SOWK 470 – Social Policy Analysis

Liya Deng and Justin Otto
Agenda

- Identify social problems/issues
- Find library resources about policies & programs
- Find federal laws and regulations
- Locate state-level policies and programs
Learning Outcomes

At the end of the session, you will be able to

• Identify major library resources to gather background information about your topic

• Identify relevant databases to locate journal articles about your topic

• Search government websites to find legislative information about policies and programs
Encyclopedia of Social Work - online
biggest challenge in the area of child support. The federal government continues to pass laws enhancing states’

enforcement capabilities. Recipients of child support differ by race and ethnic group. Child support obligations are
distinct from alimony and are usually independent of parenting time.

**Child Welfare: Overview**

Peter J. Peecook

Keywords: adoption, child protective services, child welfare, family group conferencing, foster care, kinship care, racial

disproportionality, sexual minorities

The mission of child welfare is multifaceted and includes: (a) responding to the needs of children reported to public

child-protection agencies as being abused, neglected, or at risk of child maltreatment; (b) providing children placed in

out-of-home care with developmentally appropriate services; and (c) helping children find permanent homes in the

least-restrictive living situations possible; and (d) providing ‘post-permanency’ services to children so they do not return to

foster care. This section describes the mission, scope, and selected issues of major child-welfare-program areas.

**Child Welfare: History and Policy Framework**

Mark E. Courtney

Keywords: children, youth, families, abuse, neglect, foster care, adoption, social policy, race and ethnicity, history

Child welfare services in the United States evolved from voluntary “child saving” efforts in the 19th century into a

system of largely government-funded interventions aimed at identifying and protecting children from maltreatment,

preserving the integrity of families that come to the attention of child welfare authorities, and finding permanent homes

for children who cannot safely remain with their families. Since the 1970s, the federal government has played an

increasing role in funding and creating the policy framework for child welfare practice. That child welfare services are

disproportionately directed toward members of ethnic and racial minorities has been an enduring concern.
Child Welfare Policy in the U.S.

Today, child welfare services are provided by state and local public child welfare agencies and by voluntary agencies, the latter receiving most or all of their funding from government sources. The U.S. government influences child welfare services primarily through provision of funding to states, which is contingent upon states using these funds in ways that are consistent with federal law. Some key U.S. laws influencing the provision of child welfare services are described below.

The Child Abuse Prevention and Treatment Act (CAPTA)

Enacted in 1974 and amended several times since then, CAPTA represents the federal government’s commitment to protecting children from maltreatment. It provides funding to states for child abuse and neglect prevention, identification, prosecution, and treatment activities. It also provides grants to public agencies and nonprofit organizations for demonstration projects. CAPTA defines the federal role in supporting research, evaluation, technical assistance, and data collection activities pertaining to child maltreatment. To receive CAPTA funds, states must meet a number of requirements, including enacting statutes that define and prohibit child maltreatment; establishing a child maltreatment reporting system; designating an agency responsible for investigating child maltreatment; providing immunity from prosecution for individuals making good faith reports of suspected or known instances of child maltreatment; and protecting the confidentiality of data generated by the maltreatment reporting system.

The Social Security Act

The Social Security Act includes the most significant federal laws that provide the legal framework and funding for child welfare services.
Foster Care
Joyce E. Everett

Subject: Administration and Management, Children and Adolescents, Couples and Families, Policy and Advocacy, Poverty
Online Publication Date: Jun 2013 DOI: 10.1093/acrefore/9780199975839.013.155

Updated sections on size of foster care populations, types of substitute care, characteristics of foster care children, length of time in care and number of placements with 2011 statistics.

Updated on 01 Oct 2013. The previous version of this content can be found here.

Abstract and Keywords

Social work has long been involved in child foster care. Though its initial involvement de-emphasized the importance of infant–caregiver attachment, Bowlby's theory of attachment is particularly relevant for child-welfare practice. This entry chronicles the history of child foster care and describes the evolution of legislation most pertinent for the provision of foster care. The characteristics of children in foster care since 2000 and the dynamic flow of children entering and exiting care are described. A brief account of foster care services and future trends in the field are highlighted.
Chafee Foster Care Independence Program

Concerns about adolescents who age out of the foster care system and are ill-equipped to live their own lives led Congress to authorize, in 1988, the Independent Living Program. Under this program, passed under the Consolidated Omnibus Budget Reconciliation Act (P.L. 99–272) funds were provided to the states to assist older foster youths to make the transition from foster care to independence. These state-run programs generally provide instruction in the basics of daily living, including housekeeping, nutrition, money management, career exploration, job training or job placement as a form of employment preparation, and individual and group counseling. In addition, most programs also provide education designed to enhance social skills, sexual decision making, building supportive relationships, substance abuse prevention, and the promotion of preventive health activities (that is, smoking avoidance and pregnancy prevention). The program was replaced, in 1999, under the Foster Care Independence Act of 1999 (P.L. 106–169), with the John H. Chafee Foster Care Independence Program (CFCIP). Funding levels were increased so that adolescents making the transition from foster care to self-sufficiency and former foster youths up to age 21 could be served. Services were expanded to include financial and housing assistance, and counseling and other support services. In 2001, under the Promoting Safe and Stable Families Amendments (P.L. 107–133), Congress authorized new educational and vocational training programs for older youths leaving foster care under CFCIP. CFCIP is a capped state entitlement program, with an appropriation in FY 2003 of $182 million ($42 million of which is for education and training vouchers).

Size of the Foster Care Population

The Omnibus Budget Reconciliation Act of 1993 provided federal funding for states to implement a system
The Oxford Handbook of U.S. Social Policy

Edited by Daniel Beland, Christopher Howard, and Kimberly J. Morgan

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JAMES A. MORONE

Pension and Health Benefits for Public Sector Workers
LEE A. CRAIG

Social Programs for Soldiers and Veterans
BERNIE E. KRYGOW AND CROSBY HIPES

PART VIII POLICY OUTCOMES
Subject-related Databases

- Academic Search Complete
- SocINDEX with Full Text
- Social Work Abstracts
- Social Services Abstracts
- ProQuest Central
- PAIS International (ProQuest) -- 1915-present

Public Affairs Information Service
indexes articles, documents and books relating to public affairs, public policy, contemporary public issues, and the making and evaluating of public policy,

- LexisNexis Academic
Advanced Search

Foster Care Independence Act of 1999

AND

Independent Living Program

Limit to: Peer reviewed

Publication date: All dates

Search

Clear form
1. Legislative history of Title VIII of the Social Security Act


2. Health needs of children in the foster care system hearing, October 13, 1999, on S. 1327


3. Diversion, Transition Programs Target Nursing Homes' Status Quo

Reinhart, Susan C. Health Affairs; Chevy Chase Vol. 29, Iss. 1, (Jan 2010): 44-48.
Foster care independent living program and "foster care independence act of 1999"


3. Copyright (c) 2002 The Regents of the University of California UC Davis Journal of Juvenile Law & Policy, Summer, 2002, 6 UC Davis J. Juv. L. & Pol'y 189, 12001 words, COMMENT: Out on Their Own: California’s Foster Youth and the Inequalities of the Independent Living Program, Sylvia Junn* and Jennifer Rodriguez**.


5. Copyright (c) 2005 St. Thomas Law Review St. Thomas Law Review, Spring, 2005, 17 St. Thomas L. Rev. 561, 20426
The Foster Care Independence Act of 1999 attempts to improve independent living services. The plight of older foster children, and of those newly empowered into independence, was detailed in the legislative hearings for the Foster Care Independence Act. Unfortunately, many young adults who age out of foster care do not successfully make the transition to independent living by the time they age out of care. Too many reappear in shelters, jails or on the streets. The needs of aging-out foster children were at least partially recognized by Congress in passing the Foster Care Independence Act of 1999. This law provides funding for services to assist youths up to age twentyone who are aging-out of the foster care system into independent living. This law provides reimbursement to the state for services for a few more years, but does not provide a creative solution to address the need for ongoing protection. It does not transgress an arbitrary birthday deadline to allow ongoing support for youths who still need state protection.

In passing the law, Congress explicitly recognized that the overhauls of the 1997 Adoption and Safe Families Act were not sufficient in ensuring permanent homes for all foster children. In debate, Rep. Pryce remarked:

In 1997, Congress tried to help these children by passing legislation to facilitate the adoption of children in foster care. As a result, the dream of a permanent family and a loving home is becoming a reality for more and more children. Yet despite our best efforts to streamline the system and find willing families to adopt these kids, the reality is that there are thousands of children who will never leave the foster care system during their childhood.
Finding Resources on Policies & Programs

• Use the Web!
  – Google is a great tool for locating information from the Federal Government
  – Limit your search by adding site:gov
  – Government information is free, accessible, and findable
    • Copyright law doesn’t apply to publications from the U.S. Government
  – Federal agencies have their own websites
    • USA.gov
Finding Federal Laws and Regulations

• Federal laws provide the statutory authority for policies and programs

• Federal laws and regulations fit together
  – Public (and Private) Law
  – United States Statutes at Large
  – United States Code
  – Code of Federal Regulations (CFR)
    • Federal regulations that stem from federal law
Public Laws

A law is a bridge between the government and the people – what we usually think of as laws

• Public laws – affect society as a whole
  • Criminal law, Tax law, Administrative law, etc.
  • Child Nutrition Act of 1966 is “Pub. L. 89-642”
    642nd law passed during the 89th Congress
• Private laws – affect an individual, family, or small group
United States Statutes at Large

Official record of federal laws passed by Congress and signed by the President

- Child Nutrition Act of 1966 is “80 Stat. 885”
  Statues at large volume 80, page 885

- Stat. is the designation for the law usually used in conjunction with the U.S.C. and C.F.R.
United States Statutes at Large

Federal Digital System (Fdsys)

www.gpo.gov/FDSys

Statutes at Large from 1951-2011
United States Code

Official compilation of the laws from *Statutes at Large*, arranged by subject (Title)

- 54 titles in the U.S.C.
- Laws from Stat. can be split up and appear in more than one Title of the U.S.C
- The WIC program is “42 U.S.C. 1786”
  - Title 42 of the United States Code, section 1786
  - Part of the U.S. House of Representatives website
United States Code

Federal Digital System has U.S. Code

www.gpo.gov/FDSys

U. S. House of Representatives website

http://uscode.house.gov/
Code of Federal Regulations (CFR)

The rules and regulations of the Federal Government

• How the law is carried out
• 50 subjects (titles) that cover areas of federal regulations
• Parallel table of authorities and rules
  – From U.S.C. to C.F.R.
Code of Federal Regulations

FDSys has the C.F.R.
www.gpo.gov/FDSys

Parallel table of authorities
Women, Infants and Children (WIC) regulations published in the CFR 7 C.F.R. 246

- Code of Federal Regulations, Title 7, part 246
WIC as an example

WIC’s full name is Special Supplemental Nutrition Program for Women, Infants, and Children

Child Nutrition Act of 1966

P.L. 89-642

80 Stat. 885
WIC as an example

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

42 U.S.C. 1786

7 C.F.R. 15 (Code of Federal Regulations, Title 7, part 15)
7 C.F.R. 246
7 C.F.R. 248
Every state is different

- Organize things in a manner similar to the Federal Government, but not exactly like it
- 50 different sets of structures
  - Use Google and look for explanations of the organization of laws and regulations in different states
Washington State Laws & Regulations

Revised Code of Washington (RCW)
• Codified laws of Washington state
  – Similar to the United States Code
  – RCW has 91 Titles
  – http://app.leg.wa.gov/rcw/

Washington Administrative Code (WAC)
• Codifies state regulations and arranges them by subject or agency
  – Similar to the Code of Federal Regulations (but not exactly)
  – http://app.leg.wa.gov/wac/
Washington State Laws & Regulations

Example:

1. Look for WA State law on child abuse
2. Find the regulations on investigating child abuse
Washington Law on Child Abuse

Revised Code of Washington

• RCW 26.44 Abuse of Children
  – Title 26, Chapter 44
  – A full citation within RCW 26.44 would be:
    » RCW 26.44.010 (Title 26, Chapter 44, Section 010)

• RCW 74.13.031 Child Abuse, Investigation
Washington Regulations on Investigating Child Abuse

Washington Administrative Code (WAC)
- WAC 388-15 Child Protective Services
- WAC 388-15-021 How does CPS respond to reports of alleged child abuse or neglect?