

The Hmong community's access to government services: a working group report

Hubert H. Humphrey, III

Attorney General's Working Group on the Hmong Community's Access to Government Services [Minn.]: MARCH 1991

ATTORNEY GENERAL'S WORKING GROUP ON THE HMONG COMMUNITY'S ACCESS TO GOVERNMENT SERVICES p. i

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INTRODUCTION

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Following the deaths of two Hmong boys in Inver Grove Heights in November, 1989, many discussions took place between staff from the Attorney General's Office and representatives from the Hmong community about what issues, relating to government, are particularly important to the Hmong community. Through these discussions, the gap which exists between the Hmong community and government became apparent – a gap born of cultural differences, lack of information and understanding on both sides, and lack of adequate government services. Two specific areas of government services, where the need of the Hmong community is especially acute, were identified: (1) the area of economic issues, including refugee assistance, employment, and small business development; and (2) the area of children's issues, including education and youth services. Attorney General Hubert H. Humphrey, III then convened a working group, which includes representatives from the Hmong community and from state and local government, to examine the government's relationship to the Hmong community.

What follows is the working group's report. The working group recognizes the report's limitations. For example, the report speaks in generalities about the Hmong community, which like other communities, is in reality widely diverse. Also, the report focuses only on one Southeast Asian community, when a number of its findings would apply equally to the Vietnamese, Cambodian, and Lao communities in Minnesota, and to other people of color living in this state. Finally, the group recognizes that a number of its findings and recommendations are not new – they have been made previously in studies done in the years since the first Southeast Asians arrived in the United States.

Nonetheless, the working group hopes that this report will have an impact beyond being “one more study” to put on a shelf. To this end, the group recommends that Attorney General Humphrey create an ongoing advisory committee to work with state and local government agencies on the implementation of the report's recommendations.

Already, a significant sharing of ideas has occurred within the working group during the months it has met, and increased coordination and activity has occurred among the organizations represented. The group hopes that the readers of this report will be similarly inspired to action: that state agencies and local units of government will reach out to bridge the existing gaps and provide the Hmong community with greater access to government services; that the dialogue and coordination will continue and will increase; and that the Legislature, local governments,

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and private foundations will provide needed financial support to the organizations and proposals which will increase the Hmong community's access to government services.

ECONOMIC ISSUES

Background

In 1975, the first Hmong refugees arrived in Minnesota. Minnesota's Hmong population has since grown to 16,838,¹ the second largest urban concentration of Hmong in the United States.² Seventy-five percent of Minnesota's Hmong community lives in St. Paul, and the remainder lives in Minneapolis.³

The Minnesota State Planning Agency reports that the fastest growing population in Minnesota is the Asian and Pacific Islander, which has had an 80% increase since 1980.⁴ Within the 265,100 residents of St. Paul, 1 in every 18 persons is Southeast Asian, and in Minneapolis, 1 in every 22 is Southeast Asian. Much of this increase continues to be in arrivals of refugees from Southeast Asia. Most of the arrivals to St. Paul are Hmong; 1485 arrived in 1989.⁵ A large share of the Asian population increase is due to natural increase

p. 3 from births: whereas the ratio of births to deaths in the white population is 2:1, that of Asians is 18:6.⁶ The federal government projects a decrease in the number of Hmong refugees resettling in the United States beginning in 1991, as more Hmong refugees in Thailand choose to return to Laos.⁷

The Hmong community is also one of Minnesota's most disadvantaged. It has a welfare dependency rate estimated at 60%, the highest among Minnesota's Southeast Asian communities.⁸ The reasons for this are many, including the lack of easily transferable work skills, large families, the lack of exposure to Western culture, and the difficulty of learning English in the absence of literacy in one's own language. Also, when the Hmong first arrived in Minnesota, servicing agencies were unprepared to work with them because little was known about the people or their culture. In addition, there are disincentives built into the public assistance system which make it difficult to take a minimum wage entry level job.

¹ Minnesota Department of Human Services, Refugee and Immigrant Assistance Division, "Minnesota's Southeast Asian Refugees" (May 1990).

² The largest Hmong population is in California. St. Paul Mayor's Office, "The St. Paul Southeast Asian Initiative" 2 (May 1988).

³ *Id.*

⁴ Tom Gillespie, Minnesota Demographer, Minnesota State Planning Agency.

⁵ Refugee and Immigrant Assistance Division, Department of Human Services.

⁶ Metropolitan Council, conversation between Anne Damon and staff, August, 1990. Hmong in the United States have a birthrate of approximately 5% per year. Office of Refugee Resettlement, U.S. Department of Health and Human Services. Children are very dear in the Hmong community, and the Hmong tradition values large families and strong intergenerational relationships.

⁷ See, e.g., U.S. Committee for Refugees, *World Refugee Survey: 1989 In Review* (1990).

⁸ Minnesota Department of Human Services, Refugee and Immigrant Assistance Division, "Minnesota's Southeast Asian Refugees" (May 1990).

Yet the Hmong did not come to Minnesota from a tradition of dependency and unemployment. The Hmong tradition values economic independence and self-sufficiency, education and hard work.⁹ And the Hmong community in the United States has consistently identified a desire for economic betterment as its top concern.¹⁰

The working group discussed three aspects of the Hmong community's economic condition: (1) p. 4
refugee assistance received from the U.S. Department of Health and Human Services and the Minnesota Department of Human Services; (2) employment; and (3) small business development.

Refugee Assistance

Clearly, the current economic circumstances of much of the Hmong community do not comport with the community's tradition of economic independence and self-sufficiency. This is not surprising when the Hmong transition from Laos to Minnesota is understood.

In Laos, the Hmong had an almost exclusively agricultural economy. Their economy – and entire way of life – was completely disrupted by the Viet Nam War. During the war, thousands of Hmong joined special American guerilla units in Laos. Thousands of Hmong died fighting in the war, and many more died escaping Laos after the communist takeover and subsequently in the refugee camps. The Hmong who migrated to the United States experienced repeated trauma prior to their arrival – the trauma of losing their country and the personal trauma of losing family and friends to sickness and death in Laos, in escape, and in the refugee camps.

The federal government has failed to provide adequate and continuing refugee assistance to the Hmong in the United States. When Congress originally passed the Refugee Act of 1980, it agreed to reimburse states for the cash and medical assistance that they provided to refugees during the first 36 months of resettlement.¹¹ However, the time period covered by these payments has steadily declined. In 1986, the U.S. Department of Health and Human Services' Office of Refugee Resettlement ("ORR") reduced the period of reimbursement to 31 months in order to meet the Gramm-Rudman-Hollings legislative requirements. In 1988, ORR reduced its allocations to the states another 38%. By 1990, the federal funds provided by ORR reimbursed the states for only 4 months of AFDC per

refugee. ORR's proposed budget for FY 1991 was \$369 million. By that department's own p. 5
estimate, this fell \$190 million short of what was needed to fully reimburse the states for refugee assistance. At the present time, the state is receiving no reimbursement from ORR for AFDC.

⁹ See, e.g., U.S. Department of Health and Human Services, *Hmong Resettlement Study 4* (1985); C. S. Gross, "The Hmong In Isla Vista: Obstacles And Enhancements To Adjustment," *The Hmong In Transition* (1986).

¹⁰ See generally *Hmong Resettlement Study*; St. Paul Mayor's Office, "The Saint Paul Southeast Asian Initiative" 4.

¹¹ 8 U.S.C. § 1522.

The result of this decrease in federal funding has been an increased financial burden on the states. State AFDC payments continue to those refugees who qualify even after the federal allocation has been used. The Minnesota Department of Human Services estimates that this gap contributed \$2.5 million to the state's budget deficit in FY 1990.

There is a clear need for transitional support for newly arrived refugees in this country. Although there exists some disagreement over the period for which such support should extend, it is generally agreed that financial support must be available for at least 12 months in order to provide refugees with the time necessary to acclimate, to learn English, and to acquire skills necessary for employment.

Moreover, this support should come, in large part, from the federal government. Refugee policy is a federal responsibility driven largely by foreign policy considerations. The federal government should show its commitment by providing an adequate level of federal funding to meet the basic needs of new refugees. Unfortunately, there is little pressure in Congress to increase federal funding for refugee assistance. In part, this has occurred because the number of Southeast Asian refugees entering the country has declined, from a high of 163,799 in 1980 to 38,000 in FY 1988. However, support has also declined because refugees have settled in just a few locations, seeking to locate where they find their countrymen. Thus, this issue now only affects a handful of states, including Minnesota.

Some of these states' Congressional delegations and the state agencies with jurisdiction over refugee resettlement have worked to persuade Congress to increase funding for refugee assistance. In Minnesota, the Department of Human Services sued the U.S. Department of Health and Human Services in 1989 in an effort to require the federal

p. 6 government to restore full federal funding. However, the court ruled against Minnesota, finding that the federal government's actions were within its discretion and a reasonable allocation of resources in light of budget concerns. Thus, the final responsibility for funding lies with Congress and not the Department of Health and Human Services, and that is where pressure must be brought to bear. The National Governors Association has supported this effort. In addition, Attorney General Humphrey, joined by several other state Attorneys General, last year urged Congress to increase the funding level.

There is clearly a need to rebuild public support for refugee funding. Public and private organizations should actively support adequate funding for refugee assistance and should provide public education about the need for and role of resettlement efforts.

In addition to providing more funding, the federal government should allow the states more flexibility to meet refugees' needs. Currently, 85% of the funds Minnesota receives from the federal government for refugee social services must be utilized for employment services. The remaining 15% may be used for discretionary programs; Minnesota chooses to fund mental health and youth services.

Undoubtedly, employment services are essential to foster self-sufficiency for refugees. However, the refugee assistance funds must address two separate interrelated needs: the funds are needed to supply refugees with basic social services during the transition period, and the funds are needed to assist refugees in finding and retaining employment and becoming self-sufficient. The state agency administering the program needs the flexibility to move between these two functions and to provide nonemployment services (such as mental health and youth services) as needed.

Minnesota has been a leader in developing innovative programs to utilize refugee assistance funds. In 1990, the Department of Human Services implemented a new initiative. Until recently, DHS contracted with 43 vendors, and the burden was largely on the refugee family to find the assistance it needed from the various vendors. DHS now has only 13 vendors who focus on self-sufficiency projects. Eight of the vendors are refugee run

mutual assistance associations, three are voluntary agencies, one is a county training and employment agency and one is a private non-profit employment service. Each vendor is responsible for locating all services for its clients. The goal is to help clients achieve self-sufficiency, and the vendors will be measured by that standard. DHS wants to see aggressive employment placement policies and increased retention. This will require vendors to provide retention and after-placement services as well as placement services. Each vendor's goal will be to "recover" 50% of its grant in welfare savings by placing in employment more than one adult in the family, and keeping the family off welfare for longer periods of time through increased after-placement services. The emphasis this year is on providing concurrent rather than sequential services, using the multiple wage earner strategy and focusing on the more difficult to serve family of four or more. DHS hopes that the program will promote creativity in breaking welfare dependency and will improve DHS' ability to measure vendor performance.

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In addition, Minnesota has provided a significant level of state funding. In 1989, the Minnesota legislature appropriated approximately \$400,000 to be used for youth services, language interpreters for health and mental health services, and for bilingual case managers for STRIDE.¹² Unfortunately, however, in the 1990 session, \$150,000 was cut from mental health services.

Despite Minnesota's efforts, it is clear that much more is needed. The economic needs of Minnesota's Hmong community will not be met until adequate funding is available for refugee assistance.

Recommendations

1. The federal government should appropriate adequate funds to reimburse the
2. states for 12 months of cash and medical assistance provided to refugees pursuant to the Federal Refugee Act of 1980.

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¹² STRIDE is Minnesota's welfare reform program which assists welfare recipients in moving from welfare to work. STRIDE is part of the federal government's JOBS program and is administered jointly by DHS and the Minnesota Department of Jobs and Training.

3. The federal government should provide the states with more flexibility in the states' use of refugee assistance funds so that the states may meet the social service needs of the refugee community as well as the community's employment services needs.
4. Public and private organizations should support adequate funding for refugee assistance and should help to rebuild public support for refugee programs, providing public education about the need for and role of resettlement efforts.
5. The Minnesota Legislature should restore the \$150,000 cut in 1990 from refugee mental health services.

Employment

The members of the working group reiterated what studies have found before – that the number one concern of the Hmong community is to find and retain employment in order to achieve economic self-sufficiency. Yet a number of significant barriers stand in the way of reaching this goal. The following barriers are typically identified:

1. lack of training for suitable employment;
2. lack of job seeking skills and career counseling;
3. lack of English language skills;
4. lack of child care; and
5. loss of medical assistance when one obtains employment.

A major barrier for many Hmong is their lack of training for employment. A study done in the Twin Cities in 1983 found that the Hmong were generally employed in minimum wage jobs and often were employed only part-time.¹³ This was the result of lack of English language skills and marketable employment skills. Although this situation has

p. 9 improved, and a growing number of Hmong have secondary and post-secondary degrees and are moving into all areas of employment, the problem persists.

This problem is not just one of learning employment skills, but just as importantly, of obtaining the skills necessary to find a job and retain it. The Hmong came to this country from a rural, agricultural tradition and need training regarding how to seek employment in an urban, industrial environment. There is therefore a need to reach out to the Hmong who have English skills and employment skills as well as to the Hmong without those skills. Further, once the Hmong have obtained employment, there is a need to help them understand the culture of the American workplace. Cultural barriers can result in an employee's feeling uncomfortable and leaving employment. Employers need to have more sensitivity to the Hmong culture's view of interaction, for example, the role of jokes and levels of relationships (e.g., what is friendship, relationships between men and women in the workplace). Employers need to be educated about and sensitive to cultural differences on these issues. Agencies such as the Council on Asian-Pacific Minnesotans and the Minnesota Department of Human Rights should take a

¹³ *Hmong Resettlement Study* at 74, 85.

leadership role in developing employer training on these issues. Mentoring programs, using both American and Hmong mentors, would also be helpful in addressing some of these issues.

Another major barrier for many Hmong is their lack of English language skills. Education was not widely available to the Hmong in Laos, particularly during the Viet Nam War, and few educational opportunities are provided in the refugee camps in Thailand.¹⁴ As a result, many Hmong have arrived in the United States with little or no formal education and few English language skills.

However, the Hmong's need for English language skills should not be overly emphasized. Not all employment opportunities require English proficiency, and employers should avoid using this issue as an excuse for refusing to hire Hmong employees. The

Hmong need opportunities for specific English language training. However, equally importantly, they need opportunities to use English in the workplace. The working group strongly recommends that English language training be integrated with skills training and employment opportunities to the maximum extent possible.

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A substantial number of English as a second language ("ESL") programs are available in Minnesota. The public schools provide ESL to adults through community education. In addition, the American Literacy Council, Lao Family Community of Minnesota, the Hmong American Partnership and the Association for the Advancement of Hmong Women provide ESL classes.

However, the working group identified several problems with regard to ESL training for Minnesota's Hmong community. Most importantly, as mentioned above, there is a need to integrate ESL training with skills training and employment. In the past, training has generally occurred sequentially – ESL training has occurred first and then the Hmong have been expected to seek employment. There is, however, no need to wait. Programs should encourage simultaneous job placement and ESL training, including worksite ESL, wherever possible. The Department of Human Services has begun to encourage such integrated programs in its new self-sufficiency initiative.

In addition, there is a need for more flexibility for those who want to learn English quickly. Limits are often imposed on how much time one can spend in ESL, for example, a limit of 2 hours of class per day. Yet, if a student wants to learn more quickly, the opportunity should ideally be available. Also, because many Hmong did not experience formal education in Laos, they need to understand and be taught the methodology of learning in a formal education setting in addition to learning the particular subject, such as English. Finally, studies have indicated that Hmong who are literate in the Hmong language more easily become proficient in English.¹⁵ As a result, there is a need to build Hmong literacy where possible.

Lack of adequate child care is another barrier to Hmong employment. Obviously, this is also a problem for many non-Hmong parents, particularly women, seeking employment. However,

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¹⁴ *Hmong Resettlement Study* at 28.

¹⁵ Green and Reder, "Factors in Individual Acquisition of English," *The Hmong in Transition* 317-19.

some unique aspects of the Hmong tradition merit reference on this issue. First, traditionally, the Hmong have had large families, and women have had responsibility for caring for the children and for the extended family. As a result, in Laos, women rarely worked outside the home. However, in the United States it may be necessary for both parents to work outside the home in order to achieve economic self-sufficiency. Thus, there is a need for the government, when encouraging self-sufficiency, to be sensitive to the cultural differences on this issue. In addition, the fact that many Hmong families are large may make it particularly difficult for parents to find and afford child care. Finally, many Hmong do not feel comfortable leaving their children with non-Hmong caregivers. Thus, there is again a need for sensitivity and for developing child care options which include Hmong women as caregivers.

The last major barrier to employment is the loss of Medical Assistance, which is received in addition to cash assistance. Historically, Medical Assistance ended when the recipient obtained employment, and his income exceeded the "financial need" standard. The new federal JOBS legislation changes this previous consequence of employment. Since April of 1990 a person who leaves welfare because of earned income (a job) may receive up to 1 year of extended Medical Assistance coverage. In addition, those people who are mandatory STRIDE participants are entitled to up to one year of child care. Though these will not apply to every Hmong family, there are many who could benefit if they are made aware of this option. A number of Hmong on assistance are reluctant to seek employment while they are eligible for Medical Assistance because they fear losing this protection for their families when they become employed. The state should seek to create additional options which will meet the medical needs of the Hmong community while they are achieving self-sufficiency.

p. 12 A number of government agencies have made significant efforts to increase employment opportunities for the Hmong community. The Department of Human Services' new initiative encouraging mutual assistance associations to promote economic self-sufficiency is discussed above. The Hmong American Partnership and Lao Family Community (in collaboration with the Association for the Advancement of Hmong Women and the Women's Association of Hmong and Lao) each have exclusively Hmong projects which actively assist families in moving from welfare to self-sufficiency. The City of St. Paul, as a result of the 1990 Southeast Asian Working Group Report, has begun a number of initiatives to improve employment services to the Southeast Asian community and to increase the representation of Southeast Asians in the city's work force.¹⁶

However, much more can be done, especially in state government. The state is a major employer in Minnesota, employing more than 32,000 persons throughout the state. Only 237 of those employed by the state, or less than 1%, are Asian-American.¹⁷

The working group identified three important barriers between the Hmong community and employment with the State. The most significant barrier is that the Hmong community does not generally know what employment opportunities are available with the state and where and how

¹⁶ *St. Paul Southeast Asian Working Group Report* 6-8 (June 1990); "Scheibel Announces Refugee Aid Program," *St. Paul Pioneer Press*, October 2, 1990.

¹⁷ Minnesota Department of Employee Relations, *Affirmative Action 1989 Annual Report* at Appendix.

to apply for them. The state has an affirmative action program that should assist minority communities such as the Hmong in obtaining state employment. However, the Hmong community must know about the availability of jobs and must apply for them before affirmative action will be of any help. Thus far, the state has really not reached out to provide information about state employment to the Hmong community.

This problem could be addressed in a number of ways. For example, the Minnesota Department of Employee Relations (“DOER”) could translate its brochures into Hmong. It could distribute employment information to the mutual assistance associations and could

work with them to establish bulletin boards of job opportunities with the state and other units of government. Also, DOER could target the Hmong community to advertise particular employment opportunities. p. 13

Second, as with other employment, some members of the Hmong community lack the training necessary for state employment opportunities. Third, many members of the Hmong community lack the English language skills necessary to obtain state employment. Most jobs with the state are classified positions and require an applicant to take an employment examination.¹⁸ DOER permits an applicant to have assistance from someone else in filling out the employment application. However, lack of English skills still poses a problem for any position which requires the taking of a written test. There are some “routine services” jobs within the state for which DOER obtains referrals from the Department of Jobs and Training. For these jobs, the applicant need not take a written civil service exam.

The state should reach out to the Hmong community in order to increase Hmong employment with the state. DOER and other government agencies should develop strategies for improving job development in the Hmong community and should not just rely on ad hoc hiring to address this problem.

The State Department of Jobs and Training (“DJT”) also has an opportunity to provide leadership in meeting the employment needs of the Hmong community. The department's Jobs and Insurance Division places approximately 80,000 persons in jobs per year. Its purpose is to serve economically disadvantaged persons, and people receiving AFDC or in a work-readiness program are automatically eligible. DJT's staff helps applicants identify what they need to be “job ready,” directs them to programs, and then places applicants who follow through on the programs.

Despite the DJT's crucial function in employment assistance, it has no Hmong employees. DJT has tried in the past to focus on the Hmong community in two of its programs: an English as a second language type of program and a job placement program. However, the department did not consider either of these programs successful. Too few eligible persons participated in the programs, and the department ran out of funds after one year. The working group questions how effectively the department reached out to the Hmong community in implementing these p. 14

¹⁸ Some classified positions do not require the applicant to take a written examination, but for most of these positions, the applicant must demonstrate a certain level of training and experience.

programs because the Hmong members of the group had never heard of them. This underscores the need identified above for government agencies to develop specific strategies for reaching out actively to the Hmong community by hiring Hmong employees, by providing brochures, by providing information at accessible locations such as mutual assistance associations, and by providing public service announcements, for example, on Fresh Air Radio which has Hmong language programming.

The Department of Human Rights, Contract Compliance Division, maintains a list of resources where state contractors can secure minority hiring. A department pamphlet, "Employment Resource and Referral Agencies," identifies employment resources in the Black, Hispanic, Asian/Pacific Islander, and Native American communities, among others. The pamphlet does identify Lao Family Community, which serves the Hmong community. However, other Hmong employment vendors should also be identified, and all minority employment vendors should be informed about this opportunity. In addition, the department should proactively provide the pamphlet to state contractors rather than waiting for contractors to request it.

The Department of Labor & Industry, Regulation and Enforcement Division, regulates apprenticeship programs and assists private sector employers in organizing on-the-job training programs. The department also provides a brochure entitled "Career Opportunities Through Apprenticeship." This brochure, and the department's other publications about the apprenticeship/on-the-job training programs are only available in

p. 15 English. The department has made some efforts to reach out to the Asian-Pacific community. For example, the department recently held a training conference on apprenticeship and specifically asked the Council on Asian-Pacific Minnesotans to send participants. However, the department should also reach out to the Hmong community specifically by translating its brochures and providing them at easily accessible locations such as the mutual associations.

The need to provide the Hmong community with sufficient information about employment opportunities with and through the state is key to the state's contributing to Hmong economic self-sufficiency. Several years ago, the Minnesota Legislature enacted the Bilingual Services Act, Minn. Stat. § 15.441, which requires state agencies that serve "a substantial number of non-English speaking people" to employ bilingual employees and to provide translations of materials explaining agency services. After the legislation was passed, a task force of representatives from various state agencies worked on implementing the statute, and some agencies did translate information into languages other than English. However, many agencies need to provide more information about their services to the Hmong community.

Recommendations

1. State and local agencies should develop innovative programs which integrate English language training with skills training and employment. For example, the development of an adult school might be appropriate. This would be a setting in which adults could come and learn English and perhaps other skills for a substantial period of time each day if they

wished. It would also provide them with an opportunity to learn about learning and to have perhaps a better idea of what their children are experiencing in school.

2. Public and private sector employers should encourage the mentoring of Hmong employees in the workplace.
3. The Council on Asian-Pacific Minnesotans and the Minnesota Department of Human Rights should facilitate the education of public and private employers about cultural differences. p. 16
4. State and local government agencies should provide improved opportunities for the Hmong to learn English language skills, including:
 - 1 more opportunities for goal-directed, flexible ESL training, which is provided concurrently with other services rather than sequentially;
 - 2 work site ESL training; and
 - 3 programs which provide students to develop relationships which give them opportunities to speak English with people outside the Hmong community.
5. State and local agencies and private organizations should provide increased opportunities for affordable child care for the Hmong community and for care which provides Hmong caregivers to the extent possible.
6. The state should seek to continue Medical Assistance, or an equivalent, during the period a Hmong employee is establishing self-sufficiency.
7. The Department of Employee Relations should:
 - 4 develop information about state employment opportunities in the Hmong language;
 - 5 provide this information in locations readily accessible to the Hmong community, for example, at mutual assistance association offices; and
 - 6 examine its testing and hiring practices with an eye toward providing the maximum possible outreach to the Hmong community.
8. The Department of Jobs and Training should:
 - 7 develop information about employment opportunities in the Hmong language;
 - 8 provide this information in locations readily accessible to the Hmong community, for example, at mutual assistance association offices; and
 - 9 examine its intake and placement practices with an eye toward providing the maximum possible outreach to the Hmong community.
9. The Department of Human Rights, Contract Compliance Division, should:
 - 10 provide information to Hmong employment vendors about the opportunity to be identified as a minority recruitment resource; and
 - 11 provide all state contractors with its minority resource brochure.
10. The Department of Labor & Industry, Regulation & Enforcement Division, should:
 - 12 develop information about apprenticeship/on-the-job training opportunities in Hmong language; and

13 provide this information in readily accessible locations to the Hmong community, for example, at mutual assistance association offices.

11. State agencies should examine whether they are in full compliance with the Bilingual Services Act, and should request funding from the Minnesota Legislature if necessary to implement the provisions of the Act.

Small Business Development

Another option for economic independence and self-sufficiency for the Hmong community exists through small business development. The Hmong clearly have the need and the ability to develop and run successful small businesses. Equally clear, however, is the government's failure to effectively promote the fruitful services that are available to assist the Hmong in the area of small business development.

A number of opportunities exist through the U.S. Small Business Administration ("SBA"). SBA is a federal agency designed to assist independently owned and operated small businesses in all aspects of business development including financial assistance, management counseling, and training. The SBA provides financial assistance by offering a

p. 18 variety of loan programs to eligible small businesses that cannot borrow on reasonable terms from conventional lenders without government assistance. In essence, SBA absorbs the risks associated with a business that is new or small by guarantying the business loan. SBA also sponsors a variety of counseling, training and information services such as the Service Corps of Retired Executives ("SCORE"), the Active Corps of Executives ("ACE"), Small Business Institutes ("SBI"), and Small Business Development Centers ("SBDC"). These agencies provide free one-on-one business counseling, in-depth research and analysis, and other specialized services for new or existing small businesses.

SBDC's may be particularly helpful for the Hmong that seek small business assistance. The Centers are designed to assist individuals in business development, including but not limited to, budgeting, cashflow analysis, financing, strategic marketing, personnel management, production issues, technology transfer and the location of investment capital. SBDC's also provide specialized services in areas like export, hazardous waste management, small business innovation research and assistance in the procurement of government contracts.

The Centers provide the services in several ways. First, they work one-on-one with clients who are ready to start a business. To that end, clients are encouraged to utilize the Center services after the individual has developed a business plan. After the plan has been developed, the individual will receive an appointment with a SBDC counselor. The counselors are trained to pinpoint the business services that the client needs, assist with the completion of technical business applications, provide referrals to pertinent training programs or directly provide the

services needed.¹⁹ In addition to working with business owners and managers, the Center will also work with college or graduate students who are planning to be business entrepreneurs.

The Centers also provide seminars for individuals interested in developing small businesses. These seminars are usually on specific and technical topics such as “the use of bar coding”. The Centers concentrate on technical business subjects since organizations such as SCORE and ACE conduct seminars on “how to start your own business.” All of the services available at SBDC's are generally provided at no charge to small business clients.²⁰ p. 19

In November of 1988, the University of St. Thomas (“University”) developed an Asian Small Business Development Center (“ASBDC”). This Center was designed specifically to serve the business needs of the Asian community. After serving the community for two years, however, the University determined that there was not an adequate market for the Asian Center and the University could provide the services to Asian clients effectively through normal channels. Unfortunately, there are no reports on the overall effectiveness of the ASBDC.

Although attempts are currently being made to serve Asian clients through normal channels, a number of significant barriers exist that impede the University's ability to effectively serve the Hmong community. First, when the ASBDC was originally developed, the Center failed to realize and address the fact that the Asian population in Minnesota is not monolithic. Instead, the Center attempted to serve the Asian community by incorporating the business needs of the Lao, Cambodian, Vietnamese and the Hmong communities. The communities are distinct groups, however, with different business needs and concerns. For example, the Vietnamese have taken advantage of opportunities for small business development and are generally more educated and have assimilated into American society with less difficulty than the Hmong.²¹ In providing service to the Hmong

community, special emphasis must be given to the differences in the cultural backgrounds of the Asian clients. p. 20

Second, the lack of English language skills has been a barrier. For example, staff counselors have experienced some difficulties in conveying program information to the community since the Center does not employ bilingual counselors and all of the written material distributed by the Center is in English. Additionally, some members of the Hmong community avoid seeking assistance by telephone because of language barriers in communicating telephone numbers and their particular business needs. The University expressed an interest, to the working group, of its desire to improve service to the Hmong community. To that end, the Center recently

¹⁹ Typical client questions are: how do I start a small business, what are the requirements for operating a business in Minnesota, what are the licensing and tax requirements, what type of insurance needs should be considered and whether the Center can provide assistance in filling out various business applications.

²⁰ Minnesota SBDC's are funded by the U.S. Small Business Administration, the Minnesota Department of Trade and Economic Development, educational institutions and private sector sponsors. There are approximately 30 SBDCs throughout Minnesota.

²¹ The Center's client load is only ten percent (10%) minority and the predominant language group from the Asian community is Vietnamese.

submitted a proposal to Midway Rotary Club to obtain bilingual marketing material for the Center to distribute to their Hmong clients.

Finally, lack of an adequate understanding of the legal requirements for business development in this country is another barrier to the Hmong community's ability to effectively start their own businesses. According to staff at the University of St. Thomas, many of the Hmong are accustomed to operating independently of state regulation and they perceive certain business requirements (licensing, insurance, etc.) as barriers to doing business in Minnesota.

Recommendations

1. There are a number of useful services provided by the SBA that could be instrumental in assisting the Hmong community to become economically self-sufficient. In order to serve the Hmong community more effectively, the SBA should make more of a concerted effort to advertise their services to the community. Direct outreach should be pursued through mutual assistance organizations and the development of seminars specifically designed to identify and address the Hmong community's business needs.
2. SBDC's should employ bilingual individuals to facilitate communication between staff counselors and the Hmong community. For example, the Centers could have
3. Hmong interpreters available on certain days or at designated times of the day to bridge the communication gap.
4. The University of St. Thomas SBDC indicated that it has a lot of flexibility in providing outreach services to the community. As a result, the Center should consider conducting seminars for the Hmong community on the topic of "how to start your own business".
5. The University should continue to pursue its efforts of obtaining bilingual marketing material for distribution to the Hmong community.
6. The Commissioners of Administration and Trade and Economic and Development are in a strategic position to improve the economic status of the Hmong community. For example, pursuant to Minn. Stat. 16B.19- 16B.22 and 116J.68 (1990), they are responsible in part for locating and improving business opportunities for targeted small businesses owned and operated by socially or economically disadvantaged persons. Like SBDC's, they should ensure that the community is aware of the opportunities for doing business with the state.

CHILDREN'S ISSUES

Education

Hmong culture places a high value on education. However, particularly during the Viet Nam War and in the refugee camps after the war, the Hmong had few opportunities for formal education. Even before the Viet Nam War, Hmong education was accomplished largely within the family or clan and was based on the Hmong traditions of oral history and learning by doing. Typically, Hmong boys in Laos obtained a formal education through third or fourth grade and Hmong girls obtained at most a first grade education.

Since coming to the United States, the Hmong have identified education as the most important need for their children.²² They recognize that education is essential to obtaining employment and self-sufficiency.

Studies undertaken of Southeast Asian students in the United States have found that many Hmong students are motivated and have done well. A study conducted in the San Diego public school system found that Hmong students did well in school (accomplishing grade point averages above the white majority student average), were the least likely to drop out of school, and were less likely than most groups to become involved with the juvenile justice system.²³ The study attributed the Hmong students' success in school to a combination of Hmong cultural values – the Hmong's emphasis on education and a strong work ethic combined with a strong extended family system which emphasizes discipline.²⁴

Yet all of the studies have also found that significant barriers continue to impede Hmong students' success. The issues most frequently identified are the need for additional

educational and career counseling opportunities, conflicts in cultural expectations between school and family, and early marriage and pregnancy.²⁵ p. 23

Both St. Paul and Minneapolis have significant, and growing, Hmong student populations. In St. Paul, over 18% of the total student population is Southeast Asian, and 22% and 23%, respectively, of the kindergarten and first grade populations are Southeast Asian. Southeast Asians are the St. Paul School District's fastest growing ethnic group. To meet the needs of this population, the school district has 83.5 full-time equivalency licensed English as a second language (“ESL”) and bilingual teachers – approximately 1 teacher for every 40 limited English proficiency (“LEP”) students served. The school district also employs 31 bilingual Southeast Asian paraprofessionals. At the elementary level, the school district has 14 self-contained ESL classrooms for students with very limited English language skills. It also has pull-out ESL support services at most elementary sites and support services by bilingual paraprofessional staff. At the secondary level, the school district has ESL and bilingual teachers at all senior high schools, has ESL teachers at impacted junior high schools, and has support services by bilingual paraprofessional staff.

The Minneapolis School District employs approximately 80 licensed ESL and bilingual teachers and 40 bilingual paraprofessionals to serve approximately 3,200 LEP students at kindergarten through the twelfth grade. The largest ethnolinguistic population is Hmong. LEP students are clustered by native language and assigned to “LEP Centers” geographically spread throughout the district. The LEP student at the elementary level typically receives daily instruction in ESL and bilingual support from the paraprofessional assigned to that school. At least half of the day

²² R.A. Chase, *St. Paul PHA Family Survey* 5 (1990).

²³ U.S. Department of Health and Human Services, *The Adaptation of Southeast Asian Refugee Youth: A Comparative Study* xiii-xv, 53-55 (1988).

²⁴ *Id.* at 28–29.

²⁵ See generally *The Adaptation of Southeast Asian Refugee Youth: A Comparative Study*; U.S. Department of Health and Human Services, *A Study of Southeast Asian Youth in Philadelphia* (1988); *Hmong Settlement Study* at 173–95.

is spent in the mainstream classroom with English-speaking peers. Bilingual paraprofessionals make regular home contacts, translate school routine and other information to language minority students and their families.

p. 24 Some elementary LEP Centers have converted their paraprofessional allocation to employ a bilingual teacher. At the junior-senior high schools, there is one bilingual teacher and one ESL teacher for approximately every 60 LEP students who speak the same language. Beginning classes in English and the academic content areas of math, science, health and social students taught in the native language generally have from 15–25 LEP students.

The St. Paul and Minneapolis school districts are recognized as leaders in developing responses to the Hmong families in the school system. They have developed creative, thoughtful approaches to the provision of LEP programs and to providing information regarding Hmong culture to school system employees and students.²⁶

Yet the school districts recognize that much work remains. The working group identified the following issues requiring attention in Minnesota:

1. older students who lack basic English and math skills;
2. communications between schools and parents;
3. parent-child relationships;
4. married students, especially with dependent children;
5. the availability of teachers of color; and
6. the need for academic and career counseling.

Each of these issues are discussed separately below.

1. Older students who lack basic English and math skills

Many Hmong students have come to Minnesota from the refugee camps. They have had no previous formal education, as we know it, in Laos or the refugee camps. Students who arrive from the camps, including older students, therefore have to begin with basic English and math skills. This can be difficult for an older student whose peers in a school system already have those basic skills. The school systems generally place the student in a grade level roughly according to age, although their skill level may be far behind that of

p. 25 their peers. This has caused some Hmong students, particularly those in their late teens, to develop depression and other mental health problems.

The most significant problem is that of placing students who are in their early twenties. By law, students can stay in day school only until they are 23. However, a significant number of young Hmong refugees in their late teens and early twenties want to enroll in day high schools. This poses a problem for any student who will not be able to accumulate an adequate number of credits before he or she turns 23 and is then rejected from the school system. Both the

²⁶ *Hmong Resettlement Study* at 162–65.

Minneapolis and St. Paul school districts have some programs to address this need. St. Paul has adult diploma programs which students over 23 can attend, and Minneapolis also has some alternative school opportunities. However, there is a need for more flexibility in programming to meet the needs of older students, and in particular, there is a need for more programs with an ESL component.

One option might be to provide the opportunity for a bilingual GED program. However, most older students would rather attend high school for two reasons: because it is somewhat easier than the self-paced GED programs; and because many of the older students want to attend high school in order to experience the socialization and acculturation which it provides.

Another option might be to evaluate the education experience which these students obtained in Asia in order perhaps to give them some credits toward graduation. However, this probably would not be useful because most of the Hmong students have had very little formal education and really need to start with basic English and math.

The school districts should explore other options for students who are 18 and older, including expanded night programs, summer programs, work-study options, and extending the age at which students may remain in high school. The school districts should include bilingual components in any alternative programs for high school students and should actively recruit Hmong teachers and counselors for these alternative programs. Finally, the

school districts should continue their participation with mentor programs such as those offered by the Hmong American Partnership and the American Refugee Committee.

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There may also be a need to rethink the way Hmong students, particularly older students, are taught. Most Hmong came to the United States with very little formal education and without an understanding of how to approach formal education. The Hmong generally learn to speak the English language well but may have trouble with written tests in English. This may be because they do not know how to properly prepare for an exam and it may be that the students do not fully understand the principles underlying the subjects they are learning. There may be a need to reexamine Hmong history and culture to find out how Hmong students best learn. For example, historically the Hmong have demonstrated high visual and dexterity skills but have not as frequently used analytical skills. Traditionally, the Hmong have had a culture of learning by doing and a culture that is more oral than written. The Minnesota Department of Education and school districts should explore teaching methods which match the Hmong's traditional ways of learning with the current educational system and which preserve and pass on elements of Hmong tradition and history.

2. Communications between school and parents

Both the St. Paul and Minneapolis school districts have found it difficult to establish adequate communication between the schools and Hmong parents. Both districts publish newsletters in Hmong, but many Hmong parents cannot read. This lack of communication between the schools and Hmong parents results in a number of problems. Hmong parents may not

understand the student's educational experience and may not understand the need for parent participation, for example, in parent-teacher conferences. One Hmong representative in the working group stated that sometimes Hmong parents do not even know about a child's graduation. As a result of this communication gap, a student may feel that his or her parents do not support him and therefore may stop trying to succeed, when the problem really is that the parents are not receiving and understanding information from

p. 27 the school. In addition, inadequate communication between the schools and Hmong parents can result in the parents not knowing what the norms are in school and accepting whatever their children identify as the norms.

Both school districts have made progress in promoting communication by printing school newsletters in Hmong and by forming parent-teacher organizations specifically for Hmong parents. However, there is a need to provide more oral communication. This would build on the Hmong community's oral tradition and would also address the problem that many parents cannot read English well.

Radio and television programming provide excellent opportunities for reaching out to the Hmong community. KFAI Fresh Air Radio has one hour of Hmong programming every Thursday morning and many Hmong listen to it. The Minneapolis school district has also proposed starting a project of Southeast Asian broadcasting on KBEM 88.5 FM, the Minneapolis public school station. To begin, the project will need funding estimated at approximately \$100,000 per year.

3. Parent-child relationships

By going to school, Hmong children become immersed in a very important part of American culture, its education system. This immersion often seriously disrupts the parent-child relationship in a Hmong family. The children learn English and they learn Western ways, including rebellion against parental authority. They find themselves caught simultaneously between two very different, yet both very important, cultures. Many Hmong parents do not understand the American education process and do not speak much English. The fact that the children learn English in school and therefore move more easily than the parents in the American community sometimes results in essentially a parent-child role reversal. Traditionally, the Hmong community has been a very close community with a unified family structure. However, Western culture is felt to threaten this resulting in fear among parents in the Hmong community.

p. 28 In this regard, Hmong parents are particularly concerned about child discipline issues. In the Hmong tradition, physical discipline is accepted and expected in home and in school. However, physical discipline is less accepted in Minnesota, and in serious circumstances, may result in the involvement of child protection authorities. Many Hmong parents have great fear of losing their children to child protection authorities. They fear that if they discipline a child, the child will complain to his school, the school will call child protection, and child protection will remove the child from the home. And, unfortunately, some children take advantage of this fear

and threaten their parents with reporting, thus further contributing to the gap between parent and child.

Many Hmong simply do not understand what forms of child discipline are acceptable here. Typically, they have been told what they cannot do but have not been provided with alternatives. Thus, Hmong parents feel, understandably, that their authority has been undermined, and their family structure, which is so important in Hmong culture, is being torn apart.

There is a serious need to educate Hmong parents to understand the American culture in which their school age children are immersed, and particularly to understand American child rearing practices and the American legal system relating to child protection. Some education programs are already in place. Programs relating to increasing parents' understanding of the education process are noted above. Others, relating to child discipline issues, are provided in part by Early Childhood Family Education in Minneapolis and St. Paul. Ramsey County Community Corrections has also provided some programs for older youth. However, much more is needed. Programming must be developed which strengthens and supports the parents' role in Hmong families. Programming should build on the existing Hmong community structure, particularly the clans. Existing programs need to develop demographics which reflect the community the programs are serving. This has been particularly a problem with Early Childhood Family Education ("ECFE") where there is a need to incorporate more educators of color in the

program. In addition, ECFE is directed at the parents of pre-school children, and there is a serious need to provide programs for the parents of school age children. To be effective, programs should go where the parents are, for example, to public housing locations, to the workplace, and to the mutual assistance associations. In addition, as has been mentioned before, there is a need to stress oral communication where possible and to develop programs on television and radio.

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4. Married students with dependent children

In Laos, Hmong girls traditionally married between the ages of 14 and 18, and boys married between the ages of 18 and 30. Some Hmong have continued the tradition of early marriage of girls in the United States.

The Minneapolis and St. Paul school districts feel that student marriage is a serious problem in the schools. Minneapolis estimates that 80% of the Hmong female students at Edison High School are married and that many of these students have children. Often the students have been married in traditional Hmong marriages and have not been married under American law because they are too young to do so. Although programs such as MICE (Mothers and Infants Continuing Education), PACE (Pregnant Adolescent Continuing Education), and AGAPE (Adolescent Girls and Parenting Education) are available in the schools to assist expectant mothers and students with children, waiting lists exist, and the programs simply cannot accommodate all the students and children of students who need them.

The issue is very complex. Married students with children face a host of problems: the language barrier, the need for child care, inadequate transportation, and little or no money. The combination of these problems can often result in married Hmong students dropping out of high school and not obtaining the education they very much need.

In addressing this issue, it must be recognized that there are different perspectives. Teen marriage and pregnancy has been common for the Hmong. However, for the

p. 30 non-Hmong in the United States, teen marriage and pregnancy is much less frequent. Sensitivity to these differences is essential for this issue to be addressed successfully.

The group agreed that there are two aspects to addressing this issue. First, preventative steps need to be taken. As noted, however, this needs to be done in a very sensitive fashion. It would be helpful to focus on the importance of obtaining education, and how family responsibilities affect that goal, and not per se on preventing teen marriage and child bearing. Second, the immediate problems faced by married students with children must be addressed, for example, child care and transportation. The St. Paul school district has child care available at some schools but much more is needed, and preferably, the centers should combine child care with teaching of parenting skills. Any day care centers that are established need to include Hmong women as caregivers because many Hmong mothers may not trust their children with non-Hmong caretakers. In developing any solutions to this problem, it is imperative that there be Hmong community involvement. Lao Family Community of Minnesota provides a Hmong teen pregnancy prevention program which addresses these issues, and similar programs need to be developed and supported.

5. Availability of teachers of color

Concern regarding the declining number of teachers of color has been nationally documented.²⁷ In Minnesota, there is a need for teachers of color both generally and specifically for more Hmong teachers.

One of the barriers to solving this problem in the Hmong community is that there have not yet been a large number of Hmong who have had an opportunity to obtain teaching credentials. In Minnesota, a non-college graduate can obtain a limited teaching permit. The school district may hire someone with a limited permit if it cannot find someone with a provisional or standard license to fill the position. These limited permits

p. 31 must be requested annually and expire at the end of the school year. The application must be resubmitted in the fall.

Alternative credentialing mechanisms are available. For example, the University of Wisconsin-Milwaukee will evaluate an applicant's teaching credentials, and if UWM determines that the credentials are sufficient, Minnesota will accept them. This may be effective for some refugees who were teachers in their home country and now wish also to teach here. However, this has a

²⁷ See, e.g., Penn, "Minority Teacher Recruitment: A National Perspective".

limited impact in the Hmong community where much of the community does not have credentials that will be useful here.

6. Academic and career counseling

All of the studies conducted by the U.S. Department of Health and Human Services on Southeast Asian youth have concluded that there is a serious need for adequate academic and career counseling for Southeast Asian students.²⁸ Students need to be prepared, while they are still in secondary school, for seeking employment after graduation or for pursuing further education in a field which offers opportunities for employment. Unfortunately, because often the Hmong have not received adequate career counseling, many Hmong, even with a post-secondary education, are unemployed or under employed.

There is also a need for post-secondary institutions to focus on guiding and placing Hmong students. It is important that they leave the post-secondary system with degrees that result in employment. Unfortunately, although many Hmong have been in Minnesota for 10 to 15 years, very few of them who are educated have employment in their fields of training. As a result, some members of the Hmong community are beginning to question the relevance of education.

Some innovative programs have been developed by nonprofit organizations to address this issue in Minnesota. For example, the Hmong American Partnership sponsors a Summer Youth Institute for high school students who want to learn about careers. The

institute arranges for students to meet people in different careers in order to learn more about them. The Hmong American Partnership's mentor program also works with students by pairing them with adults or college students year round for assistance with homework and other issues. These kinds of programs may be key in directing Hmong youth to career paths which will result in self-sufficiency, and public and private organizations should support them. p. 32

Recommendations

1. The Minnesota Department of Education and school districts should provide more flexibility in programming to meet the needs of older students and should particularly provide more programs with an ESL component for older students.
2. School districts should increase the schools' oral communication with Hmong parents by, for example:
 - 14 providing individual oral contacts with parents, e.g., by the telephone or by in-home visits;
 - 15 providing a phone number for parents to call to obtain information;
 - 16 using radio programming, for example, on KFAI Fresh Air radio or on the Minneapolis school district station;

²⁸ . E.g., *The Adaptation of Southeast Asian Refugee Youth; A Study of Southeast Asian Youth in Philadelphia* iii-iv.

- 17 developing a pilot project television program of at least one hour a week on channel 2 or channel 17 which provides Hmong parents with access to both school information and substantive educational programming for parents; and
 - 18 developing videotapes which provide school information and other parent education.
3. The Minnesota Department of Education and school districts should explore teaching methods which match the Hmong's traditional way of learning with the current educational system and which preserve and pass on elements of Hmong tradition and history.
 4. State and local agencies should develop programs which provide Hmong parents of school-age children with opportunities to learn about American child disciplinary practices.
 5. State and local agencies should develop and support additional programs which provide Hmong parents and children with opportunities for culturally sensitive education regarding the impact of teen marriage and childbearing on employment and economic self-sufficiency.
 6. State and local agencies should assist Hmong students who have children in obtaining adequate transportation and child care.
 7. Programs which provide support for teen mothers, such as AGAPE, MICE and PRIDE, should be expanded.
 8. State and local agencies should explore ways to encourage and increase the number of teachers of color, for example, by providing financial support for aides and assistants of color to attend college and become licensed.
 9. Public and private organizations should support innovative mentor and career counseling programs for Hmong youth.
 10. School districts and post-high school educational institutions should provide career and educational guidance to enable students to pursue career paths which will lead to success.
 11. State and local agencies should continue to support the school districts in their efforts to document the need for federal financial assistance to districts which have seen a significant influx of Hmong and other refugees.

Youth Services

Southeast Asian youth began entering the Ramsey County Community Corrections system in 1987. That year 24 youth, or less than 1% of the total, were Southeast Asian. In 1988, the number rose to 46, and in 1989, the number rose again to 77. The number of Southeast Asian youth in the system has decreased in 1990. The majority of the Southeast

Asian youth have been brought in for car theft, and the second most frequent charge has been burglary. The Department has found little assaultive behavior charged among Southeast Asian youth. The majority of Southeast Asian youth brought into the system are one-time offenders, such as "joy riders." There is a small number of repeat offenders and generally these are chronic offenders. The average age of the Hmong in the system is 14 years, compared with 15 years for the general population. Ninety-nine percent of the Hmong in the system are male, compared with 75% in the general population.

When the numbers rose significantly in 1988 and 1989, Ramsey County became concerned and recognized its need to increase the number of its minority staff. The department specifically posted for a position requiring applicants to be bilingual in Hmong and English, and it subsequently hired a bilingual Hmong employee. The department recognizes that it needs to continue to increase its minority staff; however, the department does not have any positions available at the present time. The department currently has six Hmong men working as volunteers, and it is trying to increase that number. The department has advertised for volunteers in Hmong through various Hmong organizations. The department has noted a significant increase in the effectiveness of communications with parents as a result of employing a bilingual caseworker and Hmong volunteers. The department has found that the children are much more likely to open up to either the Hmong caseworker or the Hmong volunteers than to non-Hmong employees.

The department has also translated its forms, rules and regulations into the various Southeast Asian languages.

The department has become aware of several issues relating to the Hmong community. First, they have found that some parents call the department to ask that the department lock their children up. This appears to occur primarily when children have been running away. Hmong parents often do not understand that the department lacks the authority to do this. The department has responded by providing some programs in the public housing locations regarding when detention is possible and appropriate. The

department recognizes that more education is needed both to prevent children from running into the law and to increase the understanding in the Hmong community of the role of youth services. Second, Hmong youth often like detention, and their parents therefore become understandably concerned and may feel that the department has not punished the children enough. The youth have opportunities while in detention for educational instruction, organized activities, assignments (e.g., kitchen help), and a structured environment that they seem often to enjoy. In addition, they often do not have as much work to do in detention as they have to do at home. The department has found that the Hmong youth in the system are very cooperative.

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The department has, with the St. Paul Police Department, developed a program called the St. Paul Youth Services Bureau which provides a diversion referral program, that is, it provides an alternative for young offenders of going to Lao Family Community or the Capitol Community Center instead of to court. The Bureau has Hmong volunteers working for it and is now in the process of trying to hire a Hmong-English bilingual employee. Four percent of the referrals to the Bureau are Southeast Asian this year, up two percent from last year.

A particularly sensitive issue relating to Hmong youth is the issue of teen sexual assault. This is a very complex issue that requires a lot of sensitivity to Hmong tradition in addressing it. As is discussed above, under Hmong tradition, girls often marry in their teens. Depending upon the girl's age, this may conflict with Minnesota law under which one cannot marry before age 16, and one needs court permission to marry between the ages of 16 and 18. The problem is particularly difficult because Hmong traditional marriages of young teenage girls may result in

the occurrence, under American law, of statutory rape. Although there has been little prosecution of these cases thus far, education efforts are necessary to avoid future prosecutions.

This issue contributes to the Hmong's feeling that they have lost control of their children. As in the area of child discipline, there is a serious need for Hmong parents to

- p. 36 understand more about the American legal system relating to sexual assault and marriage and about American culture relating to these issues. Any educational effort must be sensitive to the Hmong tradition and perspective and classes should be offered in the Hmong language.

Recommendations

1. Ramsey County Community Corrections should continue its good efforts to reach out to the Hmong community and should expand its education programs to the extent its resources permit.
2. Hennepin County and the City of Minneapolis should follow the lead of Ramsey County and the City of St. Paul in providing youth services to the Hmong community.
3. State and local agencies should develop and support programs which provide the Hmong community with culturally sensitive opportunities to understand more about the American legal system relating to teen sexual assault and marriage and about American culture relating to these issues.

p. 37 **SUMMARY OF RECOMMENDATIONS**

Refugee Assistance

1. The federal government should appropriate adequate funds to reimburse the states for 12 months of cash and medical assistance provided to refugees pursuant to the Federal Refugee Act of 1980.
2. The federal government should provide the states with more flexibility in the states' use of refugee assistance funds so that the states may meet the social service needs of the refugee community as well as the community's employment services needs.
3. Public and private organizations should support adequate funding for refugee assistance and should help to rebuild public support for refugee programs, providing public education about the need for and role of resettlement efforts.
4. The Minnesota Legislature should restore the \$150,000 cut in 1990 from refugee mental health services.

Employment

1. State and local agencies should develop innovative programs which integrate English language training with skills training and employment. For example, the development of an adult school might be appropriate. This would be a setting in which adults could come and learn English and perhaps other skills for a substantial period of time each day if they

wished. It would also provide them with an opportunity to learn about learning and to have perhaps a better idea of what their children are experiencing in school.

2. Public and private sector employers should encourage the mentoring of Hmong employees in the workplace.
3. The Council on Asian-Pacific Minnesotans and the Minnesota Department of Human Rights should facilitate the education of public and private employers about cultural differences.
4. State and local government agencies should provide improved opportunities for the Hmong to learn English language skills, including:
 - 19 more opportunities for goal-directed, flexible ESL training, which is provided concurrently with other services rather than sequentially;
 - 20 work site ESL training; and
 - 21 programs which provide students to develop relationships which give them opportunities to speak English with people outside the Hmong community.
5. State and local agencies and private organizations should provide increased opportunities for affordable child care for the Hmong community and for care which provides Hmong caregivers to the extent possible. p. 38
6. The state should seek to continue Medical Assistance, or an equivalent, during the period a Hmong employee is establishing self-sufficiency.
7. The Department of Employee Relations should:
 - 22 develop information about state employment opportunities in the Hmong language;
 - 23 provide this information in locations readily accessible to the Hmong community, for example, at mutual assistance association offices; and
 - 24 examine its testing and hiring practices with an eye toward providing the maximum possible outreach to the Hmong community.
8. The Department of Jobs and Training should:
 - 25 develop information about employment opportunities in the Hmong language;
 - 26 provide this information in locations readily accessible to the Hmong community, for example, at mutual assistance association offices; and
 - 27 examine its intake and placement practices with an eye toward providing the maximum possible outreach to the Hmong community.
9. The Department of Human Rights, Contract Compliance Division, should:
 - 28 provide information to Hmong employment vendors about the opportunity to be identified as a minority recruitment resource; and
 - 29 provide all state contractors with its minority resource brochure.
10. The Department of Labor & Industry, Regulation & Enforcement Division, should:
 - 30 develop information about apprenticeship/on-the-job training opportunities in the Hmong language; and

- 31 provide this information in readily accessible locations to the Hmong community, for example, at mutual assistance association offices.
11. State agencies should examine whether they are in full compliance with the Bilingual Services Act, Minn. Stat. § 15.441, and should request funding from the Minnesota Legislature if necessary to implement the provisions of the Act.

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Small Business Development

1. There are a number of useful services provided by the federal Small Business Administration that could be instrumental in assisting the Hmong community to become economically self-sufficient. In order to serve the Hmong community more effectively, the SBA should make more of a concerted effort to advertise their services to the community. Direct outreach should be pursued through mutual assistance organizations and the development of seminars specifically designed to identify and address the Hmong community's business needs.
2. The Small Business Development Centers (SBDC) SBDC's should employ bilingual individuals to facilitate communication between staff counselors and the Hmong community. For example, the Centers could have Hmong interpreters available on certain days or at designated times of the day to bridge the communication gap.
3. The University of St. Thomas SBDC indicated that it has a lot of flexibility in providing outreach services to the community. As a result, the Center should consider conducting seminars for the Hmong community on the topic of "how to start your own business".
4. The University should continue to pursue its efforts of obtaining bilingual marketing material for distribution to the Hmong community.
5. The Commissioners of Administration and Trade and Economic and Development are in a strategic position to improve the economic status of the Hmong community. For example, pursuant to Minn. Stat. 16B.19- 16B.22 and 116J.68 (1990), they are responsible in part for locating and improving business opportunities for targeted small businesses owned and operated by socially or economically disadvantaged persons. Like SBDC's, they should ensure that the community is aware of the opportunities for doing business with the state.

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 9. Public and private organizations should support innovative mentor and career counseling programs for Hmong youth.
 10. School districts and post-high school educational institutions should provide career and educational guidance to enable students to pursue career paths which will lead to success.
 11. State and local agencies should continue to support the school districts in their efforts to document the need for federal financial assistance to districts which have seen a significant influx of Hmong and other refugees.

Youth Services

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1. Ramsey County Community Corrections should continue its good efforts to reach out to the Hmong community and should expand its education programs to the extent its resources permit.
2. Hennepin County and the City of Minneapolis should follow the lead of Ramsey County and the City of St. Paul in providing youth services to the Hmong community.
3. State and local agencies should develop and support programs which provide the Hmong community with culturally sensitive opportunities to understand more about the American legal system relating to teen sexual assault and marriage and about American culture relating to these issues.