

MCADV Service Standards and Guidelines: Using the Self-Evaluation Tool

By MCADV Program Development Specialists

Q: How can we assess the services we provide to battered women and their children to determine what kind of training or technical assistance we need?

A: MCADV member programs were historically evaluated voluntarily as part of a monitoring process; this is no longer done. Instead, the preferred assessment method is



for the evaluation process to be program driven. The current self-evaluation tool, developed

by the Quality of Services Workgroup of MCADV's Board, is a self-check for organizations and serves multiple purposes. The tool was designed to assist programs in assessing what they are doing well and what improvements they may need to make in the future. Programs are going over the results at their own staff and board meetings to determine the need for future in-service trainings and policy development.

Programs are encouraged to discuss the policies they have in place regarding their implication or philosophy. The self-evaluation tools have also been reviewed at regional meetings to get feedback on how programs complete the tool, and its ease of use in addition to its results.

MCADV is looking for common areas of struggle throughout the state so we can determine future technical assistance, publications and trainings. It also can be a reference for programs in the future—hopefully, programs will complete it every year or so and can assess their development based on previously completed self-assessments.

Please contact the MCADV office if you have not received the tool at either regional meetings or from the MCADV Listserv.

alliance opportunities

MCADV REGIONAL MEETINGS

| Location | Date/Time | Host/Information |
|---|---------------------------------------|--|
| KANSAS CITY Rose Brooks Hope House | July 29 10:30 A.M. September 30 | Jennifer Salmons (816) 587-4100 |
| SOUTHEAST Poplar Bluff Bonne Terre | August 5 11:30 A.M. October 7 | Brenda Smelser (636) 931-2700 |
| ST. LOUIS St. Louis | August 10 Sept. 14 October 12 | Rita Zagarr (314) 621-4402 9:00 A.M. |
| CENTRAL Jefferson City | August 4 11:30 A.M. October 5 | Rita Johnson (417) 533-5201 |
| SOUTHWEST Springfield | August 6 11:00 A.M. October 1 | Kathy Barron (417) 256-3408 |
| NORTHWEST Marshall | August 18 Noon October 20 | Debbie Wallace (660) 831-0988 |
| NORTHEAST Fulton | October 14 10:30 A.M. | Elaine Browning (636) 462-2724 |

UPCOMING MCADV TRAININGS

| Location/Date/Time | Information |
|---|-------------------------|
| DYNAMICS OF SAME SEX DOMESTIC VIOLENCE Columbia / July 30 8:30 A.M.- 3:00 P.M. | MCADV (888) 666-1911 |
| ABC'S OF VOLUNTEER COORDINATION Columbia / August 13 8:30 A.M.- 4:00 P.M. | MCADV (888) 666-1911 |
| FOUNDATIONS FOR EFFECTIVE ADVOCACY Columbia / August 26-27 8:30 A.M.- 5:00 P.M. | MCADV (888) 666-1911 |
| USING THE LAW TO ADVOCATE FOR BATTERED WOMEN Columbia / September 9 8:30 A.M.- 5:00 P.M. | MCADV (888) 666-1911 |
| MCADV LEADERSHIP INSTITUTE Lake of the Ozarks / September 23-24 8:30 A.M.- 5:00 P.M. | MCADV (888) 666-1911 |
| THE POWER OF SUPPORT GROUPS Columbia / October 8 8:30 A.M.- 5:00 P.M. | MCADV (888) 666-1911 |

the latest

a bulletin for the members of the Missouri Coalition Against Domestic Violence



Missouri Supreme Court Upholds DV Shelter Records' Confidentiality Law

The Missouri Supreme Court on April 13, 2004 issued its initial ruling in *State ex rel Hope House* that domestic violence shelters in Missouri cannot be compelled by subpoena to release records without a written release from the person who received services from the shelter. On May 25, 2004 the Supreme Court issued its final ruling (termed a "final mandate") in the case.

Hope House, a Missouri domestic violence shelter with locations in Independence and Lee's Summit, on January 24, 2003 filed a motion to quash a subpoena with the Jackson County Family Court to uphold its refusal to comply with the subpoena to turn over a shelter resident's records as requested by a juvenile officer.

The motion to protect the records was argued by Hope House on the basis of the provisions of Missouri law in §455.220 RSMo., which established confidentiality of communications by staff and volunteers of shelters, as well as confidentiality of the records of shelter and advocacy services provided to individuals. This law, passed in 2000, had never been subjected to a court test prior to Hope House's motion. The Jackson County Family Court denied Hope House's motion to quash the subpoena. Hope House then filed a petition for a Writ of Prohibition with the Court of Appeals, which the Court denied. This left Hope House with the option of releasing the subpoenaed records or filing a petition for a Writ of Prohibition from the Missouri Supreme Court; Hope House filed the petition. The Missouri Supreme Court accepted the case and heard oral arguments on March 10, 2004. The case was argued by Hope House contract attorney Mary Weir.

The binding precedent in the Hope House case is the Supreme Court's ruling that state law prohibits domestic violence shelters' release of records when they are subpoenaed for a court case. The only exception for the release of records is when the individual whose records are sought consents and signs a written release of the documents for use in a court case.



Subpoenaed shelter records cannot be released without written consent

Emergency Shelter Grants and HMIS

PAGE 2

MCADV Annual Conference Announcement

PAGE 2

Board Update

PAGE 3

Changes in Fair Labors Standards

PAGE 3

MCADV Self-Evaluation Tool

PAGE 4

2004 Training and Regional Meeting Calendar

PAGE 4



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CONTINUED ON PAGE 3

Providing Aggregate Data Sufficient for ESG Compliance: Federal HMIS Regulations not Finalized for DV Programs

Shelters that receive Emergency Shelter Grant (ESG) funding through the U.S. Department of Housing and Urban Development (HUD) are now required by contract to participate in the Homeless Missourians Information System (HMIS).

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EMERGENCY SHELTER GRANT APPLICATIONS REQUIRE THAT GRANTEES ENSURE THE CONFIDENTIALITY OF VICTIMS OF FAMILY VIOLENCE

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However, this does not mean that personal identifying data must be submitted to meet the grant requirements of participation.

In April 2004, Denise Cross, the Director of the Family Support Division and administrator of the Emergency Shelter Grant funds, confirmed that grantees can submit aggregate data to HMIS and remain in compliance with the requirements of the

ESG assurances.

The ESG application cites the "Cranston-Gonzalez National Affordable Housing Act" requirements that all grantees ensure the confidentiality of victims of family violence. To clarify the seeming contradictions between ESG requirements and pending HUD requirements for HMIS participation, Ms. Cross has stated that providing only aggregate data to the HMIS data collection effort will be sufficient to meet the requirements of ESG grants. The federal regulations for participation in HMIS are not yet final.

MCADV Continues to Work with HMIS

MCADV is continuing to work with the HMIS Steering Committee to determine what aggregate data programs will need to provide. Most of the information MCADV has proposed to the Committee is information already provided through the MCADV Monthly Services Report. MCADV will notify members as soon as the HMIS federal regulations are issued and when the Steering Committee clarifies what data can be submitted by grantees.

mark your
calendar

MCADV's 24th Annual Conference
The Art of Advocacy: The Heart of Service
November 3-5, 2004 ● Columbia, Missouri

■ Featuring Keynote Speaker Susan McGee

Susan McGee is the author of the *Survivor's Handbook for Battered Women*. She is currently the coordinator of Minerva, Inc., an independent training, grant-writing and consulting firm, providing assistance to corporations, schools and non-profits working to promote social justice. From 1987 through 2001, she was the executive director of the Domestic Violence Project, Inc./SAFE House in Ann Arbor, Michigan. The *Survivor's Handbook for Battered Women* is available online at http://www.mi.gov/documents/FIA-DomVioHandbook_69248_7.pdf.

Quality of Services and Training and Education Workgroups have Merged

The MCADV Board of Directors recently merged two of its Workgroups. The Quality of Services Workgroup works to refine and implement service standards, and to develop evaluation tools for domestic violence programs to ensure that high-quality services are provided. The Training and Education Workgroup works to bolster the training expertise and reputation of MCADV and its member programs as leaders in domestic violence education and prevention. These Workgroups are combining efforts to work on common goals of the *MCADV Five-Year Strategic Plan*.

The combined Workgroup will be developing training curricula for the existing service standards. These will be presented at regional meetings. Also to be developed are service standards for Transitional Housing and Programs for Children.

If you are interested in providing expertise to this group, you do not need to be a board member to serve. Meetings will be held via conference calls to accommodate members. Participation in Workgroups or regional meetings is required to be nominated to serve on the MCADV Board of Directors. Contact the MCADV office for more information.

CONTINUED FROM PAGE 1

IMPLICATIONS OF COURT RULING IN HOPE HOUSE CASE FOR MISSOURI DOMESTIC VIOLENCE SHELTERS' SERVICES

1. State law §455.220 RSMo. prohibits the release of subpoenaed records of services provided to an individual unless the individual whose records are sought agrees in writing to their release;
2. The language in the Court's opinion that addresses broader issues of confidentiality of communications by domestic violence shelter staff and volunteers, according to the majority of lawyers, judges and legal scholars consulted by MCADV, is "dicta" or non-binding opinions that do not set legal precedent. Content in the opinion beyond the Court's holding in the case is not to be interpreted as setting additional confidentiality requirements for domestic violence shelters' records and communications beyond those established in state law in §455.220 RSMo.; and
3. All staff and volunteers of domestic violence shelters must abide by the confidentiality requirements of state statutes which require that they must:
 - a. inform all individuals provided with services that their communications with shelter staff are confidential (§455.220.1(6) RSMo.); and
 - b. maintain the confidentiality of communications and records of all individuals who seek or obtain services from the shelter (§455.220.1(5) RSMo.).



Criteria Have Changed for Fair-Pay Regulations Through Fair Labor Standards (FLSA)

The deadline for employer's compliance with the new Fair Labor Standards (FLSA) Fair-Pay Regulations is August 23, 2004.

The criteria for classifying exempt and non-exempt employees have changed and the regulations have raised the salary threshold by which employees are generally offered overtime. Employees earning less than \$23,660 a year are entitled to, and automatically qualify for, overtime compensation.

For more information on how to be compliant with the new Fair-Pay Regulations, and to learn how to determine an employee's exempt or non-exempt status, go to the United States Department of Labor's Website at www.dol.gov. On the Website is information about the changes, as well as free on-line training seminars.