

108TH CONGRESS
1ST SESSION

S. 409

To provide loan forgiveness to social workers who work for child protective agencies.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2003

Mr. DEWINE (for himself and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide loan forgiveness to social workers who work for child protective agencies.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress makes the following findings:

5 (1) Approximately 3,000,000 reports of child
6 abuse and neglect must be investigated each year.

7 (2) Approximately 1,000,000 of these reports
8 are confirmed and require ongoing intervention.

7 (5) The child welfare workforce crisis has devel-
8 oped as the result of the following 3 major factors:

9 (A) Overall low levels of unemployment
10 and the resulting increase in competition for
11 workers in all sectors of the economy.

12 (B) The increasing numbers of children
13 and families needing service coupled with the
14 decreasing numbers of workers in the employ-
15 ment pool.

16 (C) The relatively low pay and difficult
17 working conditions that exist in many child wel-
18 fare agencies.

19 (6) The vacancy rate in State child welfare
20 agencies is 8.1 percent, and 14.3 percent for private
21 agencies.

22 (7) The overall turnover rate in child welfare
23 agencies has doubled since 1991, to 13.9 percent in
24 public agencies and to 46.5 percent in private agen-
25 cies.

11 SEC. 2. LOAN FORGIVENESS FOR CHILD WELFARE WORK- 12 ERS.

13 (a) GUARANTEED STUDENT LOANS.—Part B of title
14 IV of the Higher Education Act of 1965 is amended by
15 inserting after section 428K (20 U.S.C. 1078–11) the fol-
16 lowing:

17 "SEC. 428L. LOAN FORGIVENESS FOR CHILD WELFARE
18 WORKERS.

19 “(a) PURPOSE.—It is the purpose of this section—
20 “(1) to bring more highly trained individuals
21 into the child welfare profession; and
22 “(2) to keep more highly trained child welfare
23 workers in the child welfare field for longer periods
24 of time.

25 "(b) DEFINITIONS.—In this section:

1 “(1) CHILD WELFARE SERVICES.—The term
2 ‘child welfare services’ has the meaning given the
3 term in section 425 of the Social Security Act.

4 “(2) CHILD WELFARE AGENCY.—The term
5 ‘child welfare agency’ means the State agency re-
6 sponsible for administering subpart 1 of part B of
7 title IV of the Social Security Act and any public or
8 private agency under contract with the State agency
9 to provide child welfare services.

10 “(3) INSTITUTION OF HIGHER EDUCATION.—
11 The term ‘institution of higher education’ has the
12 meaning given the term in section 101.

13 “(4) STATE.—The term ‘State’ has the mean-
14 ing given the term in section 1101(a)(1) of the So-
15 cial Security Act for purposes of title IV of such
16 Act, and includes an Indian tribe.

17 “(c) DEMONSTRATION PROGRAM.—

18 “(1) IN GENERAL.—The Secretary may carry
19 out a demonstration program of assuming the obli-
20 gation to repay, pursuant to subsection (d), a loan
21 made, insured, or guaranteed under this part or part
22 D (excluding loans made under sections 428B and
23 428C, or comparable loans made under part D) for
24 any new borrower after the date of enactment of this
25 section, who—

1 “(A) obtains a bachelor’s or master’s de-
2 gree in social work;

3 “(B) obtains employment in public or pri-
4 vate child welfare services; and

5 “(C) has worked full time as a social work-
6 er for 2 consecutive years preceding the year
7 for which the determination is made.

8 “(2) AWARD BASIS; PRIORITY.—

9 “(A) AWARD BASIS.—Subject to subparagraph (B), loan repayment under this section
10 shall be on a first-come, first-served basis and
11 subject to the availability of appropriations.

13 “(B) PRIORITY.—The Secretary shall give
14 priority in providing loan repayment under this
15 section for a fiscal year to student borrowers
16 who received loan repayment under this section
17 for the preceding fiscal year.

18 “(3) OUTREACH.—The Secretary shall post a
19 notice on a Department Internet web site regarding
20 the availability of loan repayment under this section,
21 and shall notify institutions of higher education re-
22 garding the availability of loan repayment under this
23 section.

1 “(4) REGULATIONS.—The Secretary is author-
2 ized to prescribe such regulations as may be nec-
3 essary to carry out the provisions of this section.

4 “(d) LOAN REPAYMENT.—

5 “(1) IN GENERAL.—The Secretary shall assume
6 the obligation to repay—

7 “(A) after the third consecutive year of
8 employment described in subsection (c)(1)(C),
9 20 percent of the total amount of all loans
10 made under this part or part D (excluding
11 loans made under section 428B or 428C, or
12 comparable loans made under part D) for any
13 new borrower after the date of enactment of
14 this section;

15 “(B) after the fourth consecutive year of
16 such employment, 30 percent of the total
17 amount of such loans; and

18 “(C) after the fifth consecutive year of
19 such employment, 50 percent of the total
20 amount of such loans.

21 “(2) CONSTRUCTION.—Nothing in this section
22 shall be construed to authorize the refunding of any
23 repayment of a loan made under this part or part
24 D.

1 “(3) INTEREST.—If a portion of a loan is re-
2 paid by the Secretary under this section for any
3 year, the proportionate amount of interest on such
4 loan which accrues for such year shall be repaid by
5 the Secretary.

6 “(4) SPECIAL RULE.—In the case of a student
7 borrower not participating in loan repayment pursu-
8 ant to this section who returns to an institution of
9 higher education after graduation from an institu-
10 tion of higher education for the purpose of obtaining
11 a degree described in subsection (c)(1)(A), the Sec-
12 retary is authorized to assume the obligation to
13 repay the total amount of loans made under this
14 part or part D incurred for a maximum of 2 aca-
15 demic years in returning to an institution of higher
16 education for the purpose of obtaining such a de-
17 gree. Such loans shall only be repaid for borrowers
18 who qualify for loan repayment pursuant to the pro-
19 visions of this section, and shall be repaid in accord-
20 ance with the provisions of paragraph (1).

21 “(5) INELIGIBILITY OF NATIONAL SERVICE
22 AWARD RECIPIENTS.—No student borrower may, for
23 the same service, receive a benefit under both this
24 section and subtitle D of title I of the National and

1 Community Service Act of 1990 (42 U.S.C. 12601
2 et seq.).

3 “(e) REPAYMENT TO ELIGIBLE LENDERS.—The Sec-
4 retary shall pay to each eligible lender or holder for each
5 fiscal year an amount equal to the aggregate amount of
6 loans which are subject to repayment pursuant to this sec-
7 tion for such year.

8 “(f) APPLICATION FOR REPAYMENT.—

9 “(1) IN GENERAL.—Each eligible individual de-
10 siring loan repayment under this section shall sub-
11 mit a complete and accurate application to the Sec-
12 retary at such time, in such manner, and containing
13 such information as the Secretary may require.

14 “(2) CONDITIONS.—An eligible individual may
15 apply for loan repayment under this section after
16 completing each year of qualifying employment. The
17 borrower shall receive forbearance while engaged in
18 qualifying employment unless the borrower is in
19 deferment while so engaged.

20 “(g) EVALUATION.—

21 “(1) IN GENERAL.—The Secretary shall con-
22 duct, by grant or contract, an independent national
23 evaluation of the impact of the demonstration pro-
24 gram assisted under this section on the field of child
25 welfare services.

1 “(2) COMPETITIVE BASIS.—The grant or con-
2 tract described in paragraph (1) shall be awarded on
3 a competitive basis.

4 “(3) CONTENTS.—The evaluation described in
5 this subsection shall determine—

6 “(A) whether the loan forgiveness program
7 has increased child welfare workers’ education
8 in the areas covered by loan forgiveness;

9 “(B) whether the loan forgiveness program
10 has contributed to increased time on the job for
11 child welfare workers as measured by—

12 “(i) the length of time child welfare
13 workers receiving loan forgiveness have
14 worked in the child welfare field; and

15 “(ii) the length of time such workers
16 continue to work in such field after the
17 workers meet the requirements for loan
18 forgiveness under this section; and

19 “(C) whether the loan forgiveness program
20 has increased the experience and the quality of
21 child welfare workers and has contributed to in-
22 creased performance in the outcomes of child
23 welfare services in terms of child well-being,
24 permanency, and safety, as determined after

1 consultation with the Secretary of Health and
2 Human Services.

3 “(4) INTERIM AND FINAL EVALUATION RE-
4 PORTS.—The Secretary shall prepare and submit to
5 the President and Congress such interim reports re-
6 garding the evaluation described in this subsection
7 as the Secretary determines appropriate, and shall
8 prepare and so submit a final report regarding the
9 evaluation by September 30, 2005.

10 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 \$20,000,000 for fiscal year 2004, and such sums as may
13 be necessary for each of the 4 succeeding fiscal years.”.

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