy suggest that child care policy may be more readily influenced by changes in housing policy (Goldman and Lewis 1976, Rossi 1977) and employment practices (Rowe 1976, Schultz 1974) than by direct public support of child care services. Young and Nelson (1973) and their collaborators offer detailed analysis of the benefits-cost implications of child care support policies.

More common in the literature are studies of children in day care which treat issues of public policy secondarily (Fein and Clarke-Stewart 1973, Provence et al. 1977). Demand for day care brought on by economic stress (experienced by family units or by larger groups or governments) forces compromises in child care policy. Provence and her collaborators wonder aloud,

whether more and more day care facilities are the answer to a social need of our times or whether the increasing demand is

³⁰Bane, p. 87.

not merely symptomatic of our economic problem.³¹

Yet these authors, like many child care professionals, seem quickly to move on to recognizing, in effect, that there will always be a need for day care to accommodate either economic changes or individual differences, and that professionals should strive to understand how to deliver services of the highest possible quality. The reasons why children are placed in care these authors assert, have no effect on the certainty that poor day care will mean serious disadvantages for the individual children who receive it.

Personal dissatisfaction with the concept that early childhood educators should limit themselves to efforts which make the best of a bad situation has had much to do with the author's developing interest in alternative policy analysis. It is this writer's belief that child development experts must begin more systematically to consider a broader range of applicable formats for the knowledge about children which our profession has generated.

State level community coordinated child care (4-C's) programs are the subject matter for the comparative analysis section of this study. Collectively these programs

³¹Ibid., p. 5.

represent the single greatest investment of public resources in child advocacy efforts at the state government level.³² Additional recognition of the need to apply child development and early education knowledge in political contexts has come from independent advocacy groups, and from the private sector in the form of Bush Foundation grants for child development and public policy studies. The present study, however, is limited to advocacy projects under public auspices at the state government level. Non-governmental activity is not treated in detail. Despite delimitations of the research here reported, the increased attention being paid to advocacy by both public and private groups appears to have originated from the same body of experiences as described above.

The most focused ongoing child care advocacy effort identified for this research is the National Day Care Campaign for Working Parents. That campaign, directed by academics from Bank Street College, High Scope Foundation and Wheelock College, currently attempts to focus efforts on federal policy changes for child care tax credits, as reported in the group's August 1981 newsletter. Even in the Campaign's title, a continuing orientation of child care advocacy is communicated.

³²Diepenbrock, W. Personal communication; Feb., 1981.

Summary

1. Policy orientation toward adults. The preceding review noted the frequency with which public support of child care and early education programs has been based on an adult-oriented rationale. Most common has been the stated need to provide care for children of working parents. Both in the early days of child care program development in this country, and in the most recent reforms of federal tax policy, provision of child care programs as a means of assisting parents to become economically self-sufficient has been central to public policy-making.

2. Child care policy as responsive to economic change.

The development of publicly supported child care programs has often been closely linked to social and economic crises such as war or depression. In times of large scale change in the U.S., policy-makers have been more responsive to advocacy for child development programs than during periods of stability or economic retrenchment. Immigration at the turn of the century, world war, increases in female participation in the work force have all spurred increases in child care services.

3. Child care policy as investment in children. Public child care policy in the 1960's and early 1970's adopted more explicitly child-centered rationales as evidenced

by Project Head Start. Follow Through and Community Coordinated Child Care. Policies providing day care services or child care tax credits to enable parents to work, however, continued to represent higher levels of expenditure of state and federal funds. The analysis presented suggested that when examination is limited to public policies and programs for children, child development concerns as a significant policy influence have been a fairly recent phenomenon.³³

The public policy analysis literature reviewed in Chapter Two included a suggestion (by Wildavsky and others) that government, from an advocate's or special interest point of view, might do the right thing for the wrong reasons.

³³Outside of government, programs such as kindergartens emphasized the child's development much earlier (Ross, op. cit.).

C H A P T E R I V
METHODOLOGY FOR RESEARCH AND ANALYSIS

Introduction

This study focuses on the development of a child advocacy program within the structure of New Hampshire state government between November of 1978 and June of 1981.¹ The research method is exploratory, relying on a two-tiered survey of state child advocacy projects to serve as an analytical context for a more detailed case study of a single state advocacy project in New Hampshire. Initial survey data are used as a means of identifying key analytical concepts.

One of the difficulties encountered in constructing a research design for this study stems from a lack of measureable or clearly defined concepts relevant to advocacy activities in the public sector. The review of child advocacy literature presented in Chapter Two suggested some of the variability in developing operational measures. Only one study developed a set of standards for variables and measures which might be substantially

¹The original time period ended in October of 1979, but a number of unforeseen delays during the course of the New Hampshire project required extension of the time period chosen for study in order to permit comparative analysis with parallel actions in other states.

applied to the present research (Haskins, 1980). Even in this study, the definition of policy analysis has limited application to the advocacy projects under review.

Research focus. The case study emphasis of the present research derives in part from an assumption that close analysis of a single state may lead to clearer understanding of the relationships between the variables commonly associated with advocacy activity. An initial survey of advocacy-related statutes and executive orders in all states was organized around functional categories derived from the literature. Tabulations of responses to this survey are compared with goals and objectives stated by states which received capacity-building grants during the 1970's. Three sample states were selected from the capacity-building grantee cohort for closer study on the basis of outcomes relating to establishment of formal and on-going advocacy agencies within each state's governmental structure. The advocacy project in New Hampshire is then presented against the backdrop of the experience of these other states.

The primary data for the proposed research include government reports and agency correspondence, personal interviews and minutes of meetings, other public documents and media accounts. Similar data are used for both the base study state and the states reviewed for comparative

TABLE 2

COMPARATIVE RESEARCH MATRIX

Data Sources	Key Informant Interviews & Correspondence	Information Surveys to State Officials	State Agency File Documents	Participant Observation (Author)	NH Court Case Records, Briefs, & Opinions	Newspaper accounts & editorials	State Statutes	Legislative Records: Bills, Reports, & Administrative Regulations	Public Testimony Before Legislature & Executive Committees
<p>Research Questions</p> <p>A. <u>Comparative Research</u></p> <p>1. What role have child advocacy agencies played in state government?</p> <p>2. What are the common features of State Capacity-Building Programs?</p> <p>3. To what extent can key valuables be identified in the design or operation of advocacy agencies within state government which influence specific outcomes?</p>	XX	XX	XX	XX	XX	XX	XX	XX	XX

TABLE 3

CASE STUDY RESEARCH MATRIX

	Key Informant Inter-views & Correspondence	Information Surveys to State Officials	State Agency File Documents	Federal Agency Files	Participant Observation (Author)	NH Court Case Records, Briefs, & Opinions	Newspaper accounts & editorials	State Statutes	Legislative Records; Bills, Reports, & Administrative Regulations	Public Testimony Before Legislature & Executive Committees
Data Sources										
Research Questions										
B. Case Study Research			XX		XX			XX	XX	XX
1. What advocacy strategies were pursued in the NH project?					XX	XX	XX		XX	XX
2. How were the policy issues addressed perceived by different interest groups?	XX				XX	XX	XX			XX
3. What factors influenced the direction and the results of the NH advocacy project?	XX				XX				XX	XX
4. How did the interplay between child development advocates and policymakers compare to similar experiences in other state programs?	XX	XX	XX	XX	XX					

analysis, although at a level of less detail for the comparative sites. The goal of the study is to develop hypotheses about appropriate and effective methods for establishing and implementing a child advocacy program within state governments.

Data sources. A range of primary data sources were identified for the present research. While specific statutes, file documents, correspondence, personal communications and interviews are referred to in the text, the matrix presented in Tables 2 and 3 provide an outline of the research strategy employed. By consulting the matrix, the reader may ascertain the particular types of data which were used to address each research question.

In the case study portion of the research, every effort has been made to control bias resulting from the author's own direct involvement in the New Hampshire project. Events are documented in legislative and judicial records, and in newspaper accounts and public documents. The author's participation is identified in the research matrix when that participation led to observations which have been used as data for the study.²

²The roles of personal values and perspective in public policy analysis and research are discussed in both the literature review (Chapter Three) and the second section of this chapter. The author's own perspective will play a more significant role in the analysis presented in Chapter Seven.

Purpose and Objectives

Despite widespread public attention to child welfare and development issues in the last fifteen years, and substantial investment of federal funds in both the National Center for Child Advocacy and the State Capacity Building Program, little has been known about the specific strategies and outcomes of child advocacy efforts within state government. No studies of state level advocacy programs were identified in the literature review conducted for the present research; generally the literature on advocacy programs for children concentrates on non-governmental efforts.³

The purpose of this research is to examine the phenomenon of child advocacy activity within state government in order to promote understanding of effective ways to apply child development and early education knowledge, perspective, and values to the development of public policy. Major objectives of the study are to:

1. Describe the nature of state-sponsored child advocacy programs.
2. Identify similarities and differences among such

³See Chapter Two for discussion of efforts such as ombudsman offices and other programs which have been established in the public sector.

programs.

3. Conduct in-depth research on the development of a state government child advocacy project at a single site (New Hampshire).
4. Identify tentative hypotheses about the role of child advocacy within the public policy-making process at the state level.

Key informants. The present study relies heavily on personal interviews and correspondence for the comparative research presented. The key informant survey technique was used to gather data on child advocacy program structure and local perception of program efficacy for the states studied. Data from three such surveys were collected or consulted: a survey of state governor's offices (Natti, 1976), interviews with advocacy project directors and regional federal monitors (1979), and a survey of state social service agencies responsible for children (N.H.C.C.Y., 1979).

Advantages of the informant survey approach included opportunity to gather data about advocacy projects from differing viewpoints (Lacharite, 1979), and capacity to elicit more timely information than that available in formal evaluation reports (Warheit, Bell, and Schwab, 1977). Expected limitations of the data collected included its impressionistic qualities in some cases, and

the potential for limiting information to particular perspectives (Bell, Warheit and Schwab, 1977).

Rationale for Research Design

There is considerable precedent for such an exploratory approach, informed by concern for the application of specific disciplines outside the academic world (child development and early education in the present instance). Sansay (1976) cites economics as one field with a long-standing history of research and activity at the level of public policy, arguing that social sciences and public programs and policies both benefit when applied processes lead to identification of new hypotheses or problems for more traditional, basic research. Krashinsky (1977 and 1973) has used economic models for the analysis of day care policy. Others have borrowed from the methodologies of history (Ross, 1976) and comparative political science (Wagner and Wagner, 1976) in studies pertinent to child development policy in the public sector. With the exception of decennial White House Conferences on Children whose primary purpose and products have been arguably symbolic (Steiner, 1976), however, the structure of the federal government reflects no child development parallel to the Council of Economic Advisors as evidence of any ongoing, Executive level attention to child development

policy issues. The present research demonstrates that considerably more such activity has occurred at the state government level, but will question whether it has had substantially greater impact.

Testable hypotheses about advocacy activities within state government are not evident in the professional literature. Observers in a number of states make suggestions about the relationships between specific advocacy activities and children's policy development, planning, inter-agency coordination, service delivery and the like (Edelman 1973, Steiner 1980, Steiner 1976, Young 1979, Sharpe 1977, Sheehan 1977). Such observations serve more to establish general operating attitudes and assumptions than to delineate precise hypotheses or to set standards for operationalizing appropriate variables (Morgan, unpublished).

Constraints. This study does not attempt to evaluate specific impacts of advocacy projects on actual services delivered to children and youth in the states studied. The complexity of any attempt to find explicit connections between the efforts of differently organized projects on differing populations in states with divergent service delivery systems and political histories precludes the possibility of drawing such conclusions. The results of analysis of the case study portion of the research do

include suggestions for viable advocacy strategies, but any validity of such conclusions may not extend across the boundaries of political climates or state borders.

This study focuses instead on an understanding of the advocacy process pursued by projects within state government and seeks to enhance understanding of the possibilities for attainment of advocacy objectives with strategies suited to political circumstances. The lack of widespread efforts to apply child development and early education expertise to the improvement of public policy decision-making for children and youth makes the research timely. The range of political cultures and degree of services available to young people from state to state makes the exploratory, and in some sense open-ended research design necessary.

Those advocates who would seek progress in public policies for children have seldom spoken, or understood, the language of politics. Those politicians who would seek to better understand the needs of their constituents have often failed to comprehend the jargon of educators and psychologists. The present study addresses a portion of this problem in translation, and searches for better means of communication between one group and the other.

Case Study Site Selection

The case study state chosen in 1978 had received a federal grant to hire child advocacy staff for the first time in its history. The author accepted an offer to become the first Executive Director of the New Hampshire Commission on Children and Youth in May of 1978. During the selection process, the intent to use the New Hampshire experience as material for dissertation research was made clear to state officials, who were receptive to the possibility that formal study of the New Hampshire project might offer analysis and evaluation useful for the development of state policy and long-range planning.

The choice of New Hampshire for a case study of this kind was validated by the lack of any sustained, funded child advocacy program prior to the initiation of the project on which the present research focuses.⁴ Additionally, New Hampshire lacked many of the social services designed to foster child development and protect child welfare which were already in place in other Eastern states by mid-decade.⁵ There were, therefore, clear targets for child advocacy activity within state government together

⁴Prior advocacy groups whose work was short term, or whose efforts relied primarily on volunteers, are reported in Chapter Six.

⁵See background sections of the case study chapter.

with an opportunity to study advocacy program development from its onset, and at close range.

Lawsuits filed to block the establishment of a child advocacy program by executive order of the Governor delayed the New Hampshire project for nearly a year. The state Supreme Court ruled on the case (Monier et al. v. Gallen) in the spring of 1980, after Merrimack County Superior Court had settled a related suit (Sweet et al. v. Segar) in February of that year. A decision on the advocacy program recommendations was made by the state legislature just prior to the close of its 1981 session. This determination allowed for the completion of comparative analysis and the formulation of policy hypotheses about advocacy program development and efficacy which are the objective of the present research.

Selection of Programs for Comparative Study

Variations in political and economic circumstances, demographics and timing make it difficult to formulate generalizations on the basis of comparative analysis. An effort to control such variation has been made by choosing sites where child advocacy projects have had a common source of support, and have operated within reasonably parallel time lines. Each of the states chosen for possible comparative review has been the recipient of a state capacity-building award (Program #13.608) from the

Children's Bureau of the Administration for Children, Youth, and Families (formerly Office of Child Development), Department of Health and Human Services. This grant program was developed as the successor to the Community Coordinated Child Care projects (4-C's) sponsored by O.C.D. in the late 1960's and early 1970's. Three-year grants have since been awarded competitively to at least one state in every D.H.H.S. region.

New Hampshire's application for capacity-building funds represents the starting point for the case study portion of the present research. Lowi and Ginsburg's (1976) study of a project to develop an electron accelerator in Illinois begins similarly with a federal decision to allocate resources, though on a radically different scale. The authors point out that their study is not self-contained but rather the mid-point of a longer story, a point worth studying in order to illuminate a particular problem in public policy and to explore its potential for contributing to future decision-making. For the present study, the policy problem centers on the role of state-sponsored systems in articulating and implementing public commitment to positive child development, and the degree to which specific advocacy programs within the structure of state government can direct the focus or determine the degree of that articulation and implementation.

Initial survey. In preparing for the selection of states for the comparative analysis, correspondence was generated with every state. An analysis of the states responding (N=37) is reviewed briefly, and presented in tabular form. Preliminary analysis is presented at the conclusion of this section to summarize the structure and function of child advocacy agencies at the state level whose existence is mandated by state statutes, as reflected in a state code review conducted in 1980.

Structural and functional organizing categories were developed as headings for this compilation for the purpose of cataloguing materials during the early stages of the present research. The number of elements considered for formal comparative analysis is necessarily more limited. States for the comparative review were selected by comparing those with mandated advocacy programs to the list of federal capacity-building grant awards; with adjustments for the quality and quantity of primary data accessible for analysis, and for demographic and political variables.

Comparative review. The New Hampshire child advocacy project which is the subject of the case study portion of this research began with funds provided by the U.S. Department of Health and Welfare in response to a grant proposal submitted by the state Commission on Children and Youth in November of 1979. These funds were part of

the Office of Child Development's state level Community Coordinated Child Care (4-C's) Program. The federal program is now directed by the Administration for Children, Youth, and Families in the Office of Human Development Services. Each of the states selected for comparative review has been a recipient of these funds.

Since 1974, federal grants have been awarded to twenty-two of the fifty states to strengthen state governments' abilities to plan, manage, and deliver children's services. Each of the states selected for analysis began its advocacy project with similar goals and objectives.⁶

The Capacity-Building effort derived directly from smaller scale, community-based child care coordinating programs sponsored in a number of model communities nationwide.⁷ Capacity-Building has also been viewed as part of a movement on the part of the federal government to reorganize human services during the 1970's (Shepard 1979). This movement led to the designation of single state agencies for services to senior citizens and for

⁶Outlined in the pamphlet "An Introduction to State Capacity-Building" (Education Commission of the States 1976), which served as a common planning document. The funding source for each of the states, moreover, used these materials in formulating consistent guidelines and definitions for funded advocacy activities (Diepenbrock, W. Interview, March, 1979).

⁷Ibid.

criminal justice planning. Capacity-Building programs were viewed in part as a similar effort to establish coordinator children's services planning processes to bridge the gaps and fragmentation created by a host of categorical programs.⁸

Purpose. It should be stressed that the emphasis of the present research is a case study of New Hampshire advocacy efforts. Comparative data will be used to clarify the primary case. Questions will be posed about the degree to which advocacy methods, child welfare policies, individual actors, and political contexts determine outcomes. Comparative data are needed to address these case questions appropriately, not to evaluate the relative merits of projects in separate states at different times.

The last round of capacity-building grants were awarded in 1979, to the states of Pennsylvania, Washington, Hawaii, Florida, and New Hampshire. The Florida and Washington projects were eliminated from consideration in the present study because their grantees were private, non-profit agencies outside of state government. While private sector advocacy has been more common in the United States, the present research is limited to intra-governmental activities at the state level.

⁸W. Diepenbrock, personal interview, August, 1981. The block grant proposals of the Reagan administration take a different approach to the same problem.

For the purposes of the present study, federal officials agreed to cooperate in making primary data available for comparative analysis. Data gathered include periodic progress reports from Capacity-Building grantees, internal and external monitoring and evaluation documents, original proposals for goals and objectives, and final project reports. These data are analyzed to determine

- a) the advocacy methods employed in each state studied,
- b) similarity of goals and objectives stated by advocates,
- c) problems encountered during grant periods, and results of resolution efforts, and
- d) degree of fit between project outcomes and original proposals.

Selection criteria. Three states were selected for closer comparative review: Alaska, Virginia, and Hawaii. The basis of selection criteria included consistency with the case study state's initial goals and objectives, continuity of project leadership and accessibility of data, and evidence of special interest in child care and early education concerns.

Each of the states selected had been active in the National Association of State Directors of Child Development, a major information network of state agencies with child care and/or or advocacy-related responsibilities.⁹

⁹Quarterly meetings of this organization brought

A sample survey commissioned by A.C.Y.F. demonstrates the variation in project placement: Illustrating the range of such placements, at a point in time when a number of capacity-building grant periods overlapped; six were attached to large state human service delivery agencies, three to children and youth agencies, and three to private non-profit groups.¹⁰ States whose projects were housed in structures similar to New Hampshire's were considered appropriate selections for comparative review, in an effort to control administrative variables. This study recognizes the difficulty of establishing validity for such controls in view of the many differences found even among states whose organizational charts may seem superficially similar. Structural measures of similarity were therefore given less weight in the selection process than historical data and anecdotal detail available from key informants surveyed and state project files obtained.

together advocacy project personnel from a number of states. Meetings at which data for the present research were gathered were held in New Orleans, La. (1979), Arlington, Va. and San Francisco, Ca. (1980), and Washington, D.C. (1981).

¹⁰ Later rounds of Capacity Building grant awards reflected a similar distribution. In the last round (1979), two grants were made to private non-profit groups (Fla. and Wash.), and one each to a Governor's Office agency (Hawaii), a children's commission (N.H.), and a human service agency (Pa.).

Case Study in Comparative Context

State governments have included a number of different types of agencies which might be included under the general category of advocacy. Licensing boards and rate-setting authorities have set standards for child-serving programs for much of this century (Bremner 1974).

Citizen commissions, often established through governor's offices, have functioned in more than fifty percent of the states at some time within the past fifteen years. A study by the Education Commission of the States (1975) reported that seventeen states have created Offices of Child Development since 1969. Identified as a common denominator for all these agencies is a mandate to plan and coordinate the service delivery system for young children and their families.

A number of initiatives at the federal level helped to stimulate the creation of such programs in state governments (Head Start, 4-C's, Appalachian Regional Commission). Yet more recent review of service systems for children in a number of states suggests that the results of these advocacy efforts have been at best mixed. The California Auditor General's Office reported significant "absence of coordination" of state services to children and youth in a state with one of the longest histories of intra-governmental advocacy (Bissell 1978).

A Maine study group concluded similarly that policies and services were in need of improved coordination (Sharpe 1976). The Children's Defense Fund, reviewing foster care programs nationwide, identified the lack of coordinated program planning and service delivery as a significant problem (Knitzer and Allen 1978).

More recently, some states have experienced an erosion of both funding and political support for state child advocacy agencies, as exemplified by the recent debate about the Massachusetts Office for Children. The case study of the development of a child advocacy program in New Hampshire reported in this research is set against emerging concerns about both the viability and effectiveness of similar efforts in other states. One purpose for undertaking the present research is to develop guidelines for state governments' efforts to preserve and foster commitment to child advocacy in the face of dwindling resources and commitment to human services which may well be hallmarks of the coming decade.

The states chosen for comparative analysis proclaimed initial intentions similar to those of the New Hampshire advocacy project. Paul and his collaborators (1977) discuss the kinds of activities which child advocacy programs at the state level are likely to be able to pursue effectively. In the North Carolina case reviewed

by Pelosi, a state agency dealt with individual case concerns, legislative remedies, and interagency coordination.¹¹ Advocates working within state government, regardless of their immediate programmatic concerns, were urged to maintain alliances with constituencies outside government. They should promote the assumption of an advocacy stance for the state's children's services workers, and build links to the parts of the political system where major decisions about policy and allocation of resources are made. While trying to build positive relationships within the system, however, the advocacy group must always preserve the option to appeal directly to the governmental power source when a particular approach fails to produce desired results.

Such advice would seem to be the stuff of common sense. What these authors fail to acknowledge is the fact that many child advocacy programs established in state governments have lacked such power options from the beginning. The comparative review undertaken for this study demonstrates the frequency of instances in which blue-ribbon commissions, committees, task forces, study groups, and interagency councils have been consciously convened as an alternative to doing anything substantial

¹¹Pelosi (in Paul 1977).

to improve or encourage the development and welfare of young people. From the states responding to initial inquiries for this research and the sub-set of those which have had capacity-building grants from the Children's Bureau, three are reviewed in some detail, while the general duties and complexions of all are catalogued for comparison. Comparative data are presented in analyzing the several contexts within which such advocacy activities have occurred. One of the major issues in the New Hampshire case, for example, was the use of Executive authority to pierce the bureaucratic turf protection which was seen by advocates as limiting service program effectiveness. A comparison of American state governments ranks the Governor's powers in New Hampshire as among the weakest (41st in index analysis) in the country (Jacob and Vines 1971). This circumstance will be shown to have figured prominently in some negative developments in New Hampshire, and positively at other sites.

The case history of efforts to establish an effective program in New Hampshire is viewed from several perspectives with the goal of organizing the experience into concepts which can be tested for their generalizability. The New Hampshire case is highlighted in sections: a fund-raising process which led to the award of more than one million dollars of federal funds to

support an advocacy project, a battle over the relative powers of the legislative and executive branches of state government which culminated in a state Supreme Court decision, and a proposal to reorganize state services to children and youth acted upon in the 1981 session of the state legislature.

While many states have reported the specific results of their advocacy efforts either in recommendations or concrete achievements (Blum 1980, Bissell 1978, Sharpe 1977, Oliver 1979, Sheehan 1977, Marquis 1974), few shed light on strategies employed, at least not enough to illuminate policy-making about future governmentally-sponsored forays into organized advocacy fields. While it is argued with some force that the political, economic, and attitudinal contexts for the New Hampshire case were quite unique, it is hoped that more is to be gained from the case study than the mere retelling of a political passion play. The questions raised by Allison and others about the possibilities for rational control by analysts or advocates or hybrids of both are focused by the present case, whose implications will be offered to others whose concerns for child development must inevitably be dealt with in the public sector.

Analytic Perspective

The present policy research attempts a method designed as a guide for action. The distinction between conclusion- and decision-oriented research (Cronbach and Suppes 1964) is elaborated by Coleman (1975) as between discipline research and policy research. Coleman is critical of the orientation of research methods toward theory development and the testing of hypotheses within theoretical contexts. The research methods available for public policy impact analysis are faulted by Coleman as developed more for their own goals than for what he sarcastically labels the externally imposed irritants of evaluating public policies.

Much of the work for which the heading of "policy analysis" has been traditionally used is concerned with the development of policy alternatives. Haskins (1980) presents four categories of policy alternative sources: history, social science research, policy and practice in other countries, and interest group strategy proposals (e.g., Keniston 1977). Haskin's model for analyzing social policies related to child care moves beyond generation of policy alternatives to consider the process of policy selection.¹²

¹²Haskins identified six evaluation criteria which

Additional limitations are described by Steiner (1976) and Hoffman (1980), who conclude that advocates and analysts alike must reckon with a persistent dilemma: that the political coalition needed to bring about policy change may be driven apart by specific policy proposals. Child development legislation introduced in the 1980 session of Congress was withdrawn by its primary sponsor (Sen. Cranston, D-Ca.) because of this very phenomenon.

The literature seems to suggest, in effect, that the perspectives of analysis and advocacy are separate categories or at least different stages of activity in the public policy-making process. The present research attempts a somewhat different perspective.

Methodology and the role of analysts/advocates. Riley (1974) discusses the degree of scientific method possible in social science research. He juxtaposes empiricist and idealist theories in arguing that analytical perceptions are not neutral, but determined by the mental attitude of the observer. The difficulty of comparing advocacy for

could be used in a decision matrix for identifying appropriate policy alternatives, and continues to address questions of feasibility, enactment, and implementation, which analysts must address. Haskin's treatment of the subject acknowledges the limits of the role of analysis as he defines it, noting that American political decision-making more often appears to be directed by forces and attitudes quite removed from the reasoned analysis by advocates.

children in the mid-1960's with activity during the study period for the present research is explained in part by Riley's conception of scientific truth as reflecting the values and interests of specific groups of individuals at specific times.

The possibility of conducting research without having to avoid taking a personal position is at the center of the methodological approach to the present study. The child advocacy research literature presented earlier, together with analysis from other disciplines, is used to support this view (Schuman 1977, Sanday 1976, Lane 1975).

Precise measurement units are lacking. Methodologists point to a continuing lack of precise measurement units for concepts such as child advocacy. Coleman (1975) points out that the consumers of policy research are not scientists, that a method overly focused on elegant methodology may be of little use in the real time sequence of policy development. Allen (1976) describes the policy-making consumers of analysis as needing "go or no-go" recommendations. Coleman illustrates the issue with choices about how to fire a cannon as choices for methodology in researches like the present study. To begin with Newtonian theory of motion to estimate

cannonball trajectory without including air resistance and other sophisticated factors is less preferable than to shoot, see where the ball lands, and adjust the trajectory (Coleman, 1975). The metaphor is unfortunate in view of the present study's target, but it is intended to attract attention to the nature of policy research in which Coleman argues that partial information available at policy action points (to use Wildavsky's term) is more useful than more complete information which may be available later. Research designs must be fitted to real world time sequences. Coleman suggests cumulative reporting of results as one way of reconciling the situation.

Wolfe and Surkin (1970) present composite researcher prototypes in an effort to anthropomorphize the issue of method. Their persuasive neutralist, interested not in changing but describing and interpreting reality is contrasted with the public advocate whose research methods and analytical concepts are all framed by a motive to reform, to act as a change agent. The need to wrestle with messy problems as well as the "bright gleam" of hard data is argued by Schuman (1977) who asserts that current methods for social science are predicated on values which are not often explicitly acknowledged. This viewpoint is supported to varying degrees by Strauch

cannonball trajectory without including air resistance and other sophisticated factors is less preferable than to shoot, see where the ball lands, and adjust the trajectory (Coleman, 1975). The metaphor is unfortunate in view of the present study's target, but it is intended to attract attention to the nature of policy research in which Coleman argues that partial information available at policy action points (to use Wildavsky's term) is more useful than more complete information which may be available later. Research designs must be fitted to real world time sequences. Coleman suggests cumulative reporting of results as one way of reconciling the situation.

Wolfe and Surkin (1970) present composite researcher prototypes in an effort to anthropomorphize the issue of method. Their persuasive neutralist, interested not in changing but describing and interpreting reality is contrasted with the public advocate whose research methods and analytical concepts are all framed by a motive to reform, to act as a change agent. The need to wrestle with messy problems as well as the "bright gleam" of hard data is argued by Schuman (1977) who asserts that current methods for social science are predicated on values which are not often explicitly acknowledged. This viewpoint is supported to varying degrees by Strauch

(1973) and Tribe (1972).

Individual values and social concerns. The present study does not include an exhaustive review of current thinking on methodological philosophies. It does assume the importance of individual values and the inapplicability of quantitative measures to the qualitative analysis attempted in this exploratory research. It acknowledges the ambiguity in the relationship between social problems such as child welfare and social science. Rainwater (1974) writes that efforts to achieve theoretical precision in the study of social problems have been largely unsuccessful, and that, "The subject is attractive because those who study society inevitably are also concerned with changing it."¹³ This theme is expanded upon in Rainwater's introduction to a collection of essays on social problems and public policy, into some guidelines for determining the level of salience of a particular issue, and a catalogue of analytic questions to pose. Both are useful in directing an inquiry into child advocacy activities in state government.

Strategic Potential of Research

Rainwater attaches a label of detached scholarly

¹³Ibid., p. 2.

analysis to the lowest level of salience for any particular issue, offering four successive levels through which an issue may progress until it reaches the point of becoming a broad social concern. He suggests possible roles for the social scientist in discovering strategic points and/or intervention methods which can affect the policy response to problems at different levels of salience. The term policy action is used for the change/choice options usually referred to as reform. In reviewing policy actions options, Rainwater suggests that the most productive will be those which do no more than to bring about some slight change in the administration of a particular public policy which is already in place within the context of a broadly based social attitude. The notion of research as having a strategic potential for affecting policy response applies to the tactical choices in advocacy projects under study.

Edelman's (1973) case study of a child advocacy project in Massachusetts identifies an administrative negotiation category of advocacy which closely parallels the productive action option described by Rainwater, whose analytic catalogue offers a starting point for study of advocacy projects. Questions must be asked about the nature of an issue, the population affected, the breadth of the relevant policy domain, existing

policy thinking on the subject, current policy action, and the actual impact of public policy on the problem or issue itself. A related discussion of research objectives for policy analysis (Johnson 1975) presents policy research as an "active engagement of the researcher with human purposes"¹⁴ in citing the need to acknowledge research choices as value judgments.

Johnson's taxonomy of objectives includes description, forecast, explanation, and criticism. His interest is in the critical role not readily accepted as professional within the social sciences, criticism of policy choices made as against other possible alternatives. The pursuit of such an objective is seen as requiring both description of policy-makers' value judgments and researchers' own judgments about the range of alternative choices. This position is consistent with the view that too much social science remains 'art for art's sake' (Meehan 1971).

To connect research with real world policy choices, Johnson urges designs which include consideration of program characteristics, population conditions including time constraints, and program consequences. Haskins' (1980) model presents more specific criteria within similar categories.

¹⁴Ibid., p. 76.

Research variables revisited. An approach to the identification of variables for research into advocacy programs derives from studies which discriminate among more than one category of independent variables. Ruopp (1979) included two types of independent variables in a comprehensive study of day care programs and their design: policy variables which were characteristics subject to direct influence by public policy, and background variables which policy influences only indirectly, if at all. Dependent variables included a number of features of the cost and quality of day care programs in the Ruopp study.

Coleman (1975) also identified two classes of independent variables for policy research, but suggests that three variable categories be considered discretely: policy variables and situational variables (independent), and policy outcomes (dependent). Coleman emphasizes the need to consider both intended and unintended outcomes, and asserts the need to treat variables differently depending on their susceptibility to policy control.

The present research is concerned with policy variables as presented by Coleman and Ruopp, with the distinction that the research is a step removed from the programmatic concerns which motivated these authors.

The study of child advocacy programs is not intended to illuminate questions about the quality of care a child in a day care center receives in a state with one kind of governmental structure as opposed to another. Rather the research will focus more on the differences in the advocacy models employed than on the topical content of the issues and developmental needs advocated for.

Viewpoints

Values as a component of analysis have been treated as a point of view question which cannot be ignored in public policy research. In collecting data for this study, the points of view of the various data sources will also be considered. Lowi's case study reported the several perspectives of scientists and federal officials, politicians and local residents to elicit different facets of the same story.¹⁵ Allison's (1971) treatment of the Cuban Missile Crisis is a major work which employs different frames of reference to generate hypotheses from different conceptual perspectives. Essence of Decision works through three different theoretical models which vary from decision as rational choice to decision as political bargaining, arguing that policy analysis should

¹⁵Lowi et al. (1976).

shift from examining what goals determine policy action choices to study of what factors determine actual outcomes. The need to think less of solutions and more about implementation is central to Allison's approach.

The case study of the New Hampshire project acknowledges the importance of viewpoint by presenting several perspectives on the events at issue. Executive department officials, both in the administrative agencies of government and from the personal staff of the Governor were consulted for their reaction to specific questions about the events and decisions made during the advocacy project study period. Project staff members were also interviewed.

A second point of view derives from interviews with elected officials, members of the legislature or local office-holders involved in the effort. A third perspective will be that of child development service providers, particularly those who were involved or directly aware of the advocacy project from its inception.

The choice of a case study approach to child advocacy activity is limited in scope and methodological potential. Critics of case studies complain that such studies can be static, analyzing decisions too much in isolation, confined to reviewing the roles of only the key actors in a particular situation. Jenkins (1978)

advocates case research as the most appropriate technique for understanding public rationales. Case study literature also strongly suggests the potential for research which can relate public policies' contents to particular contexts.¹⁶

Interdisciplinary Research

Quade (1975) specifically mentions welfare, urban development, and education as areas where the very nature of politics and the environment for particular public decisions requires new methodological syntheses. Jenkins (1978) argues specifically for a synthesis of case study methods with comparative policy analysis. Analysis for children and youth programs is presented in a case format by Goodisman (1980) without the comparative element. The desirability of using case detail in elaborating the relationship between a particular scientific discipline (sociology) and politics is also treated by Gouldner (1968)

The very aim of analysis, which is to assist one or more decision-makers choose a better course of action . . . tends to introduce all the difficulties and contradictions associated with value concepts, human behavior, and the communication of ideas. These conditions, either inherent in analysis or external to it, are

¹⁶See for example, Meyerson and Banfield (1955), Lowi and Ginsburg (1976).

common to any analysis that is not strictly scientific.¹⁷

Summary

The present approach, then, must frankly acknowledge the risks in seeking to generate hypotheses on the basis of vulnerable methods. It must also assert the inapplicability of methodological constructs grounded more in quantitative analysis and determine, cautiously, to proceed.

This study focuses particularly on legislative reform activity within the advocacy case studied and the comparative sites reviewed. Policy variables studied include design characteristics of advocacy projects in state government, their composition in terms of program objectives, organizational structure, and advocacy strategy.¹⁸ Background variables to which major research interest is paid concern the political and economic climates within which advocacy activity occurred. While variables are not developed or analyzed in a strict statistical sense for this research, it may be useful to consider public policy outcomes such as institutionalization of advocacy projects within state government

¹⁷Jenkins 1978, p. 195.

¹⁸See Figure 1, in the comparative study section.

structures, and results of legislative consideration of specific policy proposals presented by advocacy groups as the dependent variables with which the present study is primarily concerned.

Briefly stated, this study is organized openly in an effort to capture nuances of case study detail which may inform child advocacy efforts in the future, and which may aid in the development of generalizations about appropriate and feasible strategies for advocates who would enhance the developmental opportunities and protect the individual welfare of future generations.

C H A P T E R V

COMPARATIVE STUDY: SURVEYS AND CASES

Comparative Survey

The primary focus of the present research is a case study of child advocacy activity in New Hampshire's state government between 1979 and 1981. Two levels of comparative data are presented prior to the case study section in order to establish advocacy activity categories for analysis, and to provide a context for evaluating the New Hampshire experience. The first level of comparative data presented are derived from surveys conducted in 1976, 1979, and 1980, and from contract evaluation files maintained by the federal government agency which provided funding for the New Hampshire project, among others. The second level are contained in comparative studies of three states funded under the same federal program as the New Hampshire Project.

National survey data. New Hampshire's Commission on Children and Youth was established by the state legislature in 1975. Its early work was supported entirely by volunteers. An initial task identified by Commission members was to gather information about similar groups in other states. A private agency (Odyssey House) donated staff time for the purpose of collecting such information.

That effort (Natti 1976) produced fourteen responses from states with commissions or task forces charged with child advocacy responsibilities. Of thirty-seven states responding to the initial inquiry, more than one-third (thirty-eight percent) provided information about existing, state sponsored child advocacy groups.

A number of these groups belonged to a National Council of State Committees for Children and Youth, and has functioned as an information sharing network since that time.¹ Council files do not provide data of sufficient detail or appropriateness for the present study, but do confirm the general trends and similarities which recent surveys have detected. A participant in the first organizational meetings articulated the sentiments of child advocates of three decades ago.

We know some of the things we ought to do
but we still have to do them before it
does the children any good.²

The mandates of agencies responding to the 1976 survey commonly included advocacy and policy analysis responsibilities. A composite profile most typical of these groups might read: "Governor's Advisory Commission on Children and Youth. Assesses needs of young people,

¹National Council of State Committees on Children and Youth, "Newsletter," August 1980.

²Ibid.

recommends service and policy alternatives to meet those needs. Coordinates efforts of other state agencies to avoid duplication of effort, and participates in planning and monitoring of state services." All but two of these advocacy programs were identified in a federal survey of child advocacy programs which identified more than one hundred groups, both public and private, nationwide (Howerton 1976). Howerton identified nineteen categories of advocacy activities reported by the programs surveyed. Data drawn from her study identify incidence of public sponsorship at the state level. Comparison with subsequent survey data suggests that the Howerton report is far from comprehensive, but the tabulation of her data compiled for Table 4 identifies at least two clear patterns:

- a) most of the advocacy activity at the state level occurred under non-governmental auspices; and
- b) public education and legislative action activities were far more common than policy analysis functions such as research, program assessment, and reporting of policy alternatives and recommendations.

More recent survey data regarding state-sponsored advocacy efforts were gathered during the planning stages of the New Hampshire project reported in the case study section of this research. Anticipating the possible establishment of a state Office for Children and Youth,

TABLE 4

"STATE ADVOCACY AGENCY MANDATES COMPARED
TO ALL ADVOCACY ACTIVITY IDENTIFIED IN
FEDERAL REVIEW - 1975"

<u>Advocacy Activity</u>	<u>#Identified in State Government Agency Mandate</u>	<u>Total # Programs Identified</u>
Case/Individual Advocacy	3	5
Coalitions	0	6
Community Involvement	2	10
Community Organization	0	1
Consultation to State Officials	1	5
Developing Monitoring/ Assessment Tools	3	4
Education of Public	11	53
Internal Advocacy	1	4
Legal Action	0	4
Legal Assistance	0	2
Legislative Action	10	38
Monitoring Grievance Procedure for Youth	1	1
Organizing/Servicing Groups and Programs	2	20
Providing Systems Experts	0	1
Reports/Recommendations	1	2
Research	3	3
Training Advocates	1	12
Training Providers	0	2
Workshop on Data Collecting	0	1

Source: Tabulated from narrative detail reported
by Howerton (1975).

youth/consumer involvement. Data were also collected for fifteen functional categories: coordination, planning, standard setting, monitoring and evaluation, information gathering, licensing, public awareness/involvement, technical assistance, research, interagency agreements, mandated cooperation of state service agencies, training, legislative advocacy, direct service and state budget analysis.

Relevant statutes were identified in just over one-half of the fifty states (N=27). The statutory mandates are codified in Table 5. It should be noted that only explicit responsibilities were coded. Where statutes were unclear, no mandate was presumed. Review of the data gathered for this comparative survey suggests several possible generalizations.

1. Some statutes identified groups which were essentially advisory councils within direct service delivery systems. These states (N=3) were eliminated from consideration because their statutes could not be viewed as establishing free-standing advocacy agencies.
2. The most common profile emerging from this survey was one which portrayed an agency with responsibilities similar to the administrative advocacy category identified in the literature review

comparative research was undertaken to study the statutory mandates of similar agencies on other states.³

Survey of state advocacy statutes. The survey was limited to legislatively created agencies. Many child advocacy projects have been established by Executive Order, or convened solely through administrative authority of state department heads. A narrower focus was selected for this survey in an effort to gather and analyze information about advocacy agencies whose structures and mandates had been approved through a formal legislative process in other states. Thus, the only agencies reported were those whose enabling legislation had passed and been signed into law in their respective states. Legislative proposals introduced but not enacted were not included.

The statutes identified were classified into two general categories: a) those establishing children and youth Offices (N=10) with professional staff and comprehensive planning, monitoring, and coordination responsibilities; and b) those which created children and youth Commissions (N=17) with volunteer members, limited staff support, and primarily advisory responsibilities.

Statutes were coded for six organizational variables; structure, staff, advisory boards, local participation, and

³"Youth Services Planning and Coordination Project Report," N.H.C.C.Y. 1979.

section of the present research (Chapter Two).

3. While information gathering and research duties were often specified (73 percent of the possible reports) mandates mentioned budgetary concerns in less than one-half of the agencies identified (38 percent). Thus, advocacy-oriented legislation seems to have been more explicitly concerned with needs assessment and programmatic issues than with fiscal matters.

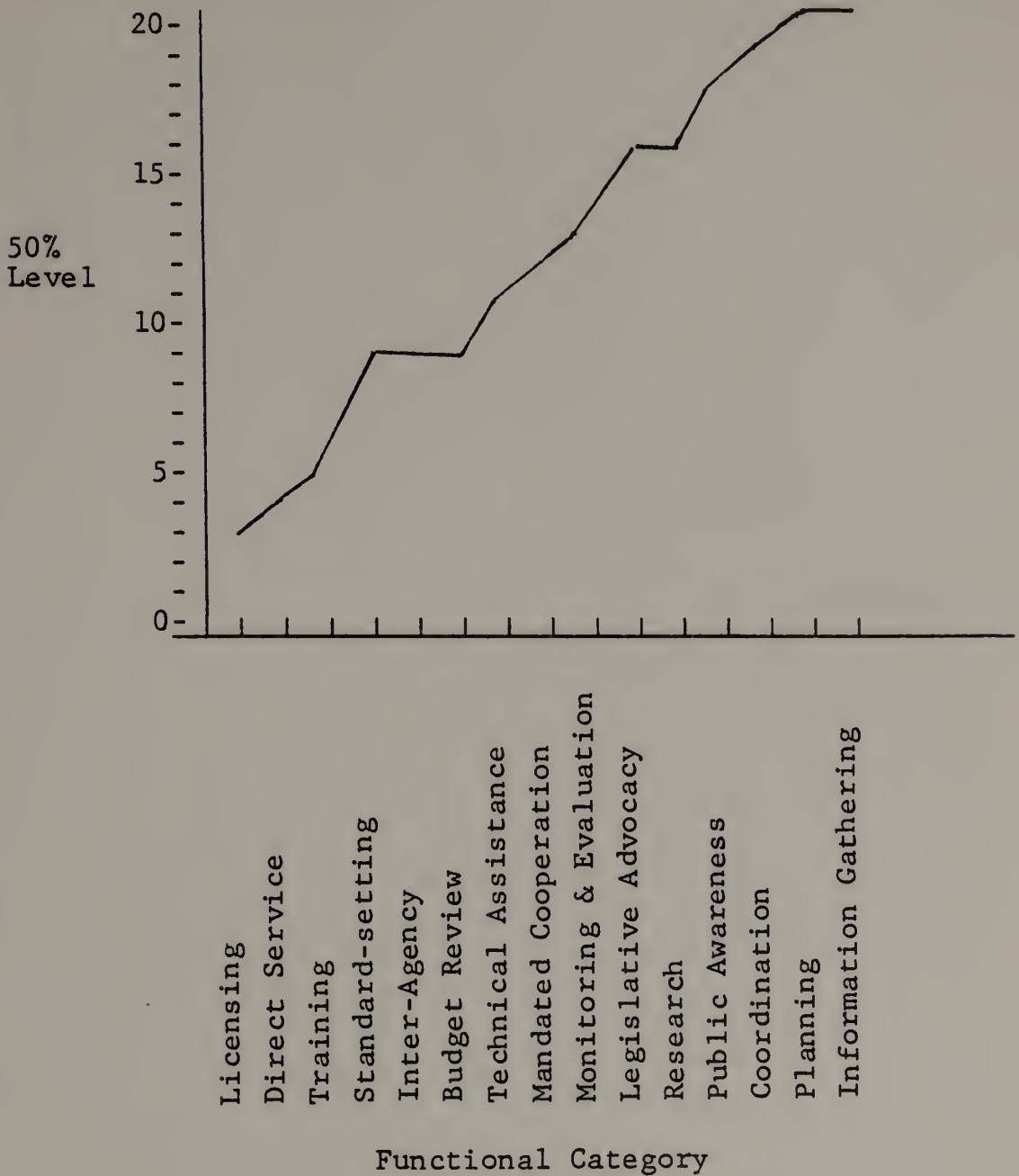
After controlling for statutes referring to advisory bodies of larger agencies, then, the frequency of references to specific functions was determined for the states identified with relevant statutes in force in 1979 (N=24).

The data presented in Figure 1 demonstrate a clear trend in the statutes to specify more general planning responsibilities rather than more specific and measurable regulatory and other more technical duties. For the purpose of delimiting comparative research undertaken for the present study, more detailed analysis focuses on those activities identified in the mandates of a majority of the statutes studied, specifically: 1) planning, 2) information gathering/dissemination, 3) research, 4) increasing public awareness, 5) research, 6) legislative advocacy, and 7) monitoring/evaluation. In the case study section (Chapter Six), particular attention will be paid to the

FIGURE 1

"FREQUENCY DISTRIBUTION OF FUNCTIONAL RESPONSIBILITIES FOUND IN STATE CHILD ADVOCACY STATUTES"

Frequency of statutory citation



budget review function, and other specific responsibilities which appear infrequently in the advocacy mandates surveyed.

It has been stated that statutes alone are inadequate as a source of information about advocacy activity within state government. Executive orders and administrative memoranda have also been responsible for numerous child advocacy projects. Such projects may be more short-lived than legislatively mandated agencies. In the past ten years in the case study state of New Hampshire, for example, state advocacy groups have included a Governor's Commission on the Status of Laws Affecting Children, the Governor's Committee for Children and Youth, the Governor's Commission on the International Year of the Child, and the Comprehensive Children and Youth Project. To date, none has lasted more than three years, while the legislatively mandated Commission on Children and Youth has been in existence for nearly seven.

In an effort to assess the validity of the statutory survey, federal evaluation documents pertaining to state capacity-building projects were reviewed. A summary of that review follows.

Capacity-Building Projects: Federal Interest in
State-Level Advocacy

The Administration for Children, Youth, and Families stated in 1979 that state capacity-building grants were designed for the purpose of assisting states to improve their efforts to plan, manage and deliver services to children in a coordinated manner.⁴ Objectives referred to in the federal program description included projects to assess needs of children; plan, coordinate, and allocate resources for programs, involve consumers, and provide technical assistance in administering programs. The New Hampshire capacity-building grant was one of five awarded in the last round of regional competition sponsored by A.C.Y.F., the other 1979 grants being awarded to Pennsylvania for D.H.H.S. Region III, Florida in Region IV, Hawaii in Region IX, and Washington State in Region X.

As part of the national capacity-building program, which developed from the locally based Community Coordinated Child Care (4-C's) Program of the Office of Child Development (A.C.Y.F.'s bureaucratic predecessor), a series of process evaluation reports was commissioned to provide some comparative detail about the projects in different states. Case study detail presented in these

⁴Program statement #13.608-791, (F.F.Y. 1979).

TABLE 5
 FEDERALLY FUNDED CAPACITY-BUILDING PROJECTS:
 Planning Activity Matrix

ACTIVITY STATE	INFORMATION GATHERING										COORDINATION							DISSEMINATION				
	Children	Providers	Agencies	Advocacy	Groups	Legislation	Actors & Events	Other	Conferences	Legislative Committees	Developed Legislation	Public Hearings	Workshops	Organizational Development	Other	Publications	Information & Referral	Ta & Training	Special Reports	Other		
ARIZONA	x	x	x	x	x	x	x		x	x	x	x	x	x		x		x	x	x		
CALIFORNIA	x	x	x	x	x	x	x		x	x	x	x	x	x		x		x	x	x		
CONNECTICUT	x	x	x			x	x		x	x		x		x		x		x				
DELAWARE	x	x	x			x			x	x		x		x		x		x				
IOWA	x					x	x		x	x						x						
INDIANA							x		x	x						x						
NEW MEXICO	x	x					x		x	x				x		x						
NEW YORK				x		x			x	x				x						x		
NORTH CAROLINA	x	x																x				
OREGON		x	x				x															
RHODE ISLAND		x	x																			
SOUTH DAKOTA		x							x	x												
VIRGINIA	x						x		x	x				x								

Source: Shepard, J., 10/77.

reports⁵ represents the only recorded source of independent analysis of state projects other than the research conducted for the present study.

Tabulation of capacity-building projects active in 1977 (White 11/1/78) identified 75 percent as sponsored within state government (N=12). A planning matrix was constructed during the evaluation process (Shepard 1977) which utilized categories similar to those employed in the statutory survey conducted for the present study. Three general categories were used: information gathering, coordination, and dissemination. Of nineteen discrete activities studied by federal evaluators, no single function was identified in all of the states reporting.

The data from the preceding table show that in the information gathering phase of the state projects, less than 54 percent sought information from children. Only five studied legislation, yet three-quarters of the states eventually developed legislative proposals themselves. Lack of evidence of success in legislative efforts to institutionalize capacity-building programs within permanent state government structures may be correlated with apparent over-reliance on social service providers (rather than legislative or political sources) during

⁵E.H. White & Co., contractor.

early phases of state projects.⁶

Three rounds of site visits to capacity-building projects were conducted by federal evaluators. Reports filed with A.C.Y.F. in Washington drew several evaluative conclusions which may be useful for analysis of the New Hampshire case study.

In moving toward the capacity-building program's stated goal of improved service coordination, state projects appeared to progress through three distinct stages: planning, institutionalization, and operation (Shepard 1977). Barriers to accomplishing objectives identified in the evaluation reports included turf protection by vested interests, and a number of administrative and political constraints which differed with specific case circumstances. Four critical elements for positive project outcomes were identified: strategic planning, professional staff, support, and legitimacy (Shepard and Shepard 1979). Support was seen as coming from four different constituencies: citizen, legislators, policy makers, and administrators. Project legitimacy was determined to derive more from a project's problem-solving track record than from its official bureaucratic status.

⁶Shepard (1979) reported only two capacity-building projects (Conn. and Va.) which had moved from the planning stage to the point of becoming institutionalized within state government.

While raw data and findings from the federal project evaluation files appear to offer valuable context for case study and analysis, some significant questions arise about the advocacy process model advanced. The Massachusetts Office for Children represents at least one case (in a state which did not receive capacity-building support) in which institutionalization preceded planning. An advocacy agency was created by the legislature without all of the constituency groups described by Shepard being actively involved in seeking passage of the bill. The Massachusetts Office was seen by some as acquiring its mandate and legitimacy first, and its support second (Morgan, unpublished).

A further question concerns the absence of any serious treatment of budget and financial issues in the federal evaluation files. Comments are made about the lack of cost/effectiveness evidence from many human service advocacy efforts of the 1960's (Gonzales 1977), and about the inability of capacity-builders simultaneously to raise funds for their projects and serve as effective program coordinators. Most of the state projects were concerned with program content and substantive children and youth policy issues in their respective states, however, and there appears to have been little questioning by federal evaluators about relative inattention to state

budget bills and financial management issues affecting young people and their families.

Comparative Case Profiles

The final section of comparative material prepared for the present research focuses on three states, and the primary data available as evidence of child advocacy activities within their respective governments. Each of the states received capacity-building funds, and each established an advocacy agency. The three states are Virginia, Alaska, and Hawaii.

Hawaii. Demographic and economic similarities between Hawaii and New Hampshire are striking. Both states have populations of just under one million. Both have experienced rapid economic growth in the past two decades. Both have geographies which combine areas of heavily concentrated populations with more rural and isolated areas. Clearly there are significant differences in ethnix mix, climate, and political culture, yet both states' economies rely heavily on tourism to generate revenues, and the scope of many issues confronting the states' governments are similar.⁷ State Capacity-Building

⁷General information above was provided by Genevieve T. Okinaga through interviews and correspondence in 1979 and 1980, by the Office of Governor George R. Ariyoshi and the State Dept. of Social Services and Housing.

grants were awarded to both states in 1979.

Hawaii established a children and youth Commission within the Office of the Governor in 1949. As with most such commissions, its role was seen as advisory, and its duties involved research, evaluation, coordination, and planning of children and youth services.⁸ In 1976, the state legislature replaced the Commission with a new Office of Children and Youth with a more specific mandate.⁹

The Hawaii Office was given duties within eight general categories, an advisory council, and authority to require cooperation and assistance from other state agencies in carrying out its mission. The Office provides no direct services. Capacity-Building funds have supported needs assessment efforts and a child abuse and neglect planning project.

Initial study of the Hawaii experience suggests successful attainment of advocacy objectives. The Legislature was willing to establish the advocacy agency within the the Office of the Governor. The Governor's

Detailed demographic and economic research was not undertaken during the present study for any of the states selected for comparative review.

⁸Responsibilities documented in letter to D. Sandberg from Susumu Ono, Administrative Director, Office of the Governor, 4/1/76.

⁹Hawaii Revised Statutes Sec. 581, L. 1976, C 207.

Office has used the Office effectively to build support for state initiatives in the areas of abuse/neglect and early intervention programs.¹⁰

The Hawaii Office mandate establishes a clear channel through which analysis of state programs and policies affecting children passes both the the Legislature and the Chief Executive. Creation of such a mechanism is cited as a goal for intra-governmental advocacy in much of the literature reviewed in Chapter Two.¹¹ Closer analysis, however, raises the possibility of a less positive evaluation.

The Office of Children and Youth in Hawaii has no case advocacy mandate such as that found in the Help for Children Program of the Massachusetts Office for Children. Despite the mandate for inter-agency cooperation, the Hawaii office has no power to construct or enforce inter-agency agreements to ensure delivery of services to specific populations. It is not responsible for setting standards or regulating services. The Office's position within the Executive Office reduces opportunities to take independent advocacy positions on children's issues when such stands might conflict with the Governor's priorities or political sensibilities.

¹⁰Private communication, G. Okinaga, 3/79.

¹¹See for example Kahn (1973) and ECS 1975.

There is a positive, almost a promotional tone to correspondence and interviews conducted with Hawaii personnel during the present study, a tone which suggests a) that the Office may be more prominent than it is powerful and b) that the thirty year history of the agency (with one change of label) is due in part to a recognition of the limits on stridency or aggressiveness which in-house advocates must respect in order to survive. The experience of the Alaska Office of Child Advocacy illustrates an alternative outcome.

Alaska. Alaska's state Legislature established an Office of Child Advocacy in 1972.¹² The Legislature reported that in order to assure young people their "full rights as human beings,"

there is a need to build public response to the problems . . . so that, maximum community and human resources are mobilized to provide services to youth.¹³

The use of advocacy in the agency title, and terms such as 'mobilize' and 'building public response' give the Alaska mandate a stronger flavor than that of many other states where drafters seem to have gone to great lengths to avoid using any terminology which might have inflammatory potential. The actual duties of the agency,

¹²Laws of Alaska, Ch. 109.

¹³AS Ch. 50, Sec. 47.50.010.

however, were much like those of state Commissions. Planning, coordination, and policy recommendations are among the responsibilities designated.

The Legislation establishing the Alaska Office took effect without signature on July 6, 1972, this despite the fact that the agency was to be housed within the Governor's Office. Chief executives tend to take advantage of processes which allow bills to become statutes without being signed into law when they wish to avoid making a strong endorsement of the measure. Research on the financial history of the Alaska Offices shows that funds were not appropriated for two years after the bill became law, and that five years later the agency had a budget of less than \$100,000, a sum which covered only minimal staff and expenses in Alaska's inflated economy.¹⁴

Office staff described their own role as follows:

While we are mandated to do planning, at this point with such a limited budget we generally are playing a role of catalyst, in getting other agencies to do coordination. Since we have little legal "clout," it is only as the Governor

¹⁴In Fiscal Year 1976, the budget of \$76,000 covered salaries for a director and a secretary (Correspondence from B.W. McQuire 5/17/76). Governor's Office requested \$95,000 for Fiscal Year 1977, reduced by legislature to \$83,400 ("Office of Child Advocacy News," May 1976, Juneau, AK). The agency estimated that it cost nearly \$3,000 just to convene a meeting of the Advisory Board due to the high cost of travel (Letter to L. Nattie from B. McGuire, 5/4/76).

directs such coordination that it seems to happen.¹⁵

By 1980, Alaska's Office of Child Advocacy no longer existed. Accurate information about the demise of the Alaska Office of Child Advocacy was difficult to obtain. From the limited information available, it appears that the Office's staff and board members came to be viewed as a political liability by the Governor in whose office they were housed. Political errors in judgment led to withdrawal of state funding for the agency, and the legislative mandate was subsequently allowed to expire.¹⁶

Virginia. Virginia represents an apparent success story in state-sponsored child advocacy. The Commonwealth's Division for Children has a legislative mandate which explicitly acknowledges responsibility for "advocacy the

¹⁵Correspondence from B.W. McGuire to N.H.C.C.Y., 5/17/76.

¹⁶Dr. Sam Granato, who directed the Alaska human service system during the period when the Office of Child Advocacy was functioning, was interviewed for the present research. He indicated that the Office leadership had overstepped some unspoken boundaries of stridency or aggressiveness which had provoked political retaliation. Peter Goelz, Executive Assistant to the Governor in N.H. described this phenomenon (when an agency or an individual exists or serves at the pleasure of the Executive) colorfully: "The moth that flies to close to the flame can get his wings burnt off." Personal communication.

best interests of children and youth."¹⁷ The agency is supported primarily with state funds, free from the fund-raising pressure which precludes effective efforts in other states. The agency has a full time staff of fifteen which is supplemented by a network of several hundred local volunteers. Most importantly the agency has a track record of accomplishment which sets it apart from other similar programs. It takes strong positions on children's issues, and appears willing to risk political anger. The agency's director commented that,

We generally have most of the government mad at us about one thing or another most of the time. The thing is they tend to balance each other out. So we just keep on going.¹⁸

The Virginia Division for Children has published needs assessments, planning documents, legislative analyses and newsletters with a level of detail and comprehensiveness beyond that of any other state studied. Applying the criteria of an agency with a mandate devoid of any direct service responsibilities, the Virginia Division for Children represents the largest governmental advocacy agency for children in any state.¹⁹

¹⁷Code of VA, 1977 Cumulative Supplement, Ch. 33, Sec. 2.1.552.

¹⁸Discussion with V. Emerson, Director, 8/81.

¹⁹Virginia should be distinguished from Massachusetts, where the Office for Children has had both a direct

As was the case in Hawaii, Virginia's Division for Children developed out of a predecessor Commission for Children and Youth created by the General Assembly in 1968.²⁰ A sketchy mandate for studies, research, and reports was spelled out for the fifteen member Commission. Promotional literature described the Virginia Commission as an advocacy agency "mandated to be concerned" about the needs of young people.²¹

Ten years later, Virginia's Advisory Legislative Council reported that the State (actually the Commonwealth) lacked systematic, coordinated planning for children and youth services, delivering adequate evaluation mechanisms, information about cost effective resource use.²² The report also noted

the less than effective use of expertise
in child development and youth service
already available in the state [ibid.].

Seven legislators sponsored a resolution expressing the sense of the General Assembly about the role of the Children and Youth Commission. The result was a mandate

licensing and regulatory function and a special help for children fund for actual services in special cases.

²⁰Code of Virginia, Ch. 17, Sec. 9-112.

²¹What is the Virginia Commission for Children and Youth? V.C.C.Y. pamphlet, undated.

²²Report to Committee on Health, Welfare and Institutions, February 1977.

for action between 3/77 and 7/77 which made the Commission's duties considerably more explicit.²³

The transition period in Virginia lasted until July 1, 1978, on which date legislation establishing the Division for Children in the Office of the Governor²⁴ took effect, and provided the new Division with an advocacy mandate extending for six years before any sunset review.

Distinguishing features. Composition of the Division's policy board and agency powers were much like those of the preceding Commission. The Virginia mandate language differs little, in fact, from the mandates of children and youth committees enacted in other states. However, the Virginia statute combines three features which, while not uncommon in other states' statutes, are seldom found together in a single state:²⁵

1. Budget review
2. Program monitoring and evaluation
3. Interagency authority

²³Planning, needs assessment, budget analysis, information sharing, program evaluation and other chores were specified in the Resolution: Source: House Amendments in February 16, 1977.

²⁴(Code of Va., Ch. 33, Sec. 2.1-559, (1977 c. 560), 1977 Cumulative Supplement, pp. 169 and following.)

²⁵In fact, statutory reviews and survey research conducted for the present study identified no other state where the same powers of monitoring and evaluation, budget review and, direct interagency authority were combined in a single legislative mandate.

Budget review.²⁶ The Virginia Division for Children is required to review state agency budget proposals, and to assess their impact on children and youth. Thus, the mandate recognizes the critical importance of the state budget in determining the degree to which the level of state services will approach the goals articulated in state policies. Such budget review authority is cited in less than fifty percent of state advocacy statutes.²⁷

Program monitoring and evaluation.²⁸ Monitoring and evaluation responsibilities are common in child advocacy agency mandates, both in executive orders and in legislation as discussed in Chapter Five. One distinguishing feature in the Virginia statute is the explicit

²⁶The statute (Sec. 2.1-552.D) "To review in conjunction with the Dept. of Planning and Budget the proposed budgets of state agencies delivering services to children and youth and make recommendations to the Governor concerning those items which affect children and youth." (Emphasis added to indicate the fact that the agency's output occurs before final decisions are made, not after the fact.)

²⁷New York's advocacy group has undertaken detailed budget review for at least one legislative session. (A Children's Budget, State of N.Y., 1980.)

²⁸Sec. 2.1-552, E & F. "To evaluate state programs which deliver services to children and youth to determine their effectiveness and to make recommendations concerning the future financial support and culmination of such programs and the establishment of new ones. To monitor state programs delivering services to children and youth to determine the extent to which services promised or mandated are delivered."

connection between program evaluation and recommendations concerning the future financial support and coordination of the programs. The language of the statute suggests a responsibility to move beyond evaluating program quality or efficacy, to address cost/benefit concerns.

Interagency authority.²⁹ Coordination of state efforts on behalf of children and youth is frequently cited as a rationale for intra-governmental advocacy projects (Kahn 1973, Early Childhood Project 1976). Prevailing service delivery system models at the state level separate specialized children's programs into different departments such as public health, juvenile justice, mental health, and social services.³⁰ Without exception, individuals consulted and correspondence conducted for this research made reference to the need for improved

²⁹Sec. 2.1-553. Cooperation of other agencies-- "To effectuate the purposes of this chapter, the Director may request from any department, division, board, bureau, commission or other agency and the same shall provide such information, assistance and cooperation as will enable the Director properly to exercise his powers and perform his duties hereunder."

³⁰Noteworthy exceptions are the states of Connecticut, and Rhode Island, where many (though not all) children's services have been consolidated into single agencies: Connecticut's Department of Children and Youth Services, and Rhode Island's Department for Children and Their Families.

coordination of services for children. When the legislation proposing an Office for Children and Youth was the subject of public hearings in New Hampshire, one local service provider offered testimony which typified this interest in improving coordination, or eliminating duplication of effort. He presented information about one adolescent on his caseload who had been assigned, by different agencies: a social worker, a probation officer, a psychologist, a juvenile officer, a school counselor, a "big brother" and a parole officer, none of whom had ever met to discuss the "case" they shared in common.³¹

Only nine state statutes were found to contain language pertaining to interagency cooperation.³² Virginia was alone in vesting the power to enforce such a mandate in the Director of the Children and Youth agency. Other states' statutes directed state agency heads to cooperate whenever possible, or contain qualified or more general directives. Consistently, direct service agency heads

³¹In 1981 arguments in favor of the Reagan administration's proposal shift of federal employee's from categorical programs to block grants were based in part on the same concern for coordination. The National Child Health block grant, for example, was actively supported by the American Pediatric Association and member physicians who felt frustrated by what they saw as an unworkable system of restricted programs in public health. Personal communication. Gilbert Fuld, President, New Hampshire Pediatric Society, September 19, 1981.

³²See Figure 1.

as providing the cooperation, the advocacy agency as receiving. The Virginia statute turns the tables, giving the Director the power to require, not merely to receive, assistance from other agencies.

One summary sentiment about interagency coordination was heard frequently during the research here reported:

Every body wants to coordinate, but
no one wants to be coordinated.³³

The difficulty of establishing effective inter-agency mechanisms to address the needs of the whole child may have guided those who drafted the Virginia statute to invest the Division with clearer authority than other states' advocacy groups had been given.³⁴ Recognition of the same problem in California led to a call for integration of services at the local level (Bissell 1978). Other states proposed or carried out consolidations or reorganizations of their service delivery systems. In Virginia, however, one agency was mandated to determine in effect:

Who is doing what, for which children, how well, and at what cost; and how can it be

³³These oral similar comments were made by advocacy agency personnel from several states at meetings of the NASDCD in 1979 and 1980. No source was ever mentioned. I first heard the idea in this form from Dr. Richard Rowe, Acting Chairman of the Statewide Advisory Committee to the Massachusetts Office for Children.

³⁴Personal communication, Val. Emerson, October, 1980.

done better, or cheaper.³⁵

Summary

The comparative data presented in this chapter included information about state government child advocacy agencies and their mandated responsibilities. Brief case histories of three states were presented to offer additional detail about the operation of programs with the same funding source as the New Hampshire Project reported in Chapter Six.

Hawaii and Alaska were discussed as states whose agencies had similar mandates, but whose advocacy experiences were distinctly different. Hawaii's Office of Children and Youth continued to function within the Governor's Office; Alaska's Office of Child Advocacy lost its support and its funds. The Virginia Division for Children was given a mandate similar to the other two states, but one which contained small differences in language which gave the agency significant additional powers and independence.

Comparative review suggests a number of issues for consideration in the case study portion of this research, in addition to the research objectives presented in

³⁵ Ibid.

Chapter Four.³⁶ Child advocacy agencies with very similar legislative mandates have had significantly different operational histories. The influence of variables such as political or economic conditions, program leadership, and strategic advocacy choices will be considered in the New Hampshire study. Timing is an additional factor which warrants study and analysis. The amount of time provided by legislatures or federal funding sources for advocacy programs to establish themselves may bear on the results observed. A more general timing issue concerns the points at which advocacy projects were begun. Most of those reported in this chapter were initiated between 1965 and 1975. Some may have begun with strong sponsorship from an incoming Governor or other public official; special interest advocacy may be tied to the political fortunes of its patrons in some cases.

The New Hampshire case study which follows examines the evolution of one such advocacy project in greater detail. While a comprehensive history of state activity during the study period is not attempted, the research is designed to focus on issues identified in the comparative studies contained in Chapter Five.

³⁶See research matrix, Table 3.

C H A P T E R VI

CHILD ADVOCACY CASE STUDY OF NEW HAMPSHIRE:

BOOTSTRAPS FOR THE BAREFOOT

Introduction

On June 9, 1981, the New Hampshire State Senate voted to send House Bill 892 (establishing an Office for Children and Youth) to interim study. This action by the senior chamber of the state's legislature effectively killed the only major child advocacy legislation introduced in that year. On May 18, 1945, the New Hampshire State Legislature consigned a remarkably similar set of proposals to the same fate by establishing an interim study committee on Youth and Juvenile Problems.¹ Since the Second World War, the issues raised by child advocates in New Hampshire have remained the same: health, abuse and neglect, out-of-home care, and juvenile delinquency. And for nearly four decades the response of many public policy-makers has been similarly consistent: appoint a committee to study the problem.

This chapter presents a case study of the most recent child advocacy project carried out under public auspices in New Hampshire. Supported by \$1.1 million of federal funds, the Comprehensive Children and Youth Project

¹Ch. 237, Laws of 1945.

began actual operation in January of 1980. The period selected to delimit the present study spans the point of first application for federal funds by New Hampshire and the conclusion of the 1981 biennial session of the State Legislature.² The chapter is divided into five sections which discuss:

- a) political and social policy contexts for the project under review
- b) prior advocacy efforts in the state
- c) fund-raising for the advocacy project
- d) disputes over control of the project
- e) legislative advocacy activities during the study period.

A subsequent chapter will be devoted to analysis of the case study period presented below within the comparative context of other states in which similar undertakings have been sponsored with federal funds from the Office of Child Development/Administration for Children, Youth, and Families in the past ten years, as presented in Chapter Five. The first section of this case study summarizes information about political and social service system contexts for the advocacy project.

²November, 1978.

Contexts for Advocacy - A Unique Political Culture

Legislature. New Hampshire state government is among the most representative in the nation. The House of Representatives of the New Hampshire General Court counts 400 elected members: an approximate ratio of one representative for every 2,000 state residents. A favorite New Hampshire saying asserts that if you live long enough, you'll land in the legislature (Anderson 1980). The membership of the State House of Representatives has been fixed at 400 since 1943. Even with the dramatic increase in state population in the intervening four decades, the representative ratio remains impressive.³

Each State Representative is paid \$200 for a two-year term of office, and serves without individual staff support. During a typical session, these volunteer lawmakers will consider nearly 1,500 pieces of legislation.⁴ The Governor and twenty-four state senators serve the same two-year terms.

Executive branch. New Hampshire state government has included a five member Executive Council since colonial

³If California had the same proportion of lawmakers to citizens, for example, its State Assembly would swell from eighty members to more than 10,000 (Lakis and Ginsburg 1981).

⁴N.H. House Record and Journal, 1977, 1979, 1981.

times. Article 60 of the second part of the State Constitution established the Council as a fixture in state government which carried over from provincial and revolutionary precedents.⁵ Unlike the state of Massachusetts where a similar council maintained since the seventeenth century plays a limited and largely ceremonial role, the Executive (or Governor's) Council in New Hampshire is directly involved in the daily operation of state government.

The Council presents a significant check on the powers of the Chief Executive.⁶ All major appointments, together with every contractual obligation entered into by the State (over \$500) must be approved by the Council. Out-of-state travel for state employees, minor alterations on existing contracts, and federal funds being received into the state are also subject to Council action. The operational bottleneck created by this practice is a factor in many of the administrative procedures which were addressed by the child advocacy project under study.

State agencies in New Hampshire are directed by appointed officials who serve longer terms than any elected officials. The Director of at least one agency

⁵p. 194, State of NH Manual for the General Court 1977, No. 45, NH Department of State, Concord.

⁶The Governor's Office has been rated as one of the ten weakest in the U.S., as detailed in Chapter Four.

(Employment Security, appropriately enough) is appointed for life. There are no state-wide elective offices other than Governor in New Hampshire government. Positions such as Attorney General, Secretary of State, and others are filled through appointment either by Governor and Council or legislative election.

Local government. The State has strong county and town governmental structures. State legislators comprise county delegations which determine regional appropriations and budgets. Boards of Selectmen, Town Meetings, and Aldermanic Boards in cities retain much of the governmental power which has been centralized at the state level in other states.

Finances. Revenues raised for state services in New Hampshire are generated by a number of fees and activity taxes by business profits taxes and by the state sale of alcoholic beverages. New Hampshire is the only state without any state sales or income tax. The state budget for fiscal year 1982 was projected at \$1.6 billion, less than sixty percent of which will be state funds.⁷ New Hampshire regularly ranks at or near the bottom of national surveys of state aid to public education, mental health

⁷Legislative Fiscal Committee, draft analysis, House Bill 600, March 1981.

and other social services.⁸

When compared with other New England states, and with figures for national averages, the level of support in New Hampshire falls below the comparative example in ninety-four percent of the instances, as the following table demonstrates.

TABLE 6

PER CAPITA STATE AND LOCAL (COMBINED) EXPENDITURES FOR
SELECTED SERVICES

Item	NH	Conn.	Maine	Mass.	R.I.	Vt.	USA
Education	\$359	383	340	405	397	452	412
Public Welfare	107	116	140	213	181	149	128
Health & Hospitals	42	65	43	88	81	63	88

*Source: Henry et al. 1978.

Recent growth. New Hampshire's population has increased by twenty-five percent since 1970, but still numbers less than one million.⁹ In the past ten years, more than two-thirds of all population growth (67.9 percent) in the state has been due to migration rather than natural

⁸ See for example annual surveys by Child Welfare League of America: "Child Welfare Planning Notes," and Chronicle of Higher Education.

⁹ N.H. Office of State Planning, 1980.

increase.¹⁰

New Hampshire's business and industry has developed at a similar rate, particularly in the southern quarter of the state. Conversely, the several northern counties have remained sparsely populated, thus heightening the contrast between Massachusetts border towns and the so-called North Country. The 1980 census reported eighty-six percent of the total state population as residents of the southern half of the state's geographic area: only fourteen percent in the northern half.

Political culture. New Hampshire state politics has been described in studies of political culture as a "triumph of conservatism" (Lockard 1959). The state is notable for its regressive tax structure: it is the only state without either a state sales or income tax.¹¹ Lockard's observation that the state's political decision-makers had a tendency to view every public issue as a question of economy in government holds true today. When the Governor's endorsement of legislation developed during the child advocacy project reported in this study was made public in January of 1981, it was presented as part of a

¹⁰ Ibid.

¹¹ Alaska was about to repeal its only broad-based state tax at this writing; municipalities in the State continue to impose their own sales or income taxes, which is not the case in New Hampshire.

"wholesale" reorganization of state government designed to save \$3.6 million. News reports mentioned little about the needs of children. Instead, the newspaper headlines in the capitol city read, "[Governor] Gallen Sharpens Axe for 22 Agencies, 92 Jobs."¹²

Litt's study of political culture in Massachusetts identifies conflicts between old and new cultures: those based in rural or industrial life against newer, more management-oriented approaches (Litt 1965). The argument is made that changes in the political culture of a state will manifest themselves in the uses to which political institutions are put, and in the character of political reform movements; the present case study will consider whether the statement applies to New Hampshire as well.

Studies of political culture have been psychologically focused when applied to analysis of individual behavior, or employed in what Rosenbaum (1975) describes as a system level approach to understanding how a society or community is oriented to the components of their political process. Orientation toward governmental structures, political leaders, and personal political activity are analytic categories found in such studies (Rosenbaum 1975, Devine 1972).

The question of prevailing political culture as a

¹²Concord Monitor, January 24, 1981.

determining influence in the case study state of New Hampshire best can be addressed by examining a) the status of child development and youth service policies and programs which comprised the substantive foundation for advocacy efforts, and b) the status of the political forum in which advocacy proposals were presented.

Child development, early education, and youth services.

New Hampshire does not have a strong tradition of support for public services to children and youth. AFDC is not provided to intact families, regardless of income. There is no separate family or juvenile court system in the state. There is no mandate for kindergarten programs in New Hampshire public schools.¹³

There are nearly 300,000 children in the state, 62,500 under the age of five.¹⁴ One in ten New Hampshire children lives in poverty, yet less than fifty percent of these receive AFDC benefits.¹⁵ Using the most optimistic projections of state public health officials,

¹³Less than one-third of the state's school districts maintain kindergarten programs, as compared with more than seventy percent of school systems nationally (Mowles, undated).

¹⁴N.H. Office of State Planning, 1981.

¹⁵Fewer still after 1981 federal budget cuts were implemented.

there were at least 6,000 preschool age children in the state who had not received minimal health care in 1980. One of every five first born children in the state has a teenage mother, yet the state funds only five prenatal clinics which serve less than ten percent of the population.¹⁶

There has been a marked increase in the capacity of licensed child day care facilities in New Hampshire during the past decade. Figures for group care and family day care programs in the state show an increase of 132 percent in the number of programs licensed by the Welfare Division's Bureau of Child and Family Services between 1970 and 1978.¹⁷ Child care has consistently been the single largest line item in the state's Title XX social services budget, but the state has provided less than one-half the matching funds for this federal money.¹⁸ Table 7 provides data for the growth of regulated child care and early education programs over a nine year period.

¹⁶New Hampshire State Division of Public Health Services: 1980 Plan; Bureau of Vital Statistics 1980 Annual Report.

¹⁷New Hampshire State Division of Welfare, 1978 Annual Report.

¹⁸In Fiscal Year 1980, the State Title XX Plan allocated just over three million dollars for child care services (\$3,001,862).

TABLE 7

CAPACITY OF LICENSED
NEW HAMPSHIRE DAY CARE FACILITIES: 1970-1978

	1970	1972	1974	1975	1976	1977	1978
TOTAL GROUP CHILD CARE							
# facilities	192	279	373	405	422	454	476
# children	5,640	8,334	11,868	13,757	14,302	14,756	15,266
TOTAL LICENSED FAMILY							
DAY CARE HOMES							
# homes	387	438	438	524	507	776	868
# children	1,442	1,712	1,647	2,092	2,059	3,270	3,695
SELECTED COMPONENT							
CATEGORIES - Kindergarten							
and Nursery Schools							
# facilities	NA	217	264	285	293	331	356
# children			8,269	9,454	9,653	10,229	10,875
DAY CARE CENTERS							
PROPRIETARY							
# facilities	NA	19	36	38	39	38	40
# children			1,117	1,326	1,417	1,394	1,417
DAY CARE CENTERS (non-profit)							
# facilities	NA	23	28	34	37	37	34
# children			1,352	1,854	1,983	1,866	1,293
HEADSTART							
# facilities	NA	20	27	26	28	27	27
# children			725	754	799	724	726
GROUP CARE							
SPECIAL NEEDS							
# facilities	NA		10	14	14	15	15
# children			235	280	276	309	303

Source: NH State Division of Welfare, Bureau of Child and Family Services

Youth services policies have drawn increasing attention in recent years as juvenile court caseloads have grown. From 1967 to 1977, for example, the number of court cases involving youthful offenders increased by 217 percent.¹⁹ The state operates only one residential facility for juveniles: the Youth Development Center in Manchester, which has had a capacity for between ninety and 180 residents depending upon appropriations for maintenance and operation of its campus-style cottages in any given year.

Most youth services are the responsibility of local units of government, as with public education and other services. Towns and counties are liable for the costs of court-ordered placements of juveniles except when a youth is committed to the YDC. Even the cost of services to minors at the State Hospital is billed back to the local level. Critics of this system point to a possible financial incentive to incarcerate juveniles as the only way to place financial responsibility on the state.

But as court caseloads (and consequent commitments to YDC) have increased, a revolving door situation has developed. Youths committed to the institution are often released after short periods of time to make room for more serious or potentially dangerous offenders. The most

¹⁹NHCCY Research memorandum, December 31, 1979.

recent data available for the present study showed that the average length of stay for a committed youth was less than four months.²⁰ The Superintendent of the YDC has commented:

The first six weeks . . . is almost wasted time. It takes that long to build a relationship with a kid . . . so if you're only able to keep a youngster for . . . three months, there's not much time there to undo an attitude and behavior that's been built up over fifteen or sixteen years.²¹

Unlike an income-eligible child in a Title XX-funded day care center, who cannot be displaced merely because some more "needy" family applies, the youth service system in New Hampshire regularly disrupts placement and treatment plans for juvenile offenders in a process that frustrates law enforcement officials, families, and policy-makers alike.

Yet the annual appropriation of approximately three million dollars for YDC represents virtually the entire state investment in services for troubled youth. Based upon the institution's capacity during the summer of 1981, annualized per capita operating costs exceeded \$30,000-- three to four times the cost of many community-based programs for an institution whose own staff concedes that it has little rehabilitative impact. Of all state programs

²⁰1981 treatment records.

²¹Concord Monitor, September 11, 1981.

and policies for children and youth, the Youth Development Center (and the related systems for referring and releasing youth to and from it) has generated by far the most political interest and activity in recent years.²² Not surprisingly, the political rationale for the advocacy efforts undertaken between 1978 and 1981 relied heavily on a juvenile justice emphasis.

Extensive additional data are not presented here to document the status of children, and public services for them, in the case study state. It can be said in summary that the case study state has lagged well behind its New England neighbors in the development of public policies which mandate significant state responsibility for vulnerable children and youth.

Status of political forum for advocacy. At the beginning of the case study period in the fall of 1978, New Hampshire had a new Governor replacing the controversial Republican Meldrim Thomson, who had held office for three terms. Thomson's slogan "ax the tax," and his espousal of ultra-conservative causes, had gained national attention and kept child advocates and other human service concerns on the defensive. In both houses of the state legislature, but particularly in the Senate, conservative Republican

²²Minutes of the NH Commission on Children and Youth: 1975-1980.

leadership also prevailed. The Democratic Governor-elect in 1978 had narrowly defeated Thomson in an election where the only Democratic statewide officeholder (Senator Thomas McIntyre) lost to a conservative with views akin to Thomson's.

Expectations were high among child advocates that more moderate political rhetoric, and more compassionate public policies, would now be directed toward the young people of the state.²³

Prior Advocacy Efforts in New Hampshire

The review of child advocacy literature identified a pattern in public sponsorship of child advocacy projects: a pattern by no means limited to children's issues, which might be termed the 'set-up-a-committee' syndrome. Programmatic and policy concerns are identified. A constituency presents the concerns to decision-maker(s). Decisive action is called for. A select blue-ribbon Governor's/Speaker's President's Committee/commission/task force/panel/study group is appointed with much fanfare and decisive rhetoric. The names of the influential members are printed on stationery, brochures, and press releases

²³Governor Gallen did appoint a state commission for the International Year of the Child early in his first term, and campaign promises to do something about the problems of young people led to staff discussions about the child advocacy project within the first month after his inauguration.

accompany a final report. The work of the group, whether ongoing or limited to the production of a single report, is more praised for political purposes than applied to actual policy decisions. The group is used by the system as a safety valve to let off steam, not as a means of generating energy for action.

Some analysts have argued that the decennial White House Conferences on children and youth have institutionalized such a pattern (Steiner 1976). Others maintain that the process of convening citizens to address a common concern can influence public opinion and, in sometimes indirect ways, contribute to changing attitudes which will in turn affect public policy.²⁴

In New Hampshire, at least three advocacy efforts can be identified which preceded the project under study; each of which represented the "blue-ribbon" approach. In 1945, the Legislature established a select committee to report on the problems of young people.²⁵ In 1972, Governor Walter Peterson convened a Governor's Commission on Laws Affecting Children. The Commission had sixty-six members, and the same legal counsel who drafted the

²⁴Hess, S. and Carr, J. Executive Directors respectively of the 1970 WHCCY and the 1980 WHCF, personal communication.

²⁵Ch. 237, Laws of 1945, NH RSA.

advocacy legislation introduced a decade later. In 1975, the Legislature created the Commission on Children and Youth which became the springboard for the advocacy project here reported.

Each of these three prior advocacy efforts developed recommendations which employed the need for prevention programs as part of the children and youth service system in the state. Each identified problems of overlapping responsibility and poor coordination among state agencies dealing with children. Each made recommendations for changes in the state system.²⁶ In 1981, the state service system for children and youth had essentially the same structure as had been the case when the first such group issued its report some thirty-six years earlier.

The two and a half year case study period in New Hampshire was determined by two externally controlled cycles: federal funding, and the state political calendar. The application deadline for the federal funds which supported the advocacy project coincided with the 1978 election in New Hampshire, and served as the starting point for the study period. Defeat of legislation sponsored by the advocacy project in the spring of 1981

²⁶The 1972 report called for "Commitment to the establishment of a responsible continuing advocacy on behalf of our children," and proposed a permanent Commission with a small professional staff. Source: Goos (in Law Affects C, Preliminary Report," December 1972, p. 39).

constitutes the end point.

Two points should be made before presenting a summary chronology of the case study period. First, the author acted as participant/observer throughout.²⁷ His active role in the events reported must be considered by the reader in assessing the information and analysis presented. Second, the dates selected to delimit the present study are somewhat arbitrary. Advocacy activity preceded the study period, as reported in the previous section. More importantly, the advocacy project itself continued past the close of the study period. Federal funding was expected for an additional eighteen months beyond the close of the 1981 legislative session. Thus, the record of events and interactions here presented is only part of a continuing process.

That the process was also larger should also be emphasized. The present study focuses primarily on legislative advocacy and some corollary administrative advocacy efforts. The Comprehensive Children and Youth Project itself invested much of its staff time, and more than fifty percent of its financial resources, in demon-

²⁷ First as Executive Director of NHCCY from May 1978-January 1980, subsequently as Special Assistant to the Governor for Children and Youth, a position which became that of Assistant Project Director after the State Supreme Court's ruling against the Governor's attempt to place the Project personnel on his personal staff.

stration programs and other pilot projects not directly related to the proposed reorganization of children and youth services in the state. These programs were sub-granted to local service providers responding to competitive grant proposal requests, and were designed to promote provision of services to children and youth in the least restrictive appropriate setting. While outside the scope of this study, the demonstration programs were designed to address the same advocacy objectives as the system reorganization proposals developed in New Hampshire.²⁸

Summary Chronology

Fund-raising for the advocacy project.

<u>1978 November</u>	New Hampshire Commission on Children and Youth submits state capacity-building grant proposed to Administration for Children, Youth and Families. Hugh Gallen defeats incumbent Meldrim Thomson in gubernatorial election. Both write letters of endorsement for the grant.
<u>1979 January</u>	New Hampshire proposal selected for funding in regional competition (Massachusetts, Maine, and Vermont were other states eligible). \$70,000/yr., 3 years.

²⁸In fact, decisions about demonstration grant awards were often linked to political considerations. One such grant was made to an agency whose director was also a state senator. The single largest grant was made to an agency whose director had once been a colleague of the Governor's campaign director at the Youth Development Center. Both of these were sole-source awards, independent of the competitive "RFP" process.

1979 March

Grant proposal developed for discretionary funds from Office of Juvenile Justice and Delinquency Prevention. Staff of Governor's Office and Commission on Children and Youth discuss merging advocacy funds into a single project.

April

Commission on Children and Youth membership approves proposal to place advocacy project within the Governor's Office.

June

Office of Juvenile Justice and Delinquency Prevention issues formal notice of grant award to New Hampshire Governor's Office. \$317,778/yr., 3 years.²⁹

Disputes over control.

July

Request for funding approval submitted to Legislative Fiscal Committee (L.F.C.) joint House Appropriations/Senate Finance body which must approve acceptance of any federal funds into New Hampshire which are used to create staff positions.

August

Legislative and Executive Office staff agree to submit request to C.F.C. by telephone poll. Poll never conducted.

September (6)

L.F.C. meeting agenda includes request to establish fifteen positions as part of Governor's Office for Children and Youth.

September (24)

L.F.C. denies request.

October

(10) Governor places advocacy project grants on Executive Council agenda

²⁹Included ten percent state matching funds from Governor's Commission on Crime and Delinquency, the pass-through agency for the award.

without L.F.C. approval, citing Attorney General's ruling on budget footnote authorizing acceptance of federal funds for Governor's personal staff.

Commission on Children and Youth testifies in support. Council votes (5-0) in Governor's favor, over objection by House Speaker, stipulating that State Personnel Department review staff qualifications, and that Council's consent be required for appointment of advocacy project director.

1979 October (23) Governor holds reception in the State House to mark the establishment of the Governor's Comprehensive Children and Youth Project (GCCYP). Advocacy program now referred to as a "Project" in anticipation of legislative challenge asserting that Children and Youth staff constitute a separate office, and cannot be considered as personal staff of the Governor.

1980 January First staff positions filled for GCCYP, one year after original federal funds had been awarded. Preparations for administrative and legislative advocacy begin.

February Petition filed in Superior Court by State Senate President, House Speaker, Senate Finance Committee Chairman, House Appropriations Committee Chairman (Merrimack County) to prevent Governor from expending advocacy project funds without legislative approval.

March State Supreme Court hears oral agreements in Monier et al. v. Gallen an inter-locutory transfer (without ruling) from Superior Court.

May (5) Supreme Court rules (3-2) against Governor, remanding case to Superior Court.

(8) Legislative Fiscal Committee approves compromise proposal presented by the

Governor to place advocacy project within the New Hampshire Crime Commission. Commission on Children and Youth's request for public hearing on the matter denied.

Legislative advocacy begins.

- 1980 October Non-partisan legislative strategy agreed to by Crime Commission Executive Director, acting as Project Director.
- November Judith Ryan named Director of Comprehensive Children and Youth Project, two years after application for federal funds.
- December Comprehensive Children and Youth Project presents legislative recommendations to Governor's Office. Recommendations rejected in favor of unfunded reorganization proposal.
- 1981 January Governor proposes a new state Office for Children and Youth as part of partisan reorganization package for all state agencies.
- February Governor presents budget recommendations to Legislature, calling for major cutbacks in human services, and creating a budget line for an Office for Children and Youth.
- April (9) House Bill 892, creating a state Office for Children and Youth, presented in joint press conference with Governor and legislative sponsors.
- (15) Public hearing on HB892 before House Committee on Executive Departments and Administration. Committee reports bill as "ought to pass" (17-5).
- (23) House passes HB892 on voice vote.
- May (22) HB892 given public hearing before Senate President Robert Monier.

Committee recommends bill be referred for interim study.

- 1981 May (27) Full Senate adopts committee recommendation, thereby killing advocacy legislation.
- (29) Lead editorial in Concord Monitor labels Senate defeat of the children and youth legislation "a travesty." Editorial Title: "Senate Gone Bonkers."

The above chronology traces a two and one-half year legislative advocacy effort which failed. No statutory reforms were enacted. No new funds for children and youth services were appropriated. No new coalition of advocates for young people emerged. By the close of the 1981 session of the New Hampshire state legislature, the Comprehensive Children and Youth Project (which had been the vehicle for the advocacy effort) had expended half a million dollars, and was starting over. The case study which follows examines the advocacy project in closer detail in an attempt to elicit clearer understanding of the events in New Hampshire, and to identify major issues which may be relevant to future efforts in New Hampshire and other states.

Getting Started

Finding funds and facing election. The study period began with the development by the New Hampshire Commission on Children and Youth of a grant proposal for state capacity-

building funds from the Administration for Children, Youth and Families (DHHS 13.608). The Commission was the state agency mandated to carry out what are referred to in the present research as "child advocacy" activities within state government.³⁰ The membership of the Commission had been appointed by Republican Governor Meldrim Thomson, who was running for re-election. Advisory participation by state agency heads or their designees was stipulated in the Commission's mandate. As a rule, lower-level agency representatives were designated. In fact, during the author's two-year tenure as Executive Director of the Commission, only one of the five agency heads referred to in the statute ever attended a Commission meeting.

The most active agency representatives were from maternal and child health, children's social services, and early childhood education bureaus.³¹ Each of these representatives showed an interest in prevention programs, and in early intervention strategies, but none held policy-making responsibility for his or her department.

³⁰New Hampshire Revised Statutes Annotated 170-D, enacted in 1975, gave the Commission a general mandate much like those of other state committees, but stopped short of appropriating any state funds or giving the Commission any specific powers to subpoena, or to enforce its recommendations on the rest of state government.

³¹Minutes of the N.H.C.C.Y., May 1978-April 1980.

The citizen members of the Commission included two nurses, a school volunteer, a drug abuse program director, and the Governor's wife. While there was disagreement among the membership about the degree of which the Commission's advocacy style should be confrontative or conciliatory, there was strong support for two kinds of work:

- a) efforts to increase efficiency and effectiveness of state programs (see Title XX Report in Appendix, and
- b) advocacy for allocation of resources toward programs to support positive early development, in addition to the state's traditional emphasis on crisis intervention.

The advocacy project grant proposal which this group developed addressed four goals which reflected the general orientation of the membership. The proposal detailed plans to:

- 1) Improve planning and coordination of state services for children and youth
- 2) Develop monitoring and evaluation efforts by the commission to assess state services
- 3) Promote service strategies which acknowledge the contexts for children's development
- 4) Increase citizen participation in state policy-

making process for children and youth.³²

Political judgments and false assumptions. Armed with endorsements from an array of helping agencies, politicians, and interest groups, the Commission leadership approached the staff of the Governor-elect to discuss plans for the advocacy project.³³ Strong interest was expressed in the possible reforms which an advocacy project could stimulate. Discussants agreed to meet again once the new Governor had been inaugurated, assuming that the federal funds were in fact awarded.

It was during these preliminary and informal talks that the possibility of restructuring the advocacy project was first discussed. The Commission on Children and Youth leadership had seen its earlier efforts to stimulate inter-agency coordination ignored by state department heads.³⁴

³²State Capacity-Building Project for New Hampshire. Federal Program #13.608, submitted to Reg. I, ACYF, OHDS, November 8, 1978.

³³Informal discussions were held in November and December of 1978 with Peter Goelz, Gallen's campaign chief who had been active in youth services in the state, and with Rep. Michael Cornelius (D-Hanover), who had sponsored legislation to reorganize state services for children, and had also worked on the Gallen campaign staff.

³⁴One Commission project did result in substantial changes within the social service delivery system: an analysis of the use of Title XX funds for children's services in New Hampshire. This report, which may be found in the Appendix, served as the model for the monitoring activity proposed by the Commission in its Capacity-Building grant application. Publication of the Report

Children and Youth advocates had been prominent supporters of the Governor-elect, and the prospect of active leadership for positive changes for children from the Chief Executive was exciting to Commission members who had little to show for three years of volunteer work. The Commission leadership made two assumptions as the political balance of power appeared to be shifting in the State House late in 1978. First, it assumed that the Governor was the most powerful political office in the state and therefore an ideal champion of the children's cause. The second assumption was that the Chief Executive controlled the Executive branch of state government, where much of the Commission's advocacy agenda was focused. Both of these assumptions were to be seriously questioned as the advocacy project in New Hampshire ran its course.³⁵

generated extensive press coverage, and was followed by more aggressive efforts by the Division of Welfare fully to expend Title XX funds. However, the legislative protection against overcontracting problems recommended in the report was never pursued, and by 1980 the Title XX program was in serious financial difficulty. The Commission's advocacy grant proposal was designed to increase staff capacity to conduct more (and more sophisticated) program reviews as a means of advocating positive changes in state policy. Once the project became housed within the Office of the Governor, the prospect of undertaking such reviews became subject to political considerations which the Commission on Children and Youth had not faced.

³⁵ Later sections will examine these assumptions in more detail. It should be noted at this point that none of the Commission officers or staff had prior political experience in the state. Additionally, the powers of the Governor's Office were in fact more limited than in many

Double your money. When A.C.Y.F. awarded the state capacity-building grant to the New Hampshire C.C.Y. early in 1979, discussions with the Governor's Office resumed. At this point, the Governor's staff proposed establishing a new Office for Children and Youth by Executive Order, and indicated their intention to seek additional federal funds to implement such a plan. It was made clear to the Commission's Executive Director that the new Democratic administration viewed the Commission as having been controlled by former Governor Thomson, and that a new Governor should be able to put his own stamp on the advocacy project.³⁶

A member of the New Hampshire Democrats had developed strong ties to the Carter administration after the 1976 primary campaign success. Those ties were now used to pursue federal funds for the children and youth idea. Peter Goelz, the Gallen campaign director in 1978, was made Acting Director of the State's Crime Commission, and a proposal was drafted in March of 1979. With the assistance of the White House, the grant application moved rapidly through the federal approval process.

states. The terms of office of executive agency heads were not with the Governor. The legislature had consistently appropriated more funds for the Office of the Speaker of the House than for the Governor.

³⁶Personal communication, P. Goeltz.

When the Executive Director of the Commission was asked to draft narrative sections for the OJJDP grant, it was presented as an opportunity to more than double the money available to implement the advocacy project.³⁷ The actual budget submitted with the grant request, which used narrative sections intact from the ACYF capacity-building proposal, called for \$852,000 of federal funds over three years, to be matched by ten percent state dollars. The continuing assumption by both the Governor's staff and the Commission leadership was that the two grants would be combined to support a single project. The sheer size of the OJJDP proposal submitted by the Governor's Office, however, changed the situation considerably.

An advocacy project which had been designed by a group oriented toward early childhood development and prevention would receive more than four-fifths of its funds from the Department of Justice and the State Commission on Crime and Delinquency.³⁸

³⁷ Personal communication, P. Goeltz, January 29, 1978.

³⁸ Funding sources (annual budget)

A.C.Y.F., O.H.D.S.	70,000
O.J.J.D.P., L.E.A.A.	286,000
N.H.C.C., J.J.A.B.	<u>31,778</u>
Total	\$ 387,778

Kierkegaard and kids. By March of 1979 a clear plan had been developed, but had yet to be approved by the membership of the Commission on Children and Youth. Such approval was necessary because the Commission would have to request redesignation of the capacity-building grant to the Office of the Governor in order for the funds to be consolidated. At the same time, the State Legislature was considering the Governor's biennial budget proposal, which contained no state funds for Commission operations.³⁹

Commissioners had discussed introducing legislation to enlarge their membership, and to make their advocacy mandate clearer. They had taken a wait-and-see attitude toward housing the advocacy project in the Governor's Office until the OJJDP grant award should be made official. A Republican legislator appointed to the Commission by the Speaker of the House (Judith Stahl, Nashua) urged the Commission to agree to have such legislation introduced with an appropriation request to cover the anticipated reduction in federal funds. Such legislation was in fact introduced, and enacted into law.⁴⁰

³⁹The Commission had never received any state funds. Staff had been hired with a small federal grant which was to expire at the close of fiscal year 1980.

⁴⁰HB483, see Appendix. The language of the legislation (drafted by the author of the present study) was eventually cited by the Supreme Court in its ruling against the advocacy project's placement in the Governor's Office.

Once the Commissioners were notified that a large grant from the Office of Juvenile Delinquency Prevention would be made, it became clear that the advocacy project would in fact need to be housed in the Governor's Office. The members agreed to take what one referred to as a political "leap of faith," and ask A.C.Y.F. to re-assign the capacity-building grant to the Governor.⁴¹

Disputes over Control

Checking the fine print. Throughout the fund-raising period for the New Hampshire advocacy project, parties to the effort had assumed that once an organizational format was agreed upon, it would be promptly implemented and the funds put to use.⁴² This assumption proved to be invalid

⁴¹Discussions about the best course of action took place at Commission Meetings in March, April, and May of 1979 (N.H.C.C.Y. minutes). Consideration was based on a draft proposal for an Office for Children and Youth which had been prepared in January. In fact, the actual grant proposal submitted to O.J.J.D.P. placed greater emphasis on juvenile justice concerns, and had a much larger budget, but the Kierkegaardian "leap of faith" was based on comparison of the draft proposal dated January 29, 1979 with the Capacity-Building grant narrative. Both documents are included in the Appendix.

⁴²The delays in beginning the advocacy project, once funding was assured, had been questioned by Commission staff and leadership. It was not until the lawsuit was filed to block the project's placement in the Governor's Office that the reasons for the delay became clear: the Legislature was in session in the spring of 1979, and in the process of approving a budget. Had the federal funds been formally accepted by the state, they would have had to pass through the budget process and thus come under legis-

when an attempt was made to get the project under way in the summer of 1979.

The unique structure of state government in New Hampshire, discussed in the first section of this chapter, includes strict limitations on the process for receiving federal funds outside the normal biennial budget process. Advocacy project supporters, new to the workings of the state system, had assumed that receipt of a grant award could be immediately followed by use of the funds. Instead, two major review processes had to be completed, both of which were open to intense political partisanship.⁴³

Fiscal committee. The first of these hurdles was the Legislative Fiscal Committee. Composed of members from the House Appropriations and Senate Finance Committees, the Fiscal Committee has statutory authority to approve acceptance into the state of federal or other funds which establish new personnel positions.⁴⁴ The

lative control. By delaying action until the close of the legislative session, the Governor's Office apparently hoped to retain fiscal control of the project funds.

⁴³In fact, the system is even more complex. Grant budgets must be approved by state personnel, the Comptroller, and the Attorney General in addition to the Fiscal Committee and the Executive Council. Thus, there can be significant delays in program start-up even without the political opposition faced by the Children and Youth project.

⁴⁴Ch. 434:22, N.H. Revised Statutes Annotated.

Governor's Office signed the O.J.J.D.P. grant acceptance on June 29th, and prepared an approval request for the Executive Council four days later.⁴⁵

The Commission on Children and Youth was informed in July that the federal funds would be submitted to the Fiscal Committee and a vote taken by telephone poll since no regular Committee meeting was scheduled.⁴⁶

The anticipated telephone poll of Committee members was never taken, and the grant was placed on the September agenda.⁴⁷ Tabled on first consideration, the advocacy grants were brought back for a vote at a special meeting

⁴⁵The actual grant award (79-DF-AX-0071) was dated June 1 by the federal administrator; the lapse of nearly a month suggests that there may in fact have been some intent to delay until the Legislature adjourned in late June.

⁴⁶One possible motive for taking a telephone poll before the next scheduled meeting of the Committee was that the Speaker of the House (an eventual party to the suit against the Governor) was traveling in Alaska at the time.

⁴⁷It is unclear from interviews conducted whether the delay was due to administrative oversight by Committee staff, or whether opposition to the plan had already begun to harden. Both the A.C.Y.F. and O.J.J.D.P. grants were considered at the September 6th meeting (agenda items RO-24 and RO-28). The author endorsed the requests, which were presented by the Governor's staff. The Committee tabled the proposals on a 5-2 vote, and named a subcommittee "to investigate further the ramifications of the proposal and report back to the Fiscal Committee as soon as possible." (Fiscal Committee of the General Court: Minutes, September 6, 1979, p. 4.)

on September 24. Both the House Speaker and the Senate President spoke in opposition to the proposals, which were then disapproved by a 5-2 margin.⁴⁸ Debate was partisan, and harsh, although each of the opponents testified to the need for the advocacy project.

Fiscal committee rules do not allow proposals to be amended by the group; they must be approved or disapproved. Not wishing to appear to be casting a vote against children, Committee members went on record that they would approve a similar request if the funds, and the staff to be hired, were assigned to an established state agency within and subject to state classified personnel regulations. It would be eight months before the proposal came before the Committee in this form.

Executive council. The second hurdle to be passed by federal grants coming into New Hampshire is the Executive (or Governor's) Council.⁴⁹ Following the Fiscal Committee defeat, the Governor's Office sought an opinion from the Attorney General as to its options. After studying the bills passed in the previous legislative session, the Attorney General's Office indicated that

⁴⁸Ibid. Meeting of September 24, 1979, p. 2. See additionally the transcript of Senator Rock's remarks in the Appendix.

⁴⁹See introductory section of this chapter for description.

a state budget⁵⁰ allowed direct acceptance of federal funds (without Fiscal Committee approval) by the Governor and Council to support the Governor's personal staff. Armed with this information, the child advocacy project grants were placed before the Council on October 10.

By this time it was clear to both sides, and to the public, that a major fight was developing between the first-term chief executive and entrenched legislative leadership. Critics accused the Governor of wanting to control the funds for political patronage. The Governor accused the legislators of trying to usurp the powers of the executive branch of government. Press coverage of the controversy increased.

"By having the new program under the Governor's Office, we would not have locked ourselves into the bureaucracy, Gallen said after the [Fiscal Committee] vote. "Anyone who looks at the appointments we have made . . . can see that this administration has been appointing qualified professionals, not political hacks." . . . Gallen vowed to create the office [for Children and Youth] no matter what the Fiscal Committee decided

The emotional struggle between lawmakers and the Governor overshadowed the reasons for creating a new office.⁵¹

The October 10th meeting of the Executive Council was an emotional one. After extended debate, and

⁵⁰Statement by Thomas Roth, Attorney General, during consultations with Governor's staff and author.

⁵¹Paul Carrier. Concord Monitor, September 25, 1979, pp. 1 and 13 (emphasis added).

questioning of the Attorney General and the Commission on Children and Youth's Director, the Council prepared to vote.⁵² Just as the Governor called for a vote, the Speaker of the House entered the Council Chambers and asked to address the meeting. He declared his intentions to take legal action against the Governor for circumventing the legislature's authority, and asked the Council to table the project proposal. A vote was then taken, and the child advocacy project, to be housed within the Governor's Office, was approved unanimously.

Out of the frying pan. Later in the month the Governor held a reception for child advocates, service providers and legislators to announce the inception of the child advocacy project. The tone of celebration was deceptive, however. Lines had been drawn for a battle between two branches of government, a battle that appeared to have more to do with constitutional issues than with child development concerns.⁵³

⁵²The Governor had conceded to the Council the right to approve the hiring of the advocacy project head, and the imposition of "ad hoc" hiring guidelines by the state Personnel Department. It was clear that the project would be approved.

⁵³The legislature's representative to the Commission on Children and Youth had grown increasingly critical of the development, and had broken openly with the Commission's position of support for the plan. She called the Governor's action a "smack in the face" to the legislature. (J. Stahl; personal communication, October 5, 1979). Two

In January of 1980, the Governor's Office suddenly moved to activate the children and youth project, almost a full year after work had first been funded and authorized by the Administration for Children, Youth, and Families. A few staff were appointed; a director was named who was already a member of the Governor's personal staff. What finally prompted the actual beginning of the child advocacy project was the filing of a suit in Superior Court by the legislative leaders who had opposed the Governor in the fall.⁵⁴

Your place or mine?

It was the legislative branch versus the executive branch of state government with the judicial branch acting as referee.⁵⁵

So stated a newspaper account of the dispute over the Children and Youth project when the case was heard before the Supreme Court on February 5th.⁵⁶ Briefs were

more months passed before a lawsuit was finally joined. During that time, the advocacy project remained on hold as the Governor's staff waited to see whether the controversy might cool down.

⁵⁴Monier et al. v. Gallen: Petition for Declaratory Judgment, Superior Court, Merrimack County, September Term 1979. The case was then taken up directly by the State Supreme Court without a ruling in the lower court.

⁵⁵"Legality of Gallen's Agency Argued in Court."
Manchester Union Leader, February 6, 1980.

⁵⁶Monier et al. v. Gallen. The State of New Hampshire Supreme Court, No. 80-020, January Session, 1980 Term (Interlocutory Transfer of Controlling questions of law without ruling by the Superior Court, Hon. W.R. Johnson, P.J.).

filed on behalf of the Senate President, the House Speaker, and the Fiscal Committee leadership against the Governor. The Governor's personal counsel and the Attorney General argued for the defendant.

The dispute centered on two major points: the meaning of the budget footnote allowing the Governor to accept funds for "personal staff and consultants," and the constitutionality of the budget footnote itself.⁵⁷

From the time the Superior Court forwarded the case to the high court without a ruling, it was apparent that major questions about the balance of power in state government had been raised. Legal briefs presented ran to more than one hundred pages, and it was three months before the Supreme Court Justices issued their opinion.⁵⁸

⁵⁷Laws of New Hampshire 1979, 434:22. The Attorney General's brief argued that the positions for the children and youth project were covered by the budget footnote, but that even if the footnote were interpreted not to apply, it should be found to represent an unconstitutional encroachment by the legislature on the powers of the chief executive (Brief on Behalf of the State of N.H. T.D. Rath and S.J. McAuliffe, p. 6).

⁵⁸Active questioning by the justices during oral argument suggested that several had a strong personal interest in the case. One had written a strong endorsement for the original grant proposal of the Commission on Children and Youth. As a reporter noted, it was interesting that, "of the five justices charged with settling the issue, one is a former governor . . . and two are former legal counsels to governors." Manchester Union Leader, February 6, 1980.

Split decision. On May 5th, the Court ruled (3-2) in favor of the plaintiffs. The child advocacy project could not be housed within the Governor's Office. Dissenting opinion called the ruling a violation of the principle of separation of powers.⁵⁹

The majority opinion in the case quoted the mandate of the Commission on Children and Youth which this writer had drafted for the 1979 legislature and concluded with a thinly veiled directive to both parties to resolve their differences and get on with the children and youth project.⁶⁰ Prompted perhaps by the language of the court's ruling, the Fiscal Committee chairman announced that body's willingness to act on the matter within the week.

All we have to do is put those positions into the Commission on Children and Youth. We'll approve them and the work can go on.⁶¹

Still moving. The child advocacy project was not returned to the Commission on Children and Youth. Three days after the Court ruling, the Governor's Office asked that the

⁵⁹Justice King, J., dissenting in Monier v. Gallen, May 5, 1980, pp. 10-14.

⁶⁰RSA 170-D:4 (Supp. 1979); and in the Justices' Opinion (op. cit.), "We are, of course, not unmindful of the need for cooperation between the legislative and executive branches of government to assure that the best interests of our States' children and youth are met," p. 9.

⁶¹John Tucker, quoted in the Manchester Union Leader, May 6, 1980, p. 18.

grants be assigned to the New Hampshire Crime Commission, an agency, whose director had recently been appointed by the Governor, and through which the larger of the two federal grants passed. The chairperson of the Commission on Children and Youth approved the plan, arguing that the advocacy project would become too juvenile justice oriented. The Fiscal Committee cited the rule which prohibited amendments to proposals, and approved the request.⁶² Eighteen months after it had first been proposed, the child advocacy project in New Hampshire finally had a place to start; but the question would later be asked whether after all that had transpired, the project was in fact already finished.

Advocacy Activities Begin

By the time the disputes surrounding the project were resolved, only seven months remained before the start of the legislative session at which advocacy proposals would be introduced. Further delays were also encountered; a director for what was now known as the Comprehensive Children and Youth Project was not appointed until

⁶²See the transcript excerpts of the Fiscal Committee's May 8th meeting for a discussion of the motives of the parties involved, at least those which were acknowledged publicly (Appendix).

November.⁶³ Project staff continued working in any case, and by the time the Director was appointed, the following general activities had taken place.

- 1) "Community Sounding Boards" had been held in every county to give citizens and local groups an opportunity to present recommendations for children's services and advocacy priorities.
- 2) An inventory of state services for children and youth had been compiled and analyzed.
- 3) Model demonstration programs for specific service innovations had been developed.
- 4) A plan for task forces to consider legislative options had been constructed.
- 5) Preliminary legislative proposals had been drafted.

The only one of the five categories which had not been carried out was the plan for task forces. The convening of such groups had been repeatedly postponed by acting directors until a permanent project head was hired.⁶⁴ With the advice of the same legislative counsel

⁶³The acting director resigned after the project was removed from the Governor's Office, and the staff worked under the general auspices of the Crime Commissioner's Director.

⁶⁴Several rationales were offered for the lack of action on the task force plan. Both the Speaker of the House and the Governor had expressed impatience with such

who had worked for the Governor's Commission on Laws Affecting Children in 1972, a legislative strategy was developed which would attempt to defuse the volatile situation which has been created by the disputes surrounding the child advocacy project. Unlike a 1979 effort to reform the state's juvenile code, which had been developed by three large committees dealing with separate sections of the statute, the legislative strategy for the child advocacy reform proposals was developed over coffee in a local diner, and subsequently at a closed meeting with the Governor's staff.⁶⁵

Legislation. The legislative proposals were developed in two stages. The first proposals, drafted by Children and Youth Project staff, called for two separate pieces of legislation. One would have created a powerful monitoring

groups. Speaker Roberts said the Legislature was "sick and tired" of special task forces and commissions being created (Concord Monitor, September 25, 1979, p. 13). Concern over inability to control the various interest groups who would want to participate was also voiced by Governor's Office staff who were still sensitive after conservative groups had attacked the administration for its role in the 1980 White House Conference on Families. One group had sued the Conference coordinator (Sweet et al. v. Segar, Merrimack County Superior Court). Another said the Governor would be "destroyed by God" for tolerating "immoral" diversity in family forms.

⁶⁵Meetings: James Bianco (counsel), Michael Sullivan (acting director), and Mark Segar (assistant director) October 1980; and Governor's staff with Children and Youth Project staff, December 1980.

and evaluation office to replace the Commission on Children and Youth. A second consolidated several separate state programs into a single youth services agency for juvenile delinquents and status offenders. In the second stage of legislative advocacy planning, these two proposals were consolidated into a single bill creating an Office for Children and Youth, and the monitoring and evaluation powers were watered down. The draft legislation which finally emerged was built around a new direct service system for juvenile offenders. Independent advocacy activities of the type conducted by the Virginia Division for Children (see Chapter Five) were mentioned briefly in the mandate for an advisory board to replace the Commission on Children and Youth. Changes in services and policies for other categories of children and youth which might lead to consolidation of additional powers within the proposed Office (as in Connecticut's Department of Children and Youth Services) were to be considered, but deferred until the 1983 legislative session.⁶⁶ Legislative sponsors were recruited, an intensive campaign to build support for the proposals was undertaken, and impact analyses

⁶⁶The legislation itself is included in the Appendix: House Bill 892. The bill went through numerous drafts, revisions, and amendments during the 1981 session. Details of those changes need not be documented for the purposes of the present study, however, since their specifics would have limited bearing on future advocacy in other states.

and operational projections were prepared by the advocacy project staff. Perhaps the two most significant features of the legislation, however, were that

- a) the bill contained no new appropriation of additional state funds, and
- b) the bill was printed and presented to the legislature as having been "requested by the Office of the Governor."⁶⁷

Clash of the Titans. The chronological outline presented earlier in this chapter details the history of House Bill 892's movement through the New Hampshire Legislature. It did not become law. New Hampshire found itself in a growing fiscal crisis in the winter of 1981, compounded by dramatic budget cuts proposed by the new Republican administration in Washington. The staff of the child advocacy project, pressured to be cost conscious, had revised its legislative proposals to the point where the total appropriation of state funds called for would be slightly more than one million dollars.⁶⁸

When the children and youth proposals were unveiled on January 23, 1981, cost reductions were cited instead of new appropriations. A sample of headlines suggests

⁶⁷House Bill 892; see Appendix.

⁶⁸Hardly more than the total of the federal grants supporting the advocacy project itself.

the tone:

- "Gallen Sharpens Ax for 22 Agencies"
- "Gallen Plans Major Shake-up"
- "Gallen: Reorganization Would Save New Hampshire Millions"⁶⁹

It was not until March that a newspaper headline mentioned either children or youth in referring to the legislative proposal, which had been introduced with a package of state agency reorganization plans.⁷⁰

It is not the purpose of the present study to document the daily progress of the children and youth legislation through the House and Senate, or to recount the comments of the many supporters and opponents whose views were aired at public hearings, in private correspondence and the media. The bill was perceived as having one major proponent (the Governor), and two major opponents: Senate President Robert Monier, an original party to the lawsuit who aspired to the Governor's Office himself, and the personnel of the agencies whose responsibilities would be consolidated under the control of the new Office.⁷¹

⁶⁹Concord Monitor, Foster's Daily Democrat, The Manchester Union Leader, January 24, 1981.

⁷⁰Even then the headline was negative: "Howatt raps single juvenile agency plan." Nashua Telegraph, March 14, 1981, p. 1.

⁷¹The Youth Development Center, and the State Department of Probation.

The Governor's statement before hearings on the bill typified supporters' positions.

[This bill] insures that we will no longer be wasting valuable resources in overlapping state bureaucracy and that we will have, for the first time, a single structure to provide effective⁷² and coordinated services for children and youth.

One opponent's comments summarize the opposite view.

The bill is, in my opinion, vague, unrealistic, and impractical in its approach to solving the problems I believe that the Bill was initially poorly and hastily drafted with little or⁷³ no input from agencies directly involved

When the bill was finally brought to the floor of the Senate for a vote, President Monier had made clear his intentions to use his control of the Senate Majority to prevent its passage.⁷⁴

"In its death, as in its life, the bill to create an Office for Children and Youth is receiving mixed reviews . . . David Bundy . . . said yesterday he was relieved, in a way, that the bill failed.

"I still had reservations about the bill," he said. "But every time it was modified it got better. There is still a crying need for something to be done. I just hope this doesn't lie down and die during the next two years. I think we need something."⁷⁵

⁷²Hugh J. Gallen, State House press conference, April 9, 1981

⁷³Testimony of Michael Dunfey, Probation Department District Supervisor.

⁷⁴Comments at public hearing on House Bill 892, Senate Finance Committee, May 22, 1981. In fact, Monier was able to block all of the Governor's reorganization proposals.

⁷⁵Article by Tom Fahey, Manchester Union Leader, May 29, 1981, p. 5.

C H A P T E R VII

ANALYSIS

This study has presented comparative and case study data on child advocacy programs within state governments.

Rosenthal (1979) has commented:

Some of the things that are really important cannot be reached that systematically Political scientists should get back into the field, should start doing more qualitative research before they worry too much about numbers and quantification, and start having a sense of what is going on in state governments.¹

The present study shares this attitude in its descriptive research objectives. Analysis of the data is organized around the seven questions identified in the research matrix in Chapter Four: three questions dealing with the comparative research, four for the case study.

Comparative Research

1. What role have child advocates played in state governments? The survey data and three state studies presented in Chapter Five offer some clear patterns. Child advocacy agencies as defined in the present study have seldom had major ongoing influence on the public policy making process. One advocate, who has had experience in several states as well as at the federal level, felt that

¹Rosenthal (1979), p. 57.

governmental advocacy projects have only been on the fringes of power in state capitols.² He argued that the policy analysis generated to support recommendations by these projects have been adopted, more often than not, only when it was politically convenient for the decision-makers.

The statutes creating children and youth commissions have seldom conferred more than advisory power. Inter-agency boards have been convened in New Hampshire and other states, but have not had any power directly to alter the policy of the service agencies themselves. A regional official of the Children's Bureau who has observed child advocacy projects in a number of states commented that cabinet level groups have been convened to address children's issues both by statute and by executive order. As these groups met over time, however, the representatives with policy-making authority dropped out, or delegated participation to subordinates.³

²S. Granato, former day care director in the Office of Child Development (D.H.E.W.) and coordinator for the Capacity-Building project in the State of Washington. Personal communication, August, 1981.

³He concluded that for children and youth services, centralized administrative agencies or interagency boards are less important than an intake process which is either consolidated or coordinated at the local level. J. Tretton, personal communication, June 22, 1981. (See also Bissell 1978 for a California study which reached the same conclusion.)

2. What are the common features of State Capacity-Building Programs? Comparative data presented showed programs following the general mandate of the federal grant guidelines, with a focus on what Edelman (P.) referred to as administrative advocacy. Reforms in the planning, regulation, referral, monitoring, evaluation, and coordination activities of state agencies responsible for children's services have been common. Shepard and Shepard (1979) reporting on capacity building programs under federal contract, found that general characteristics included an emphasis on improving planning for state services, and on generating accurate information about the needs of children, and the extent of services available. These findings were consistent with the data from statutory surveys and interviews with state project staff relied on in the present research. Projects adhered to the format outlined in the Education Commission of the State's Capacity-Building handbook.

3. To what extent can key variables be identified in the design and operation of advocacy agencies within state government which influence specific outcomes?

Use of information. The description of the Virginia Division for Children documented one of the more successful intra-governmental advocacy groups. That agency's director has suggested that "in-house" advocacy relies

upon getting and using good information.⁴ Gabarino (1981) suggests that advocates have only begun to use information and knowledge effectively for children. He sees the use and dissemination of research on children and youth as lacking among scientists, policy-makers and practitioners alike.⁵

Martin (1977) acknowledges political decision-makers' need for accurate information, but suggests limitations of specificity, simplicity, and brevity in presenting information.⁶

The Alaska study suggested that the quality of information presented by advocates may be less important than the tactical style of the presentation. Lynn (1980) has elaborated on Martin's theme about the ways in which

⁴V. Emerson, personal communication, 8/81.

⁵Gabarino, p. 269.

⁶A state legislator himself, Martin sees politicians as having, "A conditioned response to what they often refer to as the Human Services Crowd. It is an object fear of being trapped in the same room with them for any length of time. The cause of this very rational fear (is) . . . a disease called 'Social Workers Syndrome'.

"The symptoms . . . manifest themselves . . . when a legislator finds himself confronted by a group of zealous human services types accompanied by secretaries laden down with reams of reports and statistics. Most legislators seek relief from these symptoms by finding an emergency which requires their immediate presence elsewhere." Martin, p. 126.

research, needs assessments, and policy analysis generally are put to use. He sees a need for good matches to be made between analytic approaches and decision-makers' styles. Policy analysts, whether or not they have assumed an advocacy stance for children, need to refer to political priorities in their presentations, not just to "rational" analysis.

[There are] policy-makers who do not really like to approach problems intellectually. They may be visceral . . . they may not like to read, they may not like data . . . they may like to see things couched in more political terms, or overt values terms, and an analyst has to take that into account.⁷

Of the methods suggested by analysts for effective use of information in making policy decisions, some are more quantitative than others.⁸ When decision-makers are asked to select from among a number of policy alternatives, presentations which juxtapose the impacts of the alternatives are useful. In the area of child care policy, such a juxtaposition can be illustrated in the following table which compares effects of policy alternatives on a number of criteria.⁹

⁷Lynn, p. 86.

⁸The Delphi Technique is one such method, relying on two stages of quantitative estimates of policy impacts. (Linstone, H.A., and Turoff, M. (Eds.). The Delphi Method: Techniques and Applications. Reading, Mass.: Addison-Wesley, 1975.)

⁹Haskins notes that such summary formats should be

TABLE 8

EFFECTS OF ALTERNATIVE DAY CARE POLICIES ON
SIX CRITERIA: A DECISION MATRIX

Policy Alternative	<u>Criteria</u>						Perverse Associated Effects
	Vertical Equity	Preference Satisfaction	Stigma	Child Development	Efficiency		
Status Quo	Low	Low	Low	Low	Moderate	Moderate	High
Direct Support to Centers	Moderate	Low	High	High	Moderate	Moderate	High
Vouchers	High	High	Low	Moderate	Moderate	Moderate	Low
Income Main- tenance	High	High	Low	Moderate	Moderate	Moderate	High
Information	Low	Moderate	Low	Low	Moderate	Moderate	Low
Tax Deduction	High	High	Low	Low	Moderate	Moderate	Low

Source: Haskins (1980), p. 17.

Comparative research uncovered little evidence of advocacy agencies using information to illustrate alternatives or to contrast impacts as in the Haskins matrix. More common were needs assessment documents which presented information about the status of a particular population, or program inventories which described the scope or the shortcomings of state service delivery systems.¹⁰ When information has been tied directly to policy decisions, it appears more commonly as pro/con or benefit/cost analysis of a single policy alternative which is either advocated or opposed by the group.¹¹

qualified to indicate that estimated effects may vary with the specifics of policy implementation strategies. (Haskins, 1980, p. 17.)

¹⁰Quality examples include the Virginia needs assessments referred to in Chapter Five, or the Massachusetts (Sheehan) and California (Bissell) system inventories requested by legislative committees. Also, "Services to Children and Youth of Iowa: A Survey of State Agencies" published by the State Youth Coordinator's Office, 1974; and Carnes, B.V. "Children and Their Families: A Statistical Profile," South Carolina Office of Child Development, 1977.

¹¹During the case study period in New Hampshire, more than thirty such analyses were prepared between 1979 and 1981. Some were elaborate, others simple question-and-answer sheets, depending on the origin of the request for analysis. An example of the latter variety, designed for use in the State House corridors on the day of a vote, is appended together with the bill it describes (HB 892). A second appended example uses charts to compare the status quo with a single policy alternative, and is designed to address a single evaluation criterion: efficiency. Similar materials were developed in Maryland in 1978 to support legislation (SB 63) which would have

Profile of participants. Another key variable identified in the comparative research was the profile of participants in child advocacy agency activities. The history of children and youth committees suggested that most, including the New Hampshire Commission on Children and Youth, relied primarily on the services of volunteer appointees. State Capacity Building grants were often awarded to such groups in an attempt to provide them with the professional resources needed to do a more effective job.¹² Those states surveyed which showed evidence of sustained and effective advocacy had managed to secure resources to support more than a volunteer effort, in order to make the most of their limited "advisory" mandates.

Cohen (1979) argues that volunteerism is not an effective approach when addressing serious or large-scale problems. Discussing citizen participation in educational policy-making, he writes:

Volunteerism is a very good strategy when you think that there is not a very serious problem, and a little more participation would improve things.¹³

Comparative study of child advocacy programs in state governments indicates a pattern of addressing (or assuming)

created a Maryland Office for Children and Youth (drafted for Sen. Abrams by S.J. Skolnik, March 3, 1978).

¹²J. Tretton, Reg. I A.C.Y.F., personal communication.

¹³Cohen (1979), p. 61.

major responsibilities to (or by) minor methods.

Scope of advocacy proposals. In pursuing reform objectives, advocacy groups appear to have met with greater success when proposing incremental rather than wholesale change. In South Carolina, for example, the Director of the state Office of Child Development reported that bills akin to the New Hampshire legislation, designed to consolidate the responsibilities of state agencies serving children and youth, have been introduced repeatedly in that state's legislature, and have been regularly defeated.¹⁴ Her position was that such proposals were often undesirable from a child development perspective because they always ended up being geared to the problems of a particular population which had received political notice at the time; child abuse, foster care, drugs, delinquency, and et cetera.

Federal files indicate that Capacity-Building programs have tended to address small, manageable problems with greater success (Shepard 1979). Advocacy manuals reviewed counseled adoption of clear, limited, and politically feasible objectives.¹⁵ The New Hampshire project began with a similar outlook, but the eventual

¹⁴B.V. Carnes, personal communication.

¹⁵See particularly Martin (op. cit.), Steiner (1980), and the pamphlet series published by the Children's Defense Fund.

perception of its recommendations was more comprehensive.¹⁶ Connecticut and Rhode Island were the only two states for which data were available where major consolidation of state children and youth service systems had been the subject of successful legislative advocacy initiatives in the past ten years.¹⁷ Legislation creating agencies without direct service duties were more common; Massachusetts and Virginia are strong examples.

Alliances. A final factor identified in comparative research was the nature and impact of political alliances entered into by child advocacy groups. Rhetoric about the non-partisan nature of concerns for children and youth was universally evident, but the operational histories of programs reviewed indicate that blocks and coalitions were formed as with any other issue in the political process.

Many of the original children and youth committees were housed in Governor's offices, or created by Executive Order, thus creating a climate with the potential to

¹⁶"We need to remember that good things for children can come in small packages." Author's remarks to the N.H. C.C.Y., May, 1978.

¹⁷Department of Children and Youth Services (Conn.), established in 1974; and Department for Children and Their Families (R.I.), established in 1979. In Connecticut, moreover, the Capacity-Building grant was not awarded for advocacy planning activities until after the agency had already been created by the legislature.

hinder alliances with legislative leadership when the Governor represented an opposition party (as in the New Hampshire case). The demise of the Alaska Office of Child Advocacy illustrated the possible perils of such a situation.

The Massachusetts Office for Children was established by the legislature without much advance fanfare, certainly without the acrimonious floor debate that can accompany controversial proposals. Advocates for the Massachusetts Office, whose proposals derived from a study of state early childhood programs (Rowe 1973), garnered the support of both the Democratic legislative leadership and the Republican Sargent administration (Morgan, undated).

In several states, a pattern of alliance construction which led to successful legislative advocacy appeared to progress in stages. Initial advocacy coalitions prepared analyses, conducted research, or delivered information which was helpful to individual decision-makers. When support for an actual piece of legislation was solicited, it tended to be for something that was easy to support politically.¹⁸ Past track records of cooperation and political benefit were developed, thus helping to smooth

¹⁸Immunization against childhood communicable diseases was mentioned by correspondents in a number of states, as were programs to combat child abuse.

the advocacy process for successive measures.¹⁹ Flattery was an additional technique applied. Many advocacy groups have invented awards, certificates, honorary appointments, and any number of other citations to offer positive and visible feedback to their supporters.²⁰

Children's issues have continued frequently to be controversial and value-laden. Further, child advocacy programs are fairly new in comparison with other special interests which have honed lobbying skill to a fine and persuasive edge. But the question of connection to appropriate sources of power has been reported as critical to success.

The idea that advocates should ingratiate themselves to the powerful seems simple enough, but it has frequently been ignored or overlooked. Martin (op. cit.) cautioned child advocates against a tendency to assume that legislators would flock to their support because of the inherent rightness of their cause, or because of the obvious rationality of the particular policy alternative

¹⁹Particular examples include California and Florida, where private non-profit groups have become adept at such strategies. In fact, research conducted for the present study offers anecdotal evidence that groups outside of state government have been more skillful in this regard than state-sponsored advocacy programs.

²⁰The Virginia Division for Children limits candidacy for its awards (which involve a statewide nominating process) to citizens who are not public office holders.

being recommended. Lynn (1980) sees the test of good policy analysis as depending on whether the decision-makers perceive it as helpful. The notion of fitting the analyses presented in support of a cause to the realities which constrain the actions and perceptions of decision-makers is central to much of the policy analysis literature reviewed. It is argued that the use of policy analysis by decision-makers (and thus, from an advocacy perspective, the improvement of policy choices for children) can be improved, "By continually facing real issues and grappling with them in the context in which they arise."²¹ When such an awareness is missing, the results can be disappointing.

Case Study

The case study analysis section follows the same format as the comparative analysis; questions presented in the introductory research matrix (Chapter Four) are addressed.

1. What advocacy strategies were employed in the New Hampshire project? The case study portion of the present research documented the development of a child advocacy agency in New Hampshire: the Comprehensive Children and

²¹Lynn (1980), p. 85.

Youth Project. The Project itself was not intended to be the vehicle for ongoing advocacy in the state. Indeed, its very creation as a separate program was the result of political disputes which had not been anticipated when the program was first designed. The advocacy project was intended to bring about a reform of state policies and programs for children and youth. The life of the project as an entity was tied to federal funds expected for a total of three years of operation.

The reforms were to address four major goals:

- a) to deliver services in the least restrictive appropriate setting
- b) to consolidate or coordinate the children and youth service delivery system to be more efficient and effective
- c) to increase citizen participation in the development of state policies for children
- d) to promote policies which support child development through the family.²²

Advocacy strategies employed included pilot program development and dissemination, administrative advocacy through coordinating groups within state government,

²²Although not reported in the present study, major work was done in the areas of parenting education and alternative employment policies (flexible scheduling, child care benefits, etc.).

public education campaigns, and analytical research and reporting. The advocacy strategy on which the present research concentrates, however, was legislative. An effort was made to draft, refine, introduce and direct a bill through the 1981 session of the state legislature. Drawing on policy analysis conducted by an advocacy project staff whose primary training background was in child development,²³ the legislation presented was to establish a state Office for Children and Youth.²⁴

Within the legislative advocacy category to which this analysis is limited, a number of strategic activities were either planned or implemented, as related in Chapter Six. Citizen forums were held, analyses were conducted; and summarized, pre-digested and regurgitated for politicians of all ideological shapes and intellectual sizes.

²³The Director was a former Head Start program director, the Assistant Director a doctoral candidate in early childhood education. Previous positions held by policy staff immediately before joining the project, in addition to the above, included a state training officer for the Child Development Associate program, the director of a two-county Head Start network, a social worker from the state Bureau of Child and Family Services, a parent educator, a children's psychological counselor, and a children's policy analyst. (Additionally, legal counsel provided consultation for drafting of the bill and the legislative hearings process, thus confirming Glazer's (1980) generalization that, "In the nature of the case almost all advocacy eventually involves a professional lawyer." P. 57.

²⁴See Appendix F for details of the draft legislation, and supporting materials.

Draft versions of the proposals were circulated for comment to individuals, interest groups and experts, and revisions were made liberally and frequently to expand a sense of "ownership" about the legislation to the broadest possible constituency. Proposals were tailored to feature the areas where political attention focused most sharply at the time (juvenile justice and efficient management), and to downplay features which might violate current political sensibilities (regarding costs of government programs, and public intrusions on private family matters). Bipartisan sponsorship was sought. Key constituencies were identified and given special attention. Yet the proposals developed were received and interpreted in a manner significantly divergent from the original aims of the advocacy project.

2. How were the policy issues addressed perceived by different interest groups? At least four major categories of perception were identified:

a) The legislation emphasized juvenile justice issues. This viewpoint developed early in the period under study, when funds were solicited from the Office of Juvenile Justice and Delinquency Prevention which far outweighed the child development-oriented portion of

the project's budget.²⁵ It is accurate to say that major attention was paid to juvenile justice concerns. As indication of the public interest which focused on troubled youth during the study period is given by statistics on legislation relating to children which was introduced during the 1981 session. Of all the bills identified by a legislative monitoring group as having any reference to children, 40 percent dealt with juvenile justice.²⁶

The specific activities of the New Hampshire project, however, involved a broad range of children's concerns including early screening for special needs, mental health, parent education, foster care, and employer-supported child care. Most of the funds for pilot programs came from O.J.J.D.P., which specifically encouraged such an approach, based upon the prevention rationale included in its federal mandate. It should be further noted that a number of New Hampshire observers believed that child development and advocacy-oriented proposals would have a better chance of being enacted if attached to a larger

²⁵Discussions with the individuals involved suggest that this perspective was shared by a number of the early intervention and prevention-oriented advocates who had been involved with the Commission on Children and Youth before the federal grants were awarded, and who may have felt alienated or disenfranchised as the initiative was transferred first to the Office of the Governor, and then to the Crime Commission.

²⁶Twelve of the thirty bills reported by S. Painchaud, "Legislative Update," April 6, 1981.

legislative vehicle with a more "popular" emphasis.²⁷

b) The policy issues addressed were merely a smokescreen for larger constitutional and political disputes about the balance of power within state government. This perspective derived from the lengthy battle over administrative placement and control of the advocacy project grants, a battle which included skirmishes in legislative committees, the media, and eventually the courts. Adherents to this viewpoint pointed to the legislation's having been introduced as part of the Governor's personal plan to reorganize state government.²⁸ Critics noted the fact that the Governor would have three major new appointments to make if the bill passed, appointees whose authority (and by extension the Governor's own power) would supercede the role of those in charge of the agencies to be consolidated. Another "power" perspective was that of the state's judges and affiliated

²⁷This view was more commonly held among child advocates based in the capitol, or at least familiar with the legislative process. Day care and other direct service workers were less disposed to see any value in downplaying their policy agenda, particularly at a time when federal funds for social services were being reduced.

²⁸This attitude was evident among Republican legislators on committees to whom the bill was sent (Executive Departments and Administration in the House, House Appropriations, and Senate Finance). Many were genuinely concerned about policy for children, but wary of the controversial political overtones which they sensed (or which their leadership pointed out for them) in the proposals. Even so, only Senate Finance voted negatively.

court personnel. While a number supported the bill and worked actively on its behalf, others saw the legislation as a potential infringement on their power to order specific placements for delinquents, an infringement that might then be extended to status offenses and child abuse cases as well (the other two categories in New Hampshire's juvenile code).²⁹

c) The issues were perceived along the lines of bureaucratic territories; "turf" was clearly at stake.

Major opposition to the policy and program changes proposed in HB 892 came from probation officers and the staff of the juvenile incarceration and detention facility, both of whose responsibilities would be consolidated in the new Office for Children and Youth.

Their opposition to the bill was more vehement than anyone's, and they lobbied against the proposal with every tactic they could muster.³⁰ A child development and day

²⁹As successive drafts of the legislation were revised, significant concessions to this particular perspective were made. Judges were familiar with the Massachusetts system in which the Department of Youth Services is responsible for placement decisions and service delivery once the adjudicatory process is complete, they wanted no part of such a system in New Hampshire. This had been a major recommendation of the advocacy project staff, which based its argument on the premise that judges were ill-equipped to execute responsibilities more suited to trained social workers and others in child development-related disciplines, particularly in a state with no specialized juvenile or family court system.

³⁰One legislator reported receiving a paste-up

care specialist within state government in Connecticut suggested that the New Hampshire case held similarities to her state's effort to establish a single-entry system for children and youth services. Those efforts (already partially embarked upon) had, in her opinion, been hampered because they required vested interests within the existing system to relinquish too much "turf" up front.³¹

As turf issues became more prominent in formal and informal debate about the legislation, decision-criteria appeared to shift from children and youth service issues to questions of political loyalties and indebtedness. The Director of the State Probation Department, for example, was the brother of the chief of police in the city with the largest delegation in the state legislature. The Youth Development Center was also located in the same city, and employed or contracted for services with many residents. These facts contributed to create hotpoints of vocal opposition to the bill in the major media and population center of the state.³²

version of the bill from a probation officer that deleted major sections, and significantly altered the apparent policy implications.

³¹Interview with F. Roberts, August, 1981.

³²It should be noted that the Manchester Union Leader, noted for tis extreme positions, exhibited a degree of editorial restraint in its coverage of the

There were a number of individuals who reflected the "turf" perspective outside the agencies whose staffs were directly affected. These included personnel in other direct service agencies who saw their territories threatened in future years. The legislation gave the Office's Advisory Board a mandate to consider consolidation of other appropriate services within the new agency, and to present such recommendations to the 1983 legislature.³³

d) The manner in which policy issues were dealt with in the project's recommendations failed to address the concerns which child development and youth services professionals saw as central. Sentiment that the legislation would do little to improve the actual quality of care for children was common among individuals involved in direct service programs which relied on public funds for their support. Chief among the concerns cited was the lack of any new state funds for what professionals saw as a severely underdeveloped set of services in the state.³⁴

advocacy project's legislation. The headline after the April 15th hearing said that the bill had been "supported as a concept," and the article presented a balanced report of the debate.

³³See Appendix, HB 892, "Session Laws" section.

³⁴The Appendix lists supporters who testified at the major public hearing. Though project leadership helped to orchestrate testimony, it is still significant that only ten percent of the speakers could be labeled as holding child development service positions.

Staff of residential group homes and day care centers, for example, wondered aloud about the value of the legislation for their own programs.³⁵ Early childhood educators were particularly unenthusiastic, as the direct services portion of the bill dealt only with the juvenile justice system.³⁶

The case study revealed little evidence of coalition development by representatives of different interests within the spectrum of children's services. It has been suggested earlier that 1981 saw what Steiner (1981) called the, "dawn of the dog-eat-dog era" for children's policies; that withdrawal of government support led to forced choices, and to the collapse of alliances. In the New Hampshire instance, there was less a collapse than an erosion of the potential for alliance which early enthusiasm for the project had signalled.

Policy analysis literature identifies the "translation" problems involved in connecting field expertise to policy choices. This has been illustrated with the comment that, in the minds of many politicians, Piaget is a Swiss

³⁵Comments by members of the State Association of Non-Profit Day Care Directors, and the State Group Home Association, during briefing meetings and subsequent personal communications (January and February 1981).

³⁶A notable exception was the Director of the second largest day care center in the state who, not surprisingly, was also a first term state representative.

watch (or perhaps a small foreign car subject to import restrictions).³⁷ For the New Hampshire project as perceived by child development professionals, the linguistic barriers were especially difficult. From their perspective; little could be found in the legislation, except for the backgrounds of those individuals who actually staffed the advocacy project, to give them any encouragement that their concerns were to receive a higher priority in future state policy decisions. Those with a more political perspective who were involved in the case, on the other hand, heard nothing in the child development position to dissuade them from assigning troubled youth the first priority for the new agency, or to support investments in younger children as paying significant benefits for the future population of adolescents in crisis. One prominent early childhood consultant suggested that there was no reason to support the bill, since state priorities would not be changed by passage of the legislation.³⁸ The suggestion seemed to be that "better" legislation from an early childhood educator's point of view could somehow change the prevailing political

³⁷Comments made during child development and social policy workshop at Boston meeting of the Society for Research in Child Development, 1981.

³⁸Personal communication which typified the narrowing parochialism of interest groups at the time.

culture or social policy attitudes of the state.

The state chapter of the National Association for the Education of Young Children (the national membership organization of early childhood education professionals) was another potential support network for the advocacy project which failed to play any significant role in the legislative process. Instead, the group's public policy subcommittee issued recommendations during 1981 which dealt with staff qualifications, in-service training needs, and other operational concerns despite having been critical (through its board) of the national organization's lack of involvement in broader public policy issues.³⁹

In the fall of 1980, the legislative committee of the New Hampshire Commission on Children and Youth held a public hearing to consider proposals relating to children and youth for inclusion on the Commission's agenda of bills to support during the 1981 legislative session. At that hearing, the child advocacy project testified to a much broader set of recommendations than those eventually included in HB 892.⁴⁰ Project proposals included changes in state children and youth policies in the mental health,

³⁹The immediate past president of the N.H.A.E.Y.C. was a member of the advocacy project staff.

⁴⁰See drafts of testimony prepared by the author for M. Sullivan and J. Ryan, Appendix sections E and H.

education, medical care, child care regulation, and youth service systems. By comparing the testimony given in October with the Director's testimony on HB 892 in April, the narrowing of the legislative advocacy agenda becomes clear.⁴¹

3. What factors influenced the direction and the results of the New Hampshire advocacy project? Seven factors are discussed in the analysis of this research question, factors which are drawn in part from discussion of earlier issues.

Political disputes. The dispute between the Governor and the legislative leadership appeared primary among factors influencing both the direction and the results of the project. Awareness of the political volatility of the project (and its recommendations) was evident in the discussions about HB 892. Major program delays resulted from maneuvering over the control of federal funds for the project. The appointment of a permanent director was held up for nearly a year; an extreme delay for a three-year project. Reluctance of child advocates to

⁴¹After the bill had been referred to interim study by the Senate, discussion continued among principals of possible alternatives to renew the measures before the close of the legislative session. The advocacy "aperture" closed down to a point at which a single paragraph had been drafted (for possible addition as a rider to another bill) containing the essentials of the proposal.

take strong positions on the proposals appeared linked to their concern about enlisting in one political camp or another.

An aide to the Governor indicated that State Senate President Robert Monier, the Governor's chief political opponent, had indicated as early as two months before the legislative session began that he would block any human services legislation introduced or supported by the Governor.⁴² Whether or not such a decision was in fact made ahead of time, the Senate President moved quickly to kill the proposal when it reached the Senate in late May, and insured his direct control by scheduling it for hearing before the Finance Committee which he chaired, rather than the agency oversight committee to which such bills were usually referred.

Timing. Factors involving timing were also prominent. Initial delays backed up the legislative drafting process, which meant that the bill was introduced late in the 1981 session. House deadlines limited the time available for discussion, rewrite, and compromise which could have made for a more positive outcome.⁴³ Other

⁴²Meeting with P. Goeltz, September 8, 1981.

⁴³In spite of the delays, the bill was being re-written right up to the morning of the vote. A resulting problem was that potential supporters could not be sure of the precise content of key sections from day to day.

timing issues mentioned earlier included a missed opportunity to conduct a telephone poll of the Fiscal Committee, which might have avoided the initial dispute; appointment and reassignment of successive project heads, and delays which influenced the decision not to convene citizen task forces to help draft the proposals early in the process.

Finances. Federal funds for the advocacy project, although the subject of much controversy, were in some ways the least of the state's financial worries during the study period. The state found itself in a fiscal crisis whose proportion had not been anticipated at the beginning of the project either by staff or political leaders. The state budget in 1981 became a vehicle for major reductions of state expenditures and personnel. In such a climate, it became impossible to proceed with legislation calling for new appropriations for children and youth services. Child development professionals outside government were distressed by the advocacy proposal's financial limits; they may not have grasped the scope of the budget situation until later in the session.

Federal policy. Funding cutbacks were also being imposed at the federal level, compounding the financial difficulties in New Hampshire. Additionally, the administration which had provided support for the project

from Washington had been replaced after the 1980 presidential election; possibilities for additional discretionary funds to support reforms in New Hampshire diminished dramatically. Philosophically, a federal shift away from family support and child welfare programs also altered the climate during the case study period.

Turf. Territorial issues have already been discussed as having a significant impact on the outcome of the legislative advocacy process. Additionally, the overlap and uncoordination of the state's service system at the beginning of the period made administrative reorganization a high priority for project direction. Combined with timing and political problems, the turf-orientation created an unlikely climate for positive results. The Governor of Arkansas acknowledged a similar theme in reporting reorganization in 1974.

I feel strongly that the major old-line agencies must be seriously involved in any planning that attempts to meet the total developmental needs of children.⁴⁴

Lack of positively oriented constituency. It was suggested that the emphasis on youth in trouble determined the constituency for the legislation and that that constituency (law enforcement, etc.) lacked the positive

⁴⁴Dale Bumpers, remarks to 1974 symposium on implementing state child development programs, Education Commission of the States.

orientation which child development professionals might have contributed. The notion that it is hard to mobilize for "bad" kids seemed applicable to the New Hampshire case, in which pronouncements about healthy futures were less prominent than declarations of distress about their troubled present.

Political culture. A final factor remains somewhat elusive, but which clearly permeated the case study period, was the particular political culture which governed action and responses to the New Hampshire advocacy project. Reliance on local sources of revenue and commitment to "home rule" in the state meant that state-level decision-making had different implications than in more centralized systems. Many of the legislators who voted on the proposals also held local office, and the fact that local funds are used to pay for court-ordered placements of children in the state made for special sensitivity to the fiscal implications of HB 892. A tradition of self-sufficiency contributed to skepticism about state government's having any role in the lives of children and families. Finally, the particular make-up and horse-trading history of the state Senate, in contrast with the oversized House, diminished the impact of analytic approaches to the advocacy proposals at the close of the case study period.

4. How did the interplay between child development advocates and policy-makers compare to similar experiences in other state programs? The research identified little impact from such interplay in New Hampshire. Hoffman has argued that children and youth service advocates nationally have demonstrated little effective political power.⁴⁵ David Wiekart commented that he found child development presentations to public policy-makers inappropriate to the politician's need for "hard" information.⁴⁶ The review of policy studies literature documented a similar theme.

One notable aspect of the New Hampshire case in comparison with other states was the high proportion of child development professionals on the advocacy project staff. Issues of timing and funding may also be involved, for most of the programs in other states had placed greater emphasis on child development and early childhood education concerns in their dealings with policy makers, had been conducted in the early 1970's when political attitudes were arguably more sympathetic, when entry points to the policy making process were more accessible

⁴⁵In Haskins and Gallagher (1980).

⁴⁶D. Wiekart, speaking at workshop for the Annual Meeting of the National Association of State Directors of Child Development, 1980.

to those concerned with young children.⁴⁷ The presence of a major juvenile justice grant also distinguished the New Hampshire project from the states where Capacity Building funds were utilized independently. Only Florida had an advocacy program combining the same two sources as New Hampshire, and that effort was conducted by a private non-profit group.

⁴⁷This last point is Steiner's, and is based on the lack of sympathetic and powerful leaders for the 1980's to parallel Mondale, Brademas, Shriver, and others in the past.

C H A P T E R VIII

CONCLUSION

Hobbies? Well, I like to pick blueberries, At least you can see what you've accomplished after a couple of hours.¹

This study has reviewed the origin and development of a state child advocacy program in New Hampshire, in the comparative context of related efforts in other states. The research questions developed have been addressed in analysis presented in Chapter Seven. This final chapter provides concluding comment, and articulates preliminary hypotheses which might serve to guide future advocacy action and research studies.

Different Decisions

All of the advocacy literature of the 1960's and early 1970's was concerned with strategies for getting government to do more for children: to allocate more dollars, to develop more effective programs, to serve children better. By the late 1970's the focus shifted to questions about how to make more effective use of existing resources: how to do more with the same amount.

Subsequent shifts have led to analysis about how to

¹"A Conversation with Hugh J. Gallen," WENH-TV, Durham, N.H., November 16, 1981.

maintain existing services with less funds, and finally to questions of how to reduce services without harming children more than necessary. A new form of child advocacy has appeared, one which colored the New Hampshire case. That advocacy is focused on choices, in effect, about what fights to pick; which components of an unacceptable status quo to preserve in the face of radical reductions in public resources. Child care and early education professionals faced with this new context (at least in New Hampshire) have questioned whether their skills were applicable to the situation; or whether in fact they had the taste for increasingly unpleasant priority-setting decisions which state government faced.

They are prone to say that my tools, my training, do not prepare me . . . therefore I cannot help That is wrong.²

In some ways the stakes for children are higher today than they were ten years ago. The need for active participation in public decisions by those who can inform those decisions with child development knowledge and perspective is great.

Role for Analysis

This study suggested the limits of systematic

²Lynn, p. 87.

attempts to address and analyze public policy issues for children. Gallagher argues that past studies (and this one as well) have relied on observers' unique views of particular policy problems. He urges recognition of the, "factors that are important in moving from the world of knowledge to the world of power."³ The present study has dealt with such factors. It is hoped that better understanding of influences on the process will contribute to more systematic study in the future, and ultimately to more positive policy for children.

Strategy for Advocates

The handbook for Capacity-Building programs, in a section working with state legislatures, stressed the need for continuity of personal contact with legislators in building support for proposals. The New Hampshire case only lends weight to this assertion.⁴ The need to address real decision points in the political process is also important for future strategies. Advocates must

³In Haskins and Gallagher (1980), p. 207.

⁴Different people in charge at different times, a situation which continued until eight weeks before the opening of the legislature in session. It should be noted that the agency had significant success in advocating individual reforms not reported here, which were built in part on developing relationships between staff specialists and legislative committees or agency leaders.

take care to avoid being in the "wrong" place with the "right" idea, or ignoring the possibilities for positive action on a lower priority issue.

One commentor on the shift in political perspectives occurring in the 1980's suggested that child advocates should: not mobilize their networks in futile fights; should be ruthless in setting advocacy priorities, and should:

Cultivate people who like spending time in state capitols, and who can speak at least two languages: the language of child development and the language of public budgets.⁵

Hypotheses for Further Research

The task of drafting testable propositions for research appears not much less difficult at the conclusion of this study than at the outset, in spite of the work's professed objectives. Nevertheless, five statements are offered which may at least provoke discussion about the most appropriate strategies for further inquiry.

- i - Advocacy projects in state government are more likely to reflect present policy concerns than to influence future policy outcomes.

Comment: Analysis suggests that such projects have been

⁵Steiner, 1980, op. cit.

more associated with effects than with causes.

- ii - Advocacy projects operated within the confines of state government are more likely to be hampered by turf-oriented disputes than those outside the public sector.

Comment: The viability of child advocacy (as presented in this study) as a productive activity within state government should be questioned.

- iii - Advocacy project outcomes are tied directly to the political experience and continuity of their leadership staff.

Comment: Reports of success at both the state and federal levels are consistent in emphasizing the role of key individuals in outcomes.

- iv - Advocacy projects pursuing legislative change will be limited in their success in proportion to their reliance on partisan political alliances for support.

Comment: Positive outcomes have been more common when disputes were focused on policy issues rather than political power.

- v - Advocacy projects choosing early childhood development and education subject matter are less dependent on research findings and rational analysis than on underlying social attitudes and

values, which are subject to slower change than that allowed for in the political process.

Comment: Arguments about long term cost-effectiveness of programs for young children appear less persuasive when public decisions are being made on the basis of short term cost savings. The needs of children in crisis are more appropriate foci for future advocacy projects; and, despite the New Hampshire experience in 1981, more likely to produce positive results.

A Final Comment

The findings offered in this study must be viewed within the somewhat artificial confines of the research period chosen for the case study. The New Hampshire project continued after the close of the 1981 legislative session, and attempted to apply the lessons of the case study period to future activities, and to the next opportunity for progress. The eventual outcome of the project, and by extension the final chapter of this research, were still to be determined: "And I will get that bill before I'm through."⁶

⁶Governor Hugh Gallen, addressing the New Hampshire State Conference on Children and Youth. Bedford, N.H., December 3, 1981.

BIBLIOGRAPHY

- Addams, J. The Spirit of Youth and the City Streets. New York: Macmillan, 1909.
- Addison, M.R. "Citizen Advocacy." Amicus, 1, 4.: National Center for Law and the Handicapped, May 1976.
- Allison, G.T. Essence of Decision: Explaining the Cuban Missile Crisis. Boston: Little, Brown & Co., 1971.
- Anderson, C. "Three Hundred Years: New Hampshire's Legislature." Concord: State of New Hampshire, 1980.
- Angrist, S.S.; and Love, J.R. "Economic, Social, and Policy Aspects of Child Care: A Quantitative Analysis of Child Care Arrangements of Working Mothers.": 1974.
- Auleta, M.S. Foundations of Early Childhood Education: Readings. New York: Random House, 1971.
- Bane, M.J. Here to Stay: American Families in the Twentieth Century. New York: Basic Books, Inc., 1976.
- Beck, R. "It's Time to Stand Up for Your Children: A Parent's Guide to Child Advocacy." Washington, D.C.: Children's Defense Fund, 1976.
- Beck, R. and Butler, J. "An Interview with Marian Wright Edelman.": Harvard Educational Review, 44, 1, pp. 53-73, February, 1974.
- Bell, C.S. "Full Employment: Implications for Women.": Social Policy, Vol. III, No. 3, Sept. - Oct., 1972.
- Bell, R., Warheit, G.J. and Schwab, J.J. "Needs Assessment: A Strategy for Structuring Change.": Robert Coursey, et al., Grune and Stratton, Inc., 1977.
- Berlin, I. Advocacy for Child Mental Health. New York: Brunner Mazel, Inc. 1975.
- Besharov, D.J. Juvenile Justice Advocacy: Practise in

a Unique Court. New York: Practising Law Institute, 1974.

- Bissell, J. "Improvements are needed in coordination of services for children and youth in California." Sacramento: Office of the Auditor General, Report #816.1, 1978.
- Bissell, J. "Report to the California Legislature: Services to Children and Youth Administered through State Agencies in California." Sacramento: Office of the Auditor General, Report #816.1, 1978.
- Bloom, B. Stability and Change in Human Characteristics. New York: John Wiley and Sons, Inc., 1961.
- Blum, B.B. "Coordinated Service: The State Experience." Albany, New York: State Department of Social Services, 1980.
- Bowlby, J. Maternal Care and Mental Health. Geneva: World Health Organization, 1952.
- Bowman, B. "Should the Public Schools Control Child Care Services?" Chicago: Erikson Institute, 1976.
- Braun, S.J. and Edwards, E.P. History and Theory of Early Childhood Education. Belmont, Calif.: Wadsworth Publishing Co., Inc., 1972.
- Breitbart, V. The Day Care Book. New York: Alfred A. Knopf, 1974.
- Bremner, R.H. Children and Youth in America: A Documentary History. Cambridge, Mass.: Harvard University Press, 1974.
- Bronfenbrenner, U. Two Worlds of Childhood: U.S. and U.S.S.R. New York: Russell Sage Foundation, 1970.
- Bronfenbrenner, U. The Ecology of Human Development. Cambridge, Mass.: Harvard University Press, 1979.
- Bronfenbrenner, U. "Who Cares for America's Children?" Young Children 26, 3, pp. 157-163, (January, 1971).
- Brooks, M. "A Critical Look at Advocacy Planning," in Brooks, Social Planning and City Planning. Chicago: American Society of Planning Officials, pp. 39-44, 1970.

- Brown v. Board of Education, 347 US 483 (1954).
- Bureau of Vital Records and Health Statistics, (NH)
Vital Statistics Report for the State of New
Hampshire, 1980. Concord: Department of Health
and Welfare, 1980.
- Caldwell, B.B. "Child Development and Social Policy,"
in Scott, M. and Grimmet, S. Current Issues in
Child Development. Washington, D.C.: National
Association for the Education of Youth Children,
1977.
- Coelen, C. Glantz, F. and Colore, D. Day Care Centers
in the U.S.: A National Profile 1976-1977.
Cambridge, Mass.: Abt Books, 1979.
- Cohen, D.K. and Garet, M.S. "Reforming Educational
Policy with Applied Social Research." Harvard
Educational Review 45, 1, pp 17-43 (February, 1975).
- Coleman, J.S. "Problems of Conceptualization and Measure-
ment in Studying Policy Impacts," in Dolbeare, K.M.,
Public Policy Evaluation. Beverly Hills, Calif.:
Sage Publications, Inc., 1975.
- Coleman, M. "Report on Task 5, Deliverables 1 and 2,
H.E.W. Contract #105-76-1121": September, 1978.
- Coleman, M. "Report on Task 5, Deliverables 4 and 5,
H.E.W. Contract #105-76-1121": October, 1978.
- Cook, T.J. and Scioli, F.P., Jr. "Impact Analysis in
Public Policy Research," in Dolbeare, 1975.
- Coplin, W.D. Introduction to the Analysis of Public
Policy Issues From a Problem-Solving Perspective.
New York: Learning Resources in International
Studies, 1975.
- Cremin, L.A. The Transformation of the School. New York:
Random House, Inc., 1961.
- Day Care Consultation Service "Toward Comprehensive Child
Care." New York: Bank Street College of Education,
1974.
- deLone, R.H. Small Futures: Children, Inequality, and
the Limits of Liberal Reform. New York: Harcourt
Brace Jovanovich, 1979.

- Denzin, N.K. Children and Their Caretakers. New Brunswick, N.H.: Transaction Books, 1973.
- Dickman, I.R. "Thinking/Learning/Doing Advocacy: A Report on the National Advocacy Project of the United Cerebral Palsy Associations, Inc." New York: United Cerebral Palsy Assoc., Inc., 1973.
- Divine - Hawkins, P. Family Day Care in the United States: National Day Care Home Study Final Report, Executive Summary. U.S. Department of Health and Human Services Publication No. (OHDS) 80-30287, September, 1981.
- Dolbeare, K.M. Public Policy Evaluation. Beverly Hills, Calif.: Sage Publications, Inc., 1975.
- Dow, J. Advocacy Handbook: A Beginner's Guide to Affecting Change. Concord, N.H.: Parent Information Center, 1978.
- Driscoll, L.F., Jr. Improving the Delivery of Services to Philadelphia Children and Youth. Philadelphia: Citizen's Committee on Services to Children and Youth, 1979.
- Dunn, C. "Community Review: It's Purposes, Policies, and Guidelines." Boston: Massachusetts Office for Children, 1978.
- Dye, T.R. Understanding Public Policy. Englewood Cliffs, N.J.: Prentice Hall, Inc., 1975.
- Dye, T.R. Policy Analysis. University, Ala.: The University of Alabama Press, 1976.
- Early Childhood Project. "Establishing a State Office of Early Childhood Development: Suggested Legislative Alternatives." Denver, Colo.: Education Commission of the States, Report No. 30, 1975.
- Early Childhood Project. "State Offices of Child Development." Denver: Education Commission of the States, Report No. 55, 1976.
- Edelman, P. "The Massachusetts Task Force Reports: Advocacy for Children." Harvard Educational Review, 43, 4, pp. 639-652, (1973).

- Education Commission of the States. The Children's Political Checklist. Denver, Colo.: 1977.
- Evans, E.D. Contemporary Influences in Early Childhood Education. New York: Sec. Ed., Holt, Rinehart, and Winston, Inc., 1975.
- Fein, G.G. and Clarke-Stewart, A. Day Care in Context. New York: John Wiley and Sons, 1973.
- Fraiberg, S. Every Child's Birthright: In Defense of Mothering. New York: Basic Books, Inc., 1977.
- Frost, J.L. Revisiting Early Childhood Education. New York: Holt, Rinehart, and Winston, Inc., 1973.
- Gabarino, J. "Knowledge in the Service of Children and Youth: A Personal Introduction." Children and Youth Services Review. Vol. 3, No. 4, pp. 269-275, 1981.
- Galbraith, J.K. Economics and the Public Purpose. Boston: Houghton Mifflin, Co., 1973.
- Gardner, J.W. In Common Cause. New York: W.W. Norton and Co., Inc., 1972.
- Gavin, T.V. "Annual Report: Texas Commission on Services to Children and Youth." Austin, Texas, 1979.
- Genovese, R.G. "Issues in Combining Social Action with Planning: The Case of Advocacy Planning." Research in Social Problems and Public Policy, 1, pp. 195-224, 1979.
- Gilman, C.P. The Home: Its Work and Influence. New York: McClure, Phillips, and Co., 1903.
- Glazer, N. "The Lawyer and the Child," in Beyer, P. and Callahan, S. Child Care and Mediating Structures. Washington, D.C.: American Enterprise Institute for Public Policy Research, 1979.
- Glickman, B.M. and Springer, N.B. Who Cares for the Baby? Choices in Child Care. New York: Schocken Books, 1978.
- Goldman, K.S. and Lewis, M. Child Care and Public Policy: A Case Study. Princeton, N.J.: Educational Testing Service, 1976.

- Gonzales, J.L. "Report of State Visit to Nevada." Region IX ACYF/HEW, November, 1978.
- Goodisman, L.S. "Analysis in a Political Environment: Evaluating a Local Youth Program." Policy Analysis, 6, 3, pp. 349-359, (Summer, 1980).
- Gouldner, A.W. "The Sociologist as Partisan: Sociology and the Welfare State." The American Sociologist, 3, pp. 103-116, (May, 1968).
- Gradt, J. "Children and Society," from discussion at the 1970 White House Conference on Children, Washington, D.C., 1971.
- Greenwald, C. "Working Mothers: The Need for More Part-time Jobs." New England Economic Review. September - October, 1972.
- Haas, E. "Getting Support for Children's Programs: Organizing Child Advocacy," in Auerback, S. and Rivaldo, J.A. Rationale for Child Care Services: Programs vs. Politics. New York: Human Services Press, Inc., 1975.
- Haggerty, D.E. "Legal Advocacy." Amicus, 1, 4 (May, 1976).
- Heidenheimer, A.J.; Hecl, H. and Adams, C.T. Comparative Public Policy: The Politics of Social Choice in Europe and America. New York: St. Martin's Press, 1975.
- Henry, W.F., Scheibel, L., Weeks, S.B. "Taxes and the N.H. Citizen." Durham: Cooperative Extension Service, 1978.
- Hobbs, N. The Futures of Children. San Francisco: Jossey-Bass Publishers, 1976.
- Hoffman, E. "A National Policy for Children - How Do We Get There," in Haskins, R. and J.J. Gallagher, eds. Care and Education of Young Children in America: Policy, Politics, and Social Science. Norwood, N.J.: Ablex Publishing Corp., 1980.
- Hoffman, L.W. "The Effects of Maternal Employment on the Child: A Review of the Research." University of Michigan, 1973.

Hunt, J. McV. Intelligence and Experience. New York: The Ronald Press, Co., 1961.

"Industrial Child Care: Stride Rite Steps In," Women's Agenda, Vol. I, No. 7, October, 1976.

In re Gault, 387 US 1 (1967).

Jacob, H. and Vines, K.N. Politics in the American States: A Comparative Analysis. Boston: Little, Brown, and Co., 1971.

Jenkins, W.L. Policy Analysis: A Political and Organizational Perspective. New York: St. Martin's Press, 1978.

Jewett, P.E. ed. "How to Influence Public Policy: An Action Guide for Child Care Advocates." Springvale, Me.: New England Association for the Education of Young Children, 1978.

Johnson, R.W. "Research Objectives for Policy Analysis," in Dolbeare (1975), op. cit.

Joint Commission on Mental Health of Children. Crisis in Child Mental Health: Challenge for the 1970's. New York: Harper and Row, 1970.

Jones, J.Y. "White House Conferences on Children and Youth, 1909-1971." Washington, D.C.: Congressional Referral Service, 1976.

Kahn, A.J.; Kamerman, S.B. and McGowan, B.G. Child Advocacy. Report of a National Baseline Study. Washington, D.C.: Children's Bureau, U.S.D.H.E.W. Publication No. OCD73-18, 1973.

Katz, M.B. The Irony of Early School Reform. Cambridge, Mass.: Harvard University Press, 1968.

Keating, T. "Child Care and Public Policy: A Dilemma at All Levels." Claremont, Calif.: 1975.

Keniston, K. All Our Children: The American Family Under Pressure. New York: Harcourt, Brace, Jovanovich, 1978.

Kent v. U.S. 383 U.S. 541 (1966)

- Kessler, N.J. and Tag, H.M. Advocacy for the Institutionalized. New York: The Council of State Governments, 1977.
- Keyserling, M.D. Windows on Day Care. New York: National Council of Jewish Women, 1972.
- Kimball, W.L. "Children's Services in Massachusetts - A Report." Boston: Massachusetts Office for Children, 1974.
- King, I.A. "Pre-Primary Enrollment." National Center for Educational Statistics, U.S. Department of H.E.W., 1974.
- Kirst, M.; Gorms, W. and Oppermann, T. "State Services for Children: An Exploration of Who Benefits and Who Governs." Public Policy, 23, 2 (Spring, 1980).
- Knitzer, J. "Advocacy and the Children's Crisis." American Journal of Orthopsychiatry, 41, 5, pp. 799-806, (October, 1971).
- Komarousky, M. Blue-Collar Marriage. New York: Vintage Books, 1962.
- Krashinsky, M. "Day Care and Public Policy." Unpublished doctoral dissertation, Yale University, 1973.
- Kreps, J.M. Women and the American Economy: A Look to the 1980's. Prentice Hall, 1976.
- La Charite, N. "A Needs Assessment Workbook for Prevention Planning." Washington, D.C.: Center for Human Services, 1979.
- Lakis, S.G. and Ginsburg, P.E. The New Hampshire Political Almanac, 1981. Concord, N.H.: Almanac Research Services, 1981.
- Lane, R.E. "Integration of Political Social Science and the other Social Sciences through Policy Analysis," in Charlesworth, J.C. ed. Integration of the Social Sciences through Policy Analysis. Philadelphia: American Academy of Political and Social Science, Monograph No. 14, 1972.
- Lane, R.E. "Social Science Research and Public Policy," in Nagel, S.S. Policy Studies and the Social Sciences. Lexington, Mass.: Lexington Books, 1975.

- Lazerson, M. Origins of the Urban School. Cambridge, Mass.: Harvard University Press, 1971.
- Legis 59, The Center for Legislative Improvement. Legislative Policymaking in Juvenile Justice, Four Case Studies. Englewood, Colo.: 1976.
- Leichter, H.J., ed. The Family as Educator. New York: Teachers College Press, 1974.
- Leifer, A.D. Childcare Policy Study. Palo Alto: Stanford University, 1972.
- Lein, L. et al. "Work and Family Life. Phase I. Final Report." Cambridge, Mass.: Center for the Study of Public Policy, 1975.
- Levine, J. Who Will Raise the Children? Philadelphia: J.B. Lippincott and Co., 1976.
- Levine, M. and Levine, A. A Social History of Helping Services. New York: Appleton-Century-Crofts, 1970.
- Levitan, S.A. and Alderman, K.C. Child Care and ABC's Too. Baltimore: Johns Hopkins University Press, 1975.
- Lewin, K. A Dynamic Theory of Personality. New York: McGraw Hill, 1935.
- Light, R.J. and Smith, P.V. "Choosing a future: Strategies for Designing and Evaluating New Programs." Harvard Educational Review, 40, pp. 1-28.
- Lindblom, C.E. The Policy-Making Process. Englewood Cliffs, N.J.: Prentice Hall, Inc., 1968.
- Litt, E. The Political Cultures of Massachusetts. Cambridge: The M.I.T. Press, 1965.
- Low, S; and Spindler, P.G. Child Care Arrangements of Working Mothers in the United States. Washington, D.C.: U.S. Government Printing Office, Children's Bureau Pub. Bulletin #461, 1968.
- Lowi, T.J. and Ginsburg, B. et al. Poliscide. New York: Macmillan Publishing Co., Inc., 1976.
- Lynn, L.E. "Crafting Policy Analysis for Decision Makers."

Educational Evaluation and Policy Analysis, Vol. 2, No. 3, (May-June, 1980).

- Manser, E. Family Advocacy: A Manual for Change. New York: Family Service Association of America, 1973.
- Marquis, B. "Key Issues for the Organization of Children's Services." Boston: Statewide Advisory Council, Massachusetts Office for Children, 1974.
- Martin, J.L. "Children's Advocacy in the Political Arena," in New England Children's Mental Health Task Force (1977).
- Massachusetts Advocacy Center. Delinquent Justice: Juvenile Detention Practise in Massachusetts. Boston, 1980.
- Meehan, E.J. Value Judgment and Social Science. Homewood, Ill.: Dorsey Press, 1969.
- Meyerson, M. and Banfield, E.C. Politics, Planning, and the Public Interest. New York: Free Press, 1955.
- Moore, M.L. "Systems Change Advocacy." Amicus, 1, 4 (May, 1976).
- Moore, R.S. and Moore, D.N. Better Late Than Early. New York: Reader's Digest Press, 1977.
- Morgan, G. and Bergstrom, J.M. Day Care Position Paper, Massachusetts Children's Lobby, 1977.
- Morgan, S. Untitled draft manuscript. Research on characteristics of local Councils for Children. Waltham, Mass.: Brandeis University, 1979.
- Moroney, R.M. The Family and the State: Considerations for Social Policy. London: Longman Group, Ltd., 1976.
- Mowles, C.E. "Kindergarten in N.H." Concord: Division of Instruction, State Department of Education.
- Mudd, J. "Services Coordination and Children." Lexington, Ky.: Unpublished manuscript prepared for the Council of State Governments, 1980.
- Nage, N.L., ed. Handbook on Research and Teaching.

- Chicago: Rand, McNally, and Co., 1963.
- Nagel, S.S. ed. Policy Studies and the Social Sciences.
Lexington, Mass.: Lexington Books, 1975.
- National Association of State Directors of Child Development. An Introduction to State Capacity Building.
Denver, Colo.: Education Commission of the States,
Report No. 98, 1976.
- National Council of Organizations for Children and Youth.
America's Children, 1976. Washington, D.C., 1975.
- National Society for the Study of Education. Twenty-
Eighth Yearbook: Preschool and Parental Education.
Bloomington, Ill.: Public School Publishing, Co.,
1929.
- National Society for the Study of Education. Seventy-
First Yearbook, Part II: Early Childhood Education.
Chicago: University of Chicago Press, 1972.
- Natti, L. "Survey of Governor's Offices for Governor's
Commission on Children and Youth, file
Correspondence." Concord, N.H.: 1976.
- Nelson, R.R. The Moon and the Ghetto. New York: W.W.
Norton and Co., Inc., 1977.
- New England Children's Mental Health Task Force.
Proceedings: Third Annual Children's Advocacy
Conference. Boston: U.S. Public Health Service,
1977.
- New Hampshire Commission on Children and Youth. "Report
of Children and Youth Services and Planning and
Coordination Survey." Concord, N.H.: 1979.
- New Hampshire Legislative Interim Committee on Youth and
Juvenile Problems. "Report to the General Court -
Session of 1947." Manchester, N.H.: Granite
State Press, Inc.
- Noshpitz, J.D. "Toward a National Policy for Children."
American Journal of Child Psychiatry, 13, pp. 385-
401, (Summer, 1974).
- Oakley, A. Women's Work. New York: Pantheon Books, 1974.

- Office of Children and Youth Services. "Principal Objectives: Fiscal Years 1979/80." Lansing, Michigan: Department of Social Services, 1978.
- Ogilvie, D.G. Employer-Subsidized Child Care. Washington, D.C.: Inner City Fund, 1972.
- Oliver, B. et al. Raising a New Generation: The North Carolina Story. Raleigh: Office of the Governor, 1979.
- Ory, M.G. and Leik, R.K. Policy and the American Family: A Manual for Family Impact Analysis. Minneapolis, Minn.: Family Study Center, 1978.
- Oser, M. "Raising a Voice for Children: How to Communicate Effectively with your Legislators." Houston: Texas Child Care 76, 1976.
- Paul, J.L.; Neufeld, G.R. and Pelosi, J.W. eds. Child Advocacy within the System. Syracuse, N.Y.: Syracuse University Press, 1977.
- Peat, Marwick, Mitchell and Co., Child Welfare in 25 States - An Overview. Washington, D.C., 1976.
- Perez, M.E. "Social Change and Policy Development: An Agenda for Change Advocates." Boston: Paper presented to the A.E.R.A. Conference, April, 1980.
- Pinchbeck, J. and Hewitt, M. Children in English Society, Vol. I. London: Routledge and Kegan Paul Ltd., 1969.
- Piven, F.F., and Cloward, R.A. Regulating the Poor: The Future of Public Welfare. New York: Random House, Inc., 1971.
- Prywes, R.W. "A Study on the Development of a Non-Standard Work Kay or Work Week for Women." Bryn Mawr, 1974.
- Quade, E.S. Analysis for Public Decisions. New York: American Elsevier Pub. Co., Inc., 1975.
- Rainsberry. See New England Children's Mental Health Task Force.
- Rainwater, L. Social Problems and Public Policy: De'viance and Liberty. Chicago: Aldine Publishing

Co., 1974.

- Reagan, M.D. "Policy Issues: The Interaction of Substance and Process." Polity, 1, 1.
- Reich, C. "A Study of Interest in Part-Time Employment Among Non-Teaching Employees of the Board, Report No. 132." Toronto Board of Education, September, 1975.
- Rein, M. "Social Policy Analysis as the Interpretation of Beliefs." Journal of the American Institute of Planners, 37, pp. 297-310, 1977.
- Rein, M. Social Policy: Issues of Choice and Change. New York: Random House, 1970.
- Report to the President: White House Conference on Children. Forum 15, 1970.
- Review of Social Services for Children and their Families. State of Arkansas, Department of Human Services, 1979.
- Rice, R.M. American Family Policy: Content and Context. New York: Family Service Association of America, 1977.
- Rich, J.M. New Directions in Educational Policy. Lincoln, Neb.: Professional Educators Publications, Inc., 1974.
- Riley, G. ed. Values, Objectivity, and the Social Sciences. Reading, Mass.: Addison-Wesley Publishing, Co., 1974.
- Rivlin, A.M. Systematic Thinking for Social Action. Washington, D.C.: The Brookings Institution, 1971.
- Roby, P. ed. Child Care - Who Cares? New York: Basic Books, Inc., 1973.
- Rodes, T.W. "Current Patterns of Child Care in the United States," in National Child Care Consumer Study: 1975, Office of Child Development.
- Rosenthal, A. "Capacity and Policy Orientation of State Legislatures." Educational Evaluation and Policy Analysis. Vol. I, No. 6 (Nov. - Dec., 1979).

- Ross, E.D. The Kindergarten Crusade. Athens, Ohio: Ohio University Press, 1976.
- Rothman, S.M. "Other People's Children: The Day Care Experience in America," The Public Interest, No. 30, Winter, 1973.
- Rowe, R.R., Director. Child Care in Massachusetts: The Public Responsibility. Cambridge, Mass.: Massachusetts Early Education Project, 1972.
- Rubin, L.B. Worlds of Pain: Life in the Working Class Family. New York: Basic Books, Inc., 1976.
- Ruby, M.; and Nicholson, T. "Women at Work," Newsweek, December 6, 1976.
- Ruderman, F.A. Child Care and Working Mothers. New York: Child Welfare League of America, Inc., 1978.
- Ruopp, R., Coordinator. A Study in Child Care. Cambridge, Mass.: Abt Associates, Inc., 1971.
- Ruopp, R. Children at the Center. Cambridge, Mass.: Abt Associates, Final Report of the National Day Care Study, 1979.
- Salisbury, R.H. and Heinz, J.P. "A Theory of Policy Analysis and Some Preliminary Applications." Paper presented to the annual meeting of the American Political Science Association, Washington, D.C., 1968.
- Sanday, P.R. ed. Anthropology and the Public Interest. New York: Academic Press, 1976.
- Schorr, A.L., ed. Children and Decent People. New York: Basic Books, Inc., 1974.
- Schorr, L.B., Lazarus, W. and Wertz, J.H. Doctors and Dollars are not Enough. Washington D.C.: Washington Research Project, Inc., 1976.
- Schultz, T. ed. Economics of the Family. Chicago, Ill.: University of Chicago Press, 1974.
- Sears, S. and Dowley, E. "Research on Training in the Nursery School," in Handbook on Research and Teaching. Chicago, Ill.: N.L. Gage, ed., Rand, McNally, and Co., 1963.

- Senn, M. Speaking Out for America's Children. New Haven: Yale University Press, 1977.
- Silver, G.A. Child Health: America's Future. Germantown, Md.: Aspen Systems Corp., 1978.
- Sharpe, C. "Comprehensive Blueprint: Children and Youth Services Planning Project." Augusta: State of Maine, 1977.
- Sheehan, D.M. The Children's Puzzle. Boston: Institute for Governmental Services, University of Massachusetts, 1977.
- Shepard, J.G. "Case Study: State of Rhode Island Children and Youth Services Task Force." H.E.W. Contract #105-76-1121, 1977.
- Shepard, J.G., Porter, D., Staff, R. and Shepard, M.A. "First Site Visit Report: A Process Evaluation of State - Level Community Coordinated Child Care Programs." San Francisco: E.H. White and Co., 1978.
- Shepard, J.G. and Shepard, M.S. "Process Evaluation of State - Level Community Coordinated Child Care (4-C) Programs." Final Report for E.H. White and Co., H.E.W. Contract #105-76-1121; January 31, 1979.
- Shurtleff, N. Records of the Governor & Co. of Massachusetts Bay Colony in New England, 1682-1686.
- Siegel, K. and Doty, P. "Advocacy Research versus Management Review: A Comparative Analysis." Policy Analysis, 5, 1, (Winter, 1979), pp. 37-65.
- Stanley v. Illinois 405 U.S. 645 (1972).
- Steiner, G. "The Politics of Child Advocacy." Manchester, N.H.: Unpublished lecture notes, 11/14/80.
- Steiner, G.Y. The Children's Cause. Washington, D.C.: The Brookings Institution, 1976.
- Steinfelds, M. O'B. Who's Minding the Children? New York: Simon and Schuster, 1973.
- Strauch, R. "Squishy Problems and Quantitative Methods." Langeley, Virginia: unpublished manuscript, 1973.

- Sunley, R. "Family Advocacy: From Case to Cause."
Social Casework, 51, 6, pp. 347-357, (June, 1970).
- Talbot, N.B. ed. Raising Children in Modern America.
Boston: Little, Brown, and Co., 1976.
- Taylor, T. Directory for the Child Care Advocate.
Washington, D.C.: Day Care and Child Development
Council of America, 1973.
- Tierney, Hap. "Percent Distribution of Care for Children
with Mothers Working Full-Time: 1965 and 1975."
Massachusetts Children's Lobby, 1976.
- Tizard, J.; Moss, P.; Perry, J. All Our Children:
Preschool Services in a Changing Society. London:
Maurice Temple Smith, Ltd., 1976.
- Tribe, L.H. "Policy Science: Analysis or Ideology?"
Philosophy and Public Affairs, Fall, 1972.
- Truman, D.B. The Governmental Process. New York: Alfred
A. Knopf, 1960.
- Unco, Inc., National Child Care Consumer Survey, 1975,
D.H.E.W., Office of Child Development.
- U.S. Bureau of the Census. "Daytime Care of Children,
October, 1974 and February, 1975;" Current Population
Characteristics Reports, Series P-20, No. 298.
- U.S. Bureau of Labor Statistics. U.S. Working Women.
Bulletin, 1980. Washington, D.C.: U.S.
Government Printing Office, 1975.
- U.S. Congress. House. H.R. 6748: A Bill to Provide a
Comprehensive Child Development Act, 92d Cong.,
1st. sess., 1971.
- U.S. _____ House. H.R. 2966: Child and Family
Services Act, 94th Cong., 1st. sess., 1975.
- U.S. _____ Senate. S. 626: Child and Family Services
Act of 1975, 94th Cong., 1st. sess., 1975.
- U.S.D.H.E.W. Child Advocacy Programs 1975. Washington,
D.C.: National Center for Child Advocacy, (O.H.D.)
76-30082, 1976.
- U.S. Federal Works Agency, Law Library. War Public Works:

A Compilation of Records and Documents Under the
Lanham Act, 1943.

- U.S. Office of Economic Opportunity. (E. Grotberg.)
Day Care: Resources for Decisions. Washington,
D.C., 1971.
- U.S. President. Message, Veto of Economic Opportunity
Amendments of 1971, Weekly Compilation of Presiden-
tial Documents, Dec. 13, 1971.
- U.S. Labor Statistics. "Children of Working Mothers,"
March 1975, Summary, Special Labor Force Report.
- U.S. Bureau of Labor Statistics. U.S. Working Women,
Bulletin, 1880, 1975.
- VanLoon, E.E., ed. "Perspectives on Child Care," Inequality
in Education, No. 13, 1972. Cambridge, Mass.:
Center for Law and Education, 1972.
- Voci, K. "A Friend in the Business." Boston: Massachu-
setts Office for Children, 1980.
- Vorenberg, E. (See Massachusetts Advocacy Center).
- Wade. L.L. The Elements of Public Policy. Columbus,
Ohio: Charles E. Merrill Publishing Co., 1972.
- Wagner, M. and Wagner, M. The Danish National Child
Care System. Boulder, Colo.: Westview Press, Inc.,
1976.
- Wallace, H. "Infant and Prenatal Mortality in the U.S.,"
in Public Health Currents, Vol. 17, No. 3, June,
1977.
- Warheit, G.J., Bell, R.A., and Schab, J.J. Needs
Assessment Approaches: Concepts and Methods.
D.H.E.W., Publication # (ADM) 77-472, Washington,
D.C., 1977.
- Weiss, C.H. "Improving Linkage Between Social Research
and Public Policy," in Lynn, P.E., Jr., ed.
Knowledge and Policy: the Uncertain Connection.
Washington, D.C.: National Academy of Sciences,
1978.
- Westman, J.C. Child Advocacy. New York: Free Press,
1979.

- White, E.H. and Co. "Deliverable #4, Final Site Visit Report, a Process Evaluation of State Level Community Coordinated Child Care (4-C) Programs." November, 1978.
- Wildavsky, A. Speaking Truth to Power: the Art and Craft of Policy Analysis. Boston: Little, Brown, and Co., 1979.
- Wolfe, A. and Surkin, M. An End to Political Science: the Caucus Papers. New York: Basic Books, Inc., 1970.
- Wooden, K. Weeping in the Playtime of Others: America's Incarcerated Children. New York: McGraw-Hill Book Co., 1976.
- Woolsey, S. "Pied Piper Politics and the Child Care Debate," Daedalus, Spring, 1977: The Family, Vol. 106, No. 2.
- Young, D.R. and Nelson, R.R. Public Policy for Day Care of Young Children. Lexington, Mass.: Lexington Books, 1973.
- Young, J.C: "First Annual Report, Ohio Commission for Children." Columbus; State of Ohio, 1979.

APPENDICES

- A. "Title XX in New Hampshire - Services to Children." First administrative advocacy document, published just prior to advocacy project grant proposal submission.
- B. New Hampshire State Capacity Building Grant Proposal (11/78), program narrative excerpts indicating initial goals stated for the project reported in the case study section of the present research.
- C. House Bill 483 (1979): revised mandate of the New Hampshire Commission on Children and Youth, drafted by author.
- D. Fiscal Committee of the (N.H.) General Court: Minutes of the meeting of 9/24/79, with transcript of Senator Rock's remarks; and minutes of the meeting of 5/8/80.
- E. Testimony on advocacy project's recommendations for legislation, drafted by author for M.F. Sullivan, 10/1/80.
- F. House Bill 892 (1981): Legislation drafted by the advocacy project to establish a state Office for Children and Youth.
- G. Testimony on HB 892, drafted by author for J. Ryan, 4/15/81.
- H. List of supporters testifying in favor of HB 892 at first legislative hearing: House Committee on Executive Departments and Administration, 4/15/81.

APPENDIX A

"TITLE XX IN NEW HAMPSHIRE - SERVICES TO CHILDREN." FIRST ADMINISTRATIVE ADVOCACY DOCUMENT, PUBLISHED JUST PRIOR TO ADVOCACY PROJECT GRANT PROPOSAL SUBMISSION.

The report illustrates the "program audit" approach to child advocacy reflected in early stages of the case study period. It also highlights the dramatic differences in political climate exhibited during the research period, in which discussions of how best to plan for increasing federal dollars in 1978 had given way to a more desperate kind of cutback planning by 1981. The present study suggested that the developing political reflexes of child advocates at the state level were unsuited to the altered federal policy perspective.

TITLE XX IN NEW HAMPSHIRE - SERVICES TO CHILDREN

a report prepared by Mark W. Segar, for the
New Hampshire Commission on Children and Youth

September, 1978

This report reviews Title XX services to children in New Hampshire. Title XX of the Social Security Act provides federal matching funds to support a range of state social service programs. The report concludes that the full positive potential of Title XX has not been realized in our state. Fourteen recommendations are offered for changes in state policy to improve the Title XX program for children in New Hampshire.

Cover artwork by Matthew Nichols, First Grade, Chichester Central School.

TITLE XX IN NEW HAMPSHIRE - SERVICES TO CHILDREN

Children in New Hampshire are losing money. Money that could be used to protect them from abuse. Money that could be used to send them to summer camp. Money that could be used to expand and improve a range of community-controlled services designed to meet the particular needs of children throughout New Hampshire.

This is a report prepared by the New Hampshire Commission on Children and Youth reviewing children's services which are supported by Title XX of the Social Security Act. Federal funds are available under Title XX for a range of social services to citizens in every state. Many of these services directly benefit children. Child care, adoption services, camping, foster care, and family planning are among the many programs funded by Title XX.

The attention of the Commission on Children and Youth was first directed toward the Title XX program in New Hampshire by reports that our state had failed to make full use of its federal allocation of Title XX funds. We were concerned that in a state with such limited resources for providing services to children, failure to take maximum advantage of every possible funding source would have significant negative implications for the well-being of young people.

We are convinced that significant problems with the Title XX program in New Hampshire do indeed exist. It is our hope that this brief report will provide some of the impetus necessary to reform the delivery of Title XX services to children in this state, and to ensure that every federal dollar available is put to the best possible use.

Preparation of this report would not have been possible without the cooperation of the Division of Welfare, the Region I office of the Department of Health, Education, and Welfare, the New Hampshire Association of Day Care Administrators, and a number of concerned private citizens. This report is offered in the spirit of that cooperation; we hope that readers will view it in the positive context in which it was prepared. It is not intended as an indictment of any state agency,

nor as a general criticism of public services for children in this state. It is presented in the hope that the information and recommendations which follow can be used constructively to benefit children in New Hampshire.

Title XX funds in New Hampshire are administered by the Division of Welfare in the state Department of Health and Welfare. Federal funds are made available according to a national formula based upon the population of each state. Nine and one-half million dollars are available to New Hampshire in the current fiscal year (1978). Every dollar of state funds under Title XX can be matched by three federal dollars (nine to one for family planning programs). Matching funds in New Hampshire can be raised either through appropriations from the State budget or through donations of funds from local, municipal, or independent sources. This report by the Commission on Children and Youth does not attempt either a summary or a critique of general Title XX procedures; we have assumed that readers of the report will be familiar with the program's basic structure. In addition to New Hampshire's own Title XX planning documents, which are widely distributed each year, both the Child Welfare League of America and the Children's Defense Fund of Washington, D.C. have published excellent materials on Title XX.

Title XX is a program which allows considerable leeway to states in determining how federal funds will be used. Responsibility for most of the policy decisions about children's services under Title XX is reserved for state governments. The Director of the New Hampshire Division of Welfare describes Title XX as a program whose purpose is:

to enable people to become more independent and to protect them from abuse, neglect, and exploitation. It seeks to help people by making a wide range of services available to low-income individuals, thus enabling them to lead more productive and meaningful lives.

Roughly two-thirds of the services available under Title XX in New Hampshire provide direct benefits to children (see the current Title XX Plan: Public Document number SR78-1, for full details). The Federal Government does not dictate to New Hampshire how Title XX monies must be spent. Within certain procedural and eligibility-determination guidelines, the state is free to define its own services, to determine who will receive them, and to plan and administer services at the community level.

There is the opportunity to use large amounts of federal funds in what can be essentially a state program.

But the record of Title XX programs in New Hampshire reflects a history of lost opportunities. Of the federal level funds available to New Hampshire since Title XX took effect in 1-75, nearly \$5 million have not been spent.* In the most recent federal fiscal year, New Hampshire was the only state in the Northeast which used less than its full appropriation under Title XX. (It is important to note at this point that proportionately fewer state dollars are appropriated in New Hampshire to match federal Title XX funds than in any other New England state.)

In reporting these depressing numbers, it is important not to minimize the problems which the state agency responsible for Title XX faces in trying to spend its full federal allocation each year. The exact amount of federal funds available is seldom known in advance. Last year three-quarters of a million dollars came through for Title XX day care programs (under P.L.94-401) after the fiscal year was already half over. The appropriation for fiscal year 1979 - which begins on October 1, 1978 - was still being debated in Congress as of mid-September. And Title XX contracts for services must all be approved by Governor and Council. Managing Title XX funds is a complex and often unpredictable task.

There are in fact many positive aspects of the Title XX program in New Hampshire, particularly in comparison to some neighboring New England states. Sliding fee scales for child day care and rehabilitation services enable families from a range of income groups to benefit from Title XX assistance. The annual plans for Title XX services provide concrete evidence of the Division of Welfare's efforts to respond to particular criticisms from previous years. Substantial funds are provided for comprehensive regional planning for Title XX services. Many of the individuals contacted by the Commission on Children and Youth were quick to acknowledge the openness of the state's Title XX planning process, and the willingness of Welfare administrators to give serious consideration to citizen concerns. Commentors were generally more

*In addition to \$4,271,756 confirmed unused by DHEW, N.H. Welfare estimates that almost \$1,000,000 will be left unspent this year (federal fiscal year 1979).

positive about the planning process than about the actual reimbursement procedures for Title XX funds.

Regional human service coordinating councils play a major role in the planning process, but they seem more attentive to articulating service needs than to making difficult, detailed choices about funding priorities. The Division of Welfare therefore retains much of the responsibility (and receives most of the criticism) for allocation and reimbursement decisions.

The annual Title XX plan (known as CASSP - for comprehensive annual social services plan) contains detailed listings of Title XX funding by program category and geographic region. Child day care is the single, largest line item in the program, accounting for almost \$3 million. Although Title XX is administered by the Division of Welfare, individuals need not be "on welfare" to receive assistance. Some services are available without regard to income. Others have variable fees which are adjusted according to family size and income.

The figures presented in Table I (see next page) detail the availability of federal funds for Title XX in New Hampshire since the legislation took effect in October of 1975. These figures illustrate the under-utilization of available funds. Each year that Title XX has operated, the total of unused funds has been reduced; but the unspent portion remains unacceptably high. Particularly unacceptable in view of proposed changes in the federal appropriation plan which would significantly increase the total of funds available each year.

Table II presents figures projected by H.E.W. projecting the potential impact of the proposed Title XX increases for New Hampshire. Legislation which would make this money available has passed the House of Representatives and is now pending in the Senate Finance Committee. If this legislation is enacted and funds appropriated, the stakes for managing Title XX in New Hampshire will be even greater. For each percentage point of under-utilization, the actual dollar figure of unspent funds will be higher.

Neighboring states have taken a rather different approach to raising matching funds for Title XX. In Connecticut, 94% of the funds come from state appropriations. In Vermont, the figure is 99%. Maine uses somewhat more locally donated funds, but they have created a state contingency fund to support their statewide program.

TABLE I

FEDERAL FUNDS FOR TITLE XX IN NEW HAMPSHIRE

<u>Fiscal year</u>	<u>\$ Available</u>	<u>\$ Spent</u>	<u>\$ Unspent</u>	<u>% Unspent</u>
1976	9,500,000	7,136,440(1)	2,363,560	25%
1977	9,550,000	7,691,804(2)	1,858,196	19%
1978	9,500,000	8,500,000*	1,000,000*	10.5%(3)
1979 present	9,573,000	?	?	?
1979 proposed	10,347,000:	represents an 8% increase (\$774,000) requiring \$258,000 of match (25% basis) and allowing \$1,032,000 additional services.		

-
- (1) - Title IVA - \$2,083,388. Title XX \$5,053,052
(2) - Title XX - \$6,927,804 P.L. 95-171 - \$764,000
(3) - Estimate is imprecise because Title XX plan included three months transitional quarter (figures quoted are 12 month estimate).
* - Projections based on estimate by Bureau of Social Service Contracts.
** - Figures from D.H.E.W. Office of Assistant Secretary for Planning & Administration.
-

Data for completed fiscal year supplied by D.H.E.W., Region I Office.

Analysis of legislation now pending in Congress (H.R. 12973 and S. 3148) shows a potentially higher figure for 1979: \$1.5 million dollars to New Hampshire, according to the Senate Finance Committee (confirmed by Senator McIntyre's office in a letter dated August 16, 1978).

N.H.C.C.Y.

TABLE II

PROPOSED INCREASE IN TITLE XX FUNDS

Federal Fiscal Year 1979 (10/1/78 - 9/30/79)

	<u>N.H.</u>	<u>NATIONAL</u>
Current Ceiling	\$ 9,573,000	\$2.5 billion
Proposed Ceiling	\$10,347,000	\$2.7 billion
Proposed Increase	\$ 774,000	\$200 million
Required State (or local) Match (at 25%)	\$ 258,000	\$ 50 million
Total Additional Funds	\$ 1,032,000	\$250 million
Percentage Increase	8%	8%

Division of Welfare staff point out that enough money is raised each year to at least plan for full utilization of federal Title XX funds. They see much of the difficulty coming from agency over-estimation of demand for services, but they agree that there are at least three negative results of the heavy reliance on local matching funds. There is frequent discontinuity of service because of the annual scrambling for funds in each community. Problems occur with the fiscal integrity of service contract agencies, who must put all their fund-raising efforts into generating match money, and have little if any additional resources for operating costs not covered by their Title XX contracts. The quality of services may also be jeopardized when agencies cut corners to keep their program costs (and therefore the amount of match money needed) down.

These patterns are visible in child day care programs, which account for the largest line item in New Hampshire's Title XX budget (and biggest category in the national Title XX program as well). Child care is justified as a Title XX service more often in terms of adult needs (for employment or training) than as a program for children, and the national pattern suggests that Title XX child care tends to segregate children (and families) by economic class.

The higher the cost of care in a Title XX funded center, the more difficult it becomes for families who are ineligible for assistance to keep their children in the program. Child care staff were distressed by the several pressures which constrain them from improving their services or paying adequate salaries to their teachers (who are often paid little more than the minimum wage despite qualifications which often match or surpass those of public school teachers).

The sliding fee scale for child care services in New Hampshire makes this problem much less severe than it is in a number of other states, where parents must "be poor and stay poor" to remain eligible for assistance. For families with incomes below 50% of the state median, child care is available without cost. Fees are charged at proportionately higher rates until family income reaches 115% of the median, at which point the family must assume the full cost of the service.

Fees for child care supported by Title XX range from roughly seven to ten dollars per child per day. Unassisted parents are in most cases unable to pay more

than this, and many child care programs rely on these "private" clients to do volunteer fundraising work and to provide some cash flow during delays in Title XX reimbursement. Ten dollars for a full day of child care hardly seems exorbitant in view of other expenses in modern communities (\$15/hour for a plumber or electrician). But the real costs of caring for children have never been fully recognized in our society, and the implementation of Title XX perpetuates that lack of recognition.

Some steps have been taken to deal with these problems. Special funds appropriated by Congress last year were used by New Hampshire welfare administrators to alleviate some of the pressure on child care centers to generate matching funds. Child care program directors have proposed a revised fee scale which would alter the spread of service costs across the range of family incomes. But problems still remain. Child care centers report absentee rates as high as 20%; Title XX allows only a 10% rate. Thus despite fixed costs regardless of the number of children in attendance, programs are often not reimbursed for the full amount provided for in their Title XX contract.

The way in which New Hampshire raises matching funds has much to do with the Title XX difficulties. Less than half of the funds required to secure federal matching dollars are appropriated by the state. Fifty-two percent of the funds (\$1,611,100 estimated for F.Y. '79) are donated locally.

These "local" funds are administered by the Division of Welfare, and include funds from local governmental sources, charitable trusts, United Ways, business and civic groups. Nearly one-half of the funds are raised by social service agencies, "to support services not operated by the donating agency" (see Tables 19 & 20 of the 1979 CASSP, pp. 116 & 117). This restriction against agencies raising their own matching funds is a somewhat hollow regulation, since all matching funds are turned over to the Division of Welfare for reimbursement.

Local Title XX agencies are in fact under a great deal of pressure to generate match money, and this pressure causes several problems. Agency staff who were contacted by the Commission on Children and Youth felt strongly that reliance on local generation of match money penalizes rural and less developed communities, and smaller agencies in all communities who have difficulty raising funds. This situation may not be unique to Title XX;

but the facts that less than 4% of the Title XX funds for the coming year are projected for the region served by the Berlin district welfare office, that Title XX planning for the North Country has been done without any existing human services coordinating council for the region, and that economic conditions in this region would seem to warrant a disproportionately high share of Title XX services, all suggest that the lack of state appropriated matching funds creates difficulties for communities which may be among those with the greatest need for assistance.

The sliding fee scale itself creates difficulties in using the full amount of Title XX funds provided. The amount of Title XX funds used by a given child care program depends on the fee charged to the parent, which depends in turn on the parent's income. Estimates of parental income are required before program directors know the names of the parents who will enroll children at their centers. Considerable guesswork is involved, and the actual incomes of the parents of children in a program at any one time varies considerably. This affects the level of Title XX reimbursement to each program, and results in considerable under-utilization of child care funds.

For Title Xx services to children in New Hampshire to reach their maximum potential, the Commission on Children and Youth believes that changes must be made in a number of categories. This report does not attempt to present detailed research on each of the categories in which we are recommending some action. We have tried instead to give an overview of the Title XX funding situation, and a glimpse into one of the areas of Title XX service to children: child day care. We hope that the recommendations which follow will give readers a broader sense of the range of Title XX issues, and will serve as a starting point for future discussions among child advocates.

RECOMMENDATIONS

A. Funding

1. A special appropriation bill should be introduced in the legislature to establish a contingency fund to insure utilization of every available federal dollar under Title XX.

We believe that children in New Hampshire would benefit significantly from changes that would insure 100% utilization of available federal funds under Title XX. The states of Maine and Tennessee have both established contingency plans to cover marginal over-expenditure of Title XX funds. The Maine legislation is designed to, "insure full utilization and commitment of all available Title XX funds to the maximum allowable limits of combined federal, state, and other resources as determined by the federally authorized matching formula. These funds shall not lapse but shall carry forward from year to year to be extended for this purpose." In fiscal 1978 Maine allocated \$937,500 for this purpose. In fact, the Maine state agency responsible for Title XX ended the previous fiscal year with 2.5% over-commitment, which will be covered by these contingency funds. It is interesting to note that New Hampshire welfare officials predict approximately a 3% under-commitment of Title XX funds for the current fiscal year. Legislation which would allow welfare a 3% leeway in commitment of Title XX funds would require an appropriation of approximately \$400,000 in New Hampshire. With proper management, this could be a one-time appropriation, since actual utilization of Title XX funds might fluctuate by a percentage point or two either above or below the exact federal ceiling. Without such a contingency fund, welfare is faced with two unacceptable choices: either to keep Title XX expenditures below the authorized ceiling, or to abruptly terminate services if spending goes over the limit.

2. The proposed increase in federal Title XX funds for New Hampshire should be matched with an appropriation of state funds.

Such an appropriation would reduce, at least to some degree, the present reliance on local matching funds, and relieve the disproportionate lack of services in communities which have had difficulty raising local donations. Based upon present projections, the funds required to make this change in policy would be approximately \$258,000. By appropriating state funds to match the additional Title XX revenues, it would be increasingly possible to provide services according to real need. Adverse situations have been particularly noticeable in the North Country, where Title XX services are not available in proportion to local needs when these needs and family income levels are compared with other regions in the state.

3. Changes in funding for special education programs (P.L. 94-401 and RSA 186) should not significantly alter the present proportion of children's services to adult services under Title XX in New Hampshire.

As the Department of Education assumes responsibility for programs for the handicapped and children with other special needs, it is important that individual children not be lost in the change-over. There is a need for debate about the appropriate definitions of "educational" and "social service" programs for children. The final result of the special education legislation should be a net gain for children. While the Commission on Children and Youth recognizes the importance of supporting efforts to de-institutionalize adults (efforts which would be funded by Title XX), we believe that the proportion of services to children in the total Title XX program should not be reduced.

4. Reliance on local matching funds for group child care services should be reduced to avoid a negative impact on the quality of services delivered.

Unlike some of the other children's services supported by Title XX, child care programs have few alternative sources of support. Child care services could be used to test the degree to which services to children are in fact affected by the source of funding used to match federal Title XX dollars.

5. The revised fee scale for child care services proposed by the state association of day care directors should be substituted for the present fee scale.

The establishment of sliding fee scales for day care and rehabilitation services is one of the most positive aspects of New Hampshire's Title XX program. The proposed changes would establish more appropriate fees for families at all income levels. Welfare's Bureau of Social Service Contracts estimates that it would cost an additional \$150,000.00 to implement the new fee scale. This cost could be absorbed by the use of additional federal funds (some of which are available for child care with no matching requirement), or perhaps by changing the absentee reimbursement formula in Title XX contracts for child care services.

B. Planning and Administration

6. The state-wide Title XX Advisory Committee should be reconstituted, and should play a major role in the Title XX planning process.

At present, the Title XX plan gives the Department of Health and Welfare's Advisory Committee responsibility for Title XX. But the program is so complex that meaningful citizen involvement requires an advisory committee for the specific purpose of reviewing Title XX policy. Such a committee did exist in past years, but it had neither the mandated responsibilities nor the staff support to perform effectively.

7. The Division of Welfare should make its state-wide priorities for Title XX Services clearer by more systematically requesting proposals for particular service categories.

Title XX contracts should not be developed merely to continue operation of existing programs, nor only in response to local needs analysis. Title XX administrators could assume more responsibility for program development outreach. Without compromising the capacity of the Division of Welfare to respond to regional statements of service priorities, there is a need for Division staff to request proposals for specific programs which have been designated as a priority at the divisional level. Such requests or proposals could be generated by the Division through a mechanism similar to that used by federal grant-making agencies.

8. Regional human service coordinating councils should pay closer attention to budgetary decisions in developing Title XX planning documents.

The heavy investment in this regional planning process cannot be justified unless the planning process is more responsibly tied to the budget process and to specific dollar allocation.

9. Rate-setting for Title XX services should be reviewed from outside the Bureau of Social Service Contracts to insure that rates are based on quality-of-service standards.

Pressures on service providers to minimize the need for match money, to protect access to programs for families ineligible for Title XX assistance, and to compete with other prospective Title XX recipients - these and other factors combine to make the issue of reimbursement rates for Title XX services a difficult one. The Commission on Children and Youth is concerned that quality of services not be sacrificed for quantity. Some states have established a separate rate-setting Commission to resolve these problems; New Hampshire should give serious consideration to such a possibility.

10. The contracting process of Title XX services through the Bureau of Social Service Contracts should include a more responsible and explicit role for program specialists from the Bureau of Child and Family Services.

A number of citizens interviewed by the Commission expressed concern that Title XX policy and program priorities within the Division of Welfare were established without adequate input from professionals in particular service categories. This is a problem in any complex social service funding program, and one which deserves more attention in New Hampshire.

11. The Comprehensive Annual Social Services Plan should include graphic representation of Title XX as a proportion of total state effort in particular service categories.

This recommendation is derived from a Title XX planning document published by the state of Vermont. Vermont's plan includes figures which show the relationship of each service to the total Title XX budget, and also the relationship of Title XX funds to other resources in the same service category. These graphics make the information contained in the plan considerably more accessible, and clearly present Title XX in the context of the total state human service system.

12. An effort should be made to involve as many consumers as providers in the Title XX planning process.

The consumer perspective can be useful at the state level as well as the local level; reestablishment of a Title XX Advisory Committee with responsibility for reviewing program proposals might afford consumer representatives an opportunity to participate in state level decision-making. These consumer representatives should include young people as well as parents.

C. Coordination and Training

13. New Hampshire should develop a comprehensive Title XX training program emphasizing in-service training for both providers and administrators, to better utilize federal funds which are not subject to the ceiling for direct service programs.

Funds for training under Title XX are exempt from the population-based formula for determining the ceiling of federal funds available for each state. Other states have made much better use of these training funds than has New Hampshire. We believe that the development of a comprehensive Title XX training program can have a significant impact on the quality of services for children.

14. We recommend that other divisions of the Department of Health and Welfare become more fully involved in the administration of the Title XX program in New Hampshire.

RSA 126-a;4C designates the Department of Health and Welfare as the state agency responsible for Title XX in New Hampshire. While both the Divisions of Public and Mental Health have working relationships with the Division of Welfare on Title XX issues, Welfare remains primarily responsible for most of Title XX decisions. Increased involvement by Public Health and Mental Health in the Title XX process could lead to a more positive and comprehensive Title XX program.

This report has reviewed some of New Hampshire's policies for Title XX services. We have not focused on details of service purchase policy (contracts, vendor payments, etc.) where there may be additional positive changes that could be made. Statutory approval for over-contracting, for example, might help program administrators to make fuller use of federal funds.

We believe that this and several other difficulties with Title XX are due more to problems with federal

legislation and regulations than to state policy. There is a real need to improve Title XX at the federal level, but this report has limited its focus to the situation in New Hampshire.

APPENDIX B

NEW HAMPSHIRE STATE CAPACITY BUILDING GRANT PROPOSAL
(11/78), PROGRAM NARRATIVE EXCERPTS INDICATING INITIAL
GOALS STATED FOR THE PROJECT REPORTED IN THE CASE STUDY
SECTION OF THE PRESENT RESEARCH

Goals and Objectives

I. Goal - To develop the capacity to assess the needs of children in New Hampshire, and to monitor changes in the levels of those needs.

- Objectives:
- A) Coordinate state information-gathering activities which generate data on children: e.g., Vital Statistics, Public Health Services; Project Monitoring Data, Commission on Crime and Delinquency; Annual Social Service Plans, Regional Health and Welfare Councils; etc.
 - B) Develop periodic reports which combine such data sources to provide composite pictures of the health and welfare of children in New Hampshire.
 - C) Analyze state needs assessment data to detect changes in the status of children.

II. Goal - To develop the capacity to evaluate state efforts to meet the needs of children in New Hampshire, and to apply the results of such evaluations toward improvements in the state service delivery system.

- Objectives:
- A) Conduct a series of children's program audits to measure efficiency of service system components.
 - B) Engage in state budget analysis to provide clearer, comprehensive understanding of the present commitment of state resources to children.
 - C) Conduct regional hearings on state services to children, to afford consumer access to the evaluation process, and to avoid pitfalls of provider-dominated planning.

III. Goal - To develop the capacity within state government to view children's needs in context, and to promote the inter-agency coordination necessary for such an wholistic approach.

- Objectives:
- A) Establish and staff an inter-agency council on children, to provide a structure for program coordination.
 - B) Establish working relationships with all agencies whose policies affect children, not just with agencies responsible for direct service programs.
 - C) Provide technical assistance and training sessions to agency personnel to promote improvements in service delivery system.

IV. Goal - To develop a capacity for child advocacy within state government in order that children's needs may be assigned a higher priority in the policy-making process.

- Objectives:
- A) Establish community youth advocates network to suggest and support new policy initiatives.
 - B) Conduct discrepancy analysis of state policies for children, comparing mandated policies with actual services.
 - C) Develop children's policy priority statements for each legislative session.
 - D) Work with interest groups and advocacy agencies to develop coalitions for specific (and limited) policy agenda.

APPENDIX C

HOUSE BILL 483 (1979): REVISED MANDATE OF THE NEW HAMPSHIRE
COMMISSION ON CHILDREN & YOUTH, DRAFTED BY AUTHOR

Excerpts which follow state duties of the legisla-
tively created advocacy group.

0995A
79-0848
06

HOUSE BILL NO. 483

INTRODUCED BY: Rep. Stahl of Hillsborough Dist. 17;
Rep. Epstein of Merrimack Dist. 15;
Rep. Baybutt of Cheshire Dist. 16;
Rep. Skinner of Rockingham Dist. 3A

REFERRED TO: State Institutions

AN ACT relative to the commission of children and youth
and making an appropriation therefor.

ANALYSIS

This bill increases the membership of the commission on children and youth from 17 to 21 members, and authorizes the commission to establish a board of associated to perform the commission's duties. The new members will serve staggered terms. The duties of the commission are amended in general terms.

The bill also appropriates \$18,838 for fiscal 1980, and \$21,137 for fiscal 1981.

. . . .

3 Duties of Commission. Amend RSA 170-D:4 as inserted by 1975, 398:1 by striking out said section and inserting in place thereof the following:

170-D:4 Duties. Commissioners shall serve as advocates and shall take any and all action necessary to insure that children and youth are guaranteed an independent voice within the public policy process. The commission is authorized and directed to:

I. Research and identify the needs of children and youth in New Hampshire.

II. Review state services and policies affecting children and youth, identify problems, and recommend solutions.

III. Review and recommend appropriate legislative

initiatives to promote the welfare of children and youth.

IV. Assist other agencies and individuals in assessing and improving the quality and availability of services to children and youth in New Hampshire.

V. Promote participation by young people and parents in all commission activities.

APPENDIX D

FISCAL COMMITTEE OF THE (N.H.) GENERAL COURT: MINUTES OF THE MEETING OF 9/24/79, WITH TRANSCRIPT OF SENATOR ROCK'S REMARKS; AND MINUTES OF THE MEETING OF 5/8/80.

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

SPECIAL MEETING

Monday, September 24, 1979

Subject: Children and Youth grant requests

The Fiscal Committee of the General Court met on Monday, September 24, 1979 at 4 p.m. in Room 103, State House. Members present were:

Chairman John B. Tucker
Vice Chairman D. Alan Rock
Clerk Theodora P. Nardi
Senator Paul Provost
Senator John McLaughlin
Representative Margaret Ramsay
Representative William Kidder
Representative Paul LaMott

Also in attendance were individuals representing various Children and Youth organizations in the State, social service persons, Judge Arthur Marx, Senate President Robert Monier, Speaker of the House George B. Roberts, Jr., Attorney General Rath, members of the Legislative Budget Assistant's Office and representatives of the Press.

Senator D. Alan Rock, Chairman of the Select Committee to Study the N.H. Liquor Commission, announced the appointment of Peter Hecker as Manager of Data Processing. Mr. Hecker was present and was introduced to the group.

RO-24 and RO-28 - Requests to fund positions.

Senator Rock, seconded by Senator McLaughlin, MOVED to take the items on Children and Youth off the TABLE. MOTION ADOPTED.

Michael Cornelius, representing Governor Gallen, addressed the Committee.

Senator Robert Monier addressed the Committee as did Speaker of the House, George B. Roberts, Jr.

Judge Aaron Harkaway, representing the Judicial Branch, addressed the Committee.

Senator Rock reported for the subcommittee, consisting of Representative Ramsay and himself. He stated that the subcommittee agreed that there is a need for the grant, but they did not agree on a method of implementation. Representative Ramsay commented on the work of the subcommittee and stated that she felt it should stay in the Executive Office.

Senator Rock, seconded by Senator McLaughlin, offered the following MOTION:

That the Committee disapprove the requested action of the Governor, dated July 16, 1979 to authorize the Office of the Governor to establish a new positions in the Office of the Governor by the acceptance of a grant from the Crime Commission in the amount of \$317,777 to establish a model office of Children and Youth and that the Committee go on record that it will approve a similar request provided that the grantee is an established line-item agency and that all personnel shall be classified employees. MOTION ADOPTED.

The meeting adjourned at 5:15 p.m.

Representative Theodora P. Nardi
Clerk

. . .

SEN. ROCK: I would like to move at this time that the Committee disapprove the requested action of the Governor dated July 16, 1979, to authorize the Office of Governor to establish new positions in the Office of Governor by the acceptance of the grant from the Crime Commission in the amount of \$317,777 to establish a model office of children and youth and further, that the Committee go on record that it will approve a similar request provided that the grantee is an established line agency, that all personnel should be classified employees.

Sen. Rock: Mr. Chairman, I have heard the messages from all the branches that spoke before us this afternoon. I have reported from the subcommittee of the agreement on the need; I think that the fact that even Mr. Cornelius, from the Governor's Office, indicated that there was an agency in which they could place it and they would have the necessary input by virtue of their appointments on that commission would indicate there is an area that could and more properly should have control of this grant.

I think the establishment of the people that are called for in the grant and the establishment of those positions will strongly beef up an agency which was agreeably noted as being weak and thin -- no reference to the present personnel, there just aren't many people on-board in that agency -- and this would do the job, giving an already established, recognized branch of our government -- the Commission on Youth and Children -- the opportunity to work with this grant. It is something that the Legislature has already approved; it is a department that is in place and can obviously do a better job in the areas that were referred to by the previous speakers to satisfy the need.

So, while my motion does not specifically call for that Commission to handle the grant as the grantee, I could in a telephone poll tomorrow or tonight, for that matter, certainly, agree to that agency being the designee. I would hope that the members of this Committee would realize that we have in the past expressed reservations and concern -- and I refer to no specific governor -- but the establishment of this type of large agency within the Office of the Governor is something the legislative cohorts that I have spoken with are very concerned about but to put it in an established commission, such as the one I mentioned, would certainly be comfortable and be acceptable of this member of the Fiscal Committee and

my motion in rejecting the grant is not rejecting the idea, because it states further that I could accept it, and would accept it, in a line item agency, one in which this Committee would rightfully be doing, the thing that it is established to do and that I believe the members of the Legislature would agree and certainly affirm if they were all here voting today.

FISCAL COMMITTEE
Room 103, State House
Concord, N.H.
May 8, 1980

. . . .

The next item is Old Business and we are going to take up the question on Children and Youth. I think the world is well aware by this time that the Supreme Court has determined that the suit filed in the Court System by myself and Sen. Rock, on behalf of the Fiscal Committee and by Sen. Monier and Rep. Roberts on behalf of the legislative leadership. The decision has been rendered by the Supreme Court as of this week and it has been determined that the federal grant, such as the Children and Youth grant, does require placement within an agency and not as part of the Governor's personal staff. So to that end, to ensure that the project objectives are carried out, I have promised the Executive Branch we would take it up at this meeting if they were prepared to have a proposal.

My understanding is that there is a proposal, ready to be offered this morning, and I will in that environment turn it back to the Executive Branch and see where we go from here.

MR. MICHAEL SULLIVAN, Director, Crime Commission:
It is certainly with some degree of irony that I speak before you this morning. Far be it from me to understand. Back in 1978 when I worked on certain court cases that the language in a recent decision appears dear to my heart and that is the law of attorneys, when they work on cases, sometimes they come back to haunt them; in any event, we are here today in a most important subject that is near and dear to all of our hearts.

A tremendous thing has happened in the last several days, a tremendous partnership in good-faith negotiations have been entered into between the Governor's office and the Legislative Leaders to resolve this issue. In my opinion, it has been a hallmark of good government in the good new-faith negotiations.

The proposal I have before you today is to request you to take the specified action in accordance with my memo, requesting that the grant be accepted in the amount of \$317,777 so as to create eleven positions within the

New Hampshire Crime Commission, to carry on the comprehensive project on Children and Youth. This decision, as I said, was reached between -- through certain protocols and understandings that were raised in the last several days based upon good understanding and is also in accordance with the recent decision of the N.H. Supreme Court.

Without any further ado, I think that that is succinctly the requested action that I am requesting this honorable body to take and if you have any questions I will be free to answer them.

CH. TUCKER: I think, just so that the record will be clear on the authority of the Fiscal Committee in this matter, this Committee has only the authority to accept or reject a proposal that is put before it; we do not have the authority to reshape it or rechannel it. So that we have to, I think, clearly understand that this Committee is not in any way in the position to exercise an amending process and the proposal from the Executive Branch is now before the Committee and the motion that would be the appropriate motion would one: to either move to accept the request or to reject it, and once that motion is made -- either one -- it is before the Committee and then will be subject to discussion by the Committee and we would also call upon anyone who wishes to speak to the motion -- or, not to the motion but to the subject matter.

SEN. ROCK: Thank you, Mr. Chairman. Mr. Sullivan, I haven't had too much time to go through the proposal but I wonder if you could just outline for me how this new division, which would fold into the Crime Commission, where would it be on your charts and how would it report, if that is something you have available now?

MR. SULLIVAN: Certainly, Senator. From time-to-time the Crime Commission in the past and present handles discretionary grants from the LEAA. In drawing up an organizational chart I planned for the future by what I call "A block Call to Special Projects" so as to accommodate discretionary grants that may become available to the State and would be operated under the Crime Commission's direction. And this particular project would fit under the category "special projects"; special projects, in turn, reports to the Director, myself.

SEN. ROCK: So the Director of this special project would report directly to you?

MR. SULLIVAN: That is correct, Senator.

SEN. ROCK: In bringing this in as part of the Crime Commission, I am really forced to ask the question: I keep hearing that LEAA funds are in the process of drying up, that there certainly is legislative history to indicate that when and if, the State was going to be required to pick up the funding of the Crime Commission there might be any more Crime Commission and I wondered, could you reassure us that under this proposed requested action this would be an ongoing entity? How do you propose to show that the work of this particular project would continue?

MR. SULLIVAN: Senator, presently before Congress are proposals developed by the House Budget Committee and Senate Budget Committee; several of those proposals seek to eliminate the formula grant program in LEAA. There is a long time between now and October first before the House and Senate reach accord. The proposal at the next step has to be the concurrent resolution presently before both bodies has to be voted on by both bodies and then reconciled in a committee of coherence; following that, then, begins the appropriations committee process and from then, in September, a reconciliation of the two bodies' versions of the appropriations.

Throughout all these proposals, it is clear that the Office of Juvenile Justice and Delinquency Prevention, presently funded in LEAA, will continue and flourish and perhaps grow in size in terms of its appropriations. That seems clear from all my sources in Washington. In any event, if the proposals to cut back LEAA are implemented it is also my understanding that a normal winding-down process, encompassing some two to three years, will take place so as to have an orderly transition in that regard; it is also my understanding that Congress, realizing that, and if they do decide to terminate the formula grants program that they would provide moneys to last to provide a normal winding down process over the next two to three years.

In the meantime, I might also add that this project purports to present a legislative package to the House and Senate at the 1981 session. What the terms and scope of that legislative package and framework will be, I am not prepared to state because it hasn't been developed yet. Obviously, any number of proposals could be incorporated therein to address the issue of the Crime Commission in the future.

SEN. ROCK: You then see a proper melding of the work of the project in the Juvenile Justice Division of the Crime Commission, that they would work in a harmonious way?

MR. SULLIVAN: I think it is a perfect melding, Senator. We have attached to the Crime Commission the Juvenile Justice Advisory Board which receives on the order of a quarter of a million dollars annually. I see a natural complementing of the functions of the staff of the two bodies working together and I see quite a harmonious relationship developing because of that and I think the State will benefit from their work.

SEN. ROCK: Thank you.

CH. TUCKER: Two questions, Mike; one is, do you see the placement of this in the Crime Commission tending to color and flavor the group -- all the troubled youth, rather than on the whole scope of youth problems? Or, how do you view this?

MR. SULLIVAN: No, I don't, Mr. Chairman. The scope of this project is wide, is a wide scope. This project is aimed at developing projects and programs for youth -- not just delinquent or abused children, it talks in terms of mental health services, jobs for children, the whole panoply of services for children which presently we do not have, essentially, in this state. So I don't find that as a particular problem.

CH. TUCKER: The third to last paragraph in the proposal of page 2 indicates that all persons under this grant shall be subject to and in accordance with RSA98, State Department of Personnel and Regulations promulgated thereunder: In essence, the people who are employed to execute this grant will be processed through the usual process of the Personnel Department, is that correct?

MR. SULLIVAN: That is correct. It is my intention to provide an orderly transition of this project and to work with the Department of Personnel so as to be in compliance with all State laws and regulations thereunder.

CH. TUCKER: And to the best of your knowledge, this provision as well as all other provisions of the proposal are in compliance with the decision rendered by the Supreme Court this week?

MR. SULLIVAN: That is correct, Mr. Chairman.

(Moved by Rep. LaMott, seconded by Sen Provoost)

CH. TUCKER: The question is before the Committee, and I indicated it is certainly open for discussion now that we have a motion; anyone else who would like to be heard on the subject?

I know I have one request from Talu Robertson, representing the N.H. Commission on Children and Youth and Mr. Goeltz representing the Governor's Office in that it is your proposal, or the Governor's proposal. Mr. Goeltz, I will hear from you and then Mrs. Robertson will be next, and anyone else who desires to speak, including members of the Committee, if you so wish.

MR. GOELTZ, Governor's Office: Mr. Chairman and Members of the Committee, it is a pleasure for me to appear before you today and I would like to point out that the last three or four days of discussions with members of the Legislature and their staff have been, I believe, one of the most productive four days that I have spent; it has been -- when we received word from the Supreme Court that the suit had come down in the Legislature's favor, we were prepared to do whatever was possible to see that the program continue in an orderly fashion, that the goals of that program continue to be met.

We met precisely the same response on the Legislative side. I was very pleased, personally, to see the way in which the staff of the Committee and Members of the Committee worked, it showed a genuine commitment to see this project go and I am sorry that the project got embroiled in this controversy and I am hopeful that now, that a decision has been rendered, the Executive Branch supports it one-hundred percent and we are prepared to do whatever is possible, whatever is necessary, to see that the project is a success not only the transition period but down the road. We will back this project completely.

I would like to say, just in response, if I could, that we supported going to the Crime Commission; we feel that that is an appropriate place. The Crime Commission has a history of sound management, it has a history of commitment to children and youth programs. Our information is that the LEAA will continue operations in the broad sense for at least another two years and then as

far as the juvenile program of the legislation, that that is solid at \$150,000,000 a year; the federal government may, in fact, increase its appropriations.

So we are confident that the Crime Commission will be a stable and appropriate place for it to be placed.

We also believe that the question of stigma is one which, if the scope of the Commission is not broad enough to encompass the goals of this project, I think that may have been one of the problems that faced the State. Things become too departmentalized and the goal -- one of the goals, as Director Sullivan mentioned, was the preparation of legislation that would meld these programs and I think that during the coming period of time before the Legislature meets and will consider this package that that stewardship of the Crime Commission will not overly hinder the success and goals and will in fact support it.

And people are aware of the commitment of the project to all children and I don't think that will be a problem.

CH. TUCKER: Any questions?

SEN. ROCK: Mr. Goeltz, you have heard the words of the Chairman, that the Fiscal Committee cannot direct -- that this grant be put in a certain place, we can merely accept or reject the proposal. Did the Governor's Office in its deliberations consider placing the project the project in the Commission on Children and Youth? And what was its reasons for making the assignment to the Crime Commission versus the Children and Youth, if they did consider that?

MR. GOELTZ: We considered a variety of options. There were almost a half dozen options that were available on which line agency to place this project; it included not only the Commission on Children and Youth, it included such agencies as the Department of Health and Welfare, the Department of Education, Division of Human Resources. There was a whole variety of agencies that we considered for placement. We made the decision to place it at the Crime Commission for fundamentally two reasons:

One is the Commission has a history of sound financial management.

SEN. ROCK: When you say "your commission," you

are talking ---

MR. GOELTZ: The N.H. Crime Commission has a history of sound financial management. They are used to handling these sized grants.

Two, LEAA is the major contributor to this project. You know they have committed up to \$1.1 million over three years.

CH. TUCKER: Just so the record will clearly show, what does LEAA stand for?

MR. GOELTZ: Law Enforcement Assistance Administration. It is the major contributor to this project and they have been more than tolerant in allowing New Hampshire to continue its project under -- as we debated the powers of the Executive Branch versus the powers of the Legislature, it was their indication that they would be most comfortable with it residing in the N.H. Crime Commission, at least for the time being, and we felt that Director Sullivan and the members of the Crime Commission would give it the proper management.

SEN. ROCK: I have no problem with Mr. Sullivan's ability and management prowess, my question is directed at, again, in an area where the Governor has the appointive powers for membership on the Commission and the Commission is made up almost totally, with very few exceptions, of his appointees, that he chose to go in another direction from the Commission on Children and Youth the placement of this project and I think that would be the nub of any decision that I would think, why was that decision made?

MR. GOELTZ: As I indicated, one critical question was the issue of financial control -- fiscal management -- the Commission on Children and Youth has had a very small budget over the past years, in fact, for many years it did not have a budget and we felt that the Crime Commission would have been a more appropriate fiscal agent for that project and, secondly, the Law Enforcement Assistance Administration, while certainly -- they would certainly not veto where we placed it, I don't believe, strongly supported the project being placed in the N.H. Crime Commission, at their agency.

You are entirely correct, it was a -- the Commission on Children and Youth was considered, and considered very strongly, but I think that points out where we

thought the project would have the best chance to succeed with the most minimal amount of interruption or problems and we supported going to the Crime Commission.

REP. KIDDER: In working this out in the last few days, have you sat down or some representative of the Governor's Office, and discussed this with the Commission on Children and Youth?

MR. GOELTZ: No, we have not.

SEN. MCLAUGHLIN: I have two questions: One, you said a little while ago that you sat down in the last three or four days with the Legislature to try to work this out in some fashion; can you tell me who in the Senate you worked with?

MR. GOELTZ: I worked with Mr. Griffin ---

SEN. MCLAUGHLIN: From the Senate who have you worked with to try to smooth this out?

MR. GOELTZ: I did not speak to anyone specifically in the Senate, Sir.

SEN. MCLAUGHLIN: So actually, you got no input either to or from the Senate in this matter whatsoever.

MR. GOELTZ: Not directly, Sir.

SEN. MCLAUGHLIN: You said a few minutes ago that the Legislature had given you very fine cooperation, back and forth, to work the thing out in some fashion and doesn't the Senate count at all in what they think?

MR. GOELTZ: It does, Dir. I assumed that when in discussion with Mr. Griffin that he was meeting with the members of the Senate as well. That was incorrect and I apologize.

SEN. MCLAUGHLIN: I don't think Mr. Griffin is employed by the Senate, is he?

MR. GOELTZ: I don't know.

SEN. MCLAUGHLIN: How many people on-board at the present time of this program as of today?

MR. GOELTZ: Eight.

SEN. MCLAUGHLIN: They are still on somebody's payroll at this moment?

MR. GOELTZ: My understanding is that that is correct.

SEN. MCLAUGHLIN: How long will they stay on-board before this thing takes place, where you want it to? Will they stay on-board indefinitely or will there be a cut-off for these people?

MR. GOELTZ: I don't know. That would be a decision that Director Sullivan would work out through normal personnel procedures with the Director -- Director Lang.

CH. TUCKER: Thank you, Mr. Goeltz. If someone else desires to speak, this will be the final presenter.

MRS. TALU ROBERTSON, Chairperson on N.H. Commission on Children and Youth: I am here today to say that I feel strongly that a comprehensive youth service project program -- whatever you want to call it -- does not belong within the Criminal Justice-Juvenile Justice System of this State's government. The comprehensive children and youth project is intended to, indeed, be comprehensive in scope and as such has been supported by the New Hampshire Commission on Children and Youth. The Commission on Children and Youth supported the comprehensive youth project from its inception; it was supported strongly; the Commission supported housing the project in the Governor's office for the following major reason:

The Office of the Governor is a place where there is no vested interest in any particular child population nor is there a vested interest in any specific delivery service of programs or delivery services -- delivery of services.

There are two sources of funding for the comprehensive children and youth project. To this Commission it makes sense to keep the funds together. As Chair of the Commission on Children and Youth, I believe that this Fiscal Commission should not consider accepting or denying the sources of funding separately. Since the Commission on Children and Youth has not been involved in the decision-making process to house part or all of the grant with the Crime Commission, we request a delay of the decision by this Committee until such time as a public hearing might be held in order to determine permanent placement of the comprehensive youth project.

The comprehensive youth project has become its test. I will feel personally, and the Commission feels, that it is doing a good job; it is crucial to the welfare of children in this state; that the work the project is doing not stop; the activities of the project must continue without a break. This is a major opportunity for this State to finally look at and deal with its services to all children and in order to deal with all the State's children in a responsible and credible manner, the project, we feel, should be housed in an agency which has no vested interest in any particular population or service delivery system.

Thank you.

CH. TUCKER: You perhaps would not be shocked to learn that this Committee consistently, up to today, took the position that we thought we had a state agency known as "The Commission on Children and Youth" in which this grant should have originally been placed, and we took a very vigorous position on that issue to the extent of going to the N.H. State Supreme Court to pursue our position.

The request before the Committee, however, from the Executive Branch is to place it somewhere else and that is the prerogative of the Executive, as you are well aware, but we as a Committee, while we never did say that that was the only place it could go, we did consistently say that we felt that there was an existing state agency known as "The Commission on Children and Youth" to which this grant could be placed without creating a separate additional State agency or office as was done by the Governor.

And that was the whole point of the suit. So we are not, as a Committee, in disagreement with some of the point that you have made; however, it is somewhat discomfoting to just remind ourselves that when we were pursuing this at the time the grant was before the Governor and Council, the Executive Director of your agency stood up at the Council meeting and indicated that indeed it should be in the Governor's Office and not in the Commission on Children and Youth because the Commission was not really in a position to handle it. And once that was publicly on the record it certainly helps to kick the underpinning out from under this Committee in what we had vigorously pursued and I do want to just historically raise all of that.

You don't have to respond. You are welcome to if you want, but I do want to historically bring those things back into memory. We had originally, as a committee, taken that position. When the Governor pursued a different avenue your own Executive Director indicated that the Commission on Children and Youth was in no position, really, to accept the grant and execute it.

MRS. ROBERTSON: I think that, given the funds, the Commission would certainly show itself and prove itself responsible in the management of those large sums of money with the appropriate personnel.

CH. TUCKER: I just think that the Fiscal Committee has certain statutory authority and it is limited to accepting or rejecting; we did express our views, I think, rather strongly way back and those views were in your direction, positively in your direction; we won our court case and now the Executive is back with a proposal. It is not precisely the way you would like to see it but that is not what is before us.

MRS. ROBERTSON: I understand.

SEN. MCLAUGHLIN: You mentioned you would like to request a public hearing, is that correct?

MRS. ROBERTSON: Yes, I phrased it that way. I think we would -- the Commission would like to have some more time taken to determine the placement of the funds, to determine the placement of the project.

SEN. MCLAUGHLIN: Do you feel at that time maybe we could get more input from your Commission, is that your feeling?

MRS. ROBERTSON: Yes, it is.

REP. KIDDER: Is the Executive Director here, Mr. Chairman? I would like to hear what he has to say about the statement "not being able to properly take care of these funds."

MRS. ROBERTSON: The Executive Director of the Commission is on leave from the Commission and is working on the project for Children and Youth and is currently working. He is at work, he is not here.

REP. NARDI: Do you feel a public hearing would

change the Governor's decision? I mean, this is a request of his. As the Chairman said, we can't change it; now, do you think by having a public hearing it would change the Governor's decision that it should be placed with the LEAA?

MRS. ROBERTSON: I'm not privy to the Governor's innermost thoughts nor am I privy to what kinds of things people can say or do which might or might not change his mind; I believe that more input might indeed be a factor in determining where it is placed. I do not claim to be able to read anyone's mind, not even my own at times.

CH. TUCKER: Well, I can attest then, in terms of changing one's mind, we found that the Supreme Court was effective but I would indicate that probably the Court would not rule on which agency it would go in and I am not also certain who would call a public hearing. It is the Governor's proposal, if you decline to have a public hearing on his proposal I guess there wouldn't be a public hearing. This Committee is not a public hearing kind of function; we have never had a public hearing on a proposal that has been presented to us. I suppose that we could if it were the desire of the Committee. We could probably do most anything but we have never done that.

I just don't know whether it is realistic to expect that the Governor is going to call a hearing on his proposal that is before us this morning. Maybe he would.

SEN. ROCK: If you would explain to me, the Executive Director of the Commission of Children and Youth is on leave from your agency, he is now working on this project?

MRS. ROBERTSON: Yes.

SEN. ROCK: So we would assume that as the personnel process follows through he would be a candidate for the job that he is now holding under these funds rather than for the funds from your department, or your commission?

MRS. ROBERTSON: Yes, he has received no funds from the Commission on Children and Youth since January 2, 1980, when he went on leave.

CH. TUCKER: Can we assume that money is lapsing at this very minute?

MRS. ROBERTSON: If you would like to go into that?

CH. TUCKER: No, it is alright. It was just a little aside.

SEN. ROCK: What position does he hold, Project Director?

MRS. ROBERTSON: Deputy Director -- Assistant Director, I'm sorry.

SEN. ROCK: Labor grade 28, Assistant Project Director.

CH. TUCKER: Any other question?

SEN. ROCK: Anyone else from your Commission assigned to this project, your staff?

MRS. ROBERTSON: None of our staff; however, two members of our Board of Associates are connected with the project. Joe Diamont is the Project Director and Suzanne Fiderary is a Program Development.

SEN. ROCK: And they are currently under the funding of this budget project?

MRS. ROBERTSON: Yes, they are.

CH. TUCKER: I would have to assume that if the Governor's request before the Committee were to be granted that in the execution of the project, it goes on down the road, and in the coming year has legislation developed for consideration by the next session that it would be a grievous error on the part of this project team -- or whatever -- not to be in consultation with and conferring with the Commission on Children and Youth as one of the agencies of State government concerned with children as well as the Department of Welfare and the Department of Education, the Youth Development Center, or any other agency, both in State government and at the local and county level.

So I would hope that your Commission would not be out there in a vacuum as this work went on; you would be worked with very closely and I know Howard has not taken that statement down.

MRS. ROBERTSON: The Commission shall serve as advocates and take any and all action necessary to ensure the children and youth are guaranteed an independent voice within the public policy process and I would think that that would be -- would give us, the Commission on Children and Youth, certainly an adequate chance to advocate for children within any of the projects in the State designed to serve them.

CH. TUCKER: Okay.

REP. KIDDER: You feel, then, that you could work with this group under ---

MRS. ROBERTSON: With the project group?

REP. KIDDER: Yes.

MRS. ROBERTSON: Yes, I do feel the Commission on Children and Youth could work with the project group. They are a good, hard-working, dedicated group of people, a corps of people who really care about kids and who are finally going to see that something is done within the State. Yes.

CH. TUCKER: Thank you for your testimony, and I appreciate your being candid with us.

SEN. ROCK: I would like to make a statement prior to the vote; I have to admit that I came here this morning somewhat concerned about the placement of this grant within the Crime Commission. I think many of the questions that I had have been answered, that have put aside those fears, and I think the one area that would make me feel comfortable with the work of the project team -- or the special projects division -- is that the Executive Director of the Commission on Children and Youth is within the project and certainly the liaison between him, while he is on leave, and the Commission on Children and Youth should be ongoing so the knowledge of what is happening and the recommendations for the next Legislature would be in place and certainly have the coordination of the Commission on Children and Youth itself through their Executive Director who is in leave.

I must also add that I have had two other phone calls from representatives who were concerned about the placement of the Department; with the admonition of the

Chairman, we do not have the authority to make a decision as to where this is placed and I think if we were to delay today either for some public hearing or whatever or for some other reason, it might well appear that the Fiscal Committee was trying to again thwart the establishment of the project and the acceptance of the grant and the statement might come forth, from whatever source, that we again were engaged in foot-dragging or that we did not want to see the grant's work continue.

I am comfortable with the fact that the personnel policies of the State will be followed, that the positions will be classified and that once that happens the line item budget process through the House and Senate will have its day in the budget process and with that I think I am ready to vote on, and favorably for, the Governor's action, requesting to put it in the Crime Commission.

CH. TUCKER: Any other comments? The Chair will call for a vote.

(The motion is adopted.)

Mr. Griffin represented the House side along with Counselor Hampe in the Court case with the Supreme Court. I asked if he might be able to speak to the Committee relative to that and now I turn it over to Fred Griffin.

MR. FRED GRIFFIN, Speaker's Counsel: Mr. Chairman, I would first like to address Sen. McLaughlin's remarks directly. Senator, you should be aware that throughout the entire process of this case, which was filed in October, I have been indirect contact with either President Monier or his Chief Assistant or Counsel all the way through. There has never been any action carried on in this case in which the Senate President has not been apprised.

I haven't submitted a bill for my hours in representing the Senate in this matter. If you will sign the warrant I would be glad to do that.

CH. TUCKER: It will come out of a joint account anyway. I is a wash item.

MR. GRIFFIN: But the communication among the House and Senate on this matter has been open and completely above-board all the way down the line to this very moment.

SEN. ROCK: I think Sen. McLaughlin's reference was to the fact that there was an indication -- I don't intend to speak for him but an indication from the Executive Branch that on the establishment of the positions within the Crime Commission there had been communication and that, apparently, was not the case, on the Senate side. I am not referring to your work.

MR. GRIFFIN: Every single thing that I have undertaken on behalf of the leadership with the Executive Department on this matter has either been told directly to Sen. Monier or to Sam Reddy every single step of the way.

CH. TUCKER: I suspect, in terms of the individual members of this Committee, we are talking about a very short time-frame here, that indeed there may not have been communication.

MR. GRIFFIN: I think that is indicative of the program itself; everybody, the House and Senate, the Governor's office and the Judiciary all see the value of this program and this is precisely what I want to speak about this morning. This case, as I said, was filed in October, argued in February, and the decision came down this week. That is a long time for a case to be in the court.

And there was a great deal of misunderstanding about why the case was filed in the first place. I know that all of you as leaders were subject to quite a bit of political pressure when the case was first filed because it was a misunderstanding by the service providers who thought that our intent was to delay the implementation of the program. That has never been the case; I know that the rule of thumb that I advised you to follow and which you followed to the letter was to make no public statements on this case once it went into the court system.

It was an extremely difficult decision as to whether or not to even bring the case because our objections to what was happening in this matter were procedural in nature and did not go at all to the heart of the project involved and that was a very difficult message to get across to service providers that were applying great political pressure to all leaders involved in this matter at the outset. It all was done without great gnashing of teeth and a flailing on the front page of every

newspaper in the State.

The reason I advised that kind of activity from leaders is that a case as difficult to decide as this one, whether or not to even bring it, the decision of whether to even bring the decision was extremely difficult and was agonized over for some time by the leaders involved. They showed the quality of their leadership by bringing the case, by saying "Yes, it is a good project but to implement it in this way would set a precedent that would be detrimental to the authority of the Legislative Branch and a very difficult decision to make."

You can imagine how difficult a decision it was for the Supreme Court to make because they also see the value of the project. All leaders involved in this matter in the Legislature and in the Supreme Court have demonstrated restraint, a quality of leadership that this State can very well be proud of and should be noted on the public record and that is precisely why I am here today.

I am more or less in the trenches representing you fellows and you ladies and it is very encouraging to know that when I am out there I am backed up, and it is important for me to get that on the public record to you. I am not normally in the -- I don't normally give advice or counsel to my clients in front of the press or anyone else but I do think in this particular situation the internal workings of how a case like this goes through the process are not generally known to the public.

I know the degree of political pressure you were put under when we first filed this case in your behalf; I commend you for your restraint in staying out of the newspapers and staying off the radio stations and everything else. All that does, in my estimation as a professional, is put undue pressure on the Court when they are already faced with a difficult decision.

So again, I commend you for your restraint and I thank you for backing me and Dick Hampe, who was counsel for the Senate in this matter, right down the line and I congratulate you on winning it.

CH. TUCKER: We commend you for your handling of the case. Thank you, Fred. Anyone else have anything else to say?

APPENDIX E

TESTIMONY ON ADVOCACY PROJECT'S RECOMMENDATIONS
FOR LEGISLATION, DRAFTED BY AUTHOR FOR M.F.
SULLIVAN, 10/1/81.

Differences in scope and strategy between these recommendations and the actual legislation which was eventually introduced (see Appendix F) are noteworthy.

TO: New Hampshire Commission on Children and Youth
Legislative Sub-Committee

DATE: October 1, 1980

FROM: Michael F. Sullivan, Acting Director
Comprehensive Children and Youth Project

RE: Testimony

Madame Chairperson, Members of the Commission, my name is Michael Sullivan, and I am Executive Director of the New Hampshire Crime Commission and Acting Director for the Comprehensive Children and Youth Project. I come before you to present preliminary recommendations for legislation which are in the process of being drafted by the staff of the Children and Youth Project. These recommendations are based upon more than six months of reserach and analysis, together with conversations and interviews with children's services professionals both in and out of State government, and on a series of community sounding boards which were held last Spring in every county of the State to give private citizens an opportunity to express their concerns about State policies and programs for young people.

The Comprehensive Children and Youth Project has completed a general inventory of all stage agencies whose programs or policies affect the lives of young people. I would like briefly to mention two major principles which have guided the Project's inventory and analysis efforts. First, we have attempted to analyze State programs and policies from a child advocacy perspective: that is to say, from the point of view of how public programs actually affect young people and their families. We are convinced that efforts to meet the needs of children and youth focus on young people in the context of their own families. Attempts to address children's needs in isolation are likely not to succeed. Moreovem, they fail to recognize the primary importance of families in supporting the growth and development of healthy children.

Secondly, the Comprehensive Children and Youth Project has attempted to focus on areas of concern in State policies and service delivery systems. We have not attempted to document or report in detail every positive aspect of present practice. Instead, we have tried to identify those points where new commitment is

needed, where present policies and resources are either inappropriate or inadequate. We trust that this focus on identifying concerns instead of on recapitulating successes, will not be misunderstood either by the public or by professionals in State government. In large part, we can say with confidence that State employees responsible for services to children and youth are doing an excellent job with very limited resources. We do not want to minimize the hard work and commitment of the many people involved in existing programs. We will present recommendations to make the present system more effective, but our primary emphasis is on recommendations for changes in state policies and programs which are presently inadequate to meet the needs of the young people of our state, young people whose health, whose education and future employment opportunities, whose very lives may be at risk.

I have provided members of the Commission with copies of an Executive Summary which outlines the basic mission and objectives of the Comprehensive Children and Youth Project, and I will not take additional time to report all of our activities. Instead, I will present in outline form some highlights of potential changes which the Project has identified as priorities. We are working with a number of individuals and groups to develop our legislative recommendations in more detail. We also welcome the opportunity which tonight's hearing presents for us to listen to recommendations from other concerned groups and individuals: recommendations which we will hope to integrate with our own. Our recommendations are organized around four major emphases:

1. A New Emphasis on Prevention. More must be done to support children, youth, and families in ways which can prevent the need for costly, long-term services. We do not believe that preventive services should be offered in place of vitally important programs which already exist to serve people in serious trouble. But, we do think that the State should be investing in ounces of prevention, as well as pounds of cure.

2. An Emphasis on Accountability. State government must become more accountable to the children and families it attempts to serve. In times when resources are restricted, we must be able to assure that services provided to children and their families meet certain standards, and that the State system for delivering such services is also held accountable to clear and appropriate standards.

3. The Need for New Commitments to Specific Services. We have identified a number of specific needs for which the State now has either inadequate or non-existent policies and programs. Our recommendations include suggestions to address these unmet needs.

4. Finally, Increased Opportunities for Citizen Participation. We believe that public programs and policies, which can have a dramatic effect on the private lives of young people and their families must be developed in close cooperation with citizens, community representatives, and young people themselves.

Some specific recommendations, within the categories which I have previously outlined are:

Prevention. The State should adopt new policies to support and strengthen family life in ways which do not require the development of costly social services. Part-time and flexible schedule employment opportunities should be increased in both the public and private sectors. Part-time jobs can be particularly important for parents with young children. We recommend that the Legislature consider adoption of incentives to develop such opportunities, together with standards for fair part-time employment practices to provide workers in non-traditional jobs with appropriate, pro-rated fringe benefits.

We recommend that increased emphasis be attached to guarantees of equal educational opportunity for the young people in our state. The Foundation Aid Program, which is the existing mechanism for equalizing educational opportunities, is woefully underfunded. We believe that public education represents the best form of prevention, and that the State should carefully reconsider its commitments to support local schools. It is a fact in New Hampshire that more state dollars are spent administering the Department of Education than in providing direct aid to local schools.

We would also recommend that housing policies which discriminate against parents with dependent children should be revised. I understand that detailed testimony on this issue will be presented by another speaker this evening.

Accountability. We recommend that a new office in the Division of Mental Health and Developmental Services be established to assume responsibility for coordinating

mental health services to young people. This is a proposal which was considered by the Legislature in the last session, and we believe that it deserves a second look. Mental Health is the only state agency with significant responsibility for services to young people without a clearly designated point of accountability for such services. Significant amounts of state and federal dollars are channeled through our mental health system, and we are convinced that the state must take some action to insure that an appropriate portion of these funds is spent on children and youth services, and is spent effectively.

Our major accountability recommendation has significant preventive rationale. We are concerned about the State's ability to deal effectively with reports of child abuse and neglect. More importantly, we are concerned about the need to prevent such abuse before it happens. Our recommendations call for the establishment of a new accountability agency within State government. This agency would perform specific public advocacy functions on behalf of young people and their families and would have the impact of making additional resources available within the Division of Welfare to devote to protective service programs in the Bureau of Child and Family Services.

Specifically, the Comprehensive Children and Youth Project is now drafting a proposal for legislative consideration which would change the way in which New Hampshire sets standards for out-of-home care of children.

Standards for out-of-home care of children are particularly important as a means of assuring that a young person who cannot be with his or her family has the opportunity to develop in a healthy and supportive environment. Standards for the performance of public agencies providing social services to children and families are important as a means of promoting effective and efficient use of public resources. Accountability proposals must reach in two directions: to implement and monitor compliance with appropriate standards for out-of-home child-caring services, and to monitor the policies and performance of state service delivery systems.

Responsibility for setting and maintaining appropriate standards of accountability for services to children and youth should be discharged within a framework which guarantees active and meaningful citizen participation in the standard-setting process, and which reduces the

potential for a conflict of interest which can develop when standards are set by the same agency which purchases or delivers services. Approaching the question of appropriate standard-setting policy from a child and family advocacy position leads us to the clear conclusion that a system which links service delivery too closely with standard setting runs the risk of allowing standards to be irresponsibly relaxed, particularly when financial resources are limited.

The Children and Youth Project's recommendations are designed to address the clear problems posed by the organization of our present system, and to promote changes which will better serve the young people of our state. Legislation should be proposed to create a new Commission for Children, Youth and Families to succeed the present Commission on Children and youth. This new Commission would:

1. Set standards and license all out-of-home care facilities for children and youth as well as all child placing agencies;
2. Recruit and support the involvement of citizens in public decisionmaking regarding services to children and youth;
3. Serve as an appeal point within state government for children and youth issues; and
4. Conduct periodic reviews of the budget and programs of all state agencies serving children and youth, and make program, policy, and budget recommendations for legislators and other government officials.

New Commitment to Specific Services. The comprehensive children and youth project offers two recommendations for specific services which should be addressed through legislation. We believe that there are other proposals for specific services, either in agency budgets (as in the case of child health) or in separate legislation to be presented by others tonight (notably a proposal of state funding of foster care which was considered during the last legislative session). Our proposal for a new accountability agency in state government would require legislative action to make additional funds available within the division of welfare for the provision of protective services to children and youth. This additional funding, which would be the approximate equivalent to the resources allocated to a new commission for children, youth, and families, should be specifically earmarked in the development of a budget for the next

fiscal biennium.

A second recommendation for specific services concerns the development of a new system for youth in trouble. This system would be mandated as a part of one major piece of legislation, around which many of our recommendations will be organized.

This legislation would have the tentative title of New Hampshire Children and Youth Services Act of 1981. The legislation would amend or replace sections of several existing state statutes which deal with child advocacy, child abuse and neglect and related protective services, and services for CHINS and delinquents. The legislation would have three major impacts:

1. It would establish a new Commission for Children, Youth, and Families to succeed the present Commission on Children and Youth. This new Commission would set standards for all care of children outside their own homes. These standards are currently set by the Division of Welfare, and are mandated by RSA:170-E. Members of the Commission may wish to note that the present mandate for the Commission on Children and Youth is contained in the statute immediately preceding the regulatory mandate - RSA:170-D. The new Commission for Children, Youth, and families would also serve to promote accountability and coordination in the state's social service system.

2. The legislation would create a new office for youth. This would be a direct service agency with responsibility for services to all CHINS and delinquents. Our initial expectation is that the mandate for this new service system for youth in trouble would be presented in an additional section of RSA:169; New Hampshire's juvenile code statute, which was significantly amended during the last legislative session. This new office for youth would have placement responsibilities for all court adjudicated delinquents in the state, with the exception of serious, dangerous, and/or habitual offenders judged to be in need of secure detention. Secure detention facilities, including the present Youth Development Center, would become a component of this new youth service system. Funds for this service system for children and youth could be funneled from a number of existing sources (including alcohol and drug abuse, Title XX, youth employment funds, and juvenile justice monies, and the present youth development center budget). This new office for youth would be governed by three organizing concepts:

- A) Individual case management by youth service professionals,
- B) Provision of community based services appropriate to individual and local needs,
- C) A policy to purchase service from private providers whenever possible, rather than developing large, bureaucratic state-administered programs.

Detailed plans for such a youth service system must be developed in cooperation with representatives of the courts, social service agencies, public officials at all levels, and administrators of potential funding sources. A significant portion of start-up costs for this new service system could be covered by anticipated future funding for the Comprehensive Children and Youth Project itself. But, it would be a mistake to think that a system could be fully implemented without additional state dollars beyond present commitments. We look forward to working with representatives from the Commission, and other agencies and individuals to articulate in more detail our proposals for changes in the State's service system for young people in trouble around which we can build a broad coalition of support. In conclusion, let me briefly list a few of the other concerns which have been identified as priorities by the Comprehensive Children and Youth Project. I question whether all of these should be addressed in legislation during the next session, but they are important enough to be raised (however briefly) at this public forum:

- Prenatal care should be available at each of the 27 Family Planning clinic sites in New Hampshire.

- The Special Education section in the Department of Education (which we think might more appropriately be organized as a separate division within the Department) should employ a classification system based on the service needs of children between the ages of 3 and 21, instead of being based on handicapping conditions.

- The State should assume more active responsibility for identifying and assuring delivery of services to pre-school age children with special needs, beginning with identification between the ages of 0-3. As a means of stimulating the development of community-based services for children with special needs, an amendment to RSA 186 could be considered to provide for state assumption of financial responsibility for all educational services to children with special needs over twice the state average per pupil tuition, without regard to whether such services are provided within the children's home district. In preparation for this change, specific interagency

contracts should be developed by June, 1981, to determine which services shall be the responsibility of the education system as provided for in RSA 186.

- Appropriate caseload standards for protective services should be established to insure the capacity of the bureau of child and family services to effectively meet the needs of abused and neglected children, and to respond to ever increasing reports from the public.

- Permanency planning policies should be developed for case management of all children in state custody to insure that no child will remain unnecessarily in legal and emotional limbo without a permanent home.

The Comprehensive Children and Youth Project is attempting this year to develop demonstration projects, and to undertake community organizing efforts to lay some of the groundwork for the proposals which we have presented in draft form tonight. In our own work, we have been overwhelmed by the numbers of readily identifiable unmet needs of young people in New Hampshire today. The testimony presented at this hearing itself is somewhat overwhelming. If I could summarize the single most important proposal which we would ask the legislature to consider next winter, it would be:

To adopt a Children and Youth Services Act of 1981, an act which would provide significant new support for young people in serious trouble and which would also provide new mechanisms to insure state government's accountability to children and their families, and to taxpayers.

Thank you very much.

Respectfully submitted,

Michael F. Sullivan

APPENDIX F

HOUSE BILL 892 (1981): LEGISLATION DRAFTED BY THE ADVOCACY PROJECT TO ESTABLISH A STATE OFFICE FOR CHILDREN & YOUTH.

The excerpts appended include the summary, the introductory section, and the single section dealing with issues other than juvenile justice. A summary sheet prepared for legislators highlights the governmental reorganization called for.

The bill sets up a review board consisting of members of the advisory board appointed by the chairperson of the advisory board. This board has the power to recommend to the commissioner whether or not to transfer or release a youth in a secured facility.

The current superintendent of the youth development center is named the director of residential services for a one year term, and is eligible for reappointment.

The bill establishes an advisory board. At the beginning, it will combine the membership of the youth development center trustees, the juvenile justice advisory board, and the commission on children and youth. As existing terms end, the advisory board will be brought down to a membership of 19.

The advisory board will report to the 1983 general court on existing state services for children and its recommendations for additional consolidations, if appropriate.

7920A
81-1303
08

HOUSE BILL NO. 892-FN

INTRODUCED BY: Rep. Blanchette of Rockingham Dist. 14; Rep. Copenhaver of Grafton Dist. 13; Rep. Eaton of Cheshire Dist. 11; Rep. Carpenito of Rockingham Dist. 5; Rep. Craig of Hillsborough Dist. 7; Sen. Preston of Dist. 23; Sen. Lessard of Dist. 21; Sen. Kelly of Dist. 14; Sen. Blaisdell of Dist. 10; Sen. Champagne of Dist. 20; Sen. Mann of Dist. 11; Sen. Boyer of Dist. 13

REFERRED TO: Executive Departments and Administration

AN ACT establishing an office for children and youth.

ANALYSIS

This bill was requested by the office of the governor.

The bill establishes an office for children and youth merging the youth development center, commission on children and youth, certain functions of the probation department, and the juvenile justice advisory board into a single agency under a commissioner. The office has 2 divisions: community services and residential services.

Sections 2 through 25 of the bill make technical changes in the RSA to correct references affected by the transfers in the bill, and to bring affected parts of existing law into conformity with the new provisions.

The commissioner and the directors who head the divisions are appointed by the governor and council. The commissioner has authority to transfer funds with the approval of governor and council, and to transfer personnel between the divisions according to personnel department rules, and to make rules.

In the bill, "youth" is defined as an alleged delinquent or an alleged child in need of services. The office for children and youth is set up to consolidate administration of services to youths, and to improve the services.

7920A
81-1303
08

HB 892

STATE OF NEW HAMPSHIRE

In the year of Our Lord one thousand
nine hundred and eighty-one

AN ACT

establishing an office for children and youth.

Be it Enacted by the Senate and House of Represen-
tatives in General Court convened:

1 New Chapter. Amend RSA by inserting after chapter
170-F the following new chapter:

CHAPTER 170-G

OFFICE FOR CHILDREN AND YOUTH

170-G:1 Purposes. The purposes of this chapter are:

I. To establish an integrated administration by the state government of its responsibilities to the children and youth of New Hampshire, making possible more appropriate and effective services while increasing efficiency and economy through the merger of the boards, commissions, and departments which currently have duties concerning children and youth; and

II. To implement the mandate for youth as set forth in RSA 169-B and 169-D, specifically to:

(a) Stimulate the development of needed services;

(b) Secure for troubled youth, through purchase of services, care, guidance, and treatment in their local communities, if possible;

(c) Serve the emotional, mental and physical needs of these youths, and the security of the community;

(d) Preserve and strengthen family ties whenever possible, removing a youth from his or her family and community only when it is clearly indicated:

- (1) for the safety of the youth and the community; and
- (2) that a change in custody will benefit the youth.

170-G:9 Duties. The duties of the office shall be to:

I. Plan and administer statewide programs of services to youth including assistance, care, guidance, treatment, and nurturing, either directly or through contracts with local providers; and monitor and evaluate the effectiveness and efficiency of these programs from all perspectives, including that of youth;

II. Enter into agreement with towns, other state agencies, the federal government, or any other person or agency to carry out the purposes of this chapter;

III. Provide a comprehensive program for youths in the care and custody of the office;

IV. Develop and provide a coordinated program of training for providers of youth services and staff of the office, and work with the office of administrative services of the supreme court to train district court probation officers who work primarily with youth;

V. Adopt uniform rules for the selection, employment, and training of district court probation officers working primarily with youth;

VI. Identify and evaluate services available to youth;

VII. Develop and provide services which emphasize keeping the youth in the local community with his or her family whenever possible. These services may include prevention; diversion; working with courts; filing petitions and actions in court; developing foster care alternatives and placements for youth; and providing education, training and rehabilitation;

VIII. Develop a statewide case management system for youth;

IX. Coordinate research into the causes, prevention, and treatment of delinquency and predelinquent behavior;

X. Receive care and custody of any youth who is removed from his or her family, by order of a court, and to place him or her in a secured facility if so ordered by the court; or to place him or her in an alternative living situation under an individualized case plan, which protects the youth and society, and is the least restrictive appropriate environment when placement in a secured facility is not ordered;

XI. Prepare and maintain a current individualized case plan for each youth. The plan shall be revised and maintained while the youth is in the community when he or she has been released from a secured facility and returned to the community;

XII. Work with local communities to develop placement options for youth which are determined by the communities to be appropriate; and

XIII. Detain serious or violent offenders, as defined in RSA 169-B:2, VI, who have been committed by the court to a secure facility. Such youths must be evaluated to determine their specific needs and be provided appropriate services.

170-G:10 Advisory Board. There is hereby created an advisory board for the office for children and youth. The advisory board shall consist of 19 members, each appointed by the governor and council for a term of 3 years and until a successor is appointed. The board shall include at least 4 members under 24 years of age. The board shall consist of members representing the following areas: juvenile justice, law, health, education, social services, legislative, business, children's services, youth, and general public.

170-G:11 Operation of Advisory Board.

I. The governor shall name one advisory board member to a one year term as chairperson. A member may serve up to 3 consecutive terms as chairperson.

II. The advisory board may appoint other officers and establish subcommittees to carry out its work. The advisory board shall meet at the call of the chairperson, but not less frequently than every 3 months.

III. Members shall serve without compensation, except that they shall be reimbursed for expenses

incurred while performing their official duties, including mileage at the rate set for state employees.

IV. The advisory board shall receive assistance needed from any state agency. The office shall furnish necessary staff.

170-G:12 Duties of the Advisory Board. The advisory board shall:

I. Serve in an advisory capacity to the commissioner;

II. Make an ongoing study of the problems of children and youth in New Hampshire;

III. Examine the operations of the office and its effectiveness in meeting these problems;

IV. Review rules which are to be adopted by the commissioner; and

V. Assist the office in developing regional ad hoc advisory boards throughout the state to assist the office in meeting its mandates for youth.

. . . .

27 Study; Report to 1983 General Court. For the purpose of providing services to children in a comprehensive and efficient manner, the advisory board established under RSA 170-G:10 shall identify, review and evaluate existing state policies, programs, rules and budgets of state departments or agencies providing services to children. After completing its review, the board shall prepare a written plan to incorporate these services or programs, in whole or in part, if appropriate, within the duties and responsibilities of the office for children and youth. Such plan shall be submitted for legislative action during the 1983 session of the general court. The board shall receive the cooperation and assistance of any state agency as needed to carry out its responsibilities. The board shall also respond to citizen's concerns about the needs of children and youth. The office for children and youth shall furnish the board with the staff necessary to assist it in carrying out its mandate.

28 Advisory Board. The advisory board established under RSA 170-G:10 shall consist of the incumbent members

of the juvenile justice advisory board, the commission on children and youth, and the board of trustees of the youth development center. These incumbents shall serve until the end of their original terms. No additional people shall be appointed until the board is reduced to less than 19 members.

. . .

31 Transfers. All the functions, powers, duties, personnel, records, property, and funds of the following are hereby transferred to the office of children and youth:

I. The juvenile justice advisory board established under public law 93-415 as amended;

II. The commission on children and youth;

III. The youth development center; and

IV. Those elements of the department of probation and probation board dealing primarily with children and youth, except domestic relations officers and the duties assigned to them. This transfer shall not affect the incumbents in the positions of director and deputy director of probation.

32 Maintenance. Amend RSA 94:5, I(a) as amended by striking out said subparagraph and inserting in place thereof the following:

(a) the director of residential services, office for children and youth;

33 Transition. All dispositions of youth made from the effective date of this act until January 1, 1982, shall be made under preexisting law.

34 Repeals. The following are hereby repealed:

I. RSA 170-D relative to the commission on children and youth;

II. RSA 621 relative to the youth development center.

35 Effective Date. This act shall take effect on July 1, 1981.

FISCAL NOTE for an act establishing an office of children and youth.

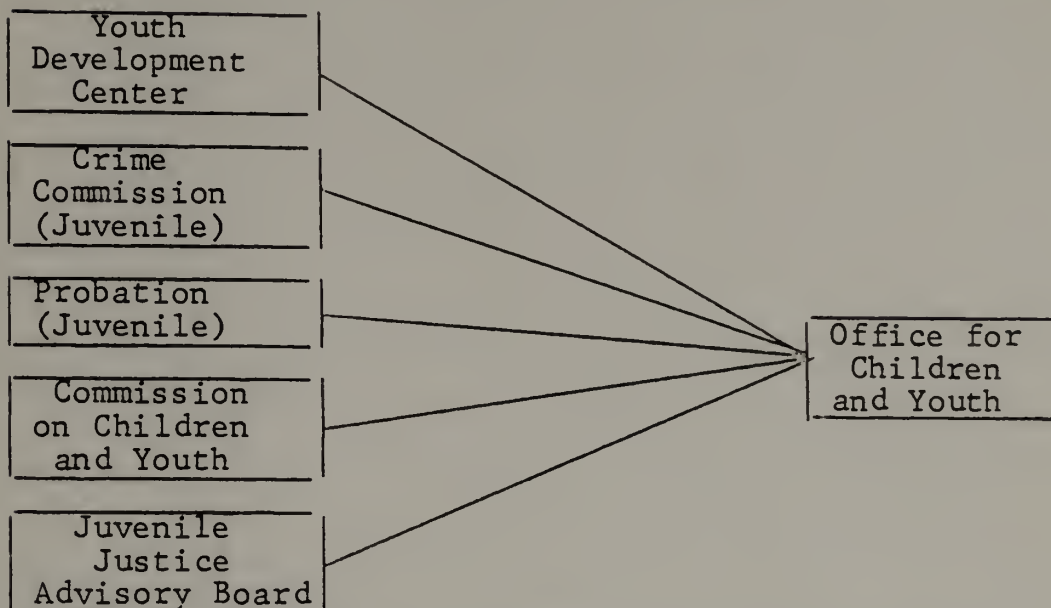
FISCAL IMPACT: The fiscal impact of this bill upon state revenues and expenditures cannot be practically forecast. Future fiscal impact will be determined by subsequent legislative action.

There is no effect upon local or county revenues or expenditures.

HOUSE BILL 892: ESTABLISHING AN OFFICE OF CHILDREN AND YOUTH

PURPOSE: HOUSE BILL 892 consolidates five existing agencies into a single Office. No new funds are required.

HOUSE BILL 892 will mean more efficient and effective use of state funds to deal with children in trouble (Delinquents and CHINS: Children In Need of Services).



Q: HOW DOES THE BILL AFFECT THE YOUTH DEVELOPMENT CENTER?

A: YDC will continue to operate as the secure treatment facility for delinquents.

Q: HOW DOES THE BILL AFFECT PROBATION?

A: State Probation will deal with adults only. Some probation officers will be assigned to the Office for Children and Youth and will specialize in juvenile cases. Local probation departments will still be independent.

Q: DOES THIS BILL TAKE POWER AWAY FROM JUDGES?

A: No. Judges will keep control over juvenile cases.

Q: WILL THIS NEW OFFICE MEAN THAT TOWNS AND COUNTIES WILL HAVE TO PAY MORE?

A: No. HOUSE BILL 892 does not alter the current liability for costs.

Q: DOES THIS BILL CHANGE THE RULES FOR SENDING JUVENILES TO YDC? IS YDC LIMITED TO SERIOUS AND VIOLENT OFFENDERS?

A: No. The amended bill no longer contains those changes. The current law (RSA) will remain the same.

APPENDIX G

TESTIMONY ON HB 892, DRAFTED BY AUTHOR FOR J. RYAN, 4/15/81.

TO: Executive Departments and Administration Committees
DATE: April 15, 1981
FROM: Judith Ryan, Director
Comprehensive Children and Youth Project

Madame Chair, members of the Committee, my name is Judith Ryan, Director of the Comprehensive Children and Youth Project, and I am speaking in favor of House Bill 892. You have heard from some of the bill's sponsors, and you will hear from other supporters, a number of arguments to support the establishment of a state Office for Children and Youth. I and members of my staff have been working with the subcommittee chaired by Rep. Carragher to review the details of the proposed reorganization of youth services which is called for in the bill. There are a number of people here today to testify, and I realize that the Committee's time is limited. So I will be brief. But I would like to emphasize several points which I think are important for your consideration.

House Bill 892 is not perfect. It does not guarantee that every young person in trouble will be steered in the right direction, at the right time. It does not relieve our towns and counties of the burden of paying for court-ordered placements. It does not appropriate huge sums from the general fund for costly new programs. But it is a step in the right direction. An important, and I believe necessary step.

Last year at about this time, the staff of the Children and Youth Project began a review of state policies and programs for children and youth. We analyzed agency budgets, examined documents and reports detailing the needs of young people, and studied federal laws and programs to try and understand the scope, and the limits, of public efforts to help the vulnerable and troubled young people in our state.

More importantly, we listened to people. We listened to agency administrators. To law enforcement officials. To teachers. To parents. And to young people themselves. We sponsored community sounding boards in every county to give private citizens the opportunity to speak up to government, and to make their concerns heard. And their concerns were many.

Time and again, we heard that services were inaccessible, or unavailable, or uncoordinated. And nowhere was this concern greater than in the area of youth services. Community leaders did not know whether seed money was available from the state to initiate new programs. Information about successful programs in one community was not shared with other communities. Children in serious trouble were falling through the cracks of a system that was hard to understand at best, and impossible to administer at worst.

House Bill 892 is a response to those concerns. It makes sense out of an uncoordinated system. It creates a single point of responsibility for youth services at the state level. It requires the state to respond to citizen concerns about children in trouble. It establishes a Commissioner to provide leadership for the system, and to be an advocate for the needs of children and youth at the highest level of state government. It insures that state services will be delivered in a way that best meets the needs of youth, and of local communities.

And it increases efficiency. The Office will be responsible for all state services for CHINS and delinquents, whether in the state's secure facility or at the community level. There will be only one advisory board, instead of five. There will be a case management system. There will be a plan for services for each individual case in which the Office is involved. And there will be the power to respond to changing conditions, to allocate resources where they are most needed.

Finally, HB 892 requires the Office for Children and Youth to look beyond the needs of young people in the juvenile justice system, and to consider other changes in state policies and agency organization which could further improve our ability to protect the welfare and promote the healthy development of our young people. Other states have rushed headlong into massive reorganizations, consolidating all programs for children at once. We think HB 892 offers a more responsible course of action, one which takes things one step at a time, and insures that any changes we do make are in the best interests of kinds, and not just bureaucratic shuffling.

I urge the members of this Committee to give favorable consideration to this bill, because I believe that it is

in many ways the very least we can do to improve state government's services for children and youth. There are few enough dollars available for the task. We must make sure that every dollar counts.

I will be glad to answer any questions.

APPENDIX H

LIST OF SUPPORTERS TESTIFYING IN FAVOR OF HB 892 AT FIRST
LEGISLATIVE HEARING: HOUSE COMMITTEE ON EXECUTIVE
DEPARTMENTS AND ADMINISTRATION, 4/15/81.

Testimony on House Bill 892, Establishing an Office for
Children and Youth:

Representative Patti Blanchette

Co-sponsors: House and Senate

Hugh J. Gallen, Governor

Raymond S. Burton, Executive Councilor

The Hon. Charles Douglas, N.H. Supreme Court

The Hon. Aaron Harkaway, Nashua District Court

The Hon. Paul Lawrence, Goffstown District Court

Richart Bouley, Chairman, YDC Board of Trustees

Geraldine Sylvester, YDC Board of Trustees

Henry Bird, Director, N.H. Police Standards and Training

Ned Helms, Commissioner of Health and Welfare

Steven Painchaud, Director, N.H. Commission on Children
and Youth

Joseph Diament, Executive Director, Alcohol and Drug
Abuse Prevention

Michael Sullivan, Executive Director, N.H. Crime Commission

Tom Avallone, Director, Friend's Program, Concord, N.H.

Bern Anderson, Director, Strafford Guidance Center, Dover,
N.H.

Daniel St. Laurent, Director, Tilton Youth Services

Carolyn Wagner, Youth Services Bureau, Laconia, N.H.

William Potter, Administrator, Merrimack County Jail

Dorothy Campion, Grafton County Commissioner

Dr. Robert Sturke, Psychological Associates

David Walchak, Chairman, N.H. Police Chiefs' Association

Talu Robertson, Past-chairperson, Commission on Children
and Youth

John Doyle, Juvenile Justice Advisory Board member

Keith Bates, Coordinator, Dover Youth Resources

Allan Reed-Erickson, Parole Officer, YDC

Arpiar Saunders, Dean, Franklin Pierce Law Center

Peter Tennenbaum, Executive Director, Upper Valley Youth
Services, Lebanon, N.H.

Wayne Flanagan, Director, Youth Tracking Project, Keene,
N.H.

Peter Spaulding, Executive Director, N.H. Association of
Counties

Frank Catano, Executive Director, N.H. Group Home
Association

Richard Caron, Executive Director, Nashua Children's
Association

Eleanor Friedman, N.H. School Principals' Association

Don Westervelt, Attorney, Concord, N.H.

Felicity Lavalley, Director, Mediation Program, Concord,
N.H.

The Hon. Joseph Nadeau, Durham District Court
Thomas Hammond, Chairman, Criminal Justice Department,
St. Anselm's College
Cindy Clark, Commission on Children and Youth member
Barbara Hill, Juvenile Justice Advisory Board member
Jo Ellen Orcutt, Executive Secretary, N.H. Judicial
Council
Valerie Roudonis, Co-Chair, Juvenile Justice Committee,
N.H. Bar Association
Rob Solomon, Attorney, Rochester, N.H.
Matt Epstein, Attorney, Concord, N.H.

