

Children



THE LEGACY OF MIRACLE HILL—

Events which led to the enactment of
the 1963 Oklahoma Child Care
Licensing Law



UNDER THE DHS UMBRELLA

OKLAHOMA DEPARTMENT OF HUMAN SERVICES

ACKNOWLEDGMENTS

First of all I must thank my father, John V. Allsup, who, at age 9, entered the Tipton Children's Home in southwestern Oklahoma in 1932. His expression of how he got there, the six years he lived there and how he left the home has had a profound effect on me. Together, he and my mother, Lela C. Allsup, provided the kind of loving and nurturing environment that instilled in me the commitment to make a difference in the lives of children. It is a blessing for me to have them as parents and to be able to count on them in good times and bad.

A number of people have made contributions to this project. They, too, are special to me and deserve a sincere thanks for their support.

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A special thank-you for my younger sister, Susan Diane Thomas, who challenged me to learn more.

—L. Francene Allsup, M.L.S.
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PREFACE

This is a condensed version of "The Legacy of Miracle Hill— Events which Led to the Enactment of the 1963 Oklahoma Child Care Licensing Act." Complete copies are available at the Oklahoma Department of Libraries, college and university libraries in Oklahoma or at the Employees Library of the Oklahoma Department of Human Services, P.O. Box 25352, Oklahoma City, OK 73125.

L. Francene Allsup is a Licensing Services district supervisor for the Oklahoma Department of Human Services. This 21-year public servant took three years of off-duty time, educational leave and vacation time to research the facts for this story as part of the work required to complete a master's degree in Liberal Studies from the University of Oklahoma. This material is being made available for public review because of the profound effect Miracle Hill has had on the way children are cared for in out-of-home placements in Oklahoma and across the nation.

Miracle Hill cannot be credited as the single event which caused the amendment of the 1953 licensing law; however, Miracle Hill served as a significant factor which moved committed child care professionals and concerned citizens to call for stronger legislation that would provide basic protections for dependent children.

HISTORICAL PERSPECTIVE

Beginnings

Child care licensing in America reflected society's efforts to provide some level of protection for dependent children placed in institutions which were operated by public funds. Licensing was seen as a means of preventing fraud and unkind treatment of children rather than as a constructive tool for helping organizations and agencies required to have a license to do a better job of caring for children. Public awareness of the abuse of funds and the poor quality of care stimulated a demand for regulation of subsidized facilities. There were public demands for standards of care, requirements for children's records, visitation and inspection authority. The response to these demands was more legislation, namely the passage of licensing laws. A national recognition of society's needs to safeguard the interests of the common person began to emerge.

Pennsylvania passed the first child care licensing law in 1885 which required licensing of 24-hour continuous care facilities. The facilities were large institutions which provided care for children of all ages in a dormitory-style environment. Demands for day care did not become an issue until the 1940s when the needs for services expanded because of the large numbers of women entering the work force during World War II. Beginning in the 1950s, the trend for providing care for dependent children was the use of foster homes, adoption and children's homes.

Miracle Hill was set apart in its philosophy of providing child care for dependent children. The progressive child care practice of the time, in the early 1960s, was to provide living arrangements for a small number of preschool and school-age children in cottages with their own set of houseparents. Infants and toddlers were placed in home environments with foster parents sponsored by the children's home. The goal of the children's home was to unite the children who were not orphans with their family and to provide support after the child was released. Adoption of orphaned children into families was the preferred alternative. Miracle Hill provided care for a large number of children ranging in age from infants to teen-agers in one large facility and the turnover rate for the untrained and unpaid staff was high. Court orders had to be issued to Miracle Hill for the return of several children to their awaiting parents.

OKLAHOMA SCENE IN THE EARLY 1960s

Day Care

No accurate count of existing day care facilities for children who needed care while their parents were employed outside the home was available. The Oklahoma Department of Public Welfare (now Human Services) surveyed 203 day care centers in 1963 for the purpose of locating existing centers, determining current practices, and preparing the number and location of additional centers that were needed to meet the then present and future community needs.

According to the survey of 203 centers, 182 were commercial and 21 were operated under voluntary sponsorship, such as churches, civic, and charitable organizations.

Child Care Licensing Law

Oklahoma's first attempt at a child care facilities licensing law occurred with the enactment of the 1953 Oklahoma Children's Agency Licensing Act, Title 10, Chapter 18. The Act represented an effort to establish a licensing authority in Oklahoma to protect three or more children placed for full-time care in any home, agency or institution. Unfortunately, omissions and exemptions in this law placed more facilities outside the jurisdiction of the law than in it. The result was the level of care that the children received depended entirely upon the individuals and the sponsoring organization. No minimum requirements were enforced by any state agency.

The 1953 Act exempted any facility which provided care for two or fewer children and specifically exempted the American Legion Home at Ponca City, the Sand Springs Home at Tulsa and any orphanage or home operated by any recognized church or fraternal organization. The Act did not include day care facilities. Lloyd E. Rader, Director of Public Welfare from 1951 through 1982, formally stated that there was some question whether more than one child care institution was subject to licensing under this law when it was enacted in 1953 (The Wewoka Times, 5-19-64).

Conditions were ripe for anyone regardless of adequate funding, staff qualifications, training, physical plant or equipment to open a children's home or day care facility for children. One such children's home did open in 1961 outside Wewoka, Miracle Hill. Rader told The Daily Oklahoman reporter that his department made no attempt to control the activities of Miracle Hill and had no authority under the 1953 law to do so (5-18-63).

MIRACLE HILL

The Man with a Mission

Robert Stanley was a man with a mission. He said God spoke to him in January 1961 at a Bible conference in Myrtle, Miss., with two other couples from his local church in Midwest City, Okla. “The Lord spoke to me... and from that moment, I knew what direction my ministry would take.” (Flowers, 1962, p.5) M.L. Flowers was the business manager for the monthly Christian magazine, The Defender. He interviewed Stanley and wrote a feature article on Miracle Hill for the magazine in June 1962.

Stanley has been described as being a big, energetic man with an athletic frame and a deep, resonant voice. Bill Pipkin, Seminole County Attorney, described Stanley as “the king of mesmerizers... you will want to reach in your pocket and give him money. Even when you know what’s happening, you’ll want to give him money.” (7-3-90).

The Dream

While the Stanleys were attending the Bible conference in Myrtle, Miss., Tom Kirk, the director of Miracle Hill, Greenville, S.C., a home and school for homeless children, brought 13 children to the conference to sing and give testimonies. Stanley told a newspaper reporter “It struck me right off that perhaps this was the kind of thing I ought to direct my life to.” (Montgomery, 1961) “I knew what I wanted—to preach God’s word and open a home for unwanted children. My only ambition is to save other youngsters from such an experience.” (The Daily Oklahoman, 5-23-64, p. 3) Stanley sold his insurance company to two officers in the company and founded Miracle Hill, Oklahoma, Inc., on April 24, 1961.

Goals

Stanley’s motto for Miracle Hill was “We’ll never turn a child away.” His goals were to take in any child who needed a home, to take care of him until he had a college education, and to make the whole operation self-supporting. First, he planned to provide spiritual love, and second, to provide food, clothing, housing, and schooling. “This is not an institution but a place to provide a home for the education, spiritual training and care of abandoned children.” (The Daily Oklahoman, 5-18-64)

Stanley also said he would not solicit funds for the Home's operations nor receive any state tax monies or food commodities. He planned to raise all finances through private donations.

A grade school was planned to operate at Miracle Hill which would meet the curriculum requirements of the Oklahoma State Department of Education. Eventually, Stanley planned to accommodate 500 children at Miracle Hill (The Seminole Producer, 3-3-61).

Locating a Site

Stanley searched for a location that would accommodate 500 children with sufficient land to raise cattle, chickens and crops. He found what he considered an adequate location seven miles north of Wewoka, Okla. It was the abandoned Butner High School which had consolidated with the Cromwell school system in 1960.

The property consisted of 10 acres, a classroom building, a fairly new gymnasium built in 1956, a five-room house and a two-story building which previously served as a bus garage with four apartments on the second floor. A private water and sewer plant was also included.

Actualizing the Dream for Stanley

The first occupants of Miracle Hill Home in May 1961 were five children from the Greenville, S.C., Miracle Hill. After four weeks of operation, Stanley had a staff of 12 adults and 24 children, not counting nine children who belonged to the staff. The children ranged in ages from 11 months to 20 years of age. The orphanage was home to approximately 245 children between 1961-64.

The beginning staff included Stanley and his wife, a married couple from their church in Midwest City, a former insurance man and his wife who worked with Stanley in the insurance business, a Norman woman who volunteered to do the cooking for the summer, and a couple from Durant. Stanley planned to pay his staff a weekly salary of \$10 for a single man, \$15 for a married man, and \$20 for a married man with children plus free room and board for all. The cash consideration was conditional only if the Lord provided (Montgomery, 1961). There are no documents, published interviews, or any evidence that indicates the beginning staff was ever paid. Stanley reported in a 1964 interview that none of the staff received a salary (The Daily Oklahoman, 5-21-64).

How Miracle Hill Acquired Children

Eligibility for entrance at Miracle Hill was not restricted by geographical boundaries. Children came from Oklahoma and eight or

nine different states and included children from broken homes where they were unwanted by the custodial parent or the family simply could not afford or were unable to provide for the child. Children were referred by churches and the court system; some children were orphans, or had been abandoned. Twenty-two teen-agers had been in trouble with the law and were sent to Miracle Hill by the courts (The Daily Oklahoman, 5-20-64).

Finances, Donations and Fund Raising

Miracle Hill depended almost entirely on donations to exist, and Stanley declined any state or federal assistance. He was bitterly opposed to what he called the welfare state, insisting that accepting money or food commodities from the government was one of the greatest sins confronting America (The Daily Oklahoman, 5-21-64). Stanley said he was able to operate the Home on faith in God and voluntary donations. During the first year of operation, Stanley estimated that Miracle Hill received more than \$60,000 in cash donations.

The Miracle Hill children's choir helped to raise cash donations and traveled to churches throughout Oklahoma and surrounding states. The choir members ranged in ages from 2 to 16 years and were directed by Mrs. Stanley, who was talented in music and singing. Approximately 14 to 40 children served in the choir and traveled over 80,000 miles in 28 months. They appeared in more than 350 churches and traveled in a bus which was donated to Miracle Hill. One particular church donated \$518 from the offering after the choir presented a program to the church congregation (The Daily Oklahoman, 5-21-64).

The Reality for the Children at Miracle Hill

Stanley's dream to provide 500 dependent children with spiritual love, food, clothing, shelter and schooling in a children's home that would be self-supporting never came true for the children entrusted to his care. The children living at Miracle Hill were exposed to living conditions which were hazardous and unsanitary. Even the food was inadequate and nutritionally unbalanced. The school that the children attended at Miracle Hill was substandard. The children were disciplined harshly and suffered beatings from the staff. Children were left to care for themselves because the home was inadequately staffed and untrained. No planned program was available with the exception of a daily chapel time scheduled every evening. The children received inadequate medical care and attention.

Catharine Collum, a Department of Public Welfare Child Welfare supervisor from Pottawatomie County, made the visit to Miracle Hill on Aug. 9, 1961, for the purpose of evaluating the home for a possible resource for the agency to place dependent children under DPW jurisdiction. The report described the facility and included an evaluation of the services offered to children. As the supervisor's report of Aug. 14, 1961 indicates, Miracle Hill's problems started at the very beginning:

It appeared to me to be absolutely rock bottom as far as supervision, housemothers, warmth, guidance, etc., is concerned... I asked Lloyd Claytor how he felt they could continue to accept children without getting their plant facilities fixed up better and he stated they anticipate having 200 children in the next few months and that they were not concerned with the inadequacy of the plant. He also stated, "God will take care of it" and that the more children they get the more contributions they receive and everything is going to work out fine (Oklahoma Department of Human Services, Licensing Services Unit, Miracle Hill file).

Jean Meals, former child resident, stated, "There were lots of repairs needed, I don't know why they just didn't fix the place up before they got kids." (2-26-91) Meals lived at Miracle Hill from September 1961 until it closed in 1964.

Stanley's dream to operate and direct a children's home was realized for him in May 1961, only four months after the Lord spoke to him at the Bible conference in Myrtle, Miss. The reality for the children, however, resulted in their mistreatment and exploitation, all to earn contributions of at least \$160,000 in the three years of operation.

Physical Plant

Miracle Hill occupied five buildings left over from the Butner school. They included a classroom building, a gymnasium, a workshop, a five-room house, and a two-story structure that had served as a bus garage for the Butner school and had four apartments on the second story.

The buildings had been abandoned for one year by 1961 and were in a state of disrepair. Twenty-nine windows were broken out and some were stuffed with pieces of clothing or covered with parts of sheets. A wall in the boys' dormitory had a big, gaping hole which was large enough for a normal person to walk through. Stained, broken ceiling boards sagged above a makeshift shower in the boys'

bathroom. The school classroom ceiling sagged in one corner, and the walls had cracks. Religious scriptures, such as "Jesus Saves Sinners" and "Prepare to Meet Thy God" dominated the doors and walls of most buildings at Miracle Hill.

Discipline

Children at Miracle Hill were severely disciplined and mistreated. The Department of Public Welfare Miracle Hill file contains a report from a supervisor of the agency's Special Investigating Unit. The agency had received a handwritten complaint on a post card on April 9, 1963, alleging that children at Miracle Hill were mistreated, not fed properly, whipped for every little act, and were very selfishly misused. The complainant specifically named Lizzie as the child who had been severely beaten by Stanley.

The DPW investigator visited the child's home and found that Lizzie had indeed been severely beaten with a belt and said it was because Stanley thought she had told a lie. She had bruised spots from her hips to her ankles. Her younger brother told the investigator he knew of young children getting 50 licks. The children were made to lean against a wall in uncomfortable positions with their hands, which had weights put on them, held against the wall. The younger brother was also punished by being kept up as late as 3 a.m.

A former employee of Miracle Hill reported that Lizzie had been whipped until blood came from her back and that she was striped with welts. The employee told Lizzie to show the marks on her back to her mother when she came to visit. When the mother came to visit, she saw the bruises and immediately loaded her three children into her car. A staff member told the mother she could not take the children from the school. The mother threatened to call the sheriff if they interfered with her taking the children home.

One mother who regained custody of her children, ages 10, 8, 6 and 4, from Miracle Hill told The Daily Oklahoman:

"They had all been whipped several times, except the oldest girl. The older boy was whipped for chasing a duck. Some of the kids got whipped for playing in sand boxes. The boys seemed disturbed and extremely scared. They said kids got 25 licks for wetting the bed and older kids got 50 (5-25-64)."

Staff

The number of staff at Miracle Hill was inadequate after the expansion of population resulting from an Oklahoma's Orbit feature article

in July 1961. The staff was also untrained and had no experience in providing child care to groups of children.

A former teacher at Miracle Hill told The Daily Oklahoman reporters that at one time 37 families were living at Miracle Hill. Some were listed as helpers or members of the staff. An Okemah physician who volunteered medical attention to the children at Miracle Hill told the reporters that many adults used Miracle Hill as a place to hang their hats without paying for their stay.

Miracle Hill had 12 staff in 1961, 10 staff in 1963, and five staff in 1964—one of whom in 1964 was 17 years old. The school teachers hired by the Butner School District in 1963 were the only paid staff at Miracle Hill.

Program

Frank Garner, reporter and photographer for The Daily Oklahoman, indicated that the whole facility was very chaotic, no one seemed to know what was going on and no one was in charge during his visits to Miracle Hill while writing the 10-part series in 1964, "A Crisis at Miracle Hill" (10-23-89). The children aimlessly roamed the facility, the older children caring for the younger children. The only scheduled activity was chapel service which was held every day and usually conducted by Stanley.

Health Care and Sanitation

Miracle Hill had no infirmary or regular visitations by professional medical or dental personnel during the three years of operation. A physician in Okemah, approximately 13 miles northwest of Cromwell, and a physician in Wewoka volunteered their services to the children at Miracle Hill. Children were taken when necessary to the physician in Okemah or Wewoka, a dentist in Seminole, and an Oklahoma City optometrist. When children needed medication, the physician prescribed it over the telephone. In May 1964, The Daily Oklahoman reporters found the telephone out of service for lack of payment on the telephone bill since Jan. 1, 1964. The reporters found eight children ill with the three-day measles. These children were sent to their rooms to go to bed, but within their rooms there were as many as 10 other children.

A mother whose children were in Miracle Hill for only one and a half months in April 1963 told about her daughter's bout with chicken pox and the general conditions:

My 6-year-old girl had chicken pox and she and two others with chicken pox were locked up in a room. The

lights were turned out and it was dark. They were fed once a day, at night. They had milk once, ice water once, and one time were not fed at all. The 4-year-old girl had sores on her from her ankles to her knees. They had not been treated. My children were there a month and a half and they had no shampoos and said they had no baths. We couldn't get their clothes clean later and had to throw most of them away. The boys said they wore their shorts two weeks (The Daily Oklahoman, 5-25-64).

Jean Meals, former child resident of Miracle Hill, remembers that there was an outbreak of hepatitis in the boys' dormitory because of poor plumbing and sewage problems. All the children received immune gamma globulin shots from the health department (1-31-91). Meals does not recall the exact year this happened but believes it may have been 1963.

A health department inspection of Miracle Hill on Dec. 21, 1962, was made at the request of Seminole superior court Judge Bob Aubrey. The State Health Department has long since destroyed such early records; however, The Daily Oklahoman published excerpts from the inspection as part of its series on Miracle Hill:

The report [health inspection] stated in part that the food storage room was not clean, the dining area was dirty, the girls' toilet was in bad condition, the boys' toilet was in bad condition, the classroom stove was not vented, the desks were the wrong sizes and the floor was dirty, the girls' dorm was overcrowded and the bed linens dirty, the boys' dorm in the gym was used for storage of equipment and debris, and the boys' stove was unvented and the bed-sheets dirty. No follow-up inspection was made by the health department. (5-24-64)

A Citizen's Action—The Demise

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it is the only thing that ever has.

—Margaret Mead

County Attorney Bill Pipkin believed that because Stanley accepted court-referred juvenile delinquents, this was the beginning of the end for Miracle Hill:

B. Pipkin: Where Stanley made his first mistake was when he started taking in these hardened criminals. These kids

stole from the neighbors, and they started raising hell with the sheriff. The community was getting real upset. The locals thought this type of juvenile would be an endless pipeline into Miracle Hill. (7-03-90)

One particular neighbor became so upset with Stanley and two juveniles from Miracle Hill that he enlisted the assistance of the county attorney by filing an affidavit against the Home which resulted in a lengthy court battle that lasted for six months, attracted attention and negative publicity for the Home, instigated an inspection from the Commission of Charities and Corrections and threatened DPW's position of not enforcing the 1953 law. The action taken by C.T. Roberts and its subsequent reactions began the demise of Miracle Hill.

On Jan. 13, 1962, two teen-age boys, ages 15 and 13, stole a pickup from a farmer, C. T. Roberts, who lived near Miracle Hill. The boys did not get far until they crashed it into a ditch. The \$2,000 pickup was found lying on its side with a damaged front fender, a damaged side and a front headlight knocked out.

C. T. Roberts tried to force Miracle Hill to pay for the \$500 damages to his pickup, but Stanley felt that he was not legally liable. Roberts enlisted the aid of County Attorney Bill Pipkin when Stanley would not pay for the damages to his pickup. Roberts filed a complaint with Pipkin alleging that the children at Miracle Hill were not properly supervised and were not receiving a proper education.

Pipkin wrote a letter to Stanley on Aug. 20, 1962, informing him that Miracle Hill must be licensed as required in the 1953 Oklahoma Children's Agency Licensing Act. Pipkin notified Stanley he had 10 days to make application with DPW to secure the necessary license to lawfully operate the children's home and failure to comply would necessitate formal legal action by the county attorney's office. Upon conviction, the criminal offense carried a possible fine of \$500 and imprisonment in the county jail.

County Attorney Bill Pipkin approached the Seminole County DPW administrator to devise a plan to either improve conditions at Miracle Hill or close the facility by authority of the 1953 law.

"I visited with Mrs. Hankins [Seminole County DPW administrator] and told her that I had a problem with Miracle Hill and that the locals, farmers, and sheriff wanted me to do something about it. Mrs. Hankins said she also had complaints and they couldn't solve the problem through the juvenile system. Churches in the community would bring food and clothing and then they saw it wasted and the atmosphere was not wholesome for children. So she and I

THE DEFENDER

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MAY-JUNE 1962



Aerial view of Miracle Hill
Home for Children. Read
exciting story inside.

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The Daily Oklahoman.



Miracle Hill Orphanage



Kitchen pantry



Food storage area



Gymnasium converted into boys' dormitory.



Boys' restroom



Outdoor play area

collaborated to design a plan to either improve conditions at Miracle Hill or get rid of the place.” (7-3-90)

The plan between the Seminole County administrator and Pipkin was “when and if Stanley applied for a license, Mrs. Hankins would recommend that Stanley get the state fire marshall, an electrician, and plumber to inspect the facility. She would recommend nutrition counseling and a feeding schedule. I wanted Mrs. Hankins to develop restraints for an orphanage and she agreed to do this.” (7-3-90).

Stanley retaliated by filing a law suit against Pipkin and Roberts for damaging and slanderous statements and asked the court to decree that Miracle Hill was not required to be licensed. The petition also charged that the 1953 licensing law was unconstitutional. The court battle exposed a controversy about what state agency had jurisdiction over Miracle Hill. The controversy exposed the inadequacy of the State of Oklahoma to properly oversee and protect its dependent children and exposed the inadequacy of the 1953 State Licensing Act. The court battle was never settled because Stanley dropped the case and incorporated Miracle Hill as a church to come under the religious exemption allowed for in the 1953 law.

Complaints from Concerned Citizens

The DPW file on Miracle Hill contained 15 complaints against the home, most of them anonymous, alleging children were mistreated, not fed properly, lacked proper adult supervision and were exposed to improper sanitary conditions and lacked adequate medical care. The following complaint was received by DPW on April 29, 1964:

Mr. Raider [sic]

It is heartbreaking to go to Miracle Hill and see the eight and nine years old girls having to take the breechcloths off of the infants and then get whipped by there [sic] house mother for not putten the diapers where they belong. Looks like the house mother should take care of the babies at night and not the little girls.

Brother Stanley is letting Brother Bill Branham have the older boys to hold some of the boys while he thrashes them. Brother Bill Branham has been intoxicated to [sic].

Never thought Brother Stanley would let such as this go. There [sic] food aint [sic] good either. (DHS Licensing Service Unit, Miracle Hill file)

One complaint even went to President Lyndon B. Johnson and included a newspaper article from The Daily Oklahoma:

Our Dear Mr. President,
Please forgive me for bothering you with this—as I know how terribly busy you must be but isn't there something that can be done for these 72 little ones? Please.

Thank you,
Mrs. ———, a mother
Oklahoma City, Okla.

Community Perception of Miracle Hill

Personal interviews were conducted with two neighbors of Miracle Hill, two physicians in the area, and two bankers in Wewoka. Their general consensus was that Stanley operated a home for throw-away children—children whose parents or relatives did not want them—and provided these children with a place that was better than where they came from.

One of the community doctors felt that Lloyd Rader wanted Miracle Hill closed so DPW could get all the children, and thus increase the department's budget. The doctor stated, "It was tragic that it was closed down. The power of the government was too hard to fight." (7-23-90).

Former Child Resident's Perception of Miracle Hill

Jean Meals, former child resident of Miracle Hill, is now 42 years old, living in a neighboring state, and works the 3-11 p.m. shift as a nurse in a hospital. Her recollection of Miracle Hill was that the home provided her with an adequate home when she and her seven siblings needed one:

They [Miracle Hill] treated us pretty good, it wasn't rosie by any stretch of the imagination, but it was home to me...I hated to see it close. It was a Godsend to me because I had no where else to go. (1-31-91)

Jean Meals was 13 years old when she came to Miracle Hill in September 1961, and she lived there until its closure in June 1964. She and her siblings were all adopted by a Cromwell couple who had earlier tried to adopt three other children, but the adoption was interrupted when a court order forced the return of the children to the mother.

“A Crisis at Miracle Hill,” The Daily Oklahoman 10-Part Series.

Beginning May 17, 1964, The Daily Oklahoman published 10 consecutive articles about the conditions at Miracle Hill. The negative publicity caused a loss of contributions which eventually closed the facility. Jean Stanley told newspaper reporters, “Shortly after the stories appeared, the contributions began dwindling and last week the home received its lowest amount ever—less than \$25.” (The Daily Oklahoman, 6-24-64) Stanley blamed the newspaper for destroying the confidence of the people whose contributions supported the home and charged that The Daily Oklahoman had printed only half-truths and complete lies. Stanley said, “All negative and no positive remarks appeared on the front page of The Sunday Oklahoman on May 17, 1964, and for the next nine days.” (The Daily Oklahoman (6-24-64). Miracle Hill closed on June 22, 1964, just eight days before the amended licensing law would have taken effect.

LEGISLATION

Federal Assistance

President John F. Kennedy urged the 87th Congress to pass a federal assistance program that would help preserve and rehabilitate the American family. The program became known as Public Law 87-543 (1962) and amended the Social Security Act. The 87th Congress passed the public law on July 25, 1962, and it was made retroactive to July 1, 1962.

A provision of the Act required licensing or approval of all day care facilities that received any federal funds. The public law amendment greatly increased the business of all licensing agencies (Class, University of Oklahoma 1968).

Day Care

Section 102C of Public Law 87-543 addressed day care and instructed states who wished to participate in the federal assistance program and receive federal monies to develop their own state plan for day care services. The plan required that day care facilities, including private homes, be licensed or approved by the state agency responsible for licensing facilities and that the state must have standards. The public law defined the criteria for day care as “the care and protection of children whose parents are, for part of the day, working or seeking work, or otherwise absent from home or unable for other reasons to provide parental supervision...” (Public Law 87-543, 1962)

Key Players

Members of the Oklahoma Association of Children's Institutions and Agencies [OACIA] played a major role in the enactment of the Oklahoma Child Care Facilities Licensing Act passed by the Legislature and signed by Gov. Henry Bellmon on May 23, 1963. OACIA organized on Jan. 22, 1959.

The OACIA contacted DPW Director Lloyd E. Rader concerning the amendments of the 1962 Federal Social Security Act. They were interested in having input into a new licensing law which would include amendments that the group supported—specifically, a law which would eliminate the exemptions contained in the 1953 Act.

Milton Singleton, director of the Tulsa Boys' Home, was elected the first president of OACIA on April 26, 1961. The meeting notes reflect that the organization discussed the probability of the state setting up licensing standards for children's institutions in April 1961. Singleton recommended that the group make a study and set up standards that the institutions could accept and abide (OACIA Meeting Minutes, 4-26-61).

Singleton was described by Truman Maxey, executive director of the Baptist Child Care Department in Oklahoma City, as being "the yeast" for OACIA's movement toward licensing and standards. Maxey said that Singleton had standard books and laws from other states for the group to work with. Maxey responded to OACIA's support of a licensing law by saying:

We saw facilities which weren't up to snuff, and we knew that other states were getting licensing laws and also standards had been written at a federal level; so we just thought it was a matter of time before outsiders came in and told us this was the law, and these are the standards. We thought if we [Oklahoma] had our own law and had already set up standards that we could live with, then we [OACIA] would have a say-so.(8-30-89)

Members of the licensing and standards committee appointed by OACIA in April 1961 were invited by Rader to attend a meeting on Sept. 12, 1962, for the purpose of discussing the Social Security amendments and the amendments requested by OACIA. A total of six meetings were held from September 1962 to March 1963. The meetings were held in a conference room located in the Sequoyah Building, and the task was to draft a licensing bill, appoint an advisory committee and to develop minimum standards for child care institutions. Rader exercised the DPW authority under the 1953 law

to appoint an advisory committee and develop standards. Rader's plan to gain support of the people whom the new licensing law would affect was to ease their fears of regulation by developing standards first and having the people in the field of child care write the standards. The team approach was revealed in the Child Care Advisory Committee Meeting of 11-16-62. Rader reported:

We have the 1953 law. We can set up standards. There might not be a soul come under them by virtue of exemptions, but by statute, the [Welfare] Commission could adopt them. They wouldn't have any force and effect against anybody that was exempt under the present statute. When the Legislature convenes and you come before the Legislature, you say the Welfare Department does have standards of licensing which have been recommended by representatives of various groups and you are presently exempt but you would like to come under the licensing act. In all legislation, that is what they want to know. Is everybody agreed? I am not out fighting for a licensing act now, unless it is thought by the majority of the people in the business of caring for kids in Oklahoma that it is needed." (11-16-62)

Rader informed the OACIA licensing and standards committee on the first meeting, Sept. 12, 1962, that in order to get a good licensing law passed, the support of those whom the law affected would be necessary. The Child Care Advisory Committee Meeting minutes reflect Rader's plea for a team approach:

Rader:

We [ODPW] are going to depend upon you [OACIA] to help set up good standards and carry them out—if you would be willing to work with us and come under a licensing law, we could get the law easily.

Singleton:

If we got together as an organization and made a decision on this and gave you some of our ideas to work in your law, would you in turn be willing to let us see the law before you try to get it through the Legislature?

Rader:

I would go further than that. I would want us to present it together... We want a team approach. (9-12-62)

The OACIA licensing and standards committee included Truman Maxey, executive director of Baptist Children's Home; A.A. Isenbart, director of Oklahoma City Associated Catholic Charities;

Charles Boldin, director of Baptist Boys' Ranch Town; Robert Caldwell, director of Tulsa Associated Catholic Charities; C.V. Townsend, superintendent of Masonic Home for Children; Virgil Alexander, superintendent of Oklahoma Methodist Home; and James Gabbie, superintendent of Goodland Presbyterian Children's Home. The OACIA's general consensus was that standards for child care should be implemented and a licensing law that included everybody would benefit the children of Oklahoma. Charles Boldin's statement during the meeting summarized the groups' feelings:

I think the people I have run across are ready for this [licensing]. A lot of them have expressed the same idea. They think it is a necessity in order to continue with quality work being done with children. If something isn't done, somebody will have an institution of inferior quality and damage will be done to children. (9-12-62)

The Miracle Hill home was brought up as an example of a poorly run home because of the lack of adequate funding and finances. Singleton stated that "if institutions are underfinanced, it doesn't only hurt children, but hurts other institutions that are properly financed and are trying to do a good job." (10-17-62) The meeting minutes revealed Singleton's concern about Miracle Hill:

One of the things that brought about some action at this time was the fact that a newly formed institution in Oklahoma [Miracle Hill] was doing just the thing that I expressed [underfinanced]. I had hoped their representative would be here. We have nothing to say he shouldn't hear. A well-meaning individual who wanted to do something for children decided the way to do it was to start a children's institution. He used his own money; you can't criticize a man for that. His idea was to get a place to have a home, get some food coming in, get some people to volunteer their services to do the cooking and supervise the children; then he went out over the state and gathered in the children. Any of us who have had any experience in caring for children in any way would know we would end up with quite a problem, which has happened in this case. The other thing was he knew there was a licensing law, and it had been presented to him; he knew religious institutions had been excluded, so he immediately set up his organization based on the fact that it was a religious type of organization. If he is able to make this stick, and he might be able to do this, then there are no requirements and he can carry on as he sees fit. But, every time something

comes up on this and it is in the papers, it gives any institution in the state a black eye and instead of encouraging people to support institutions, it discourages it. We all have something at stake in trying to get something done about this situation. (10-17-62)

Truman Maxey spoke in support of all dependent children needing protection of the law and criticized DPW for not enforcing the 1953 law on facilities which were not exempt from the law:

Children belong to society and not to me. When I was younger, I thought they belonged to me. You and I know that society and law are responsible for them... The licensing law that was adopted was quite general, excluded a large number; and therefore, the department did not follow through. I personally think they could have followed through up to a point. I feel the law should have been implemented, but it was not. We just let it stand. I feel those of us who have been exempted ought not to be exempted any longer. (10-17-62)

Maxey recommended that all members of OACIA be invited to suggest minimum standards:

I think our organization would like to know they are not going to have five people, hand picked, that are going to throw some standards at them. I think they should feel we are going to set up what we think are good standards to work by and ask those appointed to implement them as it fits in with the other organizations. We want everybody to help us work on this. It may call for extra meetings, but if it amounts to anything, it would have to be done that way; we will have less backup in licensing, and problems in getting it started because everybody will be sold on it. Then when they send somebody out to our institutions, this will be something we agreed upon, and not something pushed down our throats (11-16-62).

Clem Stephenson, attorney for Miracle Hill, was very vocal about the proposed law being unconstitutional, prohibitive and even communistic:

The licensing law proposed here...is an attempt on the part of the State Welfare Departments...possibly in this state, to get control of all children that are neglected or dependent in those states, and later through the back door, to what exists in Communist countries today who believe it is the duty of the State to provide all welfare facilities. (2-15-63)

Rader responded to objections by assuring the group that the contents of the licensing bill and standards would be of their choosing:

The licensing bill is going to be introduced by certain members of the Legislature, not by the Department of Public Welfare. The only objective the department has is that when the amendments are submitted to the Legislature they be in such a language that it would be workable... I want it distinctly understood that we are not trying to force a licensing bill down the throats of anybody. If this state wants to participate in federal money from day care, there will have to be a licensing law. (2-15-63)

The proposed licensing law approved by the committee and members of OACIA contained no exemptions: "No child care facility may be operated or maintained unless licensed by the Department..." (Child Care Advisory Meeting, 3-4-63)

The proposed law was presented to the Social Welfare Committee of the Legislature on March 5, 1963. Singleton sent a copy of the law along with a letter to each OACIA member soliciting support.

Legislative Action

The 29th Oklahoma Legislature convened on Jan. 8, 1963. The amended licensing law was co-authored by Sen. Bob A. Trent from Atoka and Coal counties, Sen. Allen G. Nichols from Pontotoc and Seminole counties, and Sen. J. H. Belvin from Bryan and Choctaw counties. Sen. Trent was the chairman of the social welfare committee, and Rader approached Trent about authorizing the amended bill. Sen. Trent agreed to author the bill because, "As chairman, I thought that all these homes should be licensed." (2-21-91) Sen. Trent stated that Rader drafted the amended bill, and to his knowledge, the bill was not directed at any one facility:

The law was not designed to single out anyone. I never knew him [Rader] to plot against people. He would work for programs to help people. He never told me it was because of Miracle Hill and if he had told me that, it's something I wouldn't have kept hid. (2-21-91)

Records do not indicate evolution of the bill through the state Senate, but individuals interviewed indicated that it was the Masons and the American Legion who lobbied diligently against the amended law. The Senate social welfare committee amended the draft by exempting all existing child care facilities: "No child care facility may be operated or maintained after June 30, 1964, unless licensed by the Department..." (Oklahoma State Department of Libraries State Archives, 1963, SB168)

The House of Representatives read the Senate bill on April 29, 1963. The co-authors were Wiley Sparkman from Delaware County, Herman Baumert from Coal County, Stona Fitch from Hughes County, Bill Harper from Adair County, John McCune from Tulsa County, Martin Odom from McIntosh County, Garfield Settles from McCurtain County and Tom Tate from Osage County.

The House passed an amendment which provided for an exemption from the law to institutions furnishing full-time care for children for 10 years prior to the effective date of the law. The exempt institutions were required to make written notification to DPW to be exempt from the provisions of the law if it was not receiving any state or federal funds. Any institution being operated by a war veterans' organization on the effective date of the law was also exempt from the provisions of the law regardless of whether it was receiving state or federal funds.

The bill also stated that no child care facility could be operated after June 30, 1964, unless licensed by DPW. The provision gave existing institutions approximately one year to apply for a license and prepare to meet the minimum standards developed by the OACIA licensing and standards committee. The minimum standards were made available to all legislators and existing institutions after March 19, 1963, when they were approved by the Oklahoma Public Welfare Commission. The strategy was to alleviate the fears of regulation to those operating institutions so that the licensing bill could pass.

The bill, with House amendments, was returned to the Senate on May 15, 1963. An angry debate between Sen. Trent and Sen. John Rogers from Oklahoma City occurred on the floor of the Senate regarding the licensing law being aimed specifically at Miracle Hill. Sen. Rogers stated, "This bill is cleverly disguised to put one religious home near Wewoka out of business." (The Daily Oklahoman, 5-17-63)

The Senate passed the bill with House amendments by a vote of 35 to 1. The amended licensing bill went to Governor Bellmon on May 22, 1963. Governor Bellmon signed the Oklahoma Child Care Facilities Act on May 23, 1963.

Implementation

The 1963 licensing law gave existing facilities, institutions and day care, until June 30, 1964, to file an application with DPW and meet minimum standards. DPW records reflect that Milton Singleton of the

Tulsa Boys' Home submitted the first application for a child care institution on March 25, 1963.

The law made provisions for full-time child care institutions which were in operation before 1953 and received no federal or state monies to apply for an exemption to the law. The law contained no exemptions for day care which was considered part-time care for unrelated children whose parents worked during the day. The law specifically exempted any war veteran's organization, namely the American Legion Home in Ponca City. Six additional institutions applied for the exemption: Turley Children's Home in Tulsa, the I.O.A. Ranch in Perkins, the Masonic Children's Home in Guthrie, the Sand Springs Home in Tulsa, the Wesleyan Youth Foundation in Oklahoma City and the Tipton Home in Tipton.

To date, three of the original exempt facilities have become licensed: the American Legion Home, Turley Children's Home and the I.O.A. Ranch, renamed Oklahoma Lions Boys' Ranch. Two of the exempt institutions are now closed: the Masonic Home and the Wesleyan Youth Foundation. The two remaining exempt institutions are still in operation and exempt from the provisions of the 1963 licensing law: the Sand Springs Home and the Tipton Home.

Miracle Hill closed just eight days before the amended licensing law required them to meet all minimum standards and obtain a State license. The Miracle Hill story illustrates the delicate balance among private enterprise, public support, and state regulation which brought about an acceptable level of protection for Oklahoma's dependent children. The efforts which led to the enactment of the law instill a sense of pride and purpose among those who work on behalf of Oklahoma's children. Miracle Hill's legacy perpetuates the fulfillment of an obligation to protect children who are in care away from their own homes.



Child care: look for the license.



*You Can Count
On Us!*

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