

Nonprofit Federalism: Implications of the Partnership between Governments
and Not-for-Profit Organizations in the Delivery of Social Services

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Introduction

Use of the not-for-profit sector to deliver social services has increased dramatically in recent years. Reliance on not-for-profit organizations is popular for a variety of reasons including public sector cost containment (Coase, 1988; Young, 1999; Boris and Steurle, 1999), devolution of governmental responsibilities (DeVita, 1999), and as a means to fill gaps left by government or the market in the provision of collective goods (Salamon, 1995; Hansmann, 1980; Weisbrod, 1977). Thus, while it is not a new phenomenon, provision of public services through the not-for-profit sector has recently grown and subsequently come under heightened scrutiny and scholarship.

The primary research question of this paper is why states institutionalize a direct relationship with not-for-profit organizations in the provision of social services. This preliminary work examines two areas of social services for children – investigation of child sexual abuse cases and abstinence-only sex education – and finds evidence that nonprofit organizations have been instrumental in policy advocacy and changing the policy image of these services. Not-for-profit organizations then often form partnerships with government agencies to undertake the implementation activities needed to address the changed policy images. Clarifying whether government or nonprofit organizations initiate the partnership is also a subject of study.

Interestingly, the two policies to be examined arose from differing sources. In the case of child sexual abuse services, new programs grew from the grassroots and began with a bottom-up implementation strategy. Abstinence-only sex education, on the other hand, began from the top-down and arose from federal directives that came from the 1996 welfare reform. In both policy areas, however, not-for-profits have led the way in advocacy and implementation of these programs to the public. As reliance on nonprofit service delivery grows, it is important that we seek to understand the nature and implications of the relationship between governments and not-for-profit organizations.

Theories of the Not-for-Profit Sector

‘Nonprofit federalism’ is a term employed by Lester Salamon (1995) to emphasize the role of not-for-profit organizations in the provision of public goods. While it may appear to researchers that governments have only recently begun to court nonprofits as a result of devolution, a push for privatization, or welfare reform, Salamon argues the relationship has actually existed for years. For example, government has encouraged and subsidized nonprofit service delivery since the inception of Harvard University, the Metropolitan Museum of Art, and numerous early health care institutions (Young, 1999). When the federal government began to provide substantial sums for the provision of social services in the 1960s, it was often stipulated that nonprofits be sought out as service providers. Amendments in 1962 and 1967 to the Social Security Act provided for state agencies to employ nonprofit entities in service delivery. Contracting out to nonprofits for delivery of social services has increased since that time (Salamon, 1995).

The long history of cooperation between not-for-profit organizations and governments in the U.S. has typically been explained by scholars using economic rationales. Among these, theories of public goods and transaction costs help to explain why governments turn to the not-for-profit sector for service delivery. Coase (1988) argues that as a firm gets bigger the administrative costs of adding new transactions rise. Therefore, it is logical that the firm would reach a point at which it would be cheaper to contract out an activity rather than perform it internally. Because public bureaucracies consistently suffer from complaints about this type of inefficiency, contracting out provides an attractive option for government agencies. Coase’s theory alone, however, does not account for why governments choose nonprofit instead of for-profit firms with

which to do business. One explanation is that not-for-profit organizations are perceived to have lower transaction costs than for-profit firms because: 1) governments can overcome the information problems associated with a heterogeneous target population by contracting with a local nonprofit organization that is more knowledgeable about its clientele; and 2) since nonprofits have different incentives than for-profit organizations, monitoring and contract enforcement costs are expected to be lower with not-for-profit organizations (Young, 1999).

Other scholars have alternatively offered either demand-side or supply-side arguments to explain reliance on the not-for-profit sector. Demand-side theories include Weisbrod's (1977) theory of government market failure; Weisbrod contends that the not-for-profit sector is activated by the failure of government and the market to provide a needed level of public goods or services. Hansmann (1980) countered Weisbrod with the theory of contract failure; the rise in nonprofit provision of goods/services results from a loss of trust/confidence by consumers in services provided by the for-profit sector. Because not-for-profit organizations do not distribute profits to benefit private parties, their mission is viewed as more altruistic, thus giving consumers more confidence in the quality of services provided. Salamon (1995) counters both theories by arguing that nonprofit provision of services is not due to government market failure or contract failure. Not-for-profit organizations, Salamon argues, are typically the first-on-the-scene to provide public goods/services because nonprofits mobilize more easily and respond more quickly than government entities when the market fails to provide public goods. The relationship between governments and nonprofits develops, therefore, because of voluntary failure, i.e. the not-for-profit organization is unable to provide the necessary

level of the good and therefore must seek assistance from government entities in order to pursue its mission.

The supply-side rationale posits that rather than filling some gap regarding public needs, some nonprofit organizations are developed and maintained according to specific interests of the donors, volunteers, and staff associated with them; resources rather than demand drive nonprofit tasks. Although donor-dictated philanthropy is often criticized because it does not focus solely on the most urgent “public needs,” the supply-side orientation does have a normative basis. In order to facilitate a viable voluntary sector, it is important to encourage activities that promote the individuals who donate their funds and protect the interests they advocate. Supply-side functions include the instrument of social entrepreneurship whereby commercial venues are utilized to foster charitable goals, and in which innovative individuals use a nonprofit organizational structure to develop and promote their interests. Individuals also utilize the nonprofit sector to give expression to their values and faith. Religious congregations and other faith-based organizations, as well as issue advocacy groups, enable donors, volunteers, and staff to give voice and action to their deeply held beliefs and values (Frumpinkin, 2002).

Frumpinkin (2002) has developed a four-cell matrix that identifies functions of the nonprofit sector along two dimensions – demand vs. supply-side orientation and instrumental vs. expressive rationales. The demand-side functions of service delivery as well as civic and political engagement are most commonly attributed to government-nonprofit relationships, but the supply-side functions of social entrepreneurship and values and faith also have interesting implications. Nonprofits seek to fulfill their mission not only as instruments to provide the direct delivery of services (instrumental

rationale), but also by fostering civic and political engagement as means to allow individuals to express their values and beliefs (expressive rationale).

The Role of the Not-for-Profit Sector

Political Engagement:

Reid (1998) explains that “Politically active nonprofits contribute to democratic governance by *representing* civic concerns in policymaking, by enlarging opportunities for citizen *participation* in public decisions, and by creating *accountability* between government and citizens” (p. 293). By encouraging civic and political engagement, not-for-profit organizations are involved in the agenda-setting and policy formulation stages of the policy process. Political parties, interest groups, PACs, and other nonprofit entities are directly involved in issue expansion, lobbying, and advocacy work on behalf of their constituencies. These activities allow for the organized expression and promotion of values and concerns that have had a demonstrated impact on public policy.

Advocacy:

Not-for-profit organizations have an accepted, albeit somewhat ambiguous, role to play in the policy process including a key role in policy advocacy (Reid, 1998). One form of advocacy involves image change, either through the initial identification of a problem or by somehow altering the existing definition of the problem. Groups, including not-for-profit organizations, recognize that changing policy image can be a successful first-step strategy toward policy change and will deliberately pursue acceptance of a definition of the policy problem that will facilitate their preferred course of action (Stone, 2002; Godwin, 2000). Reid explains, “[t]hrough advocacy, nonprofits may instill their group’s perceptions of the common good into wider notions of the public

good and public interest” (1998, p. 291). Thus, advocacy for nonprofit organizations often involves defining (or redefining) a problem, thereby changing its policy image.

Service Delivery:

Nonprofit service delivery is attractive due to the perception that these organizations can be more efficient while removing some of the political pressures involved with direct legislative oversight. Nonprofit organizations are usually closer to the target audience, more narrowly focused on the wants and needs of that group, and thereby better able to cater services to them. Through direct service delivery, nonprofits are involved in implementation and evaluation of public policies once adopted.

Not-for-profit organizations have figured prominently in the implementation of public programs and purposes for decades, with their role in social service provision having been especially strong (Salamon, 1995). For example, contracting with a private or nonprofit agency (subject to state or local monitoring) for the provision of child welfare services such as out-of-home placements and adoption comprised 36 percent of total state spending for child welfare services in 1998. States, however, vary dramatically in their reliance on contracted services, from a low of 2 percent in South Dakota to a high of 78 percent in Illinois. This dependence on contracted services is only expected to increase as states look more to privatization and community-based service delivery (Bess, *et al.* 2001).

Recent efforts to reform welfare through the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) include specific work requirements for welfare recipients that have further enhanced the need for provision of job training and placement services. PRWORA programs are highly intergovernmental in nature,

embodying both vertical and horizontal federalism, and include the use of federal block grants. The grants cap funding amounts while allowing states flexibility to design their programs within the parameters established by the Act. State agencies typically contract with local-level service providers, often nonprofits, to implement PRWORA. Service providers then must often work together across horizontal lines in order to accomplish program objectives (De Vita, 1999; Pavetti, *et al.* 2001).

Problems with Nonprofit Federalism

Tensions exist between government and nonprofits, even when the not-for-profit organizations seek to fill service demands not met by government or the market. Service delivery may raise issues of codependence and loss of autonomy by nonprofits as they become increasingly reliant on government contracts to survive and become more and more an implementation arm of government rather than an independent group in pursuit of a well-defined mission. There is a movement toward a more instrumental role, which threatens the ability of these organizations to provide for expression by their members, donors, volunteers, and/or staff.

Tensions between governments and nonprofits are more likely in the supply-side functions of the voluntary sector. Because social entrepreneurs seek to combine commercial ventures with charitable goals, they often come dangerously close to the line between for-profit and not-for-profit ventures. The privileged tax-exempt status enjoyed by nonprofits causes tensions with the for-profit sector regarding unfair competition and leads government entities to question why they are foregoing tax revenue to encourage commercial activities. Even the expressive dimension of the supply-side function can cause difficulties, particularly when the expression of faith is a core element of nonprofits

engaged in direct service delivery under government contracts. Religious faith is often central to the mission of nonprofits that receive service contracts from government entities; reconciling the tenets of that faith with government requirements is often a source of conflict.

Even the promotion of civic and political engagement can sometimes become controversial in the relationship between governments and nonprofits. For example, political parties and PACs are tax-exempt organizations that have defined political missions and are expected to be somewhat or completely partisan in orientation. However, these organizations differ from charitable organizations (those granted 501(c)(3) status) in that contributions to charitable organizations are also tax-deductible. Limits are placed on the political activity of 501(c)(3) organizations, but questions have arisen regarding what constitutes less than a “substantial amount” of time that nonprofits can legally spend in lobbying activities and at what point these organizations become “too” political.

Policy Examples: Social Services for Children

Defining Policy Images

In their 1993 work, Baumgartner and Jones describe ‘policy image’ as “a mixture of empirical information and emotive appeals” (p. 26). Policies designed to address both teen child bearing and child sexual abuse have been subject to concerted efforts at image change by organizations in the not-for-profit sector. In the area of teen child bearing, there were two eras of problem definition: the first in the late 1970s, when teen pregnancy was first viewed as a problem with cause attributed to lack of access by teens to contraceptives, and the second in the early 1980s, when the policy image shifted to an

emphasis on abstinence education. While today it is widely accepted that teen child bearing is a national problem, the highest rates of teen pregnancy actually occurred in the 1950s with very little concern on the part of policy makers; this is largely because pregnant teens rarely raised their children out of wedlock at that time (Luker, 1996; Wertheimer and Moore, 1998).

Strategies aimed at evoking a change in policy image have also been instrumental in the area of child sexual abuse. Historically, child sexual abuse was viewed as a family problem not a public policy issue. The problem reached public concern first as a criminal justice issue, with emphasis on prosecution of the offender. More recently, however, the image of child sexual abuse has been expanded to include concerns for the victims' mental health. The initial trauma and subsequent manifestations related to the activities necessary for prosecution – physical examination, repeated interviewing, etc. – were found to have long-term implications for victims. Viewed as a criminal justice issue, the victim was not the primary focus. However, viewed also as a mental health issue, treatment of the victim gains importance in relation to prosecution of the offender.

Policy Histories

Abstinence Only Sex Education:

Teen childbearing was first recognized as a policy problem in the 1970s after the Johnson administration's successful efforts to control "excess" childbearing among poor adult women in the 1960s. With high levels of success against unwanted pregnancies for adults, the concern of public health professionals shifted to teenagers (Luker, 1996).

Reports showed that teen pregnancy was on the rise, and especially rising were the

numbers of unwed teen births. The public health community sought the same remedy for teens that they had sought for adult women: greater access to contraceptives.

The policy image of teen child bearing changed in the early 1980s, when the definition of “family” used during the debates of the 1970s (a mother and her child) was questioned by the “New Right” in the 1980s. “The new conservatives... thought it wrong that the young woman’s parents should be left out of the issue. The point of public policy as they saw it, was to strengthen the ‘parental family’ (the unit that included the teenager and her parents) and to discourage measures that increased the autonomy of daughters” (Luker 1996, 78-79).

During the rest of the 1980s and into the 1990s, difficulties grew for teens who sought birth control at clinics. At the same time, abortion rights for teens were eroded as the Supreme Court upheld most state parental consent laws. It is against this backdrop that the stage was set for the abstinence-only sex education provisions of the 1996 welfare reform bill.

On September 8, 1995, abstinence education legislation was introduced in the Senate by Rick Santorum (R-PA) and Senator Lauch Faircloth (R-NC). Faircloth’s interest was apparently fostered by the Heritage Foundation’s Robert Rector, who approached Faircloth in his role as leader of several traditional family values groups seeking promotion of the abstinence message (Haskins and Bevan, 1997). The intent of this legislation was “to align Congress with the social tradition -- never mind that some observers now think the tradition outdated -- that sex should be confined to married couples” (Haskins and Bevan 1997, 475). The abstinence provision was a late addition to welfare reform, added in the final version “without the benefit of open public or

Congressional debate” (SIECUS, 1998a). Non-profit organizations involved in advocacy of the abstinence education program and its expansion include the Heritage Foundation, Focus on the Family, Family Research Council, National Abstinence Clearinghouse, and Concerned Women for America. Their advocacy was fostered by the supply-side functions identified by Frumpkin (2002): giving voice to deeply held religious beliefs and values (Vergari, 2001; Arsneault, 2001; Arsneault 2002).

Child Sexual Abuse:

Social service professionals have also given voice to their beliefs and values regarding the handling of cases of child sexual abuse. In the early 1980s, Bud Cramer (a district attorney at that time and now a member of Congress) led the efforts of a group of professionals and volunteers in the Huntsville, Alabama area to address what they saw as a growing problem in the way cases of child abuse were processed. The dominant view of child abuse as a criminal justice issue often resulted in cases being handled with little attention to impacts on the child victim. Development of the “Huntsville model” – a multidisciplinary team approach housed in a child-friendly not-for-profit facility – by this group of advocates changed the emphasis to more effective prosecution through emphasis on the child’s well being.

Prior to establishment of the Huntsville model, cases of child sexual abuse were handled through the normal criminal justice process. The child victim would often be taken to numerous locations and/or be examined or interviewed by numerous professionals including police officers, doctors, social workers and attorneys. Telling the story of abuse over and over to various professionals not only heightened the degree of

trauma for the child, it often weakened the prosecution's case as minor discrepancies appeared in the victims' stories after a great deal of repetition.

Nonprofit children's advocacy centers (CAC) are being established across the country as an alternative approach to standard criminal justice procedures in handling cases of child abuse. A CAC is a centralized, child-friendly facility in which law enforcement, social services, legal, medical and counseling professionals, acting as a team, come together to interview, examine, and provide support services to the child victim. Working as a team is designed to minimize the times the child must tell the story of abuse and submit to other traumatic activities associated with preparing a case for trial, as well as provide assistance to the child to speed recovery (NCA, 2000). These not-for-profit organizations are becoming the service delivery venue of choice in many areas.

Nonprofit Service Delivery: Preliminary Analyses

According to Baumgartner & Jones (1993) policy image and venue are linked. How a problem is viewed often determines not only the venue through which policy may be changed – i.e. executive order, legislation, court decisions – but also the service delivery locus. In the issue of teen child bearing, as the policy image changed from a need for greater access to contraceptives (typically provided through public health clinics) to an emphasis on abstinence-only sex education programs, there was a subsequent change in service delivery venue often with a heavier reliance on not-for-profit organizations. Venue was also linked with image change in the area of child sexual abuse. Direct government action addressed the criminal justice focus. However, the change in policy image to focus on the needs of the child victim resulted in a change in service delivery venue in many areas to nonprofit child advocacy centers. The following

analyses seek to clarify the relationships between government and nonprofit organizations in delivery of social services.

Abstinence Only Sex Education:

While nonprofit organizations were successful in their advocacy of abstinence-only sex education at the federal level, programs are implemented through state public health and education departments. State departments of public health are eligible for federal money to implement abstinence-only via their Maternal and Child Health Care Block Grants.¹ A common strategy for states has been to contract with providers to bring abstinence education to target populations within their jurisdictions. According to the Department of Health and Human Services, on average, 48 percent of state contracts have been awarded to service providers from the not-for-profit sector. These organizations include advocacy groups, faith-based organizations, youth serving organizations and other nonprofits (DHHS, 2002).² States vary widely in their levels of reliance upon the not-for-profit sector; ten states contract directly with no nonprofits³ while Connecticut has contracted exclusively with the nonprofit sector to provide abstinence-only sex education services.⁴

¹ California is the only state never to have accepted federal abstinence-only grant funding. In 1998, the first year of implementation, neither New Hampshire nor California used their federal funding.

² Due to the classifications used by DHHS in their Annual Summary it is impossible to determine an exact number of services provided by organizations in the not-for-profit sector. For example, DHHS classifies 'Universities' as one category of contractors which could mean state funded and/or nonprofit universities; for this analysis, however, state reliance on universities was not counted as contracting via the not-for-profit sector.

³ The ten states are: Idaho, Kentucky, Maine, Massachusetts, North Carolina, Oregon, South Carolina, Vermont, Washington and Wyoming.

⁴ It is important to note that although ten states have not formally contracted with the not-for-profit sector, this may leave a faulty impression of reliance on nonprofit contractors in those states. For example, in Kentucky, a state with no formal not-for-profit contracts, the strategy has involved awarding funds to local coalitions on a competitive grant basis; that money is then sometimes used to pay for services and programs delivered by not-for-profit organizations (Arsneault, 2001).

For this analysis, the percentage of state contracts awarded to non-profit organizations has been used as the dependent variable. As previously noted, on average states have awarded 48 percent of their contracts to not-for-profit organizations; highlighting the high level of state variance, however, there is a standard deviation of 27 percent.

The explanatory factors examined here fall into two broad categories: political/socio-economic factors (Dawson & Robinson, 1963; Dye, 1969; Sharkansky & Hofferbert, 1969; Cnudde & McCrone, 1969; Dye, 1984; Elazar, 1972), and propensity to favor the not-for-profit sector in delivery of abstinence-only programs. The political variables include: political culture, median family income, ratio of not-for-profit organizations per 1000 residents, and percent non-metropolitan population in the state. Among the political variables, specific hypotheses to be considered include:

- 1) States characterized by traditional political culture will be more likely to rely on not-for-profit organizations to implement abstinence-only programs.
- 2) Families at higher socio-economic status are expected to be more likely to advocate comprehensive sex education, therefore median family income is expected to have a negative relationship with non-profit delivery of abstinence education.
- 3) The ratio of not-for-profit organizations in the state is expected to have a positive relationship with reliance on nonprofits to deliver abstinence-only sex education.
- 4) Finally, states with higher levels of citizens living in non-metropolitan areas are expected to rely upon the not-for-profit sector less often, simply because they will have fewer organizations upon which to rely.

It should be noted that the underlying theory in this analysis is that the not-for-profit sector is more likely to deliver abstinence-only services from a position of advocacy.

Therefore, the expectation is that states attempting to by-pass the public health community will rely more heavily upon not-for-profit providers to meet the conservative spirit of abstinence-only sex education legislation.

Propensity variables include those factors expected to measure a greater acceptance of abstinence-only sex education in the states, including: total spending on abstinence-only sex education, the percent of schools teaching abstinence-only,⁵ percent state adherents to fundamental Christianity, and number of clients served by the abstinence-only sex education program. The hypotheses for state propensity to favor the not-for-profit sector are:

- 1) The higher total level of funding available to a state, the more likely the state will rely upon contracting, including not-for-profit contractors.
- 2) States already implementing abstinence-only programs in the public schools will be more likely to rely upon non-profit.
- 3) States with higher percentages of fundamental Christian adherents are expected to be positively related to reliance on the not-for-profit sector.
- 4) Finally, states that are interested in serving the largest number of clients will rely more heavily upon non-profit providers, again, to take advantage of the greater abstinence advocacy that this sector would provide.

The results of this preliminary analysis are not terribly satisfying. Using multivariate regression, only two variables, number of clients served and state political culture, were statistically significant in explaining state reliance on the not-for-profit sector in awards of state contracts to deliver abstinence-only sex education. As hypothesized, states with traditional political cultures were more likely to rely upon the not-for-profit sector for service delivery (table 1). The number of clients served, while statistically significant, was not in the hypothesized direction. It was expected that more clients would be served by non-profits, however, there is actually an inverse relationship between clients served and reliance on not-for-profit service providers (table-1). None of the other independent variables, whether political or propensity factors, were statistically

⁵ This measure is a regional proxy because the study from which it was taken classifies the use of abstinence-only education by region rather than by state (Landry, David J., Lisa Kaeser and Cory L. Richards, 1999).

significant. The model's explanatory value was weak, with an adjusted R^2 of .214 (table-1).

Clearly there are many questions left unanswered by this analysis. An important variable that was not secured for this project is the number of public health professionals in a state. This variable is expected to be negatively related to reliance on non-profits as professionals are adamantly opposed to abstinence-only sex education policy. It is very possible that the underlying theory about reliance on non-profits is false; state contracts may not be awarded to not-for-profit organizations to facilitate greater adherence to the spirit of the abstinence-only legislation. Because the statistical results are so weak, there is little evidence to support either the underlying theory or its opposite.

A more concise measure of state reliance on advocacy organizations might lead to better statistical results and a clearer picture of state reliance on not-for-profit delivery of abstinence-only programs. At this time it appears that there are no easy explanations for state awards to non-profits for this service delivery.

Child Sexual Abuse:

The National Children's Alliance (NCA) is a national, not-for-profit organization responsible for the dissemination of the Huntsville model identified above. Child advocacy centers across the country look to NCA for information and assistance in establishing and operating their facilities according to the standards inherent in the model. At present, every state except Maine has at least one CAC affiliated at either associate or full member status with the organization. In order to achieve full member status, a center must successfully complete an extensive application process culminating in a site evaluation to determine whether the facility meets the strict NCA standards.

Although child advocacy centers by definition involve a partnership with government (multidisciplinary teams *must* include representatives from social services, law enforcement, and the prosecutor's office), states differ in the degree to which this relationship has been institutionalized through legislation. At the end of 2002, eighteen states had adopted legislation related to the provision of services through child advocacy centers.

Although the group theories posited by Truman and Dahl have often been criticized in the literature, the importance of interest groups to the policy process continues to be a dominant theme in the study of politics. Interest groups are classified as tax-exempt, not-for-profit organizations, and although 501(c)(3) charitable organizations typically represent some type of interest, the degree to which they may be involved in issue advocacy varies. However, as is often the case with not-for-profit organizations, sometimes just by virtue of what they do, i.e. service delivery, they exert influence over government decisions. Through issue advocacy and by virtue of strengthening centers, the presence of the National Children's Alliance (measured by the number of child advocacy centers to have achieved full member status) in a state should increase the likelihood of the adoption of legislation in that state.

In order to determine what differentiates states that do have legislation from those without legislation, a multiple regression analysis was undertaken. The dependent variable is a weighted index of legislation adopted by states through 2002. Seven different types of legislation were identified and arrayed on a scale from least to most

comprehensive and assigned weights according to their location on the scale.⁶ Table-2 lists the types of legislation and their assigned weights for the index measure.

Competition among groups is another aspect of group theory that has been much debated. Although Schattschneider's "upper class accent" is consistently found to be present in the types and composition of interest groups, Salisbury, *et al.* (1987) and Nownes (2000) have found evidence of conflict among interest groups regarding policy matters. It therefore bears consideration that the number of nonprofit organizations within a state should have some bearing on the degree of success that any one of them would have in influencing legislation. This variable is operationalized as the number of nonprofit organizations per capita in the state.

Based on the comparative state politics literature, socioeconomic factors and political factors (Dawson & Robinson, 1963; Dye, 1969; Sharkansky & Hofferbert, 1969; Cnudde & McCrone, 1969; Dye, 1984), as well as issues of political culture (Elazar, 1972; Erikson, McIver, & Wright, 1987) have been found to have varying degrees of impact on the policies the states choose to adopt. Demographic factors considered include median family income and the percent of the state's population living in nonmetropolitan areas; political factors are represented by Erikson, McIver, & Wright's Ideological Identification Coefficients⁷. Severity of the problem within the state – measured in this instance as the number of sexual abuse victims per capita – is also

⁶ Types of legislation were identified and arrayed along the continuum by staff from the National Children's Alliance. As the group most familiar with the model, it is believed that staff at NCA are the most knowledgeable regarding what legislation would be the "least a state could do" and what would lead to the most comprehensive accumulation of legislation. While staff themselves expressed the sentiment that the ordering was their point of view and subsequently may be viewed as somewhat arbitrary, it is believed that they are best able to make determinations as to the proper ordering of legislation types.

⁷ Johnson's (1976) index of traditionalistic culture and Elazar's (1972) identification of traditionalistic states were each separately entered into the model; neither variable was significant ($p=.81$ and $p=.88$) nor did either add much to the total variance explained. Therefore, culture was dropped from the model.

considered (Lester & Lombard, 1990; Ringquist, 1994). Results of the regression analysis are reported in table-3.

Almost 52 percent of the variation in whether states' have adopted legislation related to child advocacy centers can be attributed to the factors included in the model. Although significant at the $p=.08$ level, it is noteworthy that the number of not-for-profit organizations per capita in the state has the predicted inverse relationship with the degree to which states have adopted comprehensive legislation related to child advocacy centers. This seems to indicate support for the neopluralism ideas of increased competition among interest groups.

The measure of severity of the problem is associated with the adoption of comprehensive legislation (at the $p=.02$ level). States with higher numbers of sexual abuse victims per capita appear to be more likely to have adopted comprehensive legislation related to child advocacy centers. This provides some support for the contention that state legislators make policy decisions based on the more urgent needs within the state.

The strongest relationship among the independent variables is the number of NCA full member centers present in the state. Significant at the $p=.001$ level, this variable is most strongly related to the variation in legislation with a Pearson Correlation of .639. This seems to give support to the contention that group efforts, particularly the presence of the national organization, are important influences on state legislators to adopt legislation favorable to the centers.

It is important to note that the direction of the causal relationship between these independent variables and the dependent variable cannot be determined with certainty

from this preliminary analysis. The CAC legislation weighted index represents total legislation adopted up to and including the 2002 sessions. States began to adopt legislation pertaining to CACs as early as 1986; states that have passed more than one type of legislation did not always pass all types in the same year, and at least one state has adopted at least one type of legislation each year between 1992 and 2002. Although further analysis is needed to ascertain the direction of this relationship – did the centers cause the legislation or did the legislation create an atmosphere conducive to the development of centers – it can be determined from the data that at least one center that went on to achieve full member status existed within the state in the year prior to adoption of any legislation related to child advocacy centers. Preliminary results, therefore, would indicate it is the presence of the centers and the advocacy work of the National Children’s Alliance that have been driving forces in the decisions of state legislators to formalize the relationship between state/local governments and the not-for-profit child advocacy centers.

With regard to severity of the problem, the rate of sexual abuse victimization decreased steadily between 1996. Higher numbers of victims of child sexual abuse in states with more comprehensive legislation may be due to higher rates initially or from an increased reporting rate as the ability to serve this population has been enhanced through the use of CACs. Measurement of the severity of the problem is problematic because state-level child abuse statistics are difficult measures to obtain due to the differentiation among the states regarding definitions of abuse as well as the lack of centralized statistical reporting.

Conclusion

It is clear that the not-for-profit sector is alive and well in the area of social services in the United States. In addition to the roles played by nonprofits in political engagement, policy advocacy, and agenda setting, governments are increasingly relying on not-for-profit organizations in direct service delivery. As this study indicates, in the areas of abstinence-only sex education programs and child sexual abuse investigations the not-for-profit sector has facilitated important changes in policy image, advanced policy solutions, and changed the locus of service delivery. Questions remain about how and why states sought the not-for-profit sector to deliver these services, but preliminary evidence in light of the literature on the not-for-profit sector indicates that nonprofit advocates themselves have sought government involvement in an effort to advance their causes. Determining whether that assistance is sought before or after nonprofits begin service delivery activity requires further study.

The partnerships between nonprofits and government often serve each well in their goal of successful delivery of important social services. However, implications of the increasing relations between government and not-for-profit organizations raise interesting questions regarding the impact on democracy. Do interest groups, i.e. not-for-profit organizations, facilitate democracy? Are democratic principles better served or threatened by nonprofit organizations that facilitate the interests of citizen activists over policy professionals, as seems the case with abstinence-only sex education? Is public accountability threatened when professionals utilize the nonprofit realm to advocate policy solutions, or does this result in better public policy? Could it be, as with many areas of policy, that it just depends on the issue?

Abstinence-only sex education and issues of child sexual abuse are areas in which states vary in their reliance on nonprofit venues for service delivery. Distinctions between the two make possible interesting comparisons and contrasts. While political culture plays a prominent role in determining reliance on non-profits for abstinence-only sex education, culture has little relevance for the adoption of child advocacy center legislation. Promotion of abstinence-only sex education is a top-down initiative through federal funding of these programs. Child advocacy centers are very much bottom-up phenomena; local organization and promotion is necessary for the development of this approach to child abuse investigations and it is generally only after local interest is established that assistance from higher levels is forthcoming.

Abstinence-only and CACs share a common viewpoint, however, with regard to the role of professionals. With regard to abstinence-only sex education, public health professionals tend to be highly opposed to this approach, preferring instead a more comprehensive sex education curriculum. The organizational strength of these professionals should be inversely related to nonprofit involvement in this policy area. With regard to child advocacy centers, professionals are the chief proponents of the policy change. Information on this new approach to sexual abuse investigations involving children has been largely disseminated by the professionals involved. Stronger professional organizations should therefore be expected to lead to greater nonprofit involvement in this area. Further study is needed to collect and analyze data regarding the impact of professionals on the government-nonprofit relationship.

Although the collection of data regarding the activities of nonprofit organizations and the extent of government-nonprofit relationships is challenging, this area is ripe for

study. The growth of the not-for-profit sector in all aspects of the policy process and the implications of this partnership for issues of democracy and organizational autonomy will continue to make the study of nonprofit organizations both appealing and important.

Table-1**Model Summary**

R	R Square	Adjusted R Square	Std. Error of the Estimate
.594	.358	.214	.24249

Coefficients

	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	-.483	.659		-.733	.463
NFP per 1000 1999	5.011E-02	.079	.144	.633	.531
Non-metro population	-2.250E-03	.003	-.166	-.667	.509
Median family income 1999	1.154E-05	.000	.288	1.235	.225
Fundamentalist Christian	-1.734E-03	.002	-.136	-.768	.447
Clients Served	-2.116E-06	.000	-.382	-2.673	.011
Abstinence in Schools	4.619-E03	.004	.229	1.251	.219
Political Culture	.128	.061	.389	2.090	.044
Total Ab-only Spending	1.349E-08	.000	.077	.423	.675

Table-2

Index	Description of the Type of Legislation
1	Multidisciplinary Teams – legislation states that investigation and processing of cases of child abuse ⁸ must be handled through the use of multidisciplinary teams with representation by staff from the child advocacy center.
2	Confidentiality – legislation states that staff at child advocacy centers may have access to confidential records relevant to cases of child abuse and must maintain confidentiality of those records
3	Minimum Standards – legislation states that cases of child abuse will be handled through child advocacy centers that meet certain minimum standards for operations, generally including requirements for a centralized facility and guidelines for how team members will conduct physical examinations and forensic interviews
4	State Organization – legislation requires creation of state-level organizations to coordinate activities of the CACs within the state
5	Funding – legislation (other than one-time appropriations) that provide for direct state funding or funding through competitive grant programs of the centers within the state
6	Liability – legislation that provides some degree of liability protection for child advocacy centers in the state
7	Board Composition – legislation that stipulates the size and the disciplines/organizations/individuals to be represented on the board of the CACs within the state

⁸ While most child advocacy centers focus solely on cases of child *sexual* abuse, some centers also handle cases of severe physical abuse.

Table-3

Model Summary

R	R Square	Adjusted R Square	Std. Error of the Estimate
.764	.583	.519	5.233

Coefficients

	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	-7.835	10.058		.779	.441
NCA full member ctrs 2002	.680	.154	.580	4.407	.000
NFP per capita 1999	-2.664.527	1494.649	-.262	-1.783	.082
Median family income 1999	.000	.000	.185	1.052	.299
Ideological ID Coefficient	20.292	13.046	.193	1.555	.128
% pop nonmetro 2000	.093	.076	.257	1.217	.231
abuse victims per cap 2000	9461.906	3933.511	.290	2.405	.021

Pearson Correlations

	cac leg weighted 02	nca full member centers 02	nfp per capita 1999	99 med fam income	Ideo ID Reg Coeff	% pop nonmetro 2000	sex abuse victims per capita 2000
cac leg weighted 02	1.000	.639	-.446	-.176	.346	-.093	.295
nca full member centers 02	.639	1.000	-.467	.008	.238	-.432	.003
nfp per capita 1999	-.446	-.467	1.000	.100	-.306	.440	.050
99 med fam income	-.176	.008	.100	1.000	-.373	-.655	-.344
Ideo ID Reg Coeff	.346	.238	-.306	-.373	1.000	.128	-.099
% pop nonmetro 2000	-.093	-.432	.440	-.655	.128	1.000	.387
sex abuse victims per capita 2000	.295	.003	.050	-.344	-.099	.387	1.000

Appendix

POLCUL2 = Elazar (1984) Recoded (1=Moral, 2=Ind, 3=Trad)

ABONLY = Percent of school districts in region which teach “Abstinence Only” as sex ed (Landry, Kaeser & Richards, *Family Planning Perspectives*, 1999.)

NPRATIO = # nonprofits contracted to provide Ab-only services divided by # total contracts awarded by state (HRSA 2000 Annual Summary for The Ab Ed Provision of P.L. 104-193.)

SERVED = Unduplicated Count of Clients Served by State (HRSA 2000 Annual Summary for The Ab Ed Provision of P.L. 104-193.)

FNDCHRST = % Conservative Christian Adherents, by state. (Bradley Milton, et al. Churches and Church Membership in the United States, 1990. Atlanta: Glenmary Research Center, 1992. Conservative churches identified by Dr. Lawrence Snyder, Jr. of Western Kentucky University’s Department of Philosophy and Religion.)

IDEOL ID Coefficient = Wright, Erikson, McIver public ideology

FAMINC = 1999, median family income U.S. Bureau of the Census, 2000.

NFPRATIO = number of not-for-profits per 1000 people in state population. National Center for Charitable Statistics.

NCA Full Member Centers = National Children’s Alliance, 2002.

ABUSE VICTIMS = Dept. of Health & Human Services, Administration on Children, Youth and Families, *Child Maltreatment 2000* (Washington, D.C.: U.S. Government Printing Office, 2002). <http://www.acf.hhs.gov/programs/cb>

% NON-METRO Population = U.S. Bureau of the Census, 2000.

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