

DPHHS Staff:

Good day. My name is Hal Schmid from Arlee, Montana. I attended the hearing in Helena on September 12, 2019 and would like to add my comments to the record.

I am a third-generation Missoula native. My background includes a focus on troubled youth, community-based youth development organizations, and education. My doctorate is in Curriculum & Instruction from the University of Montana, and I did extensive graduate work at the University of Washington focused on multicultural education with Drs. James Banks and Geneva Gay. I am certified in English, biology, and broad-field science, and I taught language arts in public schools in Montana and Hawai'i and at the tribal alternative high school on the Flathead Indian Reservation.

I also taught teacher education courses at the University of Montana and was a curriculum coordinator and then a senior research associate at Kamehameha Schools in Hawai'i. In addition, before I began my teaching career, I visited Spring Creek School near Thompson Falls where I observed and worked for one week (but was never paid for my week's work—more about that later). In the 1980s, Spring Creek School was a unique enterprise. I was curious for several years and finally had the opportunity to visit and consider working there in 1987.

My week at Spring Creek was eye-opening in many ways. I was introduced to young adults with serious addictive personalities and girls who had been sexually abused. Most of these young adults acted out in some way. All were from out-of-state and had rather wealthy families who could afford to send them to the specialized operation outside Thompson Falls, Montana. Most had been in other programs which had been unsuccessful as far as the parents were concerned. After my week-long orientation/trial employment living in a cabin at Spring Creek, I ended up taking a teaching position elsewhere. And, although I had filled out all the tax and employment forms and was guaranteed to be paid a less-than-full rate for my week at the school, I never received payment of any kind.

This was also one of the key takeaways from my time there. Spring Creek School was a business with a financial bottom line. The man who handled the accounting and employment forms, and who was to see to my payment, was an elected official in the county. It was politically connected. Spring Creek was an important employer and player in the county. In contrast, when I was doing my student teaching at St. Ignatius Public Schools, one of the teachers with whom I was working informed me that he would be taking some students to an academic bowl competition. He asked if I needed a substitute teacher to be in the room the day he was gone. I was already teaching all his classes and was comfortable with the students and the school schedule. I told him that I didn't see any reason for a sub. So no sub was hired. But several weeks later, in the gym during an all-school assembly, the superintendent approached me and handed me a check. The day-wage for a substitute teacher. I thanked him but said that I was not allowed to be paid while student teaching. He said, sorry, they were going to pay me \$50 anyway. He wouldn't take the money back.

The difference? At Spring Creek, it was bottom line a business venture working with troubled young clients with anti-social and self-destructive behavioral issues. It was a community business venture, but it was not a community-based social endeavor. At St. Ignatius Schools, it was bottom line a professional educational organization dealing with academic and youth development of the community families' kids. The school was rooted in the community, accountable to the community, and developing the future members of the community. They treated me as a professional from the get-go.

Both ventures are important. But distinctions should be made and addressed. When I heard originally that the state would not set standards to govern the operation and licensure of these youth residential treatment centers that have proliferated in Western Montana, I was shocked and disheartened. Someone needs to ensure that there is oversight and accountability. I was therefore compelled to attend the hearing in Helena when I learned otherwise.

I will not address specific details of the preliminary guidelines DPHHS issued. But I will offer these general opinions.

1. The guidelines need to be seen as a first-generation iteration. They should, from the outset I believe, be given a two-year lifespan during which they are overhauled and revised. After that, the guidelines and regulations could be revisited on a regular basis. However, DPHHS needs a window through which they can grow into their oversight and regulatory position . . . and programs can adjust and advocate and adapt to being scrutinized.
2. If a program cannot make required adjustments—staffing, facilities, or procedures—and remain financially viable, then they should close. These are largely business ventures serving outside interests, in my perspective. They should not be allowed to cut corners with children’s safety.
3. The state and professional teacher organizations regulate and license teachers and administrators who work with children in the state. The same expectation has grown for pre-schools and daycare centers. The same should apply for these adolescent residential treatment centers. But the centers are all quite different. It will take a two-year window to adequately determine professional standards and oversight protocols. One size does not fit all.
4. At the end of the two years, there should be a layered framework developed. The number of students/clients is not an adequate singular criteria. While listening to the programs present their comments, I could see criteria that might help identify categories:
 - a. Number of students/clients.
 - b. Length of student/client residence at the facility.
 - c. Primary origin of students/clients:
 - i. Local/Montana
 - ii. United States
 - iii. International
 - d. Primary purpose (determined by DPHHS through onsite and document research):
 - i. Business, income-generating
 - ii. Drug and behavioral treatment (with licensed staff and facilities)
 - iii. Extreme anti-social behavior
 - iv. Specialized residential education facility
 - v. Outdoor experiential learning
 - vi. and so on
5. After the protocols and program categories are established in #4 above, then more specific facilities and licensing requirements could be specified. One size does not fit all. But all need to measure up to high expectations within the categories that DPHHS establishes after the two-year development phase.
6. After the categories and facilities and licensing requirement are more fully fleshed out in #4 and #5 above, the liability insurance and accountability measures should be addressed. It seems most likely that one size in this area does not fit all either.
7. High standards for all administrators, staff, and employees need to be met. And these business ventures need to account for those costs—in assessment, recordkeeping, and licensure.

- a. Note 1: I was appalled to hear the director from Ranch for Kids badmouth the children and say that no education or training was required for qualified staff. What he thought was needed was just experience. Well, I can tell you as a teacher and as a trainer of teachers—four years of university training and a supervised student-teaching experience is only the beginning. The on-the-job training is extremely critical—**BUT THAT IS ONLY AFTER COURSE WORK AND TRAINING AND SUPERVISED HANDS-ON EXPERIENCE . . . AND MENTORING BY CARING ADMINISTRATORS AND IN-SERVICE TEACHERS IN A COMMUNITY OF EDUCATORS.** The Ranch for Kids director should be run out of the state.
- b. Note 2: A former counselor or administrator from Summit was hired as a superintendent at St. Ignatius Schools. (He stayed for about two years.) At his opening day address to K-12 staff, he told us that all the teachers needed to do was to show the kids that we loved them. Everything else would be just fine. Whoa. As a grants administrator who had brought in federal and state dollars for staff and curriculum development—literacy, math, Indian Education for All—and had started an afterschool program and a Boys & Girls Club, I was totally shocked. I was in a different school system within two months.

DPHHS staff, please accept these broad comments. There are specific items in the proposed guidelines that certainly need addressing. However, I think the broad framework holding the guidelines—and the new expectations placed on DPHHS—need to be addressed as well. And may be first. Therefore, I think a two-year introductory window would be much less problematic than creating one-size fits all edicts that are set in stone.

When I first began teaching on the Flathead Indian Reservation, I read some articles about successful teaching across cultures. One article about teaching in Alaska wrote that one highly successful teacher stated that a teacher needed to smile with teeth.

Another thing I heard a lot as a beginning teacher was that it was a lot better to start strict and loosen the classroom rules over time, and it was nearly impossible to start with loose classroom management and then try to become strict later.

Thank you for accepting this critical role. And thank you for allowing me to attend the hearing and offer these comments. While these programs provide meaningful income to isolated rural communities in Montana, they have also been able to slip under the radar for many years. They may not all be able to meet the necessary requirements without closing. But that was the reason many of them became cottage industries in these communities and the reason they draw students from out-of-state families. This oversight and regulation is overdue. These children and youth may come from monied or desperate families, but they are still vulnerable children and youth. Or it is why they are vulnerable children and youth. Reading some of the Spring Creek Survivors web board posts has been disheartening. There are no easy solutions. But there should be no exploitation either.

Thank you.

Hal Schmid, Ed.D.