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AUTHOR Hall, John C.; And Others
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ABSTRACT

This document, 1 in a series of 10, presents state profiles of the results of a systematic examination of child care agencies and their involvement with out-of-state residential care for children. This volume contains profiles of the Northeastern states of Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. Each state profile contains five sections. The first two sections identify the officials in state government who facilitated the completion of the study and describe the general methodology used to collect the information presented. The third section offers a basic description of the organization of youth services as they relate to out-of-state placement policies. The fourth section offers annotated tables about that state's out-of-state placement practices. The discussion of the survey results includes: (1) the number of children placed in out-of-state residential settings; (2) the out-of-state placement practices of local agencies; (3) detailed data from agencies that placed five or more children; (4) use of interstate compacts by state and local agencies; (5) the out-of-state placement practices of state agencies; and (6) state agencies' knowledge of out-of-state placement. The final section presents observations and conclusions about state and local out-of-state placement practices that were gleaned from the data. (Data reported are for 1978.) (KC)

MAJOR ISSUES IN JUVENILE JUSTICE INFORMATION AND TRAINING

The Out-of-State Placement of Children: Northeast State Profiles

Connecticut • Delaware • Maine • Massachusetts • New Hampshire
New Jersey • New York • Pennsylvania • Rhode Island • Vermont

AUTHORS
John C. Hall, Principal Investigator
Bruce S. Barker, Research Associate
Molly A. Parkhill, Research Associate
Judith L. Pilotta, Research Associate
Joseph L. White, Project Director

Academy for Contemporary Problems
Columbus, Ohio
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Office of Juvenile Justice and Delinquency Prevention
National Institute for Juvenile Justice and Delinquency Prevention

Staff

Kathryn Baybutt
Lisa Beach
Karen Bell
Brenda S. Brown
Sandra Clapsaddle
Sherry Flannery
Jack Foster, Ph.D.
Sandra Gardner
Lori Gilbert
Rosetta Gooden
Elizabeth Gray
Jean Griggs
Gina Hoy
Kathy Kuechenmeister
Fred McKinney
Karen Morgan
John Murphy
Wayne Murphy
Ramon R. Priestino, Ph.D.
Marian Radebaugh
Marcia Ramm
Sylvia Robinson
Grant Savage
Andrew Schneiderman
Bruno S. Sestito, Jr.
Peggy Siegel, Ph.D.
Joan Suttner
James N. Upton, Ph.D.
Susan Warner
Kurt Weiland
David Wilder

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ABOUT THE STATE PROFILES

This is one of six volumes which report the most ambitious study of the out-of-state placement of children ever undertaken in America. The master volume, The Out-of-State Placement of Children: A National Survey, contains the main text of the study report, plus appendixes which explain the methodology of the study and detail relevant interstate compacts on the subject.

Central to the usefulness of the study report, however, is the use of the detailed profiles of out-of-state placement practices in the 50 States and in the District of Columbia. This volume contains, in the order listed, these State profiles:

Other volumes, as listed in the master volume, report on Western, North Central, South Central, and Southeastern States. A further report on the study, in two volumes, is called Out-of-State Placement of Children: A Search for Rights, Boundaries, Services.

Each state profile presents the results of a systematic examination of their child care agencies and their involvement with out-of-state residential care for children. The information is organized in a manner which will support comparisons among agencies of the same type in different counties or among different types within the state. Comparisons of data among various states, discussed in Chapter 2, are based upon the state profiles that appear here.

The states, and the agencies within them, differed markedly in both the manner and frequency of arranging out-of-state placements in 1978. The organizational structures and the attendant policies also varied widely from state to state. Yet, all state governments had major responsibilities for regulating the placements of children across state lines for residential care. The methods employed by state agencies for carrying out these responsibilities and their relative levels of effectiveness in achieving their purposes can be ascertained in the state profiles. As a result, the state profiles are suggestive of alternative policies which agencies might select to change or improve the regulation of the out-of-state placement of children within their states.

Descriptive information about each state will also serve to identify the trends in out-of-state placement policy and practice discussed in Chapter 2. State governments can and do constitute major influences upon the behavior of both state and local public agencies as they alter their policies, funding patterns, and enforcement techniques. The effects can be seen in changes in the frequencies with which children are sent to live outside their home states of residence. Ideally, these state profiles will serve as benchmarks for measuring change, over time, with respect to the involvement of public agencies in arranging out-of-state placements.

CONTENTS OF THE STATE PROFILES

Each profile contains four sections. The first two sections identify those officials in state government who facilitated the completion of the study in the particular state. These sections also

describe the general methodology used to collect the information presented. The third section offers a basic description of the organization of youth services as they relate to out-of-state placement policies. The fourth section offers annotated tables about that state's out-of-state placement practices. The discussion of the survey results include:

- The number of children placed in out-of-state residential settings.
- The out-of-state placement practices of local agencies.
- Detailed data from Phase II agencies.
- Use of interstate compacts by state and local agencies.
- The out-of-state placement practices of state agencies.
- State agencies' knowledge of out-of-state placement.

The final section presents some final observations and conclusions about state and local out-of-state placement practices that were gleaned from the data.

It is important to remember when reading the state profiles that the tables contain self-reported data for 1978, collected by the Academy in 1979. They may not reflect all organizational changes that have occurred since that time and the data might be at variance with reports published after this survey was completed.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN CONNECTICUT

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Romona Apker, Consultant, Bureau of Pupil Personnel and Special Education Services, State Department of Education; John M. Borys, Director, Office of Juvenile Probation Services, Family Division, Superior Court; Paula Farber, Compact Correspondent, Department of Children and Youth Services; J. Michael Brereton, Director, Division of Institutions and Facilities, Department of Children and Youth Services; Nancy H. Robb, Director, Division of Research, Planning and Evaluation, Department of Children and Youth Services; and Carl Steinberger, Bureau of Pupil Personnel and Special Education Services, State Department of Education.

II. METHODOLOGY

Information was systematically gathered about Connecticut from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight. Staff in the Department of Children and Youth Services were unable to allocate the time needed to complete the mailed questionnaire and invited the Academy to conduct a manual tabulation of the necessary information from state records. A senior staff person from the Academy systematically recorded all information needed about the out-of-state placement practices of state agencies responsible for child welfare, juvenile justice, and mental health.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Connecticut appears below in Table 07-1.

TABLE 07-1. CONNECTICUT: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview
	DCYS officials site visit and manual tabulation from state records	Mailed Survey: DOE Officials	DCYS officials site visit and manual tabulation from state records. Telephone Survey: All 15 juvenile courts	DCYS officials site visit and manual tabulation from state records	Mailed Survey: DMR officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: All 165 school districts	Not Applicable (State Offices)	Not Applicable (State Offices)	Not Applicable (State Offices)

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Connecticut has the 48th largest land area (4,862 square miles) but is the 24th most populated state (3,100,188) in the United States. Bridgeport is the largest city in the state, with a population of nearly 150,000. Hartford, the capital, is the second most populated city in the state. Connecticut has 81 cities with populations over 10,000 and 18 cities with populations over 25,000. The 1978 estimated population of persons eight to 17 years old was 547,393.

Connecticut has three Standard Metropolitan Statistical Areas (SMSAs) and borders three states: New York, Massachusetts, and Rhode Island. Six of the state's eight counties also border these states.

Connecticut was ranked 32nd nationally in total state and local per capita expenditures, 36th in per capita expenditures for education, and 17th in per capita expenditures for public welfare.[1]

B. Child Welfare

Connecticut's Department of Children and Youth Services (DCYS) has a unique structure which provides child welfare, corrections, and mental health services solely to children throughout the state. Services are offered for children, separate from the Department of Social Services, through five regional and seven subregional offices to the 167 municipalities which constitute the state. Connecticut's eight counties are not used for administrative purposes by the department.

The department's programs include protective services, medical assistance to abused and neglected children, family counseling, legal aid, emergency shelter, foster care, adoption, developing and monitoring a system of group homes, and the licensing of residential care and placement agencies.

The DCYS has been involved in placing children out of state with diverse special needs. The Interstate Compact on Juveniles (ICJ), Interstate Compact on the Placement of Children (ICPC), and the Interstate Compact on Mental Health (ICMH) are used to facilitate these placements and are administered

within the DCYS. Connecticut joined these three compacts relating to the interstate movement of children in 1957, 1967, and 1955, respectively.

C. Education

Connecticut's Department of Education (DOE) has the major responsibility for its educational system. Within DOE is the Bureau of Pupil Personnel and Special Education Services, which approves the out-of-state placement of children. In Connecticut, the 165 local school districts offer special education services as well as the normal K-12 curriculum. These school districts must obtain state approval before qualifying for out-of-state placement reimbursements. In addition, out-of-state special education placements are authorized only when the local board of education has explored all possible placements in Connecticut. These placements are systematically recorded from submitted "contract cards" in the state office computer. If a placement is for noneducational purposes, then part of the costs are covered by DCYS.

D. Juvenile Justice

The Family Division of Connecticut's state-operated Superior Court holds jurisdiction over neglected, dependent, and delinquent children. There are ten judicial districts of the Superior Court and 15 court locations around the state. Probation services are administered by the Family Division's Office of Juvenile Probation Services (OJPS). The division also administers four detention centers for delinquent children located in Bridgeport, New Haven, Montville, and Hartford.

If the court determines that a delinquent youth is in need of a structured environment, the OJPS recommends special placement to the DCYS. The DCYS is responsible for residential placements of youth committed to the department by the courts. The adjudicated delinquent may be placed at Long Lane (training school) in Middletown, in a group home, or in an alternate residence, possibly out of state. The Interstate Compact on Juveniles (ICJ) is used to facilitate these placements. However, state officials reported that the judiciary has been known to arrange some out-of-state placements for children without the use of compacts.

E. Mental Health

Connecticut's State Department of Mental Health does not offer out-patient services to individuals under 18 years of age. Instead, these services are provided by the Department of Children and Youth Services' youth programs. The Department of Mental Health's Division of Institutions and Facilities (DIF) maintains residential facilities for emotionally disturbed youngsters, adolescent drug rehabilitation units, and a guidance clinic for youth suspended from school. All out-of-state placements of mental health clients are made by the DCYS. There are no local mental health services under the auspices of county governments in Connecticut.

F. Mental Retardation

Mental retardation services are the responsibility of state government in Connecticut. Several residential facilities and special community-based programs are operated by the State Department of Mental Retardation (DMR) in various locations throughout the state.

According to information provided by DMR personnel, very few out-of-state placements of mentally retarded children are necessary in Connecticut. Connecticut has been a member of the Interstate Compact on Mental Health (ICMH) since 1955 and out-of-state placements which are subject to that compact are reported to the DCYS compact office.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The information gathered from both local and state agencies in Connecticut follows in tabular form, with some accompanying discussion. Connecticut is one of a number of states which has consolidated various state services for children within a single agency, namely, the Department of Children and Youth Services. Furthermore, the combined adminstration within DCYS of all three interstate compacts relevant to the placement of children is quite common. Therefore, the information obtained from the DCYS compact office, through an on-site visit and manual search of department records, represents a very unique piece of the national data collected by this study. The broad range of services offered by DCYS makes the separate presentation of out-of-state placement information into service type categories inapplicable and impossible. Therefore, it is reported in a consolidated manner within this profile.

Due to state officials' reports that Connecticut courts hearing juvenile matters may have placed children out of the state without reporting and arranging the placements through appropriate DCYS personnel, a telephone survey of these state courts was undertaken. This data is reflected in the following tables as a single juvenile justice response, in lieu of information that was unavailable from the Office of Juvenile Probation Services in the Family Division of Superior Court.

A. The Number of Children Placed in Out-of-State Residential Settings

An overview of the total number of out-of-state placements reported by Connecticut state and local agencies is given in Table 07-2. One of the first factors to note in this table is the strong predominance of state-operated services for children. Except for local school districts, Connecticut children receive a range of services from offices of state agencies. The 66 children placed out of state through DCYS make up the largest portion of these state agency placements, with the state courts reporting the next largest number, 48 children. It should be noted that the total of 118 placements reported by state agencies, which includes four made by the Department of Mental Retardation, may be an overrepresentation. This is due to the possibility that some of the court placements which may have been processed through an interstate compact would have also been reported by the DCYS compact office. (Further discussion relating to state agency compact utilization can be found in Table 07-14.)

The Connecticut Department of Education is not considered a placing agency, as its report of making no out-of-state placements reflects. However, the 165 local school districts throughout the state reported being involved in 151 placements of children to settings out of Connecticut. The total of reported out-of-state placements of children, 269 placements, is, for reasons already discussed, a possible overrepresentation of placement activity in 1978.

TABLE 07-2. CONNECTICUT: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare, Juvenile Justice, Mental Health	Education	Juvenile Justice	Mental Retardation	Total
State Agency Placements[a]	66	0	48	4	118
Local Agency Placements	--	151	--	--	151
Total	66	151	48	4	269

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 07-15 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 07-3 illustrates the number of out-of-state placements made by local school districts by the county in which the districts are located, along with its 1978 estimated population of persons eight to 17 years old. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county, and the incidence reports in the table are the aggregated reports of all within them. It is apparent that the three most populated counties, Hartford, Fairfield, and New Haven, are those with the highest number of placements. However, they are not in direct relationship, with the second and third most-populated counties showing the first and second highest number of such placements.

It is also important to realize that the county with the largest number of school district placements, Fairfield, is located on Connecticut's New York State border. Many communities in this portion of the state are considered to have strong economic and social ties with the metropolitan New York City area, due to the short commuting distance for its residents.

TABLE 07-3. CONNECTICUT: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Education
Fairfield	142,956	51
Hartford	143,438	32
Litchfield	26,279	3 est
Middlesex	22,762	9
New Haven	130,627	36 est
New London	44,437	11 est
Tolland	20,344	5
Windham	16,550	4 est
Total Number of Placements Arranged by Local Agencies (total may include duplicated count)		151 est
Total Number of Local Agencies Reporting		161

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

Connecticut's 165 local school districts were generally able to report about their involvement in the out-of-state placement of children. As reflected in Table 07-4, only four of those agencies were uncertain about their involvement or unable to report the number of placements they helped to arrange. Furthermore, Table 07-4 shows that 61 (or 38 percent) of these 161 local education agencies reporting were involved in arranging out-of-state placements for children in 1978.

TABLE 07-4. CONNECTICUT: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type Education
Agencies Which Reported Out-of-State Placements	61
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	4
Agencies Which Did Not Place Out of State	100
Agencies Which Did Not Participate in the Survey	0
Total Local Agencies	165

The 100 Connecticut school districts which reported not placing any children out of state in 1978 were asked to give reasons for this abstention and their responses are displayed in Table 07-5. Over 76 percent of the responses from these agencies stated that there were sufficient services available within the state. A significantly smaller 21 percent were given to the "Other" category and included such reasons as a placement being against agency policy, parental disapproval, and agency reluctance to place at a distance from home. Finally, three responses mentioned the lack of funds for such a placement.

TABLE 07-5. CONNECTICUT: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s) Education
Lacked Statutory Authority	0
Restricted	0
Lacked Funds	3
Sufficient Services Available In State	94
Other[b]	26
Number of Agencies Reporting No Out-of-State Placements	100
Total Number of Agencies Represented in Survey	165

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The involvement of several public agencies in the placement of children with special needs results in various degrees of interagency cooperation. Over 60 percent of the Connecticut school districts reporting involvement in out-of-state placements indicated, as seen in Table 07-6, that at least one other agency cooperated in the placement decision. Cooperation with another agency was reported to occur for 50 percent of the 151 out-of-state placements arranged by local districts. The requirement for Department of Education approval and the potential of state reimbursement for placement expenditures may explain much of this interagency cooperation.

TABLE 07-6. CONNECTICUT: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type	
	Education	
	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	61	37
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	37	61
Number of CHILDREN Placed Out of State	151	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	76	50

a. See Table 07-4.

Local education agencies reported placing children out of state with a wide variety of conditions. Table 07-7 reflects the types of children these agencies helped to place in 1978. One-third of the agency responses were in the category of mentally ill or emotionally disturbed children, followed by just over one-fourth of the responses reflecting children having special education needs. Nine percent of the responses from these placing school districts were in the unruly/disruptive category. Mentally retarded or developmentally disabled children were the next most frequently mentioned type of child, followed by physically handicapped children. The remaining choices for response, except for pregnant girls having none, were selected from one to six times by the school districts. The six responses to the "Other" category included four mentions of autistic children.

TABLE 07-7. CONNECTICUT: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting Education
Physically Handicapped	10
Mentally Retarded or Developmentally Disabled	13
Unruly/Disruptive	15
Truant	4
Juvenile Delinquent	4
Mentally Ill/Emotionally Disturbed	50
Pregnant	0
Drug/Alcohol Problems	4
Battered, Abandoned, or Neglected	5
Adopted	1
Special Education Needs	39
Multiple Handicaps	9
Others[b]	6
Number of Agencies Reporting	61

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Connecticut's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local Connecticut education agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II, are illustrated in Figure 07-1. Only 15 percent of the 61 school districts which reported sending children out of Connecticut in 1978 were Phase II agencies. However, this relatively small proportion of agencies arranged the placements of one-half of the children.

FIGURE 07-1. CONNECTICUT: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Education
Number of AGENCIES	165
Number of AGENCIES Reporting Out-of-State Placements in 1978	61
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	9
Number of CHILDREN Placed Out of State in 1978	151
Number of CHILDREN Placed by Phase II Agencies	75
Percentage of Reported Placements in Phase II	50

Figure 07-2 reflects the location, by county, of Connecticut Phase II school districts. Not all school districts in the delineated counties may be Phase II agencies, but at least one education agency in each of the four counties did place more than four children out of state in 1978. Similarly, although two additional counties' total incidence of placement was or exceeded five children, as reflected in Table 07-3, no single school district was a Phase II agency in either of these counties. It should be noted that Fairfield, Hartford, New Haven, and New London Counties are highly urbanized and contain the majority of Connecticut's SMSAs.

FIGURE 07-2. CONNECTICUT: COUNTY LOCATION OF LOCAL PHASE II AGENCIES

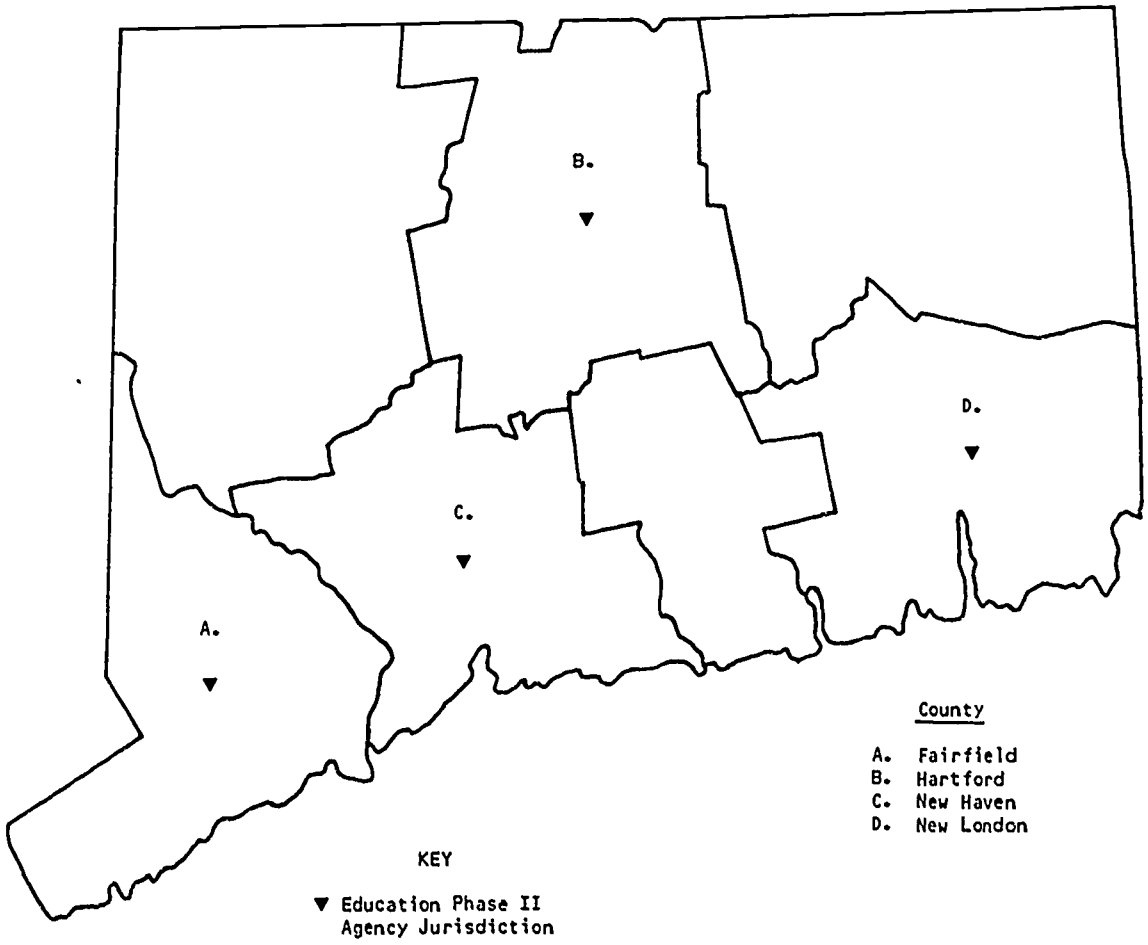
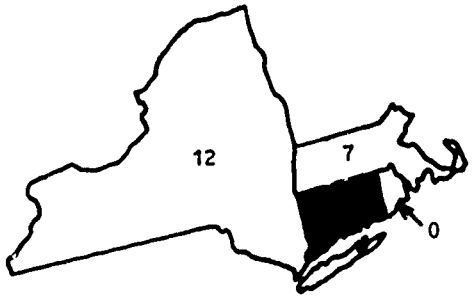


Table 07-8 identifies the destinations of the 75 children placed out of state by Connecticut Phase II school districts. The use of placements in Maine for 44 percent of the children whose destination was reported is the most dramatic finding in this table. New York and Pennsylvania share the position of next most commonly used state for placement, with 16 percent of the reported placements each. Massachusetts, receiving nine percent of the Connecticut school district placements, adds to this group of four states in which 85 percent of all the placements for which destinations are reported have been made. These four states, along with New Hampshire, Vermont, and New Jersey, are in the general geographic region surrounding Connecticut. The single placements to Florida, North Dakota, and Ohio are a greater distance from Connecticut. In fact, 25 percent of the school district placements reported were to contiguous states, Massachusetts and New York, as shown in Figure 07-3.

TABLE 07-8. CONNECTICUT: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Education
Florida	1
Maine	33
Massachusetts	7
New Hampshire	3
New Jersey	2
New York	12
North Dakota	1
Ohio	1
Pennsylvania	12
Vermont	3
Placements for Which Destinations Could Not be Reported by Phase II Agencies	0
Total Number of Phase II Agencies	9
Total Number of Children Placed by Phase II Agencies	75

FIGURE 07-3. CONNECTICUT: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO CONNECTICUT BY LOCAL PHASE II AGENCIES[a]



a. These local Phase II education agencies reported the destinations for 75 children.

The Phase II school districts placing children outside of Connecticut in 1978 were asked to report their reasons for taking this action. The two predominant answers to this question, as reported in Table 07-9, were that Connecticut lacked comparable services to the out-of-state facility selected and, second, that the school district had experienced success previously in using the particular facility selected. Considering the relatively small geographic size of Connecticut, two responses to the choice stating that the receiving facility was closer to the child's home is not surprising. Two responses were also given to the statement that the child had failed to adapt to an in-state facility.

TABLE 07-9. CONNECTICUT: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting Education
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	2
Previous Success With Receiving Facility	6
Sending State Lacked Comparable Services	9
Standard Procedure to Place Certain Children Out of State	1
Children Failed to Adapt to In-State Facilities	2
Alternative to In-State Public Institutionalization	1
To Live With Relatives (Non-Parental)	0
Other	1
Number of Phase II Agencies Reporting	9

a. Some agencies reported more than one reason for placement.

These same Phase II agencies reported their most frequently used type of placement facility. Table 07-10 shows that all nine responding agencies reported the most frequent use of residential treatment or child care facilities.

TABLE 07-10. CONNECTICUT: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting Education
Residential Treatment/Child Care Facility	9
Psychiatric Hospital	0
Boarding/Military School	0
Foster Home	0
Group Home	0
Relative's Home (Non-Parental)	0
Adoptive Home	0
Other	0
Number of Phase II Agencies Reporting	9

Public agencies' practices regarding their monitoring of a child's progress and well-being in an out-of-state placement was also sought in this survey. Connecticut Phase II school districts were asked to provide the means and frequency of their monitoring of placements. Table 07-11 illustrates the findings to these questions.

Annual on-site visits were the most frequently mentioned monitoring practice with over 26 percent of the total responses reported. Written progress reports from the receiving facility, submitted on a quarterly basis, received 22 percent of the responses. Both these forms of monitoring were mentioned to occur at other time intervals: on-site visits were recorded once as occurring on a quarterly basis and once on an irregular basis; written reports were mentioned three times as occurring on an irregular basis and once semiannually. Telephone contact was mentioned six times, with three responses reflecting quarterly intervals, two occurring semiannually, and once on an irregular basis.

TABLE 07-11. CONNECTICUT: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE-II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Education
Written Progress Reports	Quarterly	5
	Semiannually	1
	Annually	0
	Other[b]	3
On-Site Visits	Quarterly	1
	Semiannually	0
	Annually	6
	Other[b]	1
Telephone Calls	Quarterly	3
	Semiannually	2
	Annually	0
	Other[b]	1
Other	Quarterly	0
	Semiannually	0
	Annually	0
	Other[b]	0
Total Number of Phase II Agencies Reporting		9

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

These same nine Phase II agencies reported their public expenditures for their out-of-state placements. A total of $569,501 was spent for the care of these children.

D. Use of Interstate Compacts by State and Local Agencies

The 61 Connecticut school districts which arranged out-of-state placements for children in 1978 were also asked to report whether or not an interstate compact was used. It may be expected that very few of these agencies used compacts because facilities solely educational in character are not under the purview of any compact, and one would anticipate that those types of facilities were used for placements. Expectedly, Table 07-12 shows that only one agency reported the utilization of an interstate compact for arranging out-of-state placements in 1978. That particular school district arranged more than four out-of-state placements and reported using both the Interstate Compact on the Placement of Children and the Interstate Compact on Juveniles. The interagency cooperation discussed in relation to Table 07-6 may help to understand this anomaly, particularly if the DCYS was the cooperating agency.

TABLE 07-12. CONNECTICUT: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	52
• Number Using Compacts	0
• Number Not Using Compacts	51
• Number with Compact Use Unknown	1
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	9
• Number Using Compacts	1
Interstate Compact on the Placement of Children	
Yes	1
No	8
Don't Know	0
Interstate Compact on Juveniles	
Yes	1
No	8
Don't Know	0
Interstate Compact on Mental Health	
Yes	0
No	9
Don't Know	0
• Number Not Using Compacts	8
• Number with Compact Use Unknown	0
TOTALS	
Number of AGENCIES Placing Children Out of State	61
Number of AGENCIES Using Compacts	1
Number of AGENCIES Not Using Compacts	59
Number of AGENCIES with Compact Use Unknown	1

Additional information concerning the utilization of interstate compacts by local education agencies is given in Table 07-13, which reports the number of children who were or were not placed out of state with a compact. The table clearly shows that the majority--137 children--of the 151 children placed out of state by school districts were not placed through any compact. Of the 13 children placed through a compact, 11 were sent to placements arranged with ICPC and two were arranged through the ICJ.

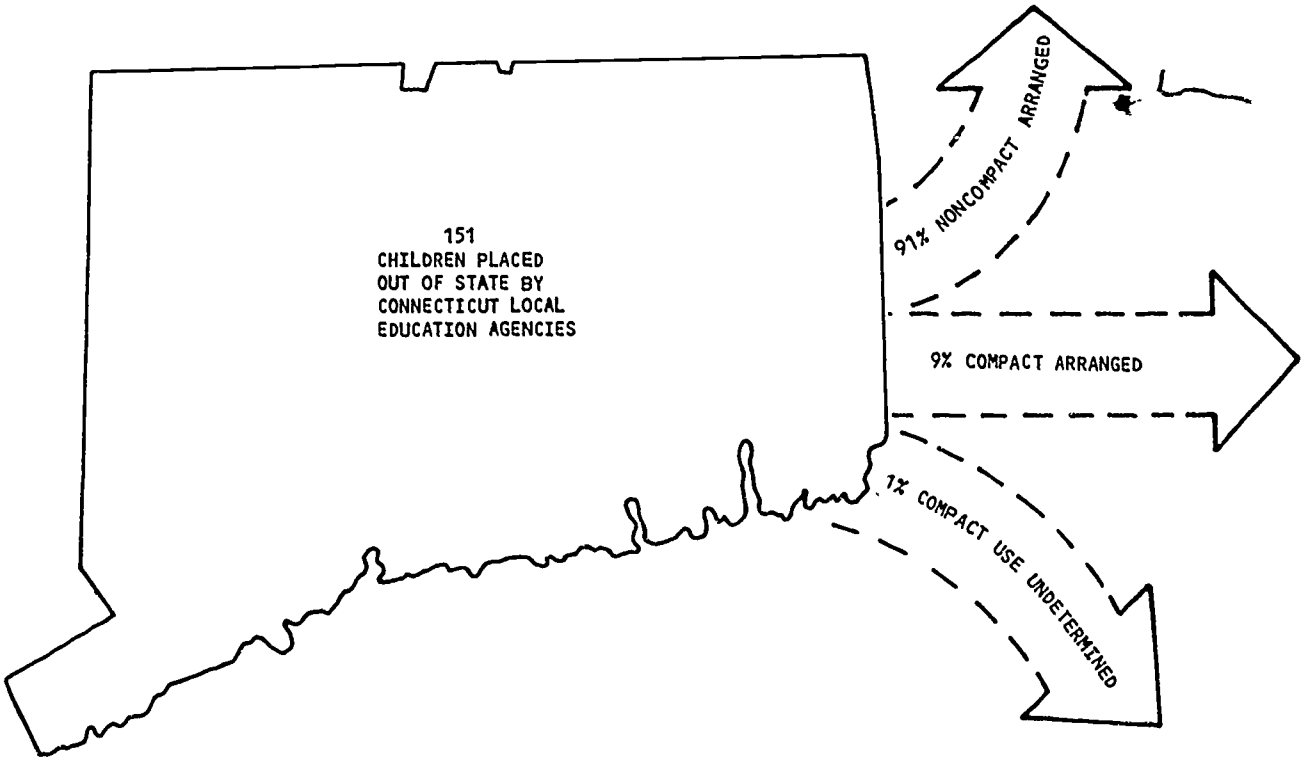
TABLE 07-13. CONNECTICUT: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN Education
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	76
• Number Placed with Compact Use	0
• Number Placed without Compact Use	75
• Number Placed with Compact Use Unknown[a]	1
CHILDREN PLACED BY PHASE II AGENCIES	75
• Number Placed with Compact Use	13
Number through Interstate Compact on the Placement of Children	11
Number through Interstate Compact on Juveniles	2
Number through Interstate Compact on Mental Health	0
• Number Placed without Compact Use	62
• Number Placed with Compact Use Unknown	0
TOTALS	
Number of CHILDREN Placed Out of State	151
Number of CHILDREN Placed with Compact Use	13
Number of CHILDREN Placed without Compact Use	137
Number of CHILDREN Placed with Compact Use Unknown	1

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

A graphic summarization of the findings about compact use among Connecticut school districts is illustrated in Figure 07-4. The figure illustrates the percentage of the 151 children who had non-compact-arranged placements and those for whom compact use was undetermined.

FIGURE 07-4. CONNECTICUT: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978



State agencies reporting out-of-state placements were also asked to provide information on utilization of interstate compacts for these placements. Table 07-14 illustrates the information provided. Understandably, the DCYS compact office reported all 66 placements made in 1978 were processed through a compact. In contrast, the Department of Education reported no utilization of a compact for the 151 reported local placements. This information conflicts with the nine percent use reported by local school districts shown on the two preceding tables and Figure 07-4.

Eighteen of the 48 state juvenile justice placements, or 38 percent, were reported to have been processed through a compact, a point to remember in considering the possibility of the DYCS compact office information duplicating some of these juvenile justice placements (see the discussion of Table 07-2). No compact utilization was reported for the four placements made by the state mental retardation agency (DMR).

TABLE 07-14. CONNECTICUT: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare, Juvenile Justice, Mental Health	Education	Juvenile Justice	Mental Retardation
Total Number of State and Local Agency-Arranged Placements	66	151	48	4
Total Number of Compact-Arranged Placements Reported by State Agencies	66	0	18	0
Percentage of Compact-Arranged Placements	100	0	38	0

E. The Out-of-State Placement Practices of State Agencies

It was pointed out earlier that out-of-state placements by public agencies in Connecticut are primarily a state agency level phenomenon. Table 07-15 helps to illustrate the ability of these state agencies to report the type and extent of their involvement in such placements. Of course, the information reported for the DCYS, the state children's services agency, was gathered by a manual search of agency compact records and, therefore, helped assure the completeness of the data for that agency.

An interesting aspect of an agency's ability to report placement involvement occurs in the Connecticut education sector. The state education agency reported not being directly involved in any out-of-state placements, but reported local school districts placed 121 children using state funds and that they made no other placements to the state's knowledge. This number of placements does not concur with the total number of 151 placements reported by local agencies when they were individually surveyed (see Tables 07-2 and 07-3). This discrepancy may be due to the local agencies not requesting state reimbursement for a placement and not seeking Department of Education approval, as required by DOE regulation.

The survey of the state courts hearing juvenile matters resulted in several gaps in the collected information. This is primarily due to the manner in which the data was collected, rather than the inability of the state courts to report. In total, these courts reported being involved in 48 out-of-state placements. Finally, Table 07-15 reflects the inability of the state mental retardation agency (DMR) to report what type of involvement they had in placing four children out of Connecticut in 1978.

TABLE 07-15. CONNECTICUT: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare, Juvenile Justice, Mental Health	Education	Juvenile Justice	Mental Retardation
State Arranged and Funded	19	0	0	*
Locally Arranged but State Funded	--	121	--	--
Court Ordered, but State Arranged and Funded	6	0	*	0
Subtotal: Placements Involving State Funding	25	121	*	*
Locally Arranged and Funded, and Reported to State	--	0	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	29	0	*	0
Other	12	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	66	121	48	4

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 07-16 gives the destinations of children placed out of state and reported by Connecticut state agencies. All agencies surveyed were able to report on at least some of the children placed out of Connecticut. The one child welfare/juvenile justice/mental health placement which could not be reported on was due to an Academy oversight in the manual search of state records. These DCYS-reported placements have a high concentration in the states surrounding Connecticut, with 22 of the 65 children reported placed in the contiguous states of Massachusetts, New York, and Rhode Island. In fact, these first two states rank one and two in number of children received from DCYS. Looking at the larger geographic area around this relatively small sending state, over 52 percent of the DCYS placements were made to the New England states, New York, and New Jersey. More distant placements were made, in order of frequency, to North Carolina, Florida and Missouri, Virginia, California and Georgia. A number of states outside the immediate region each received a child from the Connecticut DYCS: Illinois, Maryland, Ohio, Pennsylvania, South Carolina, and Utah.

The state Department of Education was able to provide information about the destinations of 60 percent of the placements they reported funding for local school districts in 1978. However, a comparison to Table 07-8 shows some large differences in state and locally supplied information.

The survey of state courts hearing juvenile matters resulted in destination information for 79 percent of the reported placements. The method of data collection used to obtain this information accounts for the unavailable destinations. New York and Maine were reported to be the most frequently used states for out-of-state placement, with an estimated 11 and nine children, respectively, received from Connecticut courts. As many as five and as few as two placements were reported to be made to Massachusetts, Florida, New Hampshire, and Rhode Island. Illinois, Pennsylvania, and Virginia each received at least one Connecticut court placement. Finally, one child was placed in Canada by a reporting agency.

All four placements made by the Department of Mental Retardation were reported to be made to states within the surrounding region, including two to Massachusetts and one to New York, both contiguous states.

TABLE 07-16. CONNECTICUT: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed			
	Child Welfare, Juvenile Justice, Mental Health	Education	Juvenile Justice	Mental Retardation
California	3			0
Florida	5		4	0
Georgia	2			0
Illinois	1		1	0
Maine	7	14	9	0
Maryland	1			0
Massachusetts	11	25	5	2
Missouri	5			0
New Hampshire		4	3	0
New Jersey	3	3		0
New York	10	6	11	1
North Carolina	6			0
Ohio	1			0
Pennsylvania	1	13	1	0
Rhode Island	1	4	2	0
South Carolina	1			0
Texas		1		0
Utah	1			0
Vermont	2	3		1
Virginia	4		1	0
Canada			1	0
Placements for Which Destinations Could Not be Reported by State Agencies	1	48	10	0
Total Number of Placements	66	121	48	4

A wide range of conditions were reported to describe the types of children placed out of state by DCYS. Considering the agency's service capabilities as the unified children's services agency for the state, it is not surprising to see the responses on Table 07-17 for this agency. What is of interest to note is the only two categories which were not responded to: physically handicapped children and pregnant girls. The state Department of Education reports this first condition to be among the children local school districts placed out of state, along with mentally handicapped, developmentally disabled, and emotionally disturbed.

The state courts' responses to this information request reflect the traditional types of children usually serviced by the juvenile justice system, and includes emotionally disturbed children, which DCYS and the state education agency also reported to be among the placements made out of state. Mentally retarded children were the only category responded to by the state mental retardation agency.

TABLE 07-17. CONNECTICUT: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]			
	Child Welfare, Juvenile Justice, Mental Health	Education	Juvenile Justice	Mental Retardation
Physically Handicapped	0	X	0	0
Mentally Handicapped	X	X	0	X
Developmentally Disabled	X	X	0	0
Unruly/Disruptive	X	0	X	0
Truants	X	0	X	0
Juvenile Delinquents	X	0	X	0
Emotionally Disturbed	X	X	X	0
Pregnant	0	0	X	0
Drug/Alcohol Problems	X	0	X	0
Battered, Abandoned, or Neglected	X	0	X	0
Adopted Children	X	0	0	0
Foster Children	X	0	0	0
Other	0	0	0	0

a. X indicates conditions reported.

The state agencies were asked to report the type of out-of-state residential setting used most frequently in 1978. The state child welfare/juvenile justice/mental health agency (DCYS) reported that adoptive homes were most often used for children's placement in that year. The state education agency responded similarly to the local school districts, saying residential treatment on child care facilities was utilized most often. The state mental retardation agency also reported this facility type to be most frequently used. Again, due to the method of data collection among the state courts, this information was not generally obtained.

None of the state agencies were able to report the amount and source of public money used to place children outside of Connecticut. The DCYS case file manual search did not result in this information because financial records are not kept in the compact office.

F. State Agencies' Knowledge of Out-of-State Placements

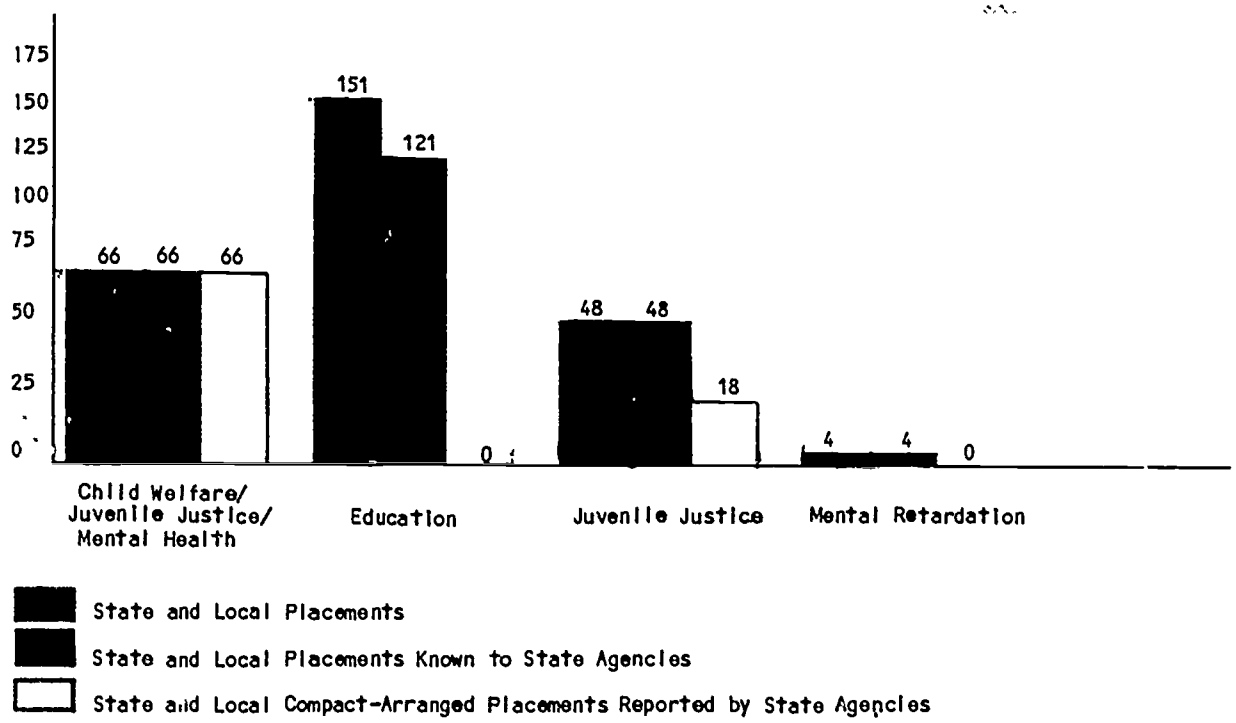
As a final review, Table 07-18 offers the incidence of out-of-state placement reported by Connecticut public agencies and the number of children placed out of state of which the state agencies had knowledge. Again, because of the primary involvement of Connecticut state-level agencies in children's services, only the education sector reflects an incomplete knowledge (80 percent) by the state agency.

TABLE 07-18. CONNECTICUT: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare, Juvenile Justice, Mental Health	Education	Juvenile Justice	Mental Retardation
Total Number of State and Local Agency Placements	66	151	48	4
Total Number of Placements Known to State Agencies	66	121	48	4
Percentage of Placements Known to State Agencies	100	80	100	100

The discrepancy in state and local agency placement incidence reporting is illustrated in Figure 07-5, along with each state agency's compact utilization information.

FIGURE 07-5. CONNECTICUT: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

A review of the information obtained from Connecticut state and local agencies about their involvement in out-of-state placement brings forward several factors of interest. The overall ability of all agencies contacted to report about their involvement in such placements was high. Even the use of an Academy staff member to conduct a manual search of DCYS records was based more on the compact office's shortage of staff time than the availability of information. A few other conclusions about the survey findings in Connecticut follow.

- The majority of children sent out of state, for whom destinations were available, were sent to states in the geographic region surrounding Connecticut.
- The Department of Education and local school districts reported conflicting information about the out-of-state placement of children, including their numbers, destinations, conditions, and utilization of interstate compacts.
- Local education agencies reported a frequent use of residential treatment or child care facilities but a low utilization of interstate compacts for the arrangement of these placements. This finding is peculiar because placements in residential treatment or child care facilities are subject to compact provisions.
- State courts hearing juvenile matters reported an infrequent use of interstate compacts for the placement or transfer of probation supervision of a child.
- A wide range of children are placed out of state by the Department of Children and Youth Services and the local Connecticut school districts. In addition, three agency service types reported placing emotionally disturbed children out of state.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Connecticut in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN DELAWARE

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Carl Haltom, Director for Exceptional Children, Special Program Division, Department of Public Instruction; Lyn Doto, Deputy Compact Administrator, Bureau of Children and Youth Services, Division of Social Services, Department of Health and Social Services; Sam Marvil, Deputy Administrator, Bureau of Juvenile Corrections, Department of Corrections; Stowell Kessler, Compact Coordinator, Bureau of Juvenile Corrections, Department of Corrections; Robert C. Feeney, Deputy Compact Administrator, Division of Mental Health, Department of Health and Social Services; and Warren J. Gehrt, Director, Division of Mental Retardation, Department of Health and Social Services.

II. METHODOLOGY

Information was systematically gathered about Delaware from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Delaware appears below in Table 08-1.

TABLE 08-1. DELAWARE: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type: Child Welfare	Education	Juvenile Justice I	Juvenile Justice II	Mental Health	Mental Retardation
State Agencies	Telephone Interview Mailed Survey: DHSS officials	Telephone Interview Mailed Survey: DPI officials	Telephone Survey: All 3 state family courts	Telephone Interview Mailed Survey: DOC officials	Telephone Interview Mailed Survey: DHSS officials	Telephone Interview Mailed Survey: DHSS officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of school districts to verify state information[a]	Not Applicable (State Offices)	Not Applicable (State Offices)	Not Applicable (State Offices)	Not Applicable (State Offices)

a. Information attributed in this profile to the state's school districts was gathered from the state education agency and the ten percent sample.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Delaware ranks 49th in land area (1,982 square miles) and is the 47th most populated state (579,405) in the United States. It has three counties: Kent, New Castle, and Sussex. The distribution of the population varies significantly, with nearly two-thirds of the state's population residing in New Castle County (Wilmington). Delaware has four cities with populations over 10,000: Dover (the capital), Elsmere, Newark, and Wilmington. The 1978 estimated population of persons eight to 17 years old was 107,415.

Delaware has one Standard Metropolitan Statistical Area (SMSA) that includes a portion of two contiguous states: New Jersey and Maryland (includes New Castle County, Delaware). Approximately 60 percent of Delaware's total population lives in its one SMSA. The only other contiguous state is Pennsylvania.

Delaware was ranked ninth nationally in total state and local per capita expenditures, fifth in per capita expenditures for education, and 23rd in per capita expenditures for public welfare.[1]

B. Child Welfare

Child welfare is a state-operated service in Delaware. The Department of Health and Social Services (DHSS) administers all social and health services in Delaware through regional offices located in each of the state's three counties. The primary agency responsible for child welfare services is the Bureau of

Children and Youth Services (BCYS) in the Division of Social Services. The bureau manages the purchase of services, including day care, child protective services, foster care, and placement under Title XX of the Social Security Act. All out-of-state placements must be made through the Interstate Compact on the Placement of Children (ICPC), which Delaware adopted in 1969.

C. Education

Delaware's Department of Public Instruction (DPI) has the major responsibility for its educational system. Within DPI is the Special Program Division (SPD), which is directly involved with the placement of children in other states. Delaware's mandatory special education law requires the DPI to approve and fund all out-of-state placements.

Delaware's 16 school districts provide special education services in addition to the normal curriculum for K-12. The school districts are not restricted from placing children out of state. The local school district submits an application to SPD for out-of-state placements. A DPI private placement committee reviews the request and makes a recommendation to the Board of Education. Since the state is required to pay for all out-of-state placements, it was reported it would be highly unlikely that a school district would pay for such a placement from its own funds and not gain state approval.

D. Juvenile Justice

Juvenile justice is a state-run system in Delaware. The Department of Correction's Bureau of Juvenile Corrections is responsible for providing detention and aftercare services for juvenile delinquents. The bureau runs a state training school for boys and three service centers, one for each county.

The state-operated family court system administers probation services in addition to adjudicating juvenile and family matters. Youths may be placed on probation with officers of the family court or they may be committed to the Bureau of Juvenile Corrections' Office of Community Based Services, which operates the three county service centers.

The Department of Corrections (DOC) is reportedly limited in making out-of-state placements because no funds are available for such purposes. All out-of-state placements are reported to be made pursuant to the provisions of the Interstate Compact on Juveniles (ICJ). Delaware has been a member of this compact since 1953.

E. Mental Health and Mental Retardation

Mental health and mental retardation services are the responsibility of the Department of Health and Social Services' (DHSS) Divisions of Mental Health and Mental Retardation. The state operates a state hospital for the mentally ill and a hospital for the mentally retarded. In addition, the Division of Mental Retardation monitors and operates 10 nonresidential centers for mentally retarded children. The Division of Mental Health provides a range of community-based treatment and diagnostic services through its local mental hygiene centers.

All applicable out-of-state placements are made through the Interstate Compact on Mental Health (ICMH). Delaware has been a member of the compact since 1962.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The major findings derived from the survey of state and local agencies are generally presented in a tabular manner with some accompanying explanatory and descriptive remarks. Throughout the following discussion, a clear demarkation is maintained between state agencies and local agencies, in addition to the types of services for which the agencies are responsible. For example, juvenile justice services in Delaware are the responsibility of two state-level agencies: the family court system and the Department of Corrections. In tables reporting information supplied by these agencies, the state courts have been designated as Juvenile Justice I, and the Department of Corrections appears as Juvenile Justice II.

A. The Number of Children Placed in Out-of-State Residential Settings

For a general perspective on the 1978 incidence of out-of-state placements for children, the reader is encouraged to review Table 08-2. An overview is given in Table 08-2 of the total number of children reported placed out of state in 1978 by both state and local agencies, by agency type. The table shows that a total of 83 out-of-state placements were reported; however, not all agencies supplied the information requested. Specifically, the Bureau of Children and Youth Services (BCYS) data was unavailable in a form suited to the study's requirements. All other agencies, both state and local, were able to report the number of out-of-state placements arranged by them in 1978. Education agencies reported arranging the largest number of out-of-state placements with 45, and 84 percent of those placements were arranged by school districts. Most of the other placements involved the state juvenile justice agencies, which reported 32, and the remaining six children were placed out of state by the Division of Mental Retardation.

TABLE 08-2. DELAWARE: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type						
	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Health	Mental Retardation	Total
State Agency Placements[b]	*	7	11	21	0	6	45
Local Agency Placements	--	38	--		--	--	38
Total	*	45	32		0	6	83

-- denotes Not Applicable.
* denotes Not Available.

a. Juvenile Justice I indicates data reported by the Delaware family courts and Juvenile Justice II indicates data reported by the Delaware Department of Corrections.

b. May include placements which the state agency arranged and funded independently or under a court order; arranged but did not fund; helped arrange; and others directly involving the state agency's assistance or knowledge. Refer to Table 08-9 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 08-3 illustrates the number of children reported placed out of state by seven school districts according to the county within which the school districts have jurisdiction. The 1978 estimated population of persons eight to 17 years old is also given in order to examine the relationship between population and the incidence of out-of-state placements. It is important to bear in mind that the jurisdiction

of school districts contacted is smaller than the counites containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all within them. The table indicates that the county with the largest juvenile population, New Castle, placed 31 of the 38 children reported to have left the state. All of these children were placed by the single school district which serves New Castle County. New Castle County is the only SMSA county in the state and contains the only major city, Wilmington.

TABLE 08-3. DELAWARE: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Education
Kent	17,797	3
New Castle	73,142	31
Sussex	16,476	4
Total Number of Placements Arranged by Local Agencies		38
Total Number of Local Agencies Reporting		16

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

As shown in Table 08-4, the results from the survey includes 16 local school districts, seven or 44 percent of which placed children out of state in 1978. All school districts are represented in the survey and were able to report their involvement in out-of-state placements in 1978.

TABLE 08-4. DELAWARE: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type Education
Agencies Which Reported Out-of-State Placements	7
Agencies Which Did Not Know if they Placed, or Placed but Could Not Report the Number of Children	0
Agencies Which Did Not Place Out of State	9
Agencies Which Did Not Participate in the Survey	0
Total Local Agencies	6

The reason given by all local school districts which did not place children out of state in 1978 was that sufficient services were available in Delaware to meet their service needs (see Table 08-5).

TABLE 08-5. DELAWARE: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State	Number of Local AGENCIES, by Reported Reason(s) Education
Lacked Statutory Authority	0
Restricted	0
Lacked Funds	0
Sufficient Services Available in State	9
Other	0
Number of Agencies Reporting No Out-of-State Placements	9
Total Number of Agencies Represented in Survey	16

Each of the seven local school districts which placed children out of state cooperated with the Department of Public Instruction, which corresponds with Delaware's special education law requiring the DPI to approve and fund all out-of-state placements contemplated by school districts.

The types of children placed out of state by Delaware school districts are indicated in Table 08-6. This table indicates that most school districts placed children who were determined to have special education needs, while mention was also made of placing children with mental or multiple handicaps, and children who were unruly or disruptive.

TABLE 08-6. DELAWARE: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting Education
Physically Handicapped	0
Mentally Retarded or Developmentally Disabled	1
Unruly/Disruptive	1
Truant	0
Juvenile Delinquent	0
Mentally Ill/Emotionally Disturbed	1
Pregnant	0
Drug/Alcohol Problems	0

TABLE 08-6. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting Education
Battered, Abandoned, or Neglected	0
Adopted	0
Special Education Needs	5
Multiple Handicaps	1
Other	0
Number of Agencies Reporting	7

a. Some agencies reported more than one type of condition.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Delaware's state profile. Wherever references were made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local Delaware agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 08-1. This figure shows that one of the seven placing school districts was a Phase II agency. Further, it can be seen that there were 31 children reported placed out of state by this Phase II school district which equalled 82 percent of all placements arranged by local school districts. Clearly, the detailed information to be reported on the practice of Phase II agencies is descriptive of the majority of out-of-state placements arranged by Delaware's local school districts in 1978.

FIGURE 08-1. DELAWARE: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Education
Number of AGENCIES	16
Number of AGENCIES Reporting Out-of-State Placements in 1978	7
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	1
Number of CHILDREN Placed Out of State in 1978	38
Number of CHILDREN Placed by Phase II Agencies	31
Percentage of Reported Placements in Phase II	82

The Phase II school district was asked to report the destination of the 31 children, but it could not supply this information. The state education agency did, however, report these destinations and they will appear later in Table 08-10. Additional questions were asked of the Phase II local school district, one of which was to determine the agency's reasons for arranging out-of-state placements. Table 08-7 indicates that this school district reportedly placed children into other states because children failed to adapt to programs in Delaware and because the state lacked services comparable to other states which were used for placement. This school district further noted that previous success experienced with out-of-state programs also acted as an incentive to place children out of Delaware.

TABLE 08-7. DELAWARE: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting Education
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0
Previous Success with Receiving Facility	1
Sending State Lacked Comparable Services	1
Standard Procedure to Place Certain Children Out of State	0
Children Failed to Adapt to In-State Facilities	1
Alternative to In-State Public Institutionalization	0
To Live with Relatives (Non-Parental)	0
Other	0
Number of Phase II Agencies Reporting	1

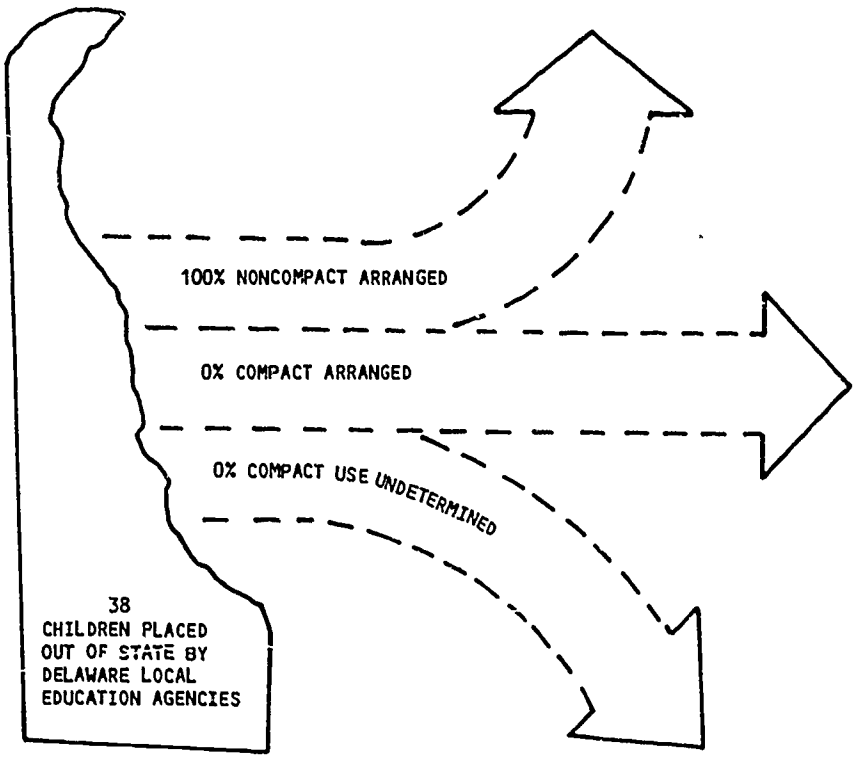
a. Agency reported more than one reason for placement.

The type of setting most frequently selected to receive the children placed out of state by this district was one designed for residential treatment or child care. To monitor the child's progress in these residential facilities or other settings receiving the children, the school district required quarterly written progress reports. School district personnel reported using this method of monitoring to the exclusion of on-site visits, telephone calls, or other methods to follow up on children's progress. A final question was asked about total public expenditures for the 31 placements. The school district reported that no local education funds were spent on out-of-state placements, which is in accord with the description of the state funding process for such placements described in section III.

D. Use of Interstate Compacts by State and Local Agencies

None of the seven school districts which placed children out of state arranged the placements through an interstate compact. This practice may have resulted from a number of factors, but was probably due to the lack of compact provisions for placements in facilities primarily educational in nature. Figure 08-2 provides a graphic representation of the findings about compact utilization for children placed out of state by the local education agencies.

FIGURE 08-2. DELAWARE: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1976



Findings concerning the utilization of interstate compacts as reported by Delaware state agencies is given in Table 08-8. An examination of the state's child welfare agency is not possible because the Bureau of Children and Youth Services could not provide the requested information. In contrast, the Department of Public Instruction reported that no compacts were used to placed 45 children out of state in 1978. This finding is similar to that reported for local agencies, displayed in Figure 08-2. Table 08-8 also illustrates that the Department of Corrections (Juvenile Justice II) reported all 21 out-of-state placements involving that agency were processed through a compact. However, due to the method of data collection from the state courts (Juvenile Justice I), it could only be determined that at least eight children placed out of Delaware by these courts (or 73 percent) had their placements arranged through a compact in 1978.

Finally, this table shows that the Division of Mental Retardation did not use an interstate compact for its six placements in other states.

TABLE 08-8. DELAWARE: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Retardation
Total Number of State and Local Agency-Arranged Placements	*	45	11	21	6
Total Number of Compact-Arranged Placements Reported by State Agencies	*	0	8[b]	21	0
Percentage of Compact-Arranged Placements	*	0	73	100	0

* denotes Not Available.

a. Juvenile Justice-I indicates data reported by the Delaware family courts and Juvenile Justice II indicates data reported by the Delaware Department of Corrections.

b. Information was collected from the Delaware family courts in a manner which did not result in full determination of compact utilization.

E. The Out-of-State Placement Practices of State Agencies

In that the majority of youth services are provided by Delaware state agencies, the willingness and capability of these agencies to report their involvement in arranging out-of-state placements was critical to the survey. The extent to which the state agencies described their involvement in out-of-state placements is summarized in Table 08-9. As can be seen, the Bureau of Children and Youth Services was the only agency which could not respond to the study's request for this information. The remaining state agencies could report their specific involvement and the total number of children placed out of state with their assistance or knowledge.

Further review of Table 08-9 reveals that the DPI funded a total of 39 out-of-state placements in 1978 — 38 were arranged by school districts and one was court ordered but arranged and funded by the DPI. This agency also helped arrange another placement and reported knowledge of an additional five out-of-state placements, included in the total of 45 placements, in which the agency was not directly involved.

Delaware family courts arranged and funded the placement of 11 children in other states. Although its involvement did not include the expenditure of state revenue, the Department of Corrections helped to arrange 21 out-of-state placements. Finally, it can be observed in Table 08-9 that the Division of Mental Health was not involved in arranging any out-of-state placements in 1978; however, the related state agency responsible for mental retardation was involved in six such placements.

TABLE 08-9. DELAWARE: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Improvement	Number of CHILDREN Reported Placed during 1978 by State Agenices: Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Health	Mental Retardation
State Arranged and Funded	*	0	0	0	0	3
Locally Arranged but State Funded	---	38	--	--	--	--
Court Ordered, but State Arranged and Funded	*	1	11	0	0	0
Subtotal: Placements Involving State Funding	*	39	11	0	0	3
Locally Arranged and Funded, and Reported to State	---	0	--	--	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	1	0	21	0	3
Other	0	0	0	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[b]	*	45	11	21	0	6

* denotes Not Available.
-- denotes Not Applicable.

a. Juvenile Justice I indicates data reported by the Delaware family courts and Juvenile Justice II indicates data reported by the Delaware Department of Corrections.

b. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 08-10 displays the destinations of children placed out of state with the involvement of Delaware state agencies. The state family courts, Department of Corrections, and the Bureau of Children and Youth Services did not report this information. However, the Department of Corrections reported that Florida, Maryland, and Pennsylvania were generally the destinations of children known to have been out of state.

The Department of Public Instruction indicated that states contiguous to Delaware received most out-of-state placements known to the agency. Seventy-eight percent of the education placements went to border states, especially Pennsylvania and Maryland. The remaining ten children went primarily to states in New England, and the two most distant placements were to Illinois and Texas. The Division of Mental Retardation also relied primarily upon contiguous states, and then Massachusetts, for the placements the agency arranged for children in 1978.

TABLE 08-10. DELAWARE: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed				
	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Retardation
Illinois		1			
Maine		2			
Maryland		13			3
Massachusetts		2			1
New Jersey		1			
Pennsylvania		21			2
Rhode Island		4			
Texas		1			
Placements for Which Destinations Could Not be Reported by State Agencies	All	0	All	All	0
Total Number of Placements	*	45	11	21	6

* denotes Not Available.

a. Juvenile Justice I indicates data reported by the Delaware family courts and Juvenile Justice II indicates data reported by the Delaware Department of Corrections.

The types of children placed out of state with the involvement of state agencies is indicated in Table 08-11. Once again, BCYS did not report this information. The DPI reported placing children who were unruly or disruptive, in addition to having mental or emotional impairments. Courts placed juvenile delinquents and battered, abandoned, or neglected children, while the Department of Corrections was involved primarily with the placement of juvenile delinquents and unruly/disruptive children out of Delaware. The Division of Mental Retardation reported placing children who were mentally handicapped.

TABLE 08-11. DELAWARE: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]				
	Child Welfare	Education	Juvenile Justice[b] I	Juvenile Justice[b] II	Mental Retardation
Physically Handicapped	--	0	0	0	0
Mentally Handicapped	--	X	0	0	X
Developmentally Disabled	--	0	0	0	0
Unruly/Disruptive	--	X	0	X	0
Truants	--	0	0	0	0
Juvenile Delinquents	--	0	X	X	0
Emotionally Disturbed	--	X	0	0	0
Pregnant	--	0	0	0	0
Drug/Alcohol Problems	--	0	0	0	0
Battered, Abandoned, or Neglected	--	0	X	0	0
Adopted Children	--	0	0	0	0
Foster Children	--	0	0	0	0
Other	--	0	0	0	0

-- denotes Not Available.

a. X indicates conditions reported.

b. Juvenile Justice I indicates data reported by the Delaware family courts and Juvenile Justice II indicates data reported by the Delaware Department of Corrections.

State agencies were also asked to describe the category of placement which most frequently received children placed out of state with their involvement. While this type of information was not reported by the BCYS, the other state agencies could describe the category of placement most frequently used for children leaving the state.

The DPI and the DHSS' Division of Mental Retardation reported most frequently sending children to residential treatment settings or child care institutions. In contrast, the family courts and the Department of Corrections said that children placed out of Delaware most frequently went to stay with relatives.

The state agencies were further asked to report the amount of public expenditures spent for the out-of-state placements known to them. Table 08-12 indicates that public expenditures could be reported by each of the state agencies, except BCYS. A total of $527,000 in state funds were spent for the education placements. No other public expenditures were reported for these placements. This finding is consistent with the funding restriction stated in the Delaware education law mentioned earlier.

It is of interest to note that the Department of Corrections reported $313 in local funds, despite the fact that youth services are a state government function. It is possible that the reported funds represent local agencies that DOC cooperated with in arranging such placements. Another explanation is that DOC uses a different definition of "local" and therefore reported on the expenditures of the courts or its regional offices. Unfortunately, expenditure information was not collected from the state courts. However, the sum should be relatively minimal considering that most of the placements arranged by these agencies were in the homes of relatives.

Table 08-12 also reveals that the Division of Mental Retardation reported expending $36,000 in 1978 for the three placements arranged and funded by the agency. Obviously, the costs associated with placements in residential treatment centers are relatively significant.

TABLE 08-12. DELAWARE: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures by AGENCY				
	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Health and Retardation
• State	*	$527,000 est	*	0	$36,000
• Federal	*	0	*	0	0
• Local	*	0	*	$313	0
• Other	*	0	*	0	0
Total Reported Expenditures	*	$527,000	*	$313	$36,000

* denotes Not Available.

a. Juvenile Justice I indicates data reported by the Delaware family courts and Juvenile Justice II indicates data reported by the Delaware Department of Corrections.

F. State Agencies' Knowledge of Out-of-State Placements

Table 08-13 reviews the out-of-state placement involvement of Delaware public agencies and each state agency's knowledge of this placement activity. The state child welfare agency's inability to report its own 1978 incidence of placement has already been discussed in the previous section of this profile. The state education agency was the only Delaware public agency at this level of government which has local service counterparts. Again, this state agency supplied accurate information about local school districts' 1978 placement activity.

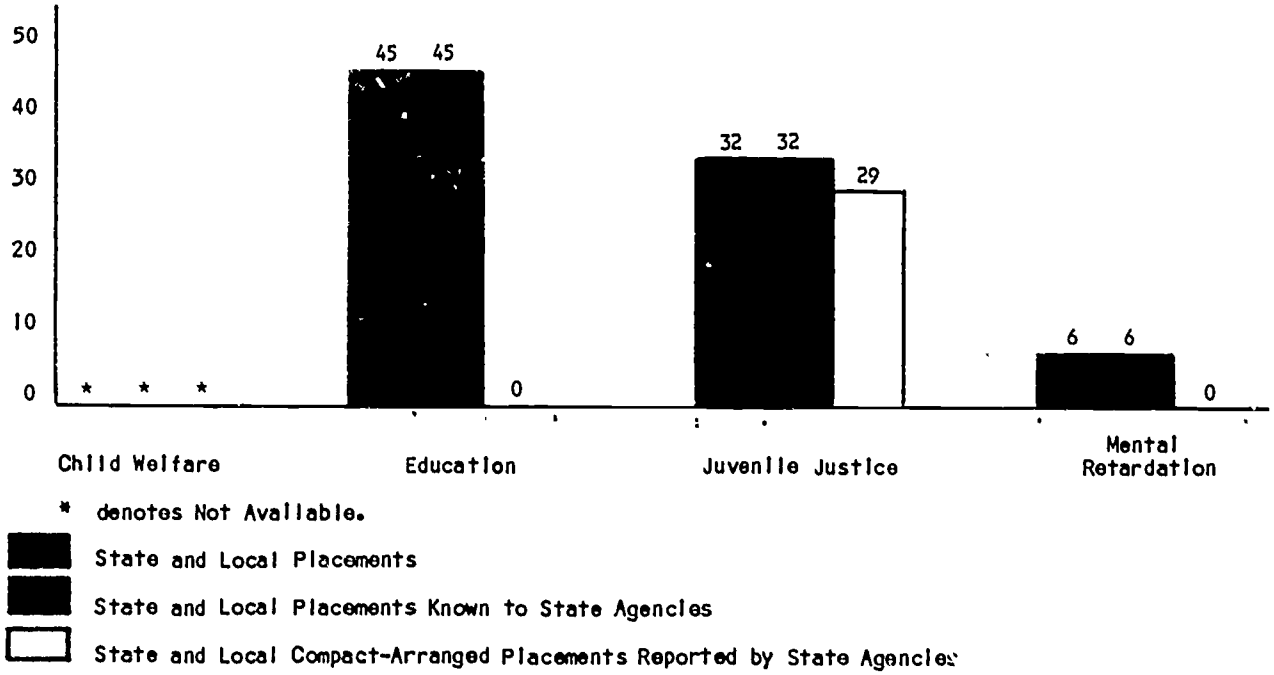
TABLE 08-13. DELAWARE: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Total Number of State and Local Agency Placements	*	45	32	0	6
Total Number of Placements Known to State Agencies	*	45	32	0	6
Percentage of Placements Known to State Agencies	*	100	100	100	100

* denotes Not Available.

Because state agencies are responsible for interstate compact administration, their report of 1978 compact utilization is of interest to this study as a source of two forms of information. First, those state agencies which are the sole public source of services for the state's children provide the only compact utilization information for that service type. In Delaware, this information was not available from the child welfare agency, while the Department of Corrections and the family courts reported 29 of the 32 children placed out of state were processed through a compact and the state mental retardation agency reported no compact utilization in 1978.

FIGURE 08-3. DELAWARE: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



When local agencies also exist in the service type, state agencies are providing a comparative piece of information which reflects the extent of state government's knowledge of interstate compact use among local agencies. In this case, both the Delaware state and local education agencies reported no compact utilization.

V. CONCLUDING REMARKS

Several conclusions can be made from the foregoing information about Delaware public agencies and their out-of-state placement practices. Those which are most emergent from the findings follow.

- The BCYS did not respond to the study's request for information about the agency's practices in out-of-state placement of children. Therefore, the total incidence of out-of-state placements arranged by Delaware public agencies and other information given in this profile is incomplete.

- At the local level, the most out-of-state placement activity occurred in New Castle County, where one local school district arranged 31 placements, accounting for over 80 percent of the total reported placements by local school districts.

- Only a small number of the out-of-state placements arranged by the Department of Public Instruction and Division of Mental Retardation include states at great distances from Delaware. In general, children are sent into neighboring states.

- The DPI was found to effectively regulate the out-of-state placement practices of local school districts through the existing policies and funding incentives. All information reported among the sample of school districts was consistent with state-reported data.

- Several children were placed out of state without having compact-arranged placements. A lack of compact utilization was discovered for all placements arranged by public education and mental retardation agencies, and for some of those arranged by the state courts.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Delaware in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTES

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN MAINE

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Emma MacDonald, Special Education Division, Department of Education and Cultural Services; Edgar Merrill, Interstate and Education Specialist, Department of Human Services; and Peter Tilton, Assistant Director, Division of Probation and Parole, Department of Mental Health and Corrections.

II. METHODOLOGY

Information was systematically gathered about Maine from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Maine appears below in Table 20-1.

TABLE 20-1. MAINE: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone Interview Mailed Survey: DHS officials	Telephone Interview Mailed Survey: DECS officials	Telephone Interview Mailed Survey: DMHC officials	Telephone Interview Mailed Survey: DMHC officials	Telephone Interview Mailed Survey: DMHC officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of the 164 school districts to verify state information[a]	Not Applicable (State Offices)	Not Applicable (State Offices)	Not Applicable (State Offices)

a. Information attributed in this profile to the state's school districts was gathered from the state education agency and the ten percent sample.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Maine has the 39th largest land area (30,920 square miles) and is the 38th most populated state (1,057,955) in the United States. It has 16 cities with populations over 10,000 and three cities with populations over 25,000. Portland is the largest city in the state with an approximate population of 60,000. Augusta, the capital city, is the sixth most populated city in the state. It has 16 counties. The estimated 1978 population of persons eight to 17 years old was 193,979.

Maine has two Standard Metropolitan Statistical Areas (SMSAs), Lewiston-Auburn (includes Androscoggin County) and Portland (includes Cumberland County). Its only border state is New Hampshire, but it is also contiguous to Canada.

Maine was ranked 34th nationally in total state and local per capita expenditures, 48th in per capita expenditures for education, and 14th in per capita expenditures for public welfare.[1]

B. Child Welfare

Maine's Department of Human Services (DHS) is responsible for providing child welfare services to children and youth in all of the 16 counties through five regional offices located in Portland, Lewiston, Augusta, Bangor, and Houlton. The main agency administering these programs is the department's Bureau of Resource Development (BRD). BRD programs include child protective services, foster care, day care, and adoption.

Maine's five DHS regional offices request the out-of-state placement of children through the Interstate Compact on the Placement of Children (ICPC). Maine has been a member of the compact since 1961.

C. Education

Maine's Department of Education and Cultural Services (DECS) has the major responsibility for its educational system. Within DECS is the Special Education Division, which is directly involved with the placement of children in other states.

Maine's 154 local school districts have responsibility for providing special education as well as the normal curriculum for grades K-12. All out-of-state placements by Maine local school districts must be approved by the DECS. Approval for an out-of-state home or facility placement is usually given after it has been determined by a Pupil Evaluation Team that the needed service is not available in Maine. The standard per pupil costs for these local school district placements is reimbursable by the state upon request. It has been reported that out-of-state placements not involving public funds are not necessarily reported to the state.

D. Juvenile Justice

The detention and rehabilitation of juvenile offenders is the responsibility of the Department of Mental Health and Corrections (DMHC). Adjudicated delinquent youth are referred by local district courts to the department's Bureau of Corrections, which operates a single juvenile detention facility. The bureau's Division of Probation and Parole has five regional offices which handle juvenile probation and parole for the entire state. These offices also are responsible for the intake of juvenile court cases and for programs to divert youthful offenders from institutionalization. The diversion programs use private resources for the placement of children and for programs operated by the Department of Human Services' Bureau of Resource Development.

Maine's local district courts do not have funds for the out-of-state placement of children. Consequently, all out-of-state placements are coordinated at the state level. The DMHC reported that local courts could not place children out-of-state without reporting the information to their agency. Maine uses the Interstate Compact on Juveniles (ICJ) to facilitate and coordinate the out-of-state placement of children. Maine has been a member of the compact since 1955.

E. Mental Health

The administration and supervision of children's mental health services in Maine is the responsibility of the Office of Children's Services (OCS) within the Department of Mental Health and Corrections. OCS, which was formerly within the Bureau of Mental Health, functions much as the other three bureaus within the department, though lacking that official legislative designation. In this role, it provides services to children across bureau lines, spending an estimated 80 percent of its time administering state and federally funded children's mental health programs, 15 percent of its time coordinating delinquency prevention efforts with the Bureau of Corrections and administering grants towards that purpose, and five percent of its time providing planning and technical assistance services to the Bureau of Mental Retardation.

The office funds children's services in the eight private nonprofit mental health centers in the state, four by direct children services grants and four through funds provided for the overall mental health center program plan, which includes children's services. Each of the private nonprofit centers has a children's services director which relates to the office in a relationship of consultation and assistance. The four program areas supported by the office and operated by the center include residential treatment, family treatment, early intervention, and prevention.

The office approves and funds out-of-state placement of children needing mental health treatment, most often in conjunction with the Department of Education and Cultural Services, paying only for the mental health treatment component of children's placement services. It also consults with the state education agency with regard to mental health treatment concerns raised in out-of-state placement decisionmaking and arranging by that agency.

The office licenses all private facilities providing mental health services to children in Maine and operates two state institutions.

All applicable out-of-state placements are reported to be made through the Interstate Compact on Mental Health (ICMH), which is administered by the Bureau of Mental Health. Maine has been a member of the compact since 1957.

F. Mental Retardation

The Bureau of Mental Retardation within the Department of Mental Health and Corrections provides services to mentally retarded children in Maine, primarily to the point of their entry into the public school system. The bureau then yields to the education system which then takes responsibility for these services under the state's special education program.

During the preschool years, the bureau provides diagnostic, advocacy, and in-home training services to mentally handicapped children and their families and it continues advocacy activities after the children enter school.

The bureau has six regional offices and operates three state institutions with a total capacity of about 390 beds. The largest of these institutions has 340 beds. Most direct services to children are provided at the local level by approximately 30 private, not-for-profit subcontractors which are substantially funded by the bureau and subject to its program standards and monitoring.

The placement of mentally retarded children in out-of-home settings, in or out of Maine, was reported to be discouraged by the bureau, except when they are necessary. The receiving setting must be discussed with the Department of Human Services and approved by the bureau. Out-of-state placements were reported to be approved only after in-state resources have been ruled out as appropriate for a particular child. Bureau officials reported that placements out of Maine are nearly always undertaken in conjunction with either the Departments of Human Services or Education and Cultural Services.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The responses of Maine state and local agencies to the survey on out-of-state placement practices are included in this section of the profile in tabular form, accompanied by some descriptive remarks.

A. The Number of Children Placed in Out-of-State Residential Settings

A summary of out-of-state placement activities appears below in Table 20-2, and it introduces more specific findings about agency practices which correspond to major out-of-state placement issues raised in Chapter 1.

Table 20-2 indicates that among state agencies serving children, the Department of Human Services was most involved in placement activity, reporting 37 children sent to other states in 1978. The Division of Probation and Parole, Department of Mental Health and Corrections, placed less than one-half as many children out of Maine than DHS, with a total of 15 placements.

The Department of Education and Cultural Services reported eight state-arranged out-of-state placements, while the DMHC's Bureau of Mental Health reported six children sent to other states for care and treatment. The Bureau of Mental Retardation reported fewer still, with a total of only three out-of-state placements in 1978.

Because most children's services are supervised and administered by agencies within state government in Maine, only local school districts had to be contacted. It was reported that a total of 31 children were sent to other states for educational purposes, including special instruction.

TABLE 20-2. MAINE: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type					
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation	Total
State Agency Placements[a]	37	8	15	6	3	69
Local Agency Placements	--	31	--	--	--	31
Total	37	39	15	6	3	100

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 20-11 for specific information regarding state agency involvement in arranging out-of-state placements.

The practices of the local school districts are further defined in Table 20-3, which presents aggregate out-of-state placements for the districts contained in each of Maine's 16 counties. The highest incidence reported was for the school districts in Cumberland County, which placed 11 children into other states. This county contains Maine's largest city, Portland, and is one of the state's two SMSAs. School districts in the other county containing an SMSA, Androscoggin County, placed three children out of state.

Second in placement incidence, with eight, were the school districts in York County, which is one of two counties bordering another state and which is located in the southwest tip of Maine. The remaining nine out-of-state placements came from school districts in other counties, most notably Kennebec, which placed five children out of state.

TABLE 20-3. MAINE: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978
		Education
Androscoggin	17,326	3
Aroostook	19,932	0
Cumberland	37,267	11
Franklin	4,652	0
Hancock	6,454	1
Kennebec	18,025	5
Knox	5,241	0
Lincoln	4,012	0
Oxford	8,677	1
Penobscot	23,748	1
Piscataquis	2,795	0
Sagadahoc	4,912	0
Somerset	8,391	1
Waldo	4,631	0
Washington	5,699	0
York	22,217	8
Total Number of Placements Arranged by Local Agencies		31
Total Number of Local Agencies Reporting		164

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The involvement of school districts in out-of-state placement is described in Table 20-4. From the information received, only 23 school districts, or 14 percent, placed children into other states, leaving the majority of districts serving children with in-state resources.

TABLE 20-4. MAINE: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type Education
Agencies Which Reported Out-of-State Placements	23
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0
Agencies Which Did Not Place Out of State	141
Agencies Which Did Not Participate in the Survey	0
Total Local Agencies	164

Information was requested concerning why out-of-state placements had not occurred in 141 school ıtricts. Table 20-5 indicates that 50 percent of all responses indicated that sufficient services were ısent in Maine for the needs that arose during the reporting period, and an equal percentage aiso said ıt no need for special services had arisen.

TABLE 20-5. MAINE: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s) Education
Lacked Statutory Authority	0
Restricted	0
Lacked Funds	0
Sufficient Services Available In State	139
Other[b]	139
Number of Agencies Reporting No Out-of-State Placements	141
Total Number of Agencies Represented in Survey	164

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive to family visitations because of distance.

Public agencies placing children out of state sometimes enlist the consultation or assistance of other public agencies in the placement process, and the extent of this type of cooperation occurring among placing school districts is reflected in Table 20-6. The school districts which placed children out of state usually involved another public agency in the process, with over three-fourths of the responses indicating the occurrance of interagency cooperation. Similarly, this cooperation was brought to bear on the placement of 68 percent of all children reported to have left the state.

TABLE 20-6. MAINE: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type	
	Education	
	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	23	14
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	18	78
Number of CHILDREN Placed Out of State	31	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	21	68

a. See Table 20-4.

The conditions and statuses of children placed into other states by local education agencies are summarized in Table 20-7. The most frequently mentioned characteristic of these children was that they had special education needs, closely followed in frequency of response by a description of unruly/disruptive. In addition, one or two school districts also reported that children placed out of Maine were physically, mentally, or emotionally handicapped.

TABLE 20-7. MAINE: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting Education
Physically Handicapped	15
Mentally Retarded or Developmentally Disabled	14
Unruly/Disruptive	17
Truant	0
Juvenile Delinquent	0
Mentally Ill/Emotionally Disturbed	15
Pregnant	0

TABLE 20-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting Education
Drug/Alcohol Problems	0
Battered, Abandoned, or Neglected	0
Adopted	0
Special Education Needs	18
Multiple Handicaps	0
Other	0
Number of Agencies Reporting	23

a. Some agencies reported more than one type of condition.

There were no local agencies in Maine which placed more than four children out of state in 1978 and, therefore, no agencies were requested to provide the information collected from Phase II agencies in other states.

C. Use of Interstate Compacts by State and Local Agencies

An issue of particular importance to a study about the out-of-state placement of children concerns the extent to which interstate compacts are utilized to arrange such placements. Table 20-8 reports overall findings about the use of compacts in 1978 by Maine local agencies which arranged out-of-state placements. Consideration of compact utilization by local education agencies finds that, in total, 20 out of 23 agencies did not use a compact to arrange any out-of-state placements. This is not surprising since no interstate compact includes placements to facilities solely educational in nature within its purview.

TABLE 20-8. MAINE: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	23
• Number Using Compacts	2
• Number Not Using Compacts	20
• Number with Compact Use Unknown	1
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0
• Number Using Compacts	--

TABLE 20-8. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
Interstate Compact on the Placement of Children	
Yes	--
No	--
Don't Know	--
Interstate Compact on Juveniles	
Yes	--
No	--
Don't Know	--
Interstate Compact on Mental Health	
Yes	--
No	--
Don't Know	--
• Number Not Using Compacts	--
• Number with Compact Use Unknown	--
TOTALS	
Number of AGENCIES Placing Children Out of State	23
Number of AGENCIES Using Compacts	2
Number of AGENCIES Not Using Compacts	20
Number of AGENCIES with Compact Use Unknown	1

-- denotes Not Applicable.

Table 20-9 provides additional information about the utilization of interstate compacts by Maine's local education agencies. This table is organized similar to the preceding table, but reports findings about the number of children who were or were not placed out of Maine with a compact. In total, only two children were reported placed in other states with a compact.

TABLE 20-9. MAINE: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN Education
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	31
• Number Placed with Compact Use	2
• Number Placed without Compact Use	26

TABLE 20-9. (Continued)

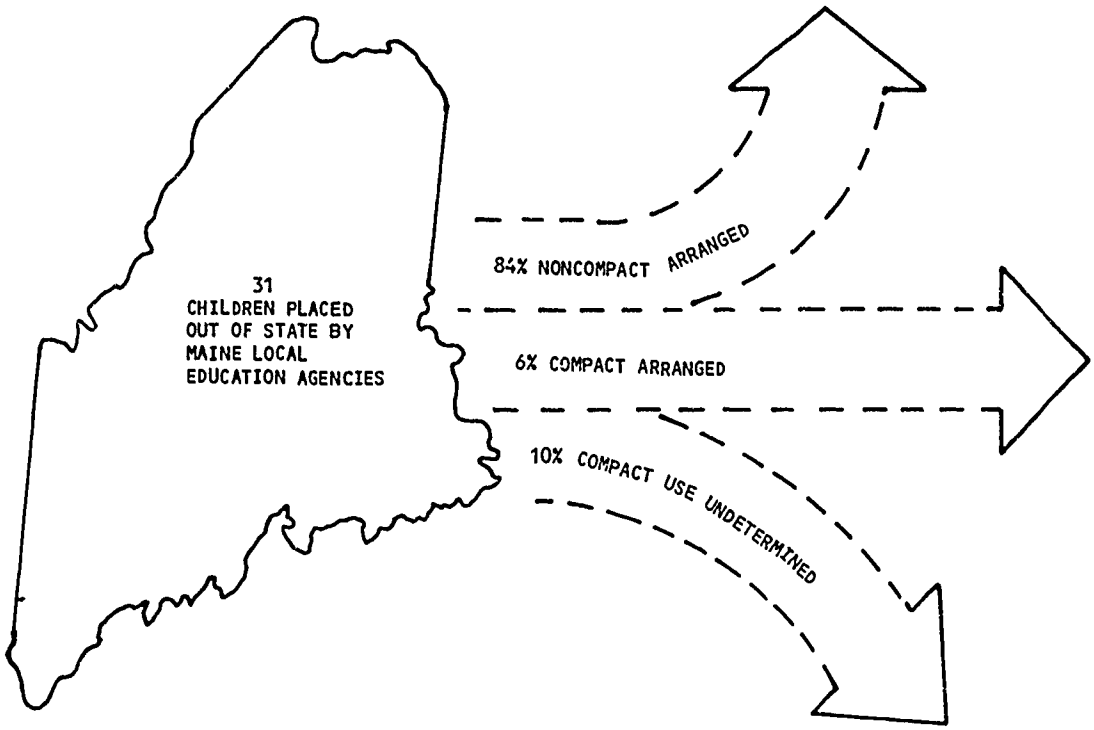
Children Placed Out of State	Number of CHILDREN Education
• Number Placed with Compact Use Unknown[a]	3
CHILDREN PLACED BY PHASE II AGENCIES	0
• Number Placed with Compact Use	--
Number through Interstate Compact on the Placement of Children	--
Number through Interstate Compact on Juveniles	--
Number through Interstate Compact on Mental Health	--
• Number Placed without Compact Use	--
• Number Placed with Compact Use Unknown	--
TOTALS	
Number of CHILDREN Placed Out of State	31
Number of CHILDREN Placed with Compact Use	2
Number of CHILDREN Placed without Compact Use	26
Number of CHILDREN Placed with Compact Use Unknown	3

-- denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

A graphic summarization of these findings about local agency utilization of interstate compacts in Maine is illustrated in Figure 20-1. This figure illustrates the percentage of placements arranged by local education agencies which were compact arranged, noncompact arranged, and undetermined with respect to compact use.

FIGURE 20-1. MAINE: THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978



Maine's state agencies also responded to a question about compact utilization and these responses are displayed in Table 20-10. Only the state child welfare and juvenile justice agencies reported any use of an interstate compact in 1978. The child welfare agency reported all placements it had knowledge of were arranged through a compact, while 33 percent of the state juvenile justice placements were arrranged in that manner.

Interestingly, the state education agency reported no compact utilization by local school districts although two local agencies had reported utilizing a compact for two placements.

TABLE 20-10. MAINE: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Total Number of State and Local Agency-Arranged Placements	37	39	15	6	3
Total Number of Compact-Arranged Placements Reported by State Agencies	37	0	5	0	0
Percentage of Compact-Arranged Placements	100	0	33	0	0

D. The Out-of-State Placement Practices of State Agencies

Table 20-11 expands upon the state agency placement information that was introduced in Table 20-2 by describing out-of-state placement activity according to the type of involvement in placements undertaken by the agencies.

The Bureau of Resource Development within the DHS estimated that the agency arranged and funded the placement of 37 children out of Maine, two of which were placed by order of a court. The DECS' Special Education Division reported a total of 37 children placed out of Maine for educational purposes in 1978. Eight of these children were state wards, and the state agency both arranged and funded their placement. The remaining 29 were reported to be arranged by local education agencies and funded by the state education agency. It is noteworthy that the state report for locally arranged education placements closely, but not exactly, corresponds to the 31 placements reported by local school districts. A likely explanation for their minor discrepancy, which was also mentioned in section III, is that the arrangement of out-of-state placements without the use of public funds by school districts are not necessarily reported to the state agency.

The DMHC's Division of Probation and Parole reported a total of 15 out-of-state placements, ten of which the agency contributed to, although it was neither legally nor fiscally responsible for the children.

The DMHC's Bureau of Mental Health estimated that it arranged and funded the out-of-state placement of two children, and arranged the placement of four additional children, although it was not legally or financially responsible for these children. These placements were arranged in collaboration with the DECS' Special Education Division. The DMHC's Bureau of Mental Retardation estimated arranging and funding the placement of only three children out of Maine in 1978.

TABLE 20-11. MAINE: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies				
	Child Welfare	Education	Juvenile Justice[a]	Mental Health	Mental Retardation
State Arranged and Funded	35	8	5	2	3
Locally Arranged but State Funded	--	29	--	--	--
Court Ordered, but State Arranged and Funded	2	0	2	0	0
Subtotal: Placements Involving State Funding	37	37	5	2	3
Locally Arranged and Funded, and Reported to State	--	0	--	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	0	10	4	0
Other	0	0	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[b]	37	37	15	6	3

-- denotes Not Applicable.

a. The subtotal in this column does not total because of double counting of children within the type of involvement categories.

b. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

The states to which Maine children were sent were reported by state agencies and Table 20-12 summarizes those responses.

As seen in Table 20-12, the DHS' Bureau of Resource Development reported the destination of all children placed out of state in 1978. Although a total of 16 states received children from this child welfare agency, 70 percent of the placements went to New England states. Most notable receivers among the New England states were Connecticut and Massachusetts, which received a total of 21 children. Outside of New England, 11 other states in many different areas of the country received one child each from the bureau. Included in these states were those as near as New York and Pennsylvania and as far as Florida and Texas.

The Special Education Division of the DECS also relies primarily upon the resources of other New England states to serve children placed out of Maine. The state education agency placed 76 percent of the children for which destinations were reported into New England states, with Massachusetts again being a prime receiver of Maine children. Seventeen children were placed there in 1978. Only four states outside of New England (California, New Jersey, Pennsylvania, and Texas) were mentioned by the state education agency as receiving children from Maine. These states received a total of seven of the 37 children placed. Destinations were not reported for 22 percent of the children placed out of state by the Special Education Division.

The destinations were not available for one-fifth, or three placements, reported by the DMHC's Division of Probation and Parole. The 12 children for which destinations were named went either to Massachusetts or New Hampshire, the latter being the only state contiguous to Maine.

Seven of the nine children reported to have been placed out of Maine by the DMHC's Bureaus of Mental Health and Mental Retardation were placed into Massachusetts, New Hampshire, or Rhode Island. Aside from these New England placements, the mental health agency placed one child into New Jersey and the mental retardation agency did not report the destination of one child.

Overall, 78 percent of the children reported to have left Maine by state agencies went to New England states, 17 percent were sent to the contiguous state of New Hampshire, and 45 percent of the total went to Massachusetts.

TABLE 20-12. MAINE: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
California	1	1		0	
Connecticut	10			0	
Florida	1			0	
Georgia	1			0	
Kentucky	1			0	
Louisiana	1			0	
Massachusetts	11	17	7	2	2
New Hampshire	3	5	5	2	
New Jersey	1	2		1	
New York	1			0	
North Carolina	1			0	
Pennsylvania	1	3		0	
Rhode Island	1			1	
Texas	1	1		0	
Vermont	1			0	
Virginia	1			0	
Placements for Which Destinations Could Not be Reported by State Agencies	0	8	3	0	1
Total Number of Placements	37	37	15	6	3

State agencies were asked to describe the characteristics of the children placed out of state and their descriptions follow in Table 20-13. The DHS' Bureau of Resource Development reported placing only foster and adoptive children.

The DECS' Special Education Division and the DMHC's Bureaus of Mental Health and Mental Retardation all reported placing children out of Maine who were mentally or developmentally handicapped. The state education and mental retardation agencies also noted that some children were physically handicapped. The state mental health agency shared with the Special Education Division the report that emotionally disturbed children had also left Maine for care and treatment. Two deaf children were reported placed by the education agency under the "other" category.

The Division of Probation and Parole reported placing children with characteristics including delinquency, unruly/disruptive, and some history of substance abuse.

TABLE 20-13. MAINE: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Physically Handicapped	0	X	0	0	X
Mentally Handicapped	0	X	0	X	X
Developmentally Disabled	0	X	0	X	X
Unruly/Disruptive	0	0	X	0	0
Truants	0	0	0	0	0
Juvenile Delinquents	0	0	X	0	0
Emotionally Disturbed	0	X	0	X	0
Pregnant	0	0	0	0	0
Drug/Alcohol Problems	0	0	X	0	0
Battered, Abandoned, or Neglected	0	0	0	0	0
Adopted Children	X	0	0	0	0
Foster Children	X	0	0	0	0
Other	0	X	0	0	0

a. X indicates conditions reported.

In response to questions about the type of setting most frequently selected to receive children sent into other states, the state child welfare agency said that foster homes were most often used, and all other state agencies reported using residential treatment or child care facilities most frequently.

Finally, the state agencies in Maine were asked to report their expenditures for out-of-state placements by the source of funds that were used. Table 20-14 presents the responses received to these inquiries. The DHS' Bureau of Resource Development and the DMHC's Bureau of Mental Retardation did not report this information, but the other three agencies gave complete fiscal information in either actual or estimated amounts.

The DECS' Division of Special Education reported spending a total of $383,234 on out-of-state placements made in 1978, with nearly 90 percent coming from local sources. The DMHC's Division of Probation and Parole and Bureau of Mental Health reported spending $1,500 in federal funds and $15,000 in state funds, respectively.

TABLE 20-14. MAINE: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
• State	*	$ 41,000	0	$15,000	*
• Federal	*	0	$1,500	0	*
• Local	*	$342,234	0	0	*
• Other	*	0	0	0	*
Total Reported Expenditures	*	$383,234	$1,500	$15,000	*

* denotes Not Available.

E. State Agencies' Knowledge of Out-of-State Placements

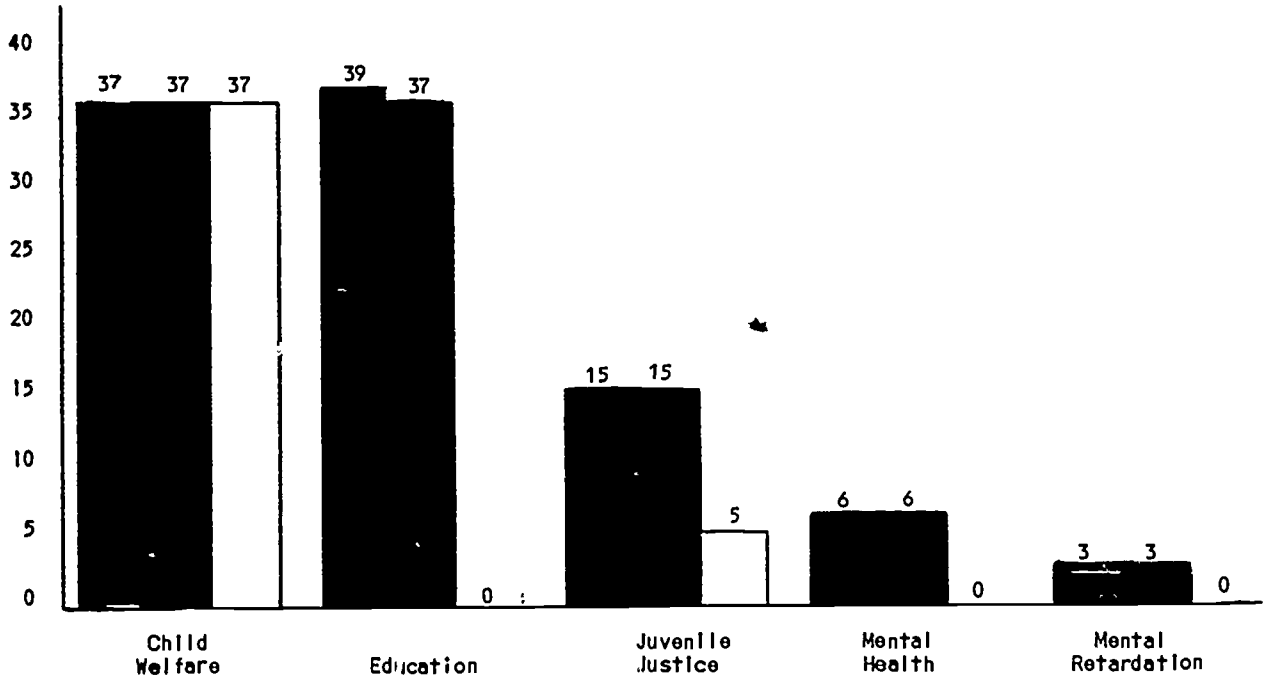
Services for children are primarily operated by state government in Maine and, therefore, these agencies' knowledge of out-of-state placements reflects the majority of information collected about this type of placement from that state. All the state agencies without local counterparts were able to provide the number of placements they were responsible for arranging or knew had occurred in 1978. The state education agency, however, did not report two placements which the survey of local school districts identified. Again, this may be due to local agencies not reporting placements made without the use of state funds.

TABLE 20-15. MAINE: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Total Number of State and Local Agency Placements	37	39	15	6	3
Total Number of Placements Known to State Agencies	37	37	15	6	3
Percentage of Placements Known to State Agencies	100	95	100	100	100

The almost unilateral ability of Maine state agencies to report upon out-of-state placements made in 1978 and the involvement of all state agencies in that practice is illustrated in Figure 20-2. The state agencies' report of compact utilization is also reflected in the figure.

FIGURE 20-2. MAINE: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

The foregoing findings from the study's survey of Maine's public agencies suggest some general trends in the state with regard to out-of-state placement practices.

- The responsibility for the placement of children into other states resides primarily with agencies within state government, all of which engage in this practice to some extent.
- Out-of-state placements originating from the local level come from school districts located primarily in urban and border areas in the southwestern corner of the state and often involve children who have special education needs, are unruly/disruptive or are emotionally disturbed.
- The New England states predominate among those selected to receive children placed by Maine state agencies, accounting for 78 percent of those children for whom destinations were reported.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Maine in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTES

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN MASSACHUSETTS

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Lewis Williams, Director, Office of Child Placement and Registry, Division of Special Education, Department of Education; George Groomes, Compact Correspondent and Director of Information, Office of Social Services, Department of Public Welfare; Walter Murphy, Deputy Commissioner, Department of Youth Services; Edward Dimock, Supervisor, Department of Youth Services; and Patricia Jacobs, Interstate Compact Representative, Department of Mental Health.

II. METHODOLOGY

Information was systematically gathered about Massachusetts from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to out-of-state placement practices of state agencies and those local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Massachusetts appears below in Table 22-1.

TABLE 22-1. MASSACHUSETTS: METHODS OF COLLECTING DATA

	Survey Methods, by Agency Type			
Levels of Government	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone Interview Mailed Survey: DPW officials	Telephone Interview Mailed Survey: DOE officials	Telephone Interview Mailed Survey: DYS officials	Telephone Interview Mailed Survey: DMH officials Telephone Survey: All state regional and area offices
Local Agencies[a]	Not Applicable (State Offices)	Telephone Survey: All 381 local school districts	Not Applicable (State Offices)	Not Applicable (State Offices)

a. The telephone survey was conducted by the Ohio Management and Research Group under a subcontract to the Academy.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Massachusetts has the 45th largest land area (7,826 square miles) and is the tenth most populated state (5,812,489) in the United States. The capital, Boston, is the most poulated city in the state. Massachusetts has 149 cities with populations over 10,000 and 17 cities with populations over 60,000. In addition, of its 12 counties and two city-county consolidations (Barnstable and Suffolk), Massachusetts has five counties with populations over 500,000: Boston-Suffolk, Essex, Middlesex, Norfolk, and Worcester. The estimated 1978 population of persons eight to 17 years old was 1,011,761. Massachusetts is one of the most densely populated areas in the country with 742.7 persons per square mile.

Massachusetts has ten Standard Metropolitan Statistical Areas (SMSAs). Two of the SMSA's include New Hampshire, one includes Connecticut and another, Rhode Island. Other contiguous states are New York and Vermont.

Massachusetts was ranked 14th nationally in total state and local per capita expenditures, 28th in per capita expenditures for education, and third in per capita expenditures for public welfare.[1]

B. Child Welfare

In 1978, child welfare services for children and youth were administered by the Department of Public Welfare's Office of Social Services (OSS). Since that survey year, a reorganization of services has occurred in Massachusetts and social services are no longer administered by the Department of Public Welfare. This change in service responsibility is described at the end of this section under Recent Developments. During the survey year of 1978, the Office of Social Services' programs were provided through the department's six regional offices and 39 community service area offices located throughout Massachusetts. The Department of Public Welfare also has an Independent Office for Children which advocates for children's programs across all state agencies and builds community awareness of the needs of young people. The Office for Children has authority for licensing all institutions that provide services to the young, including foster care, mental health care, and residential care for adjudicated delinquents.

The OSS was responsible in 1978 for the placement of children out of state through the Interstate Compact on the Placement of Children (ICPC). Massachusetts has been a member of the compact since 1963.

C. Education

The Massachusetts Department of Education (DOE) has the major responsibility for its educational system. Within DOE is the Special Education Division (SED), which is directly involved with the placement of children in other states. The division is divided into five bureaus and six regions which supervise the 381 local school districts. The 381 school districts provide special education services in addition to the normal curriculum for grades K-12.

Under Chapter 766 of the Acts of 1972, a child with special needs can be placed with a private institution if it offers services not available in public schools. However, under no circumstances can the private school become a substitute for the development of adequate facilities on the public school level. Chapter 766 requires local school districts to prepare a plan which details the steps which have been taken to provide the necessary services that temporarily may be supplied by a private school, and to estimate when these steps can be completed; that is, Chapter 766 places the responsibility for arranging and providing special education programs for individual children on the local school districts.

The SED exercises a continuous monitoring function to assure that local school districts provide the precise educational benefits required by law for each child placed out of state. The SED can investigate any aspect of any special education program and has the power of subpoena to force local school authorities to cooperate. Moreover, the division can recommend to the Board of Education that state

monies be withheld from any school district which does not comply with the laws and regulations governing special education. Regional offices of the SED are responsible for monitoring local school districts' implementation of Chapter 766.

Recommendations and evaluations for out-of-state placements are made by a Core Evaluation Team (CET). Local school districts are required to assess the progress of children in Chapter 766 programs ten months after their initial placement and at least annually from then on. The CET examines these assessments and makes recommendations with quarterly progress reports on each child's performance in his or her educational program.

When a child is placed out of state as a result of CET recommendations, through the 766 process, the local school district or the state must pay all costs that are educational in nature.

It was reported by SED personnel that local school districts would not place children out of state without authorization and funding assistance from the state.

D. Juvenile Justice

Juvenile jurisdiction in Massachusetts is the responsibility of the 68 state district courts. These courts generally hold jurisdiction over matters relating to dependent and neglected children and delinquent youth. The cities of Boston, New Bedford, Springfield, and Worcester, and Bristol County have special juvenile courts. Probation is a function of these courts.

Courts commit adjudicated delinquents to the Department of Youth Services (DYS). DYS personnel work in probation offices throughout the state. Youth who are not adjudicated delinquent may be cared for in community-based residential programs and in at-home programs supervised by DYS staff. About 250 private not-for-profit agencies provide services to the department.

Out-of-state placements are initiated by court DYS probation officers. These officers coordinate the task of placing children out of state with the 68 district courts. The DYS reported that the state district courts could not place children out of state without reporting the information to the probation offices. All out-of-state placements are reported to be made through the Interstate Compact on Juveniles (ICJ). Massachusetts has been a member of the compact since 1955.

E. Mental Health and Mental Retardation

Mental health and mental retardation services are provided by the Department of Mental Health (DMH). The department administers and funds six regional offices with a mental retardation specialist in each office. These six regional offices service 40 area offices, some of which do not handle children. The DMH also operates eight public residential facilities serving approximately 7,500 retarded children and adults. The six regional and 40 area offices can place children out of state without reporting these placements to the state, even though state funds may be involved. The DMH administers the ICMH which Massachusetts joined in 1956.

F. Recent Developments

On July 1, 1979, the administration of social service programs in Massachusetts became independent of the Department of Public Welfare when the Department of Social Services (DSS) was established. DSS, in addition to its foster care and adoption programs, provides residential care, protective services, day care, homemaking, and counseling. Some of these programs are administered through purchase-of-service contracts with private providers.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The survey of Massachusetts state and local public agencies resulted in the findings discussed and tabularly displayed in the remainder of this profile. The information is purposely organized in a manner which is responsive to the major questions posed about the out-of-state placement of children.

A. The Number of Children Placed in Out-of-State Residential Settings

Table 22-2 presents the total number of out-of-state placements arranged by Massachusetts state and local public agencies, by agency type. As recalled from section III, the majority of youth services in Massachusetts are provided by agencies within state government. The only exception to this organizational structure exists for educational services which are administered, in part, by local school districts.

All agencies were able to report placement information, although the Department of Education did not distinguish between local- and state-arranged placements. The Department of Public Welfare, Office of Social Services, reported the highest number of out-of-state placements in comparison to the other public agencies. The number of placements arranged cooperatively with more than one agency may have been reported by all involved agencies and, therefore, may be duplicated. The total numbers, then, are not absolute.

TABLE 22-2. MASSACHUSETTS: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	255	*[b]	17	35	307
Local Agency Placements	--	79	--	--	79
Total	255	79	17	35	386

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 22-12 for specific information regarding state agency involvement in arranging out-of-state placements.

b. An estimated 30 out-of-state placements were reported by the state education agency, but includes locally arranged placements which were funded by the state, locally arranged placements which were reported to the state, and those placements the state agency helped to arrange but did not fund.

Table 22-3 illustrates the number of out-of-state placements by school districts according to the counties in which the school districts are located. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county, and the incidence reports in the table are the aggregated reports of all within them. Both Dukes and Nantucket Counties, summer resort islands off the Cape Cod coast and the counties with the smallest permanent juvenile population, show no placement

activity by their school districts. The only other county with no placing school districts is Suffolk County, the location of the state's largest city and capital, Boston. However, Table 22-3 shows that the school districts within the surrounding counties of the Boston area (Middlesex, Norfolk, and Essex) placed 52 percent of the children reported placed out of state. Along with education agencies in Bristol and Plymouth Counties, these five eastern counties' agencies reported arranging 81 percent of all the local out-of-state placements.

TABLE 22-3. MASSACHUSETTS: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Education
Barnstable	21,244	1
Berkshire	26,041	1
Bristol	81,622	15 est
Dukes	1,277	0
Essex	111,260	8 est
Franklin	10,330	1
Hampden	82,149	2
Hampshire	18,898	1
Middlesex	245,956	21
Nantucket	980	0
Norfolk	111,769	12 est
Plymouth	77,201	8
Suffolk	107,655	0
Worcester	115,379	8
Multicounty Jurisdictions		
Plymouth, Suffolk		0
Norfolk, Bristol, Middlesex		0
Plymouth, Bristol		1
Norfolk, Bristol		0
Total Number of Placements Arranged by Local Agencies		79 est
Total Number of Local Agencies Reporting		381

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources; the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

As shown in Table 22-4, the results from the survey of Massachusetts local public agencies includes 381 local school districts. All districts contacted participated in the survey, five of which were

unable to report their involvement in out-of-state placement in 1978. Fifty-one local school districts, or 13 percent, did report some placement activity while the remaining 325 did not place any child out of state.

TABLE 22-4. MASSACHUSETTS: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type: Education
Agencies Which Reported Out-of-State Placements	51
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	5
Agencies Which Did Not Place Out of State	325
Agencies Which Did Not Participate in the Survey	0
Total Local Agencies	381

All local school districts which did not arrange any out-of-state placements in 1978 were asked to report their reasons for not becoming involved in the activity. Table 22-5 shows the majority of school districts felt that sufficient services were available in the state to meet children's needs. In addition, several local school districts reported that they were restricted either by law, administrative policy, lack of funds, parents, or distance. (Some of these responses were specified in the "other" category.) One local school district reported that there existed too much red tape when placing a child out of state. It should be recalled from section III that a local school district must take several steps before a child can be placed out of Massachusetts.

TABLE 22-5. MASSACHUSETTS: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)
	Education
Lacked Statutory Authority	10
Restricted[b]	1
Lacked Funds	17
Sufficient Services Available in State	298
Other[c]	97
Number of Agencies Reporting No Out-of-State Placements	325
Total Number of Agencies Represented in Survey	381

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive to family visitations because of distance.

Interagency cooperation in out-of-state placements is recorded in Table 22-6. As can be seen, less than one-half of the school districts reporting out-of-state placements made arrangements in cooperation with another public agency. These 21 school districts also reported that 44 percent of the 79 children placed out of Massachusetts were placed cooperatively.

TABLE 22-6. MASSACHUSETTS: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type	
	Education	
	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	51	13
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	21	41
Number of CHILDREN Placed Out of State	79	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	35	44

a. See Table 22-7.

The conditions or statuses of children placed out of state by Massachusetts school districts appear in Table 22-7. The table indicates that most school districts place children who are mentally ill/emotionally disturbed or have special education needs. Other common conditions included the multiply and physically handicapped, the mentally retarded, and the unruly/disruptive child. In addition, two school districts reported to have placed either truants or juvenile delinquents. Single school districts also reported placing children who were battered, abandoned, or neglected; adopted; autistic; and had drug/alcohol problems.

TABLE 22-7. MASSACHUSETTS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting Education
Physically Handicapped	11
Mentally Retarded or Developmentally Disabled	9
Unruly/Disruptive	8
Truant	2
Juvenile Delinquent	2
Mentally Ill/Emotionally Disturbed	24
Pregnant	0
Drug/Alcohol Problems	1
Battered, Abandoned, or Neglected	1
Adopted	1
Special Education Needs	35

TABLE 22-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting Education
Multiple Handicaps	14
Other[b]	1
Number of Agencies Reporting	51

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Massachusetts' state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local Massachusetts agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 22-1. Only one of the 51 local school districts which placed children out of Massachusetts in 1978 is a Phase II agency. This single school district arranged the out-of-state placements of eight percent of the children reported by the local education agencies.

FIGURE 22-1. MASSACHUSETTS: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Education
Number of AGENCIES	381
Number of AGENCIES Reporting Out-of-State Placements in 1978	51
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	1
Number of CHILDREN Placed Out of State in 1978	79
Number of CHILDREN Placed by Phase II Agencies	6
Percentage of Reported Placements in Phase II	8

This Phase II education agency is located in Bristol County, an eastern county bordering on Rhode Island. Destinations of the children placed by this single Massachusetts Phase II school district were not obtained. A subsequent table, therefore, has not been included.

Additional questions were asked of this Phase II local school district, one of which was to report the reasons for making such placements. It can be seen in Table 22-8 that this local school district placed children into other states for several reasons, including that a child failed to adapt to a Massachusetts facility or because needed services did not exist in the state. The school district further noted that because previous success was experienced with out-of-state programs, this acted as an incentive to place children out of Massachusetts.

TABLE 22-8. MASSACHUSETTS: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting Education
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0
Previous Success with Receiving Facility	1
Sending State Lacked Comparable Services	1
Standard Procedure to Place Certain Children Out of State	0
Children Failed to Adapt to In-State Facilities	1
Alternative to In-State Public Institutionalization	0
To Live with Relatives (Non-Parental)	0
Other	0
Number of Phase II Agencies Reporting	1

a. Some agencies reported more than one reason for placement.

The type of setting most frequently selected to receive this same school district's children was one designed for residential treatment and child care. Annual written reports were used to monitor the children's progress in this type of setting. Annual expenditures for such placements were not reported by the school district.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local education agencies in Massachusetts also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 22-9 indicates that 49 of the 51 agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. This is not surprising because out-of-state placements to facilities solely educational in character are not under the purview of a compact. The single Phase II agency is one of the school districts which did not utilize a compact.

TABLE 22-9. MASSACHUSETTS: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	50
• Number Using Compacts	2
• Number Not Using Compacts	48
• Number with Compact Use Unknown	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	1
• Number Using Compacts	0
Interstate Compact on the Placement of Children	
Yes	0
No	1
Don't Know	0
Interstate Compact on Juveniles	
Yes	0
No	1
Don't Know	0
Interstate Compact on Mental Health	
Yes	0
No	1
Don't Know	0
• Number Not Using Compacts	1
• Number with Compact Use Unknown	0
TOTALS	
Number of AGENCIES Placing Children Out of State	51
Number of AGENCIES Using Compacts	2
Number of AGENCIES Not Using Compacts	49
Number of AGENCIES with Compact Use Unknown	0

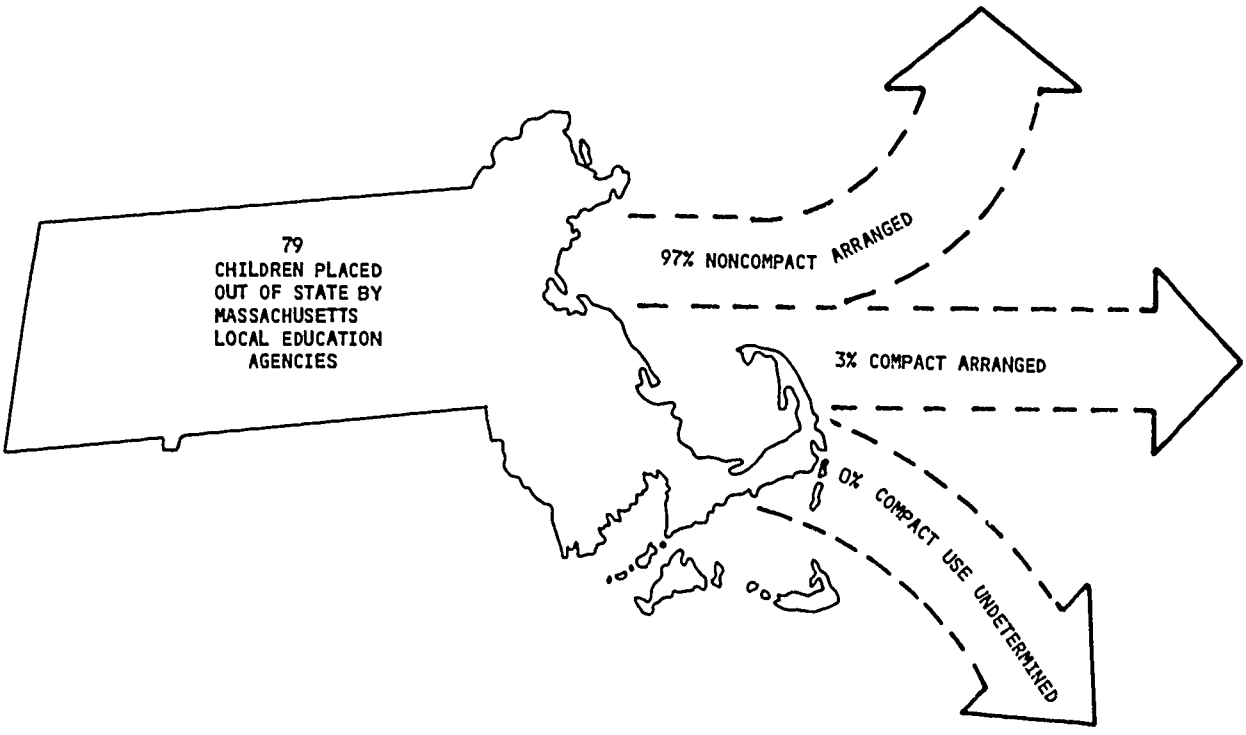
Further knowledge concerning the utilization of interstate compacts is acquired through consideration of the information given in Table 22-10. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the overall trends shows that a total of 77 children were placed in out-of-state residential care in 1978 without the use of a compact. The two school districts which utilized a compact reported placing only one child each.

TABLE 22-10. MASSACHUSETTS: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN Education
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	73
• Number Placed with Compact Use	2
• Number Placed without Compact Use	71
• Number Placed with Compact Use Unknown	0
CHILDREN PLACED BY PHASE II AGENCIES	6
• Number Placed with Compact Use	0
Number through Interstate Compact on the Placement of Children	0
Number through Interstate Compact on Juveniles	0
Number through Interstate Compact on Mental Health	0
• Number Placed without Compact Use	6
• Number Placed with Compact Use Unknown	0
TOTALS	
Number of CHILDREN Placed Out of State	79
Number of CHILDREN Placed with Compact Use	2
Number of CHILDREN Placed without Compact Use	77
Number of CHILDREN Placed with Compact Use Unknown	0

A graphic summarization of these findings about local education utilization of interstate compacts in Massachusetts is illustrated in Figure 22-2. This figure illustrates the percentage of placements arranged by school districts which were compact arranged, noncompact arranged, and undetermined with respect to compact use.

FIGURE 22-2. MASSACHUSETTS: THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978



The state agencies in Massachusetts also reported their knowledge of compact utilization for the out-of-state placements of which they were aware. Table 22-II shows that both the state child welfare and juvenile justice agencies reported use of a compact for all the placements they identified. Despite the inability of the state education agency to identify the number of out-of-state placements for which it was responsible in 1978, it did report that no children were placed with the use of a compact. This conflicts with the three percent utilization by local agencies illustrated in the preceding figure.

Only six percent of the 35 children reported placed out of state by the state mental health and mental retardation agency were placed with compact use in 1978.

TABLE 22-11. MASSACHUSETTS: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES, IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	255	*	17	35
Total Number of Compact-Arranged Placements Reported by State Agencies	255	0	17	2
Percentage of Compact-Arranged Placements	100	0	100	6

* denotes Not Available.

E. The Out-of-State Placement Practices of State Agencies

The ability of Massachusetts state agencies to describe their involvement in out-of-state placements is summarized in Table 22-12. The Department of Public Welfare, Office of Social Services, reported that 255 placements were state arranged and funded, of which an estimated 100 were ordered by a court. The Department of Education reported approximately 30 placements which were locally arranged, and funded either by the state or the local district. An undetermined number of educational placements were arranged by the state department. A substantial difference exists between the number of placements reported by the state agency and the local school districts. At least 49 locally-arranged placements were not reported by the state department, despite the approval policy described in section III.

The Department of Youth Services in Massachusetts reported arranging placements for three children requiring no state funds. Twelve children were also reported to have been placed in private schools out of state. The placement cost was reported by DYS to be paid by parents and the Department of Public Welfare.

The Department of Mental Health reported arranging 35 placements, two of which were ordered by the district court and funded by the department. All other placements were reported to have been funded by the Department of Public Welfare and the Department of Education.

TABLE 22-12. MASSACHUSETTS: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	255	0	0	0
Locally Arranged but State Funded	--	*	--	--
Court Ordered, but State Arranged and Funded	100	0	0	2
Subtotal: Placements Involving State Funding	255	*	0	2
Locally Arranged and Funded, and Reported to State	--	*	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	*	3	29
Other	0	0	12[b]	4
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	255	30	17	35

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

b. Placements to private schools out of state and paid for by parents or the Department of Public Welfare.

Table 22-13 presents the destinations of children reported by state agencies. Only the DPW and DMH reported any information, although incomplete. DPW reported sending two children to Canada. The Department of Mental Health branches reported that nine children had been sent to the contiguous states of Connecticut, Vermont, and New York, and two other children were placed in Kansas.

TABLE 22-13. MASSACHUSETTS: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed			
	Child Welfare	Education	Juvenile Justice	Mental Health Mental Retardation
Connecticut				5
Kansas				2
New York				1
Vermont				3
Canada	2			
Placements for Which Destinations Could Not be Reported by State Agencies	253	All	All	24
Total Number of Placements	255	30	17	35

The conditions of children placed out of state were also reported by the state agencies. In Table 22-14 one can see the diversity of children placed by the Department of Public Welfare. Children who were battered, abandoned, or neglected and children who have been placed with foster or adoptive parents are traditional responses from this type of agency. However, children with physical and mental impairments, children having drug/alcohol problems, and unruly/disruptive children were also reported by this agency.

The Department of Education reported that this agency serves children according to objectives outlined in their Individualized Education Plan and that they do not "label" children in the manner offered in the survey. The Department of Youth Services placed truants, juvenile delinquents, and children who were unruly/disruptive or had drug/alcohol problems into other states. The Department of Mental Health sent children with conditions similar to those DPW reported to have placed out of state. In addition, DMH sent truants and juvenile delinquents to other states.

TABLE 22-14. MASSACHUSETTS: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Physically Handicapped	X	0	0	X
Mentally Handicapped	X	0	0	X
Developmentally Disabled	X	0	0	X
Unruly/Disruptive	X	0	X	X
Truants	0	0	X	X
Juvenile Delinquents	0	0	X	X
Emotionally Disturbed	X	0	0	X

TABLE 22-14. (Continued)

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Pregnant	0	0	0	0
Drug/Alcohol Problems	X	0	X	X
Battered, Abandoned, or Neglected	X	0	0	X
Adopted Children	X	0	0	0
Foster Children	X	0	0	0
Other	X	X[b]	0	X

a. X indicates conditions reported.

b. Respondent reported that this agency serves children according to objectives outlined in their Individualized Education Plan and they do not label children in the above manner.

The most frequently used placement setting for out-of-state placements was also supplied by the state agencies. The state child welfare and juvenile justice agencies both reported that children mainly went to live with relatives outside of Massachusetts. The state education and mental health agencies most frequently sent children to residential treatment or child care facilities.

The state agencies were further asked to report upon the amount and source of expenditures associated with out-of-state placements in 1978. DYS was the only state agency to report fiscal information, which totaled $271 in state monies. The Department of Mental Health emphasized that very little departmental funds existed for out-of-state placements.

As a final review, Table 22-15 offers the incidence of out-of-state placement reported by Massachusetts public agencies and the number of children placed out of state of which the state agencies had knowledge. Upon first review it appears that all the state agencies without local counterparts (child welfare, juvenile justice, and mental health and mental retardation) were able to report upon their own placement activity. However, it should be recalled from Table 22-1 that all regional and area offices of the state mental health and mental retardation agency were called by the Academy to obtain this information.

The state education agency could not isolate the number of out-of-state placements for which it was responsible from the total of 30 state and locally arranged placements and, therefore, the extent of the state agencies' knowledge of local practices could not be determined.

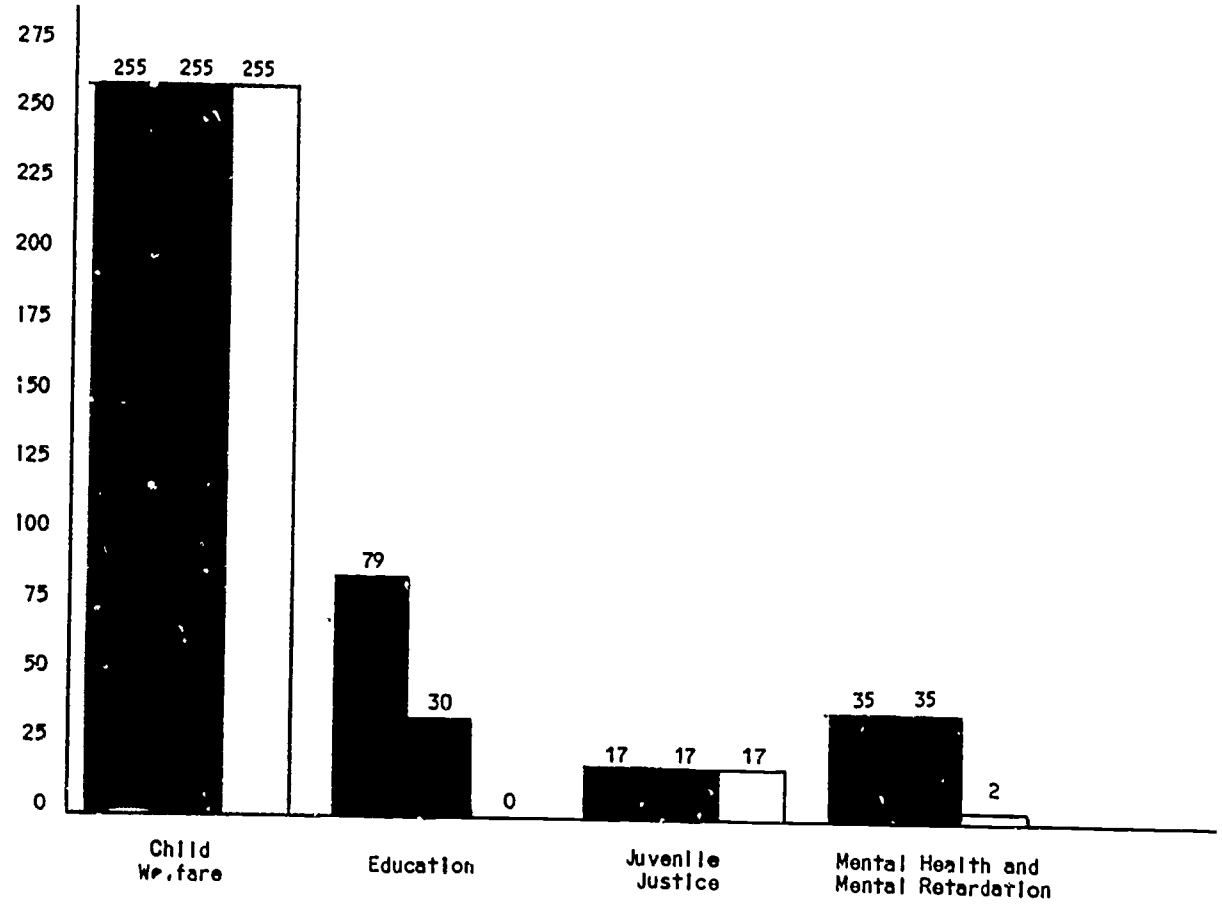
TABLE 22-15. MASSACHUSETTS: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	255	*	17	35
Total Number of Placements Known to State Agencies	255	30	17	35
Percentage of Placements Known to State Agencies	100	*	100	100

* denotes Not Available.

This state agency knowledge of out-of-state placement activity is coupled with their reports of compact utilization in Figure 22-3 in order to illustrate an overall review of some of the preceding information presented in this profile. Full compact use within the state child welfare and juvenile justice agencies for their out-of-state placements is visible in this figure. The dramatic difference in the local school districts' response to the local survey and the state education agency's knowledge of placements which occurred in 1978 is easily discerned as well. The three percent compact utilization reported by the local agencies is not repeated in the state agency information.

FIGURE 22-3. MASSACHUSETTS: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



Finally, the few placements reported by the state mental health and mental retardation agency's field offices which were arranged through a compact are displayed. The limitation of the Interstate Compact on Mental Health to public institutional transfers and the exclusion of private psychiatric hospitals from the Interstate Compact on the Placement of Children may help to explain this fact.

V. CONCLUDING REMARKS

Several conclusions have been reached from the study of out-of-state placement practices of public agencies in Massachusetts.

- The Department of Public Welfare, Office of Social Services, is the major point of departure for most children crossing state lines for publicly supported out-of-home care. However, this agency was not able to provide information about the destinations of these placements.

- There is less than complete utilization of interstate compacts within the Department of Mental Health branches. This would indicate that compact-provided supervision for placements to out-of-state facilities is not possible. Also, the central office of DMH was not able to report on its branches' placement activity and could not, therefore, assure progress monitoring.

- Despite specific Massachusetts education laws and administrative regulations, a large portion of the out-of-state placements reported by local school districts were not known to the state agency.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Massachusetts in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN NEW HAMPSHIRE

I. ACKNOWLEDGMENTS

The Acedemy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Robert Kennedy, and Paul Lepefqueur, Special Education Section, Vocational Rehabilitation Division, Department of Education; Arthur Roberge, Compact Assistant, Bureau of Children and Family Services, Division of Welfare, Department of Health and Welfare; Alan Urquhart, Assistant Director, Department of Probation; and Alme Charest, Compact Correspondent, Division of Mental Health and Developmental Services, Department of Health and Welfare.

II. METHODOLOGY

Information was systematically gathered about New Hampshire from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in New Hampshire appears below in Table 30-1.

TABLE 30-1. NEW HAMPSHIRE: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview
	Mailed Survey: DHW officials	Mailed Survey: DOE officials	Mailed Survey: DOP officials	Mailed Survey: DHW officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: All 169 local school districts	Telephone Survey: All 10 local probation departments operating in 1978	Not Applicable (State Offices)

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

New Hampshire has the 44th largest land area (9,027 square miles) and is the 42nd most populated state (811,804) in the United States. It has 15 cities with populations over 10,000 and four cities with populations over 25,000. Manchester is the most populated city in the state, with a population of over 83,000. Concord, the capital, is the third most populated city in the state, with a population of nearly 30,000. It has 10 counties. The estimated 1978 population of persons eight to 17 years old was 146,929.

New Hampshire contains two complete Standard Metropolitan Statistical Areas (SMSAs): Manchester (parts of Hillsborough, Merrimack, and Rockingham Counties) and Nashua (part of Hillsborough County). In addition, part of Hillsborough County is included in the Lowell, Massachusetts, SMSA and part of Rockingham County is included in the Lawrence-Haverhill, Massachusetts, SMSA. Vermont and Maine also border the state.

New Hampshire was ranked 35th nationally in total state and local per capita expenditures, 42nd in per capita expenditures for education, and 21st in per capita expenditures for public welfare.[1]

B. Child Welfare

The Department of Health and Welfare (DHW) supervises child welfare services in New Hampshire through its Division of Welfare (DW). The division's Bureau of Children and Family Services is the primary agency responsible for adoption, child day care, protective services, and foster care programs. The division's 12 district offices are responsible for administering these services. It is reported that all out-of-state placements are made through the Interstate Compact on the Placement of Children (ICPC), of which the state has been a member since 1965.

C. Education

New Hampshire's Department of Education (DOE) has the major responsibility for its educational system. Within DOE is the Vocational Rehabilitation Division, Special Education Section, which is directly involved with the placement of children in other states.

New Hampshire's 169 local school districts provide special education programs in addition to the normal curriculum for grades K-12. The local school districts do place children out of state with state approval. However, the local school districts must evaluate student needs, develop their individualized program, and seek out the appropriate type of placement facility. The Department of Education reviews all requests for out-of-state placement and makes an on-site inspection of these out-of-state facilities. Once the request for out-of-state placement is approved, the state provides funding for these placements. It is reported that children placed out of state are the handicapped, including the mentally disturbed and mentally retarded.

D. Juvenile Justice

Jurisdiction over delinquent, dependent, and neglected children is held by the juvenile section of the district courts of New Hampshire. In most areas, especially in less populated districts, probation services are the responsibility of New Hampshire's Department of Probation (DOP). New Hampshire allows the establishment of local county-operated probation services when an area qualifies according to established criteria, most notably its population. In 1978 there were ten locales that had their own probation departments. Each county has a probation supervisor who is employed by the DOP and who monitors the activity of all probation departments in the county, whether they are state- or county-run operations. Adjudicated delinquents needing care and supervision are placed in the responsibility of the State Youth Development Center which provides detention, residential care, and aftercare.

It was reported that despite the presence of state supervision, local probation departments have been known to place children out of New Hampshire without notifying the county DOP supervisor or DOP central office in Concord.

Out-of-state placements made by the DOP were reported to occur in cooperation with the Bureau of Children and Family Services within the Division of Welfare. These placements were described to be made pursuant to the provisions of the Interstate Compact on Juveniles (ICJ) of which New Hampshire has been a member since 1957.

E. Mental Health and Mental Retardation

Mental health and mental retardation services to children and youth in New Hampshire are administered by the Division of Mental Health and Developmental Services (DMHDS), Department of Health and Welfare. The DMHDS maintains facilities at New Hampshire's State Hospital, Laconia State School, and provides services through various community programs serving mentally ill and developmentally disabled persons. DMHDS is reportedly not involved in the out-of-state placement of children, except where the agency consults with the Department of Education or its Vocational Rehabilitation Division, and where interstate transfer is requested under the terms of the Interstate Compact on Mental Health, of which the state has been a member since 1957.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

This section of the New Hampshire state profile presents the results of the survey of state and local agencies in the state to collect out-of-state placement information. The following information has been collected and organized to correspond to some of the major issues relevant to the out-of-state placement of children that were raised in Chapter 1.

A. The Number of Children Placed in Out-of-State Residential Settings

A summary of out-of-state placements by New Hampshire public agencies is offered in Table 30-2 to introduce more specific findings, and to generally establish the size of the cohort of children to which the findings pertain. Compared to many states, the out-of-state placements made by public New Hampshire agencies are relatively few, with the 57 placements reported by local education agencies being the largest number made by any particular agency type. The DHW's Division of Welfare made 30 out-of-state placements, while the state juvenile justice agency could only report that it had knowledge of 34 out-of-state placements, some of which were arranged by local agencies.

Neither the DOE's Special Education section or the DHW's Division of Mental Health and Developmental Services directly made any out-of-state placements. The ten local probation departments that are operated by cities and towns placed 16 children into other states.

TABLE 30-2. NEW HAMPSHIRE: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	30	0	*[b]	0	30
Local Agency Placements	--	57	16	--	73
Total	30	57	16	0	103

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 30-13 for specific information regarding state agency involvement in arranging out-of-state placements.

b. The state juvenile justice agency reported having knowledge of 34 out-of-state placements, but did not distinguish between those which were state or locally arranged.

The practices of local agencies are more specifically defined in Table 30-3, which provides the incidence of out-of-state placement for the agencies contained by each of New Hampshire's ten counties. It is important to bear in mind that the jurisdiction of all local agencies contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all local agencies within them.

The discussion of this table is usually accompanied by notation of which counties are on borders with other states and consideration of whether this fact shows trends occuring in placement incidence. This type of discussion has been somewhat abbreviated for New Hampshire because only Belknap and Merrimack Counties do not share borders with other states. They are also less than 30 miles from state borders at their most distant points. Therefore, for the most part, all New Hampshire counties should be regarded as having rather easy access to other states, at least in terms of geographic distances.

School districts in Hillsborough County placed more children out of New Hampshire than those in any other county and more than any of the probation agencies. Hillsborough County's 20 education placements were closely followed in number by those placed by local education agencies in Rockingham County, which placed 15 children. Both of these counties border on northern Massachusetts and parts of them are contained in SMSAs which have their principle cities nearby in the border state. Hillsborough County also completely contains one of New Hampshire's SMSAs and part of another, making this southeastern border region the most urbanized in the state. The school districts in six other New Hampshire counties reported out-of-state placements numbering from one to six children. The only school districts not reporting placements were in the northern and east-central counties of Carroll and Coos.

Four of the five local placing probation departments are also located in Hillsborough and Rockingham Counties. These agencies account for 94 percent of the 16 placements made by these agencies in 1978. A local probation agency in Strafford County made the sole remaining out-of-state placement reported by these agencies. This county, in the southern portion of the state, borders Maine.

Not apparent from Table 30-3 is that there is a general increase in out-of-state placements by local agencies as one moves from north to south through the state's counties towards Massachusetts.

TABLE 30-3. NEW HAMPSHIRE: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Belknap	6,260	3	--
Carroll	3,841	0	--
Cheshire	9,892	6	--
Coos	6,599	0	--
Grafton	8,857	4	0
Hillsborough	45,710	20	7
Merrimack	15,155	6	0
Rockingham	31,295	15	8
Strafford	13,389	1	1
Sullivan	5,931	1	--
Multicounty Jurisdictions			
Cheshire, Sullivan		1	--
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		57	16
Total Number of Local Agencies Reporting		169	10

-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The extent to which local agencies were involved in placing children into other states is summarized in Table 30-4, without regard to the number of children they may have placed. The local agencies providing services to children in New Hampshire are the 169 school districts and the ten probation departments that are operated by towns and municipalities independent of the Department of Probation.

A minority of the school districts, 22 percent, reported making out-of-state placements. All 169 agencies participated in the survey and were able to report on placement practices. One-half of the ten local probation departments existing in 1978 placed children into other states. They also responded in full to the survey.

TABLE 30-4. NEW HAMPSHIRE: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	37	5
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	0
Agencies Which Did Not Place Out of State	132	5
Agencies Which Did Not Participate in the Survey	0	0
Total Local Agencies	169	10

Local agencies not involved in placing children out of state were asked to describe why no such involvement had occured. All 132 local education agencies responding had found sufficient services available in New Hampshire to meet service needs. Local probation departments, in contrast to these school districts, reported that no out-of-state placements were made because they lacked funds for that purpose. Two juvenile justice agencies also specified in the "other" response that they lacked information about out-of-state resources.

TABLE 30-5. NEW HAMPSHIRE: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)	
	Education	Juvenile Justice
Lacked Statutory Authority	0	0
Restricted	0	0
Lacked Funds	0	5
Sufficient Services Available in State	132	0
Other[b]	3	4
Number of Agencies Reporting No Out-of-State Placements	132	5
Total Number of Agencies Represented in Survey	169	10

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The extent to which local agencies enlisted the consultation and aid of other public agencies in the course of making out-of-state placements is reflected in Table 30-6. Less than one-half of the school districts making placements cooperated with other public agencies in this way for a similar proportion of placements. All local probation departments placing children into other states collaborated with other public agencies in the course of placing 12 of the 16 children leaving New Hampshire from these agencies. It was often noted by both local agency types that the DHW's Division of Welfare was the agency involved in some way in their out-of-state placements.

TABLE 30-6. NEW HAMPSHIRE: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type			
	Education		Juvenile Justice	
	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	37	22	5	50
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	16	43	5	100
Number of CHILDREN Placed Out of State	57	100	16	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	26	46	12	75

a. See Table 30-4.

Local agencies placing children across state lines were asked to describe these children according to a list of characteristics. Table 30-7 summarizes the responses of these agencies. All local school districts reported that children placed out of state had special education needs. Between 43 and 46 percent of these same agencies also said that children placed were physically handicapped and mentally ill or emotionally disturbed. Fewer responses were given to the characteristics describing mental, developmental, or multiple handicaps, or other problems.

The five juvenile courts placing children out of New Hampshire gave a wide variety of responses in describing those children. Four of the agencies said that the children were adjudicated delinquent and an equal number of agencies reported that children placed were mentally ill or emotionally disturbed. Fewer responses were also given to other characteristics, including being unruly or disruptive, having special education needs, being prone to substance abuse, truant, or battered, abandoned, or neglected. It might be surmised from these responses that, as a group, the local probation departments are widely involved in the problems of the children.

TABLE 30-7. NEW HAMPSHIRE: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Physically Handicapped	16	0
Mentally Retarded or Developmentally Disabled	4	0
Unruly/Disruptive	0	3
Truant	0	1
Juvenile Delinquent	0	4
Mentally Ill/Emotionally Disturbed	17	4
Pregnant	0	0
Drug/Alcohol Problems	0	2
Battered, Abandoned, or Neglected	0	1
Adopted	0	0
Special Education Needs	37	3
Multiple Handicaps	5	0
Other[b]	4	0
Number of Agencies Reporting	37	5

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of New Hampshire's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local New Hampshire agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 30-1. There were only three Phase II agencies in New Hampshire, including one school district and two local juvenile justice agencies. These latter two agencies, however, constitute 20 percent of all the local juvenile justice agencies and 40 percent of those which placed children out of state in 1978.

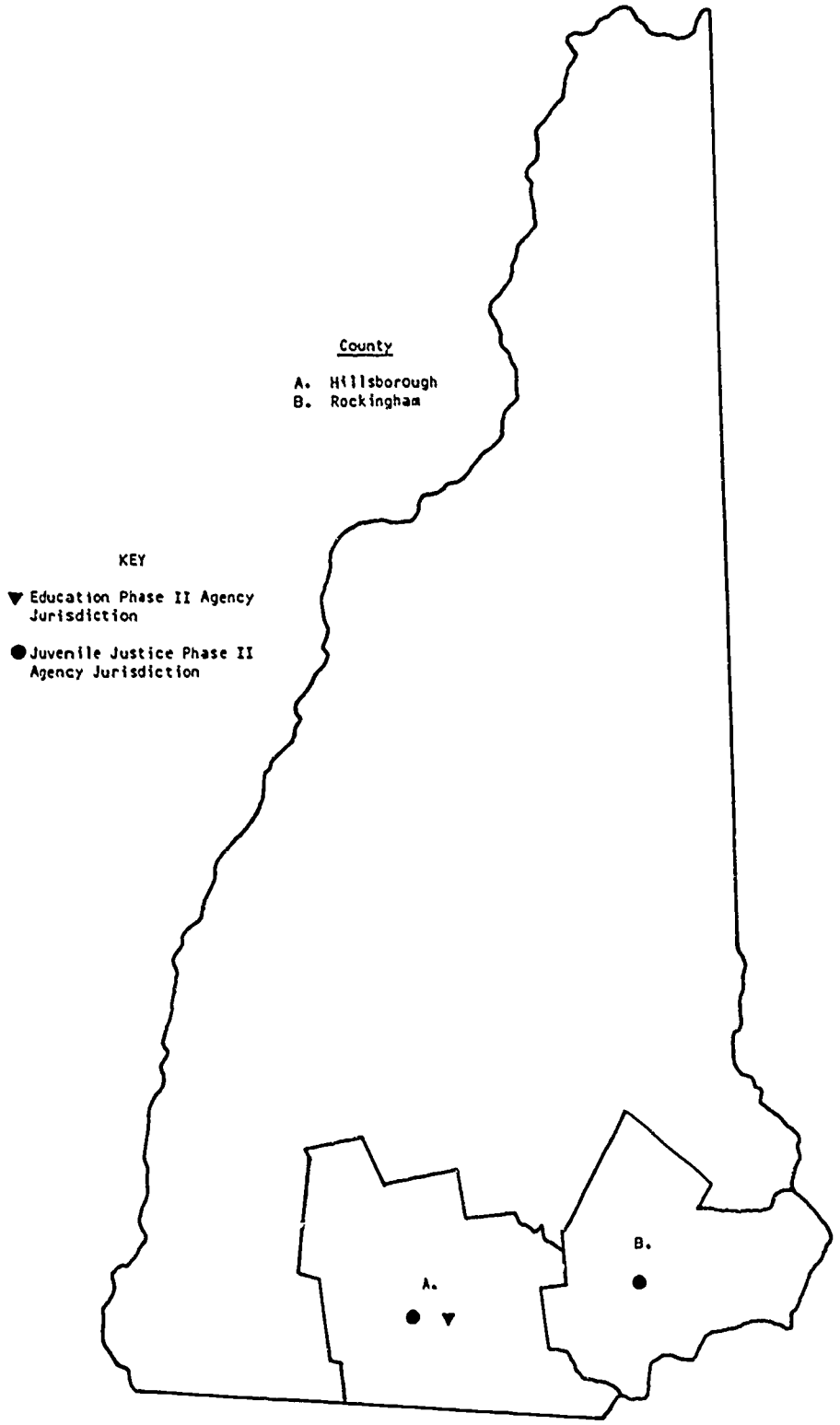
The single Phase II school district was responsible for the out-of-state placement of 11 percent of the children sent out of New Hampshire by local education agencies. The two Phase II juvenile justice agencies, however, arranged 69 percent of the local juvenile justice placements made in 1978.

FIGURE 30-1. NEW HAMPSHIRE: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Education	Juvenile Justice
Number of Agencies	169	10
Number of Agencies Reporting Out-of-State Placements in 1978	37	5
Number of Agencies Reporting Five or More Placements in 1978 (Phase II Agencies)	1	2
Number of Children Placed Out of State in 1978	57	16
Number of Children Placed by Phase II Agencies	6	11
Percentage of Reported Placements in Phase II	11	69

It is not surprising to note the geographic location of these Phase II agencies in Figure 30-2 when the discussion of Table 30-3 is recalled. Both juvenile justice agencies hold jurisdiction in southern-most counties of New Hampshire, Hillsborough and Rockingham, which also border Massachusetts. Hillsborough County is also the location of the single Phase II school district in New Hampshire.

FIGURE 30-2. NEW HAMPSHIRE: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



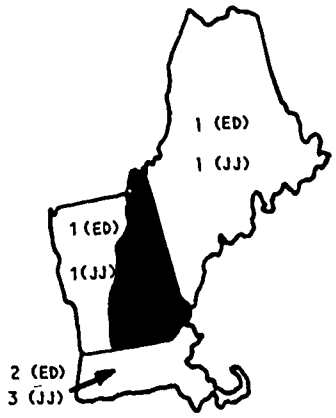
Local Phase II agencies were asked to provide additional information about their practices, including the destinations of children, which are summarized in Table 30-8. The single education agency reporting destinations placed all six children into New England states, three of those states contiguous to New Hampshire. The two reporting Phase II probation agencies placed 11 children in small numbers to eight states. The most distant of these states were Utah, Oregon, and Arizona. The remaining children were sent to New England states or New York. Destinations were reported for all children placed by these agencies.

TABLE 30-8. NEW HAMPSHIRE: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed	
	Education	Juvenile Justice
Arizona	0	1
Connecticut	2	1
Maine	1	1
Massachusetts	2	3
New York	0	2
Oregon	0	1
Utah	0	1
Vermont	1	1
Placements for Which Destinations Could Not be Reported by Phase II Agencies	0	0
Total Number of Phase II Agencies	1	2
Total Number of Children Placed by Phase II Agencies	6	11

Figure 30-3 further illustrates the use of settings in states contiguous to New Hampshire. The figure indicates that four of the six education placements went to Maine, Massachusetts, and Vermont, and five of the 11 local juvenile justice placements went to settings in those states. In total, 53 percent of all local placements for which destination was reported went to states bordering New Hampshire.

FIGURE 30-3. NEW HAMPSHIRE: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO NEW HAMPSHIRE BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II education agencies reported destinations for six children. Local Phase II juvenile justice agencies were able to report the destinations of 11 children placed out of state.

Local Phase II agencies were asked to describe the reasons these placements were made according to the list contained in Table 30-9. The single school district providing its reasons for out-of-state placements responded to every reason available for explanation, except placing children across state lines because the setting was closer to a child's home than in-state programs, and to live with relatives other than parents.

The two reporting local probation agencies placed children because of unsuccessful in-state placements, because of previous success with particular out-of-state facilities, and because they perceived New Hampshire to lack services comparable to other states. The probation agencies also placed children out of state to live with relatives other than parents.

TABLE 30-9. NEW HAMPSHIRE: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0	0
Previous Success with Receiving Facility	1	2
Sending State Lacked Comparable Services	1	2
Standard Procedure to Place Certain Children Out of State	1	0
Children Failed to Adapt to In-State Facilities	1	2
Alternative to In-State Public Institutionalization	1	0
To Live with Relatives (Non-Parental)	0	2
Other	0	0
Number of Phase II Agencies Reporting	1	2

a. Some agencies reported more than one reason for placement.

Table 30-10 indicates the type of setting most frequently selected to receive children who were placed out of state by agencies involved in more than four out-of-state placements. The single responding school district most often sent children to boarding or military schools. One of the responding probation agencies most frequently sent children to residential treatment or child care facilities and the other agency most often sent children to relatives' homes outside of New Hampshire.

TABLE 30-10. NEW HAMPSHIRE: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Residential Treatment/Child Care Facility	0	1
Psychiatric Hospital	0	0
Boarding/Military School	1	0
Foster Home	0	0
Group Home	0	0
Relative's Home (Non-Parental)	0	1
Adoptive Home	0	0
Other	0	0
Number of Phase II Agencies Reporting	1	2

The monitoring practices used by local agencies placing more than four children out of state and the frequency with which these practices were undertaken are summarized in Table 30-11. The single local education agency providing this information relied upon semiannual written progress reports and on-site visits, and phone calls at other intervals to monitor children's progress in placement.

The two responding juvenile probation agencies made occasional telephone calls and one agency required monthly progress reports. Single responses were also received for requiring written quarterly progress reports and making annual on-site visits to assess progress.

TABLE 30-11. NEW HAMPSHIRE: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY NEW HAMPSHIRE LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIESa	
		Education	Juvenile Justice
Written Progress Reports	Quarterly	0	1
	Semiannually	1	0
	Annually	0	0
	Otherb	0	1
On-Site Visits	Quarterly	0	0
	Semiannually	1	0
	Annually	0	1
	Otherb	0	0
Telephone Calls	Quarterly	0	0
	Semiannually	0	0
	Annually	0	0
	Otherb	1	2
Other	Quarterly	0	0
	Semiannually	0	0
	Annually	0	0
	Otherb	0	0
Total Number of Phase II Agencies Reporting		1	2

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

In response to a request for information related to expenditures for out-of-state placements, the school district placing more than four children reported a total expenditure of $40,000 and the two local probation agencies together reported spending about $60,000 for this purpose.

D. Use of Interstate Compacts by State and Local Agencies

An issue of particular importance to a study about the out-of-state placement of children concerns the extent to which interstate compacts are utilized to arrange such placements. Table 30-12 reports overall findings about the use of compacts in 1978 by local New Hampshire agencies which arranged out-of-state placements. Information is given to facilitate a comparison of compact utilization across agency types and between agencies with four or less and five or more placements (Phase II). In addition, the specific type of compact which was used by Phase II agencies is reported in Table 30-12.

Consideration of compact utilization by local education and juvenile justice agencies, in total, shows that 39 of the 42 agencies placed children out of New Hampshire in 1978 without the use of an interstate compact. One education and one juvenile justice agency placing four or less children reported utilizing a compact and a Phase II juvenile justice agency reported having used the Interstate Compact on Juveniles (ICJ) during the reporting year.

TABLE 30-12. NEW HAMPSHIRE: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	36	3
• Number Using Compacts	1	1
• Number Not Using Compacts	35	2
• Number with Compact Use Unknown	0	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	1	2
• Number Using Compacts	0	1
Interstate Compact on the Placement of Children		
Yes	0	0
No	1	2
Don't Know	0	0
Interstate Compact on Juveniles		
Yes	0	1
No	1	1
Don't Know	0	0
Interstate Compact on Mental Health		
Yes	0	0
No	1	2
Don't Know	0	0
• Number Not Using Compacts	1	1
• Number with Compact Use Unknown	0	0
TOTALS		
Number of AGENCIES Placing Children Out of State	37	5
Number of AGENCIES Using Compacts	1	2
Number of AGENCIES Not Using Compacts	36	3
Number of AGENCIES with Compact Use Unknown	0	0

Table 30-13 provides additional information about the utilization of interstate compacts by New Hampshire local agencies. This table is organized similar to Table 30-12, but reports findings about the number of children who were or were not placed out of state with a compact. In total, 66 children were reported placed in other states without a compact. Comparison across agency types reveals that the one local school district used a compact in the placement of one child during 1978, while six children were placed with compact use by local juvenile justice agencies. Five of these placements were arranged by a Phase II agency utilizing the ICJ.

TABLE 30-13. NEW HAMPSHIRE: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN	
	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	51	5
• Number Placed with Compact Use	1	1
• Number Placed without Compact Use	50	4
• Number Placed with Compact Use Unknown	0	0
CHILDREN PLACED BY PHASE II AGENCIES	6	11
• Number Placed with Compact Use	0	5
Number through Interstate Compact on the Placement of Children	0	0
Number through Interstate Compact on Juveniles	0	5
Number through Interstate Compact on Mental Health	0	0
• Number Placed without Compact Use	6	6
• Number Placed with Compact Use Unknown	0	0
TOTALS		
Number of CHILDREN Placed Out of State	57	16
Number of CHILDREN Placed with Compact Use	1	6
Number of CHILDREN Placed without Compact Use	56	10
Number of CHILDREN Placed with Compact Use Unknown	0	0

A graphic summarization of the extent to which out-of-state placements by local agencies were processed by interstate compacts is reflected in the following figures. Figure 30-4 indicates that all but two percent of the education placements left the state without the involvement of a compact. There is no interstate compact which explicitly provides for the placement of children into facilities which are primarily educational in nature.

FIGURE 30-4. NEW HAMPSHIRE: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

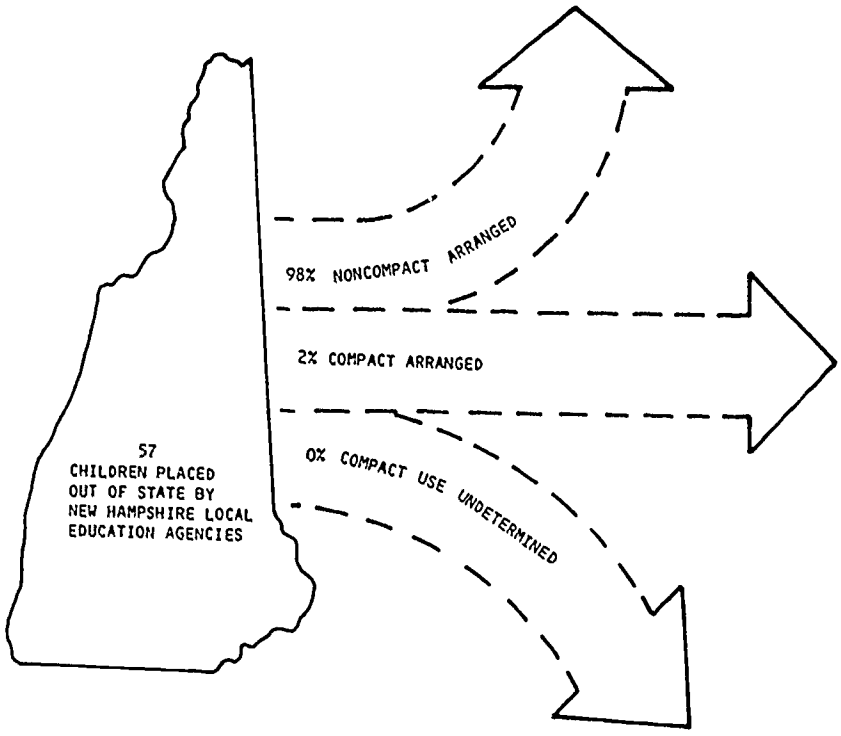
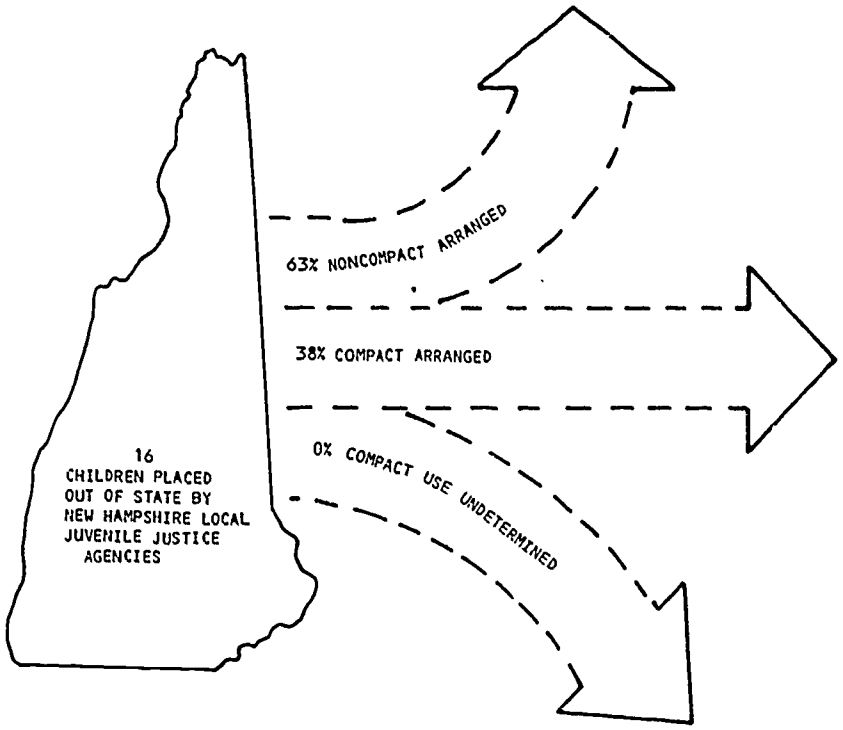


Figure 30-5 shows a different situation in terms of compact utilization by local probation agencies. Thirty-eight percent of the 16 placements made by these agencies involved an interstate compact and 63 percent did not.

FIGURE 30-5. NEW HAMPSHIRE: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



State agencies in New Hampshire also reported their knowledge of interstate compact utilization in 1978, as displayed in Table 30-14. The state child welfare agency reported full compact utilization in 1978, as displayed in Table 30-14, for the placement of 30 children. The state education agency was not able to report the number of children placed out of state with the use of an interstate compact. The state juvenile justice agency reported a larger number of placements to have been compact processed in 1978 than were reported by local agencies.

TABLE 30-14. NEW HAMPSHIRE: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice
Total Number of State and Local Agency-Arranged Placements	30	57	*a
Total Number of Compact-Arranged Placements Reported by State Agencies	30	*	34
Percentage of Compact-Arranged Placements	100	*	*

* denotes Not Available.

a. The local juvenile justice agencies reported arranging the out-of-state placement of 16 children. The state agency did not distinguish between state and locally arranged placements of which they had knowledge.

E. The Out-of-State Placement Practices of State Agencies

The state agency placement data which was introduced in Table 30-2 is expanded and further specified in Table 30-15. In this table, placement incidence is reported by the type of involvement the state agency undertook in sending children into other states. The data serves the additional purpose of reflecting the ability of state agencies to identify how and to what extent they were involved in the practice.

The DHW's Division of Welfare reported arranging and funding eight out-of-state placements, and said that, in total, it was involved in or had knowledge of 30 such placements. The discrepancy of 22 placements between these two figures is accounted for by the fact that the agency did not specifically identify the number of children placed out of New Hampshire under other forms of involvement. The state education agency was able to rule out all forms of involvement except for funding 39 locally arranged placements. Apparently, the state education agency is not aware of all out-of-state placement activity undertaken by local education agencies because the survey of each school district yielded 57 reported placements.

A total of 34 placements into other states were reported by the Department of Probation. This juvenile justice agency indicated that the only types of involvement undertaken in 1978 were the receipt of reports of placements locally arranged and funded, and "other" types of involvement, but did not indicate which among the 34 placements belonged to each category of involvement. The number of placements which were unavailable under the "other" category of involvement were placements into other states through the Interstate Compact on Juveniles for courtesy supervision of status offenders and adjudicated delinquents. These placements required no funding on the part of the department. Recalling that there were 16 placements by local probation agencies, six of which were reported to have been processed by a compact, should give some indication about the local activity which the department did not report. The DHW's Division of Mental Health and Developmental Services was not involved in placing children out of New Hampshire in 1978.

TABLE 30-15. NEW HAMPSHIRE: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	8	0	0	0
Locally Arranged but State Funded	--	39	0	--
Court Ordered, but State Arranged and Funded	*	0	0	0
Subtotal: Placements Involving State Funding	*	39	0	0
Local, Arranged and Funded, and Reported to State	--	0	*	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	0	0	0
Other	*	0	*	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	30	39	34	0

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

The destinations of children reported out of state by state agencies were requested. The state agency responses are summarized in Table 30-16. The state child welfare agency could not report the destination of children it placed out of state. The Department of Education identified destinations for all children it reported placed out of state. Ninety-two percent of these children went to states contiguous to New Hampshire, especially Massachusetts, which received 17 of the 39 children placed. The three children placed into states not bordering New Hampshire went to Connecticut and Pennsylvania.

The Department of Probation reported less frequent use of contiguous states than the education agency. Eight children were placed in Maine and Massachusetts, comprising 47 percent of the total. The remaining 53 percent of the placements went to six states as near to New Hampshire as Connecticut and as far as California. Florida received the most children among these states, with six children going to that state in 1978. Seventy-one percent of all children reported out of state by state agencies for which destinations were available went to the three states bordering New Hampshire.

TABLE 30-16. NEW HAMPSHIRE: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed		
	Child Welfare	Education	Juvenile Justice
California		0	4
Connecticut		1	3
Florida		0	6
Illinois		0	2
Kansas		0	2
Maine		8	8
Massachusetts		17	8
Pennsylvania		2	0
Tennessee		0	1
Vermont		11	0
Placements for Which Destinations Could Not be Reported by State Agencies	All	0	0
Total Number of Placements	30	39	34

Table 30-17 describes the characteristics of children reported out of New Hampshire by state agencies. The DHW's Division of Welfare reported that children fitting every characteristic offered for description were placed into other states. This is a very broad involvement in the problems or conditions that children may manifest.

The state education and juvenile justice agencies were far more circumscribed in their descriptions of children placed into other states. The state education agency indicated that children placed were physically handicapped, mentally handicapped, or emotionally disturbed. The state juvenile justice agency reported placing only children who were unruly/disruptive or adjudicated delinquent into settings in other states.

TABLE 30-17. NEW HAMPSHIRE: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]		
	Child Welfare	Education	Juvenile Justice
Physically Handicapped	X	X	D
Mentally Handicapped	X	X	D
Developmentally Disabled	X	D	D
Unruly/Disruptive	X	0	D
Truants	X	D	X
Juvenile Delinquents	X	D	X
Emotionally Disturbed	X	X	D
Pregnant	X	D	D
Drug/Alcohol Problems	X	D	D

TABLE 30-17. (Continued)

Types of Conditions	Agency Type[a]		
	Child Welfare	Education	Juvenile Justice
Battered, Abandoned, or Neglected	X	0	0
Adopted Children	X	0	0
Foster Children	X	0	0
Other	X	0	0

a. X indicates conditions reported.

The state agencies were asked to indicate the types of settings in other states which were most frequently selected to receive children. The DHW's Division of Welfare and the Department of Probation said that children leaving New Hampshire most often went to the homes of relatives other than parents. The state education agency used the "other" category to indicate that most children placed out of New Hampshire went to "residential education facilities."

Finally, none of the state agencies reported their expenditures of public funds for out-of-state placement. This information was requested according to the amounts of state, federal, local, or other funds which were used for this purpose.

F. State Agencies' Knowledge of Out-of-State Placements

As a final review, Table 30-18 offers the incidence of out-of-state placement reported by New Hampshire public agencies and the number of children placed out of state of which the state agencies had knowledge. The state child welfare and the mental health and mental retardation agencies were both able to report their involvement in such placements. However, the state education agency reported only 68 percent of the out-of-state placements determined to have been arranged by the local school districts.

The state juvenile justice agency reported having knowledge of 34 children being placed out of state in 1978, but did not distinguish between state and locally arranged placements.

TABLE 30-18. NEW HAMPSHIRE: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	30	57	*a	0
Total Number of Placements Known to State Agencies	30	39	34	0
Percentage of Placements Known to State Agencies	100	68	*	100

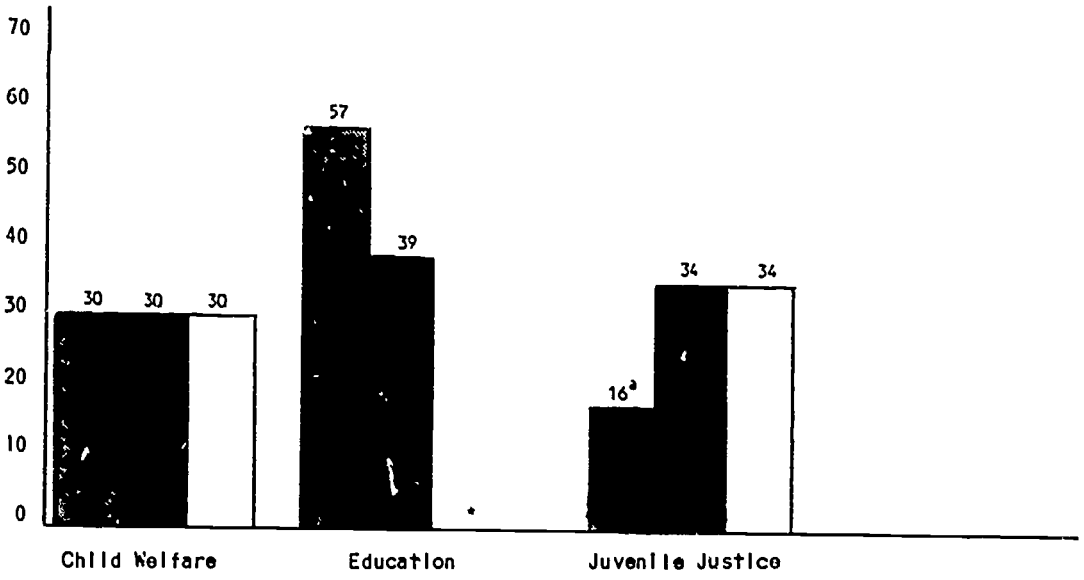
* denotes Not Available.

a. The local juvenile justice agencies reported being involved in the out-of-state placement of 16 children. The placement of 34 children out of state were reported to be known by the state juvenile justice agency, but it did not distinguish between state and locally arranged placements.

Figure 30-6 illustrates New Hampshire state agencies' knowledge of out-of-state placement activity and their knowledge of interstate compact use. Because state agencies are responsible for interstate compact administration, their report of 1978 compact utilization is of great interest to this study, not only providing a form of placement information, but also as a comparison to local agencies' compact use reported in Table 30-13.

All the out-of-state placements reported to have been made by the state child welfare agency were arranged with the use of an interstate compact. The state education agency could not report upon compact utilization for the 39 placements it reported, although the local school districts reported arranging 57 out-of-state placements, one of which was processed through a compact. Finally, the state juvenile justice agency reported knowledge of 34 children being placed out of state in 1978 with interstate compact use, while the local agencies reported arranging 16 placements, only six of which were arranged through a compact. It can be assumed, then, that at least ten locally arranged placements were not known to the state agency.

FIGURE 30-6. NEW HAMPSHIRE: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



* denotes Not Available.

State and Local Placements

State and Local Placements Known to State Agencies

State and Local Compact-Arranged Placements Reported by State Agencies

a. Includes only those out-of-state placements reported by local juvenile justice agencies.

V. CONCLUDING REMARKS

Some of the major trends in the foregoing survey results deserve mention.

- Comparatively few children left New Hampshire in 1978 as a result of public agency involvement. However, the most active of those agencies which did place out of state were local school districts.
- The predominance of out-of-state placement activity among local agencies took place in the more urbanized southern portion of the state. There was a fairly strong trend to use contiguous states to New Hampshire for the placement of those children, especially Maine and Massachusetts, a trend also seen among state agencies.
- In contrast, the majority of local school districts which did not report placing children out of state in 1978, and which are generally located in the less populated northern counties, reported sufficient services were available in New Hampshire for their service needs.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in New Hampshire in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN NEW JERSEY

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Eleanor Engelbrecht, Bureau of Special Education, Department of Education; Elena Alvarez, Assistant Social Work Supervisor, Division of Youth and Family Services, Department of Human Services; Diane O'Hara, Residential Service Specialist, Office of Statewide Facilities and Support, Division of Youth and Family Services, Department of Human Services; William R. Faulkner, Former Chief Compact Correspondent, and Debbie Hanson, Chief Compact Correspondent, Bureau of Interstate Services, Department of Corrections; Lillian Cole, Psychiatric Social Worker, Division of Mental Health and Hospitals, Department of Human Services; and Ellen Sears, Supervisor of Special Residential Services, Division of Mental Retardation, Department of Human Services.

II. METHODOLOGY

Information was systematically gathered about New Jersey from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in New Jersey appears below in Table 31-1.

TABLE 31-1. NEW JERSEY: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview
	Mailed Survey: DHS officials	Mailed Survey: DOE officials	Mailed Survey: DOC officials	Mailed Survey: DHS officials	Mailed Survey: DHS officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: All local special education supervisory offices responsible for the 586 local school districts	Telephone Survey: All 21 local probation departments	Not Applicable (State Offices)	Not Applicable (State Offices)

The Academy also conducted an intensive case study of New Jersey interstate placement policies and practices at the state and local government levels. The findings from the case study are included in The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

New Jersey has the 46th largest land area (7,521 square miles) and is the ninth most populated state (7,331,301) in the United States. It has 211 cities and townships with populations over 10,000 and 38 cities with populations over 30,000. Newark is the most populated city in the state, with a population of approximately 340,000. Trenton, the capital, is the fifth most populated city in the state with over 101,000 persons. The state has 21 counties. The estimated 1978 population of persons eight to 17 years old was 1,289,466.

New Jersey has 12 Standard Metropolitan Statistical Areas (SMSAs). Four of the SMSAs include a portion of its three contiguous states: Pennsylvania, New York, and Delaware.

New Jersey was ranked 17th nationally in total state and local per capita expenditures, 23rd in per capita expenditures for education, and 12th in per capita expenditures for public welfare.[1]

B. Child Welfare

The Department of Human Services' (DHS) Division of Youth and Family Services (DYFS), is responsible for providing residential treatment services to children who are emotionally disturbed, socially maladjusted, juveniles in need of supervision, or, in some cases, delinquent, retarded or physically handicapped. The division's residential system currently spans the field of mental health, corrections, special education, and child welfare. The division operates through district offices in every county, which are supervised by four regional offices. There are 21 district offices in New Jersey.

The division administers all federal funding under Title XX of the Social Security Act. The bulk of these social services are provided through contracts with private and other public agencies. The services include family counseling, child protection, foster care, day care, and adoption.

All out-of-state placements initiated by district offices must be reported to the state. The DYFS maintains direct supervision of these placements. They also monitor all out-of-state placement facilities where division-supervised children are placed. However, the division lacks a specific tracking system for some interstate placements, such as foster care and adoptions. New Jersey is not a member of the Interstate Compact on the Placement of Children (ICPC).

As a result of New Jersey's gubernatorial mandate on the "Placement of Children in Residential Facilities Outside of New Jersey," August 1977, DYFS is now directed to limit the out-of-state placement of children to approved facilities within 50 miles of New Jersey's borders, except under unusual circumstances.

C. Education

The 586 local school districts in New Jersey provide special education programs as well as the normal curriculum for grades K-12. The Department of Education (DOE) is responsible for supervising the school districts and their programs. The DOE has a supervisory representative in all 21 county superintendents' offices. There are approximately 20 to 30 school districts in each county.

All residential placements arranged by the local school districts must be made to facilities approved by DOE. The local school districts pay for the tuition cost of the placement and are reimbursed by the state for a formula-determined portion of the tuition costs. This tuition rate-setting, which is statutorily based, is accomplished on a categorical basis; that is, maximum allowable rates are established for each group of handicaps within New Jersey's classification system. The decentralized state education

representatives in each county maintain that local school districts cannot place children out of state without reporting to them. Otherwise, the district will not be reimbursed and will lose future state funding. Costs beyond the set tuition rate for such placements are usually funded by DYFS, through a referral process.

D. Juvenile Justice

The juvenile and domestic relations court in each of New Jersey's 21 counties has jurisdiction over dependent, neglected, and delinquent children and youth. These county courts maintain probation offices to administer probation services, which are under the general supervision of the state Administrative Office of the Courts. This state office administers the Interstate Compact on Juveniles (ICJ) for those juveniles who are on probation. New Jersey has been a member of ICJ since 1955.

Adjudicated delinquents may be referred to the Department of Corrections (DOC), which operates institutional and parole programs across the state, or to the Department of Human Services' Division of Youth and Family Services (DYFS). DOC youth services are administered by the Division of Juvenile Services. There are five correctional facilities and four residential group centers under the division's control. The division also administers the ICJ for those juveniles who are on parole.

Programs to combat juvenile delinquency and divert youth from the court system are operated in the counties and municipalities by state-funded youth services boards and court-appointed juvenile conference committees.

The county juvenile and domestic relations courts can place children out of state without reporting to the state Administrative Office of the Courts. However, those placements are usually those with relatives or those that do not require funding. The county courts do not have funds for out-of-state placements. They do, however, recommend children for out-of-state placement to DYFS.

F. Mental Health

Mental health services for New Jersey are administered by a division of the Department of Human Services, the Division of Mental Health and Hospitals (DMHH). This division operates four state psychiatric hospitals and funds community mental health services. The DMHH has 21 mental health boards at the county level which serve as planning advisory boards for private community mental health programs. These programs are contracted by the DMHH. Requests for out-of-state placements are reportedly made to the DMHH. The DMHH refers requests for placement to DYFS if no appropriate in-state facilities or services can be located.

It was reported that placements involving patient transfers are reported to the Interstate Compact on Mental Health (ICMH) office within DMHH. New Jersey has been a member of this compact since 1956.

F. Mental Retardation

Institutional services for New Jersey's mentally retarded residents are operated by the Division of Mental Retardation (DMR) within the Department of Human Services. The DMR is divided into four regional offices and operates eight state institutions for the mentally retarded. DMR also funds an extensive purchase-of-care program for the placement of retarded persons into private residential facilities both in and outside of New Jersey.

The DMR administers the transfer of mentally retarded individuals from New Jersey public institutions to other state's facilities through the Interstate Compact on Mental Health.

Recent Developments

A 1977 gubernatorial mandate to limit the use of out-of-state residential facilities for the care and treatment of children under the custody of the Department of Human Services' Division of Youth and Family

Services has resulted in an attempt to keep New Jersey children in need of residential treatment within 50 miles of the state's borders. Quarterly monitoring reports are issued by DYFS as a means of reflecting the progress made in carrying out this mandate.

In 1978, the Department of Human Services established a special Office of Children's Residential Services, directly under the Commissioner of Human Services. This office was established in the attempt to improve DYFS' service delivery system by monitoring all residential programs operated by DYFS, the Division of Mental Retardation, and the Division of Mental Health and Hospitals. Currently the office has focused its attention on the development of community care facilities for children with mental and emotional problems.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The following discussion presents the findings from the survey of New Jersey state and local public agencies. The information given is prepared in a tabular display and is organized to include the major questions asked in regard to the out-of-state placement of children.

A. The Number of Children Placed in Out-of-State Residential Settings

Table 31-2 presents an overview of the total number of out-of-state placements reported by New Jersey state and local agencies. One of the first factors to note in this table is the high placement activity by both the local school districts and juvenile justice agencies. It should be recalled that both agency types have funding constraints previously mentioned in section III. A possible explanation is that another major provider of children's services, the Division of Youth and Family Services, reportedly funds most placements, including those arranged by the local school districts and courts. (Further discussion relating to interagency cooperation can be found in Table 31-6.)

Unfortunately, DYFS was unable to report the number of children for whom they had either helped arrange or fund for such placements in 1978. With DYFS placement data missing, it should be noted that the total of 41 placements reported by state agencies is an underrepresentation.

TABLE 31-2. NEW JERSEY: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type					
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation	Total
State Agency Placements[a]	*	0	10	2	29	41
Local Agency Placements	--	219	210	--	--	429
Total	*	219	220	2	29	470

* denotes Not Available.
-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 31-15 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 31-3 provides the youth population and the number of out-of-state placements arranged by local New Jersey agencies by their county of location or jurisdiction. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all school districts within them. Because not all local agencies in the largest counties (Essex, Bergen, and Middlesex) reported their placement activity for 1978, a comparative analysis among counties is difficult. However, certain trends still emerge and are worth noting. Before considering these trends, it should be mentioned that two-thirds of New Jersey's counties border on other states and that six counties are within the immediate vicinity of the greater New York City area.

All reporting counties show placement activity by either one or more local school districts or a juvenile probation department. Although local school districts and juvenile justice agencies reflect similar total placement figures, the intensity of placement activity differs among these agency types in various counties. It is apparent from Table 31-3 that a large portion of the total reported juvenile justice placements were made by the agencies in Burlington and Union (Elizabeth) Counties, with 60 and 30 estimated placements, respectively. Both of these counties have a large juvenile population, in addition to the fact that both counties make up a portion of two different SMSAs in New Jersey. Burlington County shares a border with Philadelphia, Pennsylvania and Union County is only separated by water from Staten Island and New York City. In contrast, the local education agencies in these two counties reported seven and 11 placements, respectively. This type of contrast in placement activity between agency types in a single county appears prevalent in New Jersey.

The majority of reported local education placements were made by agencies in Camden, Monmouth, Morris, and Mercer Counties, two of which are part of larger SMSAs and two of which are SMSAs in themselves. These four counties' school districts made 62 percent of the reported education placements. In contrast, the juvenile justice agencies in these counties which were able to report on their placement activity made far fewer placements.

TABLE 31-3. NEW JERSEY: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Atlantic	31,151	0	12 est
Bergen	142,632	9	*
Burlington	68,088	7	60 est
Camden	88,252	40	*
Cape May	10,898	1	0
Cumberland	24,977	0	16 est
Essex	155,139	*	*
Gloucester	37,192	4	0
Hudson	88,550	27	*
Hunterdon	14,506	1	0
Mercer	53,411	30	13 est
Middlesex	105,985	*	12 est
Monmouth	95,831	35	15 est
Morris	77,127	31	13 est
Ocean	49,367	1	2 est
Passaic	77,942	2	0
Salem	11,660	4	11 est
Somerset	38,894	11	17 est
Sussex	19,674	2	7 est
Union	83,328	11	30 est
Warren	14,862	3	2

TABLE 31-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978	
		Education	Juvenile Justice
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		219	210 est
Total Number of Local Agencies Reporting		586	21

* denotes Not Available.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

Table 31-4 shows that 23 of New Jersey's 586 school districts did not participate in the survey of local New Jersey agencies, while all 21 juvenile probation departments completed the telephone survey. The state special education supervisory office for Essex County's school districts, 22 in all, was not able to respond to the survey. Of those local agencies responding, 30 agencies (26 school districts and four probation offices) did not know if they placed children out of state in 1978 or if they placed but could not report the number of children. Approximately 18 percent of the local school districts that did participate in the survey reported to have placed at least one child out of state in 1978. In contrast, about 62 percent of the local juvenile probation departments reported some placement activity.

TABLE 31-4. NEW JERSEY: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type	
	Education	Juvenile Justice
Agencies Which Reported Out-of-State Placements	99	13
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	26	4
Agencies Which Did Not Place Out of State	438	4
Agencies Which Did Not Participate in the Survey	23	0
Total Local Agencies	586	21

The local New Jersey agencies which did not arrange out-of-state placements in 1978 were asked to report their reasons for not being involved in the practice. Table 31-5 gives the responses of 438 school districts and four juvenile justice agencies. Nearly 94 percent of the responses from the school

districts were that sufficient services already existed in New Jersey. Five responses acknowledged a lack of funds or other restrictions for such placement. One school district specified that the parents disapproved of the placement in the "other" category.

One-half of the reporting juvenile probation departments stated that no out-of-state placements occurred because the agency lacked statutory authority or was restricted by agency policy. A possible explanation for this response is the governor's mandate limiting the out-of-state placements made by DYFS. Many courts have interpreted this mandate to include court referrals to DYFS for the placement of youth. All four nonplacing juvenile probation departments stated they lacked sufficient funds to place a child out of state and three departments stated that services in New Jersey were adequate to serve the children.

TABLE 31-5. NEW JERSEY: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)	
	Education	Juvenile Justice
Lacked Statutory Authority	0	2
Restricted[b]	2	2
Lacked Funds	3	4
Sufficient Services Available in State	411	3
Other[c]	28	3
Number of Agencies Reporting No Out-of-State Placements	438	4
Total Number of Agencies Represented in Survey	563	21

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The extent of interagency cooperation in the arrangement of out-of-state placements is illustrated in Table 31-6. It was reported that 68 percent of the placing school districts arranged 63 percent of their total placements with the cooperation of another public agency. All of the juvenile justice agencies that placed children out of state reported interagency cooperation in arranging 92 percent of their out-of-state placements. In both cases, DYFS was most often specified as the public agency involved with these local agencies. As noted previously, DYFS provides most of the funding for out-of-state placements to residential facilities.

TABLE 31-6. NEW JERSEY: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type			
	Education		Juvenile Justice	
	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	99	18	13	62
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	67	68	13	100
Number of CHILDREN Placed Out of State	219	100	210	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	138	63	194	92

a. See Table 31-4.

All agencies reporting involvement in placements were asked to specify the conditions or statuses of the children they helped to place out of state. The local education agencies most frequently mentioned mentally or emotionally disturbed children and those children who had special education needs, as reflected in Table 31-7. However, physically handicapped, mentally retarded or developmentally disabled children, and children with multiple handicaps were mentioned almost as frequently. Several school districts reported placing children who were unruly/disruptive, who had drug or alcohol problems, in addition to adopted children and juvenile delinquents. One school district reported sending an autistic child to an out-of-state placement setting (specified in the "other" category).

The response to this question by local juvenile justice agencies was even more varied than education agencies. Unruly/disruptive children, children with drug or alcohol problems, and juvenile delinquents were the most commonly mentioned; these are children who are traditionally serviced by these agencies. Mentally ill/emotionally disturbed youth and children having special education needs also received a large number of responses. One to three responses were also given to conditions or statuses which are often within other agencies' services arena, including mentally retarded or developmentally disabled and physically handicapped youth.

TABLE 31-7. NEW JERSEY: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Physically Handicapped	46	1
Mentally Retarded or Developmentally Disabled	80	1
Unruly/Disruptive	22	12
Truant	0	3
Juvenile Delinquent	8	15

TABLE 31-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Mentally Ill/Emotionally Disturbed	91	8
Pregnant	0	2
Drug/Alcohol Problems	24	10
Battered, Abandoned, or Neglected	0	3
Adopted	8	2
Special Education Needs	91	9
Multiple Handicaps	75	1
Other[b]	1	0
Number of Agencies Reporting	99	17[c]

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

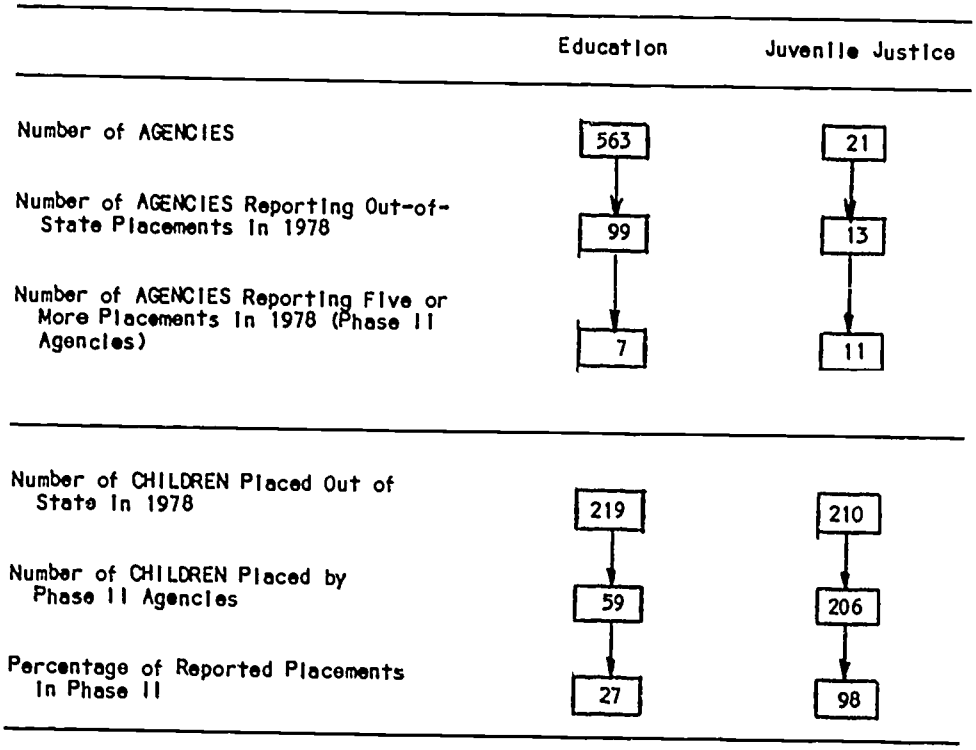
c. The four agencies which could not report the number of out-of-state placements they arranged were able to respond to this question.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of New Jersey's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

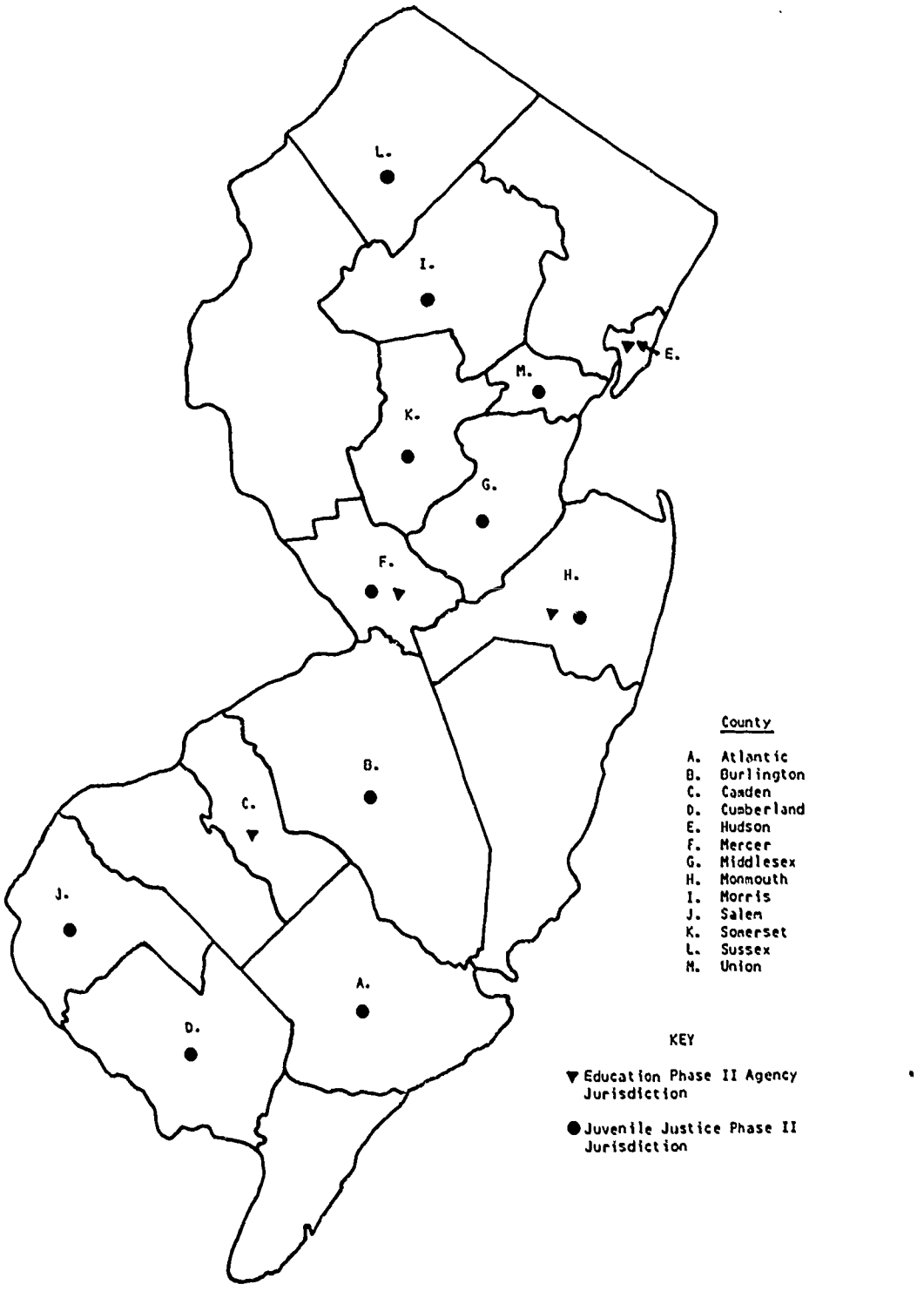
The relationship between the number of local New Jersey agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 31-1. Seven school districts, or seven percent of the placing districts, were Phase II agencies which were involved in arranging 27 percent of the local education placements reported. In dramatic contrast, 85 percent of the local placing juvenile justice agencies were in the Phase II category, reporting involvement in 98 percent of the out-of-state placements arranged by this agency type in 1978. Therefore, the detailed information to be reported on the practices of Phase II juvenile justice agencies is descriptive of the majority of out-of-state placements arranged by these local agencies in 1978.

FIGURE 31-1. NEW JERSEY: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE



Because of the large number of juvenile justice Phase II agencies in New Jersey, the illustration of their geographic location by county in Figure 31-2 nearly encompasses the entire state. The Phase II school districts are located in counties containing larger metropolitan areas: Camden, Hudson, Mercer, and Monmouth counties.

FIGURE 31-2. NEW JERSEY: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



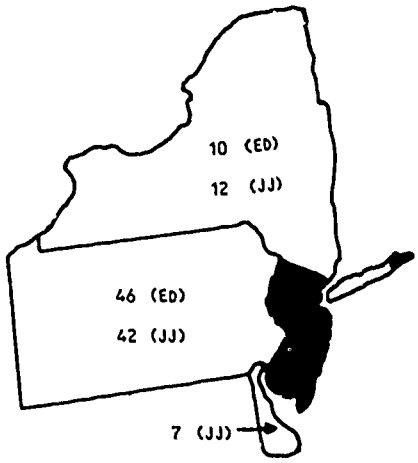
A further area of interest was the destinations of the children placed out of state by New Jersey public agencies. Only Phase II local agencies were asked to report the receiving state or county of their placements. Table 31-8 reflects that the majority of children for whom destinations were reported, 95 percent, were placed in the border states of Pennsylvania and New York by New Jersey Phase II school districts in 1978. One responding school district also placed a child in Connecticut. Texas and Virginia each received one child.

The local Phase II juvenile justice agencies sent children to 18 states. These agencies placed over one-half of the children reported placed in the bordering states of Pennsylvania, New York, and Delaware. However, states as far west as Montana, Utah, and California received children from New Jersey local juvenile justice agencies as well. The prevalent use of New Jersey's contiguous states for placement purposes is illustrated in Figure 31-3.

TABLE 31-8. NEW JERSEY: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed	
	Education	Juvenile Justice
Arkansas	0	1
California	0	2
Connecticut	1	9
Delaware	0	7
District of Columbia	0	5
Florida	0	8
Georgia	0	2
Indiana	0	1
Maryland	0	2
Massachusetts	0	5
Montana	0	1
New York	10	23
North Carolina	0	2
Ohio	0	1
Pennsylvania	46	42
Texas	1	5
Utah	0	5
Virginia	1	5
Placements for Which Destinations Could Not be Reported by Phase II Agencies	0	80
Total Number of Phase II Agencies	7	11
Total Number of Children Placed by Phase II Agencies	59	206

FIGURE 31-3. NEW JERSEY: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO NEW JERSEY BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II education agencies reported destinations for 59 children. Local Phase II juvenile justice agencies reported destinations for 126 children.

Those local Phase II agencies were asked to provide their reasons for becoming involved in the practice. The seven local Phase II school districts reported several reasons, as shown in Table 31-9. They included having previous success with an out-of-state program, the lack of comparable services within New Jersey, alternative placements to a New Jersey public facility, and standard procedure to place certain children in other states.

These four reasons were also given by the responding Phase II juvenile probation agencies, along with multiple agency responses to other reasons offered. These included the largest number of agencies saying that placements were made in order for the child to live with an out-of-state relative. Three agencies placed children out of state because they were aware that the facility was closer to a child's home than one in New Jersey.

TABLE 31-9. NEW JERSEY: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0	3
Previous Success with Receiving Facility	3	7
Sending State Lacked Comparable Services	5	9
Standard Procedure to Place Certain Children Out of State	6	1
Children Failed to Adapt to In-State Facilities	2	2
Alternative to In-State Public Institutionalization	3	6
To Live with Relatives (Non-Parental)	1	10
Other	2	2
Number of Phase II Agencies Reporting	7	11

a. Some agencies reported more than one reason for placement.

These same education and juvenile probation agencies reported the type of placement setting most frequently used out of state in 1978. Residential treatment or child care facilities were most commonly used by all education agencies and 64 percent of the juvenile probation departments. Relatives' homes were identified by four juvenile justice agencies as the most repeatedly used setting.

TABLE 31-10. NEW JERSEY: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting	
	Education	Juvenile Justice
Residential Treatment/Child Care Facility	7	7
Psychiatric Hospital	0	0
Boarding/Military School	0	0
Foster Home	0	0
Group Home	0	0
Relative's Home (Non-Parental)	0	4
Adoptive Home	0	0
Other	0	0
Number of Phase II Agencies Reporting	7	11

The monitoring practices for out-of-state placements by local agencies placing five or more children was also sought in this survey. As shown in Table 31-11, the responding local school districts required a written progress report about the children it had placed on some regular interval. On-site visits were also reported to be done by at least one school district, either on a semiannual or annual basis. One local school district reported calling the receiving facility on an irregular basis to check on the child's progress.

All the reporting local juvenile probation departments requested a written progress report, varying the time intervals that they are expected to be submitted. On-site visits were also a mentioned practice, as well as telephone calls done either quarterly or on an irregular basis.

TABLE 31-11. NEW JERSEY: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]	
		Education	Juvenile Justice
Written Progress Reports	Quarterly	4	5
	Semiannually	1	2
	Annually	2	0
	Other[b]	0	4
On-Site Visits	Quarterly	0	0
	Semiannually	1	2
	Annually	2	0
	Other[b]	0	3
Telephone Calls	Quarterly	0	3
	Semiannually	0	0
	Annually	0	0
	Other[b]	1	6
Other	Quarterly	0	1
	Semiannually	0	0
	Annually	0	0
	Other[b]	0	0
Total Number of Phase II Agencies Reporting		7	11

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Four local Phase II education and 12 Phase II juvenile probation agencies reported not using local funds to place children out of state. As mentioned in section III, DYFS usually funds such placements in full or in part because the courts do not have any funds for such purposes and the school districts were only reimbursed for tuition costs by their state agency in 1978.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local agencies in New Jersey also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 31-12 indicates that 95 of the 112 agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. None of the placing school districts reported utilizing an interstate

compact in 1978. This is not surprising because no compact includes placements into facilities solely educational in nature under its purview. Also, New Jersey had not enacted the Interstate Compact on the Placement of Children in 1978, therefore offering no compact for placement into an out-of-state residential treatment or child care facility.

The majority of placing juvenile probation agencies (69 percent) reported some use of an interstate compact in 1978. Eight of these Phase II agencies arranged out-of-state placements through the Interstate Compact on Juveniles.

TABLE 13-12. NEW JERSEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	92	2
• Number Using Compacts	0	1
• Number Not Using Compacts	84	1
• Number with Compact Use Unknown	8	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	7	11
• Number Using Compacts	0	8
Interstate Compact on the Placement of Children[a]		
Yes	---	---
No	---	---
Don't Know	---	---
Interstate Compact on Juveniles		
Yes	0	8
No	7	3
Don't Know	0	0
Interstate Compact on Mental Health		
Yes	0	0
No	7	11
Don't Know	0	0
• Number Not Using Compacts	7	3
• Number with Compact Use Unknown	0	0

TABLE 31-12. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES	
	Education	Juvenile Justice
TOTALS		
Number of AGENCIES Placing Children Out of State	99	13
Number of AGENCIES Using Compacts	0	9
Number of AGENCIES Not Using Compacts	91	4
Number of AGENCIES with Compact Use Unknown	8	0

-- denotes Not Applicable.

a. New Jersey had not enacted the Interstate Compact on the Placement of Children in 1978.

Further knowledge concerning the utilization of interstate compacts is acquired through consideration of the information given in Table 31-13. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the overall trend shows that a total of 270 children were placed in out-of-state residential care in 1978 without the use of a compact. Again, the absence of membership in the Interstate Compact on the Placement of Children may partially account for this fact. However, generally speaking, education and juvenile justice agencies in other states are not as likely to utilize this compact (ICPC) as are child welfare agencies. No placements made by local education agencies out of New Jersey were processed through a compact. However, 149 children whose placements were arranged by juvenile probation agencies were reported to be compact arranged; 147 of these children, placed by Phase II agencies, were identified as being sent out of state with the use of the Interstate Compact on Juveniles.

TABLE 31-13. NEW JERSEY: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN	
	Education	Juvenile Justice
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	160	4
• Number Placed with Compact Use	0	2
• Number Placed without Compact Use	151	1
• Number Placed with Compact Use Unknown[a]	9	1

TABLE 31-13. (Continued)

Children Placed Out of State	Number of CHILDREN	
	Education	Juvenile Justice
CHILDREN PLACED BY PHASE II AGENCIES	59	206
• Number Placed with Compact Use	0	147
Number through Interstate Compact on the Placement of Children[b]	0	0
Number through Interstate Compact on Juveniles	0	147
Number through Interstate Compact on Mental Health	0	0
• Number Placed without Compact Use	59	59
• Number Placed with Compact Use Unknown	0	0
TOTALS		
Number of CHILDREN Placed Out of State	219	210
Number of CHILDREN Placed with Compact Use	0	149
Number of CHILDREN Placed without Compact Use	210	60
Number of CHILDREN Placed with Compact Use Unknown	9	1

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

b. New Jersey had not enacted the Interstate Compact on the Placement of Children in 1978.

Graphic representation of the information gathered about interstate compact utilization for children placed out of state in 1978 by local agencies are illustrated in Figures 31-4 and 5. The proportion of children placed out of state without compact use, with the use of a compact, and for those which compact use was undetermined is given in these figures for both local agency types.

FIGURE 31-4. NEW JERSEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

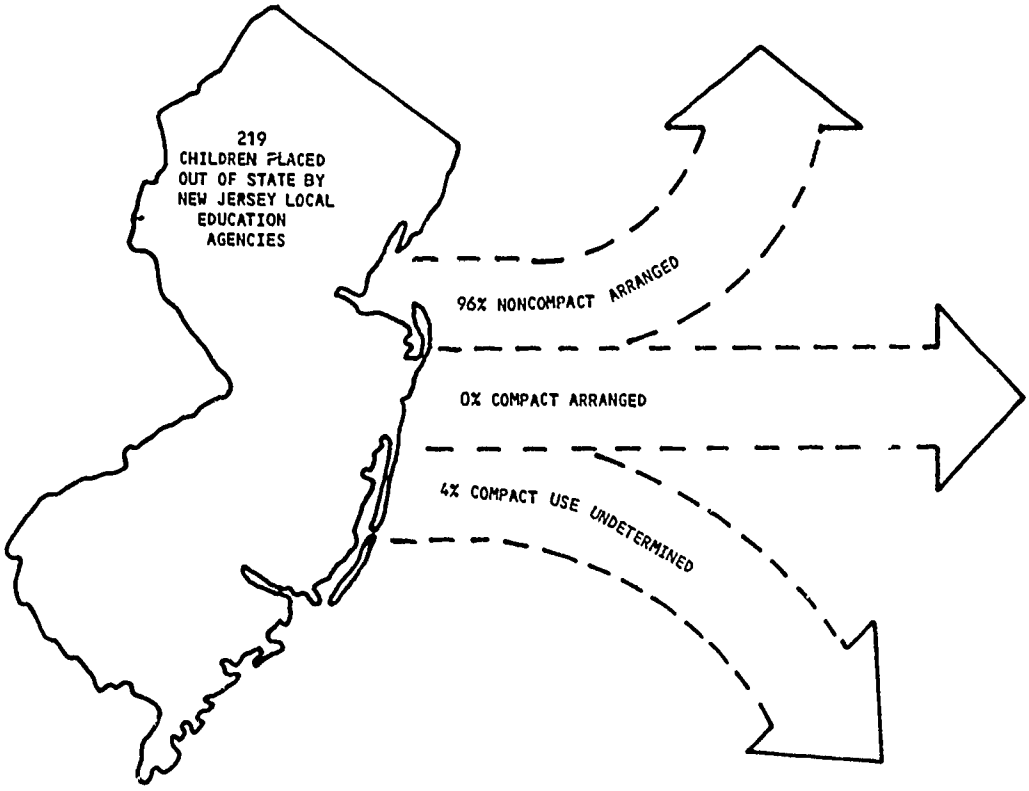
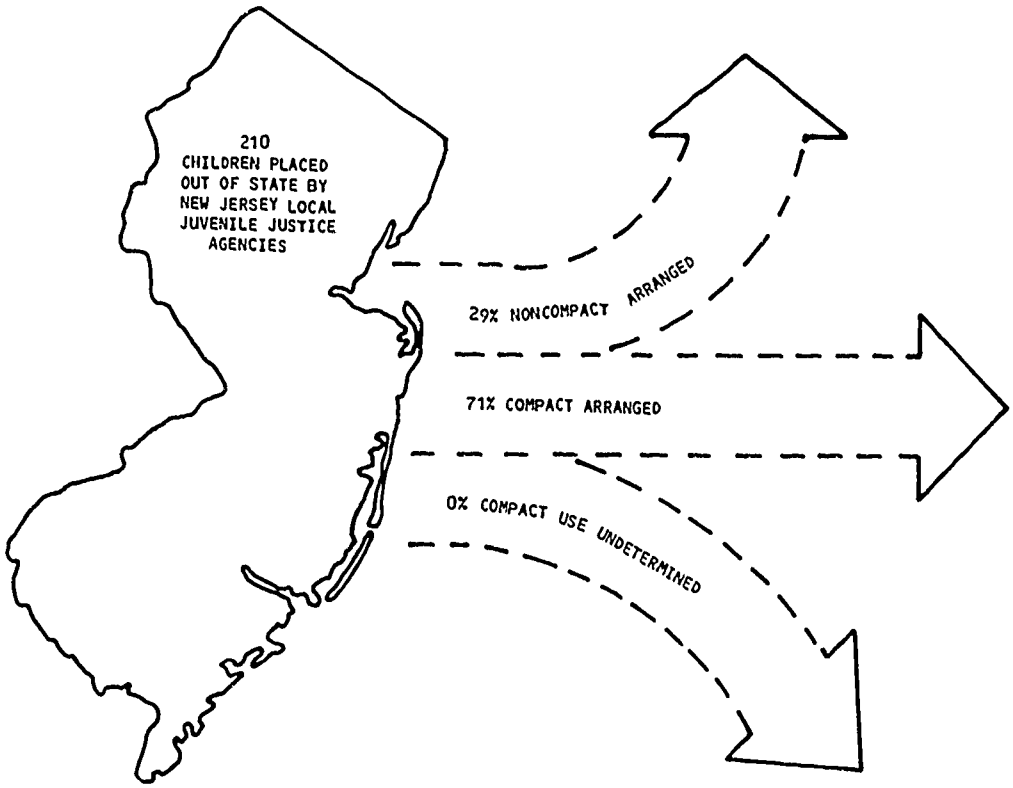


FIGURE 31-5. NEW JERSEY: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



The level of compact utilization reported by New Jersey state agencies is given in Table 31-4. The state child welfare agency could not report the number of children placed out of New Jersey in 1978, but could report that no interstate compact was used for the placements that did occur. This is directly related to the absence of state membership in the Interstate Compact on the Placement of Children, according to state respondents.

Both the state education and the state mental retardation agencies could not identify how many children were placed out of state with the use of a compact in 1978. The state juvenile justice agency reported that ten placements had been arranged through an interstate compact, all of these youth being on parole from the state agency. Finally, the mental health agency reported that both placements known to the state agency were compact arranged.

TABLE 31-14. NEW JERSEY: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Total Number of State and Local Agency-Arranged Placements	*	219	220	2	29
Total Number of Compact-Arranged Placements Reported by State Agencies	0	*	10	2	*
Percentage of Compact-Arranged Placements	0	*	5	100	*

* denotes Not Available.

E. The Out-of-State Placement Practices of State Agencies

The involvement of New Jersey state agencies in out-of-state placement is displayed in Table 31-15. DYFS, the state child welfare agency, was unable to provide information about this agency's involvement in placements initiated only in 1978. Records in this agency are kept, as mentioned in section III, for all children in residential facilities out of New Jersey at that time, therefore being records of the prevalence of out-of-state placement and not the sought 1978 incidence of placement. Further information about children placed in private homes outside of New Jersey, either with foster families, adoptive families, or with relatives, was not available at the time of this survey. The Department of Education (DOE) also had difficulty in reporting its involvement in such placement practices. The DOE reported that it did not directly arrange any out-of-state placements, but that the local school districts had reported placements to DOE.

The Department of Corrections reported placing ten juvenile parolees into other states in 1978. In the Department of Human Services, the Division of Mental Health and Hospitals administered the Interstate Compact on Mental Health (ICMH) for two placements, and the Division of Mental Retardation arranged and funded 29 placements to settings outside of New Jersey.

TABLE 31-15. NEW JERSEY: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Arranged and Funded	*	0	0	0	29
Locally Arranged but State Funded	--	0	0	--	--
Court Ordered, but State Arranged and Funded	0	0	0	0	0
Subtotal: Placements Involving State Funding	*	0	0	0	29
Locally Arranged and Funded, and Reported to State	--	*	0	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	0	0	0	0
Other	0	0	10	2	0
Total Number of Children Placed Out of State With State Assistance or Knowledge[a]	*	*	10	2	29

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 31-16 presents the destinations of children reported by state agencies which were able to provide this information. DYFS, the Department of Education, and the Division of Mental Retardation are not among the agencies that responded.

The Department of Corrections arranged out-of-state placements for ten parolees in five states. New York received one-half of these youth in 1978 and the others went to Florida, Connecticut, Delaware, and Maryland. The Division of Mental Health and Hospitals reported transferring one young patient to California and one to New York.

TABLE 31-16. NEW JERSEY: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
California			0	1	
Connecticut			1	0	
Delaware			1	0	
Florida			2	0	
Maryland			1	0	
New York			5	1	
Placements for Which Destinations Could Not Be Reported by State Agencies	All	All	0	0	All
Total Number of Placements	*	*	10	2	29

* denotes Not Available.

All state agencies were able to identify the conditions of children placed out of New Jersey in 1978. Table 31-17 provides the repsonses to descriptive categories by the various state agencies. DYFS reported placing adopted, foster, and pregnant youth. This state child welfare agency was also involved in the placement of physically, mentally, and emotionally handicapped, and developmentally disabled children. The Department of Corrections was involved primarily with the placement of juvenile delinquents. Mentally handicapped children were reported to be placed out of state by both the Divisions of Mental Retardation and of Mental Health and Hospitals. The DMHH also sent emotionally disturbed children outside of New Jersey. The Department of Education was involved in placing children out of state with every characteristic available for description. It should be recalled that the Department of Education has increasingly been involved in paying the cost for education of any residential placements made by a New Jersey public agency.

TABLE 31-17. NEW JERSEY: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Physically Handicapped	X	X	O	O	O
Mentally Handicapped	X	X	O	X	X
Developmentally Disabled	X	X	O	O	O
Unruly/Disruptive	O	X	O	O	O
Truants	O	X	O	O	O
Juvenile Delinquents	O	X	X	O	O
Emotionally Disturbed	X	X	O	X	O
Pregnant	X	X	O	O	O

TABLE 31-17. (Continued)

Types of Conditions	Agency Type[a]				
	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Drug/Alcohol Problems	0	X	0	0	0
Battered, Abandoned, or Neglected	0	X	0	0	0
Adopted Children	X	X	0	0	0
Foster Children	X	X	0	0	0
Other	0	0	0	0	0

a. X indicates conditions reported.

A question about the type of setting most frequently selected for children placed out of state in 1978 was asked of state agencies. The Department of Education, DYFS, and DMR reported most often sending children to residential treatment or child care facilities. The Department of Corrections said that children placed out of New Jersey most often were placed with relatives. The DMHH reported sending children to out-of-state psychiatric hospitals. None of the state agencies could report on the amount of public expenditures for out-of-state placements made in 1978.

F. State Agencies' Knowledge of Out-of-State Placements

As a final review, Table 31-18 offers the incidence of out-of-state placement reported by New Jersey public agencies and the number of children placed out of state of which the state agencies had knowledge. Despite a careful record of children in institutional settings outside of New Jersey, the state child welfare agency could not report the number of children placed out of state in 1978 to the various residential settings applicable to this study. The education agency was also unable to supply placement information about the local school districts, although section II describes a state reimbursement policy for local expenditures for such placements.

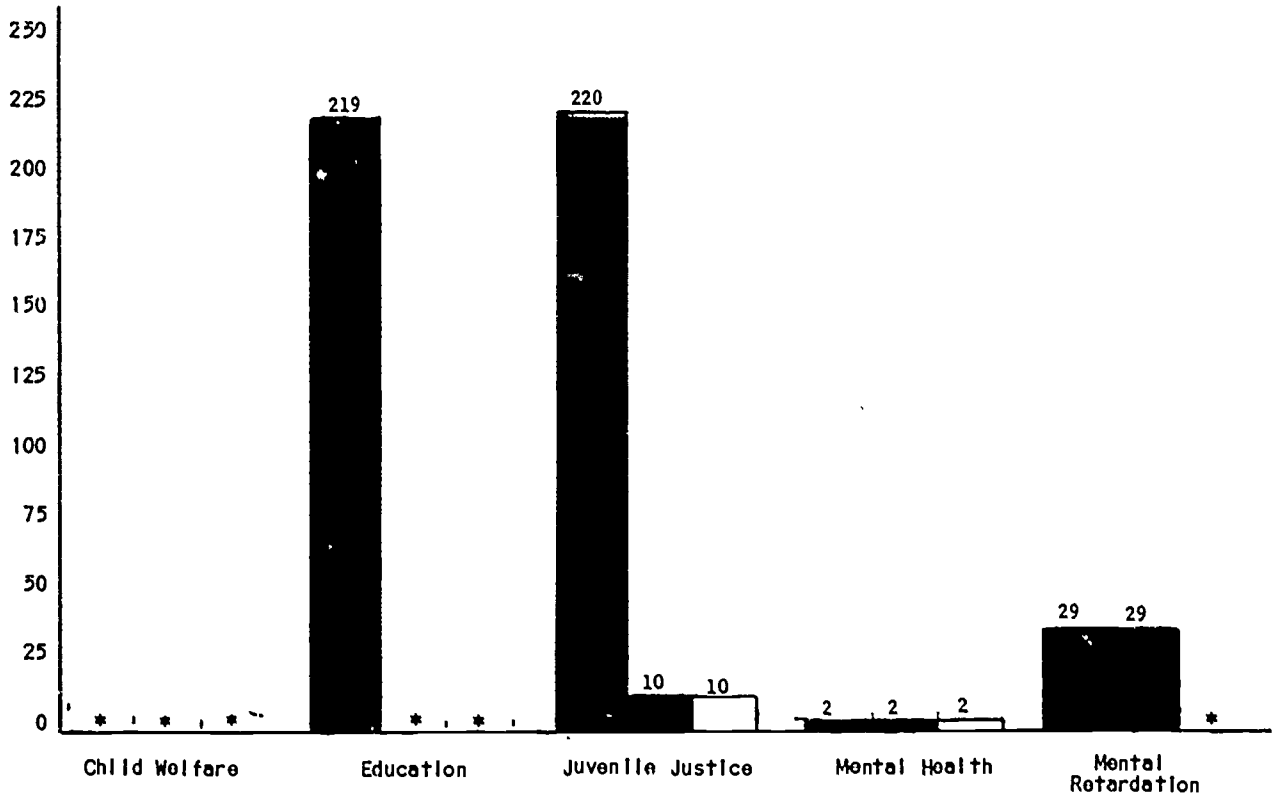
Both the state mental health and mental retardation agencies were able to provide information on their own out-of-state placement activity in 1978. The state Department of Corrections, however, only reported placements it was directly involved in, as mentioned in the discussion on Table 31-15.

TABLE 31-18. NEW JERSEY: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
Total Number of State and Local Agency Placements	*	219	220	2	29
Total Number of Placements Known to State Agencies	*	*	10	2	29
Percentage of Placements Known to State Agencies	*	*	5	100	100

The extent of missing out-of-state placement information among New Jersey state agencies is illustrated in Figure 31-6. Interstate compact utilization is included when it was reported by a state agency. It should be noted that the Department of Corrections is not responsible for the supervision of local probation agencies, and their report of out-of-state placements was only for youth on parole who were sent out of New Jersey to a residential setting.

FIGURE 31-6. NEW JERSEY: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



* denotes Not Available.

State and Local Placements

State and Local Placements Known to State Agencies

State and Local Compact-Arranged Placements Reported by State Agencies

V. CONCLUDING REMARKS

Several conclusions have been reached from the study of out-of-state placement practices of public agencies in New Jersey. Foremost among these conclusions is the absence of information received from the Division of Youth and Family Services and the Department of Education. This is particularly disturbing in view of the fact that DYFS has service responsibility for numerous children. Similarly, the absence of local agency responses from the larger counties, such as those in Bergen, Camden, Essex, Middlesex, and Hudson, is also predominant. Further conclusions arising from the survey results follow.

- Local school districts and the Department of Education were involved in placing children with a wide variety of conditions out of New Jersey in 1978, primarily to residential treatment or child care facilities.

- A high degree of interagency cooperation in the arrangement of out-of-state placements occurs among public agencies in New Jersey, reflected in their survey responses, in the wide variety of children placed out of New Jersey by education agencies, and also in the dependence of both education and juvenile justice agencies on DYFS funding of placements.

- The success of the governor's mandate on the restriction of out-of-state residential placements made by DYFS to a 50-mile radius of New Jersey may be reflected in the predominant use of bordering states for the placement of children. However, the relatively high number of children placed out of state in 1978 alone by local education agencies, juvenile probation agencies, and the Division of Mental Retardation, despite interactions with DYFS, shows a limitation in the regulation of placements outside of New Jersey, which was the stated intent of the mandate.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in New Jersey in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN NEW YORK

I. ACKNOWLEDGMENTS

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II. METHODOLOGY

Information was systematically gathered about New York from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in New York appears below in Table 33-1.

TABLE 33-1. NEW YORK: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type: Child Welfare	Education	Juvenile Justice	Mental Health	Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview
	Mailed Survey: DSS officials	Mailed Survey: DOE officials	Mailed Survey: DFY officials	Mailed Survey: DMH officials	Mailed Survey DMH officials
Local Agencies	Telephone Survey: All 58 local child welfare agencies	Telephone Survey: 10 percent sample of the 738 school districts to verify state information[a]	Telephone Survey: All 55 local probation offices	Telephone Survey: All 58 local mental health offices	Not Applicable (State Offices)

a. Information attributed in this profile to the state's school districts was gathered from the state education agency and the ten percent sample.

The Academy also conducted an intensive on-site case study of New York's interstate placement policies and practices at the state and local government levels. The findings from the case study are included in a companion publication, The Out-of-State Placement of Children: A Search for Rights, Boundaries, Services.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

New York has the 30th largest land area (47,831) and is the second most populated state (18,075,487) in the United States. The distribution of the population varies significantly, with over 40 percent (almost of 7.5 million) of the state's population residing in one consolidated city-county, New York City. Albany, the capital, has a population of over 110,000. The estimated 1978 population of persons aight to 17 years old was 3,057,031. The state has 62 counties. However, within the New York City area, Bronx, Kings, Queens, and Richmond Counties are under the jurisdiction of the Board of Estimates and function more under the purview of New York City-County government, rather than as independent political jurisdictions.

New York has ten Standard Metropolitan Statistical Areas (SMSAs), two of which include a portion of bordering states. The Binghampton SMSA extends into Pennsylvania and the New York SMSA continues into New Jersey. Other bordering states are Vermont, Massachusetts, and Connecticuit. New York is also contiguous to Canada.

New York ranks fourth nationally in total state and local per capita expenditures, 15th in per capita expenditures for education, and second in per capita expenditures for public welfare.[1]

B. Child Welfare

New York's Department of Social Services (DSS) does not initiate the out-of-state placement of children. However, the agency is required to collect and maintain statewide information on the number of children placed out of state by the 58 county social service agencies through the use of its membership in the Interstate Compact on the Placement of Children (ICPC). The ICPC was adopted by New York in 1960.

Child welfare services in New York are county operated. Usually out-of-state placements are made through the county social service agencies. The county agencies are responsible for placing a child out of state, and may do so without the approval of the Department of Social Services when no appropriate program is available within New York.

The costs of care and maintenance of children who are placed out of state through county social service agencies are paid for by them. These costs are 50 percent state reimbursable under the child welfare local assistance program in the Department of Social Services. Moreover, some children placed out of state by county social service agencies qualify for 50 percent Medicaid reimbursement. Department of Social Services' personnel report that they monitor the out-of-state placement of children through periodic on-site visits.

C. Education

New York's Department of Education (DOE) has the major responsibility for its educational system. Within DOE is the Office of Education for Children with Handicapping Conditions (OECHC), which is directly involved with the placement of children in other states. The local school districts have responsibility for special services as well as providing normal curriculum for grades K-12.

The practice of placing children in out-of-state facilities dates back to 1957 in the education system. However, during the last six years, DOE has been committed to increasing the quality of service to disabled children within the state. The Willowbrook Consent decree in its "least restrictive environment" policy for the mentally retarded, and the passage of Chapter 853 of the Laws of 1976 which significantly enhanced the delivery of educational services to disabled children, represent examples of the state's commitment to these children.

The OECHC initiates and funds out-of-state placements and the state's 738 local school districts can make out-of-state placements within legislative and regulatory guidelines. New York's Education Law (Article 89, Section 44.07) and its administrative counterpart, Commissioner of Education Regulations (Section 200.8), establish guidelines for evaluating out-of-state placements and for monitoring these placements. In addition to monitoring and evaluating current out-of-state placements, the state's emphasis is on the development of appropriate services for children now out of state or in the state but not receiving adequate services.

Most out-of-state placements have been made through the county social service agencies and education districts. Children who are placed through the education system receive an assessment and recommendation for out-of-state placement from a local committee on the handicapped, which is approved by the school district. These local committees are required to be maintained in all school districts. In order to place a child out of state, the local committees are required to submit an application (i.e., assessment and evaluation) to the Commissioner of Education. The Commissioner of Education makes a recommendation to the State Board of Education that approves or disapproves the request. If the request is approved, the State Board of Education submits an application to the Department of Education for funding. If the request is disapproved, parents or school districts must fund these placements. Furthermore, if there are inadequate in-state placement facilities, then the Commissioner of Education can approve and fund out-of-state placements without submitting an application to the State Board of Education.

Children who are referred by local school districts for placement in out-of-state facilities are funded through two sources: tuition costs are entirely paid to the school through a contract with the Department of Education and a chargeback is made to the sending district (this amount is equal to what the district spends on its regular program from local tax levy funds); maintenance costs are paid by the county in which the child resides and are subject to 50 percent reimbursement by the Department of Education.

The Department of Education is responsible for monitoring the out-of-state placement of children. It performs this task by administering a client information survey and by making on-site inspections of out-of-state facilities in which New York children have been placed to determine the type of care, services, and programs which are being provided and to make certain these facilities are in compliance with New York standards.

D. Juvenile Justice

The New York Executive Department's Division for Youth (DFY) is a primary state-level youth-serving agency. DFY is organized into three main subdivisions--rehabilitation, youth development and delinquency prevention, and administration. The Interstate Compact on Juveniles (ICJ), of which New York has been a member since 1955, is administered from this office for youth whose parole supervision is transferred to another state. All parole services are operated by state government in New York.

Probation services are primarily a county-based operation in New York. There are 55 county-run probation offices and family courts in the state, with Montgomery, Fulton, and Warren Counties' systems being state-operated. The 55 counties are responsible for funding 60 percent of the probation services and the state funds the remaining 40 percent.

Probation services in all counties are supervised by the Executive Department's Division of Probation (DOP). This office administers the Interstate Compact on Juveniles (ICJ) for out-of-state probation supervision transfers. However, records of these transfers are kept at the county level. All other out-of-state placements by county probation offices or family courts can be carried out without reporting to the state office.

E. Mental Health

The Department of Mental Hygiene, Office of Mental Health (OMH), is responsible for state-level mental health services in New York. The Interstate Compact on Mental Health (ICMH) is administered through the Inter-Office Coordinating Council, linking three department offices, Mental Health, Mental Retardation and Developmental Disabilities, and Alcoholism and Substance Abuse. Transfer of clients from a New York State facility to an out-of-state public facility is handled through this compact office. New York has been a member of the ICMH since 1956.

Mental health services in New York are also county operated. The 58 county mental health offices can place children out of state without reporting these placements to the state, even though state funds may be involved. Similarly, cooperation with and purchase of services from local, nonpublic mental retardation agencies (such as the Association for Retarded Citizens) could result in coordinated efforts in placing developmentally disabled children out of state.

F. Mental Retardation

The Department of Mental Hygiene, Office of Mental Retardation and Developmental Disabilities (OMRDD), is responsible for all mental retardation services in the state. There are no county-operated mental retardation agencies in New York. A number of state-operated facilities for the mentally retarded and developmentally disabled exist in New York. The OMRDD is divided into 20 regional offices which provide community outreach services. These regional offices may use state funds for out-of-state placement, although the funds are not specifically allocated for that purpose. The regional offices are primarily involved with services dealing with multiple-handicapped children. These offices also coordinate placement efforts with other agencies (i.e., education and county mental health offices) as well as purchasing nonpublic mental retardation services.

G. Recent Developments

A New York Supreme Court Justice in Manhattan ruled (Sinhogar v. Parry, 1979) that New York City's procedure for placing foster children in out-of-state institutions is unconstitutional because it denies their parents the right to appeal the placements. The court also held that constitutional rights, including due process and equal protection, extend to foster children as well as their parents and are not lost when the child is under the jurisdiction of an institution. That is, the ruling held for the first time that foster children had a constitutional right to treatment.

Children from counties outside New York City are not affected by the New York Supreme Court's decision because the procedure under which they may be sent out of the state from these counties includes a

provision for review and appeals by their parents. The court ruled that New York City's Department of Social Services must establish review and appeal procedures that would give parents the right to challenge any out-of-state placement.

As a result of the court's ruling, the Department of Social Services has committed itself to minimizing out-of-state placements, except in extraordinary circumstances.

Chapter 757 (Section 440-6) of the Laws of 1977 established the Council on Children and Families. The council is committed to increasing the quality of care for disabled children and to ending out-of-state placements. The goal of the council was to eliminate the need for out-of-state placement by April 1, 1980, with the exceptions of placements substantially closer to the child's home than any other appropriate placement within the state or where, because of the exceptional needs of an individual child, no appropriate in-state placement is available.

The council has major responsibility for coordinating interagency services to children and families. They maintain that most family assistance problems are interrelated yet difficult to resolve because clients must deal with a number of different state agencies and employees whose work, through lack of communication, is often unintentionally overlapping and conflicting. The implications of this observation may require some form of centralized coordination.

A set of criteria which will meet with common interagency agreement has been developed by members of a multiagency task force. The facilities located outside the state which now care for New York State children placed by public agencies were inspected by multiagency teams consisting of representatives of the Department of Social Services, Department of Education, the Office of Mental Health, the Office of Mental Retardation and Developmental Disabilities, and other state agencies, as appropriate. The multiagency inspections were coordinated by the Council on Children and Families. This approach attempted to make certain that all dimensions of a child's program are in full compliance with state rules and regulations for care and protection, including the education, health, mental health, treatment, and training components of residential care.

Within the guidelines established by Public Law 94-142 and the Willowbrook Consent decree in its "least restrictive environment" policy, the Commissioner of Education has apparently requested that those children placed out of state should be returned to New York State. In addition, all school districts must request admission for a child to all in-state facilities and receive refusals from them before a child can be placed out of state.

The local services activity of the Division for Youth is concerned with both youth development and delinquency prevention, and with the monitoring of local detention facilities. There is adequate funding for youth development and delinquency prevention. These funds are intended to support a wide variety of local center activities in the 58 counties of New York, including youth service bureaus, crisis intervention centers, counseling centers, and a wide variety of recreational and youth employment activities. Financial incentives are offered to counties which will assemble a youth board to do comprehensive youth services planning. Thus far, 22 of the state's 58 counties have established both countywide youth boards and youth bureaus, and 24 more are in various stages of development.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

This section of the New York profile contains a presentation and discussion of the survey of state and local public agencies. The information that has been included is intended to correspond to the major issues raised about out-of-state placements in Chapter I.

A. The Number of Children Placed in Out-of-State Residential Settings

An overview of placement activity in 1978 by New York state and local agencies is presented in Table 33-2, and this information sets the stage for more detailed data to follow. As is seen in Table 33-2, out-of-state placement activity primarily occurs within the county agencies that were described in section III. State agencies are directly involved in the placement of children into other states to a lesser extent than local agencies. Local child welfare, education, and juvenile justice agencies, with 1978 out-of-state placement figures between approximately 125 and 160 children, are responsible for the

majority of children leaving New York from public agencies. Local mental health agencies take a minor role in placing children out of New York, with only five such placements reported for 1978.

TABLE 33-2. NEW YORK: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type					
	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Health and Mental Retardation	Total
State Agency Placements[b]	0	0	36	*[c]	10	46
Local Agency Placements	153	126	--	153	5	437
Total	153	126	36	153	15	483

* denotes Not Available.
-- denotes Not Applicable

a. Juvenile Justice I indicates data reported by the Division for Youth and Juvenile Justice II indicates data reported by the Division of Probation.

b. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 33-15 for specific information regarding state agency involvement in arranging out-of-state placements.

c. The Division of Probation reported 60 out-of-state placements but could not determine state and local involvement.

Information on the involvement of local agencies in out-of-state placement is further refined in Table 33-3, where incidence figures are provided for each agency in 57 counties in New York and the five counties making up the New York City area. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all school districts within them.

Although 66 percent of the local reporting child welfare agencies placed children out of New York in 1978, most of these agencies placed children with incidence rates from one to five children. Five urban jurisdictions, Albany, Dutchess, Oneida, and Westchester Counties, and New York City are responsible for nearly 44 percent of all child welfare placements out of New York. In general, then, out-of-state placement is a fairly widespread practice among child welfare agencies, urban and rural alike, with elevated placement activity found in some but not all urban areas.

The two child welfare agencies not participating in the survey were Chautauqua County, a rural area in the southern tier, and Nassau County, a highly populated area in western Long Island. Considering the placement activity shown by other agencies of this service type, if these two agencies had reported placements, especially the latter, the overall incidence figure for this agency type could be expected to be somewhat higher.

Unlike child welfare agencies, school districts placing children out of New York tend to cluster in a confined geographic area in and around New York City. The school districts in New York City, in the surrounding counties of Nassau and Suffolk on Long Island, and in Rockland and Westchester Counties just to the north, account for 74 percent of all education placements reported. The only other area with a relatively high incidence of placement was Monroe County, with ten children placed out of state. The remaining 23 placements are dispersed among school districts in 16 counties.

It should be noted that one school district in Nassau County did not participate in the survey and that the "not available" designation for Chemung County should be read to apply only to one school district which did not respond. All other school districts that were contacted in Chemung County responded to the survey and none of them placed any children out of New York in 1978.

Incidence reports for probation agencies also point to a trend that is quite different than was seen for child welfare agencies. Although 71 percent of the county probation agencies which were able to report making some out-of-state placements in 1978, in this case it is the rural counties which seem to be most involved in the practice. Five rural counties (Allegheny, Clinton, Greene, Jefferson, and Schuyler) placed eight to 25 children out of New York in that year and their combined placements account for 40 percent of all those reported by probation departments. Aside from Westchester and Orange Counties, urban areas are notably absent from the probation agencies' higher incidence rates. However, the New York City juvenile justice agency was not able to report the number of children it was involved in placing out of state in 1978. The three probation departments which did not participate in the survey were in rural areas.

As noted in reference to the previous table, local mental health agencies are minimally involved in placing children into other states. Only four of the 57 agencies responding reported involvement in a total of five placements. An important piece of information is missing from this data, however, because the New York City mental health agency did not participate in the survey.

Considering the fact that New York City has approximately 40 percent of the entire state's population, incidence rates for all its participating agencies could be considered relatively low. In section III, Recent Developments, a summary of an important court decision about the placement of foster children out of New York, the Sinhogar case, was presented. The right of parental appeal on an agency placement decision was established through this case and directly affects the action of New York City agencies which may place foster children, especially the child welfare agency. However, the placement incidence reported by this city's agencies are still substantially lower than the population size would imply. Westchester County, immediately to the north of the New York City area, reported the highest number of out-of-state placements in the state for 1978, except for New York City.

TABLE 33-3. NEW YORK: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978			
		Child Welfare	Education	Juvenile Justice	Mental Health
Albany	46,314	17	1	2	0
Alleghany	8,896	0	0	8 est	0
Broome	38,121	1	0	3	0
Cattaraugus	15,847	7	0	0	0
Cayuga	14,056	3	0	0	0
Chautauqua	25,841	*	1	3	0
Chemung	18,524	3	*	4 est	1
Chenango	9,648	5	0	2 est	0
Clinton	15,736	2	1	9 est	0
Columbia	9,661	2	1	*	0
Cortland	8,338	0	0	5	0
Delaware	8,125	0	0	1	0
Dutchess	41,597	8	3	0	2
Erie	193,622	5	3	4 est	0
Essex	6,668	2	0	0	0
Franklin	8,925	0	0	1	1
Fulton	9,685	3	2	--	0
Genesee	11,624	1	0	1	0
Greene	6,204	2	0	8 est	0
Hamilton	846	0	0	0	0

TABLE 33-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978			
		Child Welfare	Education	Juvenile Justice	Mental Health
Herkimer	12,306	0	0	1	0
Jefferson	17,654	1	0	25 est	0
Lewis	5,058	1	0	4 est	0
Livingston	10,146	0	0	2	0
Madison	12,224	0	0	*	0
Monroe	128,773	5	10	4 est	0
Montgomery	8,866	1	0	---	0
Nassau	247,590	*	16	2 est	0
New York City[b]	1,114,092	16	34	*	*
Niagara	42,990	0	1	4 est	0
Oneida	47,528	10	0	2	0
Onondaga	87,211	1	0	1 est	0
Ontario	16,222	0	0	1	0
Orange	45,293	0	0	10 est	0
Orleans	7,420	1	0	3 est	0
Oswego	21,600	1	0	4 est	0
Otsego	8,910	3	0	0	1
Putnam	15,352	1	3	1	0
Rensselaer	27,160	1	0	0	0
Rockland	53,373	5	10	4 est	0
St. Lawrence	21,482	1	1	1	0
Saratoga	28,930	3	0	1	0
Schenectady	25,536	1	0	3 est	0
Schoharie	5,100	2	0	0	0
Schuyler	3,471	0	0	8 est	0
Seneca	5,684	0	0	3 est	0
Steuben	18,888	9	1	0	0
Suffolk	265,412	4	11	2	0
Sullivan	9,924	0	1	*	0
Tioga	10,388	0	0	0	0
Tompkins	11,422	3	0	4 est	0
Ulster	27,471	0	0	0	0
Warren	10,404	0	1	---	0
Washington	10,906	2	1	0	0
Wayne	16,837	4	0	2 est	0
Westchester	145,685	16	22	10 est	0
Wyoming	7,443	0	1	0	0
Yates	4,002	0	1	0	0
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		153	126	153 est	5

TABLE 33-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978			
		Child Welfare	Education	Juvenile Justice	Mental Health
Total Number of Local Agencies Reporting		56	736	52	57

* denotes Not Available.
-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

b. Bronx, Kings, Queens, and Richmond Counties under jurisdiction of New York City-County government.

B. The Out-of-State Placement Practices of Local Agencies

To begin the presentation of local agency data, the involvement of local agencies in out-of-state placement, without regard to the number of children, is given in Table 33-4. The table indicates that the response rate among the local agencies was quite good, with all but one responding agency being able to report on their placement activities and five percent or less of any agency type abstaining from participation in the survey. Approximately six to seven out of every ten child welfare and juvenile probation agencies reported placing at least one child into another state for out-of-home care in 1978. Ten percent or less of all school districts and mental health agencies reported making such placements.

TABLE 33-4. NEW YORK: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health
Agencies Which Reported Out-of-State Placements	37	72	37	4
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0	0	1	0
Agencies Which Did Not Place Out of State	19	664	14	53
Agencies Which Did Not Participate in the Survey	2	2	3	1
Total Local Agencies	58	738	55	58

Eighty-three percent of the local New York public agencies about which out-of-state placement information was collected, including 664 school districts, did not make such placements in 1978. These agencies were asked why they did not engage in this practice during that year. The most frequently mentioned reason for not making out-of-state placements shown in Table 33-5 was that sufficient services were available in New York. One-half of the responses from the 19 child welfare agencies not participating in placements out of New York said the children could be adequately served in the state, while the other one-half of the responses are in the "other" category. Mental health agencies also have fairly equal numbers of responses in these two categories, but 15 agencies also said that they lacked statutory authority to make out-of-state placements, which was not a policy determined by this study's research. No child welfare agencies and only one school district and probation agency said that they lacked statutory authority or were otherwise restricted from placing children across state lines.

The majority of school districts and juvenile justice agencies which did not place out of state also cited the presence of sufficient in-state services. An important distinction must be drawn here between the two agency types. The data reflects 90 percent of all participating local school districts in New York but only 27 percent of all participating local probation agencies. Therefore, nine of every ten responding New York school districts said that sufficient placement alternatives were available in New York but only less than one-fourth of the 52 local probation agencies made a similar claim.

TABLE 33-5. NEW YORK: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)			
	Child Welfare	Education	Juvenile Justice	Mental Health
Lacked Statutory Authority	0	1	1	15
Restricted	0	0	0	0
Lacked Funds	0	1	1	2
Sufficient Services Available In State	13	661	12	24
Other[b]	13	2	3	23
Number of Agencies Reporting No Out-of-State Placements	19	664	14	53
Total Number of Agencies Represented in Survey	56	736	52	57

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

Agencies often consult with one another in the process of placing children out of state and Table 33-6 presents the degree to which New York local agencies cooperated with other public agencies in the placement process. The number of 1978 placements which were affected by this cooperation is also included. Large proportions of the child welfare agencies and school districts reported that they cooperated with other New York public agencies in arranging out-of-state placements. One-half of the child welfare agencies and over 80 percent of the school districts which arranged out-of-state placements reported such cooperation. Forty-four percent of the children placed by the child welfare agencies and 85 percent of those arranged by the education agencies involved more than one agency.

In contrast, of those local probation agencies reporting out-of-state placements, only about one out of ten reported the involvement of some other agency in the placement process. This cooperation affected

only five percent of all reported local juvenile justice placements. Two of the four mental health agencies reporting placing children out of state involved other agencies in the few placements that they reported.

TABLE 33-6. NEW YORK: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT OF STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type							
	Child Welfare		Education		Juvenile Justice		Mental Health	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	37	66	72	10	37	71	4	7
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	19	51	61	85	4	11	2	50
Number of CHILDREN Placed Out of State	153	100	126	100	153	100	5	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	67	44	107	85	7	5	3	60

a. See Table 33-4.

The conditions, problems, and statuses of children who were placed out of New York by public agencies in 1978 are reported in Table 33-7. The 37 reporting child welfare agencies were involved in placing children having every condition or status that was offered for description, but the greatest area of activity was clearly among adopted children. Interestingly, eight agencies reported involvement with mentally retarded or developmentally disabled children and nine agencies reported placing mentally ill or emotionally disturbed children out of state. Considering the low number of placements reported by local mental health agencies, it may be assumed that local child welfare agencies often take responsibility for the out-of-state placement of children usually served by the former service type.

Local school districts responded to categories of mental and physical handicaps to describe the children they placed into other states. Approximately four out of every ten agencies reported placing children with physical handicaps and three of ten reported that children sent to other states were mentally retarded or developmentally disabled. However, the highest number of agencies, one-half of those making out-of-state placements, said that the children they placed were mentally ill or emotionally disturbed. Only four education agencies reported placing children specifically with special education needs.

Probation departments expectably showed a pronounced response to the unruly/disruptive and juvenile delinquent categories for describing the children they placed out of New York. Nearly all probation agencies placing children out of New York in 1978 reported children of these types being placed. Forty-seven percent of these agencies reported placing truant youth out of New York and 39 percent said children with problems related to substance abuse were placed out of state in the reporting year.

The few children placed out of New York by mental health agencies were said to be physically, mentally, or multiply handicapped, with three agencies indicating that children placed had special education needs.

TABLE 33-7. NEW YORK: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting			
	Child Welfare	Education	Juvenile Justice	Mental Health
Physically Handicapped	4	27	1	1
Mentally Retarded or Developmentally Disabled	8	20	0	2
Unruly/Disruptive	4	0	34	1
Truant	1	0	18	0
Juvenile Delinquent	2	0	36	0
Mentally Ill/Emotionally Disturbed	9	35	1	3
Pregnant	1	0	0	0
Drug/Alcohol Problems	1	0	15	0
Battered, Abandoned, or Neglected	7	0	3	0
Adopted	29	0	0	0
Special Education Needs	5	4	3	3
Multiple Handicaps	1	3	0	1
Other[b]	10	1	2	0
Number of Agencies Reporting	37	72	38[c]	4

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

c. The New York City agency was able to respond to this question.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of New York's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

The relationship between the number of local New York agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 33-1. Less than one-third (30 percent) of the local placing child welfare agencies in New York were Phase II agencies. They reported arranging 67 percent of the 153 child welfare placements made in 1978. In comparison, four percent of the placing school districts and 22 percent of the juvenile justice agencies were Phase II agencies, arranging 37 percent and 54 percent of their agency type's placements, respectively.

FIGURE 33-1. NEW YORK: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice
Number of AGENCIES	56	736	52
Number of AGENCIES Reporting Out-of-State Placements in 1978	37	72	37
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	11	3	8
Number of CHILDREN Placed Out of State in 1978	153	126	153
Number of CHILDREN Placed by Phase II Agencies	103	46	83
Percentage of Reported Placements in Phase II	67	37	54

The geographic location of the counties served by these Phase II agencies is illustrated in Figure 33-2. In studying this figure, the discussion of Table 33-3 becomes more apparent in terms of the wide distribution of child welfare and juvenile justice placement activity across the state and a concentration of education placement activity in the New York City area.

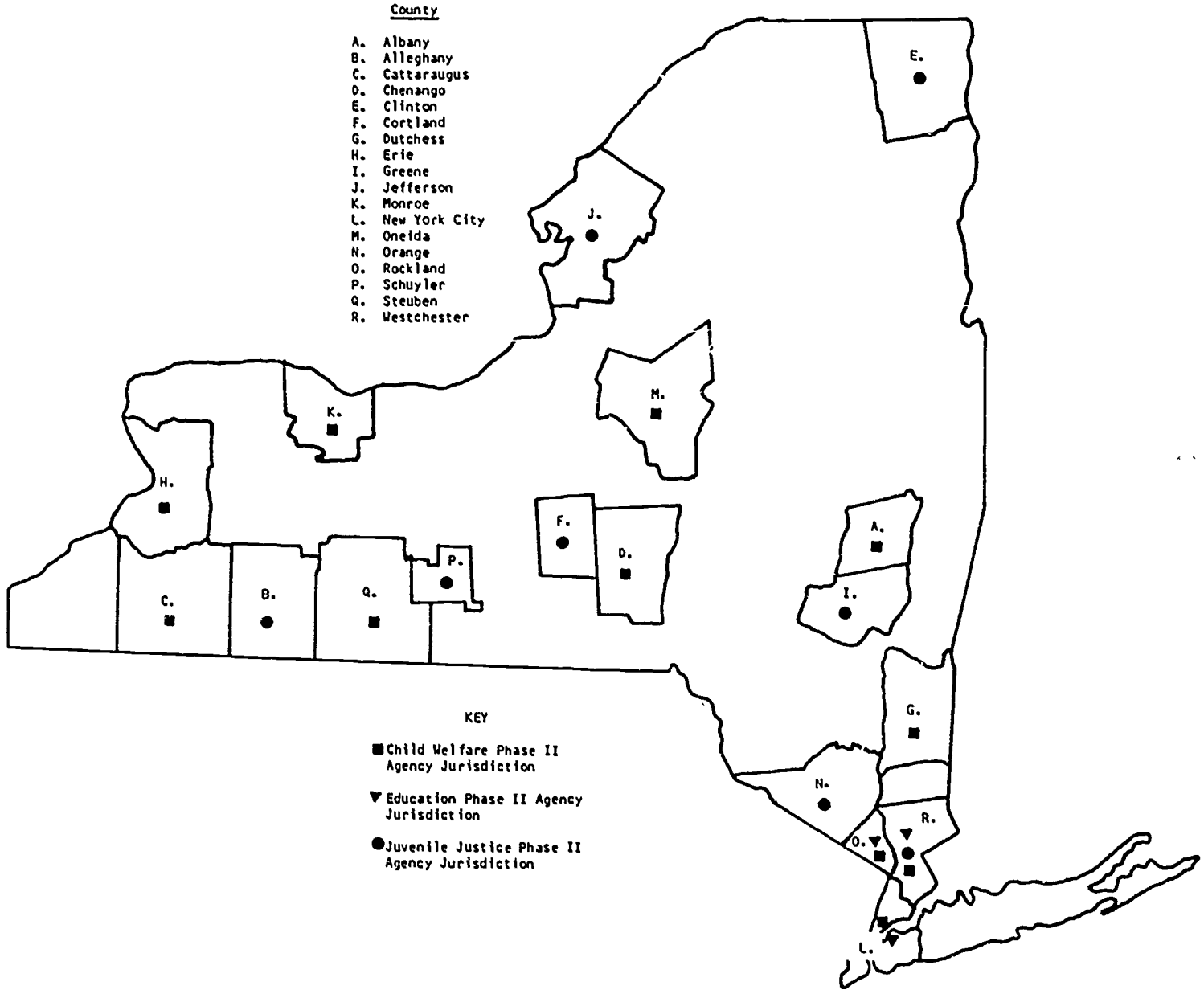


FIGURE 33-2. NEW YORK: COUNTY LOCATION OF LOCAL PHASE II AGENCIES

Phase II agencies were asked to report the destination of those children. Their responses are given in Table 33-8. One of the most interesting features of the table is that, as a group, the eight Phase II probation agencies reporting on 83 children out of New York could provide destinations for only five children. The destination of 78 children was unavailable. Phase II school districts were able to report on the destination of all children placed out of state, and child welfare agencies could report where 88 percent of their children were sent.

A second point of interest in the table is in the large number of children sent to neighboring Pennsylvania by Phase II child welfare agencies and school districts. Thirty percent of child welfare placements, over one-half of placements by school districts, and over one-third of all placements for which destinations were available by these two agency types went to Pennsylvania.

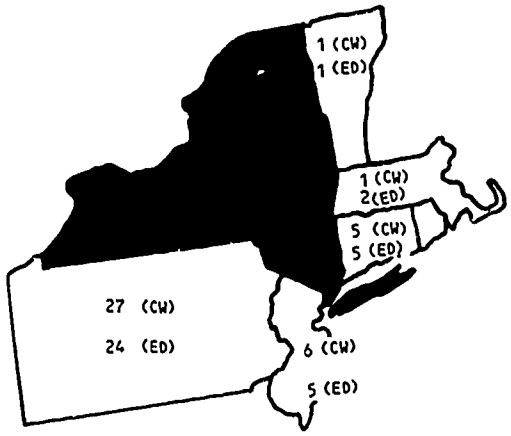
Other than placing children into Pennsylvania, child welfare agencies placed 64 children into 21 states, as near as New England and as far as Texas and California. About 27 percent of the remaining placements by school districts went to Florida and South Carolina, and 73 percent went to other states in the northeast region of the country.

TABLE 33-8. NEW YORK: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978, BY AGENCY TYPE

Destinations of Children Placed Out of State	Number of Children Placed		
	Child Welfare	Education	Juvenile Justice
Alabama	1	0	
Arizona	6	0	
California	5	0	
Connecticut	5	5	
Florida	2	1	2
Illinois		0	1
Maine	1	0	
Maryland	5	0	
Massachusetts	1	2	
Michigan	4	0	
Mississippi	2	0	
Missouri		0	1
Nebraska	1	0	
New Hampshire	1	2	
New Jersey	6	5	
North Carolina	4	0	
Ohio	1	0	
Pennsylvania	27	24	
Rhode Island	3	1	
South Carolina		5	1
Tennessee	3	0	
Texas	4	0	
Vermont	1	1	
Virginia	4	0	
West Virginia	4	0	
Placements for Which Destinations Could Not be Reported by Phase II Agencies	12	0	78
Total Number of Phase II Agencies	11	3	8
Total Number of Children Placed by Phase II Agencies	103	46	83

Figure 33-3 reaffirms the preceding discussion regarding the destination of children placed to out-of-home care and treatment settings in other states. The widespread use of Pennsylvania as a receiving state by Phase II child welfare agencies and school districts is shown. The fairly infrequent use of other contiguous states or neighboring Canada by child welfare agencies is illustrated. Forty-four percent of all the children for whom destinations were given by this agency type went to these states, but when Pennsylvania is excluded, only 14 percent were sent in 1978 to other border states. In contrast, 80 percent of the school district placements reported were made to contiguous states in 1978. Twenty-eight percent of the children went to border states other than Pennsylvania in that year.

FIGURE 33-3. NEW YORK: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO NEW YORK BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II child welfare agencies reported destinations for 91 children. Local Phase II education agencies reported destinations for 46 children.

There are a variety of reasons why an agency serving children would place some of them into other states. Those Phase II agencies were asked for their reasons for making such placements. Their response to this question appears in Table 33-9. Phase II child welfare agencies reported a wide variety of reasons for selecting out-of-home care settings in other states. The most frequently mentioned reason was because agency staff perceived New York to be lacking services comparable to those of other states. Sending a child to live with relatives outside of New York was the next most frequently reported reason for out-of-state placement by local child welfare agencies.

Phase II education agencies also reported placing children into other states because New York lacked comparable services. School districts also said with equal frequency that success had been experienced with certain receiving facilities and they were selected for use again.

All Phase II juvenile justice agencies responding to this question reported that a decision was made to place children with relatives living out of New York. All eight agencies also said that out-of-state placement was selected as an alternative to in-state public institutionalization. One-half of the probation departments said such placements were made in 1978 because of previous success with specific receiving facilities in other states. Not selected by any juvenile justice agencies or school districts, and only by one child welfare agency, was placing a child out of New York to a facility which was nonetheless closer to the child's home than an available setting within New York.

TABLE 33-9. NEW YORK: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting		
	Child Welfare	Education	Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	1	0	0
Previous Success with Receiving Facility	3	3	4
Sending State Lacked Comparable Services	7	3	1
Standard Procedure to Place Certain Children Out of State	3	0	0
Children Failed to Adapt to In-State Facilities	1	1	0
Alternative to In-State Public Institutionalization	0	0	8
To Live with Relatives (Non-Parental)	5	0	8
Other	5	0	1
Number of Phase II Agencies Reporting	11	3	8

a. Some agencies reported more than one reason for placement.

The most frequently used settings for out-of-state placements in 1978 are described in Table 33-10. There was little agreement among child welfare agencies in their responses. The majority of the responses are nearly evenly split among foster homes, residential child care facilities, and adoptive homes. In contrast, there was substantial agreement among responding Phase II school districts and probation departments, with children most frequently going to residential child care facilities and relatives' homes, respectively.

TABLE 33-10. NEW YORK: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting		
	Child Welfare	Education	Juvenile Justice
Residential Treatment/Child Care Facility	3	3	0
Psychiatric Hospital	0	0	0
Boarding/Military School	0	0	0
Foster Home	4	0	0
Group Home	0	0	0
Relative's Home (Non-Parental)	1	0	8
Adoptive Home	3	0	0
Other	0	0	0
Number of Phase II Agencies Reporting	11	3	8

Monitoring of a child's progress in placement is of great interest to those concerned about child placement practices in and out of state. The results of questions about monitoring asked of agencies placing more than four children out of state are given in Table 33-11. Most child welfare and probation agencies said that they received written quarterly progress reports. The next most frequent response was by probation departments which said that calls were made to the receiving setting on an irregular basis.

While some child welfare agencies and all school districts reported making on-site visits annually or at irregular intervals, no juvenile probation department reported visiting the child in placement. The rate of response for quarterly monitoring methods was about equal for child welfare and juvenile justice agencies, with about one-half of all responses by these agency types falling into this time interval.

TABLE 33-11. NEW YORK: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY NEW YORK LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]		
		Child Welfare	Education	Juvenile Justice
Written Progress Reports	Quarterly	7	0	7
	Semiannually	3	3	0
	Annually	0	0	0
	Other[b]	0	0	1
On-Site Visits	Quarterly	1	0	0
	Semiannually	0	0	0
	Annually	2	3	0
	Other[b]	1	0	0
Telephone Calls	Quarterly	3	2	0
	Semiannually	1	0	0
	Annually	0	0	0
	Other[b]	3	0	5

TABLE 33-11. (Continued)

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a] Child Welfare	Education	Juvenile Justice
Other	Quarterly	1	0	0
	Semiannually	0	0	0
	Annually	0	0	0
	Other[b]	1	1	0
Total Number of Phase II Agencies Reporting		11	3	8

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Local Phase II agencies were asked to report their public expenditures for these placements. Six child welfare agencies reported spending a total of $64,570 in 1978 for out-of-state placements. Three school districts and five juvenile justice agencies reported no public funds were spent in that year. The remaining agencies could not report this information.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local agencies in New York also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 33-12 indicates that 95 of the 150 agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. None of the local school districts or mental health agencies which arranged out-of-state placements in 1978 used an interstate compact in that year. In contrast, the majority of placing child welfare agencies (76 percent) and juvenile justice agencies (70 percent) did utilize a compact in the arrangement of out-of-state placements. Eight Phase II child welfare agencies reported arranging placements through the Interstate Compact on the Placement of Children and seven Phase II juvenile justice agencies sent children out of state with the use of the Interstate Compact on Juveniles.

TABLE 33-12. NEW YORK: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Child Welfare	Education	Juvenile Justice	Mental Health
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	26	69	29	4
• Number Using Compacts	20	0	19	0
• Number Not Using Compacts	6	69	9	4
• Number with Compact Use Unknown	0	0	1	0

TABLE 33-12. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES			
	Child Welfare	Education	Juvenile Justice	Mental Health
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	11	3	8	0
• Number Using Compacts	8	0	7	--
Interstate Compact on the Placement of Children				
Yes	8	0	0	--
No	2	3	8	--
Don't Know	1	0	0	--
Interstate Compact on Juveniles				
Yes	0	0	7	--
No	10	3	1	--
Don't Know	1	0	0	--
Interstate Compact on Mental Health				
Yes	0	0	0	--
No	10	3	8	--
Don't Know	1	0	0	--
• Number Not Using Compacts	2	3	1	--
• Number with Compact Use Unknown	1	0	0	--
TOTALS				
Number of AGENCIES Placing Children Out of State	37	72	37	4
Number of AGENCIES Using Compacts	28	0	26	0
Number of AGENCIES Not Using Compacts	8	72	10	4
Number of AGENCIES with Compact Use Unknown	1	0	1	0

-- denotes Not Applicable.

Further knowledge concerning the utilization of interstate compacts is acquired through consideration of the information given in Table 33-13. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the overall trend shows that a total of 221 children were placed in out-of-state residential care in 1978 without the use of a compact. Local school districts arranged 126 of these placements without compact use, possibly due to the exclusion of placements to facilities solely educational in nature from the purview of a compact.

Ninety of the 153 local child welfare placements were arranged through a compact in 1978, 70 of these children being placed by Phase II agencies with the use of the Interstate Compact on the Placement of Children. The local juvenile justice agencies placed 153 children out of state as well, 69 of them with compact use. The Phase II juvenile justice agencies reported placing 50 of these children with the use of the Interstate Compact on Juveniles in 1978.

TABLE 33-13. NEW YORK: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN			
	Child Welfare	Education	Juvenile Justice	Mental Health
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	50	80	70	5
• Number Placed with Compact Use	20	0	19	0
• Number Placed without Compact Use	10	80	19	5
• Number Placed with Compact Use Unknown[a]	20	0	32	0
CHILDREN PLACED BY PHASE II AGENCIES	103	46	83	0
• Number Placed with Compact Use[b]	70	0	50	--
Number through Interstate Compact on the Placement of Children	70	0	0	--
Number through Interstate Compact on Juveniles	0	0	50	--
Number through Interstate Compact on Mental Health	0	0	0	--
• Number Placed without Compact Use	28	46	33	--
• Number Placed with Compact Use Unknown	5	0	0	--
TOTALS				
Number of CHILDREN Placed Out of State	153	126	153	5
Number of CHILDREN Placed With Compact Use	90	0	69	0
Number of CHILDREN Placed without Compact Use	38	126	52	5
Number of CHILDREN Placed with Compact Use Unknown	25	0	32	0

-- denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others included in the category "number placed with compact use unknown."

b. If an agency reported using a compact but could not report the number of placements agganged through the specific compact, one placement is indicated as compact-arranged and the others are included in the category "number placed with compact use unknown."

Graphic representation of the information gathered about interstate compact utilization for children placed out of state in 1978 by local agencies are illustrated in Figures 33-4, 5, 6, and 7. Figure 33-4 shows that of the 153 children reported placed out of state by local child welfare agencies in New York, 25 percent were noncompact-arranged placements, 59 percent were compact arranged, and for 16 percent of the placements compact use was undetermined. Comparative information is illustrated about compact use for placements arranged by local education, juvenile justice, and mental health placements in Figures 33-5, 6, and 7.

FIGURE 33-4. NEW YORK: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL CHILD WELFARE AGENCIES IN 1978

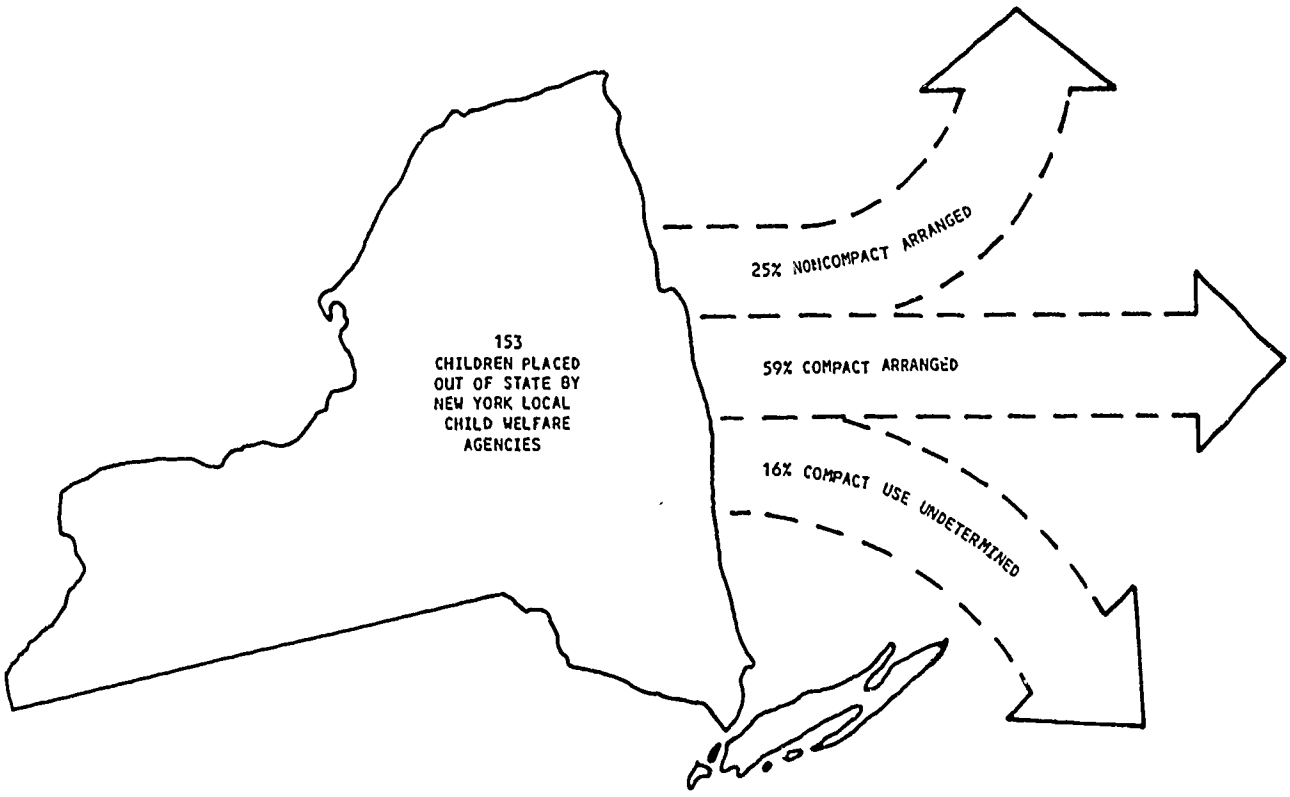


FIGURE 33-5. NEW YORK: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978

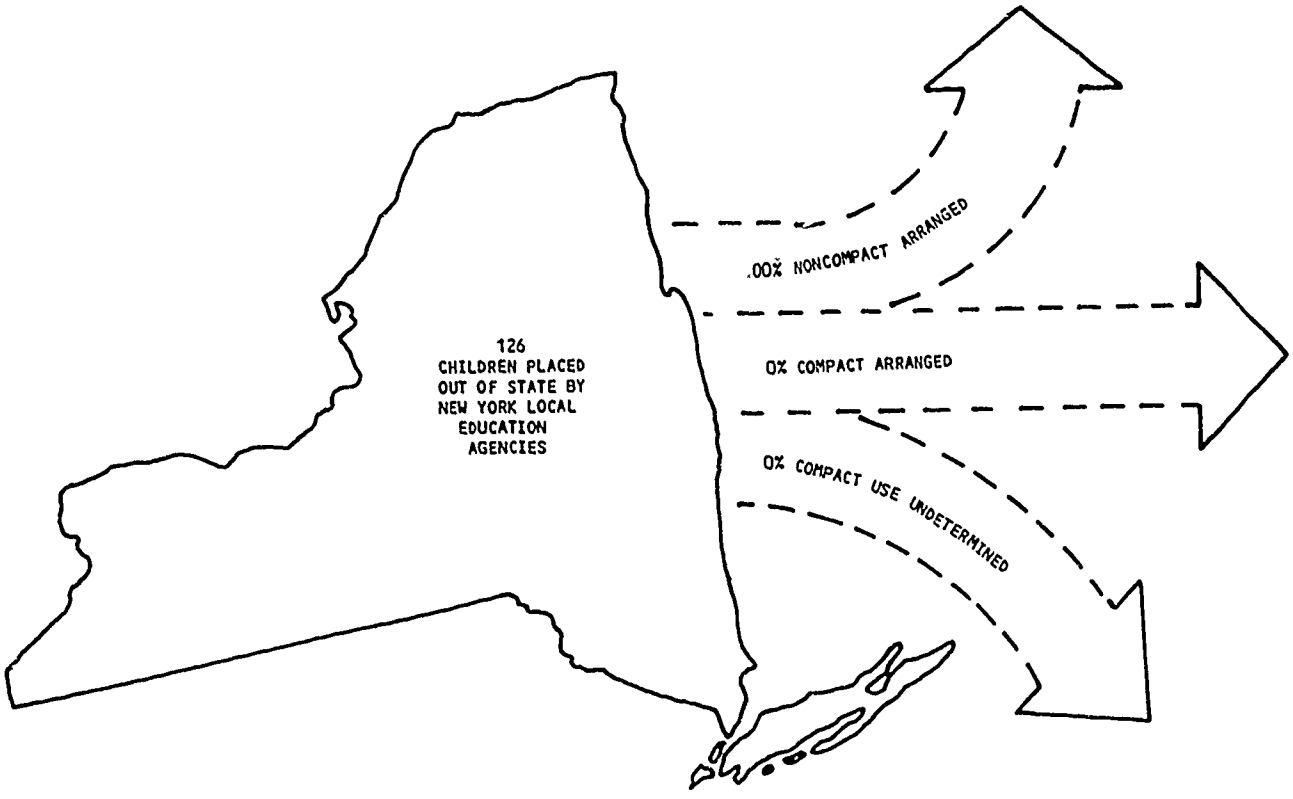


FIGURE 33-6. NEW YORK: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978

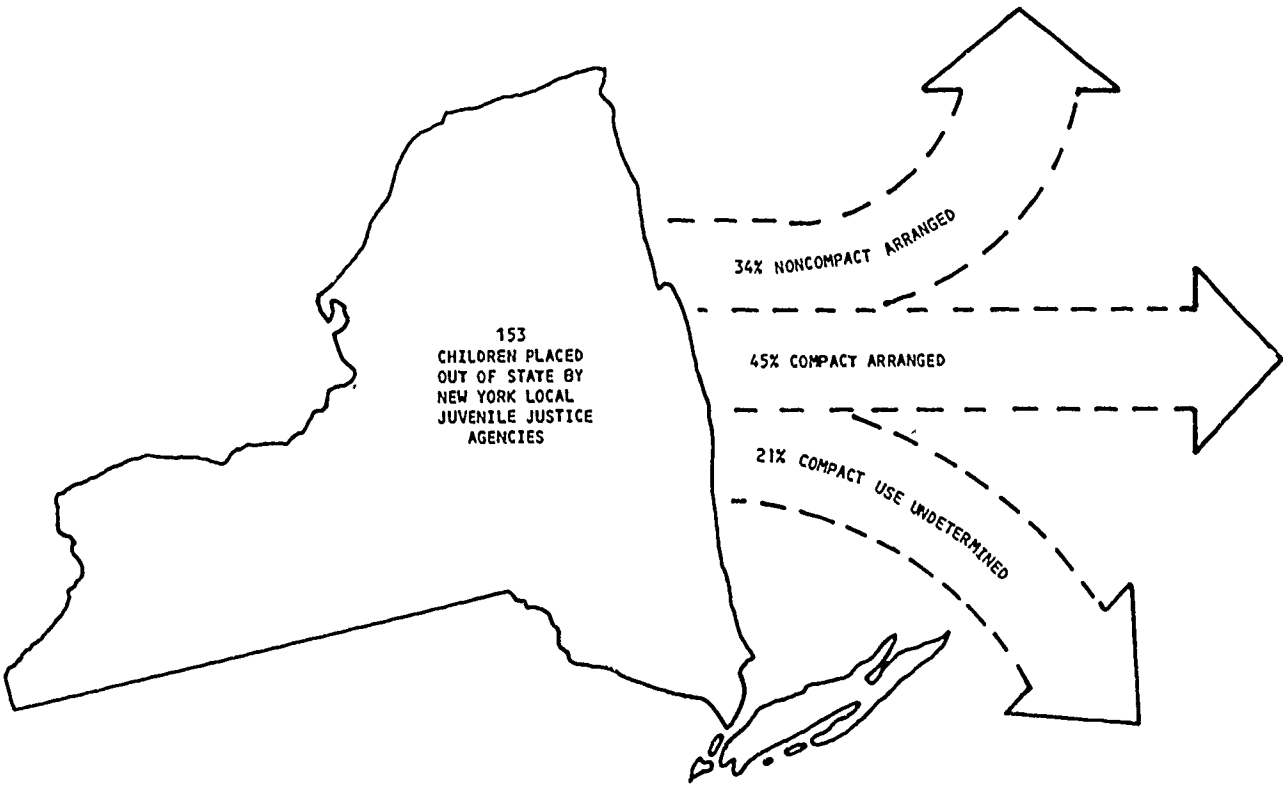
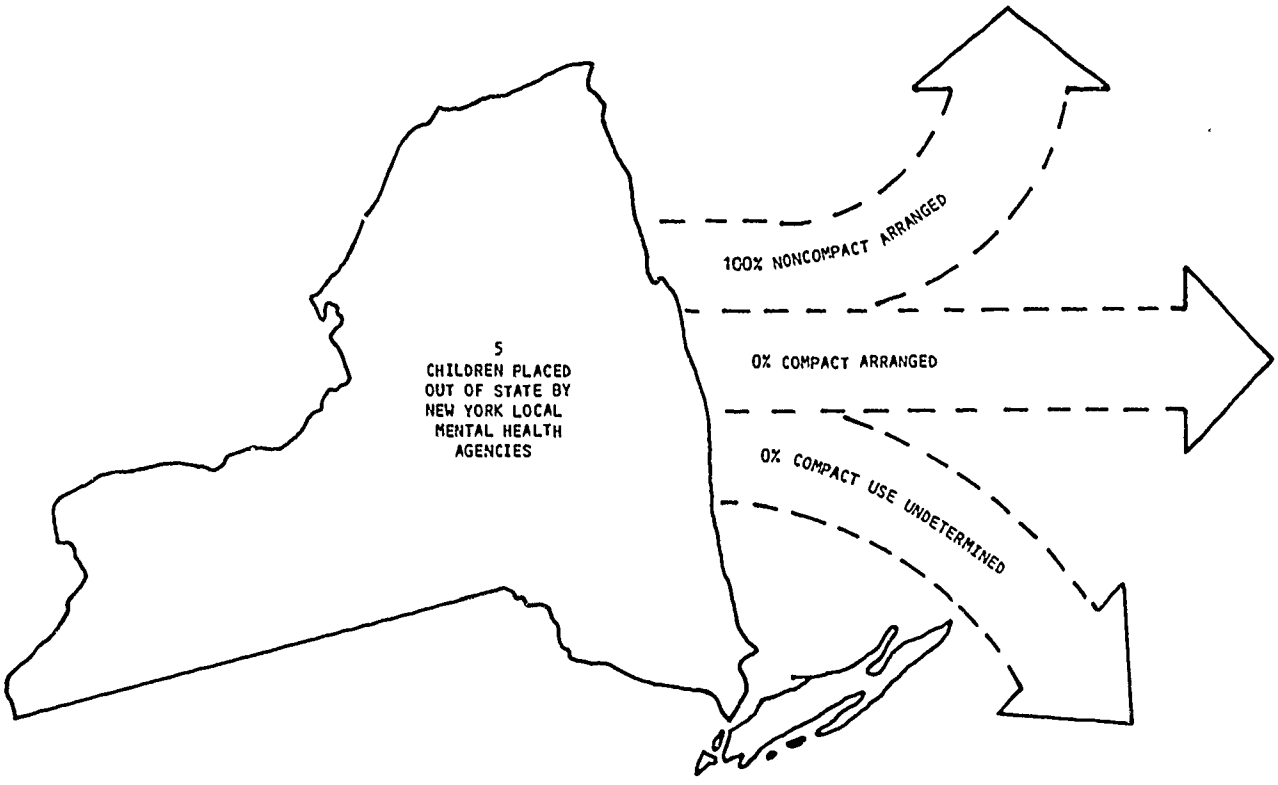


FIGURE 33-7. NEW YORK: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL MENTAL HEALTH AGENCIES IN 1978



New York state agencies reported their knowledge of compact utilization in 1978, as shown in Table 33-14. The state child welfare agency was not able to provide this information at the time of the study, while the state education agency reported no placements were made with the use of a compact, paralleling the local agencies' report.

The Division for Youth (Juvenile Justice I) reported that all 36 youth on parole placed out of state in 1978 were processed through an interstate compact. The Division of Probation (Juvenile Justice II) reported that a compact was used for the placement of 60 children in 1978. This figure is close to the 69 children reported by local probation agencies to have been placed out of New York with compact use.

Finally, the state mental health and mental retardation agency reported that a compact was utilized when ten children were sent out of state in 1978.

TABLE 33-14. NEW YORK: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES, IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	153	126	36	*[b]	15
Total Number of Compact-Arranged Placements Reported by State Agencies	*	0	36	60	10
Percentage of Compact-Arranged Placements	*	0	100	*	67

* denotes Not Available.

a. Juvenile Justice I indicates data reported by the Division for Youth and Juvenile Justice II indicates data reported by the Division of Probation.

b. The local juvenile justice agencies reported 153 out-of-state placements. The Division of Probation reported 60 placements but could not determine state and local involvement for the placements.

E. The Out-of-State Placement Practices of State Agencies

Although, as noted in section III, most New York state agencies are not directly involved in out-of-state placement case decisions and arrangements, they often play an important role in supervising and financing the activities of local agencies. Information describing the ability of state agencies to report on placements in which they had direct or indirect involvement is provided in Table 33-15. The state child welfare agency; the Department of Social Services, reported funding out-of-state placements for an esimated 174 children. This estimate is based on the approximate proportion of all placements reported to DSS which were processed out of New York to settings other than with parents. As an estimate, this figure approximates the locally reported incidence of out-of-state placement, only exceeding the sum of all county child welfare placements by 21 children. Data for OSS is listed as unavailable in the tables describing children's destinations and compact utilization because this information could not be gathered without an extensive manual review of case files. Repeated and prolonged efforts were made by the study staff and DSS personnel to compile the data in an economical way to no avail.

There is no discrepancy between state and local education incidence reports. Recalling from section III that all out-of-state placements made by local school districts must be approved by the DOE, and considering a mechanized information system maintained by the DOE, it is not suprising that the state agency could accurately report upon its local counterpart's activities in 1978.

The Division for Youth, designated as Juvenile Justice I in Table 33-15, reported on the placement of 35 parolees and one other youth out of New York in 1978. These placements were processed through the office of DFY which administers the parole portion of the Interstate Compact on Juveniles. The Division of Probation, or Juvenile Justice II, experienced some difficulty in responding to the study's inquiries in this area and, consequently, most information describing DOP involvement in out-of-state placements is designated as unavailable in Table 33-15. The agency was, however, able to report that it was not formally involved in arranging out-of-state placements either at their own initiation or at the request of a court. In total, 60 out-of-state placements of probationers were reported to occur in 1978. In its role as the Interstate Compact on Juveniles administering agency for processing the out-of-state placement of adjudicated delinquents by local New York probation offices, the DOP did not keep records in 1978 in a manner which could make the isolation of placements in that year possible. For this reason, comparisons cannot be made between state-operated and locally operated probation data.

The Department of Mental Hygiene (DMH) inter-office coordinating council reported involvement in out-of-state placement in the "other" category and these were described as "permanent transfers," also

requiring no funding on the part of the state agency. It is noted here that the state is reporting twice as many out-of-state placements as the local agencies.

TABLE 33-15. NEW YORK: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies				
	Child Welfare	Education	Juvenile Justice I	Juvenile Justice II	Mental Health and Mental Retardation
State Arranged and Funded	0	0	0	0	0
Locally Arranged but State Funded	174	126	--	*	0
Court Ordered, but State Arranged and Funded	0	0	0	0	0
Subtotal: Placements Involving State Funding	174	126	0	*	
Locally Arranged and Funded, and Reported to State	0	0	--	*	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	0	0	*	0
Other	0	0	35	*	10
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	174	126	36	60	10

* denotes Not Available.
-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 33-16 provides a breakdown of the states to which children were sent in 1978, as reported by state agencies. Destination information was not readily available from the child welfare agency in the form required by the survey.

Destination information is reported by the DOE for all out-of-state placements by school districts, filling in the information which was not collected from school districts placing four or fewer children. Impressions about the strong reliance upon Pennsylvania settings in the local data is reinforced by the state-provided information, which shows just over one-half of all education placements going to that state. Considerable use of other contiguous and New England states also appears in the DOE information.

Because the Division of Probation was unable to report the destination of children which it reported to be placed out of state, data from the Division for Youth represents the only state-level juvenile

Justice destinations given in Table 33-16. The 36 placements reported by the DFY went to 16 states all over the country as well as Puerto Rico. The DMH destination data in the table reflects no specific trend of placing children to a particular state or region, or close to New York.

TABLE 33-16. NEW YORK: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed				
	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Health and Mental Retardation
Alabama			1		0
Alaska			1		0
California			5		2
Connecticut		10	0		0
Florida		1	8		2
Georgia			2		0
Kentucky			1		1
Louisiana		1	0		0
Maryland			2		0
Massachusetts		17	1		0
Michigan			1		1
New Hampshire		8	0		0
New Jersey		9	0		1
North Carolina			3		1
Ohio			3		0
Oregon			1		0
Pennsylvania		65	0		0
Rhode Island			0		1
South Carolina		6	3		0
Tennessee			1		0
Texas		1	1		1
Vermont		4	0		0
Washington			1		0
Puerto Rico			1		0
Placements for Which Destinations Could Not be Reported by State Agencies	All	4	0	All	0
Total Number of Placements	174	126	36	60	10

a. Juvenile Justice I indicates data reported by the Division for Youth and Juvenile Justice II indicates data reported by the Division of Probation.

The conditions and statuses of children reported placed out of state by the state agencies in Table 33-17 are similar to those that were reported by local agencies, except that they are somewhat more focused on specific areas. Each of the local agencies responded to more of the descriptive categories than the state agencies.

The state child welfare agency was able to respond with this information and showed the broadest area of response, identifying all but four descriptive categories, which were mentally handicapped, pregnant, drug/alcohol problems, and battered, abandoned, or neglected. The omission of the latter category is noteworthy as it often describes children who become dependency cases and who are the traditional responsibility of child welfare agencies. This category was also checked by a minority of local child welfare agencies.

The DOE selected descriptive categories similar to local school districts, citing that children placed out of state in 1978 were physically and mentally handicapped, and emotionally disturbed. The DOP (Juvenile Justice II) reported involvement in placing truant, juvenile delinquent, and emotionally disturbed children out of New York in 1978. In contrast, Table 33-7 showed that local probation departments reported placing children which fit every descriptive category except the mentally retarded or developmentally disabled, pregnant, adopted and multiply handicapped.

The DMH reported placement of children who were mentally handicapped, emotionally disturbed, and developmentally disabled.

TABLE 33-17. NEW YORK: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]				
	Child Welfare	Education	Juvenile Justice[b] I	Juvenile Justice[b] II	Mental Health and Mental Retardation
Physically Handicapped	X	X	0	0	0
Mentally Handicapped	0	X	0	0	X
Developmentally Disabled	X	0	0	0	X
Unruly/Disruptive	X	0	X	0	0
Truants	X	0	X	X	0
Juvenile Delinquents	X	0	X	X	0
Emotionally Disturbed	X	X	0	X	X
Pregnant	0	0	0	0	0
Drug/Alcohol Problems	0	0	0	0	0
Battered, Abandoned, or Neglected	0	0	0	0	0
Adopted Children	X	0	0	0	0
Foster Children	X	0	0	0	0
Other	0	0	0	0	0

a. X indicates conditions reported.

b. Juvenile Justice I indicates data reported by the Division for Youth and Juvenile Justice ' indicates data reported by the Department of Probation.

State agencies were asked to identify the residential setting most frequently used in 1978 for their out-of-state placements. Both the state education and the mental health and mental retardation agencies reported most often sending children to residential treatment or child care facilities. The child welfare agency placed children most frequently into out-of-state foster homes, and the homes of relatives received children sent by both juvenile justice agencies most frequently in that year.

Fiscal information relating to out-of-state placement was requested from state agencies and the DFY and the DMH reported that no expenditures were made for out-of-state placements in 1978. Of those agencies using public funds for out-of-state placement, only the DOE could report on the expenditure of state funds, which totaled $4,400,000 in 1978. The state child welfare and probation agencies could not report on expenditures for out-of-state placement, and the DOE could not report on the use of local, federal, or other funds for this purpose.

TABLE 33-18. NEW YORK: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type				
	Child Welfare	Education	Juvenile Justice I	Juvenile Justice II	Mental Health and Mental Retardation
• State	*	$4,400,000	0	*	0
• Federal	*	*	0	*	0
• Local	*	*	0	*	0
• Other	*	*	0	*	0
Total Reported Expenditures		$4,400,000	0	*	0

* denotes Not Available.

F. State Agencies' Knowledge of Out-of-State Placements

Services for children are primarily operated by local government in New York, usually with state agency supervision. Table 33-19 reflects these state agencies' overall knowledge of out-of-state placement activity within the state. The state child welfare agency, as discussed in Table 33-15, estimated the number of children placed out of state which were in settings other than parental homes from the larger number of placements of which it had knowledge. This figure was approximately the same as the actual number of out-of-state placements determined by the local survey to have occurred in 1978. The state education agency, through a mechanized information retrieval, was able to report the exact number of placements arranged by local school districts in the reporting year.

The state juvenile parole agency (Juvenile Justice I) identified its own 1978 placement activity while the state probation agency had difficulty in distinguishing between state and locally arranged juvenile justice placements, reporting knowledge of a total of 60 children sent out of New York. This number does not approximate the 153 children reported by the local agencies, but does approach the 67 placements reported to have been compact processed (and therefore reported to the state agency) by the local agencies.

The state mental health and mental retardation agency only reported knowledge of ten out-of-state placements made through the Interstate Compact on Mental Health as permanent institutional transfers. The five locally reported mental health placements were not arranged through a compact (see Table 33-13) and, therefore, were apparently not known to the state agency.

TABLE 33-19. NEW YORK: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice[a] I	Juvenile Justice[a] II	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	153	126	36	*b	15
Total Number of Placements Known to State Agencies	174	126	36	0	10
Percentage of Placements Known to State Agencies	100c	100	100	*	67

* denotes Not Available.

a. Juvenile Justice I indicates data reported by the Division for Youth and Juvenile Justice II indicates data reported by the Department of Probation.

b. The local juvenile justice agencies reported 153 out-of-state placements. The Division of Probation reported 60 placements but could not determine state and local involvement for the placements.

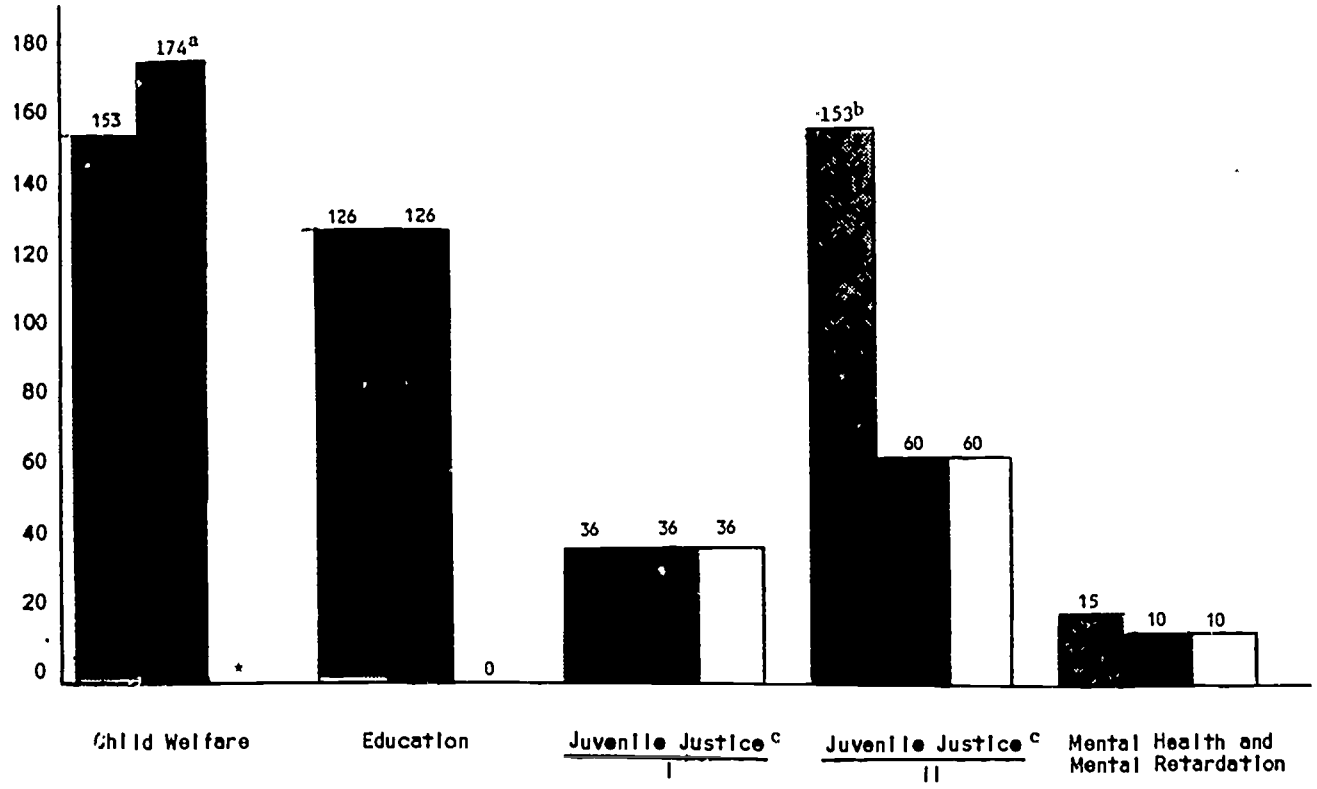
c. The state child welfare agency attributed more out-of-state placements to the local agencies than were identified in the local survey.

Finally, Figure 33-8 illustrates New York state agencies' knowledge of out-of-state placement activity and, equally as important, their knowledge of interstate compact use. Because state agencies are responsible for interstate compact administration, their report of 1978 compact utilization is of great interest to this study, not only providing a form of placement information but also as a comparison to local agencies' compact use reports.

The absence of compact use information from the state child welfare agency leaves a gap for comparative purposes. The state education agency, the Division of Probation (Juvenile Justice II), and the state mental health and mental retardation agency segments of the figure illustrate the variance in the ability of a state agency with local counterparts to report on local placement activity.

The state Division of Youth (Juvenile Justice I) was able to provide complete out-of-state placement and compact use information for its own agency.

FIGURE 33-8. NEW YORK: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACT, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



* denotes Not Available.

State and Local Placements

State and Local Placements Known to State Agencies

State and Local Compact-Arranged Placements Reported by State Agencies

a. The state child welfare agency attributed more out-of-state placements to the local agencies than were identified in the local survey.

b. The local Juvenile Justice agencies reported 153 out-of-state placements. The State Department of Probation reported 60 placements but could not determine state and local involvement for the placements.

c. Juvenile Justice I indicates data reported by the Division for Youth and Juvenile Justice II indicates data reported by the Division of Probation.

V. CONCLUDING REMARKS

Some general conclusions can be drawn about the out-of-state placement practices of New York public agencies from the foregoing discussion.

- Out-of-state placement is a widespread practice among local public agencies in New York, with the exception of mental health agencies. However, every other agency type reported placing some emotionally disturbed or mentally ill children out of New York in 1978.

- Children tend to be placed outside of New York by agencies in different parts of the state, depending on the service type of the placing local agency. Child welfare agencies throughout the state placed children out of New York in 1978; juvenile probation agencies in rural counties made most placements within this agency type; and local school districts in and around the New York City area were primarily responsible for education placements in the reporting year.

- Local public agencies showed varying degrees of interagency cooperation in placing children out of New York, generally at some distance from their homes. Most placing school districts, about one-half of the child welfare agencies, and only one in ten placing juvenile justice agencies reported interagency cooperation in the placement process.

- The use of interstate compacts for the processing of out-of-state placements was not a predominant practice among local New York agencies. Child welfare agencies reported about a 60 percent use of these interstate agreements, reflecting the highest level of utilization among local agencies. This is in sharp contrast to the 100 percent compact utilization reported by the state juvenile justice and the state mental health and mental retardation agencies.

- The state education agency was able to provide detailed information about the out-of-state placement practices of local school districts for 1978. This information was made accessible through a mechanized information system and implies a strong regulatory ability of the state agency.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in New York in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN PENNSYLVANIA

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Gary Makuch, Bureau of Special Education, Department of Education; William Ohrtwars, Chief, Division of Policy, Liaison, and Resource Management, Department of Education; Susan Darhower, Compact Correspondent, Bureau of Group Residential Services, Office of Children, Youth and Families, Department of Public Welfare; Robert Sobolevitch, Director, Bureau of Group Residential Services, Office of Children, Youth, and Families, Department of Public Welfare; and Norma J. Coffman, Coordinator, Interstate Compact on Mental Health, Office of Mental Health, Department of Public Welfare.

II. METHODOLOGY

Information was systematically gathered about Pennsylvania from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Pennsylvania appears below in Table 39-1.

TABLE 39-1. PENNSYLVANIA: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone Interview Mailed Survey: DPW officials	Telephone Interview Mailed Survey: DOE officials	Telephone Interview Mailed Survey: DPW officials	Telephone Interview Mailed Survey: DPW officials
Local Agencies[a]	Telephone Survey: All 66 local child welfare agencies	Telephone Survey: All intermediate units supervising the 503 local school districts	Telephone Survey: All 66 local probation departments	Telephone Survey: All 43 local MH/MR boards

a. The telephone survey was conducted by the Pennsylvania League of Women Voters of Lancaster under a subcontract to the Academy.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Pennsylvania has the 32nd largest land area (44,966 square miles) and is the fourth most populated state (11,863,710) in the United States. It has 94 cities with populations over 10,000 and four of its cities have populations over 100,000, one of which is Philadelphia, the most populated city in the state with a population approaching two million. Harrisburg, the capital, is the ninth most populated city in the state with a population slightly over 58,000. Pennsylvania has 67 counties. The estimated 1978 population of persons eight to 17 years old was 2,007,535.

Surrounding the state are New York, Ohio, West Virginia, New Jersey, Maryland, and Delaware. Three of Pennsylvania's 13 Standard Metropolitan Statistical Areas (SMSAs) include a portion of two of these contiguous states, and three other states share borders with Pennsylvania's SMSAs.

Pennsylvania was ranked 30th nationally in total state and local per capita expenditures, 38th in per capita expenditures for education, and ninth in per capita expenditures for public welfare.[1]

B. Child Welfare

Pennsylvania's Department of Public Welfare (DPW) is a consolidated agency supervising child welfare, public assistance, mental health and mental retardation, and juvenile corrections services which are administrated by the state's 67 counties. Child welfare services are operated by the county commissioner's office in each county, with the exception of one multicounty unit. These 66 local agencies provide a range of services for children and youth in their counties, including protective services, foster care, and adoption. The Department of Public Welfare supervises these local agencies' activities through regional field offices.

Pennsylvania has been a member of the Interstate Compact on the Placement of Children (ICPC) since 1973, which is administered in the DPW's Office of Children, Youth, and Families.

C. Education

Pennsylvania's Department of Education (DOE) has the major responsibility for educational planning, coordination, training, and standard setting, in addition to supervising the delivery of educational services provided through the 503 local school districts. It was reported by the DOE that school districts could not place children out of state without receiving authorization and funding assistance from the DOE. Sections 13.76 and 13.77 of the school code provide this authority to the state office for certain exceptional children as stated in the statute. However, school districts, especially those bordering other states, are reported to place children out of state without reporting the practice to the DOE. There are 29 intermediate units which plan cooperatively with and assist school districts.

D. Juvenile Justice

The 66 juvenile courts, located in the courts of common pleas, have sole juvenile jurisdiction in Pennsylvania. Housed within the courts, and operated by county government, are the juvenile probation departments. One local probation department serves a multicounty area. The Juvenile Court Judges Commission, a committee of juvenile court judges appointed by the governor, helps provide financial support for the local probation departments and trains probation officers.

Adjudicated delinquents committed to the state are placed in the custody of the Department of Public Welfare, Office of Children and Youth, and Families. The Office's Bureau State Operated Programs (BSOP) operates six youth development centers and three youth camps. This office also administers the Interstate Compact on Juveniles (ICJ), which Pennsylvania has been a member of since 1956. It was reported that the local probation departments do not always utilize this compact for the placement of juveniles out of Pennsylvania.

E. Mental Health and Mental Retardation

The Department of Public Welfare is also responsible for both mental health and mental retardation services in Pennsylvania. The DPW's Offices of Mental Health and of Mental Retardation supervise 43 mental health and mental retardation boards which operate direct services for residents in their county or multicounty jurisdictions. Although 90 percent of the operating funds for these mental health and mental retardation programs are state supplied, it was reported that the boards do not necessarily report out-of-state placements to either of the state offices.

Pennsylvania has been a member of the Interstate Compact on Mental Health (ICMH) since 1961 and its administration is housed within the DPW's Offices of Mental Health and Mental Retardation. Transfers of clients from state-operated mental health or retardation hospitals are reported to this compact office.

F. Recent Developments

Under a recent change in state law, status offenders in Pennsylvania have been removed from the jurisdiction of juvenile courts and are now the responsibility of local social services agencies. The DPW's Bureau of State Operated Programs is managing a state-subsidized program to help counties establish shelters and other services to absorb this increased caseload of dependent children.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The responses of Pennsylvania state and local agencies to a survey on their out-of-state placement practices are discussed and tabularly displayed in the following pages.

A. The Number of Children Placed in Out-of-State Residential Settings

An overview of public agency involvement in out-of-state placement is given in Table 39-2 in order to provide a general picture of this state's practices in 1978.

It should first be pointed out that the state-level response for both child welfare and juvenile justice services were supplied by the Department of Public Welfare, Office of Children, Youth, and Families, which has responsibility for both the Interstate Compact on the Placement of Children and the Interstate Compact on Juveniles. This combined service response is, therefore, displayed in the first column.

A review of Table 39-2 shows that local agencies are the primary agents in the placement of children out of Pennsylvania, reporting almost twice as many placements as state agencies. In total, a maximum of 257 children were placed in other states by state and local agencies in Pennsylvania in 1978. However, this sum may be an overrepresentation of placement activity within the state because of cooperative efforts between agencies to arrange the placement of children. Further discussion of interagency cooperation and possibilities of duplicative reporting will occur in the following subsection (see Table 39-6).

Further review of Table 39-2 reveals that local child welfare agencies reported involvement in arranging the largest number of out-of-state placements. It can also be observed that neither state nor local agencies responsible for education, and mental health and mental retardation were significantly involved in out-of-state placements for children in 1978.

TABLE 39-2. PENNSYLVANIA: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare/ Juvenile Justice	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	80	3	--[b]	6	89
Local Agency Placements	123[c]	1	43	1	168
Total	203	4	43	7	257

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 39-15 for specific information regarding state agency involvement in arranging out-of-state placements.

b. Out-of-state placements involving the state juvenile justice agency are involved with the response given by the state child welfare agency. See the first column of the table for the total figure.

c. This number represents only placements arranged by local child welfare agencies.

The involvement of local agencies in arranging out-of-state placements for children in 1978 is examined in further detail in Table 39-3. This table displays the number of children reported placed out of state by each local agency along with the agency's county of jurisdiction and corresponding 1978 estimated population of persons eight to 17 years old. The information is organized in this manner to facilitate observations about the relationship between geography, youth population, and the incidence of locally arranged placements. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reasons, miltiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all school districts within them. The absence of information from the Allegheny County child welfare agency and the Philadelphia County juvenile probation department should be noted, especially since they service counties with the two largest juvenile populations in the state.

Review of Table 39-3 reveals that the out-of-state placement of children was predominantly an urban county phenomenon in Pennsylvania, with 67 percent of the child welfare placements, 65 percent of the juvenile justice placements, and the one school district placement all reported from agencies within SMSA counties.

Pennsylvania is a densely populated state and its eastern half consists of nine SMSAs which include 20 counties. Very few eastern counties lie outside of their boundaries. It is not surprising, therefore, to learn that 58 percent of the children placed out of state by local child welfare agencies and 47 percent of those placed by juvenile justice agencies were sent from the 20 eastern SMSA counties. These metropolitan areas share miles of state border with New York, New Jersey, Delaware, and Maryland.

TABLE 39-3. PENNSYLVANIA: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978			
		Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Adams	11,544	2	0	0	--
Allegheny	243,949	*	0	0	0
Armstrong	13,169	0	0	0	--
Beaver	36,144	0	0	0	0
Bedford	8,239	0	0	1	--
Berks	49,442	3	0	3	0
Blair	22,833	2	0	1	0
Bradford	12,287	4	0	0	--
Bucks	89,612	4	0	1	0
Butler	25,65[illegible]	2	0	5	0
Cambria	31,654	;	0	1	0
Cameron	1,291	0	0	--	--
Carbon	8,404	2	0	0	--
Centre	15,721	1	0	0	0
Chester	53,003	5	0	2	0
Clarion	6,860	0	0	0	0
Clearfield	14,453	0	0	0	--
Clinton	6,366	1	0	1	--
Columbia	9,450	1	0	0	--
Crawford	15,238	3	0	0	0
Cumberland	28,949	3	0	0	0
Dauphin	35,727	2	0	10 est	0
Delaware	99,089	6	0	0	0
Elk	7,678	0	0	--	--
Erie	51,042	3	1	3	0

TABLE 39-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed During 1978			
		Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Fayette	[illegible];426	2	0	0	0
Forest	981	--	0	0	--
Franklin	19,248	4	0	0	--
Fulton	2,262	0	0	0	--
Greene	6,789	2	0	1	--
Huntingdon	6,858	0	0	0	--
Indiana	14,254	4 est	0	0	--
Jefferson	7,810	0	0	0	--
Juniata	3,244	0	0	0	--
Lackawanna	35,542	4 est	0	0	--
Lancaster	60,946	4	0	0	0
Lawrence	17,591	0	0	0	0
Lebanon	20,301	4	0	0	0
Lehigh	41,949	3	0	1	0
Luzerne	52,651	3 est	0	0	--
Lycoming	20,212	1	0	1	--
McKean	9,202	0	0	0	--
Mercer	21,936	0	0	0	0
Mifflin	8,466	0	0	0	--
Monroe	8,774	2	0	0	--
Montgomery	109,451	0	0	2	0
Montour	2,623	0	0	0	--
Northampton	36,794	8 est	0	0	0
Northumberland	16,465	0	0	1	0
Perry	5,619	1	0	0	--
Philadelphia	302,757	12	0	*	0
Pike	2,219	1	0	0	--
Potter	3,219	5	0	0	--
Schuylkill	25,179	0	0	4	1
Snyder	5,374	0	0	*	--
Somerset	13,195	0	0	0	--
Sullivan	1,062	0	0	0	--
Susquehanna	6,959	1	0	0	--
Tioga	7,813	4 est	0	0	--
Union	4,822	0	0	2	--
Venango	11,285	1	0	0	0
Warren	8,232	--	0	0	--
Washington	34,864	0	0	1	--
Wayne	5,740	0	0	0	--
Westmoreland	65,749	6	0	2	0
Wyoming	4,328	0	0	0	--
York	49,496	5	0	0	--
Multicounty Jurisdiction					
Cameron, Elk		--	--	0	--
Indiana, Armstrong		--	--	--	0
Bedford, Somerset		--	--	--	0
Washington, Greene		--	--	--	0

TABLE 39-3. (Continued)

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978			
		Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Multicounty Jurisdiction (Continued)					
Carbon, Monroe, Pike		--	--	--	0
Luzerne, Wyoming		--	--	--	0
Franklin, Fulton		--	--	--	0
York, Adams		--	--	--	0
Lycoming, Clinton		--	--	--	0
Huntingdon, Mifflin, Juniata		--	--	--	0
Forest, Warren		1	--	--	0
Bradford, Tioga, Sullivan		--	--	--	0
Lackawanna, Susquehanna, Wayne		--	--	--	0
Columbia, Montour, Snyder, Union		--	--	--	0
Clearfield, Jefferson		--	--	--	0
Cameron, Elk, McKean, Potter		--	--	--	0
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		123 est	1	43 est	1
Total Number of Local Agencies Reporting		66	503	66	43

-- denotes Not Applicable.

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

At least one agency among each type contacted for the survey reported involvement in arranging out-of-state placements of children in 1978. Table 39-4 also shows that all but three of the agencies contacted were able to report on their involvement with such placements. However, it is important to recognize that two of these agencies included the child welfare agency in Allegheny County (Pittsburgh) and the Philadelphia juvenile justice agency. The third agency which could not report specific information about its involvement in such placements has jurisdiction in a much smaller county.

It is apparent from Table 39-4 that local child welfare and juvenile justice agencies are far more involved in placing children out of Pennsylvania than local school districts or mental health and mental retardation boards. Fifty-nine percent of the reporting child welfare agencies arranged out-of-state

placements and 29 percent of the juvenile justice agencies placed children out of Pennsylvania. Less than three percent of the other agency types reported such placements.

TABLE 39-4. PENNSYLVANIA: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Agencies Which Reported Out-of-State Placements	39	1	19	1
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	1	0	2	0
Agencies Which Did Not Place Out of State	26	502	45	42
Agencies Which Did Not Participate in the Survey	0	0	0	0
Total Local Agencies	66	503	66	43

Those local agencies which did not place children out of state in 1978 were asked to select the reasons they did not become involved in the practice. The responses in Table 39-5 reflect 91 percent of all local Pennsylvania agencies surveyed. The most commonly given reason by all four agency types was that sufficient services were available within the state to meet the agencies' needs. From 60 to 95 percent of the responding agencies gave this response, with local mental health and mental retardation agencies being the service type with the least percentage of responses given to this reason.

After mentioning sufficient services being available in the state, eight child welfare agencies also reported that they lacked the funds necessary for out-of-state placements and one agency reported lacking statutory authority to become involved in the activity. Specifying "other" reasons, three agencies did not place children out of state because of parental disapproval, one child welfare agency reported distance to be prohibitive, another said out-of-state placements were against agency policy, and still another expressed a lack of knowledge of what services were available out of state.

Local education agencies, over 99 percent of which did not place children out of Pennsylvania in 1978, reported the lack of funds next most frequently after sufficient services being available in state. Eighty-nine agencies, or 18 percent of those responding, stated they lacked statutory authority to place out of state and another 16 percent ("others") explained that such placements were against agency policy. Section III describes the need for state agency approval of any out-of-state placements arranged by local school districts which would seem to correspond to this particular reason for not arranging out-of-state placements.

A number of juvenile justice agencies mentioned not placing children out of Pennsylvania because they lacked funds. Single agencies reported a lack of statutory authority and being restricted in some manner from placing out of state. Two agencies specified in the "other" category that they did not become involved in such placements because it was against policy. Three others pointed to parental disapproval, and five agencies stated that they did not have sufficient knowledge of services outside of the state.

Local mental health and mental retardation agencies expressed similar reasons for not placing children out of state. A lack of funds was given as a reason by 19 of the 42 agencies. Three agencies said they lacked statutory authority, and one other reported it was restricted from placing out of state. Similarly, six agencies reported as an "other" reason that out-of-state placement was against agency policy. Three local agencies reported that parental disapproval prevented such placements, another said too much "red tape" was involved, and two others expressed a lack of knowledge about other states' available services.

TABLE 39-5. PENNSYLVANIA: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s)			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Lacked Statutory Authority	1	89	1	3
Restricted[b]	0	0	1	1
Lacked Funds	8	138	12	19
Sufficient Services Available In State	24	475	38	25
Other[c]	6	82	12	20
Number of Agencies Reporting No Out-of-State Placements	26	502	45	42
Total Number of Agencies Represented in Survey	66	503	66	43

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included restrictions based on agency policy, executive order, compliance with certain federal and state guidelines, and specific court orders.

c. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The local Pennsylvania agencies which reported placing children out of state were asked to identify placements which were made in cooperation with another public agency. Table 39-6 reveals interagency cooperation to be relatively uncommon among these agencies. Forty-one percent of the child welfare agencies which placed children out of Pennsylvania reported cooperatively arranging only 38 percent of their placements. Similarly, 53 percent of the juvenile justice agencies reporting placements said that 40 percent of these children were sent out of state with more than one public agency's involvement. The one reported education placement was made without cooperation, while the single mental health and mental retardation agency reported the one child it helped to place was sent with cooperation from another agency.

TABLE 39-6. PENNSYLVANIA: THE EXTENT OF INTERAGENCY CO-OPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type							
	Child Welfare		Education		Juvenile Justice		Mental Health and Mental Retardation	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	39	59	1	0.2	19	29	1	2
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	16	41	0	0	10	53	1	100
Number of CHILDREN Placed Out of State	123	100	1	100	43	100	1	100
Number of CHILDREN Placed Out of State with Interagency Cooperation	47	38	0	0	17	40	1	100

a. See Table 39-4.

All local Pennsylvania agencies which reported being involved in arranging out-of-state placements were asked to describe the conditions or statuses experienced by the children placed out of Pennsylvania. The types of conditions from which these agencies selected and their responses are displayed in Table 39-7. The child welfare agencies mentioned every condition or status offered for description with the exception of pregnancy and children with multiple handicaps. The types of children sent out of state most frequently mentioned were adopted children and those who were battered, abandoned, or neglected. These two statuses received 52 percent of all the responses offered and are within the traditional service arena of this agency type. Twenty-one percent of the responses given by child welfare agencies were descriptive of children placed out of state who are often served by juvenile justice agencies: unruly/disruptive, truant, and juvenile delinquent. This trend is better understood with consideration of section III of this profile, which describes recent developments in the servicing of status offenders within Pennsylvania. Specifically, the discussion points to increased responsibility taken by child welfare agencies for such children.

The one local school district reported placing a child who was physically handicapped, while 42 percent of the juvenile justice agency responses mentioned juvenile delinquent youth as having been sent out of state. Unruly/disruptive children were also mentioned frequently as having been placed out of Pennsylvania, paralleling the child welfare agency responses. Mentally ill or emotionally disturbed children were also reported to be sent out of state, as were youth with drug/alcohol problems. A juvenile justice agency also reported sending a mentally retarded or developmentally disabled child to a setting outside of Pennsylvania. This was the only type of condition reported by the one local mental health and mental retardation agency which placed a child out of state in 1978.

TABLE 39-7. PENNSYLVANIA: CONDITIONS OF CHILDREN PLACED OUT-OF-STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Physically Handicapped	2	1	0	0
Mentally Retarded or Developmentally Disabled	1	0	1	1
Unruly/Disruptive	8	0	7	0
Truant	3	0	3	0
Juvenile Delinquent	3	0	16	0
Mentally Ill/Emotionally Disturbed	3	0	4	0
Pregnant	0	0	0	0
Drug/Alcohol Problems	1	0	4	0
Battered, Abandoned, or Neglected	17	0	0	0
Adopted	18	0	0	0
Special Education Needs	5	0	1	0
Multiple Handicaps	0	0	0	0
Other[b]	6	0	2	0
Number of Agencies Reporting	39	1	19	0

a. Some agencies reported more than one type of condition.

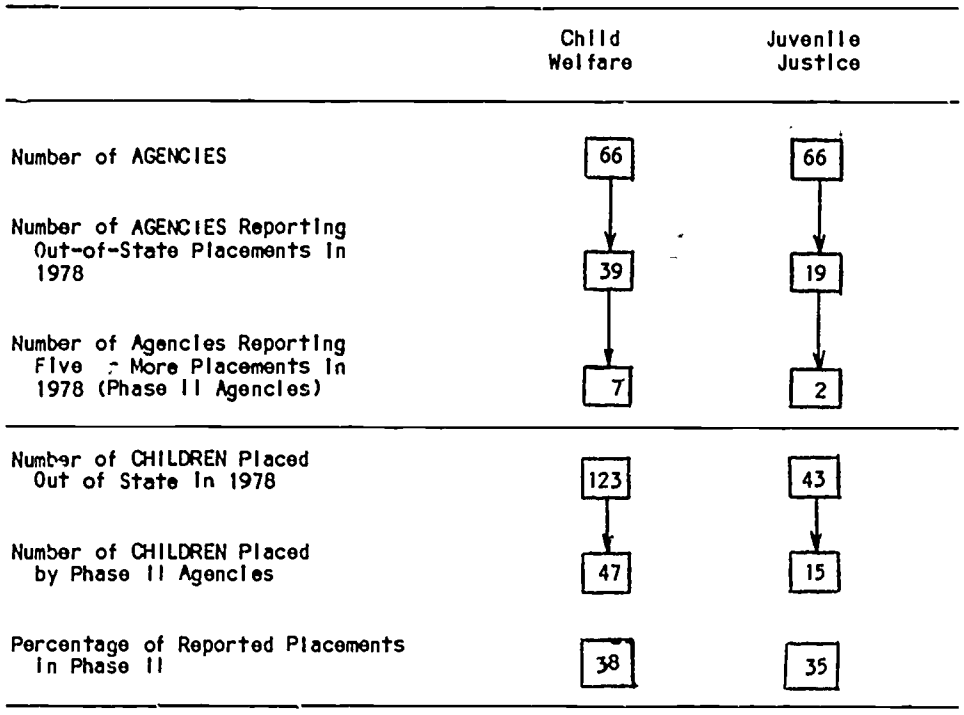
b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Pennsylvania's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

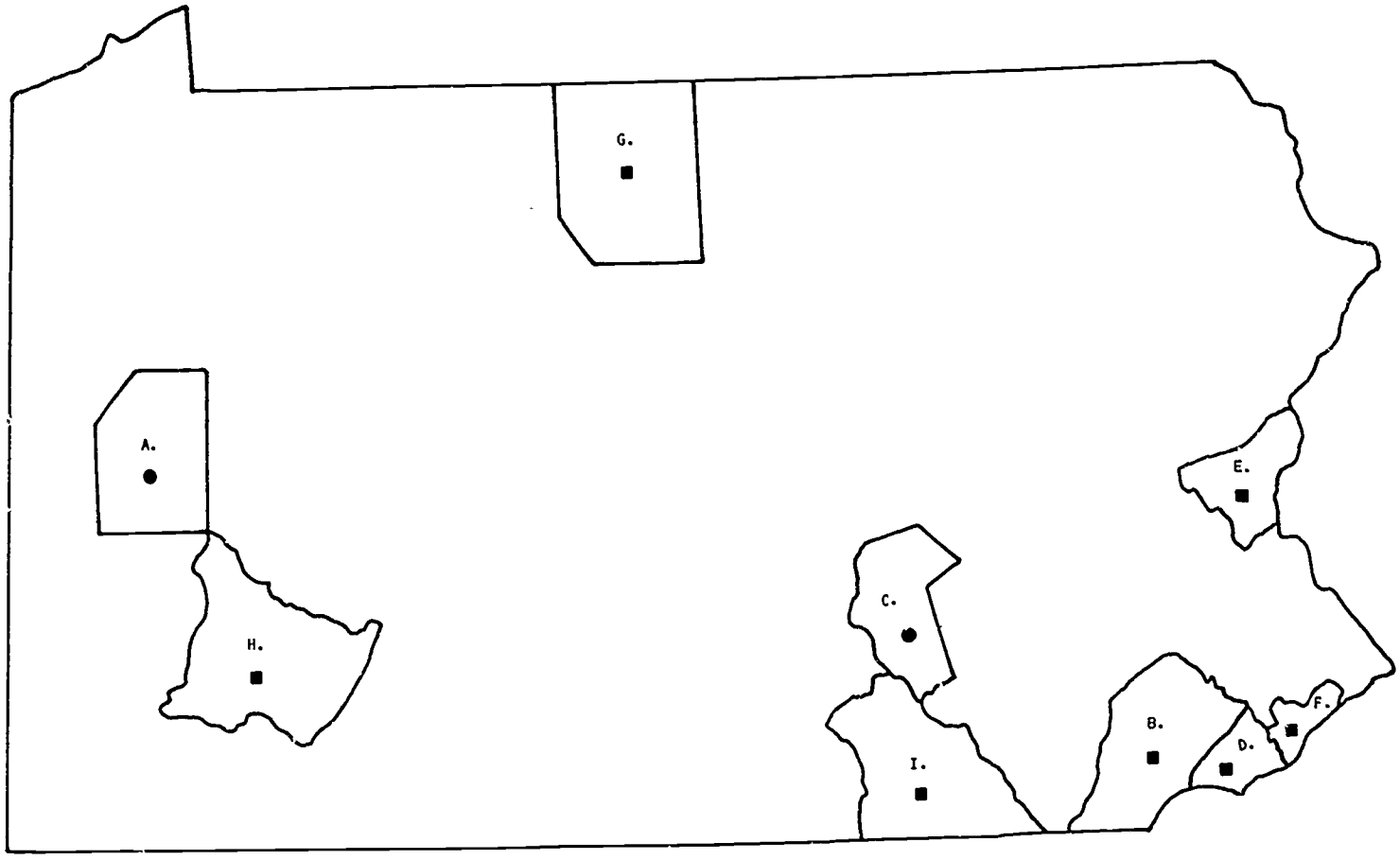
The relationship between the number of local Pennsylvania agencies surveyed and the total number of children placed out of state, and agencies and placements in Phase II is illustrated in Figure 39-1. There were no Phase II agencies among local education, and mental health and mental retardation agencies. Seven of the 39 placing child welfare agencies were in the Phase II category and they reported arranging 38 percent of the local child welfare placements made in 1978. There were two Phase II agencies among the 19 placing juvenile justice agencies. Thirty-five percent of the placements reported by local probation agencies were arranged by these two Phase II agencies.

FIGURE 39-1. PENNSYLVANIA: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE



Generally, the Pennsylvania counties served by Phase II agencies are geographically located in the southeastern portion of the state, within the dense concentration of SMSAs. Three Phase II agencies, however, serve counties further west, including child welfare agencies in Potter and Westmoreland Counties, and a juvenile justice agency in Butler County.

FIGURE 39-2. PENNSYLVANIA: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



KEY

■ Child Welfare Phase II Agency Jurisdiction

● Juvenile Justice Phase II Agency Jurisdiction

County

A. Butler
B. Chester
C. Dauphin
D. Delaware
E. Northampton
F. Philadelphia
G. Potter
H. Westmoreland
I. York

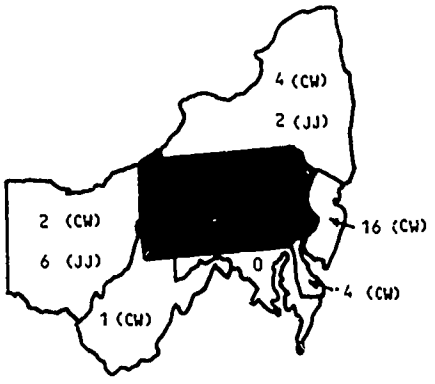
The nine local Phase II agencies were asked to identify the destination of those placements. It can be seen in Table 39-8 that New Jersey was the most commonly used state for receiving children sent by the reporting child welfare agencies. Nearly 36 percent of the children whose destinations were reported went to this bordering state. Delaware and New York, also contiguous states of Pennsylvania, received the next largest number of child welfare placements. Figure 39-3 illustrates the number of local Phase II agency placements reported to be made to contiguous states. Sixty percent of the Phase II child welfare placements for which destinations were identified went to these states. More distant placements were next most frequently reported to be made to California. The border state of Ohio received two children, and the farther states of Florida, Massachusetts, and Tennessee also received two placements each. Single placements were reported to be made by child welfare agencies to states as far as Texas and Utah, and one child was placed in Canada.

The two Phase II juvenile justice agencies reporting the placement destinations most frequently selected to receive children in 1978 was Ohio. More distant California and Florida and contiguous New York also received many placements. As shown in Figure 39-3, over half of the probation agency placements were made to contiguous states.

TABLE 39-8. PENNSYLVANIA: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed	
	Child Welfare	Juvenile Justice
California	3	2
Delaware	4	0
Florida	2	3
Maine	1	0
Massachusetts	2	1
Minnesota	1	0
Nebraska	1	0
New Jersey	16	0
New York	4	2
Ohio	2	6
Tennessee	2	0
Texas	1	1
Utah	1	0
Virginia	2	0
West Virginia	1	0
Wisconsin	1	0
Canada	1	0
Placements for Which Destinations Could Not be Reported by Phase II Agencies	2	0
Total Number of Phase II Agencies	7	2
Total Number of Children Placed by Phase II Agencies	47	15

FIGURE 39-3. PENNSYLVANIA: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO PENNSYLVANIA BY LOCAL PHASE II AGENICES[a]



a. Local Phase II Child Welfare agencies reported destinations for 45 children. Local Phase II Juvenile Justice agencies reported destinations for 15 children.

Those local Phase II child welfare and juvenile justice agencies gave reasons for becoming involved in this activity. It can be seen in Table 39-8 that Phase II child welfare agencies most often mentioned the out-of-state placement was made to have the child live with relatives other than parents. This was also the reason mentioned by both responding juvenile justice agencies. Both agency types mentioned that Pennsylvania lacks comparable services to those used in other states and that an out-of-state placement was used as an alternative to in-state public institutionalization. One juvenile justice agency reported having previous success with a particular facility, and five child welfare agencies said they had reasons other than those offered for selection for placing children out of Pennsylvania.

TABLE 39-9. PENNSYLVANIA: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting	
	Child Welfare	Juvenile Justice
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0	0
Previous Success with Receiving Facility	0	1
Sending State Lacked Comparable Services	2	1
Standard Procedure to Place Certain Children Out of State	0	0
Children Failed to Adapt to In-State Facilities	0	0
Alternative to In-State Public Institutionalization	1	1
To Live with Relatives (Non-Parental)	5	2
Other	5	0
Number of Phase II Agencies Reporting	7	2

a. Some agencies reported more than one reason for placement.

Considering the above reasons given for placing children out of state, it is not surprising to see in Table 39-10 that relatives' homes were most frequently used as placement settings for three of the seven responding child welfare agencies. Two such agencies placing five or more children said foster homes were most commonly used. A single agency reported residential treatment or child care facility, and another stated adoptive homes as the most frequent setting for placement out of state.

The local juvenile justice agencies placing more than four children out of state reported residential treatment or child care facilities as the most frequently used setting by one agency and relatives' homes by the other.

TABLE 39-10. PENNSYLVANIA: MOST FREQUENT CATEGORIES OF RESIDENTIAL SETTINGS USED BY LOCAL PHASE II AGENCIES IN 1978

Categories of Residential Settings	Number of AGENCIES Reporting	
	Child Welfare	Juvenile Justice
Residential Treatment/Child Care Facility	1	1
Psychiatric Hospital	0	0
Boarding/Military School	0	0
Foster Home	2	0
Group Home	0	0
Relative's Home (Non-Parental)	3	1
Adoptive Home	1	0
Other	0	0
Number of Phase II Agencies Reporting	7	2

These same local agencies were asked to report information about their methods and frequency of monitoring out-of-state placements. Five Phase II child welfare agencies reported using written reports from the receiving facility, either on a semiannual or annual basis, to determine the progress of a child. On-site visits were also reported to be conducted by two agencies, one doing so on an annual basis and the other semiannually. Telephone calls were also used as a method of monitoring to determine a child's progress. Both juvenile justice agencies cited written quarterly reports as a means of obtaining needed information. On-site visits were also used for monitoring by one agency; however, this practice did not occur at regular intervals.

TABLE 39-11. PENNSYLVANIA: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]	
		Child Welfare	Juvenile Justice
Written Progress Reports	Quarterly	2	2
	Semiannually	3	0
	Annually	0	0
	Other[b]	0	0
On-Site Visits	Quarterly	1	0
	Semiannually	1	0
	Annually	0	0
	Other[b]	0	1
Telephone Calls	Quarterly	1	0
	Semiannually	0	0
	Annually	0	0
	Other[b]	1	1

TABLE 39-11. (Continued)

Methods of Monitoring	Frequency of Practice	Number of AGENCIESa	
		Child Welfare	Juvenile Justice
Other	Quarterly	1	1
	Semiannually	1	0
	Annually	0	0
	Otherb	2	0
Total Number of Phase II Agencies Reporting		7	2

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

Only three child welfare agencies placing more than four children out of Pennsylvania were able to report how much had been financially expended on their out-of-state placements. In total, $127,142 was reported to have been spent on these placements.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local agencies in Pennsylvania also collected information needed to determine the extent to which interstate compacts were utilized to arrange out-of-state placements for children in 1978. Consideration of Table 39-12 points out that a total of 19 agencies arranged out-of-state placements for children without any use of compacts. Twelve (31 percent) of the 39 local child welfare agencies which arranged out-of-state placements did not use compacts for any placements. Six (32 percent) of the 19 local juvenile justice agencies which placed children out of state also reported a lack of compact utilization. Finally, it can be observed that a compact was not used for the placement reported by the school district. However, the out-of-state placement of a child by the local mental health and mental retardation agency was compact arranged.

It is interesting to notice in Table 39-12 that all those agencies which did not use compacts in 1978 arranged four or less out-of-state placements. Furthermore, it can be observed among agencies reporting five or more placements that the ICPC was the compact utilized by local child welfare agencies, and the juvenile justice agencies reported using the ICJ.

TABLE 39-12. PENNSYLVANIA: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	32	1	17	1
• Number Using Compacts	20	0	11	1
• Number Not Using Compacts	12	1	6	0
• Number with Compact Use Unknown	0	0	0	0

TABLE 39-12. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES			
	Child Welfare	Education	Juvenile Justice	Mental Health Mental Retardation
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	7	0	2	0
• Number Using Compacts	7	--	2	--
Interstate Compact on the Placement of Children				
Yes	7	--	0	--
No	0	--	2	--
Don't Know	0	--	0	--
Interstate Compact on Juveniles				
Yes	0	--	2	--
No	7	--	0	--
Don't Know	0	--	0	--
Interstate Compact on Mental Health				
Yes	0	--	0	--
No	7	--	2	--
Don't Know	0	--	0	--
• Number Not Using Compacts	0	--	0	--
• Number with Compact Use Unknown	0	--	0	--
TOTALS				
Number of AGENCIES Placing Children Out of State	39	1	19	1
Number of AGENCIES Using Compacts	27	0	13	1
Number of AGENCIES Not Using Compacts	12	1	6	0
Number of AGENCIES with Compact Use Unknown	0	0	0	0

-- denotes Not Applicable.

A fuller understanding about the utilization of interstate compacts among local Pennsylvania agencies is acquired through a review of Table 39-13. Table 39-13 reports summary information related to the number of children who were placed out of state with or without the use of a compact. Local child welfare agencies placed 123 children out of state, and 44 of those children were placed without a compact. Further examination of the information pertaining to local child welfare agencies shows that 15 children were placed out of state without a compact by agencies arranging five or more placements. Consequently, some number of those seven agencies did not consistently use compacts in the course of arranging out-of-state placements for children.

Consideration of the use of interstate compacts for the 43 children placed out of state by local juvenile justice agencies finds that only seven children were placed without compacts. and that those placements were arranged by agencies with fewer than five out-of-state placements. All 15 children placed by the two local Phase II juvenile justice agencies were reported as arranged through the ICJ.

TABLE 39-13. PENNSYLVANIA: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children PLaced Out of State	Number of CHILDREN			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS PLACEMENTS	76	1	28	1
• Number Placed with Compact Use	20	0	11	1
• Number Placed without Compact Use	29	1	7	0
• Number Placed with Compact Use Unknown[a]	27	0	10	0
CHILDREN PLACED BY PHASE II AGENCIES	47	0	15	0
• Number Placed with Compact Use	32	--	15	--
Number through Interstate Compact on the Placement of Children	32	--	0	--
Number through Interstate Compact on Juveniles	0	--	15	--
Number through Interstate Compact on Mental Health	0	--	0	--
• Number Placed without Compact Use	15	--	0	--
• Number Placed with Compact Use Unknown	0	--	0	--
TOTALS				
Number of CHILDREN Placed Out of State	123	1	43	1
Number of CHILDREN Placed with Compact Use	52	0	26	1
Number of CHILDREN Placed without Compact Use	44	1	7	0
Number of CHILDREN Placed with Compact Use Unknown	27	0	10	0

-- denotes Not Applicable.

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

A graphic representation of the findings concerning compact use for the children placed out of state by local child welfare and juvenile justice agencies is illustrated in Figures 39-4 and 5. Figure 39-4 shows that 123 children were placed out of state by child welfare agencies and 36 percent of those children did not have compact-arranged placements, 42 percent were placed through compacts, and compact use was undetermined for the remaining 22 percent. In Figure 39-5 it can be seen that 16 percent of the placements reported by local juvenile justice agencies were not arranged through a compact, 61 percent were compact arranged, and compact use was undetermined for the remaining 23 percent.

FIGURE 39-4. PENNSYLVANIA: UTILIZATION OF INTERSTATE COMPACTS COMPACTS BY LOCAL CHILD WELFARE AGENCIES IN 1978

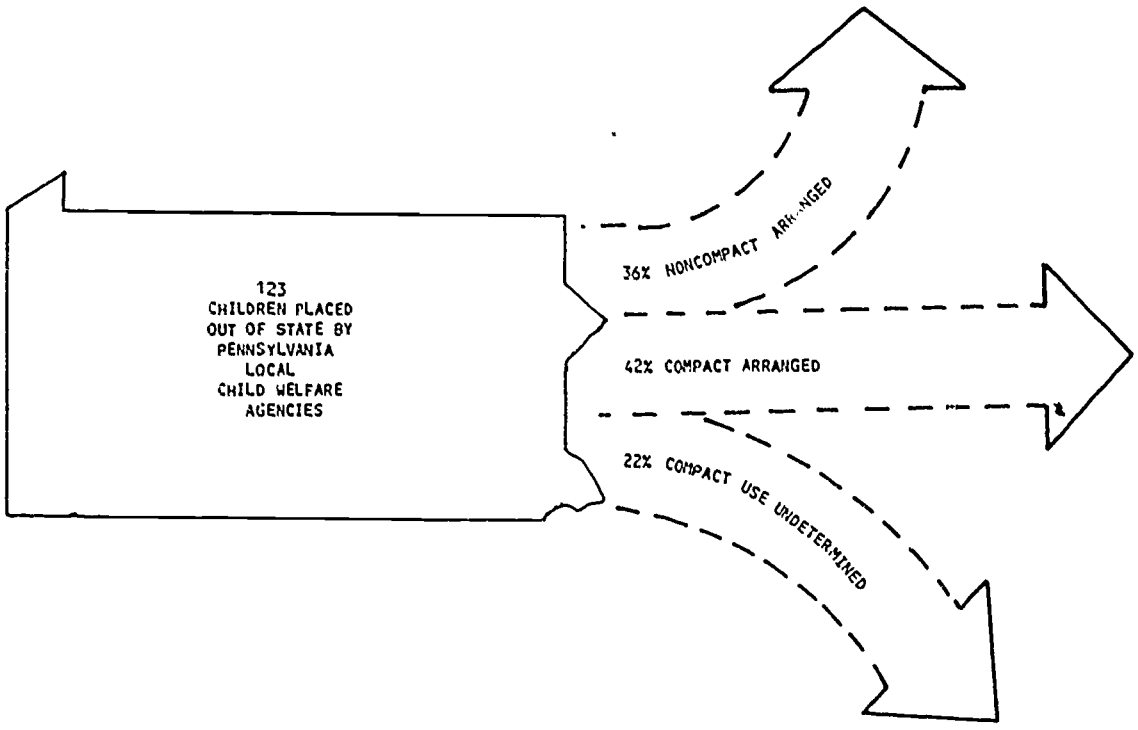
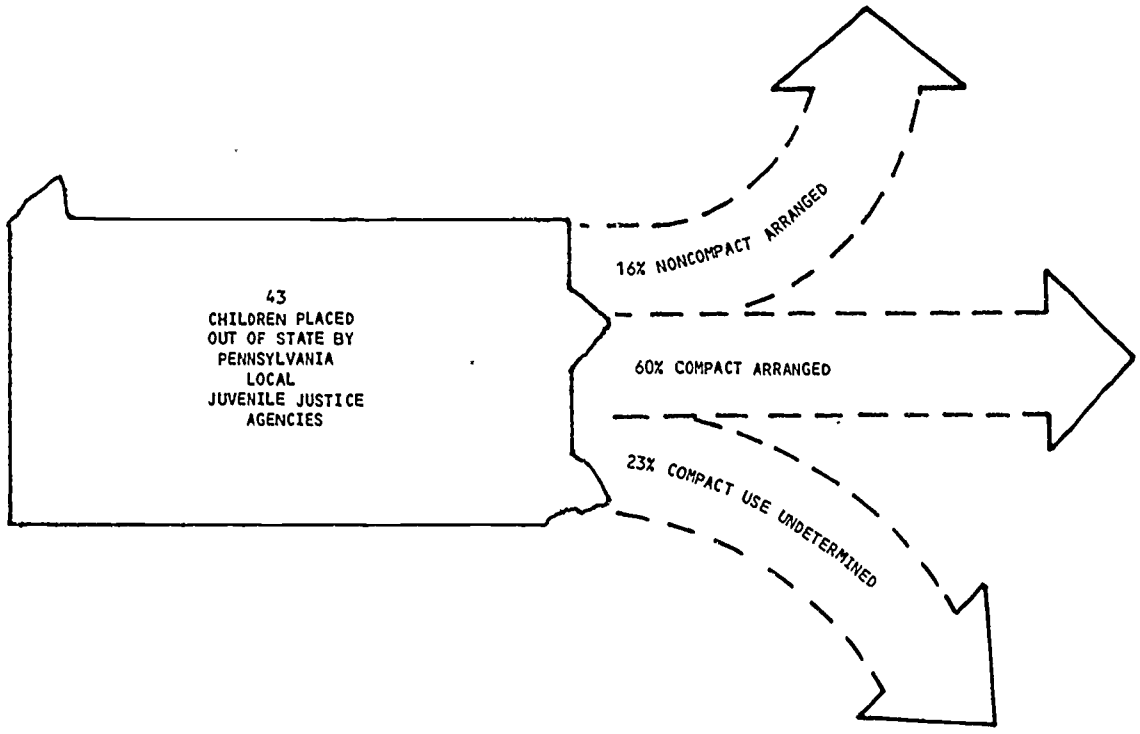


FIGURE 39-5. PENNSYLVANIA: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL JUVENILE JUSTICE AGENCIES IN 1978



State agencies in Pennsylvania also reported interstate compact utilization in 1978 for the out-of-state placements of which they had knowledge. The state child welfare and juvenile justice agency reported that 75 children were placed out of state with the use of a compact. This was 30 percent of the placements determined to have been arranged by state and local agencies.

The state education agency reported that no state-arranged placements were processed by a compact, while the state mental health and mental retardation agency reported all six children known to have been placed by the state agency were sent with the use of a compact. Neither agency, however, reported upon compact use by their local counterparts.

TABLE 39-14. PENNSYLVANIA: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	246	4	7
Total Number of Compact-Arranged Placements Reported by State Agencies	75	0	6
Percentage of Compact-Arranged Placements	30	0	86

E. The Out-of-State Placement Practices of State Agencies

The Pennsylvania Department of Public Welfare (DPW) is the primary child-serving agency represented in the following survey results. Along with the responses of the Department of Education, Table 39-15 reflects the ability of this state agency to report its involvement in the placement of children out of state. The DPW's Office of Children, Youth, and Families, the Department of Education, and the DPW's Offices of Mental Health and Mental Retardation were all able to report the number of children they helped to place or had knowledge of being placed out of state.

A comparison of DPW-reported child welfare and juvenile justice placements with the findings from the local agency survey shows a substantial difference in numbers reported. Only an estimated 20 children were reported by the state agency to have been placed by the local child welfare and juvenile justice agencies, which had directly reported placing 123 and 43 children out of state, respectively. This DPW compact office did report having knowledge of an additional 80 placements which did not involve state funding and may, in part, include children whose placements by local agencies were arranged with state compact office help.

The Department of Education reported being involved in the arrangement and funding of three out-of-state placements. It is also reported that no placements were arranged by local school districts, a slight variance from the one reported local placement. It should be recalled from section III of this profile that state agency approval and funding is statutorily required in Pennsylvania.

The DPW's Offices of Mental Health and Mental Retardation, through their compact office, reported helping to arrange the out-of-state placement of six children. No local agency placements were identified by this state agency.

TABLE 39-15. PENNSYLVANIA: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies		
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
State Arranged and Funded	0	3	0
Locally Arranged but State Funded	20 est	0	0
Court Ordered, but State Arranged and Funded	0	0	0
Subtotal: Placements Involving State Funding	20 est	3	0
Locally Arranged and Funded, and Reported to State	0	0	0
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	*	0	6
Other	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	100	3	6

* denotes Not Available.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

The destinations of the children placed out of state were also requested from the state agencies. The DPW's Office of Children, Youth, and Families was not able to report any of the destinations for the 100 child welfare and juvenile justice placements. The state education agency identified Florida, Massachusetts, and bordering New Jersey as the three states to each receive a Pennsylvania child. The DPW's Offices of Mental Health and Mental Retardation reported destinations for all the children it had helped to transfer to public institutions in the receiving states. Two children had been placed in Florida, and Idaho, Indiana, Kentucky, and Washington each received one child.

TABLE 39-16. PENNSYLVANIA: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed		
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
Florida		1	2
Idaho		0	1
Indiana		0	1
Kentucky		0	1
Massachusetts		1	0
New Jersey		1	0
Washington		0	1
Placements for Which Destinations Could Not be Reported by State Agencies	All	0	0
Total Number of Placements	100	3	6

The conditions and statuses of the children reported to be placed out of Pennsylvania by state agencies are shown in Table 39-17. The child welfare and juvenile justice agency reported fewer conditions than its local counterparts, and remained within the traditional service arena of such agency types. This DPW office reported children out of state who were considered unruly/disruptive, truant, and juvenile delinquents, as well as emotionally disturbed, battered, abandoned, or neglected, adopted, and foster children.

The Department of Education said physically and mentally handicapped children had been placed out of Pennsylvania for care. The DPW's Offices of Mental Health and Mental Retardation reported the out-of-state transfers of children who were mentally handicapped, developmentally disabled, and emotionally disturbed.

TABLE 39-17. PENNSYLVANIA: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]		
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
Physically Handicapped	O	X	O
Mentally Handicapped	O	X	X
Developmentally Disabled	O	O	X
Unruly/Disruptive	X	O	O
Truants	X	O	O
Juvenile Delinquents	X	O	O
Emotionally Disturbed	X	O	X
Pregnant	O	O	O
Drug/Alcohol Problems	O	O	O

TABLE 39-17. (Continued)

Types of Conditions	Agency Type[a]		
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
Battered, Abandoned, or Neglected	X	0	0
Adopted Children	X	0	0
Foster Children	X	0	0
Other	0	0	0

a. X indicates conditions reported.

The residential settings most frequently used by these Pennsylvania state agencies in 1978 were also requested. The state child welfare and juvenile justice agency reported it equally used foster and relatives' homes. The state education agency most frequently placed children in out-of-state residential treatment or child care facilities. This setting was also reported by the state mental health and mental retardation agencies, as well as an equal use of psychiatric hospitals.

Finally, financial expenditures for out-of-state placements were only reported by the state education agency. The other state agencies could not report this information. A total of $14,000 was reported to be spent in 1978 on such placements, $10,000 of that total in state funds and the remaining amount supplied from local public money.

F. State Agencies' Knowledge of Out-of-State Placements

Services for children are primarily operated by local governments in Pennsylvania and Table 39-18 reflects the state agencies' overall knowledge of out-of-state placement activity within the state, particularly in regard to their local counterparts' practices. None of the reporting state agencies had complete knowledge of local placements, as was mentioned in the discussion of Table 39-15. The state child welfare and juvenile justice agency only reported 41 percent of the placements which were identified through the state and local survey. Both the state education agency and the mental health and mental retardation agency did not report the single placements made by their respective local agencies.

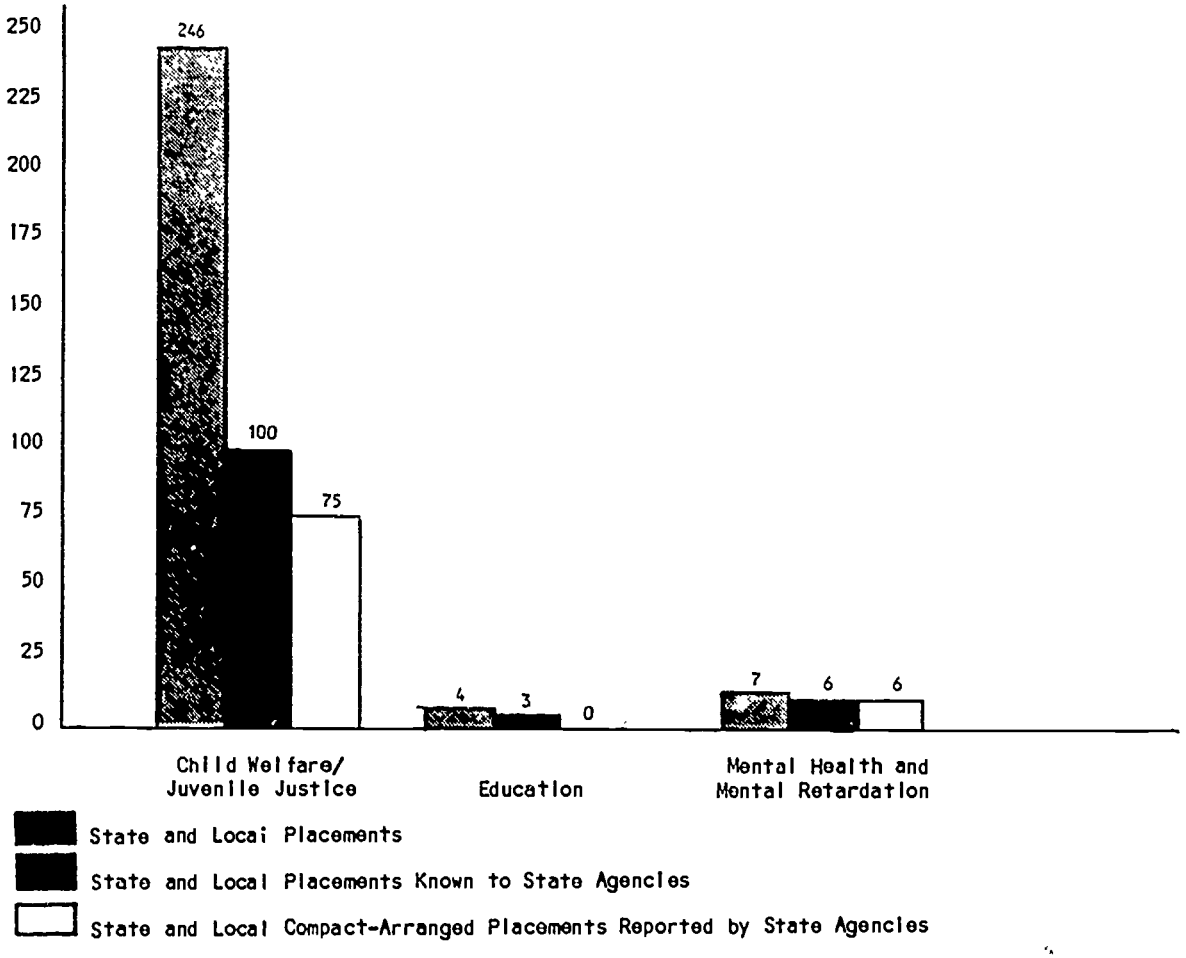
TABLE 39-18. PENNSYLVANIA: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare/ Juvenile Justice	Education	Mental Health Mental Retardation
Total Number of State and Local Agency Placements	246	4	7
Total Number of Placements Known to State Agency	100	3	6
Percentage of Placements Known to State Agencies	41	75	86

Finally, Figure 39-6 illustrates these discrepancies in Pennsylvania state agencies' knowledge of out-of-state placement activity and, equally as important, reflects their reports of interstate compact utilization. From the preceding discussions of Table 39-13, it should be recalled that local child welfare and juvenile justice agencies reported at least 78 compact-arranged placements, close to the figure reported by the state agency administering the Interstate Compact on the Placement of Children and the Interstate Compact on Juveniles.

The single placement arranged by a local mental health and mental retardation agency was not reported by the supervisory state agency. Similarly, the local report of this child's placement being compact arranged was not reported by the state respondent.

FIGURE 39-6. PENNSYLVANIA: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

The out-of-state placement practices of Pennsylvania state and local agencies discussed in the preceding pages lead to several conclusions about this state's involvement in the activity.

- Considering the existence of local direct service agencies in every service category studied, overall placement rates were relatively low. However, the utilization of interstate compacts among local agencies was not consistent and reflects a level of noncompliance with state policy.

- Local Pennsylvania agencies in the eastern half of the state made the majority of the reported out-of-state placements. Bordering states to this portion of Pennsylvania were also the primary receivers of the children whose destinations were reported.

- The two local agency service types, child welfare and juvenile justice, which reported 99 percent of the out-of-state placements, identified these placements as including children who experience conditions and statuses traditionally served by the other two agency types.

- The majority of the nonplacing local agencies reported sufficient services within Pennsylvania made out-of-state placement unnecessary. Similarly, very few placing agencies gave a lack of comparable Pennsylvania services as their reason for placing children in other states. Therefore, it appears the majority of local agencies find services for children in Pennsylvania to be adequate and placement out of state occurs for reasons other than service needs.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Pennsylvania in order to develop further conslusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN RHODE ISLAND

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II. METHODOLOGY

Information was systematically gathered about Rhode Island from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Rhode Island appears below in Table 40-1.

TABLE 40-1. RHODE ISLAND: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview	Telephone Interview
	Mailed Survey: DSRS officials	Mailed Survey: DOE officials	Mailed Survey: DOC officials	Mailed Survey: DMHRH officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: All 40 local school districts	Not Applicable (State Offices)	Not Applicable (State Offices)

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Rhode Island has the 50th largest land area (1,049 square miles) and is the 39th most populated state (931,208) in the United States. Providence, the capital, is the most populated city in the state, with an estimated population of 168,000. Rhode Island has 27 cities and towns with populations over 10,000 and six cities with populations over 30,000. The estimated 1978 population of persons eight to 17 years old was 157,073.

Rhode Island has five counties, all of which are predominately or completely contained in three Standard Metropolitan Statistical Areas (SMSAs), reflecting its higher population ranking. Two of these SMSAs have cities in contiguous states as their principle cities. Rhode Island almost fully contains the Providence-Warwick-Pawtucket SMSA which includes Bristol, Kent, Providence, and Washington counties. Its border states are Connecticut and Massachusetts.

Rhode Island was ranked 20th nationally in total state and local per capita expenditures, 30th in per capita expenditures for education, and fifth in per capita expenditures for public welfare.[1]

B. Child Welfare

Child welfare in Rhode Island is the responsibility of the Division of Community Services (DCS) within the Department of Social and Rehabilitative Services (DSRS). Children's services are supervised and administered by the DCS through 22 district offices and four regional offices.

It was reported that all out-of-state placements are coordinated at the state level through the Interstate Compact on the Placement of Children (ICPC). Rhode Island has been a member of the compact since 1967.

C. Education

Rhode Island's Department of Education (DOE) has the major responsibility for its educational system. Within DOE is the Division of Special Education (DSE), which is directly involved with the placement of children in other states.

Rhode Island's 40 local school districts provide special education services in addition to the normal curriculum for grades K-12. The local school districts do place children out of state using either their own funds or state funds. Consequently, local school districts do not necessarily report all out-of-state placements to the DOE.

D. Juvenile Justice

Juvenile justice in Rhode Island is the responsibility of the four family courts of the state court system. Adjudicated delinquents are referred to the Department of Corrections (DOC), Division of Youth Services (DYS), which operates a diagnostic center and two training schools.

DYS is responsible for probation and parole services. It arranges for community-based foster and group homes and residential treatment center placements. Delinquency prevention and diversionary programs are operated by the division's youth service bureaus.

The DOC makes out-of-state placements in conjunction with the family courts and in accordance with the Interstate Compact on Juveniles (ICJ) regulations. Rhode Island has been a member of the compact since 1957.

E. Mental Health and Mental Retardation

The Division of Mental Health and the Division of Mental Retardation within the Department of Mental Health, Retardation and Hospitals (DMHRH) is responsible for administering and supervising mental health and mental retardation services in Rhode Island. DMHRH makes out-of-state placements of children using the Interstate Compact on Mental Health (ICMH). Rhode Island has been a member of the compact since 1957.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

This section of the Rhode Island profile presents the results of the survey of the out-of-state placement practices of state and local agencies. The information and its organization in summary tables correspond to some of the major issues relevant to the out-of-state placement of children discussed in Chapter 1.

A. The Number of Children Placed in Out-of-State Residential Settings

Table 40-2 introduces the results for Rhode Island by summarizing the number of out-of-state placements made by state and local agencies providing services to children. The table indicates that out-of-state placement activity occurred to the greatest extent at the state level, within the Department of Education. DSRS' Division of Community Services, the state child welfare agency, made slightly more than one-half the number of placements than the state education agency. The state juvenile justice agency and the Department of Mental Health, Retardation and Hospitals were only minimally involved in placing children into other states in 1978. Overall, few placements were reported by state agencies, with their total being 39 children placed out of Rhode Island in that year.

Only education agencies provide services to children under the auspices of local government in Rhode Island and these agencies, as a group, reported placing more children out of state than any of the state agencies, with a total of 65 children.

TABLE 40-2. RHODE ISLAND: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type				
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation	Total
State Agency Placements[a]	12	22	3	2	39
Local Agency Placements	--	65	--	--	65
Total	12	87	3	2	104

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arrange, and others directly involving the state agency's assistance or knowledge. Refer to Table 40-14 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 40-3 provides a closer look at local agency practices by providing incidence reports for the school districts contained by Rhode Island's counties. The out-of-state placement figures in the table are for all school districts contained by a county, so that placements being reported for all five counties should not obscure the fact that there were 15 school districts not involved in out-of-state placements. It should also be noted, in consideration of Table 40-3, that all Rhode Island counties border on Connecticut or Massachusetts and all are quite small, as is the state, with none of the counties being more than about 20 miles wide at their widest point. These factors would indicate, generally, very easy geographical access to other states. The areas of all five counties are predominantly or entirely contained in the three interstate SMSAs which are found in the state.

School districts in Providence County, the county with the largest juvenile population, reported the most out-of-state placements, arranging a total of 24 in 1978. Yet, because out-of-state placements were so prevalent among Rhode Island school districts in 1978, the children placed out of state by the local districts in Providence County constitute only 37 percent of all those which were reported. Local education agencies in Kent and Newport Counties made 13 and 15 placements, respectively, and those in Bristol and Washington Counties made six and seven out-of-state placements, respectively.

TABLE 40-3. RHODE ISLAND: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978
		Education
Bristol	8,203	6
Kent	26,711	13
Newport	14,166	15
Providence	93,073	24
Washington	14,920	7
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		65
Total Number of Local Agencies Reporting		40

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

The involvement of local education agencies in placing children into other states is summarized in Table 40-4. The table indicates that a majority of these agencies placed at least one child out of state in 1978. Over 62 percent of the 40 school districts were involved in this practice. All districts participated in the survey and were able to report on their out-of-state placement activity for the reporting year.

TABLE 40-4. RHODE ISLAND: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978.

Response Categories	Number of AGENCIES, by Agency Type
	Education
Agencies Which Reported Out-of-State Placements	25
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0
Agencies Which Did Not Place Out of State	15
Agencies Which Did Not Participate in the Survey	0
Total Local Agencies	40

All local school districts not involved in placing children out of Rhode Island in 1978 were asked to explain why no such placements occurred. Their responses are contained in Table 40-5. While one school district reported lacking statutory authority to place children across state lines, most agencies said that no placements were made because of the presence of sufficient services in Rhode Island. About one-third of the nonplacing school districts gave other reasons for not arranging placements in the reporting year, one of which was parental disapproval of out-of-state placements. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reason, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all school districts within them.

TABLE 40-5. RHODE ISLAND: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENICES, by Reported Reason(s)
	Education
Lacked Statutory Authority	1
Restricted	0
Lacked Funds	0
Sufficient Services Available in State	11
Other[b]	6
Number of Agencies Reporting No Out-of-State Placements	15
Total Number of Agencies Represented in Survey	40

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

The number of school districts eliciting the aid and assistance of other public agencies in the placement process and the number of placements subject to this interagency cooperation are reported in Table 40-6. All but four of the 25 local education agencies placing children into other states in 1978 involved other public agencies in placement decisionmaking and processing. The table further indicates that this interagency cooperation was brought to bear upon 78 percent of all placements made in 1978.

TABLE 40-6. RHODE ISLAND: THE EXTENT OF INTERAGENCY COOPERATION TO ARRANGE OUT-OF-STATE PLACEMENTS BY LOCAL AGENCIES IN 1978

	Number and Percentage, by Agency Type	
	Education	
	Number	Percent
AGENCIES Reporting Out-of-State Placements[a]	25	63
AGENCIES Reporting Out-of-State Placements with Interagency Cooperation	21	84
Number of CHILDREN Placed Out of State	65	100
Number of CHILDREN Placed Out-of-State with Interagency Cooperation	51	78

a. See Table 40-4.

All 25 local education agencies placing children out of Rhode Island in 1978 described the children involved according to the list of characteristics included in Table 40-7. The only characteristic receiving positive responses from a majority of the school districts was the one describing children as mentally ill or emotionally disturbed. Just less than one-half of the local education agencies placing children out of state described the children as having special education needs. Fewer responses were given to physical, mental or developmental, and multiple handicaps, as well as to children who were adjudicated delinquent, unruly/disruptive, and battered, abandoned, or neglected.

TABLE 40-7. RHODE ISLAND: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting
	Education
Physically Handicapped	6
Mentally Retarded or Developmentally Disabled	5
Unruly/Disruptive	1
Truant	0
Juvenile Delinquent	1
Mentally Ill/Emotionally Disturbed	16

TABLE 40-7. (Continued)

Types of Conditions[a]	Number of AGENCIES Reporting Education
Pregnant	0
Drug/Alcohol Problems	0
Battered, Abandoned, or Neglected	1
Adopted	0
Special Education Needs	12
Multiple Handicaps	2
Other[b]	2
Number of Agencies Reporting	25

a. Some agencies reported more than one type of condition.

b. Generally included foster care placements, autistic children, and status offenders.

C. Detailed Data from Phase II Agencies

If more than four out-of-state placements were reported by a local agency, additional information was requested. The agencies from which the second phase of data was requested became known as Phase II agencies. The responses to the additional questions are reviewed in this section of Rhode Island's state profile. Wherever references are made to Phase II agencies, they are intended to reflect those local agencies which reported arranging five or more out-of-state placements in 1978.

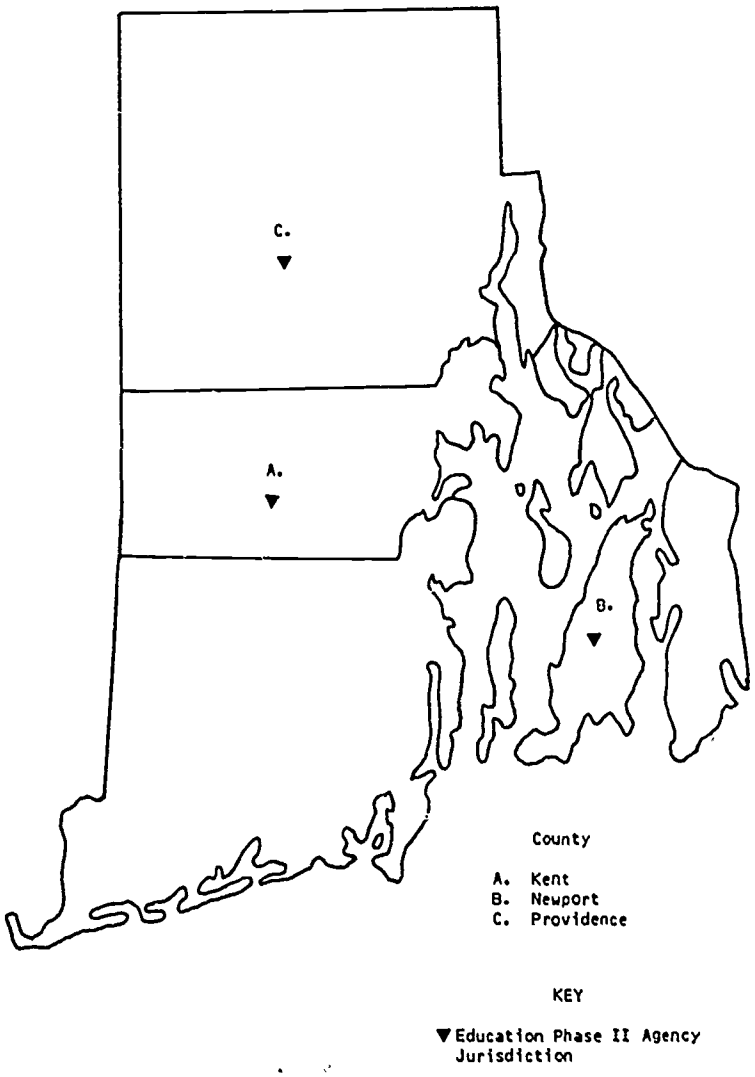
The relationship between the number of local education agencies surveyed and the total number of children placed out of Rhode Island, and agencies and placements in Phase II is illustrated in Figure 40-1. There were four Phase II school districts (16 percent) among the 25 placing education agencies in Rhode Island. These Phase II agencies helped to arrange 43 percent of the 65 education placements reported by local agencies.

FIGURE 40-1. RHODE ISLAND: RELATIONSHIP BETWEEN THE NUMBER OF LOCAL AGENCIES SURVEYED AND PLACEMENTS REPORTED, AND AGENCIES AND PLACEMENTS IN PHASE II, BY AGENCY TYPE

	Education
Number of AGENCIES	40
Number of AGENCIES Reporting Out-of-State Placements in 1978	25
Number of AGENCIES Reporting Five or More Placements in 1978 (Phase II Agencies)	4
Number of CHILDREN Placed Out of State in 1978	65
Number of CHILDREN Placed by Phase II Agencies	28
Percentage of Reported Placements in Phase II	43

The four Phase II school districts served communities within three Rhode Island counties: Kent, Newport, and Providence, the latter county containing two of these Phase II school districts. The geographic locations of these counties are illustrated in Figure 40-2.

FIGURE 40-2. RHODE ISLAND: COUNTY LOCATION OF LOCAL PHASE II AGENCIES



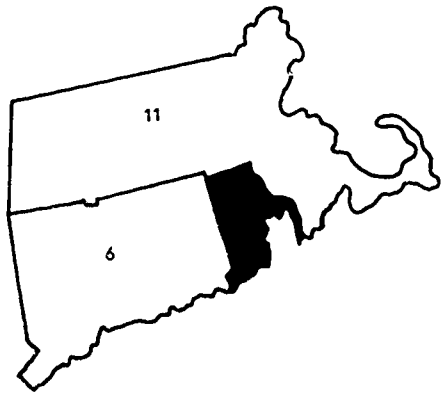
The four Phase II agencies were asked to specify the number of children going to settings in each receiving state. All 28 children placed by those school districts went to other New England states except Vermont.

TABLE 40-8. RHODE ISLAND: DESTINATIONS OF CHILDREN PLACED BY LOCAL PHASE II AGENCIES IN 1978

Destinations of Children Placed Out of State	Number of CHILDREN Placed Education
Connecticut	6
Maine	7
Massachusetts	11
New Hampshire	4
Placements for Which Destinations Could Not be Reported by Phase II Agencies	0
Total Number of Phase II Agencies	4
Total Number of Children Placed by Phase II Agencies	28

Children placed into the two states, Connecticut and Massachusetts, which are contiguous to Rhode Island are reflected in Figure 40-3. The 11 children placed into Massachusetts and the six in Connecticut account for 61 percent of the 28 children for whom destinations were reported.

FIGURE 40-3. RHODE ISLAND: THE NUMBER OF CHILDREN REPORTED PLACED IN STATES CONTIGUOUS TO RHODE ISLAND BY LOCAL PHASE II AGENCIES[a]



a. Local Phase II education agencies reported destinations for 28 children.

The four local Phase II education agencies were asked to explain their reasons for making the placements, according to those reasons contained in Table 40-9. The agencies were all but unified in the expression that Rhode Island lacked services comparable to those of other states. Single agencies also indicated that placements were made because of previous success with particular receiving facilities, because of unsuccessful in-state placement, and for "other" reasons.

TABLE 40-9. RHODE ISLAND: REASONS FOR PLACING CHILDREN OUT OF STATE IN 1978, AS REPORTED BY LOCAL PHASE II AGENCIES

Reasons for Placement[a]	Number of AGENCIES Reporting: Education
Receiving Facility Closer to Child's Home, Despite Being Across State Lines	0
Previous Success with Receiving Facility	1
Sending State Lacked Comparable Services	3
Standard Procedure to Place Certain Children Out of State	0
Children Failed to Adapt to In-State Facilities	1
Alternative to In-State Public Institutionalization	0
To Live with Relatives (Non-Parental)	0
Other	1
Number of Phase II Agencies Reporting	4

a. Some agencies reported more than one reason for placement.

The four agencies placing five or more children out of Rhode Island said that children were most frequently placed into residential treatment or child care facilities. The methods these agencies used to monitor children's progress in placement appear in Table 40-10. A variety of monitoring methods and frequencies of use were reported by the four reporting school districts. Semiannual use of monitoring methods, including written progress reports and on-site visits, received the most responses.

TABLE 40-10. RHODE ISLAND: MONITORING PRACTICES FOR OUT-OF-STATE PLACEMENTS AS REPORTED BY LOCAL PHASE II AGENCIES IN 1978

Methods of Monitoring	Frequency of Practice	Number of AGENCIES[a]: Education
Written Progress Reports	Quarterly	1
	Semiannually	2
	Annually	1
	Other[b]	0
On-Site Visits	Quarterly	0
	Semiannually	2
	Annually	1
	Other[b]	1
Telephone Calls	Quarterly	0
	Semiannually	1
	Annually	0
	Other[b]	2

TABLE 40-10. (Continued)

Methods of Monitoring	Frequency of Practice	Number of AGENCIESa Education
Other	Quarterly	0
	Semiannually	0
	Annually	1
	Otherb	0
Total Number of Phase II Agencies Reporting		4

a. Some agencies reported more than one method of monitoring.

b. Included monitoring practices which did not occur at regular intervals.

In response to inquiries about their expenditures for out-of-state placements, these same four reporting school districts indicated spending a total of $142,379 for this purpose in 1978.

D. Use of Interstate Compacts by State and Local Agencies

The survey of local education agencies in Rhode Island also determined the extent to which interstate compacts were utilized to arrange out-of-state placements. A review of Table 40-11 indicates that 24 of the 25 agencies which placed children out of state in 1978 reported that none of their placements were arranged through an interstate compact. This is not surprising because no compact includes out-of-state placements to facilities solely educational in nature under its purview. The single school district reporting compact use was not asked to identify which compact was utilized.

TABLE 40-11. RHODE ISLAND: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978, BY AGENCY TYPE

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	21
• Number Using Compacts	1
• Number Not Using Compacts	20
• Number with Compact Use Unknown	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	4
• Number Using Compacts	0
Interstate Compact on the Placement of Children	
Yes	0
No	4
Don't Know	0

TABLE 40-11. (Continued)

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
NUMBER OF PHASE II AGENCIES PLACING CHILDREN (Continued)	
Interstate Compact on Juveniles	
Yes	0
No	4
Don't Know	0
Interstate Compact on Mental Health	
Yes	0
No	4
Don't Know	0
• Number Not Using Compacts	4
• Number with Compact Use Unknown	0
TOTALS	
Number of AGENCIES Placing Children Out of State	25
Number of AGENCIES Using Compacts	1
Number of AGENCIES Not Using Compacts	24
Number of AGENCIES with Compact Use Unknown	0

Further knowledge concerning the utilization of interstate compacts is acquired through consideration of the information given in Table 40-12. This table indicates the number of children who were or were not placed out of state with a compact. An examination of the table shows that a total of 63 children were placed in out-of-state residential care in 1978 without the use of a compact. One child was placed out of Rhode Island with the use of a compact in that year and one placement was reported for which compact use was undetermined.

TABLE 40-12. RHODE ISLAND: NUMBER OF PLACEMENTS AND THE UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Children Placed Out of State	Number of CHILDREN Education
CHILDREN PLACED BY AGENCIES REPORTING FOUR OR LESS	
PLACEMENTS	37
• Number Placed with Compact Use	1
• Number Placed without Compact Use	35
• Number Placed with Compact Use Unknown[a]	1

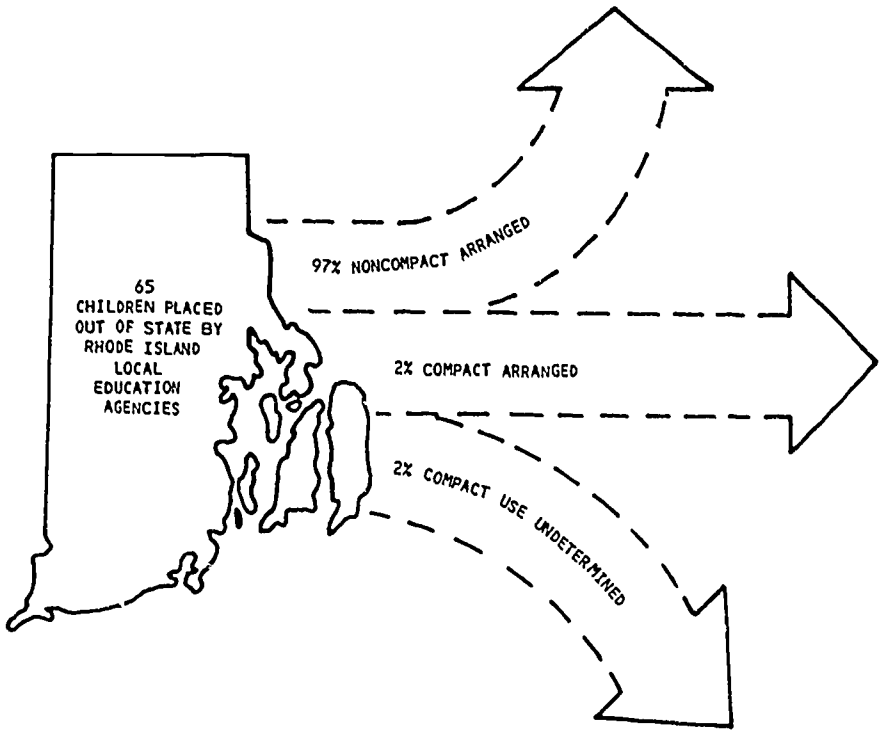
TABLE 40-12. (Continued)

Children Placed Out of State	Number of CHILDREN Education
CHILDREN PLACED BY PHASE II AGENCIES	28
• Number Placed with Compact Use	0
Number through Interstate Compact on the Placement of Children	0
Number through Interstate Compact on Juveniles	0
Number through Interstate Compact on Mental Health	0
• Number Placed without Compact Use	28
• Number Placed with Compact Use Unknown	0
TOTALS	
Number of CHILDREN Placed Out of State	65
Number of CHILDREN Placed with Compact Use	1
Number of CHILDREN Placed without Compact Use	63
Number of CHILDREN Placed with Compact Use Unknown	1

a. Agencies which placed four or less children out of state were not asked to report the actual number of compact-arranged placements. Instead, these agencies simply reported whether or not a compact was used to arrange any out-of-state placement. Therefore, if a compact was used, only one placement is indicated as a compact-arranged placement and the others are included in the category "number placed with compact use unknown."

Graphic representation of the information gathered about interstate compact utilization for children placed out of state in 1978 by local education agencies is illustrated in Figure 40-4. This figure shows that of the 65 children reported placed out of state by local Rhode Island agencies, 97 percent were non-compact arranged placements, two percent were compact arranged, and for two percent of the placements compact use was undetermined.

FIGURE 40-4. RHODE ISLAND: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978



With the exception of all education placements, Rhode Island state agencies reported total interstate compact utilization for the out-of-state placements made in 1978, as reflected in Table 40-13.

TABLE 40-13. RHODE ISLAND: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES IN 1978, BY AGENCY TYPE

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency-Arranged Placements	12	87	3	2
Total Number of Compact-Arranged Placements Reported by State Agencies	12	0	3	2
Percentage of Compact-Arranged Placements	100	0	100	100

E. The Out-of-State Placement Practices of State Agencies

Information about 1978 out-of-state placements reported by Rhode Island state agencies appears in Table 40-14, broken down by the type of involvement undertaken by the agencies in the placement process. The state child welfare agency, DSRS' Division of Community Services, arranged and funded the placement of six children into other states and reported three other children placed out of state in 1978 whose placements were arranged but not funded by the agency. In total, the child welfare agency assisted or had knowledge of 12 children placed into other states in 1978. The state education agency arranged and funded out-of-state placements for a total of 22 children. It did not report the placements identified in the local survey.

Minimally involved in out-of-state placement, the DOC's Division of Youth Services, which is the state juvenile justice agency, arranged for the placement of three children in 1978 and the Department of Mental Health, Retardation and Hospitals arranged and funded the placement of two children.

TABLE 40-14. RHODE ISLAND: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
State Arranged and Funded	6	22	0	2
Locally Arranged but State Funded	--	0	--	--
Court Ordered, but State Arranged and Funded	0	0	0	0
Subtotal: Placements Involving State Funding	6	22	0	2
Locally Arranged and Funded, and Reported to State	--	0	--	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	0	0	3	0
Other	3	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	12	22	3	2

-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

State agencies, like local Phase II agencies, were asked to specify the number of children who went to specific receiving states. All agencies gave complete destination information. The DSRS' Division of Community Services reported 12 children were placed into seven states, three of whom went to the contiguous state of Massachusetts. The remaining nine children went to states in all parts of the country, including California, Florida, and Maine.

Nearly 73 percent of the children placed by the DOE's Division of Special Education went to settings across the Rhode Island border to Massachusetts and Connecticut. All other children were placed in New England states, with the exception of one child who went to a setting in Pennsylvania. All children placed out of state by the Department of Mental Health, Retardation and Hospitals and by the DOC's Division of Youth Services went to New England states, with the two children sent by the mental health and mental retardation agency going to Rhode Island's two bordering states.

TABLE 40-15. RHODE ISLAND: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Alabama	1	0	0	0
California	1	0	0	0
Connecticut	0	3	0	1
Florida	3	0	0	0
Maine	2	1	3	0
Massachusetts	3	13	0	1
New Hampshire	0	4	0	0
Pennsylvania	1	1	0	0
Tennessee	1	0	0	0
Placements for Which Destinations Could Not be Reported by State Agencies	0	0	0	0
Total Number of Placements	12	22	3	2

The Rhode Island state agencies described children placed out of state according to the list of characteristics in Table 40-16 and the table indicates that the state child welfare agency placed only foster and adopted children into other states. The DOE's Division of Special Education placed children with a wide variety of characteristics out of Rhode Island, including children who were physically, mentally, developmentally, or emotionally impaired. The education agency also reported that adopted and foster children and those who were "deaf and/or blind" were placed out of state in 1978.

Children placed into other states by the DOC's Division of Youth Services were described as a group to be adjudicated delinquent, unruly/disruptive, and having a history of substance abuse, as well as mentally handicapped and emotionally disturbed. The Department of Mental Health, Retardation and Hospitals placed only mentally handicapped children out of state, making this the characteristic most frequently mentioned by the state agencies.

TABLE 40-16. RHODE ISLAND: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]			
	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Physically Handicapped	O	X	O	O
Mentally Handicapped	O	X	X	X
Developmentally Disabled	O	X	O	O
Unruly/Disruptive	O	O	X	O
Truants	O	O	O	O
Juvenile Delinquents	O	O	X	O
Emotionally Disturbed	O	X	X	O
Pregnant	O	O	O	O
Drug/Alcohol Problems	O	O	X	O
Battered, Abandoned, or Neglected	O	O	O	O
Adopted Children	X	X	O	O
Foster Children	X	X	O	O
Other	O	X	O	O

a. X indicates conditions reported.

Children placed out of state in 1978 by the state child welfare agency were most frequently placed into foster homes, while all other state agencies indicated that the setting of choice for children they placed into other states was residential or child care facilities.

Finally, the state agencies were asked to report their expenditures for out-of-state placements in 1978. The only agency providing this information was the DOE's Division of Special Education which reported a total expenditure of $320,485 in state funds, ruling out the use of federal, local, or other funds for out-of-state placement purposes.

F. State Agencies' Knowledge of Out-of-State Placements

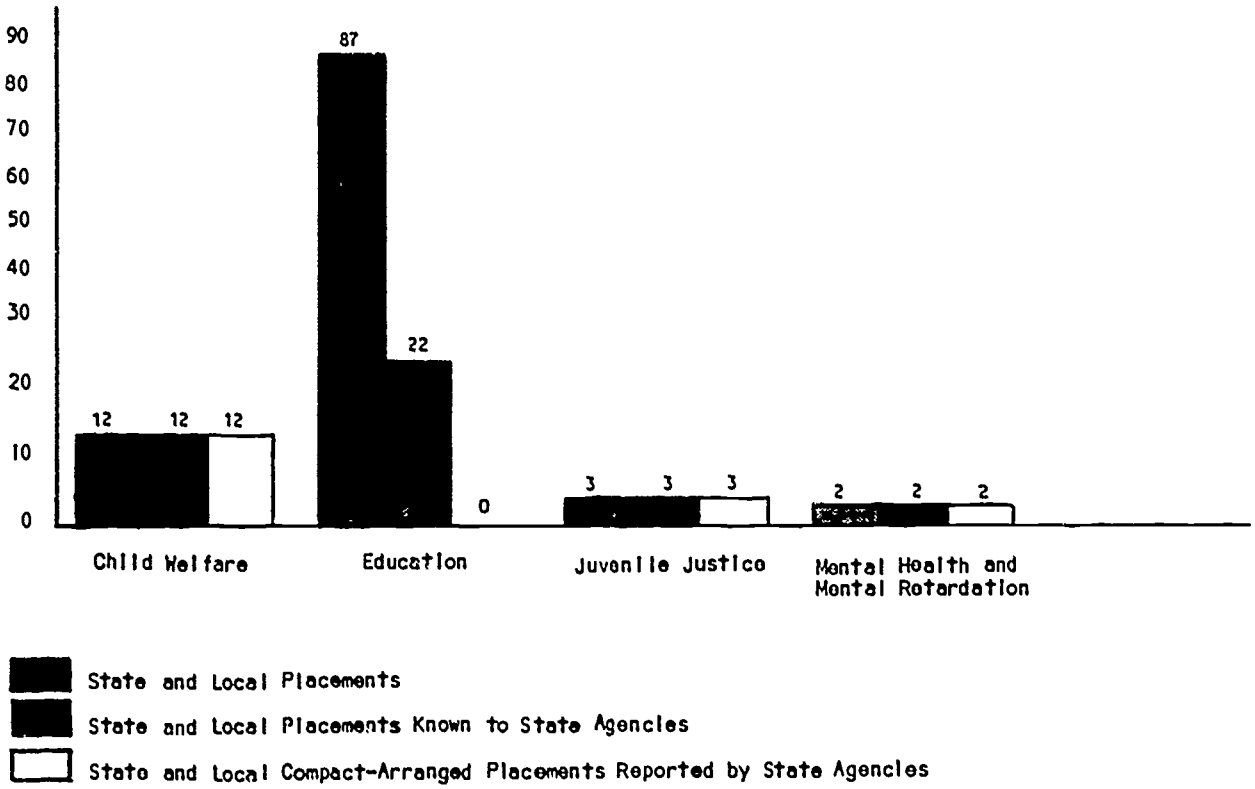
In Rhode Island, services for children are primarily operated by state government and Table 40-17 reflects these agencies' overall knowledge of out-of-state placement activity within the state. Only the state education agency reported knowledge of fewer out-of-state placements than were determined to have been arranged by the state and local education agencies in Rhode Island.

TABLE 40-17. RHODE ISLAND: STATE AGENCIES' KNOWLEDGE OF OUT-OF-STATE PLACEMENTS

	Child Welfare	Education	Juvenile Justice	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	12	87	3	2
Total Number of Placements Known to State Agencies	12	22	3	2
Percentage of Placements Known to State Agencies	100	25	100	100

Figure 40-5 graphically depicts state agencies' knowledge of out-of-state placements which occurred in 1978 and their reports of compact utilization.

FIGURE 40-5. RHODE ISLAND: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

Some of the major trends that appear in the preceding Rhode Island survey results follow.

- Out-of-state placement activity was greatest among education agencies in Rhode Island, with the state agency and about two-thirds of the local agencies engaged in the practice. Most children placed by these agencies left Rhode Island for contiguous or New England states without the involvement of interstate compacts. They were most frequently described as involving mentally ill/emotionally disturbed or mentally handicapped children. The state agency reported only about one-third as many placements as occurred locally, and attributed no local involvement to the placement of those children.

- All other children placed out of Rhode Island were placed by state agencies, primarily to contiguous or New England states with full interstate compact utilization. Children who were mentally handicapped were most consistently mentioned to be placed out of state by these agencies.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Rhode Island in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

Information about direct general state and local total per capita expenditures and expenditures for education and public welfare were also taken from data collected by the U.S. Bureau of the Census and they appear in Statistical Abstract of the United States: 1979 (100th Edition), Washington, D.C., 1979.

The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

A PROFILE OF OUT-OF-STATE PLACEMENT POLICY AND PRACTICE IN VERMONT

I. ACKNOWLEDGMENTS

The Academy gratefully acknowledges the assistance of the many state and local public officials who contributed their time and effort to the project, particularly Tony Campbell, Special Education and Pupil Services, Department of Education; Allen Ploof, Director, Social Services Division, Department of Social and Rehabilitation Services; and John Riley, Compact Correspondent, Department of Mental Health.

II. METHODOLOGY

Information was systematically gathered about Vermont from a variety of sources using a number of data collection techniques. First, a search for relevant state statutes and case law was undertaken. Next, telephone interviews were conducted with state officials who were able to report on agency policies and practices with regard to the out-of-state placement of children. A mail survey was used, as a follow-up to the telephone interview, to solicit information specific to the out-of-state placement practices of state agencies and those of local agencies subject to state regulatory control or supervisory oversight.

An assessment of out-of-state placement policies and the adequacy of information reported by state agencies suggested further survey requirements to determine the involvement of public agencies in arranging out-of-state placements. Pursuant to this assessment, further data collection was undertaken if it was necessary to:

- verify out-of-state placement data reported by state government about local agencies; and
- collect local agency data which was not available from state government.

A summary of the data collection effort in Vermont appears below in Table 46-1.

TABLE 46-1. VERMONT: METHODS OF COLLECTING DATA

Levels of Government	Survey Methods, by Agency Type		
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
State Agencies	Telephone Interview	Telephone Interview	Telephone Interview
	Mailed Survey: DSRS officials	Mailed Survey: DOE officials	Mailed Survey: DMH officials
Local Agencies	Not Applicable (State Offices)	Telephone Survey: 10 percent sample of the 274 school districts to verify state information[a]	Not Applicable (State Offices)

a. Information attributed in this profile to the state's school districts was gathered from the state education agency and the 10 percent sample.

III. THE ORGANIZATION OF SERVICES AND OUT-OF-STATE PLACEMENT POLICY IN 1978

A. Introductory Remarks

Vermont has the 43rd largest land area (9,267 square miles) and is the 48th most populated state (472,073) in the United States. It has seven cities and towns with populations over 10,000. Burlington is the largest city in the state with a population of over 37,000. Montpelier, the capital, is the ninth largest city in the state with a population of over 8,000. Vermont has 14 counties. The estimated 1978 population of persons eight to 17 years old was 87,129.

Vermont has no Standard Metropolitan Statistical Areas within its borders. The states of New York, Massachusetts, and New Hampshire are contiguous to Vermont, with Canada at its northern limits.

Vermont was ranked 21st nationally in total state and local per capita expenditures, 19th in per capita expenditures for education, and 13th in per capita expenditures for public welfare.[1]

B. Child Welfare

Within Vermont's umbrella Agency of Human Services, child welfare services are administered by the Department of Social and Rehabilitation Services' (DSRS) Social Services Division (SSD). There are 12 district offices of the SSD around the state providing direct services, including protective services, adoption, foster care and day care, and services to status offenders and other court-referred juveniles.

Placement of children in other states is a state-level responsibility in Vermont. It was reported that out-of-state placements are made pursuant to the provisions of the Interstate Compact on the Placement of Children (ICPC). Vermont has been a member of the compact since 1972.

C. Education

The Vermont Department of Education (DOE) is responsible for its educational system. In Vermont, there are 274 school districts, monitored by the DOE's 46 supervising unions which provide special education services in addition to the normal K-12 curriculum. The school districts can place out of state with approval from the DOE. However, it was reported that local school districts can place out of state without relating this information to the DOE if state funds are not used.

D. Juvenile Justice

Juveniles are under the jurisdiction of the juvenile division of the state district courts in Vermont. Adjudicated delinquents may be placed on probation or in the state's custody by these district courts. The DSRS' Social Services Division is responsible for services to youth on probation or in custody. The SSD has established juvenile services units in its 12 district offices, staffed with juvenile services caseworkers. They act as probation officers for the courts and provide for the care and supervision in custody of juveniles through the provision of community-based services.

Placement of children out of Vermont is a state-level responsibility. Although the courts are not restricted from placing children in other states, it was reported that they have no funds for such placements. The administration of the Interstate Compact on Juveniles is handled by the Agency of Human Services' Department of Corrections. Vermont has been a member of this compact since 1968.

E. Mental Health and Mental Retardation

Mental health and mental retardation services are administered by the Vermont Department of Mental Health (DMH) within the Agency of Human Services; that is, there are no mental health and mental retardation services operated by local government in Vermont.

All out-of-state placements are reported to be made in accordance with the Interstate Compact on Mental Health, when applicable. Vermont has been a member of this compact since 1959.

IV. FINDINGS FROM A SURVEY OF OUT-OF-STATE PLACEMENT PRACTICES IN 1978

The general findings from the survey of out-of-state placement practices of Vermont state and local agencies are presented in the following tabular displays.

A. The Number of Children Placed in Out-of-State Residential Settings

Before beginning the discussion of local and state agencies' practices, an overview is presented in Table 46-2 of the number of out-of-state placements made by Vermont public agencies, by agency service type. Vermont is not a densely populated state and its public agencies' placement activity was also sparse in 1978 with an aggregated total of 11 children placed out of state, six of which were reported by the state child welfare and juvenile justice agency, and five by local school districts within Vermont.

TABLE 46-2. VERMONT: NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY STATE AND LOCAL PUBLIC AGENCIES IN 1978, BY AGENCY TYPE

Levels of Government	Number of CHILDREN, by Agency Type			
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation	Total
State Agency Placements[a]	6	0	0	6
Local Agency Placements	--	5	--	5
Total	6	5	0	11

-- denotes Not Applicable.

a. May include placements which the state agency arranged and funded independently or under a court order, arranged but did not fund, helped arranged, and others directly involving the state agency's assistance or knowledge. Refer to Table 46-9 for specific information regarding state agency involvement in arranging out-of-state placements.

Table 46-3 illustrates the number of out-of-state placements arranged by school districts according to the counties within which the school districts are located. It is important to bear in mind that the jurisdiction of school districts contacted is smaller than the counties containing them. For that reasons, multiple agencies may have reported from each county and the incidence reports in the table are the aggregated reports of all school districts within them.

An interesting fact to note is that one Vermont school district (Norwich), located on the border of Windsor County, includes schools in New Hampshire, and the superintendent of this unique district is located in Hanover, New Hampshire. Only two of Vermont's 14 counties do not border another state or Canada. Therefore, it is not surprising to learn that all five children placed out of state in 1978 were sent by school districts located in counties sharing a border with a neighboring state. Four of these placements were made by districts located in counties in the southern portion of the state (Windham, Windsor and Rutland) and the fifth child was placed out of a county in the east-central part of the state, also bordering New Hampshire (Orange County).

TABLE 46-3. VERMONT: 1978 YOUTH POPULATIONS AND THE NUMBER OF OUT-OF-STATE PLACEMENTS ARRANGED BY LOCAL AGENCIES IN 1978, BY COUNTY AND AGENCY TYPES REPORTING PLACEMENTS

County Name	1978 Population[a] (Age 8-17)	Number of CHILDREN Placed during 1978 Education
Addison	4,922	0
Bennington	5,452	0
Caledonia	4,445	0
Chittenden	19,578	0
Essex	1,185	0
Franklin	6,716	0
Grand Isle	752	0
Lamoille	2,990	0
Orange	3,570	1
Orleans	4,015	0
Rutland	10,071	1
Washington	9,121	0
Windham	6,057	1
Windsor	8,255	2
Total Number of Placements Arranged by Local Agencies (total may include duplicate count)		5
Total Number of Local Agencies Reporting		274

a. Estimates were developed by the National Center of Juvenile Justice using data from two sources: the 1979 national census and the National Cancer Institute 1975 estimated aggregate census.

B. The Out-of-State Placement Practices of Local Agencies

As shown in Table 46-4, the survey of local public agencies in Vermont includes 274 local school districts. Responses were received for all of these local Vermont agencies. However, only five of the school districts placed children out of state in 1978 and the remaining 269 agencies did not arrange any such placements.

TABLE 46-4. VERMONT: THE INVOLVEMENT OF LOCAL PUBLIC AGENCIES IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Response Categories	Number of AGENCIES, by Agency Type: Education
Agencies Which Reported Out-of-State Placements	5
Agencies Which Did Not Know If They Placed, or Placed but Could Not Report the Number of Children	0
Agencies Which Did Not Place Out of State	269
Agencies Which Did Not Participate in the Survey	0
Total Local Agencies	274

All local school districts which did not place children out of state in 1978 were asked to give reasons why no such placements were made. Table 46-5 shows that the majority of districts said they lacked funds. Nine school districts reported that there were sufficient services available in Vermont for children's service needs in that year.

TABLE 46-5. VERMONT: REASONS REPORTED BY LOCAL PUBLIC AGENCIES FOR NOT ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Reasons for Not Placing Children Out of State[a]	Number of Local AGENCIES, by Reported Reason(s): Education
Lacked Statutory Authority	0
Restricted	0
Lacked Funds	254
Sufficient Services Available in State	9
Other[b]	15
Number of Agencies Reporting No Out-of-State Placements	269
Total Number of Agencies Represented in Survey	274

a. Some agencies reported more than one reason for not arranging out-of-state placements.

b. Generally included such reasons as out-of-state placements were against overall agency policy, were disapproved by parents, involved too much red tape, and were prohibitive because of distance.

All of the school districts which placed out of state reported cooperating with other public agencies in arranging all the placements in which they were involved. The cooperation was reported to have been with the Department of Education. It should be recalled from section III that the Vermont Department of Education requires approval of local education placements when state funds are involved.

The conditions or statuses of children placed by Vermont school districts in 1978 appear in Table 46-6. The table indicates that all school districts placed children determined to have special education needs. Three and four districts reported to have placed mentally retarded or developmentally disabled children and physically handicapped children, respectively. Two school districts reported to have arranged out-of-state placements for unruly/disruptive children, mentally ill or emotionally disturbed youth, and multiply handicapped children.

TABLE 46-6. VERMONT: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY LOCAL AGENCIES

Types of Conditions[a]	Number of AGENCIES Reporting Education
Physically Handicapped	4
Mentally Retarded or Developmentally Disabled	3
Unruly/Disruptive	2
Truant	0
Juvenile Delinquent	0
Mentally Ill/Emotionally Disturbed	2
Pregnant	0
Drug/Alcohol Problems	0
Battered, Abandoned, or Neglected	0
Adopted	0
Special Education Needs	5
Multiple Handicaps	2
Other	0
Number of Agencies Reporting	5

a. Some agencies reported more than one type of condition.

There were no local agencies in Vermont which placed more than four children out of state in 1978 and, therefore, no agencies were requested to provide the information collected from Phase II agencies in other states.

C. Use of Interstate Compacts by State and Local Agencies

The use of interstate compacts is illustrated in the following table and figure based on various factors. Table 46-7 presents the utilization of interstate compacts by education agencies without noting the number of placements made by each school district. It was reported that none of the five placing school districts used a compact in 1978. This finding is not uncommon because placements to institutions

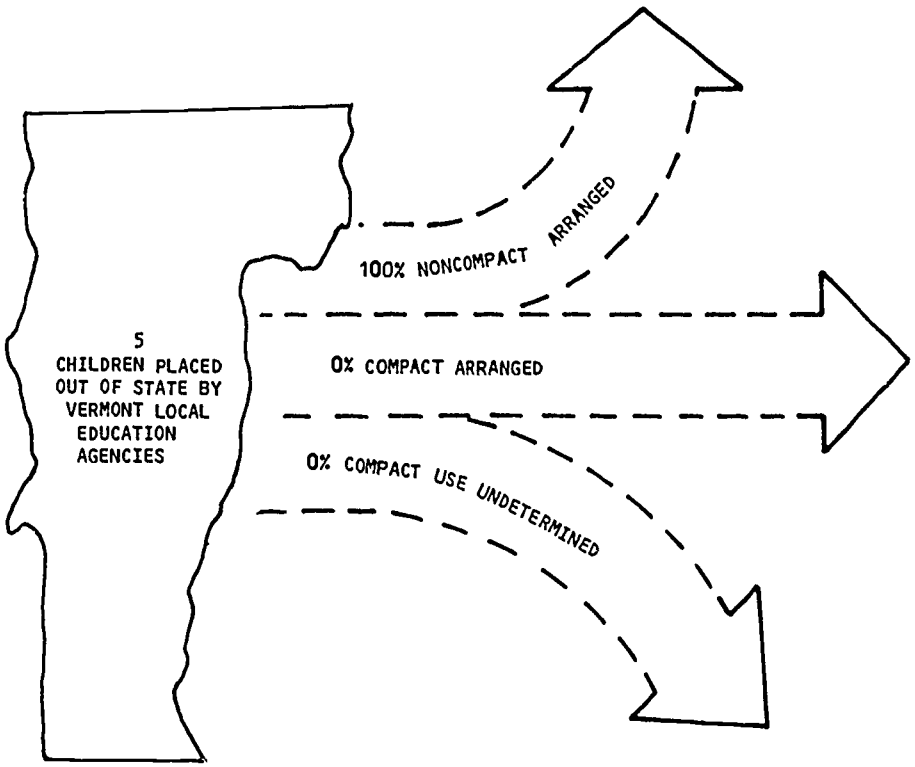
solely educational in nature are not subject to the provisions of an interstate compact. Figure 46-1, therefore, shows that all placements ware not processed by a compact office.

TABLE 46-7. VERMONT: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL AGENCIES IN 1978

Local Agencies Which Placed Children Out of State	Number of AGENCIES Education
NUMBER OF LOCAL AGENCIES PLACING FOUR OR LESS CHILDREN	5
• Number Using Compacts	0
• Number Not Using Compacts	5
• Number with Compact Use Unknown	0
NUMBER OF PHASE II AGENCIES PLACING CHILDREN	0
• Number Using Compacts	--
Interstate Compact on the Placement of Children	
Yes	--
No	--
Don't Know	--
Interstate Compact on Juveniles	
Yes	--
No	--
Don't Know	--
Interstate Compact on Mental Health	
Yes	--
No	--
Don't Know	--
• Number Not Using Compacts	--
• Number with Compact Use Unknown	--
TOTALS	
Number of AGENCIES Placing Children Out of State	5
Number of AGENCIES Using Compacts	0
Number of AGENCIES Not Using Compacts	5
Number of AGENCIES with Compact Use Unknown	0

-- denotes Not Applicable.

FIGURE 46-1. VERMONT: UTILIZATION OF INTERSTATE COMPACTS BY LOCAL EDUCATION AGENCIES IN 1978



The two state agencies in Vermont which reported out-of-state placements also provided information on the utilization of interstate compacts in 1978. All six children reported to have been sent out of state by the child welfare/juvenile justice agency were processed by a compact. In contrast, the state education agency reported that none of the five children it had knowledge of being placed outside of Vermont were sent with the use of a compact. This information is identical to that provided by the local agencies.

TABLE 46-8. VERMONT: UTILIZATION OF INTERSTATE COMPACTS REPORTED BY STATE AGENCIES, IN 1978, BY AGENCY TYPE

	Child Welfare/ Juvenile Justice	Education
Total Number of State and Local Agency-Arranged Placements	6	5
Total Number of Compact-Arranged Placements Reported by State Agencies	6	0
Percentage of Compact-Arranged Placements	100	0

D. The Out-of-State Placement Practices of State Agencies

Similar to the low placement activity of the local school districts, Vermont state agencies also reported a low incidence of out-of-state placements for 1978. The state agency providing both child welfare and juvenile justice services, the Social Services Division, arranged four placements, two of which were funded by the division. Two additional placements known to the agency were also reported in the total of six children seen in Table 46-9. The Department of Education funded the five locally arranged placements, the same number of children reported by the local school districts. The Department of Mental Health reported no out-of-state placement activity in 1978.

TABLE 46-9. VERMONT: ABILITY OF STATE AGENCIES TO REPORT THEIR INVOLVEMENT IN ARRANGING OUT-OF-STATE PLACEMENTS IN 1978

Types of Involvement	Number of CHILDREN Reported Placed during 1978 by State Agencies		
	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
State Arranged and Funded	2	0	0
Locally Arranged But State Funded	--	5	--
Court Ordered, But State Arranged and Funded	0	0	0
Subtotal: Placements Involving State Funding	2	5	0
Locally Arranged and Funded, and Reported to State	--	0	--
State Helped Arrange, but Not Required by Law or Did Not Fund the Placement	2	0	0
Other	0	0	0
Total Number of Children Placed Out of State with State Assistance or Knowledge[a]	6	5	0

-- denotes Not Applicable.

a. Includes all out-of-state placements known to officials in the particular state agency. In some cases, this figure consists of placements which did not directly involve affirmative action by the state agency but may simply indicate knowledge of certain out-of-state placements through case conferences or through various forms of informal reporting.

Table 46-10 presents the destinations of children reported by state agencies which were able to provide the information. Only the state child welfare and juvenile justice agency was able to respond. The New England states of Connecticut and neighboring New Hampshire received three and two children, respectively. North Carolina also received one child in 1978 from this agency.

TABLE 46-10. VERMONT: DESTINATIONS OF CHILDREN PLACED OUT OF STATE IN 1978 REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Destinations of Children Placed	Number of CHILDREN Placed	
	Child Welfare/ Juvenile Justice	Education
Connecticut	3	
New Hampshire	2	
North Carolina	1	
Placements for Which Destinations Could Not be Reported by State Agencies	0	All
Total Number of Placements	6	5

A question about the conditions or statuses of children placed out of state was also asked of Vermont state agencies. Table 46-11 provides the responses to descriptive categories by the two reporting state agencies. The Social Services Division reported placing children in 1978 having a wide variety of problems and statuses. The Department of Education limited its responses to children who were physically and mentally handicapped, who were emotionally disturbed, who were unruly/disruptive, and who had learning disabilities under the "other" category.

TABLE 46-11. VERMONT: CONDITIONS OF CHILDREN PLACED OUT OF STATE IN 1978, AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE

Types of Conditions	Agency Type[a]	
	Child Welfare/ Juvenile Justice	Education
Physically Handicapped	X	X
Mentally Handicapped	X	X
Developmentally Disabled	X	0
Unruly/Disruptive	X	X
Truants	0	0
Juvenile Delinquents	X	0
Emotionally Disturbed	X	X
Pregnant	0	0
Drug/Alcohol Problems	X	0
Battered, Abandoned, or Neglected	X	0
Adopted Children	X	0
Foster Children	X	0
Other	0	X

a. X indicates conditions reported.

The children reported placed out of state in 1978 by the child welfare and juvenile justice agency were equally as often sent to live with relatives or in adoptive homes. The children placed by local school districts and reported by the Department of Education were most frequently sent to boarding schools.

Public expenditures for out-of-state placements in 1978, displayed in Table 46-12, were made with both state and federal funds for the state child welfare and juvenile justice placements. State funds of $6,000 and federal monies of $9,000 were spent. The Department of Education indicated that $216,444 of state funds were used for placement purposes in the reporting year. No other funds were reported to be used for these placements.

TABLE 46-12. VERMONT: PUBLIC EXPENDITURES FOR OUT-OF-STATE PLACEMENTS IN 1978, AS REPORTED BY STATE AGENCIES

Levels of Government	Expenditures, by AGENCY Type	
	Child Welfare/ Juvenile Justice	Education
• State	$ 6,000 est	$216,444
• Federal	$ 9,000 est	0
• Local	0	0
• Other	0	0
Total Reported Expenditures	$15,000	$216,444

E. State Agencies' Knowledge of Out-of-State Placements

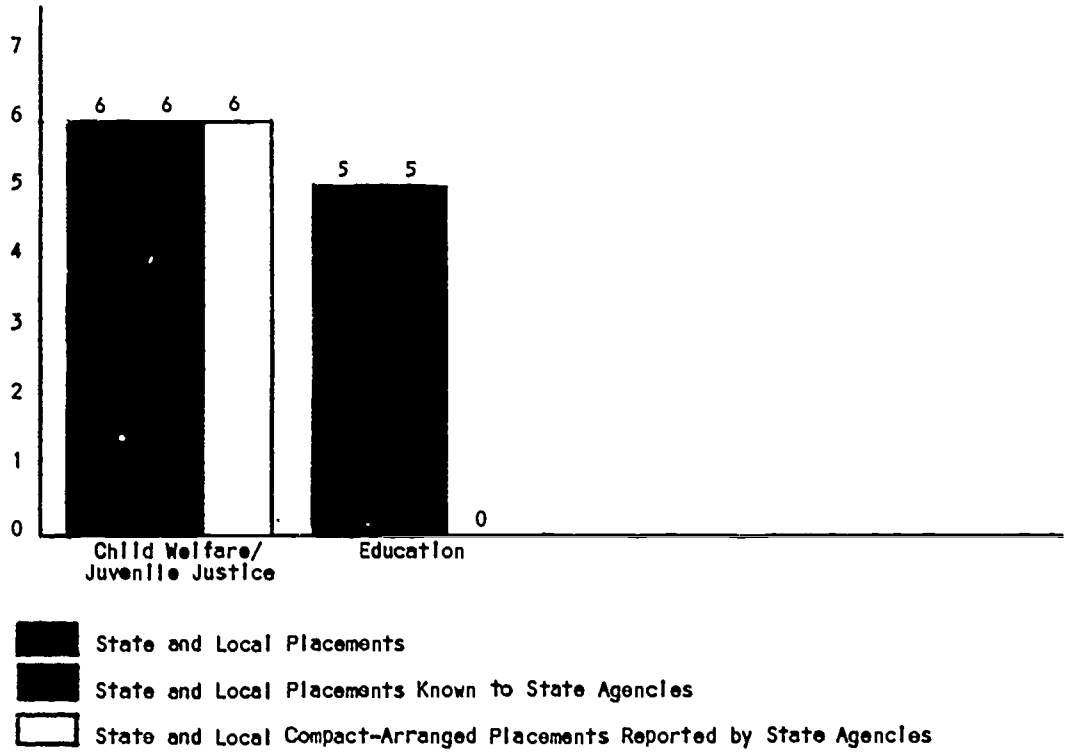
Services for children are primarily operated by state government in Vermont and Table 46-13 reflects these agencies' full knowledge of out-of-state placement activity within the state. The state education agency was able to provide an accurate report of local school districts' involvement in the practice in 1978 as well.

TABLE 46-13. VERMONT: STATE AGENCIES' KNOWLEDGE OF OUT-OF STATE PLACEMENTS

	Child Welfare/ Juvenile Justice	Education	Mental Health and Mental Retardation
Total Number of State and Local Agency Placements	6	5	0
Total Number of Placements Known to State Agencies	6	5	0
Percentage of Placements Known to State Agencies	100	100	100

Figure 46-2 reflects these Vermont agencies' ability to report upon state and local placement activity as well as the state agencies' reports on compact utilization.

FIGURE 46-2. VERMONT: THE TOTAL NUMBER OF STATE AND LOCAL PLACEMENTS AND USE OF COMPACTS AS REPORTED BY STATE AGENCIES, BY AGENCY TYPE



V. CONCLUDING REMARKS

There are several conclusions which can be drawn from the survey of Vermont state and local public agencies about their out-of-state placement practices. The extremely low incidence of placement in 1978 initiated by Vermont state and local agencies is a primary finding in itself. There appears to be few policy restrictions on this type of placement, but state officials reported the lack of financial resources may curtail this practice in district courts and local school districts predominantly mentioned this absence of funds as a reason for not selecting an out-of state setting for children.

- The few children who were placed out of Vermont in the reporting year were described by the Social Services Division and the local school districts as experiencing a variety of conditions and statuses. The children known to the SSD to have been placed out of state were all processed through an interstate compact and were primarily sent to the homes of relatives or adoptive families.

- The only placement trend perceived to exist among the local education placements was the location of the placing school districts in the southern counties of Vermont. The state education agency was able to accurately report these five placements, indicating a strong regulatory capability, most likely linked to the local agency need for state funding of such placements.

The reader is encouraged to compare national trends described in Chapter 2 with the findings which relate to specific practices in Vermont in order to develop further conclusions about the state's involvement with the out-of-state placement of children.

FOOTNOTE

1. General information about states, counties, cities, and SMSAs is from the special 1975 population estimates based on the 1970 national census contained in the U.S. Bureau of the Census, County and City Data Book, 1977 (A Statistical Abstract Supplement), Washington, D.C., 1978.

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The 1978 estimated population of persons eight to 17 years old was developed by the National Center for Juvenile Justice using two sources: the 1970 national census and the National Cancer Institute 1975 estimated aggregate census, also prepared by the U.S. Bureau of the Census.

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