

STATEMENT OF NEED AND REASONABLENESS
FOR
PROGRAMS AND SERVICES FOR BATTERED WOMEN

May 18, 1981

11 MCAR §2.202 Definitions.

rationale: Definitions are needed to define the terms used in the proposed rules. Adoption of the proposed rules will affect emergency shelter services and service providers as defined in the proposed rules. Consequently it is imperative that all concerned individuals, agencies, and units of government have a clear understanding of terms used in the proposed rules and are in agreement with the terms defined in the proposed rules.

evidence: Testimony from evidence witnesses may be presented in support of definitions.

Minnesota Statutes 241.61, Subds. 2, 3, 4, 5
Minnesota Department of Finance Object Codes
Minnesota Office of Contract Management; Rules and Regulations
Minnesota Statutes 15.162, Subd. 9

11 MCAR §2.210 Establishment of an Advisory Task Force.

rationale: A. A task force must be established to conform with legislative mandate. The task force provides information, technical assistance, and professional opinion to the department by acting as an advisory body to the Commissioner.

evidence: Minnesota Statutes 241.63 C
Minnesota Statutes 241.64, Subd. 1
Minnesota Statutes 15.059

rationale: B. Establishment of a review committee is necessary to ensure that minority organizations and those people affected by the program, as coordinated by the department, participate in the selection of the task force.

Minnesota Law states that "persons appointed shall be knowledgeable in the fields of health, law enforcement, social services,

or the law. Five members of the advisory task force shall be representatives of community or governmental organizations which provide services to battered women, and four members of the advisory task force shall be public members."

Other criteria cited ensure that the task force will be composed of persons with 1) knowledge about the problems facing battered women, 2) understanding of both rural and urban problems in developing services, and 3) the special needs of minority women who are physically abused.

evidence: Minnesota Statutes 241.64, Subd. 1

rationale: C. This stipulation is necessary because policy decisions can better be made with the input of persons who have personally experienced battering.

It is anticipated that a great number of applicants will apply for positions on the advisory task force. In filling the task force complement as required by law, many individuals may have similar qualifications. This being the case, preference will be given to individuals who have experienced abuse in their relationships.

evidence: Grassroots Services for Battered Women: A Model for Longterm Change, by Lisa Leghorn, January 1978.

II MCAR §2.220 Relationship between Department and Advisory Task Force.

rationale: A. Duties of the project coordinator include serving as a liaison between the advisory task force and the Commissioner. As coordinator, he/she has knowledge of advisory task force

actions, discussion and rationale for decisions. Likewise, he/she is aware of department policy, procedures and philosophy. To maintain a working relationship between the department and advisory task force, the project coordinator must attend advisory task force meetings enabling exchange of information between the two bodies.

evidence: Minnesota Statutes 241.63, Subd. d

rationale: B. Procedure for the selection of project coordinator is governed by Minnesota Laws.

evidence: Minnesota Statutes 241.64, Subd. 3 a

rationale: C. This rule ensures that the Commissioner has full knowledge of the rationale used by the advisory task force in making a recommendation, and conversely this ensures that the advisory task force can receive an explanation as to why the Commissioner is taking a particular action. Further, this rule ensures a strong working relationship based on open communication and trust.

evidence: Minnesota Statutes 241.63 c
Minnesota Statutes 241.65, Subd. 3 c and d

II MCAR §2.230 Awarding Grants and Contracts.

rationale: A. This rule ensures a broad based participation in state funded programs by service providers. By encouraging competitive proposals, the department will potentially receive better quality proposals due to wider participation in the program.

Establishing uniform procedures for reviewing proposals will minimize bias and maintain objectivity during the screening process. This procedure should ensure funding of quality programs.

evidence: Minnesota Office of Contract Management; Rules and Regulations Minnesota Statutes 241.65

rationale: B. A plan of affirmative outreach provides an equal opportunity for applicants to receive adequate notice and information about the program by utilizing extensive advertising in a broad range of media.

evidence: A-95 Review
Minnesota Department of Corrections Affirmative Action Plan
Federal Government A-95 Review process.

rationale: C. Award criteria will be developed with advisory task force participation (prior to proposal submission) to standardize the method of proposal review, and to minimize potential bias by adopting criteria favorable to a particular applicant. Applicants must have access to criteria prior to submission of their proposals so they can develop their program in accordance with requirements.

evidence: Minnesota Statutes 241.63 f
Minnesota Statutes 241.64, Subd. 3

rationale: D. This rule is necessary to define the responsibilities of the advisory task force in advising the Commissioner with regard to grant applications.

evidence: Minnesota Statutes 241.65, Subd. 3 c

rationale: E. A specified amount of funds were allocated by the Minnesota Legislature for establishment of emergency shelter programs and facility rehabilitation. Rule 2.230 E. clarifies the department function as administrator of these funds and not a direct service provider. The rule further ensures that funds are distributed for the purposes for which they were intended.

evidence: Minnesota Statutes 241.63
Minnesota Department of Corrections Budget 1980-81
Victim Services Division

rationale: F. This rule conforms with Minnesota Law which states that "education grant monies may be used by the Commissioner to produce educational and promotional materials to encourage the development and utilization of emergency shelter services."

In many instances educational materials can be produced more economically by the state agency utilizing state resources. Materials to be distributed statewide can be accomplished efficiently through the department.

As the citizen organization providing input to the department on program funding, it is important to obtain recommendations from the advisory task force when expending these funds. Their ideas and discussion will enhance the quality of educational materials produced and distributed by the department.

evidence: Minnesota Statutes 241.62, Subd. 4

rationale: G. People knowledgeable about the issues of battering must participate in the stated functions to provide a broad base of

opinions, ideas, and discussions to ensure that fair and equitable recommendations are forwarded to the Commissioner.

evidence: Minnesota Statutes 241.64, Subd. 1

II MCAR §2.240 Responsibilities - Service Providers.

Overall, §2.240.A ensures uniformity of information submitted by applicants to simplify proposal review.

rationale: 1. This rule is needed to identify and locate organizations for the purpose of contacting applicants, as well as for contract purposes if funded.

evidence: Minnesota Statutes 241.62, Subd. 2 e

rationale: 2. Organization location must be stated for task force and Commissioner's information so they may assess the service area and accessibility to persons needing services. It is important to know the location of the program in relationship to the location of the contracted corporation if the organization is funded.

evidence: Minnesota Statutes 241.62, Subd. 2 e

rationale: 3. This rule is necessary so task force members and Commissioner can review each budget item to determine if:

- 1) the proposed budget item can adequately fund services as outlined,
- 2) the budget is unnecessarily high for delivery of proposed services,
- 3) categories correspond with State of Minnesota accounting categories.

evidence: Minnesota Statutes 241.62, Subd. 2 b
Minnesota Department of Finance Object Codes

rationale: 4. This rule is necessary so task force members and Commissioner can review each budget item to determine if:

- 1) the proposed budget item can adequately fund services as outlined,
- 2) the budget is unnecessarily high for delivery of proposed services,
- 3) categories correspond with State of Minnesota accounting categories.

evidence: Minnesota Statutes 241.62, Subd. 2 b
Minnesota Department of Finance Object Codes

rationale: 5. This rule provides the task force and Commissioner with information about the proposed staffing patterns for shelter operation. It is important to know the levels of decision-making authority in the program, the number of staff positions servicing women and children, and the responsibilities of person(s) handling fiscal matters. The program scope can be assessed from the content of job descriptions.

evidence: Minnesota Statutes 241.62, Subd. e

rationale: 6. Many women who have experienced violence in their relationships have had direct contact with law enforcement officials, medical personnel, social service providers, court personnel and other representatives of the helping system. Many women have also been housed in shelters. It is important for development of programs and provision of ongoing support, to have input from women who are familiar with problems in the helping system, who know what kind of services battered women need and who will present a perspective that only someone who has experienced the problem can provide.

evidence: Minnesota Statutes 241.62, Subd. e

rationale: 7. Battered women must rely on numerous helping systems to obtain assistance in stopping abusive behavior or in establishing a home if they choose to leave the situation. Helping systems called on most frequently are law enforcement, judicial, social services, medical and human service agencies. Since representatives of these systems are in frequent contact with battered women, it is necessary to solicit their input and support when developing programs for abused women. Representatives from these systems can also define needs in their own agencies that battered women programs could address.

evidence: Minnesota Statutes 241.62, Subd. d

rationale: 8. This rule is needed by Commissioner and task force to determine if proposed programs have realistic time lines for accomplishing goals and objectives, and to later assess if grantees are accomplishing their goals and objectives as specified in their time line.

evidence: Minnesota Statutes 241.62, Subd. e

rationale: 9. It is necessary to have information about services to be provided by program applicants to:

- 1) determine if applicants are responding to needs of people requiring services,
- 2) determine if services to be provided can be accomplished with funds in the proposed budget,
- 3) serve as a measure for evaluation upon completion of the program.

evidence: Minnesota Statutes 241.62, Subd. a

rationale: 10. Since many programs receive only partial funding from the Department of Corrections, it is important to know how each service will be provided and by whom. If programs do not have adequate funds to employ a sufficient number of staff members, services must be provided by volunteer workers. If a program plans to utilize volunteers, it is important to have information regarding the types and numbers of volunteers needed, methods of volunteer recruitment, volunteer training and other information pertaining to volunteers.

evidence: Minnesota Statutes 241.62, Subd. e

rationale: 11. The department may require some form of program evaluation at any time in a given contract period. It is necessary to obtain a statement of compliance with program evaluation requirements to ensure that grantees agree to cooperate with department requirements.

evidence: Minnesota Statutes 241.62, Subd. c

rationale: 12. The department is responsible for issuing numerous grants for battered women's programs. To determine if an applicant is providing services to populations that are targeted by the task force and Commissioner, applicants must describe the population receiving their proposed services.

A description of the targeted population provides further information to the task force and Commissioner as they assess services to be delivered and their potential impact on the target group.

evidence: Minnesota Statutes 241.62, Subd. e

Overall, §2.240, B ensures uniformity of information submitted by applicants to simplify proposal review.

rationale: B.1. This rule is needed to identify and locate organizations for the purpose of contacting applicants, as well as for contract purposes if funded.

evidence: Minnesota Statutes 241.62, Subd. 2 e

rationale: B.2. Organization location must be stated for task force and Commissioner's information so they may assess the service area and accessibility to persons needing services. It is important to know the location of the program in relationship to the location of the contracted corporation if the organization is funded.

evidence: Minnesota Statutes 241.62, Subd. 2 e

rationale: B.3. This rule is necessary so task force members and Commissioner can review each budget item to determine if:

- 1) the proposed budget item can adequately fund services as outlined.
- 2) the budget is unnecessarily high for delivery of proposed services,
- 3) categories correspond with State of Minnesota accounting categories.

evidence: Minnesota Statutes 241.62, Subd. 2 b
Minnesota Department of Finance Object Codes

rationale: B.5. This rule provides the task force and Commissioner with information about the proposed staffing patterns for shelter operation. It is important to know the levels of decision-making authority in the program, the number of staff positions

servicing women and children, and the responsibilities of person(s) handling fiscal matters. The program scope can be assessed from the content of job descriptions.

evidence: Minnesota Statutes 241.62, Subd. e

rationale: C. By requiring that contractors and grantees comply with state affirmative action and equal employment opportunity guidelines, the department ensures that established guidelines are followed and that discrimination by funded programs does not occur.

Further, by requiring service providers to conform to other state and local laws, any practices undertaken by contractors or grantees are dictated by established statutes.

evidence: Minnesota Department of Corrections Affirmative Action Plan
Minnesota Office of Contract Management; Rules and Regulations

rationale: D.1. Objective information in the form of descriptive data is a useful evaluative tool for the Commissioner and advisory task force. Descriptive data can further be of use as an educational tool when discussing battered women services. By limiting data reporting requirements to descriptive data, the confidentiality of persons seeking assistance from funded agencies is protected.

evidence: Minnesota Statutes 241.62, Subd. 3

rationale: D.2. It is necessary to require that funding agencies submit reports as another means to substantiate that goals are being met. Reports provide written records of activities of funded programs for a given period.

evidence: Minnesota Statutes 241.62, Subd. 3

rationale: D.3. To ensure that funded programs adhere to their proposed budget and that all financial transactions are recorded, it is necessary to require the implementation of a fiscal policy.

evidence: Minnesota Statutes 241.62, Subd. 3

rationale: E. This rule ensures that shelter facilities are adequately maintained to provide for the safety of its occupants. In addition, this rule provides a cost efficient method of inspecting shelters by utilizing existing fire, health and building inspectors from the local communities.

evidence: Minnesota Building Code 1978, Building Code Division
Local Health Officers and Communicable Diseases, Minnesota
Health Department 1 and 2
Minnesota Health Department Plumbing Code 1979
Minnesota Public Safety Department Fire Marshal, Fire Code 1975

II MCAR §2.245 Submission of Data - Mandatory.

rationale: 1. This rule is mandated by Minnesota Laws.

evidence: Minnesota Statutes 241.66, Subd. 1

rationale: 2. This rule assures that the data collected under this law is useful while not invading the privacy of Minnesota citizens. The collation of data to determine characteristics of batterers and victims, in addition to number of incidents, is essential in the development of public policy to meet the needs of persons abused by their partners.

evidence: Minnesota Statutes 241.66, Subd. 1