

# MAINE STATE LEGISLATURE

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# Baxter Compensation Authority

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## **Baxter Compensation Authority Annual Report**

Respectfully Submitted to:

The Governor  
The Attorney General  
The Judiciary Committee

On

January 15<sup>th</sup>, 2004

By

John Paterson (Chair)  
Baxter Compensation Authority  
Board of Directors

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## **Executive Summary**

In July of 1982, Attorney General James Tierney issued a report concerning allegations of abuse of students at the Governor Baxter School for the Deaf (GBSD) to Governor Brennan. In his cover letter to the Governor (see attachment A), the Attorney General made reference to the Department of Educational and Cultural Services failure to conduct an investigation of alleged wrongdoing at the Baxter School. This failure occurred even though the Department had sufficient information to initiate an investigation in 1976. As Attorney General Tierney states, the delay of the investigation “absolutely bars prosecution for most of the incidents outlined in this report because of the expiration of the statute of limitations”. This investigation by the AG’s office did lead to the termination of employment for the Superintendent, the Principal, and a teacher at the school. The students and their families, however, had no legal recourse at that time to address the trauma of the abuse they had experienced.

In 1998, a group of former students of the Governor Baxter School for the Deaf met to share information about their experiences at the school, how they have persevered since leaving the school, and lend support to one another. This group became known as “Safer Place”. Efforts to encourage the state to acknowledge its past responsibility for not protecting the students at GBSD was a common theme for the members of Safer Place. Legal advice was secured as to what options former students may have to bring suit against the state. The only recourse offered was for a bill to be introduced to the Legislature which would provide relief from the statute of limitations on behalf of the former students of GBSD. This bill LD 1690 “Resolve, to Extend the Statute of Limitations for Victims of Abuse at the Governor Baxter School for the Deaf” was considered by the Judiciary Committee of the 119<sup>th</sup> Legislature. Recognizing the complexities of such an action, the Committee offered in its place L.D. 1620 “Resolve, to Establish the Committee to Develop a Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf and to Continue Oversight of Multi-Agency Cooperation”. The Judiciary Committee also instructed the Departments of Human Services, Education, Labor, and Behavioral and Developmental Services to coordinate efforts to ensure the following:

- Counseling be provided to any former student of the Governor Baxter School for the Deaf at no cost.
- Investigations of future reports of abuse at the school are coordinated through the Department of Human Services.
- Training related to issues of Deaf Culture are provided to Department of Human Services employees.
- Training is provided to students and employees of the Governor Baxter School for the Deaf on the recognition of abuse, and how to properly report instances of abuse.

In July of 2001, Public Law 439 authorizing the Baxter Compensation Authority, took effect. This authority was established to administer the Baxter Compensation Program whose purpose is:

- “To provide compensation to former students who suffered abuse by a state employee or as a result of state action or inaction by a state employee at either the Maine School for the Deaf or the Governor Baxter School for the Deaf”;
- “To assist in the victims’ healing process by admitting the State’s responsibility for not protecting students from abuse by a state employee or as a result of state action or inaction while the victims were attending the Maine School for the Deaf or the Governor Baxter School for the Deaf;” and
- “To apologize to the students who were abused and to their families”.

In December of 2001, five Board members were appointed by the Governor and confirmed by the Legislature. John Paterson was appointed chair of the Board at the first Board meeting. During the time between January and March, the Board established criteria for the Board meeting schedule, and essential services to ensure full public access to the proceedings of the meetings and Board activities. The question of what agency would provide accounting, payroll, and bill paying support was addressed through the offer of the Department of Administrative and Financial Services (DAFS) to provide those services. It was through this structure that BCA was able to benefit from the state infrastructure and still maintain its independence.

A national search for a Program Director was initiated in February of 2002 with the assistance of Management Intervention Services. Interviews were held in March and the Board selected John Shattuck as the Program Director. The Board is indebted to Jonathan Connick, Executive Director for the Maine Center on Deafness, for his participation in the selection process.

Office space was obtained at 69 Sewall Street in Augusta. Staff moved into their new space July 1, 2002. On that day, Mary Goodheart began her responsibilities as the BCA's Administrative Assistant. The office was fully operational with telephones, computers, and necessary furnishings by July 15<sup>th</sup>.

A national search for Claims Consultants was initiated in August. People involved in the search included representation from the BCA Board, professionals in Deaf services and Safer Place (support group for survivors of abuse at Governor Baxter School for the Deaf). Interviews for the Claims Consultants were held in September. Two Claims Consultants were selected by the Program Director: Jason Nichols and Echo Smith. Jason and Echo began work for BCA on October 7<sup>th</sup>. After an orientation of two weeks, both consultants began meeting with prospective claimants. In April of 2003, Jason Nichols resigned his position as claims consultant. He was replaced that same month by Michael Germano.

During this initial phase of development for the BCA, policies and procedures were written by the Program Director and reviewed and voted on by the Board of Directors. These documents have become the mechanism and decision making guide posts in administering the Baxter Compensation program. Although the BCA is not required to proceed under the Maine Administrative Procedure Act, all policies and procedures were reviewed during public BCA board meetings. Comments and questions related to policies and procedures were entertained at that venue.

In September, the board solicited and received resumes from people who were interested in serving on the three person BCA Compensation Panel. From the initial group of resumes, the board selected David Norman, Meg London, and Michael Finneran. After receiving training on issues related to Deaf culture, physical and sexual abuse and its effects, and basic legal

principles, the Compensation Panel began reviewing and adjudicating claims in March of 2003.

## **Board of Directors**

In the Fall of 2001, Governor King nominated 5 people to sit on the BCA Board. All nominations were confirmed by the Legislature by December of 2001. Collectively, these people have knowledge and experience in Deaf culture, abuse and its effects, the legal system, and redress and compensation principles.

**John Paterson (Chair)** is a shareholder in the firm of Bernstein, Shur, Sawyer and Nelson in Portland. His principle areas of practice include civil litigation and administrative practice. While he has a broad ranging trial practice, he has particular interest in business litigation, antitrust, media and First Amendment law, securities litigation and health law. Before joining Bernstein Shur, he was in the Maine Attorney General's office from 1969-1981. In that office, he served both as Chief of the Environmental Protection Division and later as Deputy AG in charge of civil litigation. John has served in a number of civic activities including: as a member of the Freeport School Committee, the Freeport Town Council, President of the Board of the Chocolate Church Arts Center, the Board of the Tedford Shelter, and currently the Board of PCA Great Performances. He is also chair of the Professional Ethics Commission of the Board of Overseers of the Bar.

**Lois Galgay Reckitt** is the Executive Director of Family Crisis Services-the comprehensive domestic violence services programs in two Maine counties, including the City of Portland. She was also a founder of the Maine Women's lobby. Lois had directed this agency for a total of 18 years. In addition, she served as the Executive Vice President of NOW in Washington, DC for 5 years in the mid 80s. She served on NOW's National Board for a total of 16 years. In March of 1998, Lois was inducted into the Women's Hall of Fame for her work on behalf of Maine women. She is joined there by such luminaries as Senator Margaret Chase Smith and Senator Olympia Snowe.

**Steve Rich** was born and raised in Westbrook, Maine. He graduated from Westbrook High School in 1979, and went on to attend and graduate from the University of Southern Maine with a Bachelor's Degree in Business Administration in 1983. Following graduation from USM, Steve has been employed as follows: by the Connecticut State Police (1984-1986); U.S.F.&G. Insurance Company (1986-1992) in the claims department in various roles ranging from Claims Adjuster to Assistant Claim Manager; to his present position with the Acadia Insurance Company as Vice-President of Claims. In that capacity, Steve oversees the Acadia Claim Department. Steve is married to Kelly Rich and has two children, Zachary and Meghan.

**Brenda Schertz** was born Deaf into a Deaf family in Brooklyn, New York. Brenda is now teaching American Sign Language at the University of Southern Maine and taught at Northeastern University in Boston. Ms. Schertz is on the Board of Directors at the Learning Center for Deaf Children in Framingham, MA. She has served on the Boston Public Library's Access Center Advisory Committee, Huntington Theatre's Deaf Task Force Committee, on the Board of Directors of Massachusetts State Association of the Deaf and as a consultant and tour guide at the Museum of Fine Arts, Boston. Ms. Schertz now lives in Portland, Maine with her husband, a computer instructor.

**Robert (Buddy) Murray** is a native of Bangor and a graduate of Boston College and the University of Maine School of Law. Buddy currently serves the Baldacci administration as the Commissioner of Professional and Financial Regulation. Before his appointment to the Governor's cabinet, Buddy was a partner in the firm of Rudman and Winchell in Bangor. Buddy served as a member of the Maine State House of Representatives in the 111<sup>th</sup> and 112<sup>th</sup> Legislatures. He also served two terms as a member of the Maine Senate from 1996 to 2000 during the 118<sup>th</sup> and 119<sup>th</sup> Sessions. During his time in the Senate, Buddy was the Senate Chairman of the Criminal Justice Committee. Buddy continues to serve on many boards for different non-profit organizations in the community. He is married to Margaret Cox Murray and has two children, Erin and Dillon.

On September 18<sup>th</sup> 2003, The BCA Board of Directors was recognized by the state's Division of Deafness for their hard work and diligence in the creation of the Baxter Compensation Program. This recognition, the Special



Commendation Award, was presented to the BCA Board at the Division of Deafness Blaine House Governor's Tea.

## **Staff**

**John Shattuck (BCA Program Director)** arrived in Maine in 1979 where he worked for the Bureau of Rehabilitation as a rehabilitation counselor serving people who are Deaf. During his employment with the Bureau, he also held the positions of Deputy Director as well as Bureau Director. John and his wife Kathleen owned a manufacturing business, Common Sense Designs, for 18 years. The business had approximately 35 employees and did up to \$2 million in sales. John's education includes a B.S. in speech therapy and a M.S. in deafness rehabilitation. Both degrees were obtained at New York University.

**Mary Goodheart (Administrative Assistant)** has worked for the state in different administrative capacities for 26 years. For 20 of that 26 years, Mary worked for the Bureau of Rehabilitation's Division of Deafness where she earned the trust and respect of many people in the Deaf community. Mary also worked as the assistant to the Director of the Bureau of Rehabilitation for 5 years.

**Echo Kaply (Smith) (Claims Consultant)** is a native of Maine, born and raised in Aroostook County. Previous to her work at BCA, Echo worked as the program manager for the Community Support Deaf Services program at Goodwill in Portland. Echo also has 7 years experience in the field of mental health as an outreach clinician and crisis intervention specialist. Echo's education includes a BA in psychology from the University of Maine in Presque Isle. Echo has also received her Mental Health Rehabilitation Technician certification from Boston College.

**Michael Germano (Claims Consultant)** is one of only a few people in Maine's Deaf community who is a lawyer. Michael graduated from Gallaudet University in 1994, and received his law degree from Quinnipiac School of Law in 2000. His work experience includes several internships covering the areas of tax law, Deaf rights, and criminal law. Michael currently lives in the Portland area.

## **Facility**

The BCA administrative office is located at 69 Sewall Street in Augusta. The office space is approximately 1100 square feet and houses private space for administrative work as well as interviews and meetings. The BCA has negotiated a 4 year lease on the property with an option for a fifth year if needed.

The BCA has also entered into a cooperative agreement with the Department of Labor for the use of private interview rooms and meeting facilities in the Department's Career Centers at no cost. This allows the BCA to take advantage of the statewide network of 23 Career Centers for the travel convenience of claimants. We are indebted to the Department of Labor's commissioner, Laura Fortman, for her continued support of the BCA. Much of the furnishings for the office, as well as equipment, was provided through the Department of Labor's surplus warehouse at very little cost.

## **Policy Development**

The creating of policies and procedures to guide the claim process was a major focus of activity for the BCA during its first year. The staff and Board of Directors relied to a great extent on the information and guidance provided in the final report of the Committee to Develop a Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf established by Resolve 1999, chapter 127, Part B. Additional resources included the Law Commission of Canada's "Restoring Dignity: Responding to Child Abuse in Canadian Institutions", as well as the Final Report of the Jericho Hill Individual Compensation Program (JICP) by the JICP compensation chair, Jane Morley, Q.C.

Once the policy and procedure manual was near completion, a copy was sent to Mr. Rene deVos, previous director of the JICP for his review and comment. Mr. deVos attended a BCA board meeting in September to offer comments and recommendations. In October 2002, policies and procedures were placed on the BCA web page for public comment. In March of 2003, a

public forum for the Deaf community was held at the University of Maine in Augusta to respond to any questions or concerns people may have about the policy and procedure manual. Because the BCA is not required to proceed under the Maine Administrative Procedure Act in adopting rules, the BCA is authorized to receive comment and make changes to policies or procedures through BCA board action. For those policy issues that the BCA board felt required legal comment, consultation with the BCA's legal counsel, Peter Bickerman, was obtained.

To ensure that all requests for information and applications for claims are administered in an efficient and timely manner, a case management system has been designed. This weekly report monitors the progress of a claim to include meetings with the claims consultants, preparation of the claimant's "story", receipt of requested information from schools, medical offices, etc., claims submission to the panel, decision of the panel, appeals, and delivery of the check and apology. Six months after the final decision of the panel or appeal board, each claimant will be contacted by the program director to assess the claimant's satisfaction with the claim process.

The policy and procedure manual addresses the following:

- Intake
- Application
- Compensation Panel Process: Review and Decision
- Compensation Panel: Eligibility for Compensation
- Compensation Panel: Amount of Compensation; criteria for 3 tiers of compensation based on the severity of abuse suffered.
- Confidentiality
- Appeals
- Award and Release

## Compensation Panel

In September 2003, the board solicited and received resumes from people who were interested in serving on the BCA Compensation Panel.

Collectively, these panel members had to possess the following: familiarity with the legal system, experience or knowledge of abuse and its effects, and experience or knowledge of Deaf culture.

**David Norman** has thirty-five years of experience in private practice specializing in the defense of civil cases including insurance, automobile and general liability, products, and professional liability with an emphasis on medical malpractice. David was the founding partner and member of Norman, Hanson & DeTroy of Portland from 1975 to 2000. Professional affiliations include: Maine Bar Association, American Bar Association, International Association of Defense Counsel and the American Board of Trial Advocates. David graduated from Colby College in 1962 and obtained his law degree from Boston University School in 1965.

**Meg London** is currently employed at the Family Crisis Service agency in Portland where she functions in several roles including: court advocate, elder program coordinator, consultant to businesses relating to domestic violence, and supervising batterer's intervention educators. Meg has received two B.A. degrees: one in Political Science from Hunter College in 1978 and one in History from USM in 1991. Meg also holds a paralegal certificate from USM.

**Michael Finneran** joins David Norman and Meg London as the third BCA Panel Member representing the Deaf Community. Michael's recent employment was the Director of Outreach Services for the Austine School for the Deaf in Vermont. Previous experience includes 29 years in the field of Deaf education in the capacity of superintendent, teacher, and dean of student life. Michael graduated from Gallaudet University in 1972 with a Bachelor's Degree in Government. He also received a Master's Degree from the California State University in Special Education in 1973, and a Master's Degree in Administration and Supervision in 1979, also from the California State University.

The Compensation Panel meets 2 days each month to adjudicate claims, hearing 4 to 5 claims per day. Claims scheduled for adjudication are sent to each Panel member one week previous to their monthly meeting for review.

## Claims Status Report

As of December 31<sup>st</sup>, 2003, the BCA has been contacted by 240 people who have expressed an interest in submitting a claim for compensation. The Compensation Panel has reviewed 74 claims. The Panel has found 71 claims to be eligible for compensation and has made awards as follows:

\$25,000	\$60,000	\$100,000
(23)	(32)	(16)

There are currently 3 claims seeking an appeal to the BCA Board. 2 claims are appealing the Panel's decision regarding eligibility, and 1 claim appealing the Panel's decision regarding compensation amount.

## Projected Need

Of the \$6 million appropriated for the Baxter Compensation Program, the legislature has identified \$1.5 million for administrative expense; the amount of funds identified for compensation awards was \$4.5 million. To date, we have adjudicated 74 claims with awards of \$4,095,000. As of December 31<sup>st</sup>, 2003 there are 166 claimants awaiting review by the Compensation Panel with a remaining award budget of \$405,000. The law permits claims to be submitted until March 31, 2006. At this time, we are not able to predict with any certainty how many additional claims will be filed.

If we assume an average of \$58,000 per future award, this fund would allow for the payment of approximately 7 additional claims. The remaining 159 claimants (if eligible and are awarded \$58,000), would generate an estimated unmet need of approximately \$9.2 million.

## Outreach

In order to ensure that as many former students of Governor Baxter School and Maine School for the Deaf as possible are aware of BCA, outreach efforts began as early as December 2001. A Deaf community forum sponsored by the Department of Labor's Division of Deafness and the Department of Behavioral and Developmental Services was held at the University of Maine in Augusta in December of 2001, and March 2003. Issues covered at these forums include the laws related to the BCA, procedures involved in submitting a claim, and the support services available to former students and survivors of abuse. BCA staff attend monthly Safer Place meetings to offer updates to the development of the BCA claims process as well as respond to questions and concerns of members of Safer Place. BCA staff have participated in the ASL News, a meeting to share current events with the Deaf community, to inform people who have not had an opportunity to attend the forums. A third forum is scheduled for March 2004. The audience for this forum will be families of, and professionals who work with those former students of Governor Baxter School for the Deaf and Maine School for the Deaf who have a developmental disability.

Materials that have been developed as a part of the outreach activity include the BCA brochure (see attached) as well as the BCA web site which can be accessed at [www.baxtercomp.org](http://www.baxtercomp.org). A video tape offering background information and some explanation of the BCA program is near completion. This video will be distributed to all fifty states through each state's Director of Deaf Services. This tape will accompany a request to each director that they share the information with the state's rehabilitation counselors for the Deaf who will be asked to identify anyone who may have attended the Governor Baxter School for the Deaf or Maine School for the Deaf.

The BCA Program Director, John Shattuck, and professional counselor Sara Treat presented an overview and historic perspective of the BCA to the American Deafness and Rehabilitation Association conference in May of 2003. This conference was attended by professionals and representatives from different states and was an excellent opportunity to provide information about the BCA on a national level.

## **Access to Support**

The BCA recognizes the importance of former students having access to support on several levels and has been very active in contacts throughout the state. The nature of this support not only includes counseling but also support and cooperation from state agencies to ensure that the intent of the program and compensation awards is intact.

Every claimant is informed of the availability of counseling from counselors who are fluent in American Sign Language (ASL) and familiar with issues related to the Deaf culture. These services are provided at no cost to former students of GBSD or Maine School for the Deaf and are available from Portland to Bangor. The BCA has been in contact with each of the counselors and has worked closely with each of them to ensure that adequate support is available to claimants during the claims process. The BCA has also made contact with the counseling agency responsible for statewide crisis intervention to ensure that their TTY telephone network is in place.

Karen True, President of the Southern Maine Chapter of the National Insurance and Financial Advisors, has assisted BCA in establishing a network of financial counselors throughout the state. Upon request, a resume listing of these advisors will be made available to all claimants who receive a compensation award. Contact has been made with financial advisors covering the New England area who are fluent in American Sign Language, and will also be available to claimants. Mike Burke of the Augusta Social Security office addressed the BCA board about the possible impact of a compensation award on Social Security benefits. Mr. Burke has made his office available to BCA to access Social Security records in order to determine impact on benefits for any claimant.

Alpha One has also made their benefits specialist available to any BCA claimant who requests support services related to technical advice as to how a compensation award may impact eligibility for federal or state programs.

The Maine Department of Human Services (DHS) has made every effort to exempt compensation awards from eligibility to programs regulated by their department. The most significant accommodation from DHS was their change in regulation allowing compensation recipient to maintain Medicaid

eligibility, as well as exempting a BCA payment from TANF eligibility. We also received assurances from DHS that any state funded program related to child services or the HIV program would also offer an exemption to compensation payments.

The question of taxability of the compensation awards was addressed through several discussions with the Department of Administrative and Financial Services, Maine Revenue Service and the BCA counsel Peter Bickerman. The conclusion of the three agencies is that the intent of the law authorizing the BCA and the nature of the awards supported the argument that the awards should not be taxable and 1099s would not be issued.

## **Training**

Much of the training activities to this point have focused on the BCA claims consultants. Before the consultants met with any prospective claimants, an orientation centered on the history of BCA, Safer Place, and the legislative activities which led to the program was provided. Bill Lowenstein of the Department of Behavioral and Developmental Services offered training on the different “issues facing male survivors of abuse”. Lucky Hollander of Youth Alternatives met with the consultants to discuss “abuse and its effects”. A half day training session was also provided by professionals associated with Safer Place and the BCA on “professional boundaries and the issues the consultants need to be aware of when meeting with claimants”. Because of the unique and profound nature of information claims consultants and claimants will be confronting, ongoing clinical supervision and training is being provided through the Community Counseling Center in Portland.

The board, program director, staff, and panel received training in “physical and sexual abuse and its effects” from Kate Faragher from the Family Violence Project, and “basic applicable legal principles” from past Judiciary co-chair Rich Thompson at a training workshop held in December of 2002. Training on “Deaf Culture” was provided by BCA board member Brenda Schertz in February, 2003.



During the first year of operation, the BCA has confronted many challenges that relate to the diversity of the people we serve. One challenge that has been identified as more ambitious than others is assisting people with limited communication skills. Of particular concern is our ability to assist claimants with developmental disabilities sufficiently develop their claim to a level where the compensation panel can make decisions regarding eligibility and compensation amount.

It has been recognized that an essential component to address this situation is to provide training to both the claims consultants and compensation panel. The training will focus on communication diversity; strategies to provide and elicit information, as well as the identification and utilization of observed behavior as a form of communication. This training has been provided by communications experts Tracey Fredericks and Romy Spitz. Training relating to those behaviors found in the context of abuse has been provided by licensed counselor, Marlene Fritz.

## **Budget**

During the initial phase of budget, the BCA worked very closely with DAFS in the formulation of an administrative and claims budget for the FY 2003 and the 2004-2005 biennium. The program director reviewed the proposed budget with the BCA board in their May and June meetings and again offered a revised budget in the December 2002 meeting. Expenditures for FY 2003 were \$364,089.

In July of 2003, the BCA board reviewed and approved the budget for FY 2004. This budget projects expenditures of \$297,891 for personal services, and \$88,173 for all other expenses for a total budget of \$386,064.

For a detailed report of expenditures for the 2002-2003, and the projected expenditures for 2003-2004, please refer to the budget reports found within the appendix.

## Legislation

Legislation was introduced into the 121<sup>st</sup> session under the title “An Act to Improve the Administration of the Baxter Compensation Program”. It was the intent of this legislation to modify certain aspects of the law authorizing the BCA in order to provide some stability in administrative revenues, make the program more accommodating to claimants, and offer more discretion to the BCA appeal board. These changes are as follows:

- Section 22002 Sub-section 8-“Use of Trust Fund. The Authority may use up to 15% of the trust fund for the administrative expenses in each fiscal year.” The BCA recognized that as the trust fund is paid out in compensation, the identified 15% of the trust fund would soon diminish to the point where administrative allowance would amount to zero. To remedy this situation, the law was amended by deleting the 15% limit and requiring the BCA to provide “A detailed account of the administrative budget and the previous year’s expenditures”. The change in the law also limited any annual administrative budget to \$407,000, and stipulated that the “total amount of the trust fund that may be used for administrative expenses for the duration of the program may not exceed \$1,500,000”.
  
- Section 22009 Sub-section 2-“all information provided by a claimant or a claimant’s family is confidential until the claim is submitted to the compensation panel. Once the claim is submitted to the compensation panel, the claim is a public record.” When the BCA began accepting claims for compensation, it became aware of people’s apprehension to submit a claim for fear of retribution by named perpetrators. In order to completely ensure trust in the program and full accessibility, the above was deleted from the law and the following was substituted:  
“Once the claim is submitted to the compensation panel the following is a public record:
  - A. The claimant’s name;
  - B. The claimant’s eligibility for compensation;
  - C. The amount of the compensation award, if any; and

D. A summary of the compensation panel's rationale in deciding eligibility and the compensation award amount". The change in the law does state that upon request, information supporting or corroborating the claim may be released to the Governor, the Attorney General, and the chairs of the Judiciary Committee.

- Section 22025 Sub-section 4&5- "Appeal on record and appeal documents" & "Standard of Review". After continued review of the law, the BCA Board felt that the standard of "arbitrary and capricious" in overruling the decision of the compensation panel was too stringent. The board also felt that the law limited the board's ability to consider appeals by not allowing additional information to be submitted to the board by the appellant. The amended law adds the terms "inconsistent with the statute or inconsistent with the policies adopted by the authority" to the "arbitrary and capricious" standard. The amended law now allows the board to consider new information offered by the appellant, and if considered to be "appropriate" will remand the new information back to the compensation panel for review.
- Throughout the year, the BCA Board has considered the question of whether or not an estate can submit a claim for compensation in behalf of a deceased student of the Governor Baxter School for the Deaf or the Maine School for the Deaf. The authority has obtained the opinion of its legal counsel who has determined that the statute is "silent" on the issue. The conclusion of the Authority is that the question be referred back to the Judiciary Committee, and ask that the Committee provide clarification of statutory intent.

## **Proposed Legislation**

At this time, the BCA feels that a projection of the number of claims for the years of 2004-2005 cannot be done with any certainty. We have arrived at the inevitable point when the compensation fund has been depleted. A bill has been introduced by Senator Beth Edmonds for the second session of the 121<sup>st</sup> legislature. The title of the bill is LD 1682 “An Act to Ensure the State’s Commitment to Former Students Who Have Suffered Physical or Sexual Abuse at the Governor Baxter School for the Deaf or the Maine School for the Deaf”. This bill is requesting an additional \$6 million, and will be considered by the Appropriations Committee.

The BCA Board of Directors and staff would like to take this opportunity to thank several people who through their generous offer of time and effort made the ambitious development of the Baxter Compensation Program possible.

Laura Fortman, Commissioner, Department of Labor

Sara Treat, Counselor

Jon Connick, Executive Director, Maine Center on Deafness

Meryl Troop, Director, Office of Deaf Services and Multi-Cultural Diversity, Department of Behavioral and Developmental Services

Jan DeVinney, Director, Division of Deafness, Department of Labor

JAMES E. TIERNEY  
ATTORNEY GENERAL



STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
STATE HOUSE STATION 6  
AUGUSTA, MAINE 04333

July 12, 1982

The Honorable Joseph E. Brennan  
Governor of Maine  
State House  
Augusta, Maine 04333

Dear Governor Brennan:

Attached is the report of the criminal investigation by my office of allegations of physical and sexual abuse of students at the Governor Baxter School for the Deaf.

The report is the result of over 2,000 hours of field investigations and more than 150 field interviews with current and former staff members, students, and the parents of students of the Baxter School. The investigation involved members of several divisions of my office and resulted in the compilation and analysis of a voluminous amount of evidence.

The report clearly must speak for itself. Although it does not present a pleasant view of one of our institutions, the people of Maine have a compelling right to know the findings.

The investigation shows that Commissioner of the Department of Educational and Cultural Services, Harold Reynolds, Jr., acted effectively to deal with the situation at the Baxter School once it was brought to his personal attention. It is my firm conclusion that the conditions which led to this investigation have been eliminated from the Baxter School.

Hon. Joseph E. Brennan  
Page Two  
July 12, 1982

It is my belief, however, that the Department of Educational and Cultural Services, in previous years, failed to conduct a thorough investigation of alleged wrongdoing at the Baxter School, even though it had in its possession as early as 1976 sufficient information to warrant such investigation. The failure of the Department of Educational and Cultural Services to investigate this situation in 1976 absolutely bars prosecution for most of the incidents outlined in this report because of the expiration of the statute of limitations.

In addition to considerations involving the statute of limitations, deficiencies in current law, in my opinion, have allowed activity which should be criminal to escape prosecution.

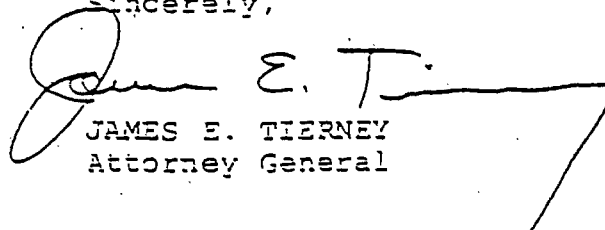
Accordingly, the report does recommend that you seek legislation at the earliest opportunity to amend the Maine Criminal Code to make the type of sexual abuse of students which occurred at the Baxter School illegal.

The report also recommends that you seek legislation to amend the State Personnel Law to provide for the automatic dismissal of any employee who abuses or neglects a child entrusted to the care of a public institution.

Because many of the incidents uncovered by the State investigators were beyond the statute of limitations, and other incidents were not clearly criminal violations under the current language of the Maine Criminal Code, and because of considerations for the emotional well-being of the victims, no criminal indictments will be sought by the State as a result of evidence compiled to date by this office.

I want to take this opportunity to say that this report would not have been possible without the cooperation of many dedicated and forthcoming faculty and staff members of the Baxter School for the Deaf, the current administration of the Department of Educational and Cultural Services, and especially many current and former students of the Baxter School who assisted the investigative team throughout its activities.

Sincerely,

  
JAMES E. TIERNEY  
Attorney General

JET/kc

## **Program Director Baxter Compensation Authority**

**DESCRIPTION:** This is a professional position designed to provide the leadership and direction required to effectively administer the statutory duties of the Baxter Compensation Authority (BCA) in Maine. The Baxter Compensation Authority is comprised of a 5 member Board appointed by the Governor and confirmed by the Maine Legislature. The BCA Board is charged with the design, development, implementation and oversight of the compensation program established by the Maine State Legislature to provide monetary compensation and appropriate referral and supports services to the victims and survivors of abuse that occurred at the Baxter School for the Deaf in Maine.

The Maine statute (Sec. T-1. 5 MRSA §1513, sub-§§1-R and 1-T) states that the purpose of the BCA is as follows:

- To provide compensation to former students who suffered abuse by a state employee or as a result of state action or inaction while students at either the Maine School for the Deaf or the Governor Baxter School for the Deaf;
- To assist in the victims' healing process by admitting the State's responsibility for not protecting students from abuse by a state employee or as a result of state action or inaction while the victims were attending the Maine School for the Deaf or the Governor Baxter School for the Deaf; and
- To apologize to the students who were abused and to their families.

The Program Director will supervise a small staff, that will provide administrative support to the Board, as well as develop and implement the procedures needed to effectively guide the compensation application process and the administration of compensation awards.

The Program Director will be hired by the independent BCA Board and will serve as Director at the pleasure of the BCA Board. All employees of the BCA, including the Program Director, may not be construed to be state employees for the purposes of the state civil service provisions. However, BCA employees, including the Program Director, will be considered state employees only for purposes of the provisions of the Maine State Retirement System, and for the purposes of the Maine Tort Claims Act, as it applies to state employees. The BCA program is a time-limited program: the enabling statute requires that all claims for compensation be filed with the BCA no later than March 31, 2006

The Program Director is responsible for coordinating a training program for all BCA employees and Board members as specified in the statute. The training must be completed by all BCA employees, including the Program Director, before any claims are handled.

The BCA statute specifies the following duties for the BCA Program Director:

- A. The program director is responsible for hiring, supervising and firing all employees authorized by the authority. The program director shall maintain only the number of employees necessary to operate the program.
- B. The program director is responsible for the day-to-day operations of the program, including overseeing the work of the claims consultants.
- C. The program director shall report to the authority on a regular basis as determined by the authority, and shall keep the authority informed about the program and its operation.
- D. The program director shall maintain communication with the deaf community and other potential beneficiaries of the program.
- E. The program director may not have any personal bias with regard to the Governor Baxter School for the Deaf, any employee of the Governor Baxter School for the Deaf or any claimant.

**REPRESENTATIVE TASKS:** (The position may not be assigned all the duties listed, nor do the listed examples include all the duties that may be assigned).

- Develops and implements policies and procedures needed to effectively administer the BCA program,
- Develops appropriate program documentation and reports,
- Performs ongoing program evaluation and monitoring,
- Develops program activity measures and effectiveness indicators,
- Develops and monitors the BCA budget and spending plan within the statutory guidelines,
- Prepares annual reports to the legislature and other agencies and organizations as directed by the BCA Board,
- Works with the BCA Board Chair to communicate with the legislature,
- Works with the BCA Board Chair to respond to all press inquiries for the BCA program,



- Develops and disseminates appropriate public information materials about the BCA program and activities,
- Prepares and delivers public speeches/presentations on behalf of the BCA Program,
- Represents the BCA Board on panels and committees as directed by the Board,
- Coordinates all training for the BCA Board and employees,
- Serves as primary administrative staff person and advisor to the BCA Board,
- Oversees the operations of the Compensation Panel appointed by the BCA Board,
- Maintains ongoing communication with the Deaf Community in Maine regarding the BCA program and activities,
- Provides direction, oversight and support to the staff of the BCA
- Prepares annual performance evaluations and recommends level of pay and compensation for all BCA staff,
- Ensures that appropriate physical office space, supplies and equipment are secured and maintained for the BCA staff and Board,
- Provides assistance/recommendations to the BCA Board in formulating public policy positions,
- Represents the BCA Board in developing and maintaining effective work relationships with state agencies, advocacy organizations, survivors and victims, families, the press and elected officials,
- Provides recommendations and information to the BCA Board, state agencies, the Governor's Office, the Attorney General, and the Legislature regarding the effective management of the compensation program administered by the BCA,
- Other related duties as designated by BCA Board.

#### **STAFF LEVELS TO BE SUPERVISED:**

The BCA Program Director will supervise the following positions:

- 1 Administrative Secretary
- 2 Claims Consultants
- 2 Certified Interpreters

Plus the Program Director will provide administrative Support and services to a 3 Member Compensation Panel appointed by the BCA Bd to hear claims.

**MINIMUM QUALIFICATIONS:** (Entry level knowledge, skills, and/or abilities may be acquired through, but are not limited to the following coursework/training and/or experience).

- Bachelors Degree (or combined experience and training equivalent to a Bachelors Degree);
- Progressively responsible professional experience in fields related to social services, or public administration, or mental health management, or deaf services

programs administration, or compensation claims management (or any combination thereof);

- Progressively responsible professional experience in supervision and program management;
- Demonstrated skills in public speaking and written and oral communication
- Knowledge of the needs of the deaf and hard of hearing and the ability to communicate on a meaningful basis with those persons (conversational American Sign Language skills at a minimum).

#### **WORK LOCATION/TRAVEL REQUIREMENTS:**

- The BCA office location will be determined in consultation with the Program Director candidate selected.
- All BCA Board Meetings will take place in Augusta, Maine (initially the BCA Bd will meet at least twice a month during the development of the BCA program).
- The Program Director will be required to meet with the Public, advisory groups, elected officials, press, etc. throughout the State of Maine (mileage, meal and lodging expenses will be reimbursed).

**SALARY RANGE: \$55,000 - \$70,000**

**BENEFITS:** Holidays, Sick Days, Vacation Leave, Health Insurance, Retirement, etc. all equal to the benefits package available to State of Maine employees.

#### **START DATE/AVAILABILITY:**

It is important to fill this position as soon as possible. The full development and implementation of the BCA Program depends in part on the rapid recruitment and hiring of the BCA Program Director.

This position will be posted until Feb 15, 2002.

The selected candidate should be able to start as soon as possible, but no later than April 15, 2002.

A complete Application Packet will consist of:

- Cover letter, fully describing your personal and professional interest in this position and why you believe you are a good candidate for consideration. Please specifically describe your overall qualifications (skill, experiences, training, etc.) for this position.
- Resume
- List of References (with phone numbers and addresses) that we may contact – no more than 4

*NOTE: After initial screening, some candidates may be asked to provide additional information such as: Written Answers to Supplemental Questions; Writing Samples; Letters of Reference – prior to being invited for an interview.*

**Submit Your Cover Letter, Resume, List of References to:**

Alan Hinsey  
Interim BCA Coordinator  
PO Box 72  
Rockland, Me 04841

**[bca@interventionteam.com](mailto:bca@interventionteam.com)**

NOTE – Resumes, Cover Letters and List of References may be e-mailed to the email address above but must be attached to the email in a Microsoft Word document format.

For more information about the Baxter Compensation Authority go to the temporary webpage:

**[http://www.interventionteam.com/bca\\_info.htm](http://www.interventionteam.com/bca_info.htm)**

# Baxter Compensation Authority

## Job Description

### Claims Consultant

Description: This is professional services work in counseling and assisting compensation claimants in submitting claims to the Compensation Panel for their review.

Responsibilities include gathering information from claimants regarding any physical or sexual abuse the claimant experienced while under the responsibility of the Governor Baxter School for the Deaf or the Maine School for the Deaf; and the effects of the abuse on the claimant's life. Work is performed under limited supervision.

Representative Tasks:(The listed examples may not include all the duties that may be assigned).

- Meets with potential claimants to provide information regarding the Baxter Compensation Authority, explain the Compensation law, advise of rights, options, time frames, risks and advantages of pursuing claims.
- Informs all claimants of support services available to claimants and assists the claimant in obtaining services if needed.
- Record claimant's stories and experiences.
- Assists claimants collect and corroborate information to develop claims for the review of the Compensation Panel, and works with claimants to develop the most effective presentation of their claim.
- Reviews all adjudicated decisions and reviews the decision with the claimant to ensure the claimant understands the Panel decision.
- Assists the claimant develop and prepare an appeal of the Panel's decision to the Board if the claimant so chooses. Explain the appeal process to the claimant as well as the benefits and consequences of pursuing an appeal.
- Meet with public, service providers and professionals to inform them of the Baxter Compensation Authority and the claims process.
- Maintains confidentiality of claimant information and communications.
- Maintains caseload of claimants and reviews progress of each claim to ensure timely submission and consideration.
- Performs outreach activities to inform potential claimants and people in the Deaf community of the activities of the BCA.

### Knowledge's, Skills, and Abilities Required:

- Knowledge of applicable state law, rules, and procedures.
- Knowledge of interviewing techniques.
- Knowledge of counseling and emergency support system.
- Knowledge of Deaf culture.

- Knowledge of abuse and its effects.
- Fluency in American Sign Language
- Ability to interview, explain, and gather information.
- Ability to maintain complex case records.
- Ability to communicate effectively.
- Ability to gain the confidence and cooperation of claimants.
- Ability to understand laws, policies and procedures.
- Ability to assist and counsel claimants regarding the claims process.
- Ability to work with deaf interpreters.

Minimum Qualifications: A six year combination of experience, education, and training in client advocacy or counseling. The qualified candidate must be fluent in American Sign Language.

Salary: \$36,000-\$47,500

Benefits:

Maine State Retirement

- BCA Contribution 17.32%
- Employee Contribution 1.15%
- Disability Benefits

Health Insurance

- Single Coverage (no cost)
- With Spouse (\$95.19/ pay period)
- Family (\$131.26/pay period)
- Dependents Without Spouse (\$54.64/pay period)

Dental Insurance

- Single (no cost)
- Two Person (\$8.08/pay period)
- Family (\$24.83/pay period)

Life Insurance

- Annual Gross Salary
- Supplemental Available

Paid Vacation

- Earned at a rate of 1.5 days per month

Paid Holidays

- 12 Days

Sick Time

- Earned at a rate of 1 day per month

## Baxter Compensation Authority

### Job Description Approved

#### Compensation Panel

Background: The Baxter Compensation Authority was established by the Maine State Legislature to provide compensation and a formal apology to former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf who suffered from sexual and or physical abuse. A three person Compensation Panel will be appointed by the Authority to make the decisions about each claim submitted. Claims can be submitted up to March 31, 2006.

Description: This is part time administrative work determining the eligibility of claimants for compensation and the appropriate compensation payments to be made. Responsibilities include analyze relevant information; participate as a three member panel to read or view testimony, review corroborative documents, interpret standards reflected in the law and defined by the authority, write decisions as to eligibility and compensation amount. The schedule and amount of work will be determined by the number of claims submitted. It is estimated that 10 days per quarter will be required.

#### Representative Tasks:

- Review and analyze written, in person or video testimony, medical or other relevant documents, and educational records.
- Witness claimant's statement as a part of a public three-member panel.
- Discuss and consider obtained information with panel members.
- Participate in majority ruled decision-making process in order to determine final adjudication of eligibility and benefit payment.
- Question claimants to provide clarity to the information offered.
- Write clear and concise decisions regarding eligibility and compensation amount.
- Communicate to claimant the results of the panel's decision.
- Review statutory and administrative standards to ensure equity and consistency among claim decisions.

#### Collectively, the Panel must have knowledge in:

- Familiarity with the legal system, including experience with
  1. weighing evidence and making decisions based on that evidence; and
  2. well-established legal principles that govern awarding damages;
- Experience or knowledge of abuse and its effects; and
- Experience or knowledge of Deaf culture.

Individually, the Panel member must have knowledge or ability in:

- Effective communication
- Interpretation and application of laws and standards
- Analyzing facts and information to reach logical conclusions and make sound decisions
- Effective participation as a Panel member
- The conducting of public meetings in a fair and impartial manner
- Preparing clear and understandable written decisions

Minimum Qualifications: An eight-year combination of training, education, and/or relevant experience.

Salary: \$250 per day.  
Plus  
Travel and Accommodation Expenses

# Baxter Compensation Authority

## Mission Statement

"To Recognize and Validate the Suffering Endured by Former Students Who Were Physically and or Sexually Abused at The Governor Baxter School for the Deaf and The Maine School for the Deaf Through the Offer of Compensation in a Supportive Process"

This will happen by meeting the following goals:

- To reach out to all former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf to identify those people who were physically and or sexually abused in order that they be aware of the compensation program and support services available to them.
- All former students who apply for compensation will be fully informed of the claims process, their rights, and how the claims process and compensation may impact their lives.
- All claims will be processed as soon as possible.
- All former students who get compensation will get an apology from the Governor, President of the Senate, and Speaker of the House of Representatives as soon as possible.
- All appeals to the Board of the Baxter Compensation Authority will be handled as soon as possible.
- At the end of the process all former students who suffered from physical and or sexual abuse will have been treated fairly and with the respect, support, and dignity they deserve for their courage and determination.



## Baxter Compensation Authority '02-'03 Budget

	Total						
	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b><u>Personal Services</u></b>	37,482	65,032	72,087	88,031	262,632	246,215	93.75%
<b><u>All Other</u></b>							
<b>Operation</b>	25,304	15,194	18,268	14,950	73,716	84,641	114.82%
<b>Board</b>	9,296	7,728	2,785	4,405	24,214	22,073	91.16%
<b>Compensa Panel</b>			4,399	6,440	10,839	11,160	102.96%
	<b>72,082</b>	<b>87,954</b>	<b>97,539</b>	<b>113,826</b>	<b>371,401</b>	<b>364,089</b>	<b>98.03%</b>

## Baxter Compensation Authority '02-'03 Budget

### Personal Services

	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b>Director</b>							
Salary	17,212	17,212	17,213	17,213	68,850		
Frng 45%	7,745	7,745	7,745	7,745	30,980		
					99,830	99,830	100.00%
 <b>Administra</b>							
<b>Assist</b>							
Salary	7,500	7,500	7,500	7,500	30,000		
Frng 45%	3,375	3,375	3,375	3,375	13,500		
					43,500	43,500	100%
 <b>Claims Consult</b>							
Salary	0	10,000	10,000	10,000	30,000		
Frng 45%	0	4,500	4,500	4,500	13,500		
					43,500	43,500	100%
 <b>Claims Consult</b>							
Salary	0	9,000	9,000	9,000	27,000		
Frng 45%	0	4,050	4,050	4,050	12,150		
					39,150	28,108	71.80%

**Claims Consult**

Salary	0	0	2,596	11,250	13,846		
Frng 45%	0	0	1,168	5,063	6,231	20,077	100%

<b>Panel</b>	0	0	4,500	7,500	12,000	7,570	63.08%
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<b>Board</b>	1,650	1,650	440	835	4,575	3,630	79.34%
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	<b>37,482</b>	<b>65,032</b>	<b>72,087</b>	<b>88,031</b>	<b>262,632</b>	<b>246,215</b>	<b>93.75%</b>
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## Baxter Compensation Authority '02-'03 Budget

### Operations

	1st qrt Jul-Sept	2nd qrt Oct' Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b>Rent</b>	3000	3000	3000	3000	12,000	12,000	100.00%
<b>Equip Rnt comp, copier etc.</b>	700	1500	2,000	2,000	6,200	6,300	101.61%
<b>Comp. Services</b>	1,000	120	120	120	1,360	1,504	110.59%
<b>Web Site</b>	450	150	0	0	600	600	100.00%
<b>Brochure</b>	225	433	0	0	658	1,023	155.47%
<b>BCA Video</b>	0	2,125	4,250	2,125	8,500	8,500	100.00%

<b>Teleph Service</b>	1,345	837	837	837	3,856		
<b>Long Dist</b>	100	133	150	150	533	4,561	103.92%
					4,389		
<b>Heat &amp; Elect</b>	150	174	323	170	817	793	97.06%
<b>Equip&amp; Furn</b>	1,858	0	0	0	1,858	1,858	100%
<b>Printing</b>	0	98	98	98	294	1,000	340.14%
<b>Mailing</b>	100	269	290	100	759	2,195	289.20%
<b>DAFS</b>	750	750	750	750	3000	3000	100.00%
<b>Insur</b>	360	0	0	0	360	383	106.39%
<b>Contract</b>							

<b>Services</b>	2161	0	0	0	2161	2,610	120.78%
<b>Travel</b>	2065	1709	2400	2400	8,574	11,292	131.70%
<b>Travel Exp.</b>	1,800	300	300	300	2,700	2,860	105.93%
<b>Staff Training</b>	240	600	1200	1200	3240	2,491	76.88%
<b>Interpreter Services</b>	1200	1,896	1450	600	5146	10,000	194.33%
<b>Copier</b>	0	1,000	1,000	1,000	3,000	1,618	53.93%
<b>Supplies</b>	800	100	100	100	1100	2,275	206.82%
<b>Advertise</b>	7,000	0	0	0	7,000	7,768	110.97%
	<b>25,304</b>	<b>15,194</b>	<b>18,268</b>	<b>14,950</b>	<b>73,716</b>	<b>84,641</b>	<b>114.82%</b>

## Baxter Compensation Authority '02-'03 Budget

### Board

	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt April-Jun	Total	Actual	%
<b>Travel</b>	1,260	1,260	630	630	3,780	2,672	70.69%
<b>Interpret</b>	3,300	2,989	850	1,650	8,789	7,085	80.61%
<b>CART</b>	3,450	1,597	905	1,725	7,677	7,014	91.36%
<b>Legal Services</b>	1,286	1,157	400	400	3,243	3,582	110.45%
<b>Training</b>	0	725	0	0	725	1,720	237.24%
	<b>9,296</b>	<b>7,728</b>	<b>2,785</b>	<b>4,405</b>	<b>24,214</b>	<b>22,073</b>	<b>91.16%</b>

## Baxter Compensation Authority '02-'03 Budget

### Compensation Panel

	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Apr	4th qrt May-June	Total	Actual	%
<b>Travel</b>	0	0	315	650	965	1,213	125.70%
<b>Meals</b>	0	0	429	450	879	970	110.35%
<b>Accomo</b>	0	0	255	640	895	725	81.01%
<b>Interpret</b>	0	0	3,400	4,700	8,100	8,252	101.88%
			<b>4,399</b>	<b>6,440</b>	<b>10,839</b>	<b>11,160</b>	<b>102.96%</b>



## Baxter Compensation Authority '03-'04 Budget

	Total						
	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b><u>Personal Services</u></b>	73,995	74,430	74,432	75,034	<b>297,891</b>	<b>73,940</b>	25%
<b><u>All Other</u></b>							
<b>Operations</b>	17,038	13,780	13,705	13,780	<b>58,303</b>	<b>19,303</b>	33%
<b>Board</b>	1,100	1,430	1,100	1,100	<b>4,730</b>	<b>574</b>	12%
<b>Comp. Panel</b>	6,285	6,285	6,285	6,285	<b>25,140</b>	<b>6,817</b>	27%
	<b>98,418</b>	<b>95,925</b>	<b>95,522</b>	<b>96,199</b>	<b>386,064</b>	<b>100,634</b>	26%

## Baxter Compensation Authority '03-'04 Budget

### Personal Services

	1st qrt Jul-Sept	2nd qt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b>Director</b>							
Salary	17,212	17,212	17,213	17,213	68,850	17,212	25%
Fringe (45%)	7,745	7,745	7,745	7,745	30,980	7,745	25%
					<b>99,830</b>	<b>24,957</b>	25%
<b>Admin Asst</b>							
Salary	7,725	7,725	7,725	7,725	30,900	7,725	25%
Fringe (45%)	3,476	3,476	3,476	3,477	13,905	3,476	25%
					<b>44,805</b>	<b>11,201</b>	25%
<b>Claims Consult</b>							
Salary	10,000	10,300	10,300	10,300	40,900	10,000	24%
Fringe (45%)	4,500	4,635	4,635	4,635	18,405	4,500	24%
					<b>59,305</b>	<b>14,500</b>	24%
<b>Claims Consult</b>							
Salary	11,250	11,250	11,250	11,665	45,415	11,250	25%
Fringe (45%)	5,062	5,062	5,063	5,249	20,437	5,062	25%
					<b>65,852</b>	<b>16,312</b>	25%
<b>Board</b>							
Per Diem	275	275	275	275	1,100	220	20%
<b>Panel</b>							
Per Diem	6,750	6,750	6,750	6,750	27,000	6,750	25%
	<b>73,995</b>	<b>74,430</b>	<b>74,432</b>	<b>75,034</b>	<b>297,891</b>	<b>73,940</b>	25%

## Baxter Compensation Authority '03-'04 Budget

### Operations

	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b>Rent</b>	3,000	3,000	3,000	3,000	<b>12,000</b>	<b>3,000</b>	25%
<b>Equip Rnt comp, copier etc</b>	2,055	2,055	2,055	2,055	<b>8,220</b>	<b>2,066</b>	25%
<b>Computer Services</b>	150	150	150	150	<b>600</b>	<b>120</b>	20%
<b>Brochure</b>	0	150	0	150	<b>300</b>	<b>0</b>	0%
<b>%</b>							
<b>BCA Video</b>	3,050	0	0	0	<b>3,050</b>	<b>3,050</b>	100%
<b>Telephone Service</b>	900	900	900	900	<b>3600</b>	<b>882</b>	25%
<b>Heat Electricity</b>	200	200	200	200	<b>800</b>	<b>161</b>	20%
<b>Equipment</b>	100	100	100	100	<b>400</b>	<b>0</b>	0%
<b>Printing</b>	0	25	100	25	<b>150</b>	<b>70</b>	47%
<b>Mailing</b>	500	500	500	500	<b>2000</b>	<b>544</b>	27%
<b>DAFS</b>	750	750	750	750	<b>3000</b>	<b>750</b>	25%

<b>Insurance</b>	383	0	0	0	<b>383</b>	<b>464</b>	121%
<b>Travel</b>	2,500	2,500	2,500	2,500	<b>10,000</b>	<b>2,098</b>	21%
<b>Travel Exp.</b>	200	200	200	200	<b>800</b>	<b>185</b>	23%
<b>Staff Training</b>	500	500	500	500	<b>2000</b>	<b>600</b>	30%
<b>Interpret Services</b>	2,000	2,000	2,000	2,000	<b>8,000</b>	<b>5,057</b>	63%
<b>Copier</b>	500	500	500	500	<b>2000</b>	<b>0</b>	0%
<b>Supplies</b>	250	250	250	250	<b>1000</b>	<b>256</b>	26%
	<b>17,038</b>	<b>13,780</b>	<b>13,705</b>	<b>13,780</b>	<b>58,303</b>	<b>19,303</b>	33%

## Baxter Compensation Authority '03-'04 Budget

### BCA Board

	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b>Travel</b>	200	200	200	200	<b>800</b>	<b>153</b>	19%
<b>Interpreters</b>	500	500	500	500	<b>2000</b>	<b>391</b>	20%
<b>Legal Services</b>	400	400	400	400	<b>1600</b>	<b>30</b>	2%
<b>Training</b>	0	330	0	0	<b>330</b>	<b>0</b>	0%
	<b>1100</b>	<b>1430</b>	<b>1100</b>	<b>1100</b>	<b>4730</b>	<b>574</b>	<b>12%</b>

## Baxter Compensation Authority '03-'04 Budget

### Compensation Panel

	1st qrt Jul-Sept	2nd qrt Oct-Dec	3rd qrt Jan-Mar	4th qrt Apr-June	Total	Actual	%
<b>Travel</b>	460	460	460	460	<b>1840</b>	<b>526.08</b>	29%
<b>Meals</b>	420	420	420	420	<b>1680</b>	<b>612.29</b>	36%
<b>Accom</b>	405	405	405	405	<b>1620</b>	<b>469.06</b>	29%
<b>Interpreters</b>	5,000	5,000	5,000	5,000	<b>20,000</b>	<b>5,210</b>	26%
	<b>6,285</b>	<b>6,285</b>	<b>6,285</b>	<b>6,285</b>	<b>25,140</b>	<b>6,817</b>	27%

## ***We will help you file a claim!***

The Baxter Compensation Authority (BCA) has two claims consultants who can help you tell your story about abuse when you were a student. The Claims Consultants are fluent in American Sign Language.



**Michael N. Germano**  
BCA Claims Consultant

*Past work:* Legal intern at Maine Center on Deafness.  
*Education:* Gallaudet University, graduated 1994; Quinnipiac College School of Law, graduated 2000.



**Echo Smith**  
BCA Claims Consultant

*Past work:* Program Manager, Community Support Deaf Services at Goodwill.  
*Education:* Bachelor's Degree in Psychology at University of Maine.

## **Help & Support for you**

If you have trouble in your life now because of abuse at GBSD or MSD, there are professionals who can help you. You **pay nothing** for help!

Look at the paper "You can get help." Also read about SaferPlace!

***For more information, call  
Echo at (207) 287-7165 (TTY)  
Michael at (207) 287-7203 (TTY)  
BCA at (207) 287-6715 (TTY)  
Use relay service 711***

# **Baxter Compensation Authority (BCA)**



69 Sewall Street  
Augusta, ME 04333  
TTY: (207) 287-6715  
Voice: (207) 287-6712  
E-mail: [Mary.E.Goodheart@Maine.gov](mailto:Mary.E.Goodheart@Maine.gov)

John G. Shattuck, Program Director  
TTY: (207) 287-6715  
Voice: (207) 287-6711  
E-mail: [John.G.Shattuck@maine.gov](mailto:John.G.Shattuck@maine.gov)

## ***If you were . . .***

- ✓ *a student at Governor Baxter School for the Deaf (GBSD) or Maine School for the Deaf (MSD)*

*and*

- ✓ *abused while a student*

*You may get compensation (\$\$\$) through the Baxter Compensation Authority (BCA)*

## **What is Abuse?**

### **Physical Abuse:**

- ✓ hit, punched, kicked
- ✓ slapped, pulled hair
- ✓ pushed into lockers, walls, onto floor
- ✓ hit with ruler or pointer

### **Sexual Abuse:**

*All sexy behavior from staff or student-to-student (because staff not supervise or protect you)*

***It was not your fault!!***

***You can get help to feel better — see back of this brochure***

## **Compensation**

If you were abused when you were a student at GBSD or MSD, you may get compensation (\$\$\$).

### **How?**

Submit a claim

(tell your story

about abuse) to BCA.

A Compensation Panel

decides who gets

money and how much.

(\$25,000 - \$60,000 - \$100,000)