2003-2004

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

MINUTES

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ATTENDANCE

House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

(Name of Committee)

DATES / MEMBERSHIP	11-5-03	11-6	12-03-04	1-14	1-29	2-18 Cancelled	2-19	3-2	3-3	3-22	3-23 Cancelled	3-31			
Moore, Tim Co-Chair	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Weiss, Jennifer Co-Chair	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Barbee, Bobby	✓	✓	✓	✓	✓		✓	✓	✓						
Barnhart, Jeff	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Blackwood, Curtis	✓	✓	✓	✓			✓	✓	✓	✓		✓			
Carney, Becky	✓	✓	✓	✓	✓		✓					✓			
Clary, Debbie	✓	✓			✓				✓	✓		✓			
Dickson, Margaret	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Earle, Beverly	✓		✓	✓	✓		✓	✓	✓			✓			
Eddins, Rick	✓	✓	✓	✓			✓	✓		✓					
Farmer-Butterfield, Jean	✓	✓	✓	✓	✓		✓		✓	✓		✓			
Frye, Phillip	✓	✓	✓	✓	✓			✓	✓	✓		✓			
Hunter, Howard	✓	✓	✓	✓	✓		✓			✓		✓			
Jeffus, Maggie	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Lewis, David		✓		✓	✓										
Lucas, Marvin	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Parmon, Earline	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Preston, Jean	✓	✓	✓	✓	✓			✓	✓	✓					
Ray, Karen	✓	✓	✓	✓				✓	✓	✓		✓			
Rayfield, John	✓	✓	✓	✓	✓		✓								
Ross, Deborah	✓	✓	✓	✓	✓		✓			✓		✓			
Warner, Alex	✓	✓	✓	✓	✓		✓	✓	✓	✓					
Barringer, Tamara	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			
Tolle-Whiteside, Jennifer	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓			

STAFF	11-5-03	11-6	1-13-04	1-14	1-28	2-19	3-2	3-3	3-22	3-23 cancelled	3-31				
Churchill, Erika (Counsel)	✓	✓	✓	✓		✓	✓	✓	✓		✓				
Graf Ray, Wendy (Counsel)	✓		✓	✓	✓	✓	✓								
Jessup, Dianna (Counsel)	✓	✓	✓		✓	✓	✓		✓						
Morgan, Susan (Fiscal Research)	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓				
Wilks, Lisa (Bill Drafting)	✓	✓	✓	✓	✓	✓		✓			✓				
Garriss, Nancy (Comm. Asst.)	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓				
Doty, Susan (Comm. Asst.)	✓	✓	✓	✓	✓	✓	✓	✓	✓						

James B. Black
Speaker

Richard T. Morgan
Speaker

Office of the Speaker
North Carolina House of Representatives
Raleigh, North Carolina 27601-1096

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES

WHEREAS, the State and the counties have a duty to ensure that suspected cases of child abuse and neglect are thoroughly investigated and that future abuse and neglect of children is prevented; and

WHEREAS, since 1998, the cases of 92 dead children whose families had recent contact with child protective services have been reviewed by the State; and

WHEREAS, in the course of those investigations, officials found flawed risk assessments, lack of coordination and communication between and among governmental agencies, and other bureaucratic roadblocks to the full investigation and prevention of child abuse and neglect; and

WHEREAS, approximately 700 social services workers investigate more than 100,000 reports of child abuse and neglect annually, and social workers often face an overwhelming, emotional, and thankless task, resulting in high turnover; and

WHEREAS, research indicates that most social worker mistakes in child abuse and neglect cases stem from a lack of time, training, or resources; and

WHEREAS, children deserve a child protective services system that will help families when needed and remove children from abusive or neglectful situations when necessary; and

WHEREAS, in addition to ensuring that children are safe from abuse and neglect, the State should also ensure that its foster care and adoption system fulfills the need for children to be part of a loving, safe, and stable home;

NOW, THEREFORE:

Section 1. The **House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption** is established by the Speakers, effective September 19, as an interim committee of the House pursuant to G.S. 120-19.6(a1).

Section 2. The Committee consists of 24 members. The individuals listed below are appointed as members of the Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

1) Representative Tim Moore, Co-Chair
2) Representative Jennifer Weiss Co-Chair
3) Representative Bobby Barbee
4) Representative Jeff Barnhart
5) Representative Curtis Blackwood
6) Representative Becky Carney
7) Representative Debbie Clary
8) Representative Margaret Dickson
9) Representative Beverly Earle
10) Representative Rick Eddins
11) Representative Jean Farmer-Butterfield
12) Representative Phillip Frye
13) Representative Howard Hunter
14) Representative Maggie Jeffus
15) Representative David Lewis
16) Representative Marvin Lucas
17) Representative Earline Parmon
18) Representative Jean Preston
19) Representative Karen Ray
20) Representative John Rayfield
21) Representative Deborah Ross
22) Representative Alex Warner
23) Mrs. Tamara Barringer
24) Ms. Jennifer Tolle-Whiteside

Section 3. The Committee may meet during the interim period between regular sessions upon the call of its cochairs.

Section 4. (a) In undertaking the study of child abuse and neglect, the Committee shall review the following to determine how children might be better protected from abuse and neglect:

1. The efficacy, structure and operation of the child protective services system as compared to similar systems in other jurisdictions.
2. High social worker turnover rates and their causes and effects on child protective services.
3. Improving the sharing of information between county Departments of Social Services and between county Departments of Social Services and other governmental agencies.
4. Improving computer systems to process and track child protective services cases.
5. The ability of the child protective services system to access the criminal records of individuals who are being investigated for child abuse or neglect.
6. The statutes relating to the protection of children and child guardianship, including specifically Subchapter 1 of Chapter 7B of the General Statutes.
7. The coordination of efforts between and among governmental agencies in investigating abuse, neglect, and dependency and child deaths.
8. Improving risk assessment by and training of social services workers.
9. The work, findings, and recommendations of the House Select Committee on Domestic Violence

(b) In undertaking the study of the foster care and adoption systems, the Committee shall review the laws on these subjects and the implementation of these laws to determine whether the systems need to be altered to more efficiently and effectively ensure that children are placed in safe, loving, stable, and caring homes.

Section 5. The Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before April 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Committee terminates on May 15, 2004 or upon the filing of its final report, whichever occurs first.

Section 6. The Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

Section 7. Members of the Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1, G.S. 138-5, or G.S. 138-6, as appropriate.

Section 8. The expenses of the Committee shall be paid upon the written approval of the Speaker pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations.

James B. Black
Speaker

Richard T. Morgan
Speaker

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

October 27, 2003

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, Nov. 5, 2003 at 1:00 p.m.
Thursday, Nov. 6, 2003 at 9:00 a.m.

LOCATION: Room 1027, Legislative Building

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

October 15, 2003

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption :

DATES Wednesday, Nov. 5, 2003 at 1:00 pm.
Thursday, Nov. 6, 2003 at 9:00 a.m.

LOCATION: Room 1027, Legislative Bldg.

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT,
FOSTER CARE, & ADOPTION

November 5, 2003
Room 1027 LB
1:00 p.m.

WELCOME & OPENING REMARKS

Representative Jennifer Weiss
Co-Chair

AGENDA ITEMS

Tom Vitaglione, Senior Fellow, NC Child Advocacy Institute and Co-Chair, NC Child Fatality Task Force

Janet Mason, Institute of Government

JoAnn Lamm, Program Administrator for Family Support & Child Welfare Services Section, Division of Social Services

Susan Osborne, Director, Alamance County Department of Social Services

Joe Lansinger, CPS Supervisor, Johnston County

Susan Morgan, Fiscal Research Division, NCGA

ADJOURNMENT

CHILD ABUSE AND NEGLECT, FOSTER CARE AND ADOPTION COMMITTEE

MINUTES

Wednesday, November 5, 2003
1:00 p.m.
Room 1027, Legislative Building

The House Interim Child Abuse and Neglect, Foster Care and Adoption met on Wednesday, November 5, 2003 in Room 1027 of the Legislative Building. Representatives Weiss and Moore, co-chairs, Barbee, Barnhart, Blackwood, Carney, Clary, Dickson, Earle, Eddins, Farmer-Butterfield, Frye, Hunter, Jeffus, Lucas, Parmon, Preston, Ray, Rayfield, Ross, Warner; and Ms. Barringer and Tolle-Whiteside attended. Also in attendance were Ms. Graf, Jessup, Morgan and Wilks, staff counsel.

Representative Weiss presided. She welcomed the committee members and spoke briefly about the report card recently released by the NC Child Advocacy Institute and the Institute of Medicine on the Health of Children in North Carolina. In the area of child abuse, North Carolina was given an F. Death due to child abuse represents about one-half of all child homicides. Representative Weiss further stated that the Greensboro News & Record, in a September 6, 2003 article, stated that of 92 analyzed state reports "in 3/4 of the 92 deaths, government and nonprofit agencies involved with the children and their families failed to share information with each other. In 1/3 of the deaths, people around the children, such as doctors, teachers, friends and family, didn't immediately report suspected abuse or neglect to a county department of social services." Representative Weiss called on the committee to work together to reduce and prevent child abuse in North Carolina.

PRESENTATIONS

Professor Janet Mason

Professor Janet Mason, of the Institute of Government and the author of *Reporting Child Abuse and Neglect in North* Carolina, was introduced and began her remarks by quoting the 2003 North Carolina Child Health Report Card that characterized child abuse as an epidemic in North Carolina. Professor Mason explained how the state responds to child maltreatment through the Criminal Justice System and the Child Welfare System and how the child welfare laws and policy rules were established as well as the limits of how and when intervention by the state can occur. Professor Mason said that in North Carolina, it is the social services department in each county that responds to reports of child abuse and neglect rather than the state Department of Social Services. The screening process for reports of child abuse was explained and discussed. That procedure

is attached as Attachment 1 to the minutes. Professor Mason ended her presentation by stating that the goal in every case is for the child to have a safe, permanent home within a reasonable period of time, which may be accomplished by keeping the child in his own home that is safe and providing the family needed resources or removing the child from his home temporarily and returning the child home when it is safe, usually within a year. If the latter is not possible adoption, guardianship or legal custody of the child is pursued.

Rep. Blackwood asked about the screening of reports of abuse and what is done to be sure false reports are not made. Professor Mason said that there is no process to appeal substantiation in the Central Registry in NC.

In responding to a question about a report regarding a naked 2-year old playing in his driveway (Stumbo case), Professor Mason explained what had happened and ended by saying that erring on the side of investigating everything is not OK, and that leaves quandaries on how laws are written and how DSS implements the law; the question is how do you define the point at which an investigation is appropriate.

Mr. Tom Vitaglione

Mr. Vitaglione, Senior Fellow, NC Child Advocacy Institute and Co-Chair, NC Child Fatality Task Force, was introduced and reported on child homicides. He called attention to a memo from Covenant with North Carolina's Children listing three recommendations to the committee: 1) statewide/cross county criminal background checks; 2) statewide computer case management child welfare system; and 3) recruitment and retention of qualified social workers in every Child Protective Unit statewide. Mr. Vitaglione then called attention to a chart released by the NC Child Fatality Task Force showing that since the Task Force began in 1988, there has been a reduction in child fatalities of 31%. Another pass-out gives a brief history of the 92 child deaths that have occurred and been investigated by the NC Division of Social Services since 1998. Mr. Vitaglione reviewed the homicide case of Amanda Cook, a 2-year old child who was killed by her stepfather. Graphic photographs made at the autopsy of the child are included in the attachments. He stated that one area of child abuse where progress has not been made is in child homicides. Child abuse homicides comprise one-half of all homicides. Further, in the last 10 years, every two weeks a child in the care of adults has died; about 50% of those children were known to the NC Department of Social Services, 50% were not. Mr. Vitaglione appealed to the committee to make clear recommendations to reduce child abuse homicides and to see that criminal record checks must be available at no cost to local social service agencies. (see Attachment 2)

In reference to Items 1 and 2 in the recommendations to the committee by the Covenant with North Carolina's Children, the question of what is the best system and the its cost was asked by Representative Barnhart. For Item 3, he asked that committee members be provided with the average time on the job, the average salary scale, and turnover rates.

Representative Warner asked about the high percentage (229%) of injuries due to fires listed on a handout. Ms. Tolle-Whiteside responded that sometimes there are several

children in a home who perish due to fire. She said that the Task Force is looking into this.

Ms. JoAnn Lamm

Ms. Lamm, Program Administrator for Family Support and Child Welfare Services Section, Division of Social Services, made a power point presentation on child protective services in NC (Attachment 3) and stated that their mission is to ensure safe, permanent, nurturing families for children. She explained the process taken when a report of abuse or neglect is received by Social Services and challenged the committee to listen to what they are doing and help them enhance the system. She stated that NC has a mandatory reporting law that is probably the best in the country. Three components of Child Protective Services (CPS) are structured intake, investigative assessments and in-home services. She spoke about the Central Registry, a confidential registry of abuse, neglect and dependency and child fatalities that are a result of alleged maltreatment. She also discussed caseload standards. Ms. Lamm also spoke of enhancements to CPS, including the Multiple Response System (MRS). The MRS system provides social service agencies with the opportunity to use two approaches to help families and protect children. A family assessment approach may be used in neglect cases and an investigative approach may be used for cases involving child abuse. One of the goals is to expand the MRS system to all 100 counties in the state. In 2002, there were 10 MRS counties; in 2003, 42 more counties were added to MRS. Ms. Lamm stressed the importance of and need for: 1) a strengths based, structured intake process, 2) coordination between law enforcement and DSS in the investigative assessment approach, 3) improvement in recruitment and retention of child welfare workers and 4) free and easy access to state criminal records for social workers. Further actions to enhance the child welfare system are listed in Attachment 3.

Discussion followed with a range of questions asked about the available workforce, foster care, families moving from county to county or out of state, cross county issues, salary range, and casework ratios. The ideal casework ratio of 1:12 is not achieved because of issues around recruitment. As to salaries, Mr. Larry Johnson, President, Directors Association, stated there is a county-to-county range of about $20,000 with salaries from approximately $21,000 in some counties to $42,000 in others.

Ms. Susan Osborne

Ms. Osborne, Director, Alamance County Department of Social Services, stated that she came as the Director of DSS in Alamance County and as a representative of DSS in all 100 counties of the state to give the committee the local front line view of the work. In her remarks, she recounted 3 cases that had been investigated by Alamance DSS that illustrated the need for a statewide communication system for use by counties to track families. She reported that for every 100 reports to a local DSS Child Abuse Hotline, 60 are accepted for investigation/assessment because allegations meet the legal definitions of abuse, neglect or dependency, 20 are found to be substantiated and 2 - 4 will require court intervention. She further spoke about the process of investigating/assessing a family, the

complexity of family situations and the different risks involved. (see Attachment 4) Ms. Osborne stressed the priorities of protecting children and maintaining the integrity of families.

Representative Blackwood asked if families could be tracked by vehicle license plates and driver's license numbers. Ms. Osborne said that has not been part of their procedure and it isn't always reliable; they sometimes have social security numbers, but those are not always accurate. It is something they could consider.

Representative Dickson asked the average length of stay in foster care; Ms. Lamm said it is 365 – 380 days.

Representative Rayfield asked how much information is received on those applying to be foster parents. Ms. Osborne said North Carolina does a thorough search and has FBI fingerprinting done; children are not placed in foster care until results from fingerprinting and a report come back from the FBI.

Representative Ross asked about prevention and what might be done statewide. Ms. Osborne said they have local resources and parenting classes, but not all counties have that program. Representative Weiss said that Marjorie Menestres, Executive Director of SAFEchild, Wake County, would be speaking on that issue at Thursday's meeting. Ms. Tolle-Whiteside said that one program that has shown good results across the country is intensive home visitation.

Representative Farmer-Butterfield asked if Ms. Osbsorne had any recommendations that would enhance the Guardian ad Litem program. Representative Weiss answered that Guardian ad Litem could not be included in the first meeting but that she would like for them to visit the committee and share their ideas and thoughts at a later meeting.

Mr. Joe Lasinger

Mr. Lasinger, Child Protection Services Supervisor, Johnston County, spoke to the committee about the challenges faced by caseworkers trying to help families: the personnel issues, including recruitment and retention of workers, psychological and physical trauma, excessive work hours, low pay, and lack of training and preparation. Mr. Lasinger said that burnout occurs in less than 2 years and that, because of the workload, those with families cannot do the job anymore. In Johnston County the ratio is 1:300, one Child Protection Services (CPS) social worker for every 300 children. He also spoke of the lack of necessary information sources available to CPS both at the county and state levels, limited access to state criminal record checks and limited or no access to federal criminal record checks. Mr. Lasinger called on the committee to do whatever is necessary to help families and protect the children of North Carolina. (see Attachment 5)

Representative Hunter stated that we do criminal background checks for adult and child day care that don't require additional staff. Departments of Social Services need help and

that will cost money. He further said that, "the caseloads are ridiculous; the workers are stressed out. We are expecting them to do what is not humanly possible. Think of the plight of those who are protecting what we say is so important to us. I've seen children die and it's sickening. We have the power to stop it if we have the guts to do it."

Ms. Susan Morgan

Ms. Morgan, Fiscal Research Division of the North Carolina General Assembly, presented a review of past legislative highlights by the General Assembly and showed the funding as recurring or non-recurring. Reductions in funding were also listed. (see Attachment 6)

Following Ms. Morgan's presentation, the following questions and requests were made:

Representative Ray asked about Smart Start and the More at Four programs.

Representative Rayfield asked about the reduction of state funds as a result of receiving federal funds and asked what county funds are not included in the report. Ms. Morgan explained how TANF funds are used.

Representative Ross said that she wants the whole picture of how state, federal and county monies are spent and a comparison with other states. Also, quantifying it county-by-county and region-by-region and the differences.

Ms. Tolle-Whiteside said she is concerned that several things are missing from this document, including Intensive Home Visiting Programs and the NC Child Fatality Task Force. She asked why More at Four was included in the document when there are no child welfare services in that program.

Representative Blackwood asked what are the most and least effective programs. Ms. Morgan responded that she pushes the need for data and sees the data that supports the programs that work and those that don't work and that not every program will work in every county. She stated that the Intensive Family Preservation Program has had no longitudinal impact the last 6 months.

Representative Barnhart requested information on foster care and said he wants foster parents to have what they need. He said it is frustrating when we take children from their homes and then something goes wrong in the foster care setting. He asked for information on how many times this has happened in the last few years.

Representative Ray said that she wants to see the mission statement for Smart Start.

Representative Weiss asked for information about the Child Fatality Task Force and asked if the executive director position has been eliminated. Ms. Morgan said that DHHS said that they are providing the staff for this position to which Ms. Tolle-Whiteside, co-

chair of the Task Force, said that that is not correct; that the Department is providing only minimal clerical assistance with no dedicated staff.

Representative Weiss thanked the presenters, committee members and guests for their information and comments. The meeting was adjourned at 4:50 to re-convene tomorrow, November 6 at 9:00 a.m.

Representative Jennifer Weiss, Co-Chair, Presiding

Susan Doty, Clerk

Representative Tim Moore, Co-Chair

Attachment 1
Janet Mason

Child Abuse, Neglect, and Dependency: Protecting Children in North Carolina

"Were it a communicable disease, child abuse and neglect would be declared an epidemic in NC."

2003 NORTH CAROLINA CHILD HEALTH REPORT CARD
North Carolina Child Advocacy Institute
North Carolina Institute of Medicine

How Does the State Respond to Child Maltreatment?

Criminal Justice System	Child Welfare System
• Focus on offender	• Focus on child
• No reporting requirement	• Mandatory reporting
• Local law enforcement response	• County social services response
• Criminal court	• Civil (juvenile) court
• Outcome – conviction and punishment	• Outcome – adjudication and protection

Sources of Child Welfare Law and Policy

- North Carolina Juvenile Code, G.S. Ch. 7B
- State administrative rules
- Policy manuals developed by state Division of Social Services
- Appellate court decisions

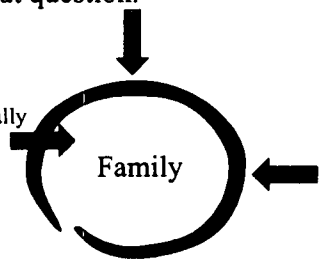
.....

- Federal funding criteria set out in federal statutes and regulations

When and how may the state intervene in families for the purpose of child protection?

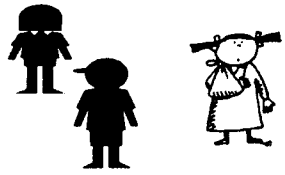
The Juvenile Code is North Carolina's primary answer to that question.

- Harm
- Risk of harm
- Lack of minimally adequate care



Definitions in the Juvenile Code Set the Limits of State Intervention

"Juvenile"
"Neglected Juvenile"
"Abused Juvenile"
"Dependent Juvenile"
"Caretaker"
"Custodian"



Procedures set out in the Juvenile Code apply to children who are harmed or placed at risk by the actions, inaction, or incapability of the child's parent (or guardian, custodian, or caretaker).

They do not apply when harm or risk is created by others – school teachers, strangers, church officials.

How Have Child Welfare Philosophy and Law Evolved?

Rescue

↓

Prevent Placement and Reunify Families

↓

Ensure Safety and Strive for Permanence

What Does Intervention Look Like?

First, person decides whether to make a report.

- Do I have cause to suspect that this child is an *abused juvenile*, a *neglected juvenile*, or a *dependent juvenile*, as the Juvenile Code defines those terms.
- Even if a report to DSS is not required, is there something else I should do?

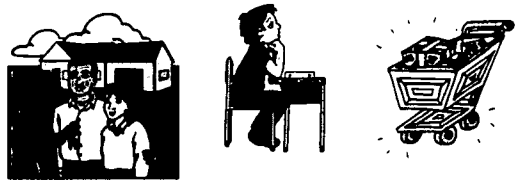
The County DSS Screens the Report By Asking:

- If the information given in the report is true, is the child an abused, neglected, or dependent juvenile, within the Juvenile Code definitions?

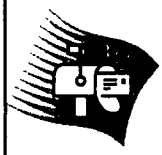
If the report is screened out, the person who made the report must be notified in writing and may ask for an agency review of that decision.

If the report is accepted, DSS must:

(1) make a "prompt and thorough" investigation and determine whether to substantiate the report, or
(2) in pilot counties, in some cases, conduct an assessment of family needs and strengths.



The person who made the report
(1) must be notified in writing of the result of the investigation and
(2) can seek review from the district attorney if DSS does not file a juvenile petition.



Central Registry Collects Reporting Data

- Only about a third of the reports DSS investigates are substantiated as abuse, neglect, or dependency.
- Of those that are substantiated, only a small number result in the filing of juvenile petitions.
- In most substantiated cases, DSS works with the family to address problems and ensure the child's protection.

When a case does go to juvenile court:

- DSS files a petition alleging facts about abuse, neglect, or dependency.
- The petition and summons are served on the parent.
- An indigent parent has a right to court-appointed counsel.
- A guardian ad litem and attorney advocate are appointed to represent the child.

Hearings in Juvenile Court

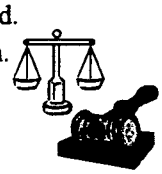
- Nonsecure Custody Hearings
- Adjudicatory Hearing
- Dispositional Hearing
- Review Hearings
- Permanency Planning Review Hearings

Juvenile court judge has authority to:

- order that steps be taken to identify and/or locate an absent parent or to establish paternity.
- order parents to receive treatment; take specific steps to correct problems; pay child support.
- change custody of the child.
- appoint a guardian for the child.

Termination of Parental Rights

- May occur as a separate proceeding or by motion in the juvenile case.
- Requires the court to find at least one ground, by clear and convincing evidence, and best interest.
- Completely terminates the parent's rights and responsibilities in relation to the child.
- Makes the child eligible for adoption.



The goal in every case is for the child to have a safe, permanent home within a reasonable period of time.

Providing a safe, permanent home may be accomplished by:

- keeping the child in his own home that is safe.
- removing the child from his home temporarily and returning him home quickly, when it is safe.
- facilitating the child's adoption.
- appointing a relative or other suitable person as the child's guardian.
- placing the child in the legal custody of a relative or other suitable person.

Attachment 2

Covenant *with*
North Carolina's **Children**

MEMO

TO: Members of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Paula A. Wolf, Chief Lobbyist
Sorien Schmidt, Chairperson

DATE: November 5, 2003

RE: Recommendations

The Covenant with NC's Children is a coalition of over 150 civic groups, professional associations, advocacy organizations and over 500,000 individuals who have formed a "covenant" by promising together to advance public policy to benefit children in North Carolina and to put children and youth first in our public and private lives. The Covenant congratulates Speakers Black and Morgan for recognizing the epidemic in child abuse and neglect in North Carolina and appointing this Interim Committee.

We stand ready to offer you the expertise of our statewide membership as you study and recommend some positive and achievable goals to prevent child abuse, neglect and deaths in North Carolina. Toward this end, we respectfully offer the following recommendations for your serious consideration.

1. **Statewide/Cross County Criminal Background Checks** - Make North Carolina criminal record checks accessible, timely and at no cost to County Departments of Social Services. Currently a county DSS must individually check each of the 100 county records to complete a statewide check. Our children must not be placed with individuals who have criminal pasts.
2. **Statewide Computer Case Management Child Welfare System** - Develop and implement a statewide, automated case management system as envisioned in the NC FAST project that will enhance cross-county communication and avoid "losing" children in the system. A child known to CPS in Wake County should be easily identified in the computer in Buncombe County.
3. **Recruitment and Retention of Qualified Social Workers in Every Child Protective Unit Statewide** - (a) Direct the Office of State Personnel to conduct a personnel study of the position of "child welfare worker" to appropriately categorize the level of the work, the liability associated with the work, the training and skills required and then develop compensation benchmarks associated with the classification; (b) Expand the Child Welfare Collaborative program to double the number of students graduating each year as qualified and trained child welfare workers; (c) Establish state funding to support appropriate CPS staff/client ratios similar to child/teacher ratios maintained in public schools.

A coalition advancing public policy that benefits children in North Carolina

P.O. Box 28268 • Raleigh, NC 27611 • 919 / 649-2449 • FAX / 829-7299

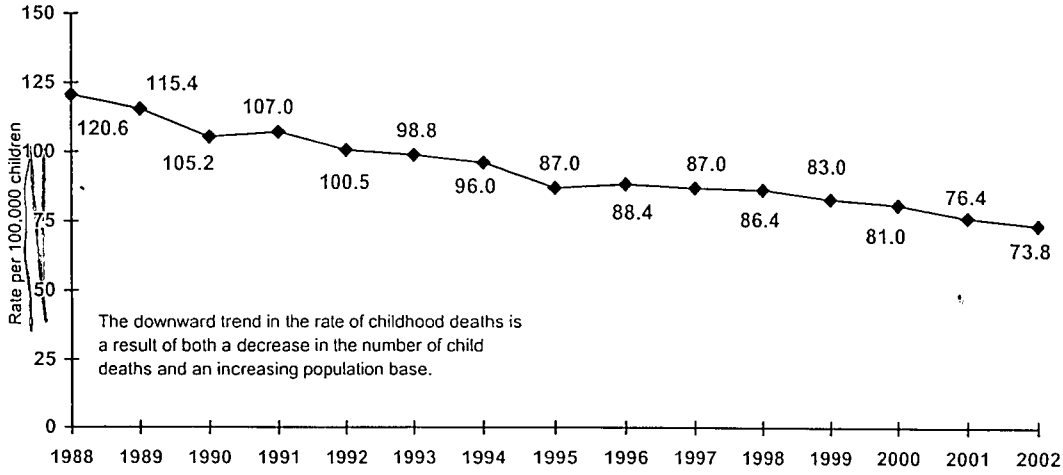
Attachment 2

Tom Vitagliano

2002 CHILD DEATHS IN NORTH CAROLINA

Trend in Rate of Child Deaths 1988-2002*
Ages Birth through 17 Years

# of deaths per 100,000



Child Deaths by Cause in North Carolina Ages Birth through 17 Years				
Cause of Death	Average Annual Number 1998-2002	Number in 2001	Number in 2002	% change from last year
Birth defects	219	217	191	-12%
Other birth-related conditions	566	558	533	-4%
Sudden infant death syndrome	98	102	81	-21%
Illnesses	294	263	302	15%
Unintentional injuries	288	262	272	15%
motor vehicle injuries	*180*	*171*	*172*	*1%*
bicycle injuries	*10*	*8*	*5*	*-38%*
injuries caused by fire	*14*	*7*	*23*	*229%*
drowning	*30*	*25*	*23*	*-8%*
other unintentional injuries	*54*	*51*	*49*	*-4%*
Homicide	53	43	43	0%
Suicide	32	29	19	-34%
All other	44	55	60	9%
TOTAL	1595	1529	1501	-2%

Child Deaths by Age				
	Average 1998-2002	Number in 2001	Number in 2002	% change 2001 to 2002
Infant	1013	1005	957	-5%
1-4	138	133	132	-1%
5-9	102	84	101	20%
10-14	126	123	129	5%
15-17	194	184	182	-1%

NC Population		
	Total	Under 18
2001	8188010	2001870
2002	8323946	2035224
% change	1.7%	1.7%

Data reflect state residents.

Please see Technical Notes at http://www.schs.state.nc.us/SCHS/healthstats/deaths/cdtech2002.html

* Child death rates for 1990-1999 are not the same as published in some previous reports due to revised population estimates.

Produced by the N.C. Division of Public Health - Women's and Children's Health Section in conjunction with the State Center for Health Statistics.

Attachment 2

NORTH CAROLINA
child ADVOCACY Institute

November 5, 2003

To: Members of the House Interim Committee

From: Tom Vitaglione Tom V
Senior Fellow
Co-Chair, NC Child Fatality Task Force

Re: Promised Attachments

Thank you for inviting me to present to the House Interim Committee today. All of us on the NC Child Fatality Task Force applaud your efforts to reduce child abuse homicides in our state. As promised, please find the two attachments.

The first charts the number of annual child abuse homicides since 1985. Please recall that, while there has been a downward trend in the child death rate for the past decade, the trend in the number of child abuse homicides has not declined. This means that, for the past decade, every two weeks a child is killed by an adult entrusted with his or her care.

The second is the case study on Amanda Cook that I presented at the meeting. Please note that many, many other cases are equally dramatic. The study dramatizes the need for the three recommendations I presented: Criminal record checks should be accessible, timely and at no cost to county departments of social services; A statewide computer case management child welfare system should be implemented to allow cross-county communication; Recruitment and retention of qualified social workers in child protection units should be enhanced.

Thank you for participating in this complex effort of critical importance. If I can be helpful to you in any way, please feel free to contact me at 919-834-6623 Ext. 235 or by email at Tom@ncchild.org.

311 East Edenton Street • Raleigh, North Carolina 27601-1017
VOICE 919-834-6623 • FAX 919-829-7299 • E-MAIL nccai@intrex.net • WEB PAGE http://www.ncchild.org

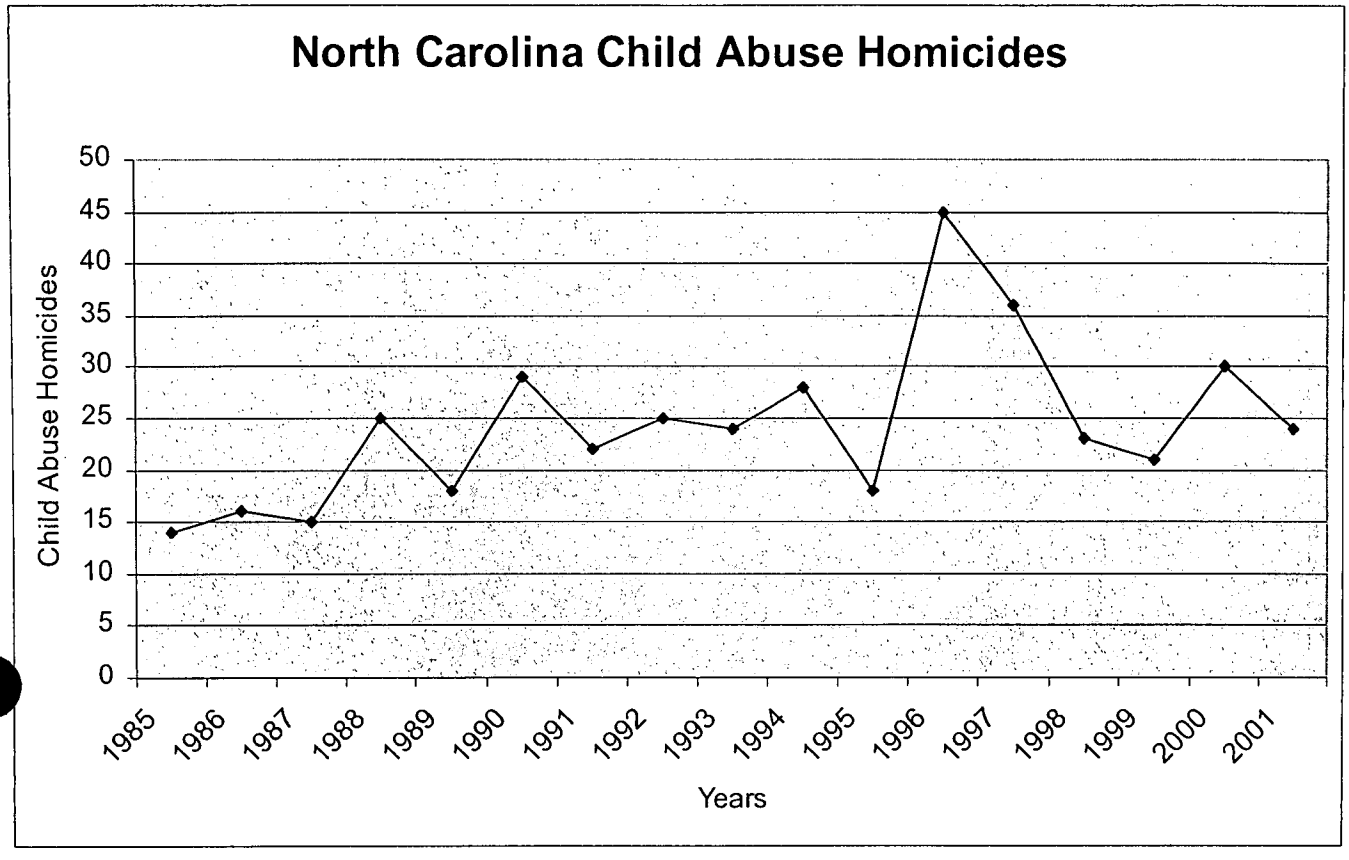


Chart prepared by NC Child Advocacy Institute www.ncchild.org
Data Source: NC Medical Examiners Office

Case Study

Amanda Cook

Born 1996

July 1998: James Russell Smith is living in Alamance County with Amanda's mother, Angelene, and watches the child when the mother works nights. Neighbors tell DSS that they hear Amanda crying and fear that she is being abused. DSS does not accept the case for investigation, citing "no information of any action being taken that would indicate that the child was being abused".

August 27: Angelene's mother comes to the Alamance DSS office to check on eligibility for public assistance programs. James Russell Smith is now listed as Amanda's stepfather. While at DSS Amanda's mother smacks her and yanks her hard by the arm. The eligibility caseworker reports this to the DSS investigation section.

September: DSS substantiates the incident as a case of neglect and provides in-home services to help curb inappropriate discipline.

November 4: The family has apparently moved and cannot be found by DSS.

December 10: Orange DSS contacts Alamance DSS to say that Amanda has been hospitalized, and learns of the family's history in Alamance.

December 12: Just under 3 feet tall and weighing 21 pounds, Amanda dies. Doctors determine that Amanda has been shaken and beaten to death, having severe internal injuries and old and new bruises from head to toe.

1999: Though claiming that Amanda fell off a toilet and hurt herself, James Russell Smith is convicted of second-degree murder and sentenced to at least 18 years in prison.

NOTE: During the court proceedings, it was determined that James Russell Smith was a convicted child molester, having pleaded no contest in 1994 to taking indecent liberties with a 6 year-old boy. Various impediments had prevented DSS from checking criminal records.

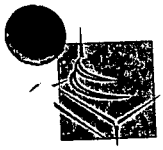
Attachment 2

Attachment 1
Janet Mason

REPORTING CHILD ABUSE AND NEGLECT IN NORTH CAROLINA

JANET MASON

second edition



INSTITUTE OF GOVERNMENT
SCHOOL OF GOVERNMENT
The University of North Carolina at Chapel Hill

Attachment 2

92 CHILDREN, 92 DEATHS

Children whose deaths have been reviewed by the N.C. Division of Social Services since 1998

ALAMANCE

GLASYA AMANDA COOK, 2 years old. Died Dec. 12, 1998, of severe internal injuries. Stepfather convicted at trial of second-degree murder.

Amanda

YANHOVA CHAVIS, 5 months old. Died July 26, 2002, of head trauma.

BEAUFORT

DONULA COLEMAN, 8 months old. Died April 22, 2002, of acute gastrointestinal illness; dehydration and brain damage due to a seizure.

BUNCOMBE

ETERNITY JONES, 9 months old. Died Aug. 7, 2001, in an accidental drowning.

BUNCOMBE/MADISON

ALIJAH NORTON, 3 years old. Died July 8, 2001, when run over by a car.

CABARRUS

SEAN TUCKER, 2 months old. Died Oct. 10, 1999, of suffocation.

MAXWELL HOGAN, 1 month old. Died July 6, 2002, of undetermined causes.

CALDWELL

JOSHUA SELF, 2 months old. Died Jan. 5, 2002, of suffocation by a sleeping adult.

CASWELL

KENNETH SUMMERS, 5 months old. Died Jan. 19, 2000, of blunt force injury to the abdomen.

CATAWBA

ISAIAH MCADAMS, 2 months old. Died Nov. 26, 2000, of sudden infant death syndrome.

CLEVELAND

JOANIE APPLEMAN, 13 years old. Died May 31, 2000, in a car crash. Mother pleaded guilty to involuntary manslaughter.

Scotty

SCOTTY CROCKER, 15 years old. Died April 19, 2000, of gunshot wound. Father pleaded guilty to voluntary manslaughter.

JAVEZ DIXON, 2 weeks old. Died July 2, 2000, of suffocation. Mother pleaded guilty to involuntary manslaughter.

COLUMBUS

KAYLA HILL, 1 month old. Died Nov. 1998, of dehydration. Mother pleaded guilty to misdemeanor child abuse.

CRAVEN

GILBERTO CHAVARRIA, 6 months old. Died Feb. 5, 2002, of head trauma.

CUMBERLAND

ALEXANDER CARLSON, 2 years old. Died Aug. 3, 1999, of blunt force injury to the head. Father convicted of second-degree murder.

BRITTANY KELLER, 2 months old. Died Sept. 5, 1999, cause of death undetermined.

MORGAN CHAMBERS, 15 years old. Died Nov. 22, 1999, of suicide.

JOSHUA PRESUTTI, 5 years old. Died May 28, 2000, of head injury. Mother's boyfriend pleaded guilty to second-degree murder.

ALLEN MCNEIL, 1 year old. Died July 8, 2000, of bronchopneumonia.

CURRITUCK

DAMIEN CONTOURIS-TRINGLE, 2 years old. Died Nov. 6, 2000, of drowning.

DAVIDSON

LUEKAIN CALVO, 1 year old. Died July 5, 1999, cause of death undetermined.

ISAIAH MEYER, 1 year old. Died May 17, 2001, of shaken baby syndrome.

DURHAM

ALONZO HEDGEPATH, 15 years old. Died Oct. 15, 2000, in a car crash.

FORSYTH

NAVARETTE BELMARI, 3 months old. Died Nov. 22, 2000, in a house fire.

GASTON

SABRINA DAY, 15 years old. Died Feb. 9, 2000, of cardiac arrest and exhaustion due to excessive exertion.

SARAH HUDSON, 13 months old. Died Nov. 16, 1998, of toxic overdose of anti-psychotic medication. Mother pleaded guilty to second-degree murder.

Sarah

JACOB PAYNE, 2 weeks old. Died Dec. 3, 1999, of suffocation.

KEVIN WILLIAMSON, 9 months old. Died March 3, 2001, of asphyxia.

GRANVILLE

JACOB ROBINSON, 14 years old. Died May 14, 2002, of a gunshot wound. Stepfather charged with improper gun storage.

GUILFORD

TYKEILL STACKER, 2 years old. Died July 24, 1999, of hypothermia.

MARQUES WILLIAMSON, 3 years old. Died Aug. 22, 1999, of drowning.

WILLIE JONES, age unavailable. Died Nov. 26, 1998, of blunt trauma to the head.

ANDREW KING, 1 year old. Died May 11, 2000, of drowning.

CHRISTIAN EDDINS, 1 year old. Died June 26, 2001, of dehydration. Parents pleaded no contest to involuntary manslaughter.

NOLAN BOONE, 2 years old. Died June 19, 2001, of electrocution.

ZIRRA GRAHAM, 1 month old. Died Oct. 10, 2000, of sudden infant death syndrome.

IREDELL

BAILEY MALLAN, 3 years old. Died Jan. 14, 2002, of severe hypothermia.

LEE

Bailey

CODY WHITT, 1 year old. Died April 17, 2000, of drowning.

LENOIR

ANTONIAYSIA MCLEAN, 1 year old. Died Dec. 18, 1998, of head trauma, fractures and burns.

ELIJAH MCDONALD, age unavailable. Died June 14, 1999, of asphyxia.

KENDRA FLOWERS, 2 months old. Died May 26, 2001, smothered by sleeping adult.

JOHNSTON

BRANDON AND BRADLEY WARREN, 14 and 13 years old, respectively. Died July 26, 2001, of gunshot wounds. Parents charged with failing to properly store rifle.

MECKLENBURG

KENDRA BELL, 12 years old. Died July 3, 2002, of probable suffocation.

NAUTICA BESS, 8 months old. Died May 25, 2000, of shaken baby syndrome. Mother pleaded guilty to involuntary manslaughter.

Attachment 3
Jo Ann Lamm

Child Protective Services
in
North Carolina

North Carolina Division of Social Services
Family Support and Child Welfare Services
Section

What is Child Protective
Services (CPS)?

How do County Departments of Social
Services ensure the safety of children?

Our Mission

To ensure safe, permanent, nurturing
families for children

Safety is of paramount concern

To accomplish our mission we embrace the 6 Principles of Partnership:

- Everyone desires respect
- Everyone needs to be heard
- Everyone has strengths
- Judgements can wait
- Partners share power
- Partnership is a process

Purpose of Child Protective Services

- legally mandated
- services for children reported as alleged victims of abuse, neglect or dependency
- services for children who have been abused, neglected or dependent due to the actions of, or lack of protection by the children's parent or caretaker.

Purpose of Child Protective Services (cont'd)

- Services are designed to protect children from further harm and to support and improve parental/caretaker abilities to assure a safe home.
- Services are provided in the home

Legal Authority in CPS

- Social Security Act of 1935, placed the responsibility with public welfare agencies to protect and care for the homeless, dependent and neglected children.
- Child Abuse Prevention and Treatment Act (CAPTA)
- 1980 Adoption Assistance and Child Welfare Act -Public Law 96-272
- Adoption and Safe Families Act of 1997- emphasized safety, permanency and child and family well being

Legal Authority in CPS (cont'd)

In North Carolina we have a county administered, state supervised child protective services system.

NCGS 108A, Article 3
NCGS 108A-14

What is Child Protective Services?

The Director of Social Services in each county shall establish protective services...

- Receiving and screening reports of alleged child abuse, neglect and dependency
- Investigation of reports of abuse, neglect and dependency
- Providing services to parents, guardians, and other caretakers to prevent abuse, neglect or dependency; and to preserve and stabilize family life. NCGS7B-300

Duty to Report

North Carolina has a mandatory reporting law. **"Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent as defined by G.S. 7B-101 or who has died as the result of maltreatment, shall report the case of that juvenile to the Director of the Department of Social Services in the county where the juvenile resides or is found."** NCGS7B-301

NOTE: Reports maybe made anonymously

What is Abuse, Neglect and Dependency?

Abused juvenile – child under the age of 18 whose parent, guardian, custodian or caretaker:

- inflicts or allows to be inflicted a serious physical injury by other than accidental
- means creates or allows to be created substantial risk of serious physical injury by other than accidental means
- uses or allows to be used, cruel and grossly inappropriate means to modify behaviors

What is Abuse, Neglect and Dependency? (cont'd)

- commits, permits or encourages the commission of certain sex acts
- creates or allows to be created serious emotional damage
- encourages, directs or approves of delinquent acts involving moral turpitude

NCGS7B-101(1)

What is Abuse, Neglect and Dependency (cont'd)

Neglected juvenile – a juvenile who does not receive proper care, supervision or discipline; who has been abandoned; who is not provided necessary medical care; who is not provided necessary remedial care; or who lives in an environment injurious to the child's welfare; or who has been placed for care or adoption in violation of law.

NCGS7B 101(15)

What is Abuse, Neglect and Dependency (cont'd)?

Dependent juvenile- a juvenile in need of assistance or placement because he has no parent, guardian or custodian responsible for the care or supervision or whose parent, guardian, or custodian is unable to provide for the care or supervision and lacks on appropriate alternative child care arrangement.

NCGS7B101 (9)

Who is a Juvenile?

A juvenile is a person who has not reached the person's eighteenth birthday and is not married, emancipated, or a member of the Armed Forces of the United States.

NCGS7B 101(14)

Who is a Caretaker?

Any person other than a parent, guardian, or custodian who has responsibility for the health and welfare of a juvenile in a residential setting.

- step parent
- foster parent
- adult member of the juvenile household
- adult relative entrusted with the juvenile's care

Who is a caretaker (cont'd)?

- house parent or cottage parent who has primary responsibility for supervising the juvenile in a residential child care facility or residential educational facility
- any employee or volunteer of a division, institution, or school operated by DHHS
- any person who has the responsibility for the care of the juvenile in a child care facility. NCGS7B 101(3)

Components of CPS

Structured Intake
Investigative Assessments
In Home Services

Child Protective Services must be provided 24 hours a day, 7 days a week.

CPS Structured Intake

Structured Intake is the process of receiving reports of abuse, neglect or dependency and, through a structured strengths-based approach of gathering sufficient information from the reporter, determining what further action is required.

CPS Structured Intake (cont'd)

Structured Intake is in place in all 100 counties.

The Structured Intake process allows the reporter to share their knowledge of the situation and allows the DSS to collect thorough information that will be used in their decision making process.

Structured Intake includes inquiring of all reports if there is family violence in the home or substance abuse in the home.

CPS Structured Intake (cont'd)

Intake Functions and Decisions:

Determine if DSS has the authority to intervene only when reports include the following:

- If the allegations reported were true, would it meet the legal definitions of abuse, neglect, or dependency; and
- the allegations pertain to a juvenile; and
- the alleged perpetrator is a parent, guardian, custodian, or caretaker.

If the information does not meet the criteria listed above, the report is not accepted.

CPS Structured Intake (cont'd)

- If a juvenile may have been harmed by someone other than a parent or caretaker, an oral and written report is made to the DA and local law enforcement agency within 48 hours
- Written notices are required to be sent to the reporter to advise them of the Intake Decision
- Decisions regarding not accepting a report is never made by one person, at a minimum those decisions must include a manager.

CPS Structured Intake (cont'd)

In SFY 2002-2003, 70,503 reports of abuse, neglect or dependency were accepted.

In SFY 2002-2003, 107,157 children were the subjects of an investigative assessment. (unduplicated)

In North Carolina, all children in the family are considered as alleged victim children when a report is accepted for investigative assessment.

CPS Investigative Assessment

The purpose of an Investigative Assessment is to gather sufficient information to assess:

- whether the facts identified through a structured process of gathering information supports the allegation that a child is abused, neglected or dependent and the extent of the abuse and neglect;
- whether the specific environment the child is in meets the child's needs for care and protection;
- the safety of the child and the potential risk of harm; and
- what actions might be needed to assure the safety of the child

CPS Investigative Assessment (cont'd)

Response Times:

Abuse Reports- 24 hours

Neglect and Dependency Reports- 72 hours

(in cases of abandonment, the response time is immediate)

Note: There are identified situations which require immediate response.

CPS Investigative Assessment (cont'd)

Structured Decision Making Model (SDM):

- Research based model of decision making developed by Children's Research Center
- Used in 20 other states
- Adopted in NC in 2002 in all 100 counties
- To gain consistency in practice
- Provides a framework for assessing safety
- Identifies risk of future harm
- Identifies the strengths and needs of the families
- Provides a guide for making case decisions

Structured Decision Making Model (SDM)

SDM Tools:

- Safety Assessments- assess immediate danger and develop a safety response
- Risk Assessment- assess future risk of harm
- Family Strengths and Needs Assessment- identifies strengths and the causes of identified needs
- NC Case Decision Summary – to determine if abuse, neglect or dependency has occurred, this tool asks the following questions:

Structured Decision Making Model (SDM) (cont'd)

- Has maltreatment occurred with frequency and/or the maltreatment severe?
- Are there current safety issues?
- Is the child at future risk of harm?
- Is the child in need of protection?

CPS Investigative Assessments Tasks

- Ongoing assessment of safety and risk of harm
- Interviews:
  - –alleged victim children
  - –parents
  - –alleged perpetrator
  - –other individuals who live in the home
  - –collaterals
  - –agencies serving family
- Ongoing collection of information
- Providing services
- Making referrals for services

CPS Investigative Tasks (cont'd)

- Use medical and psychological resources such as the Child Medical Evaluation Program/Mental Health Evaluation Program
- Conducts review of agency records
- Conducts a Central Registry check
- Conducts a home visit

CPS Investigative Tasks (cont'd)

- Works with DA and law enforcement if evidence of abuse is found
- Removes children if safety can not be assured through filing a petition
- Makes written request for information, whether confidential or not, if it is considered relevant to the investigative assessment
- Completes within 30 days if possible
- Completes Structured Decision Making Tools with the Family
- Case decision
- Ongoing assessment of personal safety

CPS Investigative Tasks (cont'd)

Please note: For Investigative Assessment involving child care facilities, residential child caring facilities, foster parents, and DHHS employees and volunteers, there are additional tasks for each type of investigative assessment.

Case Decision Activities

To determine whether a child is abused, neglected or dependent requires a careful assessment of all information obtained.

Case Decision Process:

- Social worker and a staffing team must answer the following questions:
  - –Has the maltreatment occurred with frequency and/or is the maltreatment severe?
  - –Are there current safety issues?
  - –Is the child at risk of future harm?
  - –Is the child in need of protection?

Case Decision Activities (cont'd)

If one or more of these questions are answered "yes", the agency should substantiate the report.

- Information submitted to the Central Registry.
- Required notices sent
- If unsubstantiated, there is no further involvement unless requested by the family. SFY 2002-2003- 30,016 children substantiated (unduplicated) and in 10 MRS counties 996 children found in need of services.

In Home Services

When a finding of maltreatment has been made, the DSS is required to:

- Provide and arrange for services
- Coordinate interviews that focus child safety and family preservation
- Ensure the prevention of further abuse or neglect

The goal is to enable families to ensure safety of their children and to keep children in their own homes if at all possible.

In-Home Service Tasks

- On-going partnership with parents/caretakers to ensure safety
- Maintains frequent face to face contacts with the victim child, parents, and persons significant to the case to ensure safety
- Develop Family Services Agreement
- Coordinates and refers for services based on individual needs of the family
- Provides services to the family
- Child and Family Team Meetings (MRS)

In-Home Service Tasks (cont'd)

- Removes child if safety can not be assured through filing a petition
- Assess on-going risk of harm
- Assess progress of the family
- Completes Structured Decision Making tools on regular intervals

Termination of In-Home Services

The agency will terminate CPS when the parents or caregivers are willing to provide a safe home and can demonstrate their ability to do so,or the child is removed due to safety concerns through filing a petition.

When a child is removed from their home by filing a petition and non-secure order, the juvenile court judge must authorize the removal and placement.

SFY2001-2002, when CPS was terminated, there were no further substantiations in 87% of the cases.

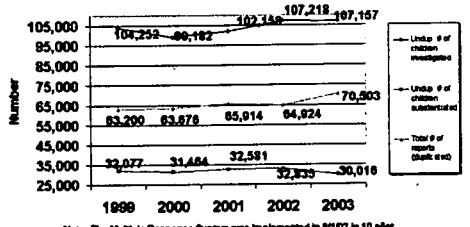
Central Registry

A confidential registry of abuse, neglect and dependency and child fatalities that are a result of alleged maltreatment.

Purpose:

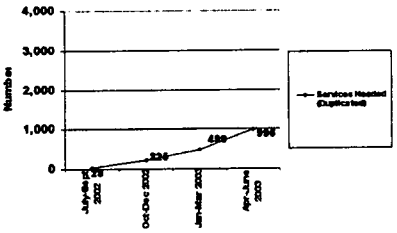
- Compile data for appropriate study of the extent of abuse and neglect
- To identify repeat abuses of the same juvenile or other juveniles in the family
- For study and research

Child Protective Services

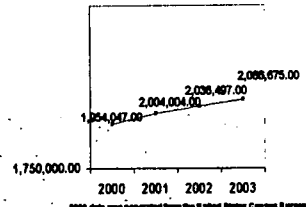


Note: The Multiple Response System was implemented in 8/1/02 in 10 pilot counties. Findings for Family Assessment (Alternative Response) to CPS reports of "in need of services" are not reflected in this chart.

Child Protective Services
Multiple Response Data
(August 2002-June 2003)



North Carolina Child Population
Ages 0-17



2000 data was generated from the United States Census Bureau.
All other data is based on population estimates from the North Carolina State Data Center.

Caseload Standards

For Child Protective Services the recommended caseload standard is: 1 social worker to 12 cases at anytime.

Child Welfare League of America, the Council on Accreditation and American Humane Association recognize this standard.

What is not considered in this caseload standard is the same social worker keeping the case for as long as the family needs services. To accurately look at caseload standards, we must also be aware of the recruitment and retention issues.

In a study of social worker turnover, in NC we experience a 30% statewide turnover rate annually.

Current Questions Related to CPS

- What did previous studies say?
- Issues of Confidentiality?
- Impact of Stumbo Court Decision
- Federal Child and Family Services Review
- Training for Child Welfare Staff
- Actions to Enhance Child Welfare Services

Training of Child Welfare Workers

The Division seeks to establish a systematic, responsive training program that enables child welfare workers to best help families and children achieve the outcomes of safety, permanence and well being.

Training Child Welfare Workers (cont'd)

Five Regional Training Centers:
Asheville
Charlotte
Greensboro
Kinston
Fayetteville

NCGS 131D-10.6A

- Requires all new child welfare workers to have 72 hours of pre-service training before having direct client contact;
- Additional hours of training within 1st year depending on job function;
- All workers and supervisors must have 24 hours of continuing education, annually;
- Child welfare supervisors must have 54 hours of supervisory training

Training Child Welfare Workers (cont'd)

Training Data:

- 50 different courses taught across the state totaling approximately 300 different training events

- 5,000 individuals served

Actions to Enhance Child Welfare

- Expand Multiple Response System to all 100 counties
- A strengths-based, structured intake process
- A choice of two approaches to reports of child
- abuse, neglect, or dependency
- Coordination between law enforcement and DSS for the investigative assessment approach
- A redesign of In-Home Services
- Implementation of Child and Family Team meetings during In-Home Services
- Implementation of Shared Parenting meetings in
- child placement cases
- Collaboration between Work First and Child Welfare Services

North Carolina 2002 MRS Counties

Alamance
Bladen
Buncombe
Caldwell
Craven
Franklin
Guilford
Nash
Mecklenburg
Transylvania

North Carolina 2003 MRS Counties

Alexander	Davie	Johnston	Pasquotank
Ashe	Duplin	Jones	Person
Brunswick	Durham	Lee	Polk
Caswell	Gates	Lincoln	Scotland
Catawba	Graham	Macon	Swain
Chatham	Halifax	Martin	Union
Cherokee	Harnett	Moore	Wake
Clay	Haywood	New	Warren
Cleveland	Henderson	Hanover	Watauga
Currituck	Iredell	Orange	Wilson
Davidson	Jackson	Pamlico	Yancey

Actions to Enhance Child Welfare (cont'd)

- Create a case management system for child welfare
- Provide social workers with free and easy access to state criminal records
- Improve recruitment and retention of child welfare workers
  - MSW/BSW Child Welfare Educational Collaborative
  - Examine pay grades and classifications of child welfare workers
  - Review of caseload standard

Actions to Enhance Child Welfare (cont'd)

- Increase public awareness of child protection
- Implement recommendations of the Domestic Violence and Child Well Being Task Force and the DHHS Task Force on child abuse and neglect in child care facilities
- Restore funding for the NC Child Fatality Task Force

Attachment 4

Presentation to the House Interim Committee on Child Abuse and Neglect, Foster Care and Adoption

The Work:

- **For every 100 reports to a local Department of Social Services Child Abuse Hotline...**
    - **60 are accepted for investigation/assessment because the allegations meet the legal definitions of abuse, neglect or dependency**
    - **20 of the cases are found to be true or "substantiated"**
    - **2 – 4 will require court intervention**

Important Issues:

- **The process of investigating or assessing a family**
- **The complexity of situations that families are involved in**
- **The risks...**
  Risk to safety of children and families
  Risk to workers in dangerous situations
  Risk of making the "wrong" decisions
- **The need for statewide communication about these families**

Susan Osborne
Director
Alamance County Department of Social Services
(336) 229-2910

Attachment 5

House Interim Committee
Child Abuse, Neglect, Foster Care and Adoption
Room 1027 Legislative Building
November 5, 2003

Presentation by Joe Lasinger
CPS Supervisor – Johnston County

Challenges Facing Child Protective Services Workers

I. **Personnel Issues**
   a. **Significant Turnover**
   b. **Psychological and Physical Trauma**
   c. **Excessive Work Hours**
   d. **Burnout**
   e. **Physical Danger for Worker**
   f. **Low Pay**
   g. **Lack of Training and Preparation**

II. **Lack of Necessary Information Resources**
   a. **No centralized CPS Info Between Counties**
   b. **No centralized CPS Info Between States**
   c. **Limited Access to State Criminal Record Checks**
   d. **Limited or No Access to Federal Criminal Record Checks**

III. **Perception of County Social Services CPS Workers**
   a. **Sole Responsible Party for Child Safety**
   b. **Negative Stereotype**
   c. **Need for Strong Community Partners**

Susan Morgan - staff
Attachment 6

House Interim Committee on Child Abuse and Neglect
November 5, 2003

Budgetary Actions of the General Assembly - Services for Children
SFY 1997 – SFY 2003

1997 Session:

- **$2,269,752 Child Welfare System Improvements** **R**

Provided funds for new foster care and adoptions workers in local departments of Social Services.

- **$2,000,000 Funds for Child Caring Institutions** **R**

Provided additional funds to increase reimbursement rates for child caring institutions.

- **$159,000 State Child Fatality Review Team** **R**

Established the State Child Fatality Review Team to conduct in-depth reviews of child deaths involving children and families, which had previously been involved with local departments of social services child protective services. Created 2 positions within the department.

- **$911,687 Special Children Adoption Fund (Federal Funds)**

Established a fund focused on moving "hard to place" children out of the foster care system and into a permanent placement with adoptive parents.

1998 Session:

- **$400,000 Intensive Family Preservation** **NR**

Provided funds to expand the program in 6 additional counties.

- **$95,000 Adoptive Parents Criminal Records Check** **R**

Created a position within DHHS to process adoptive parent criminal records checks.

- **($400,000) Families For Kids Pilots** **R**

Reduced funding for the 8 initial counties participating in the pilot project from $100,000 to $50,000 each.

1999 Session:

- **$250,000 Family Success Initiative/Pilots** **NR**
  Provided funds for pilot programs targeting at-risk children and families.

- **$159,000 Adoption and Foster Care Workers (effective 00-01)** **R**
  Provided funds for additional staff in local departments of social services to recruit, train, license, and support foster care and adoptive families and to provide interstate and post-adoption services.

- **$1,900,000 Special Children Adoption Fund (Federal Funds)**

- **$1,400,000 Foster Care and Adoption Workers (Federal Funds)**
  Provided funds for additional staff at local departments of social services.

- **$2,000,000 Intensive Family Preservation Services (Federal Funds)**

2000 Session:

- **$500,000 Special Children Adoption Incentives Fund** **R**
  Created an incentive fund to facilitate the adoption of special needs children.

- **$500,000 Foster Care Independent Living** **R**
  Provided funds to match federal dollars for a program designed to prepare children for the transition from foster care to independence.

- **$1,100,000 Special Children Adoption Fund** **R**
  Increased funds for the Special Children Adoption Funds.

- **$200,000 Additional staff for Adoptions Program** **R**
  Provided funds for additional staff to address the backlog in processing adoptions information.

- **($2,300,000) Reduce Excess Adoption Assistance Funds** **R**

- **$7,260,000 Additional Child Welfare Workers (Federal Funds)**
  Provided funds for workers in local departments of social services.

- **$2,000,000 Child Welfare Training Initiatives (Federal Funds)**

- **$8,000,000 Child Residential Treatment/Services Program** **R**
  Established a program within the Division of Mental Health designed to provide appropriate residential treatment alternatives for children at risk of institutionalization or other out-of-home placement. Established 6 positions.

2001 Session

- **$750,000 Comprehensive Treatment Services Program (Federal Funds)**

- **$2,700,000 Increased After-School Programs for Children (Federal Funds)**

- **($756,108) Position Reductions** **R**

Reduced 20 positions within the Division of Social Services.

- **$8,000,000 Health Choice** **R**

Provided funds to expand the Health Choice Program.

- **$6,456,500 "More At Four" Program** **R**

Established a pre-kindergarten pilot program for "at-risk" children.

- **$250,000 Child Advocacy Institute** **R**

Provided funds to support the activities of the child advocacy institute.

2002 Session

- **($2,000,000) Eliminated federal funds for Intensive Family Preservation Services**

Due to substantial reduction in TANF funds.

- **Reduced federal funds for After-School Programs to $1,425,000.**

Due to substantial reduction in TANF funds.

- **($400,000) Reduced federal funds for child welfare training.**

Due to substantial reduction in TANF funds.

- **Eliminated federal funds for the Special Children Adoption Fund.**

Offset this reduction with non-recurring state funds in the amount of $2,000,000.

- **($1,000,000) Reduced Local DSS Administration.** **R**

- **($1,399,093) Reduced DSS State Administration.** **R**

- **($1,200,000) Eliminated Families for Kids Funding.** **R**

- **($500,000) Reduced Intensive Family Preservation Services.** **R**

Services maintained with federal funds.

➢ **($250,000) Eliminated CCPT Grant** **R**

These funds were provided on a competitive basis to counties demonstrating innovative approaches to improving their child protection services.

➢ **$7,740,000 Health Choice** **R**

Provided funds to expand the Health Choice Program.

➢ **$28,065,300 More At Four Program** **R**

Provided funds for the expansion of the More At Four Program.

2003 Session

➢ **$1,000,000 Child Welfare Workers and New Child Welfare Initiatives (Federal Funds)**

Increased funds for staff at local departments of social services, and provided funds for implementation an alternative response system of child protection.

➢ **$2,000,000 Special Children Adoption Fund. (Federal Funds)**

➢ **$500,000 After-School Programs for At-Risk Children (Federal Funds)**

➢ **$1,000,000 Boys and Girls Clubs (Federal Funds)**

➢ **$3,000,000 Increased Foster Care and Adoption Assistance Rates**

Increased rates $50 per category.

➢ **$12,166,372 Health Choice** **R**

Provided funds to expand the Health Choice Program

➢ **$7,400,000 More At Four Program** **R**

➢ **$1,200,000 More At Four Program** **NR**

Expanded the More At Four Program.

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 5, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John Shore	Guilford County DSS Greensboro, NC 27402
Sherrod Bradshaw	DHHS Division of Social Services
Karen George	NC ACDSS
Peggy McAmmon	GR Inc.
Eric Frazier	Charlotte Observer
Lisa Bateman	DJJDP - Center for the Prevention of School Violence
Tasha Gardner	YAIO
Debbie Goldstone	YAIC
Tracy Hicks-Johnson	NCSSA North Carolina Social Services Association
Kristen Guillory	Governor's Office
Rob Lamm	NCDHHS

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 5, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Starla McKenney	DHHS
Tom Brewer	Rowan County DSS 1236 Innes St Salisbury NC
Leotis McNeil	Rockingham County DSS
Larry K Johnson	Rockingham County DSS - Wentworth NC
DAN HUDGINS	Durham County DSS
Melissa Parker	NASW-NC Raleigh, NC
Elizabeth Dunn	NASW-NC Raleigh, NC
John Rustin	NC FAMILY POLICY COUNCIL
Phebe Beal	DHHS | DSS
Nicki Griffin	Franklin Co. DSS P.O. Box 609 Louisburg, N.C. 27549
EARL MARETH	Johnston Co DSS P.O Box 911, Smithfield, NC 27577

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 5, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sammy R. Haithcock	Caldwell Co. DSS shaithcock@co.caldwell.nc.us
Nancy S. Dickinson	Jordan Institute for Families School of Social Work, UNC Chapel Hill
Elizabeth Stephenson	Covenant with N.C.'s Children PO Box 28268, Ral. NC 27611
Jennifer M Sullivan	National Association of Social Workers Raleigh NC
Jane Thompson	Child Welfare Attorney NC Dept. of Justice
Jane Volland	Guardian ad Litem Program/AOC
Emilie Edwards	UNC - Chapel Hill Chapel Hill, NC
Bill Scarcelt	Cumberland DSS ~~Fayetteville~~ NC 28304
JoAnn Lamm	DHHS DSS
Joe Hansinger	Johnston County DSS Box 911 Smithfield, North Carolina 27577
Susan Osborne	Alamance County DSS 319 N. Graham-Hopedale Rd. Burlington, NC 27217

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 5, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
LANA DIAL	AOC - Judicial Branch
Paula A. Wolf	Covenant w/NC's Children
Tom Vitaglione	NC Child Advocacy Institute NC Child Fatality Task Force

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

October 27, 2003

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, Nov. 5, 2003 at 1:00 p.m.
Thursday, Nov. 6, 2003 at 9:00 a.m.

LOCATION: Room 1027, Legislative Building

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

October 15, 2003

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption :

DATES Wednesday, Nov. 5, 2003 at 1:00 pm.
Thursday, Nov. 6, 2003 at 9:00 a.m.

LOCATION: Room 1027, Legislative Bldg.

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

November 6, 2003
Room 1027 LB
9:00 a.m.

OPENING REMARKS

Representative Tim Moore
Co-Chair

AGENDA

JoAnn Lamm, Program Administrator for Family Support & Child Welfare Services Section, Division of Social Services

Marjorie Menestres, Safechild

Evelyn Williams, Child Welfare Collaborative

ADJOURNMENT

MINUTES

CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION COMMITTEE

Thursday, November 6, 2003
9:00 a.m.
Room 1027, Legislative Building

The House Interim Child Abuse and Neglect, Foster Care, and Adoption Committee met on Thursday, November 6, 2003, in Room 1027 of the Legislative Building. Representatives Weiss and Moore, Co-Chairs, Barbee, Barnhart, Blackwood, Carney, Clary, Dickson, Eddins, Farmer-Butterfield, Frye, Hunter, Jeffus, Lewis, Lucas, Parmon, Preston, Ray, Rayfield, Ross, Warner and public members, Ms. Barringer, and Ms. Tolle-Whiteside, attended. Also, in attendance were Ms. Churchill, Ms. Jessup, Ms. Morgan, and Ms. Wilks, staff counsel.

Representative Moore presided. He thanked everyone for coming and said there were a lot of things the committee could address. Representative Moore stated things have gone wrong in the system as well as right, and the committee's job is to improve the system even more. The committee will hear from folks who work 24/7 in the field to know what is going on.

PRESENTATIONS

JoAnn Lamm, Program Administrator for Family Support & Child Welfare Services Section, Division of Social Services, was introduced to report on information needed to adequately protect children. Ms. Lamm explained their job is very difficult, and social workers are trying to ensure the safety of children and the right placements for children. They need all the information they can get. Families move and one automated system is needed for all 100 counties as well as access to statewide criminal records through AOC. (see attachment 1).

There was a question and answer period that followed JoAnn Lamm's presentation. Representative Eddins referred to something going on now in the Criminal Justice System. He said there were a lot of systems in this state, and if an officer stops someone, they can check several systems. Representative Eddins made a request of staff, and Representative Moore followed up with staff that Representative Eddins was asking staff to update the Committee about record checks. Representative Barnhart asked if there were any federal or state laws that existed which would cause a problem with access to criminal records. JoAnn Lamm stated at the federal level, if information was needed, law enforcement would have to get it from the FBI. We need an interstate compact. Representative Moore said the issue about background checks would be talked about at a later meeting, and staff is working on that now. Experts will be brought in to brief the committee. Representative Barnhart asked about why the state computer case

management system was not a major priority in the budget deliberations. Representative Ross said AOC has taken one of the biggest cuts in the budget, and they cannot be expected to keep doing more with the enormous budget cuts. Ms. Barringer asked that NCJIIN be addressed, and Representative Moore requested staff to address NCJIIN. Representative Barnhart requested staff provide information on NC Fast and how much we funded that.

PRESENTATION BY MARJORIE MENESTRES

Marjorie Menestres, Executive Director of SAFEchild, was introduced. Ms. Menestres said child abuse was a depressing topic, but the good news is how a community came together to protect children. There are two realities of child abuse: child abuse can happen and child abuse can be prevented. She shared with the committee SAFEchild's mission, objectives, goals, and how to prevent this tragedy. She showed a 5-minute video. SAFEchild stands for Stop Abuse For Every Child. The Junior League of Raleigh established SAFEchild in 1992. Social isolation is a common theme among families. Families need alternative ways to discipline children and parental skills are needed. SAFEchild helps parents to know what children do at a certain age. SAFEchild works with over 200 volunteers per year. (see attachment 2).

There was a short question and answer period. Rep. Farmer-Butterfield asked what the budget for SAFEchild was. Ms. Menestres responded the overall budget was $700,000.

PRESENTATION BY EVELYN WILLIAMS

Evelyn Williams, Director of the NC Child Welfare Education Collaborative, was introduced to talk about the Collaborative. There are 6 social work education programs: Appalachian State University, East Carolina University, Joint Master of Social Work Program, NC State University, UNC-Chapel Hill, and UNC-Wilmington. Social work education makes a difference in retention and performance. Forty states are implementing programs similar to the Collaborative. There are 152 child welfare scholars who have completed the Collaborative program and 85% of those students work in a county DSS. There are 48 counties with field placement or employees. The Collaborative started in 1999 here. The Collaborative has had about a 22% cut in funding since they started, and they have had to cut the number of slots available for students. There are benefits to a highly trained workforce. (see attachment 3).

A question and answer period followed Ms. Williams's presentation. Representative Ross asked if there was anything preparing the students for leadership. Ms. Williams responded yes, especially in the advanced curriculum. Representative Weiss asked if any DSS Directors or someone from the field could tell how helpful the graduates were to their department. Larry Johnson, DSS Director, Rockingham County stated he found it to be a positive experience. The two students from UNC-G could see clients immediately, and they were doing well. Earl Marrett, DSS Director, Johnston County, has had 5

students in their agency. Mr. Marrett said a Collaborative student is ready to go day one, and he tries to hire them.

COMMENTS FROM THE COMMITTEE

Representative Moore stated he and Representative Weiss would like to get feedback from the committee. The Co-Chairs were interested in what the committee would like to hear in future meetings, what the committee sees as problems, and what the committee should do to address these problems.

Representative Barbee asked if Ms. Lamm had records of young girls who had children and then their boyfriends abused them. Ms. Lamm will provide the information to staff. Representative Barbee said we needed to educate the public to help with these children.

Representative Barnhart was interested in several issues: criminal background checks (does the legislature need to take action to expedite things); a statewide system (funding, transition, etc.); CPS workers (retention, pay, turnover, and training), and confidentiality. Representative Barnhart said for every 100 calls DSS gets, 60 are looked at seriously, and 20 are substantiated. CPS workers are overworked and are sometimes put into false situations that take away from serious situations. The Constitution says you have a right to know your accuser.

Representative Blackwood stated a need for clarification that if someone goes through the court, it cannot be just an insinuation. Also, there needs to be protection for people who honestly think something is wrong, and it may not be true. Communication between various counties is needed.

Representative Carney wanted to hear from the people in the back of the room. Representative Carney said the committee was created because of a series of newspaper articles. We have a great responsibility as a State. We are an ambassador for those children, and the keyword is collaboration.

Representative Farmer-Butterfield would like to hear more on family record checks. Is there a model case management already in the United States and if so, what are the costs? The committee needs to agree on the top two issues and fund those.

Representative Frye said there is a need for sharing of statewide information. There is a necessity of having very well trained and educated CPS workers. Representative Frye realizes how important the first contact is.

Representative Warner would like to establish links between various agencies. It would be simple legislation to have our schools share their information. We have seen shortages with nurses and others, and we have made investments. We need to do the same for social workers.

Representative Ross said there were certain advantages of local control and some disadvantages. Not every county has SAFEchild and an affluent Junior League to pay for it. We need to figure out what counties cannot do for themselves and figure out what are really good prevention programs and also intervention programs. Also, we need to figure out where to subsidize them.

Representative Rayfield was concerned that we were talking about so many issues that the committee would not be able to do anything. The committee should identify what they can do first and accomplish it. What are the number one issues? There is a problem of confidentiality of families. Where do you divide the right of the parent, the right of the family, and the right of the child? We need to make sure that the ladies and gentlemen in the back have the tools they need to do their jobs. Do we have the time and the resources?

Representative Moore indicated both Co-Chairs support this committee, and they will see whatever legislation the committee comes up with will get a fair hearing.

Representative Preston was interested in the recruitment and retention of social workers. Are places available at the undergraduate and graduate level for those who want to go into social work? Is salary a reason we are losing potential social workers who might stay longer? Representative Preston would like to see a salary schedule and would like to encourage funding like what was done for teachers. Teachers are now above the national average. What effort has been made by DSS to work with State Personnel to increase salaries?

Several guests spoke on the issue of retention and salaries. Salary is a part of it, but also time spent away from their own families is a big part. Ms. Williams said the students and interest are there, but the funding is not.

Representative Lucas was overwhelmed by the issue of child abuse. We need to find resources for publicity to make society be vigilant on abuse.

Ms. Barringer had no pre-conceived notions of what the Committee should study. She and her husband did foster care, and they have adopted 3 foster children from the system.

Ms. Tolle-Whiteside was interested in information sharing. Many of the parents in the system now were in the system as children. It is a complex issue. We need to focus on prevention. The majority of children who are killed in North Carolina are under the age of three.

Representative Jeffus was interested in background checks, information sharing, and caseloads. Foster parents may need more reimbursement, and they are in short supply. It would be good to hear from pilot programs. All changes will require some funding, and we need to support the funding.

Representative Lewis is concerned about children who fall through the cracks. How can he help get resources out in the field where they need to be and not go to this pot or that?

Representative Ray is concerned about cuts in the budget, and yet More At Four was increased. Smart Start was also mentioned. Do we have a duplication of services? If we wait and grab onto a child at four, we are missing a lot of children.

Tony Solari, NC Partnership for Children, said Smart Start is to ensure every child arrives at school ready to start. The General Assembly has made it very clear we are not to duplicate services.

Representative Clary hopes the committee will focus on a couple of areas where the committee can make a difference.

Representative Eddins agreed we need to focus.

Representative Weiss thanked everybody for their involvement and participation. It is a multi-task issue. We will try to narrow our focus, and gather some more information.

Representative Moore said the committee would be meeting the second week of January. The committee's report is due out in April. There may be a series of meetings after the January meeting.

The Committee adjourned at 11:30 p.m.

Representative Tim Moore, Co-Chair Presiding

Nancy Garriss, Clerk

Representative Jennifer Weiss, Co-Chair

Attachment 1
Jo Ann Lamm

Information Needed to Adequately Protect Children

I. Scope of Problem

1. Fatality Review Findings

(a) Current state systems don't provide sufficient information to access safety.

(b) Need one system to link all 100 county Departments of Social Services.

(c) Need access to statewide criminal record checks.

(d) Social workers should not have to search for information. The longer it takes the worker to find out information; the safety of the child could be sacrificed.

II. What is needed?

(1) Information that is not cumbersome to obtain, doesn't cripple workers who have the legal charge to protect children.

(2) Automated child welfare information system.

(3) Access to statewide criminal records through AOC.

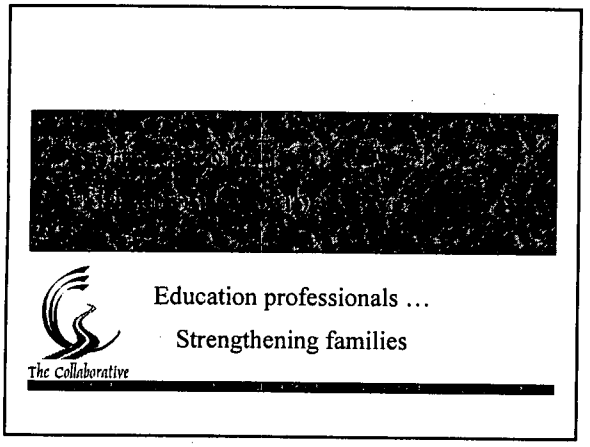
III. Progress

(1) Cross County Policy-internal action effective December 1, 2003.

(2) Access to AOC database-pilots with global statewide access with no fees.

(3) Automated child welfare information system.

Attachment 3
Evelyn Williams 11-6-03



The Challenge

- …the greatest concerns for the child welfare field are the increasing number of children needing services and the lack of qualified staff.

Child Welfare League of America, 2002

- A stable and highly skilled child welfare workforce is necessary to effectively provide child welfare services that meet federal goals. [However], large caseloads and worker turnover, delay the time of investigations and limit the frequency of worker visits with children, hampering agencies' attainment of key federal safety and permanency outcomes.

– U.S. General Accounting Office (GAO), 2003

The North Carolina Workforce

- Only one third of the existing child welfare workforce has a degree in social work
- Turnover rate is high, estimated at 44% among child protective service workers
- Vacancy Rate is high

Workforce Issues Influence Child & Family Outcomes

- Safety, Permanence, and Well-Being are adversely affected when the workforce lacks stability:
  - High caseloads
  - Insufficient time to do comprehensive assessments
  - Disrupted continuity of services
  - Lack of timeliness of investigations
  - Limited frequency of visits with children
  - Increased costs to agency

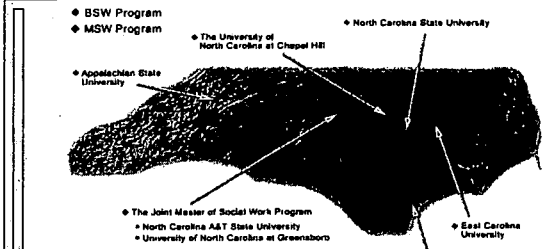
The Answer…

A **stable** and **qualified** child welfare workforce in every North Carolina County

The Collaborative works to…

- Prepare social work students for careers in the child welfare profession
- Develop the skills of current workers

Participating Social Work Education Programs



Partnership includes universities, NC Division of Social Services, DSS Directors, and National Association of Social Workers

Child Welfare Scholars

- Graduate and undergraduate social work students
- Competitive Selection Process
- On-going monitoring and support
- Specialized curriculum that augments social work professional education
- Child Welfare Internship
- Financial Incentives

Social Work Curriculum

- **MSW Education**
  - 60 credit hours, usually completed in 2 years
  - Includes 2 internships, about 1,200 hours in the agency
  - Advanced Coursework: policy, practice, human behavior, research, values & ethics, diversity
- **BSW Education**
  - Undergraduate major
  - Includes at least 1 internship, about 480 hours
  - Generalist coursework: policy, practice, human behavior, research, values & ethics, diversity

Child Welfare Overlay or "Value-Added"

- Augment the curriculum to address specific knowledge and skills needed for public child welfare practice
  - Assessment
  - Collaboration with Families
  - Family-Centered Practice
  - Evidence-based practice
  - Interdisciplinary Collaboration
  - Safety and Self Care
  - Preservice Training Child Welfare Competencies

Social Work Education makes a difference…

- Performance
- Retention

Performance

- MSW best predictor of overall performance in child welfare
- MSWs have higher levels of skills, confidence, and sensitivity to clients
- Social work degree associated with
  - greater knowledge
  - higher scores on state merit exams
  - higher ratings from supervisors

Retention

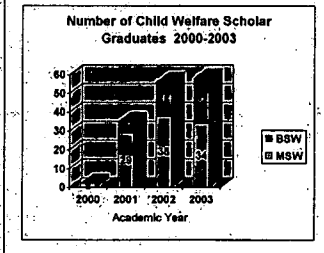
- Position requirement of a social work degree associated with lower turnover
- Graduates of specialized child welfare social work programs more likely to remain
- Social work degrees associated with intent to remain

2003 GAO Report

- 40 states have formed child welfare training partnerships
- University-agency partnerships improve worker retention
- Training partnerships improve worker competence

The Collaborative is the North Carolina Partnership

Graduates



- 152 child welfare scholars have completed the Collaborative program and 85% work in a county DSS

Full Implementation of the Collaborative

- **Restore** funding to existing universities
  - Almost half the students who applied could not be offered slots in the program this year
- **Add** accredited social work education programs at universities in the UNC System
  - Western Carolina
  - NC Central
  - UNC Pembroke
  - NC A&T
  - UNC Greensboro
  - UNC Charlotte
  - Fayetteville State

Benefits of Full Implementation

- Potential to place professional social workers in all North Carolina counties
- Positively influences performance and retention
- Helps North Carolina achieve service outcomes for children and families
- Immediate savings to counties by reduced costs of turnover
- Additional savings since Child Welfare Scholars do not need preservice training

For more information, contact

Dr. Evelyn Williams, MSW, EdD
NC Child Welfare Education Collaborative
Ewms@email.unc.edu
919-962-6437
ssw.unc.edu/cwec

Perspectives of Graduates

My name is **Chris McDougal MSW, P-LCSW** and I work with adolescents that are in foster care with Wake County Human Services. Professionally trained social workers are greatly needed within the field of public child welfare. Working with families that are experiencing multiple layers of familial, interpersonal, and environmental stressors is difficult. Many of the families and children that I work with are also working in concert with mental health, law enforcement, and substance abuse services. In order to adequately assist these families, a trained professional social worker is required, and not merely a case manager that will refer clients to services. Although case management is one of the duties that my position requires me to do, this is not the only function that is vital to achieving the goals of safety, permanence and wellbeing for the children and families I serve. I make a distinction between being a trained social work practitioner and someone who has a human services degree. The case manager can refer clients to services, but the trained professional social worker understands the person in the environment perspective, has knowledge of measurable practice interventions, and can offer additional knowledge and skills that can prove invaluable to the families and communities we serve.

The multiple layers of problems that our communities and families face require a practitioner with the experience, training, and a commitment to help families ameliorate their current problems. Social Workers wear so many hats during the life of a foster care case. We are at times the only stable and consistent person that our children have, therapist to our parents and children, broker of services, facilitator, coordinator, advocate, and many more unnamed roles with families. In order to be effective and assist families to co-author change, practitioners need advanced practice knowledge and skills. The Child Welfare Education Collaborative (CWEC) offers students training, field experience—to measure outcomes of applied training knowledge—and specialized seminars that further educate students on practice principles and information specific to issues in child welfare. Some of the seminars are as follow:

- Child welfare pre-service training
- Education on child sexual abuse
- Legal skills in child welfare
- Substance abuse
- Three semesters of internships in varied departments within a public child welfare agency, and a separate seminar to gain further individual understanding of your intern experience.

The combination of the field experiences, seminars, and a child and family course of study provides many advantages to the public child welfare agency, the individual social work practitioner, and, most importantly, the families and communities we serve. The agency receives a professional that not only comes aboard with the required pre-service training, but someone who knows the scope of the work, understands how to work with multiple systems, understands the legal and medical aspects of the work, and understands their role within the continuum of public child welfare. This also translates into reducing the delay in case assignment to workers, improved service delivery to families, and enables the professional to walk into a system that they are not intimidated by and feel as if they have had the training and experience to be competent in their practice. This training has proved invaluable to me and I would strongly recommend the Collaborative to anyone.

My name is **Cara Noblitt** and I am a graduate of the BSW program at Appalachian State University. I am currently employed by the Caldwell County Department of Social Services as an investigator/assessor in the Family Services Unit. Investigators are on the "front line" of child protective services (CPS). Investigators are the first contact that most families have with the system, and that initial interaction influences whether a family perceives CPS as a threat or a resource.

Being an investigator is not an easy job. An investigator may deal with children who have been severely physically or sexually abused. In some homes domestic violence and substance abuse make the lives of children a terrifying and dangerous reality. It is a challenge to look at family dynamics and sort out neglect from poverty. Decisions often must be made quickly, and there is awareness that decisions social workers and supervisors make can forever alter a family.

New CPS workers quickly face the experience of dealing with their first terrified child or heartbroken parent. In my experience I often feel the need to know everything possible to help the children and families. I often feel that I fall far short. I don't' think I will ever forget the night that I left the hospital after having spent hours with the family of a tiny infant with broken bones. As I rode down on the elevator that evening I prayed for the wisdom to do the best job possible for that little baby.

I am very fortunate to have been afforded the opportunity to have the training and education of the North Carolina Child Welfare Collaborative. The core values of respect and professionalism that are taught so effectively by BSW programs help prepare students to face the challenges of CPS. The Collaborative in particular provides classes that deal very specifically with issues relevant to CPS. For example, issues of sexual abuse, poverty domestic violence, substance abuse and the grief and loss experienced by children when they are removed from there homes are covered in depth that the seventy two hour pre-service does not allow for.

There are days in the job when the weight of the pain and sorrow of the job can challenge the faith and optimism of the most dedicated CPS worker. It is on those days when the solid foundation of my BSW and Collaborative education help to keep me going. My education helps me to remember that there is always the possibility of change and that even in families you or I may not understand, children have tremendous love for and connection to their families.

The CPS system is often the target of a great deal of negative public opinion. The commitment to confidentiality for our families often means that the failures of the system are very public while the successes are very private. I believe very strongly that one way to remedy the negative public perception of CPS is to raise the level of professionalism of social workers. Social Workers should be well-trained professionals who are able to provide protection for children while providing the highest level of compassion and respect possible.

I am very fortunate in my agency to work with many BSW trained social workers and several Child Welfare Scholars. While I would never want to devalue the contribution of anyone who devotes their life to this profession, I do believe there is a level of passion and commitment that stands out in Child Welfare Scholars, and BSW trained social worker. The Child Welfare system will be well served with expansion of the collaborative. BSW level social workers are very important to the work of many agencies and more are critically needed. Many BSW social workers have a deep

commitment to the field of Child Welfare and a desire to further their education by pursuing the MSW degree. Expansion of the Collaborative would also help facilitate the further education of many committed social workers.

For all of the stress, and heartbreak of this job, I truly love it! What makes it all worthwhile is that every now and then a miracle happens. Families are able to overcome issues such as domestic violence and substance abuse and children are able to remain with loving families. It requires the type of specialized training the collaborative offers to give children and families the best chance for safety and well being. The children of North Carolina deserve nothing less than our best!

Attachment 3
Evelyn Williams

North Carolina Child Welfare Education Collaborative

The Collaborative

Executive Summary

North Carolina Child Welfare Education Collaborative **Executive Summary**

North Carolina needs well-trained social workers to strengthen families, protect children and improve services.

A survey by the North Carolina Association of County Directors of Social Services found, on average, a 44 percent turnover rate in North Carolina child welfare positions each year. With the time it takes for recruitment, orientation and training, each vacancy takes about seven months to fill.

> *"Applying to become a Child Welfare Scholar is one of the best decisions that I have ever made. As a Collaborative student, I have gained a greater understanding of juvenile court, child abuse and neglect, adoption, and the role of DSS in communities. I feel well-trained and prepared to work in child welfare."*
>
> —Dawn Webb, 2002 Collaborative Graduate

Responding to this staffing crisis in North Carolina social services, the Collaborative aims to counter high attrition rates within child welfare by fostering committed and knowledgeable practitioners.

Established in 1999, the Collaborative is administered by the Jordan Institute for Families and is a joint effort of participating social work education programs, the North Carolina Division of Social Services, the North Carolina Association of County Directors of Social Services and the National Association of Social Workers—North Carolina Chapter.

> *"There's no question that the Collaborative saves the state money in the long run. You're putting workers into DSS that are motivated, trained and have some degree of firsthand experience. You're protecting children in North Carolina more than they would have been otherwise."*
>
> —Earl Marett, Director, Johnston County DSS

Initially executed at three Masters of Social Work (MSW) programs, the Collaborative was joined by three Bachelors of Social Work (BSW) programs in 2000–2001. Seven additional BSW programs and one MSW program are in the process of affiliating. When fully implemented, the program will include all accredited BSW and MSW programs at public universities in North Carolina and anticipates graduating more than 100 students per year.

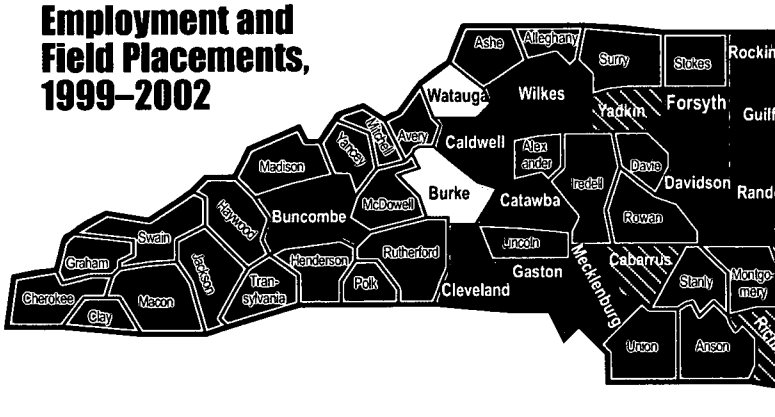
Since its inception, the Collaborative has graduated 87 students that went to work in 34 of North Carolina's 100 counties. Almost half of these students—47 percent—went to work in the counties where they completed their field placements.

Who Benefits?

- **Families and Children**
  Expanding students' knowledge helps improve outcomes.
- **Scholars**
  Educational and financial support prepares students to become visionaries and influence change.
- **Agencies**
  Departments of Social Services are able to recruit and retain qualified professionals.
- **North Carolina**
  Increasing the number of skilled child welfare professionals strengthens child welfare practice across the state.

With more than 115 students currently participating, the Collaborative offers financial incentives and specialized training, courses, and field education. In turn, students are obligated to work in a public child welfare agency one year for every year of support. A

Employment and Field Placements, 1999–2002



- Provided a Collaborative field placement AND employed a graduate (28 counties)
- Provided a field placement (12 counties)
- Employed a graduate (6 counties)

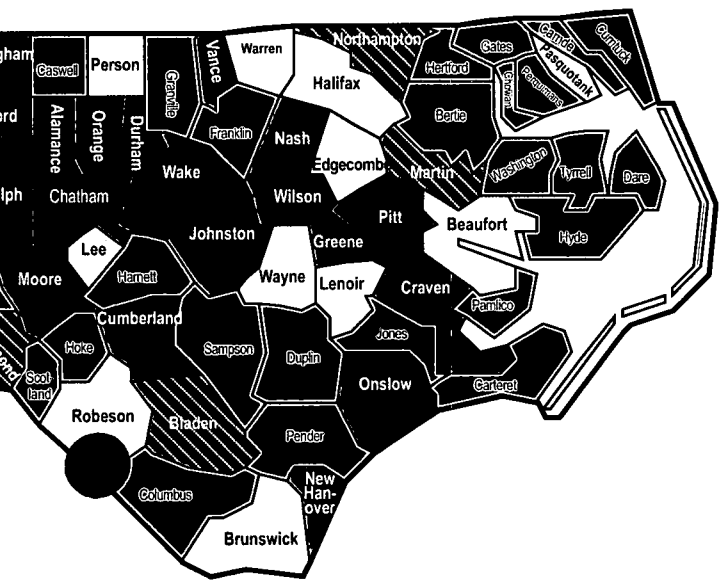
...act

- According to a survey by the North Carolina Chapter of the National Association of Social Workers, 66 percent of child welfare workers neither have a Bachelors of Social Work (BSW) degree nor a Masters of Social Work (MSW) degree.

unique component of the program is that students fulfill their state-mandated child welfare preservice training requirements upon graduation, saving agencies both time and money.

To create opportunities for current child welfare personnel as well as engage new practitioners, the Collaborative focuses on recruiting the following individuals: current Department of Social Services (DSS) staff, persons who demonstrate a commitment to public child welfare services, and under-represented ethnic and cultural minorities. The 2001–2002 cohort included 30 students who continued to work as DSS employees while pursing their educations.

> *"If we prepare people to work in child welfare, we have a better chance of retaining them, and will be able to provide more effective services to families and children."*
>
> —Rebecca Brigham, Children's Services Staff Development Program Administrator



The foundation for success is firmly rooted. But to achieve greater geographic diversity across North Carolina, the Collaborative needs to stabilize and expand its funding to fully incorporate the eight affiliating universities. If the collaborating partners can creatively address threats, the Collaborative can continue to grow and become a viable solution for North Carolina's child welfare staffing crisis.

> *"We're graduating students who have an attitude of wanting to work in child welfare. They are specifically preparing themselves for child welfare and entering DSS with the knowledge, skills and abilities to do the job."*
>
> —Debbie Ryals, Collaborative Coordinator, East Carolina University and former DSS director

The Collaborative

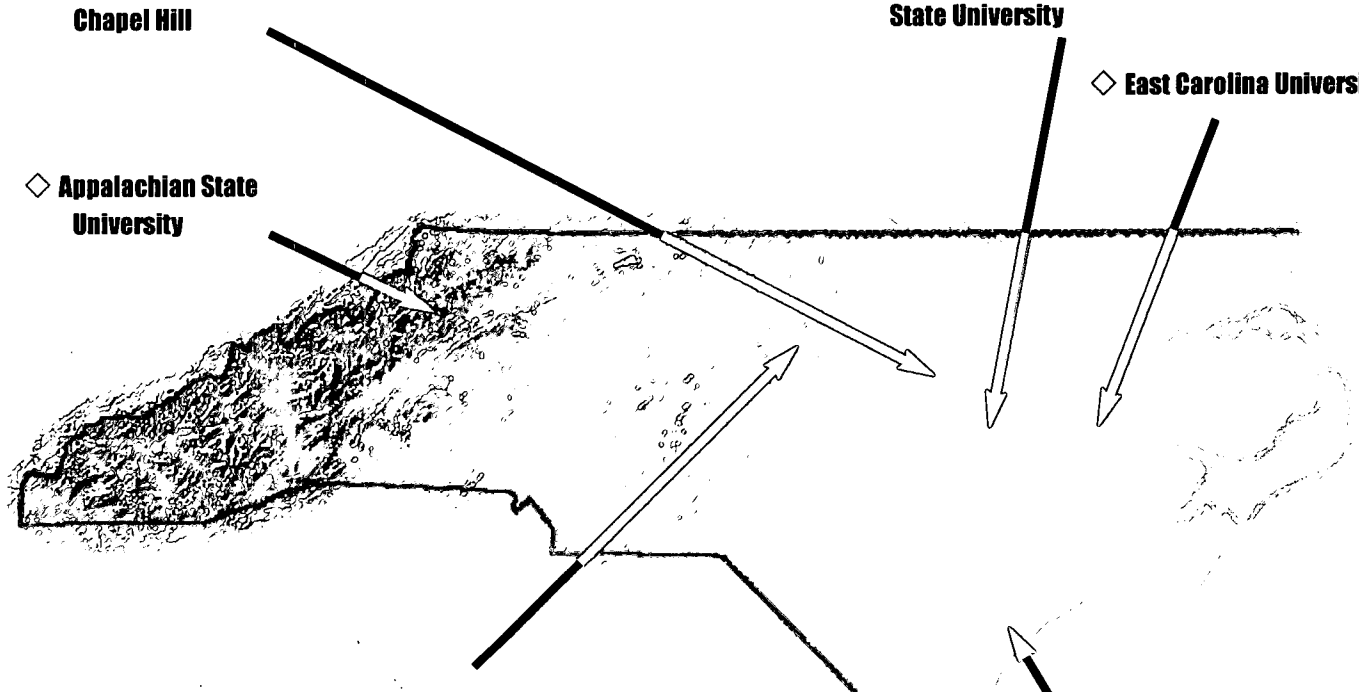
Curriculum at a Glance

- Students take at least one specialized course in child welfare.
- Students have at least one field placement in child welfare in a North Carolina county DSS. MSW students have two placements. Students learn the culture of the DSS and the role of professional social workers in diverse public child welfare settings.
- Students participate in conferences, workshops and other educational experiences to expand their knowledge and skills.
- The preservice training competencies, adopted by the North Carolina Division of Social Services, are integrated into the curriculum. Child Welfare Scholars fulfill this state-mandated training requirement upon graduation, saving agencies both time and money.

The Collaborative

Site Information

◇ BSW Program
◇ MSW Program



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Website
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Jordan Institute for Families
School of Social Work
University of North Carolina at Chapel Hill
CB# 3550, 301 Pittsboro Street
Chapel Hill, NC 27599-3550

BSW Programs in affiliation

East Carolina University
North Carolina A&T State University
North Carolina Central University
University of North Carolina at Charlotte
University of North Carolina at Greensboro
University of North Carolina at Pembroke
Western Carolina University

MSW Program in affiliation

University of North Carolina at Charlotte

Attachment 3

Social Work Education *in North Carolina*

The Social Work Profession

SOCIAL WORK is a profession devoted to helping people function as well as they can within their environment. Its practitioners do so by providing counseling, resources, and services to clients as well as by working for improved social conditions. Clients include individuals of all ages and socioeconomic backgrounds, families, groups, organizations, and communities.

Professional social work is a dynamic profession based on knowledge drawn from the social and biological sciences and its own research and practice. The social work profession is over 100 years old; the first social work education program was developed in 1898. It has a code of ethics, established practice standards, and a nationwide system of accredited education programs.

Social work education enables students to integrate the knowledge base, values, theoretical concepts, and specific functional skills of the social work profession into competent practice.

The BSW Degree

THE BACHELOR OF SOCIAL WORK (BSW) degree is widely recognized as the entry level professional degree for practice in public and private social agencies. Such settings include health care settings; older adult care facilities; family service programs; mental health centers; departments of social service; schools; a wide variety of programs and services for children; shelters; and other agencies and programs.

The BSW is completed in a four-year baccalaureate program. Every accredited social work program requires substantial field work, that is, supervised work with clients in an agency.

BSW programs, like all accredited social work programs, include courses in human behavior and development, the use and development of community resources, family dynamics, social welfare policy and services, social work research, social work values, ethics, skills, knowledge base, and human and cultural diversity.

The MSW Degree

THE MASTER OF SOCIAL WORK (MSW) degree is the primary graduate level degree for professional social work practice, and is often pursued after some work experience.

Specialized social work positions, such as those in clinical social work and supervisory and administrative positions, often require the MSW. MSW programs provide both fundamental social work knowledge and the opportunity to focus on a special area. Concentrations may be in methods of practice, including clinical, community practice, administration, research, and social policy; or may be in fields of practice, including health and mental health social work, work with families and children, gerontological social work, medical social work, and broadbased practice.

Some MSW programs also offer dual degree options, which can be completed simultaneously with the degree in social work. Some of these dual degrees include Master in Public Health, Public Administration, Divinity, Law, and City and Regional Planning.

The Doctoral Degree

THE PURPOSE OF SOCIAL WORK EDUCATION AT THE DOCTORAL LEVEL is to strengthen the field of social work by preparing practitioners who are able to improve and extend the theoretical and practice knowledge base through intensive study, advanced research, in-depth understanding of practice, and the teaching of others. Graduates of doctoral programs assume leadership roles in social work education, research, administration, and practice. Doctoral degrees are either PHD's or DSW's.

Prepared by National Association of Social Workers • North Carolina

Social Work Education in North Carolina

NORTH CAROLINA boasts a strong and vibrant social work academic/ education community. There are currently 19 BSW programs, 4 MSW programs, and one PhD program available. Planning is currently underway for additional MSW programs and BSW programs. For a complete up-to-date listing of all accredited social work programs, please contact the Council on Social Work Education or visit CSWE's website at http://www.cswe.org.

The Council on Social Work Education

CSWE carries the accrediting function for master and bachelor degree social work programs. It does not accredit doctoral programs, associate arts degree programs, or minors in social work. CSWE conducts its accrediting responsibility through a semi-autonomous Commission on Accreditation. The Council, as the national accrediting agency for social work education, is recognized by the United States Department of Education and the Council on Post-Secondary Accreditation.

For more information on CSWE or social work education programs and schools in NC contact:

CSWE
1600 Duke Street
Alexandria, VA 22314-3421
http://www.cswe.org
703-683-8080

Group for the Advancement of Doctoral Education

GADE is an organization whose membership is comprised of directors of established social work/social welfare doctoral programs located in accredited universities. It was founded over 20 years ago to provide a forum for sharing ideas and strategies, and for strengthening member's efforts at enhancing doctoral education.

GADE's purpose centers around promoting issues specific to doctoral education as well as providing structure and guidelines for the betterment of the social work doctoral curriculum.

There are currently seventy-one members in GADE, including one program in the state of North Carolina.

For more information on GADE and social work PhD/DSW programs contact:

GADE
Norfolk State University
700 Park Ave.
Norfolk, VA 23504
http://cosw.sc.edu/gade/

National Association of Social Workers

NASW, based in Washington, DC, with 55 chapters and over 155,000 members, is the world's largest organization of professional social workers.

NASW provides its members with a Code of Ethics, professional development programs, legislative and political action programs, continuing education opportunities, and professional publications which keep social workers abreast of the latest developments in their field.

The Association sets social work practice standards and administers the Academy of Certified Social Workers (ACSW), as well as other specialty credentials.

Membership in NASW is open to educationally qualified social workers and social work students; associate memberships are available to people with other college degrees who work in related jobs.

For more information on the social work profession contact:

NASW-NC
P.O. Box 27582
Raleigh, NC 27611
Phone: 919.828.9650 / 1.800.280.6207
Fax: 919.828.1341
Email: naswnc@naswnc.org
http://www.naswnc.org

Attachment 3

Child Welfare Workforce

Fast Facts

A stable and highly skilled child welfare workforce is necessary to effectively provide child welfare services that meet federal goals. [However,] large caseloads and worker turnover delay the timeliness of investigations and limit the frequency of worker visits with children, hampering agencies' attainment of some key federal safety and permanency outcomes.

U.S. General Accounting Office (GAO), 2003

Overview

- Ninety (90) percent of states reported having difficulty in recruiting and retaining child welfare workers. (GAO, 1995)
- Challenges to recruitment and retention include: low salaries; high caseloads/workloads; administrative burdens; risk of violence; limited or inadequate supervision; and insufficient training. (GAO, 2003)

Worker Turnover

- Turnover of child welfare workers is estimated to be between 30 and 40 percent annually nationwide. Rates range from a low of zero percent to a high of 600 percent. (GAO, 2003)
- The average tenure of child welfare workers is less than two years. As a result, supervisors often have only three years of experience. (GAO, 2003)
- States estimate that 60 percent of turnover is preventable. (Alliance for Children and Families (ACF), American Public Human Services Association (APHSA), Child Welfare League of America (CWLA), 2001)
- Turnover is consistently higher in states that do not require any kind of degree for child welfare positions and consistently lower in states that require a master's degree in social work (MSW). (Russell, 1987)
- In Florida, staff without educational preparation for child welfare work are most likely to leave within one year of being hired. (CWLA, 1990)
- More than 80 percent of child welfare workers who stay at their jobs beyond two years have completed at least one social work degree. (Cicero-Reese, 1998)

Caseload/Workload

- The average caseload for child welfare workers is between 24 and31 children. Caseloads range from 10 to 100 children per worker. (ACF, APHSA, CWLA, 2001)
- CWLA recommends caseloads of between 12 and 15 children per worker. The Council on Accreditation recommends that caseloads not exceed 18 children per worker.
- *Caseloads* are high, but *workloads* are even higher due to the growing complexity of each case. Substance abuse most often occurs with a finding of abuse or neglect, but mental illness, domestic violence, HIV/AIDS, other poverty-related problems are also often present.

Safety/Risk of Violence

- Seventy (70) percent of front-line caseworkers have been victims of violence or received threats of violence. (American Federation of State, County, and Municipal Employees (AFSCME), 1998)
- One state found that 90 percent of its child protective services employees had experienced verbal threats; 30 percent experienced physical attacks; and 13 percent were threatened with weapons. (GAO, 2003)

Salaries

- The average annual salary for *public* agency workers is $33,000. The average annual salary for *private* agency staff is $27,000. (ACF, APHSA, CWLA, 2001)
- Child welfare workers' salaries are significantly lower than salaries for employees in safer and more supportive work environments, such as teachers, school counselors, nurses, and public-health social workers. (GAO, 2003)

Qualifications

- Only 28 percent of child welfare staff hold either bachelor's degrees in social work (BSW) (15 percent) or master's degrees in social work (MSW) (13 percent). (Lieberman, 1988)
- Fewer than 15 percent of child welfare agencies require caseworkers to hold either BSWs or MSWs. (CWLA, 1999)
- The National Association of Social Workers (NASW), CWLA, and others recommend that child welfare administrators and supervisors have MSWs and previous child welfare experience, and that direct service workers have, at least, BSWs.
- Education, specifically holding an MSW, appears to be the best predictor of overall performance in social service work. (Booz-Allen & Hamilton, Inc., 1987)
- Child welfare staff with BSW and MSW degrees were found to be more effective in developing successful permanency plans for children who were in foster care for more than two years. (Albers, 1993).

Education and Training

- There are two major federal funding sources for improving the child welfare workforce: the Title IV-B, Section 426 child welfare training program and Title IV-E training.
- Title IV-B provides discretionary grants to public and private nonprofit institutions of higher education for full-time or part-time training programs. FY 2003 funding: $7 million.
- Title IV-E provides an enhanced federal match of 75 percent to fund training programs for both current and prospective child welfare staff. In FY 2001, 49 states received a total of $276 million in Title IV-E training reimbursements. The median reimbursement was $3.1 million and ranged from $1,400 in Wyoming to $59 million in California. (GAO, 2003)
- University-Agency Child Welfare Training Partnerships, funded under Title IV-E, were found by GAO to have a positive impact on child welfare agencies' ability to recruit and retain child welfare staff. Today, partnerships exist in more than 40 states, and use more than $50 million to prepare workers for the challenges of child welfare service delivery. (GAO, 2003)

National Association of Social Workers - August 2003

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VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 6, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sam Goodstein	Fair Trial Initiative 200 E Main St Durham NC
Lisa Bateman	DJJDP- Center for the Prevention of School Violence
Katie Myers	DJJDP- Center for Prevention of School Violence
Anthony Solari	SMART START
Peggy Maynard	GPAC inc
Jennifer M. Sullivan	National Association of Social Workers
Tasha Clay	YAIO
Joe Tarasyn	Johnston County DSS
Earl Manott	Johnston Co DSS P.O Box 1911 Smithfield, NC
Pheon Bul	DHHS/DSS
Debbie Goldstone	YAIO
Tracy Hicks-Johnson	NCSSA North Carolina Social Services Association.

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 6, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Karen George	NC ACDSS
Nancy Dickinson	Jordan Institute for Families, UNC Chapel Hill
Melissa Pahl	NASW-NC (National Assoc. of Social Workers)
Evelyn Williams	NC Child Welfare Education Collaborative
Janet Mason	Institute of Government, UNC-Chapel Hill
Jane Volland	Guardian ad Litem Program/ AOC - Raleigh
Brenda Jackson	Greene County Dept. of Social Services
Sharon Scott	Stanly County Dept. of Social Services
LARRY Johnson	Rockingham County Dept. of Social Services
ERIC Frazier	Charlotte Observer
John Rustin	

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: November 6, 2003**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
LANADIAL	AOC
Emily Edwards	UNC - Chapel Hill
Em Goodyear	FTI
Lynn Loomis	Child Welfare Collaborative
John Benton	Child Welfare Collaborative
Cara Noblitt	Child Welfare Collaborative
Chris McDougal	Child Welfare Collaborative
Marjorie Menestres	SAFEchild
Paula Wolff	~~NCCAE~~ Covenant w/NC's Children
John Lam	DHHS DSS
Sammy R. Hartsell	Caldwell Co. DSS

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

December 29, 2003

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Tuesday, January 13, 2004 at 1:00 p.m.
Wednesday, January 14, 2004 at 9:00 a.m.

LOCATION: Room 544, Legislative Office Building

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

December 29, 2003

MEMORANDUM

TO: Members, Jennifer Tolle-Whiteside and Tamara Barringer

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Tuesday, January 13, 2004 at 1:00 p.m.
Wednesday, January 14, 2004 at 9:00 a.m.

LOCATION: Room 544, Legislative Office Building

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

January 13, 2004
Room 544, Legislative Office Building
1:00 p.m.

WELCOME AND OPENING REMARKS

Representative Jennifer Weiss
Co-Chair

AGENDA ITEMS

Approval of Minutes

2003 CPS Statistical Data, Division of Social Services

NCFAST, Lanier Cansler, Division of Social Services

Update on Statewide Criminal History Checks, Division of Social Services

Federal Criminal History Checks, Tammy Tyson, State Bureau of Investigation

ADJOURNMENT

CHILD ABUSE AND NEGLECT, FOSTER CARE AND ADOPTION COMMITTEE

MINUTES

Tuesday, January 13, 2004
1:00 p.m.
Room 544, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care and Adoption Committee met on Tuesday, January 13, 2004 in Room 544 of the Legislative Office Building. Representatives Weiss and Moore, Co-Chairs, Barbee, Barnhart, Blackwood, Carney, Dickson, Earle, Eddins, Farmer-Butterfield, Frye, Hunter, Jeffus, Lucas, Parmon, Preston, Ray, Rayfield, Ross, Warner, and Ms. Barringer and Ms. Tolle-Whiteside attended. Also in attendance were Ms. Churchill, Ms.Graf, Ms. Morgan and Ms. Wilks, staff counsel.

Representative Weiss presided. She welcomed the committee members and those present and asked for a motion to adopt the minutes of the previous meeting. Representative Lucas moved adoption of the minutes. The motion carried unanimously.

Mr. Lanier Cansler, Deputy Secretary of the Department of Health and Human Services, Division of Social Services, spoke on NCFAST and the importance of this program in sharing information county to county across the state. He stated that the need for a program of this type continues to grow. Cost and funding are two of the areas they are now reviewing. The two goals for 2004 are 1) to have online verification and, 2) to build an interface. At the present time the division is looking at existing systems in Caldwell and Mecklenburg Counties and the systems in use in Maine and Minnesota. Using an existing system that could be modified and built on to meet the needs of the state would be less expensive than developing one. Although there are systems used in the state, there are no systems in use that would not require modification to be of the greatest use statewide; most do not have high functionality. Deputy Secretary Cansler said that DHHS should have an idea by this spring of the system that will work best for the state and they will come before the Legislature with it and their needs at that time. At present the cost of maintaining connectivity is $9 million. Consultants have projected the savings to the state by having a statewide system in place to be $1 -$2 million a year. It is hoped that funds can be found as the system is developed. He stated that once the base system is defined and approved by the Federal Government, they may subsidize it. In answer to Representative Barnhart's request for some background on where the Division is trying to go with this and how they intend to get there, Deputy Secretary Cansler said he will prepare a summary for the committee. In answer to questions, he said that all counties will be able to access the system if they have PCs, security will be built in by access

codes and will be monitored, criminal histories will be available and compilation of information will be more efficient.

Representative Weiss thanked Mr. Cansler for his presentation and asked that he have a short information paper prepared for the committee with a time line for reaching the goals for NCFAST and an amount for appropriations.

Mr. David Atkinson, Child Protection Services Statistician, presented two charts to the committee containing information that had recently been received by DHHS from county Departments of Social Services. The charts, NC County Statistics for CPS Investigative Assessments Based on County Population and Child Protective Services – Reports of Child Abuse and Neglect (Duplicated), are attached. Discussion followed about the wide variation between counties. Questions were asked about the intake process, economics, and staff. Mr. Atkinson stated that the staffing survey data comes in from all counties but there is no way to control the number of reports that are returned. In counties where there is strong advocacy, more reports are returned. In response to the questions by committee members, Representative Weiss said the committee will devote time at a future meeting to examine these statistics as well as staff ratios in different counties and why some things work well in some counties and not in other counties.

Ms. Sherry Bradsher, Division of Social Services, spoke to the committee about statewide criminal background checks. At the committees' first meeting in November 2003, the committee was informed that a major barrier to Child Protective Services workers was their inability to consistently access statewide criminal background checks for their investigations. She reminded the committee that at present there is a $75 access fee for each person who needs to check criminal records through the Administrative Office of the Courts (AOC) data bank. Her department is in the process of contracting with AOC to have two dedicated staff available 24/7 to access records at a cost of $201,835; one-half of this cost will be offset by Federal money. There are ten counties now using the database. The goal is to have all 100 counties trained and with access by July 2004. This development would enable CPS workers across the state to access state criminal records consistently and affordably. The question was asked if a criminal record check would show an outstanding warrant and was answered that this information does not show on a criminal history check.

Ms. Tammy Tyson, NC State Bureau of Investigation, spoke on Federal Criminal History Checks. The SBI can check by name check, state fingerprint check, or federal fingerprint check that involves a fingerprint card available to governmental agencies only. The exception is nursing homes, direct care or patient care. The SBI supports agencies that want national background checks, especially for children, the disabled and the elderly. It takes about 15 days to process fingerprints. Foster and adoptive parents are required to have a Federal criminal background check that takes about 15 days; name checks are faster. In response to a question, Mr. Ashby Ray, of the NC Attorney General's office, said that local law enforcement is allowed to run a national criminal history check on any person if there is an ongoing criminal investigation. Ms. Bradsher said that most of the time the live scan system is located inside the jail area and they don't have access to it;

when they do have access, there can be a turn-around time of 24 hours. She further stated that foster and adoptive parents are technically not licensed until the background checks are completed. There is not a minimum residency requirement for foster parents but they are required to complete MAPP training. This is a 3-month class and there is usually a substantial waiting period for the class, and for foster and adoptive parents moving into the state, they are able to get PIN checks prior to licensing.

Representative Weiss asked if it is 80% of the counties who have electronic capabilities and also if federal funding is available to those counties who do not have funds to implement this capability.

Representative Eddins said that the state would be receiving monies from the Department of Homeland Security. He would like to be sure that services are not duplicated therefore enabling the state to use these funds to best advantage.

Representative Weiss asked that the committee get more information on the live scan system: how many times is the information needed but the agency is not able to access it because it is located in the jail, and she would also like an overview of how local law enforcement is working with DSS and how communications might be improved.

Ms. Barringer spoke about the permanency goal of having a permanent placement plan for children of 6 months. Once parental rights have been terminated, parents can appeal and the average time before the appeal is heard is now between 18 months and 3 years. In more and more cases children are subject to delays. She asked if the committee could recommend fast tracking to get these cases through the court system so children can find permanent homes.

Jane Volland, Administrator for the Guardian *ad litem* program, said North Carolina is one of six states that do not have a process of expedited appeals. She is co-chairing an AOC committee that is looking into this and said that she would be glad to bring more information before the committee.

Representative Weiss thanked the speakers, guest and members of the committee. The meeting was adjourned at 3:20 p.m. to re-convene the following day at 9:00 a.m.

Jennifer Weiss

Representative Jennifer Weiss, Co-Chair, Presiding

Susan Doty

Susan Doty, Clerk

Representative Tim Moore, Co-Chair

D. Atkinson 1/13/04
Attachment

North Carolina county statistics for CPS Investigative Assessments based on county child population

Unduplicated counts of Children Substantited for Child Maltreatment - State Fiscal Year 2002-2003

Population Data From July 2003 Census Data Projections

This table provides a listing for all 100 North Carolina counties of number of unique children substantiated for maltreatment following an investigative assessment. "Unique children" is defined so that when the same child is the subject of more than one investigative assessment, he/she is counted only once. These counts are then compared to the total county child population to provide a ratio of children who are substantiated for maltreatment per total child population. A county Department of Social Service has the responsibility to make a determination when information gathered from an investigative assessment warrents a determination of child maltreatment.

RANK	COUNTY	# OF CHILDREN AGE 0-17	# OF CHILDREN Substantiated for Child Maltreatment	# OF CHILDREN Substantiated per 1,000 children in county
1	RUTHERFORD	15,034	664	44.17
2	MARTIN	6,155	254	41.27
3	MITCHELL	3,195	127	39.75
4	CHEROKEE	4,951	171	34.54
5	ONSLOW	40,044	1,364	34.06
6	HAYWOOD	11,160	379	33.96
7	NEW HANOVER	35,677	1,063	29.80
8	YANCEY	3,826	112	29.27
9	GRAHAM	1,736	46	26.50
10	SWAIN	3,192	82	25.69
11	DUPLIN	13,562	329	24.26
12	LENOIR	14,475	351	24.25
13	BEAUFORT	10,223	232	22.69
14	CATAWBA	36,672	830	22.63
15	IREDELL	34,117	765	22.42
16	CARTERET	11,558	259	22.41
17	DARE	6,558	144	21.96
18	BURKE	21,969	481	21.89
19	CURRITUCK	4,736	103	21.75
20	ROBESON	36,440	789	21.65
21	HARNETT	26,717	572	21.41
22	CALDWELL	18,373	390	21.23
23	EDGECOMBE	14,144	300	21.21
24	BUNCOMBE	46,786	988	21.12
25	MACON	6,134	127	20.70
26	HALIFAX	14,055	288	20.49
27	WAYNE	29,800	608	20.40
28	SURRY	17,209	342	19.87
29	ASHE	4,804	95	19.78
30	CHATHAM	11,814	228	19.30
31	PAMLICO	2,514	48	19.09
32	GASTON	47,179	890	18.86
33	VANCE	11,985	225	18.77
34	JACKSON	6,513	120	18.42
35	PITT	32,982	598	18.13
36	DAVIDSON	36,513	662	18.13
37	SCOTLAND	9,837	177	17.99
38	MONTGOMERY	6,763	121	17.89
39	HENDERSON	19,535	345	17.66
40	WILSON	19,068	333	17.46
41	CLEVELAND	24,884	433	17.40
42	PASQUOTANK	8,464	146	17.25
43	DURHAM	55,729	951	17.06
44	CRAVEN	22,395	376	16.79
45	JONES	2,469	41	16.61
46	POLK	3,856	64	16.60
47	ORANGE	25,521	420	16.46
48	AVERY	3,349	55	16.42
49	MADISON	4,297	70	16.29
50	PENDER	9,929	158	15.91
51	MOORE	16,844	265	15.73
52	RICHMOND	11,870	185	15.59
53	ROCKINGHAM	21,283	329	15.47
54	CASWELL	5,469	83	15.18
55	CUMBERLAND	85,694	1,279	14.93
56	WILKES	15,086	225	14.91
57	ROWAN	33,633	492	14.63
58	GRANVILLE	12,042	175	14.53
59	COLUMBUS	13,726	199	14.50
60	STANLY	14,695	211	14.36
61	BLADEN	7,985	112	14.03
62	YADKIN	9,165	126	13.75
63	LINCOLN	16,578	223	13.45
64	WARREN	4,569	61	13.35
65	GREENE	4,956	65	13.12
66	BRUNSWICK	16,485	213	12.94
67	ALLEGHANY	2,104	27	12.83
68	STOKES	11,148	139	12.47
69	HERTFORD	5,117	63	12.31
70	JOHNSTON	36,171	410	11.34
71	HYDE	1,082	12	11.09
72	CABARRUS	37,140	405	10.90
73	BERTIE	4,721	51	10.80
74	RANDOLPH	34,173	367	10.74
75	NORTHAMPTON	5,036	53	10.52
76	ANSON	6,251	65	10.40
77	SAMPSON	16,563	170	10.26
78	FRANKLIN	12,896	131	10.16
79	WASHINGTON	3,266	33	10.10
80	PERSON	8,661	87	10.05
81	UNION	39,417	387	9.82
82	PERQUIMANS	2,445	24	9.82
83	GATES	2,644	25	9.46
84	MECKLENBURG	194,733	1,771	9.09
85	WATAUGA	7,012	63	8.98
86	TRANSYLVANIA	5,887	51	8.66
87	TYRRELL	858	7	8.16
88	LEE	12,975	104	8.02
89	ALEXANDER	8,564	65	7.59
90	GUILFORD	107,032	794	7.42
91	ALAMANCE	33,582	240	7.15
92	MCDOWELL	9,952	65	6.53
93	DAVIE	8,995	52	5.78
94	NASH	22,554	127	5.63
95	WAKE	180,502	890	4.93
96	CLAY	1,556	7	4.50
97	CHOWAN	3,392	15	4.42
98	FORSYTH	78,291	313	4.00
99	HOKE	11,340	39	3.44
100	CAMDEN	1,677	5	2.98
	NORTH CAROLINA	2,066,675	30,016	14.52

*In North Carolina, 10 pilot counties were selected in August of 2002 to begin a demonstration project that would test out an alternative response to certain reports of neglect. This is called the "Multiple Response System" and allows for a "family assessment" in certain reports of neglect, rather than the traditional "forensic" investigative assessment. All 10 pilot counties continue to conduct the traditional investigative assessments in reports of abuse and some reports of neglect. Findings in investigative assessments continue to be either substantiated or unsubstantiated. Findings in family assessments include findings of "services needed", "services recommended" or "services not recommended. The following data represent the children whose families were found to be "in need of services" in the 10 pilot counties following a family assessment.

Multiple Response Findings

RANK	COUNTY	# OF CHILDREN AGE 0-17	Found In Need Of Services	# OF CHILDREN In Need of Services per 1,000 children in county
1	ALAMANCE	33,582	203	6.04
2	NASH	22,554	109	4.83
3	CRAVEN	22,395	98	4.38
4	FRANKLIN	12,896	49	3.80
5	CALDWELL	18,373	59	3.21
6	BLADEN	7,985	23	2.88
7	BUNCOMBE	46,786	131	2.80
8	GUILFORD	107,032	170	1.59
9	MECKLENBURG	194,733	275	1.41
10	TRANSYLVANIA	5,887	4	0.68
		472,223	1,121.00	2.37

North Carolina county statistics for CPS Investigative Assessments based on county child population

Unduplicated counts of Children Subject of an Investigative Assessment or a Family Assessment* - State Fiscal Year 2002-2003
Population Data From July 2003 Census Data Projections

This table provides a listing for all 100 North Carolina counties of number of unique children subject of an investigative assessment or a family assessment*. "Unique children" is defined so that when the same child is the subject of more than one investigative assessment or a family assessment, he/she is counted only once. These counts are then compared to the total county child population to provide a ratio of children who are subject of an investigative assessment or a family assessment* per total child population. Several factors influence this rate. A county Department of Social Service has the responsibility to make a determination when allegations of child maltreatment warrent an investigative or family assessmen*. This table does not show the rate at which children are found to be maltreated.

RANK	COUNTY	County Population of children AGE 0-17	Subject of an Investigative Assessment	Investigated per 1,000 children in county
1	MARTIN	6,155	774	125.75
2	MITCHELL	3,195	390	122.07
3	SWAIN	3,192	333	104.32
4	HAYWOOD	11,160	1,122	100.54
5	HENDERSON	19,535	1,790	91.63
6	CHEROKEE	4,951	443	89.48
7	RICHMOND	11,870	1,055	88.88
8	RUTHERFORD	15,034	1,328	88.33
9	NEW HANOVER	35,677	3,115	87.31
10	ROBESON	36,440	3,101	85.10
11	VANCE	11,985	1,006	83.94
12	BURKE	21,969	1,844	83.94
13	BUNCOMBE	46,786	3,854	82.38
14	MACON	6,134	495	80.70
15	CALDWELL	18,373	1,458	79.36
16	CARTERET	11,558	914	79.08
17	CRAVEN	22,395	1,743	77.83
18	EDGECOMBE	14,144	1,089	76.99
19	JACKSON	6,513	500	76.77
20	GRAHAM	1,736	127	73.16
21	ONSLOW	40,044	2,923	72.99
22	BEAUFORT	10,223	743	72.68
23	CURRITUCK	4,736	344	72.64
24	SCOTLAND	9,837	709	72.07
25	CATAWBA	36,672	2,624	71.55
26	YANCEY	3,826	269	70.31
27	PENDER	9,929	681	68.59
28	GASTON	47,179	3,094	65.58
29	LENOIR	14,475	939	64.87
30	MADISON	4,297	273	63.53
31	WARREN	4,569	290	63.47
32	CHATHAM	11,814	749	63.40
33	LEE	12,975	816	62.89
34	CUMBERLAND	85,694	5,373	62.70
35	WAYNE	29,800	1,856	62.28
36	NORTHAMPTON	5,036	313	62.15
37	GREENE	4,956	307	61.95
38	ROWAN	33,633	2,072	61.61
39	WILKES	15,086	929	61.58
40	IREDELL	34,117	2,057	60.29
41	TRANSYLVANIA	5,887	351	59.62
42	DAVIDSON	36,513	2,160	59.16
43	AVERY	3,349	197	58.82
44	JONES	2,469	144	58.32
45	BLADEN	7,985	463	57.98
46	MOORE	16,844	960	56.99
47	WILSON	19,068	1,083	56.80
48	CLEVELAND	24,884	1,389	55.82
49	SURRY	17,209	958	55.67
50	HALIFAX	14,055	775	55.14
51	ALLEGHANY	2,104	114	54.18
52	ORANGE	25,521	1,365	53.49
53	PAMLICO	2,514	134	53.30
54	PASQUOTANK	8,464	449	53.05
55	ROCKINGHAM	21,263	1,126	52.96
56	PITT	32,982	1,737	52.67
57	CASWELL	5,469	287	52.48
58	COLUMBUS	13,726	718	52.31
59	ASHE	4,804	249	51.83
60	NASH	22,554	1,164	51.61
61	GRANVILLE	12,042	617	51.24
62	MONTGOMERY	6,763	346	51.16
63	DUPLIN	13,562	684	50.44
64	RANDOLPH	34,173	1,717	50.24
65	HARNETT	26,717	1,319	49.37
66	CABARRUS	37,140	1,806	48.63
67	POLK	3,856	184	47.72
68	ALAMANCE	33,582	1,584	47.17
69	LINCOLN	16,578	777	46.87
70	STANLY	14,695	688	46.82
71	JOHNSTON	36,171	1,689	46.69
72	CLAY	1,556	72	46.27
73	ANSON	6,251	285	45.59
74	HERTFORD	5,117	233	45.53
75	DURHAM	55,729	2,521	45.24
76	PERSON	8,661	382	44.11
77	GATES	2,644	116	43.87
78	UNION	39,417	1,672	42.42
79	STOKES	11,148	465	41.71
80	YADKIN	9,165	382	41.68
81	FRANKLIN	12,896	527	40.87
82	MECKLENBURG	194,733	7,605	39.05
83	DARE	6,558	247	37.66
84	TYRRELL	858	32	37.30
85	GUILFORD	107,032	3,787	35.38
86	MCDOWELL	9,952	346	34.77
87	ALEXANDER	8,564	294	34.33
88	WATAUGA	7,012	215	30.66
89	WASHINGTON	3,266	98	30.01
90	CHOWAN	3,392	101	29.78
91	PERQUIMANS	2,445	68	27.81
92	BERTIE	4,721	125	26.48
93	SAMPSON	16,563	418	25.24
94	FORSYTH	78,291	1,894	24.19
95	BRUNSWICK	16,465	378	22.96
96	HOKE	11,340	259	22.84
97	HYDE	1,082	23	21.26
98	WAKE	180,502	3,366	18.65
99	CAMDEN	1,677	30	17.89
100	DAVIE	8,995	140	15.56
		2,066,675	107,157	51.85

*In North Carolina, 10 pilot counties were selected in August of 2002 to begin a demonstration project that would test out an alternative response to certain reports of neglect. This is called the "Multiple Response System" and allows for a "family assessment" in certain reports of neglect, rather than the traditional "forensic" investigative assessment. All 10 pilot counties continue to conduct the traditional investigative assessments in reports of abuse and some reports of neglect. Findings in investigative assessments continue to be either substantiated or unsubstantiated. Findings in family assessments include findings of "services needed", "services recommended" or "services not recommended.

NOTE: Data includes all reports for the 10 MRS pilot counties, regardless of the approach (Investigative Assessment or Family Assessment)

North Carolina Child Abuse Statistics, 1998 to 2003
(Unduplicated Count)

State Fiscal Year 2002-2003		Children Subject of An Investigative Assessment or Family Assessment 02-03	Children Substantiated 02-03
Age	0-6	48,193	14,550
	7-12	35,828	9,508
	13+	23,136	5,958
Type	Abuse	7,956	1,429
	Neglect	93,542	27,006
	Both abuse and neglect	4,866	1,047
	Dependency	786	534
	Total for 02-03	*107,157	30,016
State Fiscal Year 2001-2002		**Children Subject of Investigative Assessment – 01-02**	**Children Substantiated- 01-02**
Age	0-6	48,190	15,681
	7-12	36,850	10,981
	13+	22,178	6,221
Type	Abuse	8,190	1,805
	Neglect	93,119	29,563
	Both abuse and neglect	5,030	983
	Dependency	879	532
	Total for 01-02	107,218	32,883
State Fiscal Year 2000-2001		**Children Subject of Investigative Assessment – 00-01**	**Children Substantiated- 00-01**
Age	0-6	46,049	15,545
	7-12	35,902	11,305
	13+	20,207	5,731
Type	Abuse	8,414	1,710
	Neglect	87,853	29,308
	Both abuse and neglect	5,089	1,057
	Dependency	802	506
	Total for 00-01	102,158	32,581
State Fiscal Year 1999-2000		**Children Subject of Investigative Assessment – 99-00**	**Children Substantiated- 99-00**
Age	0-6	45,850	15,412
	7-12	35,276	10,916
	13+	19,556	5,500
Type	Abuse	8,596	1,828
	Neglect	86,402	28,469
	Both abuse and neglect	4,915	1,082
	Dependency	769	449
	Total for 99-00	100,682	31,828
State Fiscal Year 1998-1999		**Children Subject of Investigative Assessment - 98-99**	**Children Substantiated- 98-99**
Age	0-6	48,527	15,502
	7-12	36,070	11,072
	13+	19,732	5,541
Type	Abuse	9,762	1,782
	Neglect	88,490	28,720
	Both abuse and neglect	5,131	1,059
	Dependency	946	556
	Total for 98-99	104,329	32,115

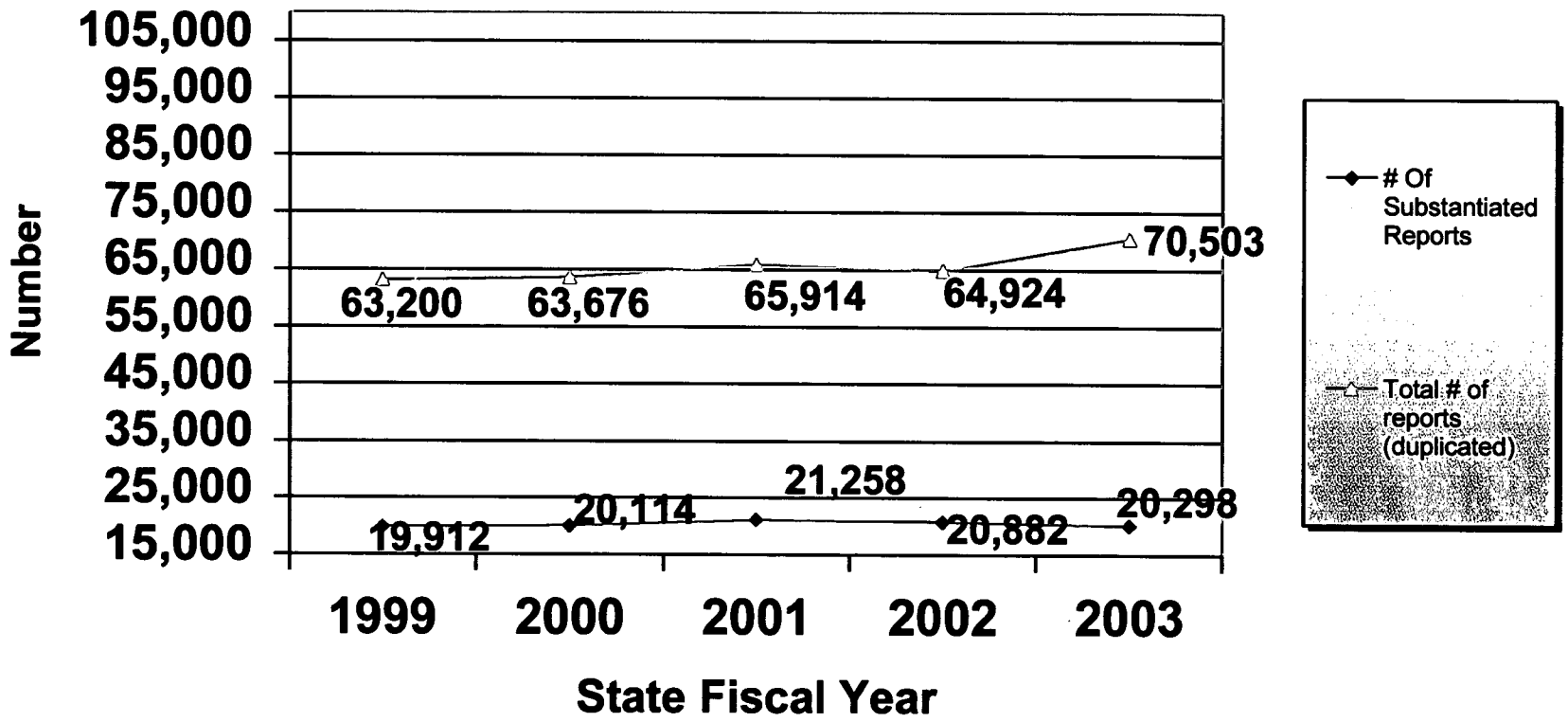
All categories age and type, will not have same total due to coding errors in the Central Registry.

* *Note: Includes investigative assessments in all counties, as well as family assessments in the 10 Multiple Response System*

** *Note: Also, of these 107,157 children who were subject of an investigative assessment or a family assessment, 1,121 children were found "in need of services" in the 10 MRS pilot counties and are not included in the numbers of "substantiated" children.*

Child Protective Services

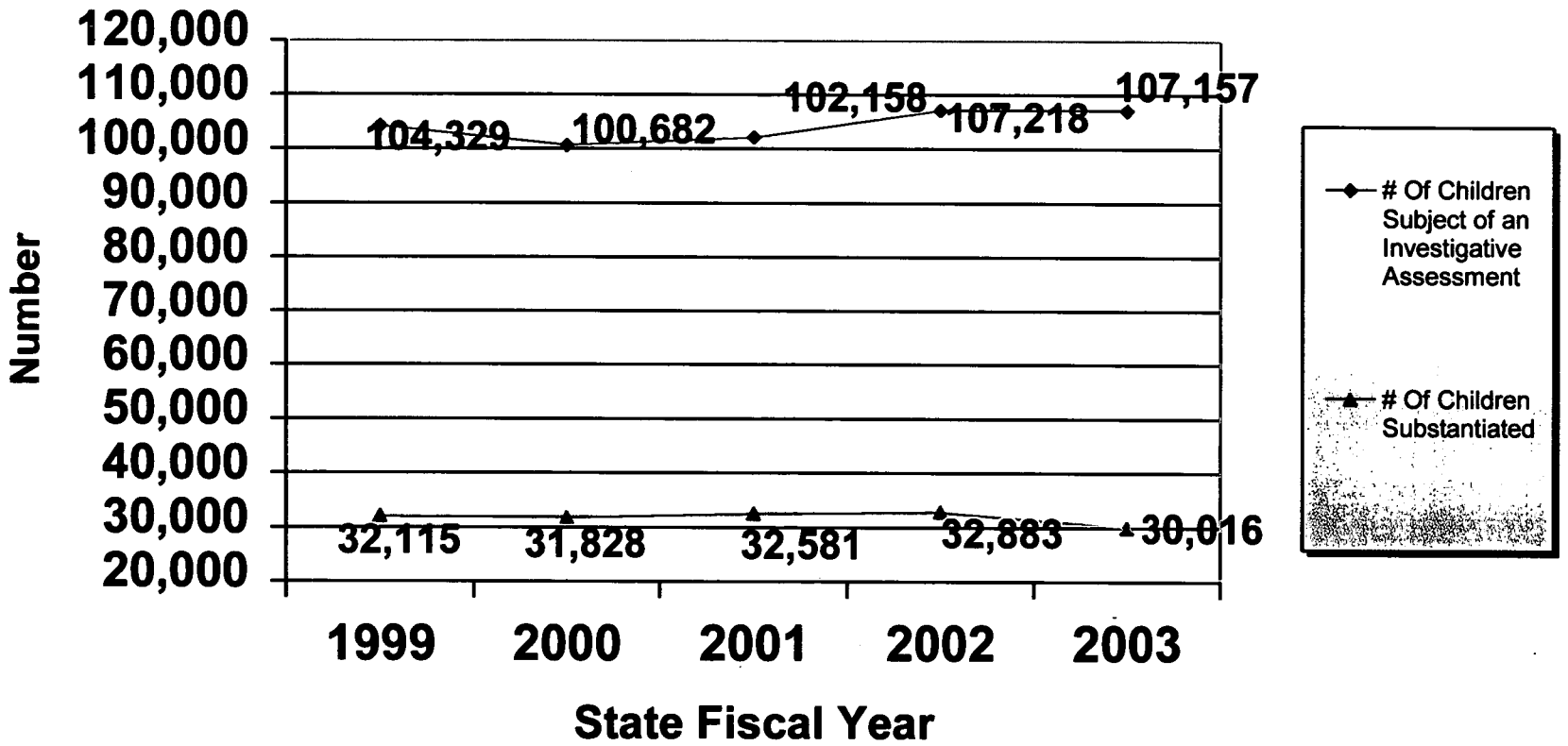
Reports of Child Abuse and Neglect (Duplicated)



David Atkinson Attachment

Child Protective Services

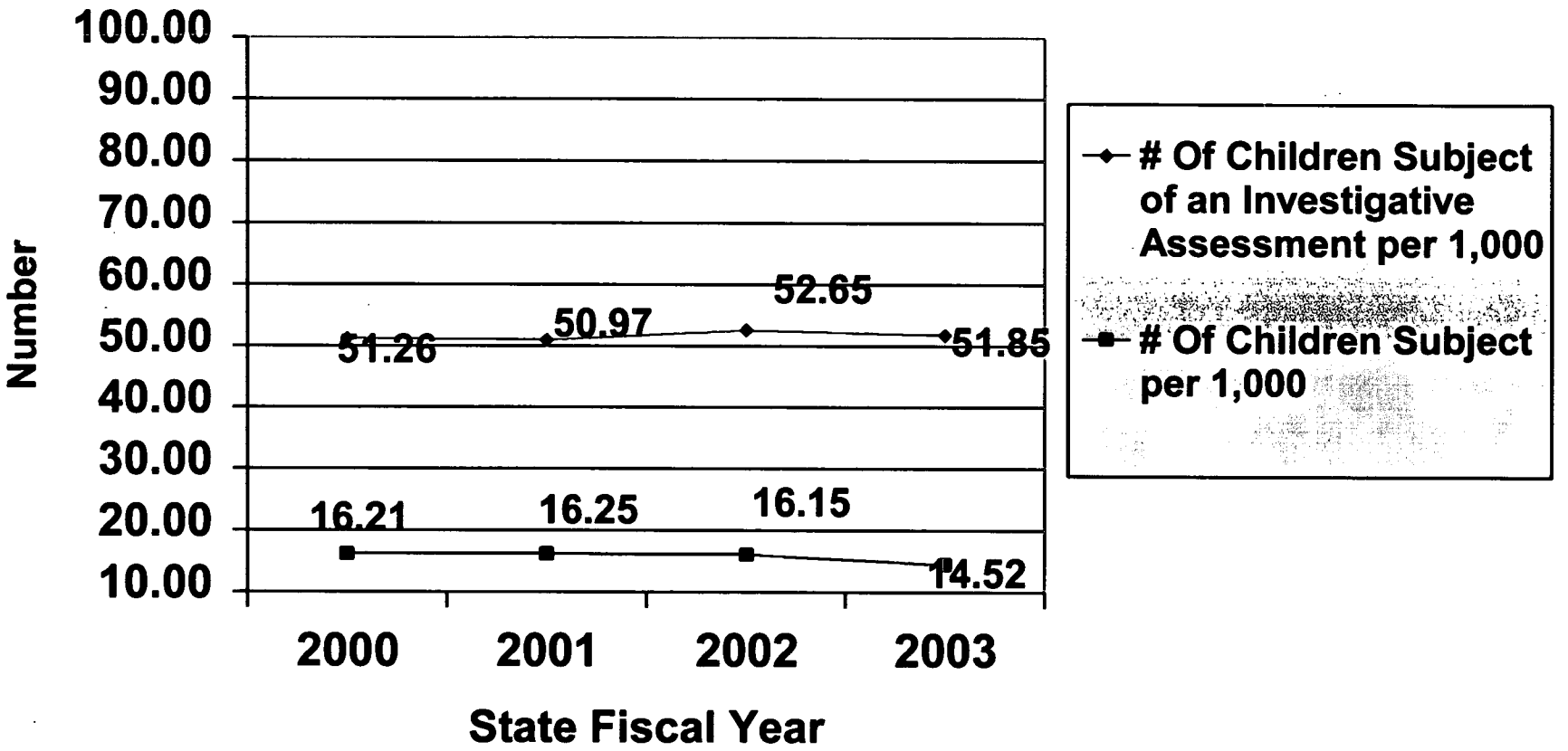
Reports of Child Abuse and Neglect (Unduplicated)



Note: For state fiscal year 02-03, 107,157 children were subject of an CPS assessment. Of that number, 1,121 children were found "in need of services" in the 10 MRS pilot counties and are not included in the numbers of "substantiated" children.

Child Protective Services

Rates for Unduplicated Numbers of Childre



Note: For state fiscal year 02-03, 107,157 children were subject of an CPS assessment. Of that number, 1,121 children were found "in need of services" in the 10 MRS pilot counties and are not included in the numbers of "substantiated" children. This represents 2.37 children per 1,000 children in the population of these 10 counties

SBI
Tammy Tyson
Attachment

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS AND MARSHALS

For necessary expenses of the offices of the United States attorneys and marshals, including purchase of firearms and ammunition; $91,000,000: *Provided*, That of the amount herein appropriated not to exceed $200,000 shall be available for payment of compensation and expenses of Commissioners appointed in condemnation cases under Rule 71A(h) of the Federal Rules of Civil Procedure.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, as authorized by law, and not to exceed $900,000 for such compensation and expenses of expert witnesses pursuant to section 524 of title 28, United States Code, and sections 4244–48 of title 18, United States Code; $10,500,000: *Provided*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service established by title X of the Civil Rights Act of 1964 (42 U.S.C. 2000g-2(00g-2), $6,800,000.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For expenses necessary for the detection and prosecution of crimes against the United States; protection of the person of the President of the United States; acquisition, collection, classification and preservation of identification and other records and their exchange with, and for the official use of, the duly authorized officials of the Federal Government, of States, cities, and other institutions, such exchange to be subject to cancellation if dissemination is made outside the receiving departments or related agencies; and such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General, including purchase for police-type use without regard to the general purchase price limitation for the current fiscal year not to exceed nine hundred eighty, including one armored vehicle (for replacement only) and hire of passenger motor vehicles; firearms and ammunition; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; payment of rewards; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; $351,073,000.

The funds provided for Salaries and Expenses, Federal Bureau of Investigation, may be used hereafter, in addition to those uses authorized thereunder, for the exchange of identification records with officials of federally chartered or insured banking institutions to promote or maintain the security of those institutions, and, if authorized by State statute and approved by the Attorney General, to officials of State and local governments for purposes of employment and licensing, any such exchange to be made only for the official use of any such official and subject to the same restriction with respect to dissemination as that provided for under the aforementioned appropriation.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

1ST DOCUMENT of Focus printed in FULL format.

UNITED STATES PUBLIC LAWS
105TH CONGRESS-SECOND SESSION
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PUBLIC LAW 105-277 [H.R. 4328]
OCTOBER 19, 1998
CONFERENCE REPORT ON H.R. 4328, MAKING OMNIBUS CONSOLIDATED AND EMERGENCY
SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999

105 P.L. 277; 1998 Enacted H.R. 4328; 105 Enacted H.R. 4328

THE TEXT OF THIS DOCUMENT HAS BEEN SPLIT INTO 3 DOCUMENTS.
THIS IS PART 1.
USE THE LEXSEE FEATURE TO REVIEW ALL PARTS.

[*124x1] Sec. 124. (a). (1) A nursing facility or home health care agency may submit a request to the Attorney General to conduct a search and exchange of records described in subsection (b) regarding an applicant for employment if the employment position is involved in direct patient care.

(2) A nursing facility or home health care agency requesting a search and exchange of records under this section shall submit to the Attorney General through the appropriate State agency or agency designated by the Attorney General a copy of an employment applicant's fingerprints, a statement signed by the applicant authorizing the nursing facility or home health care agency to request the search and exchange of records, and any other identification information not more than 7 days (excluding Saturdays, Sundays, and legal public holidays under section 6103(a) of title 5, United States Code) after acquiring the fingerprints, signed statement, and information.

(b) Pursuant to any submission that complies with the requirements of subsection (a), the Attorney General shall search the records of the Criminal Justice Information Services Division of the Federal Bureau of Investigation for any criminal history records corresponding to the fingerprints or other identification information submitted. The Attorney General shall provide any corresponding information resulting from the search to the appropriate State agency or agency designated by the Attorney General to receive such information.

(c) Information regarding an applicant for employment in a nursing facility or home health care agency obtained pursuant to this section may be used only by the facility or agency requesting the information and only for the purpose of determining the suitability of the applicant for employment by the facility or agency in a position involved in direct patient care.

(d) The Attorney General may charge a reasonable fee, not to exceed $50 per request, to any nursing facility or home health care agency requesting a search and exchange of records pursuant to this section. [Page H11064]

(e) Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit a report to Congress on the number of requests for

searches and exchanges of records made under this section by nursing facilities and home health care agencies and the disposition of such requests.

(f) Whoever knowingly uses any information obtained pursuant to this section for a purpose other than as authorized under subsection (c) shall be fined in accordance with title 18, United States Code, imprisoned for not more than 2 years, or both.

(g) A nursing facility or home health care agency that, in denying employment for an applicant, reasonably relies upon information provided by the Attorney General pursuant to this section shall not be liable in any action brought by the applicant based on the employment determination resulting from the incompleteness or inaccuracy of the information.

(h) The Attorney General may promulgate such regulations as are necessary to carry out this section, including regulations regarding the security, confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, the imposition of fees, and any necessary modifications to the definitions contained in subsection (i).

(i) In this section:

(1) The term home health care agency'' means an agency that provides home health care or personal care services on a visiting basis in a place of residence.

(2) The term nursing facility'' means a facility or institution (or a distinct part of an institution) that is primarily engaged in providing to residents of the facility or institution nursing care, including skilled nursing care, and related services for individuals who require medical or nursing care.

(j) This section shall apply without fiscal year limitation.

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION
RATIFIED BILL

CHAPTER 606
SENATE BILL 1014

AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 114-19.3 reads as rewritten:

"**§ 114-19.3. Criminal record checks of providers of treatment for or services to children, the elderly, mental health patients, the sick, and the disabled.**

(a) Authority. -- The Department of Justice may provide to any of the following entities a criminal record check ~~to the employer~~ of an individual who is employed by ~~or who~~ that entity, has applied for employment with ~~the following:~~ that entity, or has volunteered to provide direct care on behalf of that entity:

(1) Hospitals licensed under Chapter 131E of the General ~~Statutes;~~ Statutes.

(2) Nursing homes or combination homes licensed under Chapter 131E of the General ~~Statutes;~~ Statutes.

(3) ~~Domiciliary care facilities~~ Adult care homes licensed under Chapter ~~131E~~ 131D of the General ~~Statutes;~~ Statutes.

(4) Home care agencies or hospices licensed under Chapter 131E of the General ~~Statutes;~~ Statutes.

(5) Child placing agencies licensed under Chapter 131D of the General ~~Statutes;~~ Statutes.

(6) Residential child care facilities licensed under Chapter 131D of the General ~~Statutes;~~ Statutes.

(7) Hospitals licensed under Chapter 122C of the General ~~Statutes;~~ Statutes.

(8) Area mental health, developmental disabilities, and substance abuse authorities licensed under Chapter 122C of the General Statutes, including a contract agency of an area authority that is subject to the provisions of Article 4 of ~~Chapter 122C of the General Statutes;~~ that Chapter.

(9) Licensed child day care facilities and registered and nonregistered child day care ~~homes;~~ homes regulated by the ~~State; and~~ State.

(10) Any other organization or corporation, whether for profit or nonprofit, that provides direct care or services to children, the sick, the disabled, or the elderly.

(b) Procedure. -- A criminal record check may be conducted by using an individual's fingerprint or any information required by the Department of Justice to identify that individual. A criminal record check shall be provided only if the ~~employee or applicant~~ individual whose record is checked consents to the record

check. The information shall be kept confidential by the ~~employer~~ entity that receives the information. Upon the disclosure of confidential information under this section by the ~~employer;~~ entity, the Department may refuse to provide further criminal record checks to that ~~employer.~~ entity.

~~(c) The Department of Justice, at the request of an agency, facility, organization, or corporation listed in subsection (a) of this section, may provide a criminal record check of a volunteer who provides direct care on behalf of the organization or corporation if the volunteer consents to the record check. The information shall be kept confidential and upon the disclosure of confidential information under this section by the agency, facility, corporation, or organization, the Department may refuse to provide further criminal record checks to that agency, facility, corporation, or organization.~~

(d) Foster or Adoptive Parent. -- The Department of Justice, at the request of a child placing agency licensed under Chapter 131D of the General Statutes or a local department of social services, may provide a criminal record check of a prospective foster care or adoptive parent if the prospective parent consents to the record check. The information shall be kept confidential and upon the disclosure of confidential information under this section by the agency or department, the Department may refuse to provide further criminal record checks to that agency or department.

(e) Fee. -- The Department may charge a fee to offset the cost incurred by it to conduct a criminal record check under this section. The fee may not exceed fourteen dollars ($14.00)."

Sec. 2. Chapter 131D of the General Statutes is amended by adding a new Article to read:

"ARTICLE 5.

"Miscellaneous Provisions.

"§ 131D-40. Criminal history record checks required for certain applicants for employment.

(a) Requirement. -- An offer of employment by an adult care home licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a criminal history record check of the applicant. An adult care home shall not employ an applicant who refuses to consent to a criminal history record check required by this section. An adult care home shall submit a request to the Department of Justice under G.S. 114-19.3 to conduct a criminal history record check within five business days of making the conditional offer of employment. All criminal history information received by the home is confidential and may not be disclosed.

(b) Action. -- If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the administrator of the adult care home or the administrator's designee shall consider all of the following factors in determining whether to hire the applicant:

(1) The level and seriousness of the crime.
(2) The date of the crime.
(3) The age of the person at the time of the conviction.
(4) The circumstances surrounding the commission of the crime, if known.
(5) The nexus between the criminal conduct of the person and the job duties of the position to be filled.
(6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed.
(7) The subsequent commission by the person of a relevant offense.

The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the administrator or the administrator's designee.

(c) Limited Immunity. -- An adult care home and an officer or employee of an adult care home that, in good faith, complies with this section is not liable for the failure of the home to employ an individual on the basis of information provided in the criminal history record check of the individual.

(d) Relevant Offense. -- As used in this section, 'relevant offense' means a State crime, whether a misdemeanor or felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of aged or disabled persons. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5."

Sec. 3. Chapter 131E of the General Statutes is amended by adding a new Article to read:

"ARTICLE 15.

"Miscellaneous Provisions.

"§ 131E-255. Criminal history record checks required for certain applicants for employment.

(a) Requirement. -- An offer of employment by a nursing home or a home care agency licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a criminal history record check of the applicant. A nursing home or a home care agency shall not employ an applicant who refuses to consent to a criminal history record check required by this section. A nursing home or home care agency shall submit a request to the Department of Justice under G.S. 114-19.3 to conduct a criminal history record check within five business days of making the conditional offer of employment. All criminal history information received by the home or agency is confidential and may not be disclosed.

(b) Action. -- If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the administrator of the nursing home or home care agency, or the administrator's designee, shall consider all of the following factors in determining whether to hire the applicant:

(1) The level and seriousness of the crime.
(2) The date of the crime.
(3) The age of the person at the time of the conviction.

(4) The circumstances surrounding the commission of the crime, if known.

(5) The nexus between the criminal conduct of the person and the job duties of the position to be filled.

(6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed.

(7) The subsequent commission by the person of a relevant offense.

The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the administrator or the administrator's designee.

(c) Limited Immunity. -- An entity and an officer or employee of an entity that, in good faith, complies with this section is not liable for the failure of the entity to employ an individual on the basis of information provided in the criminal history record check of the individual.

(d) Relevant Offense. -- As used in this section, the term 'relevant offense' has the same meaning as in G.S. 131D-40."

Sec. 4. G.S. 114-19.1 reads as rewritten:

"§ 114-19.1. ~~Fees for performing certain background investigations.~~ Criminal history background investigations; fees.

(a) When the Department of Justice determines that any person is entitled by law to receive information, including criminal records, from the State Bureau of Investigation, for any purpose other than the administration of criminal justice, the State Bureau of Investigation shall charge the recipient of such information a reasonable fee for retrieving such information. The fee authorized by this section shall not exceed the actual cost of locating, editing, researching and retrieving the information, and may be budgeted for the support of the State Bureau of Investigation.

(b) As used in this section, 'administration of criminal justice' means the performance of any of the following activities: the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of persons suspected of, accused of or convicted of a criminal offense. The term also includes screening for suitability for employment, appointment or retention of a person as a law enforcement or criminal justice officer, or as an officer of the court, or for suitability for appointment of a person who must be appointed or confirmed by the General Assembly, the Senate, or the House of Representatives.

(c) In providing criminal history record checks, the Department of Justice shall process requests in the following priority order:

(1) Administration of criminal justice record checks.

(2) Mandatory noncriminal justice criminal history record checks.

(3) Voluntary noncriminal justice criminal history record checks.

(d) Nothing in this section shall be construed as enlarging any right to receive any record of the State Bureau of Investigation. Such rights are and shall be controlled by G.S. 114-15, G.S. 114-19, G.S. 120-19.4A, and other applicable statutes."

Sec. 5. This act becomes effective January 1, 1997, except that the requirements imposed by Section 3 of this act on home care agencies become effective January 1, 1998. Sections 3 and 4 apply to applicants who apply for employment on or after the appropriate effective date.

In the General Assembly read three times and ratified this the 21st day of June, 1996.

DENNIS A. WICKER

Dennis A. Wicker
President of the Senate

HAROLD J. BRUBAKER

Harold J. Brubaker
Speaker of the House of Representatives

CHECKLIST FOR ORDINANCE/STATUTE APPROVAL FOR NON CRIMINAL JUSTICE LICENSE/EMPLOYMENT ACCESS

The rules governing the FBI and SBI for non-criminal justice license/employment use require that in order for a governmental agency to gain access to SBI/DCI criminal history record information, there must be either a general statute (for state and national access) or a local ordinance (for state access only) which mandates that agency's need for access. The following list of information to be included in an ordinance/statute is divided into two categories: required and discretionary. For state and national access, a statute must contain all of the required elements listed for national access. For state only access, a statute or ordinance must contain the required elements listed for state access. Officials should also consider including the discretionary elements since it will give their ordinance/statute clarity.

These checklist items are intended only as a guideline for approving and drafting statutorial authority. In some cases the North Carolina Attorney Generals Office (State Bureau of Investigation) and/or the U.S. Attorney Generals Office (Federal Bureau of Investigation) may need to review the statutory authority in an effort to grant approval for criminal history access. Fingerprint verification of criminal records will involve a "fee for service".

Required Elements for National (FBI) access. The statute shall:

1) Specify who is subject to the statute.

2) Require the applicant to provide a completed applicant fingerprint card.

3) If a criminal justice agency is charged with the responsibility of issuing the license/employment, specify which criminal justice agency.

4) If not a criminal justice agency, specify which governmental agency is responsible for license issuance/employment.

   NOTE: *When access is granted to an issuing governmental agency which is not a criminal justice agency, further agreements requiring compliance with SBI/DCI regulations and fee payment terms will be required.*

5) Clearly indicate that criminal history record access is authorized and identify the criteria for which a person would be denied employment, permit, license, etc., e.g., convictions of any felonies, misdemeanors involving drugs, etc.

Discretionary Elements. The statute should:

1) Specify the purpose of the statute.

2) Define in the statute, or in some other appropriate document, such as a personnel manual, any term or phrase which is vague or could be the subject of various interpretations.

Required Elements for State (SBI) access. The ordinance or statute shall:

1) Specify who is subject to the ordinance/statute.

2) Require the applicant to provide all necessary identification information, either name and other appropriate identifiers, or a completed applicant fingerprint card.

3) If a criminal justice agency is charged with the responsibility of issuing the license/employment, specify which criminal justice agency.

4) If not a criminal justice agency, specify which government agency is responsible for license issuance/employment.

NOTE: *When access is granted to an issuing governmental agency which is not a criminal justice agency, further agreements requiring compliance with SBI/DCI regulations and fee payment terms will be required.*

5) Clearly indicate that criminal history record access is authorized and identify the criteria for which a person would be denied employment, permit, license, etc., e.g. convictions of any felonies, misdemeanors involving drugs, etc.

Discretionary Elements. The ordinance/statute should:

1) Specify the purpose of the ordinance/statute.

2) Define in the ordinance/statute, or in some other appropriate document, such as a personnel manual, any term or phrase which is vague or could be the subject of various interpretations.

Revised 05/94

CJIS Information Letter — December 1, 1999

The Volunteers for Children Act - Amending the National Child Protection Act

Effective December 20, 1993, the National Child Protection Act of 1993 (NCPA), Public Law (Pub. L.) 103-209, encouraged states to adopt legislation meeting the criteria of Pub. L. 92-544 to authorize a national criminal history background check to determine an employee's or volunteer's fitness to care for the safety and well-being of children. On September 13, 1994, the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, expanded the scope of the NCPA to include the elderly and individuals with disabilities. See 42 U.S.C. §5119a(a)(3).

By Letter to Contributors No. 95-3, dated July 17, 1995, the FBI provided advice regarding implementation of the NCPA. The Letter to Contributors noted in relevant part:

> Under the National Child Protection Act (NCPA), a state is encouraged to have in effect national background check procedures that enable a qualified entity to determine whether an individual applicant is fit to care for the safety and well-being of children, the elderly, or individuals with disabilities. The procedures would permit a "qualified entity" to ask an authorized state agency to request a nationwide background check on an applicant provider. The authorized agency shall access and review state and federal criminal history records through the national criminal history background check system and shall make reasonable efforts to respond to an inquiry within 15 business days . . . . Any nationwide background check and its results shall be handled in accordance with the requirements of Public Law (Pub. L.) 92-544 . . . .

Despite such encouragement, numerous jurisdictions did not enact implementing state legislation; hence, on October 9, 1998, Congress enacted the Crime Identification Technology Act of 1998 (CITA), Pub. L. 105-251, Sections 221 and 222 of which constitute the Volunteers for Children Act (VCA)(also known as the Foley Bill).[1] The VCA relieves the states of the necessity to enact legislation consistent with Pub. L. 92-544 as a prerequisite to access national criminal history record information under the

[1] A copy of the NCPA, with the provisions amended by the VCA highlighted, is appended hereto as Appendix A.

authority of the NCPA.[2] This CJIS Information Letter will discuss the VCA and the mechanics of utilizing its provisions, as well as answer frequently asked questions and provide guidance on potential disqualfiers and notification to the applicant of his rights under the NCPA/VCA.

The procedure envisioned by the NCPA/VCA is as follows: First,

> A State may have in effect procedures (established by State statute or regulation) that require qualified entities designated by the State to contact an authorized agency of the State to request a nationwide background check for the purpose of determining whether a provider has been convicted of a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities.

42 U.S.C. §5119a(a)(1). Alternatively,

> In the absence of State procedures referred to in paragraph (1), a qualified entity designated under paragraph (1) may contact an authorized agency of the State to request national criminal fingerprint background checks. Qualified entities requesting background checks under this paragraph shall comply with the guidelines set forth in subsection (b) and with procedures for requesting national criminal fingerprint background checks, if any, established by the State.

42 U.S.C. §5119a(a)(3).

Second;

> The authorized agency shall access and review State and Federal criminal history records through the national criminal history background check system and shall make reasonable efforts to respond to the inquiry within 15 business days.

42 U.S.C. §5119a(a)(2).

---

[2] As Senator Hatch stated in sponsoring the amended bill in the Senate, "This provision amends the NCPA to permit child care, elder care, and volunteer organizations, known as qualified entities, to request background checks through state agencies in the absence of state laws implementing the NCPA . . . . This provision is a modest change to current law . . . ." July 13, 1998, Congressional Record.

Third, if dispositional data are missing, the authorized agency must research state and local systems to obtain complete data. See 42 U.S.C. §5119a(b)(3).

Fourth,

> [T]he authorized agency shall make a determination whether the provider has been convicted of, or is under pending indictment for, a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities and shall convey that determination to the qualified entity . . . .

42 U.S.C. §5119a(b)(4).

42 U.S.C. § 5119c provides definitions for key terms as follows:

> For the purposes of this Act—
>
> (1) the term "authorized agency" means a division or office of a State designated by a State to report, receive, or disseminate information under this Act . . . .
>
> (5) the term "care" means the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities . . . .

Under Paragraph (9), the term "provider" means a person who is employed by or volunteers with a qualified entity, owns or operates a qualified entity, or has or may have unsupervised access to a child to whom the qualified entity provides child care and applicants for such positions.

Under Paragraph (10), "the term 'qualified entity' means a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services . . . ."

The NCPA, as amended by the VCA, now authorizes national fingerprint-based criminal history background checks of volunteers and employees (including applicants for employment) of qualified entities who provide care for children, the elderly, or individuals with disabilities, and those who have unsupervised access to such populations (regardless of employment or volunteer status), for the purpose of determining whether they have been convicted of crimes that bear upon their fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities. See 42 U.S.C. §5119a(a)(1).

Question 2: Can a state designate more than one "authorized agency?"

Implementation of the VCA will involve such diverse situations as an occasional reading volunteer to small children at a recently established parochial school to a full-time registered nurse at a franchised nursing home facility. In both instances, there may well be state agencies more familiar with the *bona fides* of the entities seeking the status of "qualified entities" and the appropriate standards to be applied to the criminal history record information disseminated by the FBI regarding these applicants' fitness. States may determine that governmental agencies which routinely regulate these activities are in a better position to determine these applicants' fitness than, for example, the State Police.

This conclusion is further reinforced when one considers that, if a state has an approved Pub. L. 92-544 statute which only partly covers the area—for example, a teacher backgrounding statute but not a school librarian backgrounding statute—the state bureau may be faced with the situation in which the Board of Education makes the former determination but the State Police makes the latter. To avoid such unnecessary bifurcation, and to ensure that the employment decision is made by the agency best situated by reason of experience and expertise in the substantive field, the state may designate the Board of Education as the "authorized agency" for that purpose. Alternatively, the two state "authorized agencies" may jointly make a fitness determination, which is consistent with the authority that a proper recipient of criminal history record information may share such information under the "related agency" doctrine (further discussed in Question 8).

Question 3: "Qualified entities"—what are they; do they have to be predominantly engaged in covered activity; and who designates such entities?

42 U.S.C. §5119c(10) defines the term "qualified entity" as "a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services . . . ." A business or organization attains "qualified entity" status by being designated by the state. See 42 U.S.C. §5119a(a)(1) and (3).[4]

Although the term "qualified entity" is broad, it certainly is not unlimited. Sunday school and parochial school teachers; Pop Warner, soccer, and T-ball coaches; Girl and Boy Scouts of America, Campfire Girls, Girls and Boys Clubs, and Police Athletic Leagues; and state-licensed day care centers (for juveniles as well as the elderly) are

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[4] Although the state agency which makes such designation is unidentified in the NCPA/VCA, it is anticipated that it will likely be the same governmental "authorized agency" as that performing the background screening.

entities which would be designated "qualified entities" on a fairly routine basis. An unassociated or independent entity could also be designated a "qualified entity," although the designation might require increased scrutiny in contrast to one authorized by a diocese or presbytery, or one previously recognized by a state licensing agency.

In contrast, a solo babysitter retained from a supermarket bulletin board would not satisfy the definition of a "qualified entity" under Section 5119c(10), in that it would be difficult to characterize such individual as a "business or organization." A babysitting placement service, however, whether incorporated or not, which satisfied state requirements for such service (if they existed), could obtain "qualified entity" status and obtain fitness determinations from the authorized agency regarding its employees. To ease the burden upon the states in making such determinations, it is recommended that a state recognize and broadly designate well recognized parent organizations and their operating subordinate entities. Hence, diocesan elementary and high schools could be designated, as well as the various counties' little league programs, without the necessity of each parochial school or team petitioning the state for "qualified entity" status.

Additionally, Section 5119c(10) contains no predominant purpose or financial attributional requirement for the "qualified entity." Hence, although a pediatric or geriatric medical practice providing treatment to children or the elderly, respectively, would clearly be a "qualified entity," a general practice which only partly provides such services could also qualify. Such determination would be made by a state's "authorized agency," either on a case-by-case basis or by class.

It should be noted that a state is under no obligation to designate all or even any organization which requests a "qualifying entity" determination; rather, it is the state which acts as the "gatekeeper" in designating "qualified entities." The FBI does not have the statutory authority to render "qualified entity" determinations should a state elect not to designate applicant organizations, nor can an adverse state determination be appealed to the FBI.

Question 4: What is the role of the "qualified entity" in the backgrounding process?

As envisioned by the VCA, the "qualified entity" has several functions. First, it obtains fingerprints from the subject and a signed statement reflecting name, address, date of birth and a representation that the individual "has not been convicted of a crime and, if the provider has been convicted of a crime, contains a description of the crime and the particulars of the conviction . . . ."[5]

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[5] Although 49 U.S.C. §5119a(a)(1) discusses "whether a provider has been convicted of a crime that bears upon the provider's fitness *(Continued on Page 7)*

Second, the notice informs the "provider that the entity may request a background check," that the individual is entitled to "obtain a copy of any background check report" and can "challenge the accuracy and completeness of any information contained in any such report and obtain a prompt determination as to the validity of such challenge before a final determination is made by the authorized agency," and "that prior to the completion of the background check the qualified entity may choose to deny the provider unsupervised access to a person to whom the qualified entity provides care . . . ."

Third, upon the receipt of the determination from the "authorized agency," the qualified entity communicates such determination to the subject of the record.

Question 5: Must a qualified entity background all applicants and employees, or may it selectively choose who to background?

Under the VCA, a qualified entity's decision to request a background check is discretionary. As Congressman McCollum stated, "This bill in no way requires these organizations to conduct fingerprint checks . . . . The bill simply provides organizations with the option of requesting the checks if there is no law in place precluding them." Congressman Foley echoed this observation, "It does not require any group to seek these background checks . . . ." October 7, 1998, Congressional Record.

The qualified entity may, therefore, elect to submit fingerprints on some applicants/employees/voiunteers and not on others. For example, it may be desirable to background only those with unsupervised access to these susceptible populations rather than all volunteers (many of whom would never be alone with their charges), a distinction permitted under the VCA.[6] Alternatively, if a coach applicant was recently

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to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities," Section 5119a(b)(4) more expansively cites as the determining factor "whether the provider has been convicted of, or is under pending indictment for, a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities . . . ." To forestall a charge that the subject has been less than candid with the qualified entity the model self-disclosure form appearing at Appendix B inquires into pending indictments.

[6] Accompanying the NCPA was House Report 103-393 [NCPA Committee Report] by the Committee on the Judiciary, which encouraged such distinctions:
(Continued on Page 8)

hired by a school board as a teacher, for example, and such process required a criminal history background check, a little league team may then conclude that a background check is unnecessary when he applies for a position as a volunteer coach.

It must be noted, however, that an election not to submit fingerprints for a national criminal history record check carries with it a concomitant risk whose magnitude cannot be measured. For example, a lifetime resident of a community may have a criminal record established in another jurisdiction while on vacation or in the military or during post-secondary education. Only a current background check will reveal such information. Additionally, inasmuch as the criteria for disqualifications may differ depending upon the applicant or employee's position (see below), conduct that may have been insufficient to disqualify an applicant for another position may suffice to bar the applicant for the current position. The qualified entity's decision to background an individual should be made after weighing factors it considers relevant.

Question 6: Does the applicant or employee personally have to be a care provider to be amenable to backgrounding under the VCA; does the subject of the background investigation even have to be an applicant, employee, or volunteer?

42 U.S.C. §5119a(a)(1) speaks to backgrounding an individual to determine whether a "provider has been convicted of a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities." However, 42 U.S.C. §5119c(9) defines the term "provider" to mean " (A) a person who—(i) is employed by or volunteers with a qualified entity; (ii) who owns or operates a qualified entity; or (iii) who has or may have unsupervised

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> The bill includes a very broad definition of "child care provider," but the Committee does not believe that all occupations and volunteer positions within that broad definition merit the time and expense of criminal history records checks. There are other means available to protect children from abuse, including the checking of prior employment history and character references and proper training and supervision of employees and volunteers. The Committee expects that the States, in deciding which types or categories of positions require criminal history background checks, will consider the degree to which a particular position or child care activity offers opportunities to those who would abuse children. The Committee expects that the States will find, for example, that positions involving long-term or ongoing contact with children in one-on-one situations merit criminal history record checks and that positions that involve infrequent direct contact or contact only in group settings do not merit such checks.

access to a child to whom the qualified entity provides child care; and (B) a person who—(i) seeks to be employed by or volunteer with a qualified entity; (ii) seeks to own or operate a qualified entity; or (iii) seeks to have or may have unsupervised access to a child to whom the qualified entity provides child care . . . ." 42 U.S.C. §5119c(10) defines the term "qualified entity" as "a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services . . . ."

From the foregoing, it appears that it is the "business or organization" that must "provide care or care placement services" in order to be deemed a "qualified entity." The employee or volunteer to be backgrounded does not himself have to be a caregiver. Hence, school cooks and janitors fall within the definition of "provider"—and, therefore, are amenable to backgrounding—even though they have no direct responsibility for the care of children. They fall within the parameters of the VCA because their employer (the school) is a qualified entity.

Furthermore, the statute is expansive enough to cover nonemployees and nonapplicants in certain settings involving children. The definitional section covers (a) employees and applicants, (b) an owner or operator of a qualified entity, and (c) one who "has or may have unsupervised access to a child to whom the qualified entity provides child care . . . ." See Section 5119c(9)(iii). The last category covers vendors or independent contractors who potentially have unsupervised access to children. For example, a dairy employee who daily delivers milk to a school (and may even have a key for early morning entry) or a floor waxing serviceman who strips and waxes the school hallways could be covered by this provision if he has or may have unsupervised access to children. It is legally unimportant that they are independent contractors or employees of other businesses that have contractual relationships with the qualified entity.

Question 7: Must a check of state criminal history records precede or be contemporaneous to submission of fingerprints to the FBI for a check of its records?

Yes. 42 U.S.C. §5119a (a)(2) requires that "[t]he authorized agency shall access and review State and Federal criminal history records through the national criminal history background check system . . . ." A check of state records is also advisable for several reasons. First, the NCPA authorizes states to impose a fee for both state and federal checks; however, if a state check results in a positive identification of the subject's fingerprints with a state criminal history record, the state identification bureau is permitted to utilize the National Crime Information Center to access the Interstate Identification Index (to conduct a "QR" record request transaction using Purpose Code "I"), thereby saving the expense of and time for a national fingerprint check.

Additionally, there are numerous instances in which state criminal history records are more complete, and reflect dispositions in a greater percentage of cases, than national records. Disqualifying conduct identified through state records may entirely obviate the need for a check of FBI records.

Question 8: Can a "qualified entity" which is governmental be privy to a subject's criminal history record information?

Under current federal law there is no prohibition against redissemination of criminal history record information to another government agency (such as a public school system) under the "related agency" doctrine. The FBI and the Department of Justice have historically interpreted the term "related agencies" contained in 28 U.S.C. §534(b), which warns that "the exchange of records and information. . . . is subject to cancellation if dissemination is made outside the receiving department or related agency" to mean **other governmental agencies.** As a result of such interpretation, information disseminated to one government agency (e.g., the state identification bureau) pursuant to a state statute enacted under Pub. L. 92-544 may be redisseminated to a second government agency (e.g., the State Board of Education) without violating federal law. In light of such treatment under Pub. L. 92-544, redissemination by the authorized agency to a second *governmental* agency that bears regulatory responsibility for the qualified entity or the substantive area in which the qualified entity operates is permissible.

Question 9: May a nongovernmental qualified entity receive a subject's criminal history record information pursuant to the VCA?

No. The NCPA and VCA carefully distinguish between the responsibilities of the qualified entity and the authorized agency. It is the latter's responsibility to review criminal history records, obtain dispositions, render fitness determinations, and communicate those determinations to private qualified entities. There are no provisions for, nor is there an authorized purpose for, transmitting the criminal history record information to a nongovernmental qualified entity. Such conclusion, based upon federal law, is unaltered by a state law attempting to authorize such redissemination.

Question 10: Does the NCPA/VCA explicitly enumerate disqualifiers and can an authorized agency consider criminal records other than convictions?

Whether a fitness determination is made by the State Police or another "authorized agency," in no way resolves the question of the criteria to be applied to such determination. The initial guideline provided by the NCPA is that disqualifying convictions should "bear upon the provider's fitness to have responsibility for the safety and well-being of children . . . ." The NCPA Committee Report reveals the genesis of this term:

> Each State must designate an agency that will review the results and determine if the individual is eligible for employment in a child care position. The formulation "a crime that bears upon an individual's fitness to have responsibility for the safety and well-being of children" is drawn from federal legislation passed in 1990, which required background checks for employees of Federally-run day care centers.

However, 42 U.S.C. §13041, the statute to which the NCPA Committee Report refers, provides in Paragraph (c) (entitled "Applicable criminal histories") a list of the crimes Congress considered "applicable": "[a]ny conviction for a sex crime, an offense involving a child victim, or a drug felony . . . ." The NCPA provides no such explicit guidance.

Moreover, the NCPA is inconsistent in that although 42 U.S.C. §5119a(a)(1) discusses "whether a provider has been convicted of a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities," Section 5119a(b)(4) more expansively cites as the determining factor "whether the provider has been convicted of, **or is under pending indictment for**, a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities. . . ." Emphasis added. In light of such provision, it is proper for an authorized agency to consider both convictions and pending indictments.

Question 11: What are the criminal history disqualifiers the "authorized agency" should consider when making the fitness determination?

Since the NCPA/VCA contains no enumeration of disqualifying crimes to provide guidance to an authorized agency in rendering its determination, reference to federal or state statutes with a similar focus is advisable.

In enacting state statutes under the standards of Public Law 92-544, states often enumerate the crimes—either specifically or by class—that are either permanent or temporary disqualfiers. For example, the District of Columbia recently considered an adoptive and foster care statute, which had the following provisions:

> Neither the Agency nor a licensed child-placing agency shall grant approval or licensure if the Agency determines from the criminal background records check that an applicant has a felony conviction for any of the following felonies or their equivalents: (1) child abuse; (2) child neglect; (3) spousal abuse; (4) a crime against children, including child pornography; or (5) a crime involving violence, including rape, sexual assault, or battery.

Neither the Agency nor a licensed child-placing agency shall grant approval or licensure if the Agency determines from the criminal background records check that an applicant has a felony conviction for any of the following felonies or their equivalents committed with the past five years: (1) physical assault; (2) battery; or (3) a drug-related offense.

A Michigan statute governing driving instructors prohibits licensure if the applicant has "a prior felony or misdemeanor conviction for criminal sexual conduct . . . or a felony conviction for a crime in which an element of the crime is the use or threat of use of physical force." Michigan Compiled Laws §256.605.

In Arizona, child care workers are backgrounded pursuant to Arizona Revised Statutes Annotated §36-897.03 (recently revised as Arizona Revised Statute Annotated §41-1758.03):

E. Child care personnel shall certify on forms that are provided by the department and notarized that:

1. They are not awaiting trial on or have never been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in this state or similar offenses in another state or jurisdiction:

(a) Sexual abuse of a minor.
(b) Incest.
(c) First or second degree murder.
(d) Kidnapping.
(e) Arson.
(f) Sexual assault.
(g) Sexual exploitation of a minor.
(h) Felony offenses involving contributing to the delinquency of a minor.
(i) Commercial sexual exploitation of a minor.
(j) Felony offenses involving sale, distribution or transportation of, offer to sell, transport or distribute or conspiracy to sell, transport or distribute marijuana or dangerous or narcotic drugs.
(k) Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs.
(l) Misdemeanor offenses involving the possession or use of marijuana dangerous drugs.
(m) Burglary in the first degree.
(n) Burglary in the second and third degree.
(o) Aggravated or armed robbery.
(p) Robbery.

(q) A dangerous crime against children as defined in Section 13-604.01.
(r) Child abuse.
(s) Sexual conduct with a minor.
(t) Molestation of a child.
(u) Voluntary manslaughter.
(v) Assault or aggravated assault.
(w) Exploitation of minors involving drug offenses.

A recent New Mexico statute governing child caregivers [New Mexico Statutes Annotated §29-17-5] offers the following prohibitors:

D. The following felony convictions disqualify an applicant or caregiver from employment as a caregiver:

(1) homicide;
(2) trafficking controlled substances;
(3) kidnapping, false imprisonment, aggravated assault or aggravated battery;
(4) rape, criminal sexual penetration, criminal sexual contact, incest, indecent exposure or other related sexual offenses;
(5) crimes involving adult abuse, neglect or financial exploitation;
(6) crimes involving child abuse or neglect; or
(7) robbery, larceny, extortion, forgery, embezzlement, credit card fraud or receiving stolen property.

Employees in North Carolina child care facilities are covered pursuant to General Statutes of North Carolina §110-90.2:

(3) "Criminal history" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or a felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of children as set forth in G.S. 110-91(8). Such crimes include the following North Carolina crimes contained in any of the following Articles of Chapter 14 of the General Statutes: Article 6, Homicide; Article 7A, Rape and Kindred Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 26, Offenses Against Public Morality and Decency; Article 27, Prostitution; Article 39, Protection of Minors; Article 40, Protection of the Family; and Article 59, Public Intoxication . . . .

In addition to the North Carolina crimes listed in this subdivision, such crimes also include similar crimes under federal law or under the laws of other states.

Several federal statutes also provide guidance. For example, the Adoption and Safe Family Act [Pub. L. 105-89] provides in 42 U.S.C. §671(a)(20) the following as disqualfiers in the areas of foster care and adoptive parentage:

> (i) [I]n any case in which a record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children (including child pornography), or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, if a State finds that a court of competent jurisdiction has determined that the felony was committed at any time, such final approval shall not be granted; and
>
> (ii) in any case in which a record check reveals a felony conviction for physical assault, battery, or a drug-related offense, if a State finds that a court of competent jurisdiction has determined that the felony was committed within the past 5 years, such final approval shall not be granted . . . .

25 U.S.C. §3207(b), concerning Indian child and family violence protection, provides:

> The minimum standards of character that are to be prescribed under this section shall ensure that none of the individuals appointed to positions described in subsection (a) have been found guilty of, or entered a plea of *nolo contendere* or guilty to, any offense under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, contact or prostitution; or crimes against persons.

42 U.S.C. §13041, concerning federal child care workers, states:

> (c) Applicable criminal histories
>
> Any conviction for a sex crime, an offense involving a child victim, or a drug felony, may be ground for denying employment or for dismissal of an employee in any of the positions listed in subsection (a)(2). In the case of an incident in which an individual has been charged with one of those offenses, when the charge has not yet been disposed of, an employer may suspend an employee from having any contact with children while on the job until the case is resolved. Conviction of a crime other than a sex crime may be considered if it bears on an individual's fitness to have responsibility for the safety and well-being of children.

Further assistance regarding disqualifying criminal conduct is provided by an Office of Juvenile Justice and Delinquency Prevention (OJJDP) publication entitled *Guidelines for the Screening of Persons Working With Children, the Elderly, and Individuals with Disabilities in Need of Support*, NCJ 167248, available from the OJJDP Clearinghouse via Internet [OJJDP.NCJRS.ORG], telephone [800-638-8736] or facsimile [301-519-5212]. Fewer than six copies are provided free of charge.

A persuasive argument in favor of formalizing the criteria to be applied by the "authorized agency" in rendering its fitness determination is the concern regarding equitable treatment. The broad breadth of the VCA raises the likelihood that those with similar backgrounds—for example, two teacher applicants with five-year-old convictions for petty larceny—will receive dissimilar treatment by two different clerks in the authorized agency who must apply the VCA in the absence of specific disqualifying criteria. Such result raises the specter of litigation by those believed to be the subjects of impermissible discrimination. Explicitly identifying disqualifying criminal conduct ensures uniformity of treatment.

Question 12: What if a state already has a statute covering some of the positions governed by the VCA?

The predicate, "[i]n the absence of State procedures," stated in Section 5119a(a)(3), has been interpreted in the narrowest sense so as to afford the widest range of VCA coverage of applicants for employment, employees, and volunteers. Hence, should a state have an statute approved pursuant to Pub. L. 92-544 that requires background checks of, teachers for example, that state statute would serve as authority for those background checks. The VCA could serve as the statutory basis to conduct a background check on other school employment applicants, employees (such as cooks or janitors), and volunteers, but would not be applicable to teachers' background checks since they are already covered by the state statute. Additionally, should a state require a criminal history background check of a class of employees only meeting certain criteria (e.g., residing in the state less than eight years), the VCA again could be used for that class of employees falling outside such criteria.

Question 13: What Originating Agency Identifier (ORI) should be used?

The ORI of the "authorized agency" is the proper ORI to be recorded as the submitting agency, and NCPA/VCA the appropriate statutory authority to be listed.

The FBI's current charge of $24 ($22 for billing states) for processing each fingerprint card submission for an employee or applicant for employment under Public Law 92-544 remains unchanged under the VCA. With respect to the user fee for processing the fingerprints of a "volunteer" care provider, 42 U.S.C. §5119a(e) states that the fees collected by authorized state agencies and the FBI may not exceed the

lesser of $18 or the actual cost. The FBI currently charges $18 ($16 for billing states) to process the fingerprint cards for volunteer care providers, and this fee also remains unchanged under the VCA. If applicable, the word "Volunteer" must be added in the "Reason Fingerprinted" block of the fingerprint card to obtain the reduced rate.

Appendix A

The Volunteers for Children Act (Sections 221 and 222 of the Crime Identification Technology Act of 1998), Public Law (Pub. L.) 105-251, which amended the National Child Protection Act of 1993, Pub. L. 103-209 (as previously amended by the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322).

42 U.S.C. §5119a (1998). Background checks

(a) In general.

(1) A State may have in effect procedures (established by State statute or regulation) that require qualified entities designated by the State to contact an authorized agency of the State to request a nationwide background check for the purpose of determining whether a provider has been convicted of a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities.

(2) The authorized agency shall access and review State and Federal criminal history records through the national criminal history background check system and shall make reasonable efforts to respond to the inquiry within 15 business days.

(3) In the absence of State procedures referred to in paragraph (1), a qualified entity designated under paragraph (1) may contact an authorized agency of the State to request national criminal fingerprint background checks. Qualified entities requesting background checks under this paragraph shall comply with the guidelines set forth in subsection (b) and with procedures for requesting national criminal fingerprint background checks, if any, established by the State.

(b) Guidelines. The procedures established under subsection (a) shall require—

(1) that no qualified entity may request a background check of a provider under subsection (a) unless the provider first provides a set of fingerprints and completes and signs a statement that—

(A) contains the name, address, and date of birth appearing on a valid identification document (as defined in section 1028 of title 18, United States Code) of the provider;

(B) the provider has not been convicted of a crime and, if the provider has been convicted of a crime, contains a description of the crime and the particulars of the conviction;

(C) notifies the provider that the entity may request a background check under subsection (a);

(D) notifies the provider of the provider's rights under paragraph (2); and

(E) notifies the provider that prior to the completion of the background check the qualified entity may choose to deny the provider unsupervised access to a person to whom the qualified entity provides care;

(2) that each provider who is the subject of a background check is entitled–

(A) to obtain a copy of any background check report; and

(B) to challenge the accuracy and completeness of any information contained in any such report and obtain a prompt determination as to the validity of such challenge before a final determination is made by the authorized agency;

(3) that an authorized agency, upon receipt of a background check report lacking disposition data, shall conduct research in whatever State and local recordkeeping systems are available in order to obtain complete data;

(4) that the authorized agency shall make a determination whether the provider has been convicted of, or is under pending indictment for, a crime that bears upon the provider's fitness to have responsibility for the safety and well-being of children, the elderly, or individuals with disabilities and shall convey that determination to the qualified entity; and

(5) that any background check under subsection (a) and the results thereof shall be handled in accordance with the requirements of Public Law 92-544 , except that this paragraph does not apply to any request by a qualified entity for a national criminal fingerprint background check pursuant to subsection (a)(3).

(c) Regulations.

(1) The Attorney General may by regulation prescribe such other measures as may be required to carry out the purposes of this Act, including measures

relating to the security, confidentiality, accuracy, use, misuse, and dissemination of information, and audits and recordkeeping.

(2) The Attorney General shall, to the maximum extent possible, encourage the use of the best technology available in conducting background checks.

(d) Liability. A qualified entity shall not be liable in an action for damages solely for failure to conduct a criminal background check on a provider, nor shall a State or political subdivision thereof nor any agency, officer or employee thereof, be liable in an action for damages for the failure of a qualified entity (other than itself) to take action adverse to a provider who was the subject of a background check.

(e) Fees. In the case of a background check pursuant to a State requirement adopted after the date of the enactment of this Act [enacted Dec. 20, 1993] conducted with fingerprints on a person who volunteers with a qualified entity, the fees collected by authorized State agencies and the Federal Bureau of Investigation may not exceed eighteen dollars, respectively, or the actual cost, whichever is less, of the background check conducted with fingerprints. The States shall establish fee systems that insure that fees to nonprofit entities for background checks do not discourage volunteers from participating in child care programs.

42 U.S.C. §5119c (1998). Definitions

For the purposes of this Act—

(1) the term "authorized agency" means a division or office of a State designated by a State to report, receive, or disseminate information under this Act;

(2) the term "child" means a person who is a child for purposes of the criminal child abuse law of a State;

(3) the term "child abuse crime" means a crime committed under any law of a State that involves the physical or mental injury, sexual abuse or exploitation, negligent treatment, or maltreatment of a child by any person;

(4) the term "child abuse crime information" means the following facts concerning a person who has been arrested for, or has been convicted of, a child abuse crime: full name, race, sex, date of birth, height, weight, fingerprints, a brief description of the child abuse crime or offenses for which the person has been arrested or has been convicted, the disposition of the

charge, and any other information that the Attorney General determines may be useful in identifying persons arrested for, or convicted of, a child abuse crime;

(5) the term "care" means the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities;

(6) the term "identifiable child abuse crime case" means a case that can be identified by the authorized criminal justice agency of the State as involving a child abuse crime by reference to the statutory citation or descriptive label of the crime as it appears in the criminal history record;

(7) the term "individuals with disabilities" means persons with a mental or physical impairment who require assistance to perform one or more daily living tasks;

(8) the term "national criminal history background check system" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification;

(9) the term "provider" means—

(A) a person who—

(i) is employed by or volunteers with a qualified entity;

(ii) who owns or operates a qualified entity; or

(iii) who has or may have unsupervised access to a child to whom the qualified entity provides child care; and

(B) a person who—

(i) seeks to be employed by or volunteer with a qualified entity;

(ii) seeks to own or operate a qualified entity; or

(iii) seeks to have or may have unsupervised access to a child to whom the qualified entity provides child care;

(10) the term "qualified entity" means a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services; and

(11) the term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, and the Trust Territories of the Pacific.

["This Act", is Act of Dec. 20, 1993, P. L. 103-209, 107 Stat. 2490, known as the National Child Protection Act of 1993. "Public Law 92-544", is Act of Oct. 25, 1972, P. L. 92-544, 86 Stat. 1109.]

Appendix B

APPLICATION AND NOTICE PURSUANT TO THE NATIONAL CHILD PROTECTION ACT OF 1993 AS AMENDED BY THE VOLUNTEERS FOR CHILDREN ACT

To the applicant:

The National Child Protection Act of 1993 (NCPA), Public Law (Pub. L.) 103-209, as amended by the Volunteers for Children Act (VCA), Pub. L. 105-251 (Sections 221 and 222 of Crime Identification Technology Act of 1998), codified at 42 United States Code (U.S.C.) Sections 5119a and 5119c, authorizes a state and national criminal history background check to determine the fitness of an employee, or volunteer, or a person with unsupervised access to children, the elderly, or individuals with disabilities.

Pursuant to the VCA, the entity (a) to which you have applied for employment or to serve as a volunteer; (b) by which you are employed or serve as a volunteer; or (c) which provides care to someone to whom you have or may have unsupervised access, may request a background check. Your rights and responsibilities under the VCA are as follows:

1. Provide a set of fingerprints.

2. Provide your name, address, and date of birth, as appears on a document made or issued by or under the authority of the United States Government, a State, political subdivision of a State, a foreign government, a political subdivision of a foreign government, an international governmental or an international quasi-governmental organization which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals. 18 U.S.C. §1028(d)(2).

3. Provide a certification that you (a) have not been convicted of a crime, (b) are not under indictment for a crime, or (c) have been convicted of a crime. If you are under indictment or have been convicted of a crime, you must describe the crime and the particulars of the conviction, if any.

4. You are entitled to (a) obtain a copy of any background check report and (b) challenge the accuracy and completeness of any information contained in any such report and obtain a prompt determination as to the validity of such challenge before a final determination is made by the state government agency performing the background check. Such request for a copy of your criminal history record and any challenge to the accuracy of such record should be addressed to [state agency].

5. Prior to the completion of the background check, the entity may choose to deny you unsupervised access to a person to whom the entity provides care.

The government agency shall access and review State and Federal criminal history records and shall make reasonable efforts to make a determination whether you have been convicted of, or are under pending indictment for, a crime that bears upon your fitness and shall convey that determination to the qualified entity. The government agency shall make reasonable efforts to respond to the inquiry within 15 business days.

Name:_____
First Middle Maiden Last

Date of Birth:_____

Address:_____
Street Apt.

_____
City State Zip

Document referenced:_____

☐ I have been convicted of, or am under pending indictment for, the following crimes [include the dates, location/jurisdiction, circumstances and outcome]:

☐ I have not been convicted of, nor am I under pending indictment for, any crimes.

I have been provided with a copy of this form. I have read and understood the foregoing and my certification is true and correct to the best of my knowledge and belief.

_____ _____
Date Signature of Applicant

North Carolina

List of approved statutes through the FBI

1. Private protective services business and employees including: (NCGS 74C-8 and 74D-2)
   A. Armored car businesses
   B. Alarm system businesses
   C. Counterintelligence service business
   D. Detection of deception examiners
   E. Security guards and patrol business
   F. Security guards and patrol business
   G. Guard-dog service business
   H. Private detectives/investigators

2. Funeral directors, embalmers and funeral service applicants (NCGS 90-210.25
3. Applicants for Alcoholic Beverage Control (ABC) permits (NCGS 18B-902
4. Taxicab drivers and operators (NCGS 160A-304
5. Precious metals dealer (NCGS 66-165)
6. Dentistry license (NCGS 90-30)
7. Dental hygiene license (NCGS 90-224)
8. Applicants to State Bar (NCGS 84-24)
9. Operators of private personnel serivce (employment agencies)
10. Real estate brokers/salesman (NCGS 93A-4
11. Structural pest control applicators (NCGS 106-65.26)
12. Staff of day-care providers and owners/operators of child day-care facilities and child day-care homes; members of a household family child care home or non-licensed child care home and is over 15 yrs old and is present when children are in care (NCGS 110-90.1 through 110-91)
13. Applicants to practice medicine (NCGS 90-11)
14. Individuals to practice pharmacy (NCGS 90-85.15)
15. Criminal Record checks of Public School Employees including independent contractors of local Board of Education (NCGS 115C-332)

North Carolina (continued)

16. Concealed Handgun Permit (NCGS §14-415.13)

17. Foster Parents Applicant and individuals 18 yrs or older residing in home (NCGS §131D-10.3A)

18. Bail bondsmen and runners (NCGS §58-71-50)

19. Charter School Personnel (NCGS §115C-238.29K)

20. Employees of and applicants for employment with the Department of Health and Human Services (DHHS) or the Office of Juvenile Justice (OJJ) who provide direct care or supervise the provision of direct care for a client, patient, student, resident, or ward of the DHHS or OJJ. (NCGS §114-19.6)

21. Prospective Adoptive Parents seeking to adopt a minor in the custody or placement responsibility of a county Department of Social Services (NCGS §48-3-309)

22. Auctioneer applicants for employment/licensing (NCGS §114-19.8)

23. Applicants as Volunteers for McGruff House and persons over 18 living in applying household (NCGS §114-19.9)

24. Board of Nursing applicants for license as a Registered Nurse or Licensed Practical Nurse (NCGS § 114-19.11)

25. New Domestic Insurance Company License (NCGS § 58-7-37)

26. Mortgage brokers, exclusive mortgage brokers, and loan officer (NCGS § 53-243.16)

27. City employment (NCGS § 114-19.12)

28. Information Technology Security (NCGS § 147-33.82)

29. Locksmith licesees (NCGS § 74F-18)

30. Manufactured home licensees (NCGS § 143-143.10A)

31. **Applicants to fire department (NCGS § 114-19.12)**

→ → <u>Law Enforcement/Criminal Justice Purpose - NO USER FEE</u> ← ←

1. Company police commissioned under (NCGS, Ch. 74A). Process as <u>Law Enforcement Applicant</u> if submitted on public police agency card.

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

February 1, 1994

Mr. Douglas H. Kappler
Section Supervisor
Division of Criminal Information
State Bureau of Investigation
407 North Blount Street
Raleigh, North Carolina 27601

Dear Mr. Kappler:

I refer to your letter dated January 4, 1994, regarding the National Crime Information Center (NCIC) Interstate Identification Index (III) and "guardian ad litem" matters.

NCIC III may not be used to conduct criminal history record background checks pursuant to a local or state court order "...giving [a] guardian ad litem authority to demand any information which may be relevant to the juvenile case before the court." Title 28, United States Code, Section 534 (28 USC 534), Title 28, Code of Federal Regulations (CFR), Part 20, Section 33 (28 CFR 20.33), and policy adopted by the NCIC Advisory Policy Board (APB) (NCIC Computerized Criminal History Program Background, Concept and Policy paper), limit NCIC III access to criminal justice agencies engaged in the administration of criminal justice. The "administration of criminal justice," as defined in 28 CFR 20.3(d), means the performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders, and, by APB policy, includes the performance of certain specific noncriminal justice purposes. For access to III, the administration of criminal justice does not include guardian ad litem activities.

In addition to III, the FBI maintains a criminal history record system based on fingerprint card submissions. Regarding these records, the Privacy Act of 1974 (5 U.S.C. 552a) generally prohibits dissemination to third parties. This

prohibition is subject to specific exceptions, including the release of such records when made pursuant to Title 28, Code of Federal Regulations, Part 16, Subpart D (Sections 40 through 58 [28 CFR 16, Subpart D]). 28 CFR 16 Subpart D, "...contains the regulations of the Department of Justice implementing the Privacy Act of 1974, 5 U.S.C. 552a. The regulations apply to all records which are contained in systems of records maintained by the Department of Justice and which are retrieved by an individual's name or personal identifier....These regulations are applicable to each component of the Department." (28 CFR 16.40). 28 CFR 16.41(e) Verification of guardianship, provides "The...guardian of a minor (or the guardian of a person judicially determined to be incompetent) who submits a request for access to the records of the minor or incompetent must establish: (1) his own identity and the identity of [t]he subject of the record, as required in paragraph (d) of this section, (2) That [he] is the...guardian of the subject of the record, which may be proved by providing a court order establishing the guardianship, and (3) that he seeks to act on behalf of the subject of record." A guardian ad litem may then, through court order, request access to criminal history records maintained by the FBI on the minor or incompetent "subject of record."

In your letter you refer to "...a blanket court order authorizing criminal history data to be run on **candidates** to serve as guardian ad litems [emphasis added]." Pursuant to the above mentioned statute, regulations, and APB policy, III may not be used for what is, in this instance, a noncriminal justice licensing or employment purpose. Furthermore, dissemination of criminal history record information maintained by the FBI for a noncriminal justice licensing or employment purpose is only authorized pursuant to a Federal statute, Executive order, or Public Law (Pub.L.) 92-544 (Title 28, Code of Federal Regulations, Part 20, Section 33 [28 CFR 20.33]). Pub.L. 92-544 dissemination to state and local agencies is permitted "...if authorized by state **statute** and approved by the Attorney General." Pub.L. 92-544, by its terms, delegates legislative powers to state **legislatures**. That provision makes no delegation to any executive or judicial branch agency, thereby eliminating a local or state court order as a basis for allowing access to III or dissemination of FBI criminal history record information. Absent action by your state legislature in accord with Pub.L. 92-544, exchange of criminal history record information for "hiring or court selection" of a guardian ad litem would not be authorized.

Mr. Doug H. Kappler

For a state statute to meet the requirements of Pub.L. 92-544, the state statute establishing guidelines for a category of licensing or employment must, in itself, require fingerprinting of the applicant; and, the state statute must authorize the governmental employing/licensing agency to exchange that fingerprint data with the FBI for a national criminal history record check. If a state statute is passed, or amended, containing this necessary language, the statute would most likely qualify under Pub.L. 92-544 for access to criminal history record information maintained by the FBI. To obtain approval, a copy of the statute should be forwarded to us for review. Upon notification of approval, fingerprint cards would be submitted to the FBI Criminal Justice Information Services Division through your agency and would require a user fee.

I believe this is a complete answer to your questions. If we may be of further assistance, please contact Supervisory Special Agent Rick S. Miller, at 202/324-5050.

Sincerely yours,

Demery R. Bishop
Section Chief
Audit Section
Criminal Justice Information
Services Division

RSM:bdh (6)

Chapter 14.
Criminal Law.
SUBCHAPTER I. GENERAL PROVISIONS.
Article 1.
Felonies and Misdemeanors.

§ 14-1. Felonies and misdemeanors defined.

A felony is a crime which:

(1) Was a felony at common law;
(2) Is or may be punishable by death;
(3) Is or may be punishable by imprisonment in the State's prison; or
(4) Is denominated as a felony by statute.

Any other crime is a misdemeanor. (1891, c. 205, s. 1; Rev., s. 3291; C.S., s. 4171; 1967, c. 1251, s. 1.)

§ 15A-502. Photographs and fingerprints.

(a) A person charged with the commission of a felony or a misdemeanor may be photographed and his fingerprints may be taken for law-enforcement records only when he has been:

(1) Arrested or committed to a detention facility, or

(2) Committed to imprisonment upon conviction of a crime, or

(3) Convicted of a felony.

It shall be the duty of the arresting law-enforcement agency to cause a person charged with the commission of a felony to be fingerprinted and to forward those fingerprints to the State Bureau of Investigation.

(b) This section does not authorize the taking of photographs or fingerprints when the offense charged is a Class 2 or 3 misdemeanor under Chapter 20 of the General Statutes, "Motor Vehicles."

(c) This section does not authorize the taking of photographs or fingerprints of a juvenile alleged to be delinquent except under Article 21 of Chapter 7B of the General Statutes.

(d) This section does not prevent the taking of photographs, moving pictures, video or sound recordings, fingerprints, or the like to show a condition of intoxication or for other evidentiary use.

(e) Fingerprints or photographs taken pursuant to subsection (a) may be forwarded to the State Bureau of Investigation, the Federal Bureau of Investigation, or other law-enforcement agencies. (1973, c. 1286, s. 1; 1977, c. 711, s. 22; 1979, c. 850; 1981, c. 862, s. 3; 1993, c. 539, s. 298; 1994, Ex. Sess., c. 24, s. 14(c); 1996, 2nd Ex. Sess., c. 18, s. 23.2(b); 1998-202, s. 13(f).)

Opinion

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EDITORIALS

The state of children

N.C. should work to be No. 1 in child well-being

Today The Observer's editorial board begins a five-part agenda for improving our city, state and region in 2004. – Editors, The Observer

The failures in safeguarding and improving the welfare of our children are obvious and alarming. Consider:

- North Carolina has one of the nation's highest infant mortality rates. Problems of low-birth-weight babies are worsening. Child poverty, teen pregnancy and dropout rates remain high. North Carolina ranks 39th of 50 states on child well-being in the 2003 Kids Count survey, a national ranking by the nonpartisan Annie E. Casey Foundation.
- In 2002, more than 107,000 N.C. children were investigated for possible abuse, 7,190 here in Mecklenburg. Nearly 33,000 cases of abuse were substantiated, 2,363 in Mecklenburg.
- Nearly 8,000 child fatalities (640 in Mecklenburg) were recorded in the state from 1998 to 2002; In 2001, 24 of them (one in Mecklenburg) were the result of child abuse.
- In 2002, more than 45,000 N.C. juveniles were arrested and nearly 3,000 jailed in juvenile or adult correctional facilities. More than 117,000 were suspended from school.
- N.C. students have improved on national tests, performing above the national average. That's the good news. The bad news is that 60 to 70 percent still aren't proficient in reading or math.

South Carolina is no better. S.C. students performed mostly below the national average, and more than 70 percent aren't proficient in core subjects. The state ranks 45th in the Kids Count analysis, with teen birth, child poverty and infant mortality rates higher than in North Carolina.

What can be done to change things? A lot, if there's real commitment. North Carolina proved that with last year's results of the annual N.C. Health Report Card. Where state and local officials, and the public, committed resources, time and effort, improvements were evident.

CONTINUED ON BACK

AGENDA 2004
OUR CHILDREN

Agenda for children

ABUSE AND NEGLECT

Problem: In 2002, at least 33,000 cases of child abuse occurred in North Carolina, more than 11,000 in South Carolina and 2,363 in Mecklenburg County.
Strategies: Provide more and better training and resources for parents. Provide social workers access to state criminal records to better assess care-givers. Computerize records and create a central database to better coordinate agencies working on behalf of children. Report child abuse when suspected.

JUVENILE DELINQUENCY

Problem: In 2002, nearly 3,000 N.C. juveniles were jailed in juvenile or adult correctional facilities. More than 117,000 were suspended from school. In South Carolina, more than 2,200 were jailed.
Strategies: Provide more and better after-school, weekend and summer programs for young people to keep them safe as well as keep them out of trouble.

EDUCATION

Problem: The academic performance of Carolinas students is improving nationally, but most students still aren't proficient in core subjects. Additionally, the performance gap between white and non-white students is still large, though narrowing.
Strategies: Support and commit resources to provide quality child-care and preschool programs to all children who need them. Push for fully qualified teachers in every class.

The immunization of 2-year-olds is a good example. When vaccines were made available free or at low cost, and a public initiative underscored their importance, the state's immunization rate zoomed to 90 percent – second in the nation.

This year, our state should push for similar results in other areas, especially these three:

Child abuse and neglect

The number of Carolinas children hurt or killed through abuse is shameful. An Observer investigation last summer detailed how dismally we failed to protect the weak and innocent. That chilling report should spur us to action. How?

Provide resources to develop better parents. Make wider use of proven programs such as intensive home visiting by social workers. Provide social workers access to state criminal records so they know whom they are entrusting with the care of children. If that requires changes in state and federal law, push lawmakers to make them. Find ways to reduce the high turnover rates of social workers and lessen the heavy caseloads. Develop better coordination and communication between agencies working on behalf of children. Computerizing records and creating a central database would help. And all of us must be on the lookout for child abuse and willing to report it.

Juvenile delinquency

We must do more to keep young people out of trouble. Good parent training helps. So does providing productive activities after school, on weekends and during the summer so young people will have less time and energy to get in trouble. We know juvenile violence peaks in the hours after school and in the evenings on non-school days, yet last summer the City of Charlotte's staff recommended cutting after-school programs to help balance the budget. City leaders rejected that move, noting rightly that by helping keep children safe and out of trouble, such programs build a stronger, more prosperous city. Such programs should be available to all who need them.

Education

We must close the academic performance gap between white and non-white students and boost the achievement levels of all students. We must remove the barriers that hamper performance and support efforts that are proven to work, such as quality child-care and preschool programs.

Superior Court Judge Howard Manning of Raleigh recognized that need when he ruled against the state in a lawsuit on education equitability two years ago. He said North Carolina failed to provide poor and other at-risk children with a sound basic education, and he mandated pre-kindergarten education for those children, as well as fully qualified teachers in every class. The state appealed his ruling, though Gov. Mike Easley has begun implementing some of the judge's suggestions. That the state has failed to perform its constitutional duty is obvious from the high number of North Carolinians who lack a sound basic education. The public must demand that the state muster the will, develop the programs and spend the money to meet its responsibility.

Our children are our future. If we fail to prepare some of them to be responsible citizens and productive workers, we jeopardize the long-term prosperity and health our entire community.

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 13, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Earl Marett	Johnston Co Dept of Social Services
Lanay Johnson	Rockingham Co. Dept. of Social Services
Roy Young	Union Co. Dept of Social Services
Kim George	NCACDSS
Sherry Bradsher	DHHS / DSS
Jennifer Sullivan	NASW. NC
Dan Beerman	JMSW - NC A&T / UNC-G
Brenda Jackson	Greene County Dept. of Social Serv.
David Atkinson	NC DHHS / DSS
Rebecca Brigham	NC DHHS / DSS
Sherri Beal	NCDHHS/DSS

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 13, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Betsy Darrison	Deputy Dec. Counsel NC DHHS
Kim Howes	NCCAI
Paula A. Wolf	Covenant w/NC's Children
Eric Frazer	Charlotte Observer
Tracy Hicks	NCSSA P.O. Box 1408 Moreland City, NC 28557
Katie Myers	DJJDP
Tasha Gardner	YAIO
Corinne Russell	Deputy Wake County Attorney
Kristen Guillory	Governor's Office
John Rustin	NC Family Policy Council

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 13, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Starla McKenney	NC DHHS
Sonya Hathcock	Caldwell Co. DSS
Patricia Causey	Caldwell Co. DSS
Joyce Edwards	Caldwell Co. DSS
[signature]	Cathwell Co DSS
Helen Lipman	Mecklenburg Co DSS
Tina Howard	Governor's Crime Commission 1201 Front St. Suite 200 Raleigh 27609
Jane Volberd	Guardian ad Litem/AOC
Sharon Scott	Stanly County DSS
John Eller	Swain County DSS

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee

Date: January 13, 2004

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Grey McLeod	AGO
Ashly T Ivy	AGO
Tammy Tyson	SBI
Wendy Blackley	SBI
Debbie Goldstone	YAIO
Jon Harris	Specter Morgan
Nancy Dickinson	UNC-Chapel Hill, Jordan Institute
Rob Lennon	HHS

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

December 29, 2003

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Tuesday, January 13, 2004 at 1:00 p.m.
Wednesday, January 14, 2004 at 9:00 a.m.

LOCATION: Room 544, Legislative Office Building

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

December 29, 2003

MEMORANDUM

TO: Members, Jennifer Tolle-Whiteside and Tamara Barringer

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Tuesday, January 13, 2004 at 1:00 p.m.
Wednesday, January 14, 2004 at 9:00 a.m.

LOCATION: Room 544, Legislative Office Building

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

January 14, 2004
Room 544, Legislative Office Building
9:00 a.m.

OPENING REMARKS

Representative Tim Moore
Co-Chair

AGENDA

Stories From The Field:

Law Enforcement Officer, Wake County
Social Worker, Wake County

Law Enforcement Officer, Sampson County
Social Worker, Sampson County

ADJOURNMENT

CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION COMMITTEE

MINUTES

Wednesday, January 14, 2004
9:00 a.m.
Room 544, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care, and Adoption Committee met on Wednesday, January 14, 2004, in Room 544 of the Legislative Office Building. Representatives Moore and Weiss, Co-Chairs, Barbee, Barnhart, Blackwood, Carney, Dickson, Earle, Eddins, Farmer-Butterfield, Frye, Hunter, Jeffus, Lewis, Lucas, Parmon, Preston, Ray, Rayfield, Ross, Warner and public members, Ms. Barringer and Ms. Tolle-Whiteside, attended. Also, in attendance were Ms. Churchill, Ms. Graf Ray, Ms. Morgan, and Ms. Wilks, staff counsel.

Representative Moore presided. He called the meeting to order. Representative Moore said the committee would hear stories from the field----shortcomings and what was working well. Representative Moore and Representative Weiss sought to have a rural system and an urban system.

PRESENTATIONS

Sarah Worley, Child Protective Services Supervisor, Sampson County was introduced. Ms. Worley reported on the needs in her county. The needs she reported were the number of social workers needed to adequately address cases, better communication, the desperate need for more juvenile officers, more training across the board so deputies, teachers, and others would know when and what to report, more open communication, a need for more mental health resources such as with substance abuse and sex offenders, and there is a need for better communication with the court system.

There was a question and answer period. Representative Blackwood asked Ms. Worley what her top priority would be. Ms. Worley said substance and sexual abuse counselors are needed, and second, juvenile officers are needed. Representative Hunter said he sees deaths of children on television. What is not being done to keep child murders down? Ms. Worley responded many times they do not know about a case, and there needs to be better communication between agencies and for the public to report abuse. Representative Weiss commented on federal and criminal reports. She asked if there was a case of serious child abuse, what information would the worker ask for. Ms. Worley stated upon getting a CPS report of abuse, they would see if there was any criminal

involvement, which could be pulled up locally at the courthouse. Ms. Worley stated a national registry would be very helpful.

Representative Barnhart requested staff answer two questions: how many cases deal with repeat offenses where we could have intervention on these repeats; and how many unsubstantiated investigations are later reported as suspected child abuse? Representative Barnhart also asked if staff can get hard data on repeat cases where there had been substantiated child abuse and second, documentation on how many were unsubstantiated where martial situations, such as for custody and all that, and are we spending resources to deal with accusations that are to further one's position in the court. We should be spending our resources on real cases. We are dealing with children's lives and it is a serious issue. We need information on both sides of the equation.

Ms. Worley responded to a question by Representative Ray and said unless they know where people lived in another state then they do not know if there had been CPS intervention. Representative Lucas asked if there were any checks on children who were in public housing before they started school. Ms. Worley said Sampson County does not do routine checks, but day cares were good about checking. Ms. Tolle-Whiteside said poverty was just one piece of the puzzle. Representative Blackwood requested if staff could find a statistic for those children who were in foster care and the percentage of those children who have been convicted of a criminal offense.

LORA BLANCHARD

Lora Blanchard, a Deputy Sheriff in Sampson County, was introduced. She has been an investigator for 12 years in two counties. Ms. Blanchard has experience in child abuse and sexual abuse. Ms. Blanchard described her caseloads and investigative process. She always has more than one investigation at the time going on, and she does the best she can, but she knows things may be missed.

There was a question and answer period. Representative Moore asked Ms. Blanchard what her recommendations to the committee would be. Ms. Blanchard responded they need more help, a database, more people, more training, and to know if DSS has dealt with a person before. The NCIC stands for National Crime Information Center. Larry Johnson, President of the Directors Association, stated he would like to have NCIC added to their repertoire, but thinks the federal law governs that. Representative Moore said that by summer all the counties should be able to tap into the state center, but there is no control on the national center. Representative Weiss said law enforcement can use NCIC, and the committee is trying to get a handle on how law enforcement is working with agencies so the two groups can work together. Both groups want children to be safe. Representative Earle served as Co-Chair Appropriations Health and Human Services. She said Health and Human Services always ends up taking cuts. Substance abuse does affect child abuse. Representative Earle said there needs to be more money in the system.

JOHN WEBSTER

John Webster, Wake County Child Protective Supervisor, was introduced by Representative Moore who said Wake County has a team approach to the issue. Mr. Webster said if you look at the history of repeat offenders then you need to go back and look at neglect cases. The vast majority are neglect cases. Mr. Webster feels Wake County is doing well. Wake County has probably some more resources than smaller counties. Wake County handled approximately 2,500 to 3,000 cases last year, but the numbers are increasing. The population is growing. Mr. Webster stated there was a need for more workers. In Wake County when an abuse report is taken at the intake level, the report is typed in and sent e-mail to the DA, and faxed to law enforcement who can check to see if there is a history. Every 2nd and 4th Thursday, a multidisciplinary team (social workers who want to present a case, law enforcement people, assistant DA, a guardian ad litem may come, and others) meets at the courthouse which helps move cases. Five or six cases are talked about per meeting. The team can sit and talk about a case confidentially. Dr. Denise Everett from Wake Medical is a part of the team and does a lot of the sexual abuse exams. Mr. Webster said he had heard a question about tracking children from birth to age four. There is child service coordination through the health department. If there are special health needs, then people do go in and see how the children are progressing. The needs in Wake County are great: always the need to improve communication, the need for more workers, and more services in the county. The Hispanic population is growing, and there is a need for interpreters. For juvenile offenders, there needs to be more places and programs to meet the needs of these children. Also, a statewide criminal check and a national registry are needed. There are a lot of military folks in our state.

KATHY SUTEHALL

Kathy Sutehall, CPS Investigator with Wake County DSS, was introduced. She has been a social worker in Wake County for 14 years. Ms. Sutehall works in a regional center in Wake County. Ms. Sutehall has tried very hard to work with law enforcement. Law enforcement has been very helpful to her and Child Protective Services.

Representative Moore asked about the turnover of employees to Ms. Worley. Representative Moore wanted to know how much a factor the high employee turnover rate impedes the investigations? Also, how helpful would it be to have reserve (back-up) social workers and what are the efforts on retention? Ms. Worley said her county has about a 25% turnover rate. It is tough dealing with the training process and experience.

Ms. Worley feels the workers need to have incentives or bonuses like the teachers get. Mr. John Webster said Wake County has one vacancy now, and it takes two to three years for a worker to get a handle on being comfortable. Incentives are needed.

Ms. Sutehall stays in her job because she loves her job, and that gets her through. Relations with law enforcement are better. Workers need to be supported by the

community. Ms. Sutehall said you only hear on the news the bad things, and people are not hearing the good things on how the workers are saving children. There is a need to hear they work hard and do save children.

John Eller, Swain County DSS, spoke about how rural counties have differences from large counties. Many counties do not have collaboration. This issue is a shared community responsibility. Rural counties do not have all the resources they need, and they are dealing with a diverse population. Salaries vary in each county, and salary is a large issue. Workers need to be well equipped. Mr. Eller's county has limited mental health resources and substance abuse resources.

STONEY BLEVINS

Stoney Blevins, Wake County Child Protective Services, was introduced. He spoke about disparities among the counties. A big problem is recruitment and salaries.

Representative Barnhart asked when the committee would receive information on the statewide turnover rates, retention rates, and salary. Sherry Bradsher said that hopefully three surveys (funding, the staffing in counties, and the OSP survey) would be ready in February.

LINDA BARKER

Linda Barker, Wake County Child Protection Coordinator for the DA's office was recognized to speak. Ms. Barker has dealt with child abuse and child sexual abuse referrals. She mostly gets neglect cases, and she can make a referral. DSS does not accept some cases, but she still wants law enforcement to investigate. They try to tighten the grip so a child will not fall through the cracks. Ms. Barker also sets the agenda and chairs the multidisciplinary team meetings. They try to take six cases per month. There is also a DA present at the meetings. Ms. Barker maintains a database of her own which would show if someone has been investigated before or if a child has been the subject of an investigation. Ms. Barker can let the officer know that, and the information may aid the investigation. It takes coordination between agencies. The main thing they need to do now is train, train, and train.

Representative Eddins asked Ms. Barker if a DSS person comes to her, does she know if this is a first time offender or a repeat offender. Ms. Barker gets a written referral in the beginning, and this may be more of a law enforcement issue. Representative Eddins asked if Ms. Barker was aware several systems may need to be checked, and she was aware. Ms. Barker is pretty much limited to AOC checking as far as criminal checking.

DEPUTY GRAHAM WOOD

Deputy Graham Wood, Wake County Sheriff's Department, was welcomed. Deputy Wood said there are six juvenile investigators with the Wake County Sheriff's office.

When they are faxed a report, they immediately start working on it, and they try to work together. There are regional offices in Zebulon and Fuquay-Varina.

DEPUTY KIM PEARCE

Deputy Kim Pearce with the Wake County Sheriff's Department was welcomed to the committee. Deputy Pearce has been with the Sheriff's Department for 26 years. Deputy Pearce has dealt with the same crimes with juveniles as when he dealt with adults. The only difference is the criteria is different in dealing with juveniles. They never have enough help.

COMMENTS

Representative Moore opened up for any comments from the committee.

Representative Dickson spoke on the disparity in the counties (between a large and a small county). Children are treated differently depending on where they live, and we need to keep that in mind.

Representative Moore agreed with Representative Dickson and asked staff if there was any way to tie it all in (the correlation between counties with less funding and the higher rates of incidences of child abuse).

Representative Farmer-Butterfield requested a list of needs and recommendations that have come out of the discussion so far with bullets as well as things in progress, and those that will have high costs as well as those that would have low costs.

Representative Moore told the people in the audience to send him and Representative Weiss any recommendations or input they would like to have. Representative Moore said he and Representative Weiss invite them to send the information.

Representative Carney mentioned the disparity between rural and urban counties, but she has also heard about the inconsistencies across the board about access to criminal background checks. They want that ability to have background checks, and we need to keep that in the forefront.

Ms. Tamara Barringer has been a foster parent and works with DSS organizations. She stated that for criminal checks there needs to be training. Some of the attitudes in the country are this is an invasion of privacy. County workers need to be taught about the resource being available.

Representative Frye said the most disturbing thing to him is the comparison of the counties. Representative Frye requested staff to help get a handle on the huge discrepancies between the counties.

Representative Weiss thanked the committee. This is not an easy issue, and the committee is dealing with multiple counties. They will try to look at statistics and get a handle on them. Also, they will try to get more understanding on staffing and ratios, training, salaries, criminal background checks, child development, and to get the counties to talk to each other. Representative Weiss also talked about prevention.

Representative Moore echoed what Representative Weiss had just said. Representative Moore told the committee if they wanted any specific items on the agenda for the next meeting to please let him or Representative Weiss know. Representative Moore said the co-chairs would like to see good legislation come out of this study committee. The next meeting will be in February and the co-chairs will let everyone know the date.

The Committee adjourned at 11:20 a.m.

Representative Tim Moore, Co-Chair Presiding

Nancy Garriss, Clerk

Representative Jennifer Weiss, Co-Chair

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 14, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Eddie Caldwell	NC Sheriffs Assn/NC Law Enf Off Assn
Jan Spencer	Stokes Co. DSS, PO Box 30, D'bury
Kristy Preston	Stokes County DSS PO Box 30, Danbury
Corinne Russell	Deputy Wake County Atty PO Box 550 Raleigh NC 27602
John Webster	Wake County Human Services Raleigh, NC
Linda Blalock	Lenoir Co DA's Office
Tasha Gardner	YAIO
Stacia McKenzie	NC DHHS
Karen George	NC ACDSS
John Rittenhouse	NCFPC
Ken Howes	NCCAI

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee

Date: January 14, 2004

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Natalie Towns	NCCAJ
Tina Howard	NC Governor's Crime Commission 1201 Front St, Suite 200 Raleigh, NC 27609
Helen Lipinski	Meck Co. DSS
Sarah Bradshaw	Sampson Co. DSS
Lora Blanchard	Sampson Co. Sheriff's Offices
Sherry Bradsher	DHHS | DSS
Melissa Parker	NASW-NC Raleigh, NC
Rebecca Bingham	NCDHHS | DSS
David Otteman	NC DHHS / DSS
Pam Bone	DHHS/DSS
Laura O'Neal	Nash Co. DSS

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 14, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Melvia Batts	Nash County Social Services Nashville, NC 27856
Earl Marott	Johnston Co. DSS
Larry Johnson	Rockingham Co. DSS
Evelyn Williams	NC Child Welfare Education Collaborative UNC - Chapel Hill
Sandy R. Hathcock	Caldwell County DSS
Joyce Edwards	Caldwell Co. DSS
[illegible] Snyder	Caldwell Co. DSS
Patricia Causey	Caldwell Co DSS
John Eller	Swain County DSS
Daphne Lyon	OSBM
Tina Mueller-Morgan	OSBM

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 14, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Eric Frazier	Charlotte Observer
Lisa Gauley	Wake County Human Services
Graham Wood	Wake Co. Sheriff's Office
K.E. Pearce	Wake Co. Sheriff's Office
Kathy Suthall	Wake Co. Human Serv
Stoney Blevins	Wake Co. Human Services
Jane Volland	GAL/AOC
BALLARD Everett	Ballard Everett & Assoc.

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

January 14, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATE: Thursday, January 29, 2004 at 10:00 a.m.

LOCATION: Room 544, Legislative Office Building

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

April 12, 2004

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATE: Thursday, January 29, 2004 at 10:00 a.m.

LOCATION: Room 544, Legislative Office Building

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

January 29, 2004
Room 544, LOB
10:00 a.m.

OPENING REMARKS

Representative Jennifer Weiss
Co-Chair

AGENDA

Approval of Minutes

Multiple Response System:

JoAnn Lamm, Section Administrator, Family Support & Child Welfare, Division of Social Services

Laura O'Neal, Director, Nash County Department of Social Services

Sammy Haithcock, Director, Caldwell County Department of Social Services

Guardian *ad Litem* program:

Jane Volland, State Administrator, GAL Program

List of needs and recommendations to date

ADJOURNMENT

CHILD ABUSE AND NEGLECT, FOSTER CARE AND ADOPTION COMMITTEE

MINUTES

Thursday, January 29, 2004.
10:00 p.m.
Room 544, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care and Adoption Committee met on Thursday, January 29, 2004 in Room 544 of the Legislative Office Building. Representatives Weiss and Moore, Co-Chairs, Barbee, Barnhart, Carney, Clary, Dickson, Earle, Farmer-Butterfield, Frye, Hunter, Jeffus, Lewis, Lucas, Parmon, Rayfield, Ross, Warner, and Ms. Barringer and Ms. Tolle-Whiteside attended. Also in attendance were Ms. Jessup, Ms. Graf, Ms. Morgan and Ms. Wilks, staff.

Representative Weiss presided and called the meeting to order. She welcomed the committee members and those present; thanked the staff and sergeant-at-arms and asked for a motion to adopt the minutes of the previous meeting. Representative Parmon moved adoption of the minutes. The motion carried unanimously.

Representative Weiss briefly spoke on the agenda saying that an overview of the Multiple Response System (MRS) would be given by Ms. JoAnn Lamm, that Department of Social Services representatives from Caldwell and Nash Counties would speak on MRS in their counties, Ms. Jane Volland would talk about the Guardian *ad litem* program, and the list of needs and recommendations compiled from the previous meetings would be reviewed.

Ms. JoAnn Lamm, Section Administrator, Family Support & Child Welfare, Department of Social Services, gave an overview of MRS. She reviewed the seven strategies of the MRS program. MRS is a child welfare system reform effort that starts at the point of accepting the report for investigation and takes them all the way through child placement. It is a system that no other state has undertaken at this point. In 2001 North Carolina was the second state to experience the Federal Child and Family Services Review, a review now done in all 50 states that looked at how states measure up in the areas of safety, permanency and well being of children. Ms. Lamm stated that 87% of reports in North Carolina are for neglect cases. She then reviewed the needs for reform and spoke on the 7 strategies of MRS and the beliefs of family centered practice in their approach. (See Attachment #1.)

Mr. Sam Haithcock, Director, Caldwell County Department of Social Services, introduced 3 members of his staff, Ms. Holly McNeill, Ms. Ginger Caison, and Ms. Sharon Johnson, to explain how MRS is working in Caldwell County. Caldwell and Nash are two of the 10 pilot MRS counties.

Ms. Holly McNeill, Family Services Team Supervisor and a member of the MRS pilot team, explained the CPS Intake Form (See Attachment #2.), a structured intake form used throughout the state for abuse/neglect cases. She also spoke about the Family Assessment vs. Forensic Investigation chart. (See Attachment #3.) This chart illustrates the two approaches taken in child abuse/neglect cases so that the needs of the children and family are best met. She spoke about the good results they are having with the family approach in which family strengths are emphasized and in which any or all family members, and sometimes friends, can be present during meetings.

Ms. Ginger Caison, Family Assessment Worker, said she has seen a significant difference using MRS. She has seen that the families feel more empowered and less threatened, that strengths of the family are built upon rather than weaknesses enabling the social workers to work more effectively with families, and cases are closer quicker. She stated that in a family meeting, children are more open about their fears and concerns. Ms. Caison feels that the MRS approach is more supportive and family friendly than the approach formerly used.

Ms. Sharon Johnson, Supervisor, Work First Family Assistance, explained that Work First, formerly called AFDC, is an employment program geared to put families in the position to help themselves. This is done by making a complete assessment on the family, sharing reports with child welfare, mandatory collaterals – verifying who is in the home and who lives there, making the first visit within 7 days and then weekly thereafter, home visits on child-only cases, help with child care, clothing, summer camps, job searching, minor car repairs if needed to get back to work, joint family meetings with local resources when needed, parenting classes, and 3 hour budgeting class for those below 200% of the poverty level. She said that in the past they were unable to give services unless the report was substantiated; now they can give the needed services. She said that their data shows that over 75% of cases in child welfare were first seen by income maintenance (programs that could help financially - Food Stamps, Medicaid and Work First).

Representative Earle expressed concern about children being interviewed in front of their parents who, she feels, may intimidate them. Ms. McNeill stated there is no perfect system and that some families are expert at hiding things, but in 1-1/2 years they have not found they have missed something.

Representative Ross asked what, after getting a parent a job, was done to be sure there was enough child care/supervision that a neglect situation did not develop. Ms. Johnson replied that the childcare assistance and Medicaid continues, that with full-time employment earned income is disregarded for 3 months. Weekly meetings continue, then retention services are provided and gap vouchers can be given. They have a van that can transport clients to and from work and food stamps usually continue through this

transition period. Representative Ross asked how recent press reports about child care assistance being cut would affect these services. Ms. Johnson said a big concern was about keeping a job or staying home with children; she noted that sometimes there are mental health issues and the mother couldn't keep a child 12 hours a day. Representative Ross asked if we should be providing more funding for day care in North Carolina; all of the Caldwell County workers replied "yes", and said they had a waiting list in their county.

Representative Clary asked staff to explain how day care was addressed in Governmental Operations. Susan Morgan, Fiscal Research staff, replied that Governmental Operations recognized the need for childcare subsidy as a critical issue. Also, according to DHHS, one-time funds have been allocated from TANF and other sources for this fiscal year for critical needs. The Division of Child Development has also identified funds for reallocation from counties that have not used all their funds. She noted that this is one-time money and in the new fiscal year (July 2004) we will be facing the same issue again. Part of the problem is that $15 million in the previous budget bill was also one-time funding so it is not included in this current budget. Representative Weiss said that this is a one-time fix; that it may help the counties assist those already signed up, but there is a waiting list. The speakers from Caldwell County confirmed that there is a waiting list there.

Representative Moore raised the issue of false reports in child custody cases and asked how significant it is in Caldwell County and what were their thoughts, as workers, for tools to filter that and measures that could be used to prevent if from happening again. Ms. Caison responded saying there are a lot of malicious reports in custody battles that are usually easy to spot. MRS allows the parents to be brought together to talk and to be educated on the safety of the child. Representative Moore noted that three or four years ago the approach had been adversarial and under MRS it is weeded out quicker. He asked what other measures they could recommend? Ms. McNeill said it is usually the same families over and over. In Illinois a suspected malicious report could be flagged and if the same reporter made another malicious report, they were warned that it was a felony to make a false report. Representative Moore asked if we had a statute that makes a malicious report illegal; Ms. Jessup said she did not think North Carolina does.

Representative Rayfield asked when children were spoken to without parents present. He was told that in the forensic track when there is sexual or physical abuse or abandonment, or when the case is serious enough that law enforcement is involved, children find it difficult to talk in front of their parents. There is no minimum age group and MRS is working to address that. Sometimes adults are present when they talk with children in schools or day care, and in some schools there is always an adult sitting in on the interview. They have no statistics on children giving false information on a report. They have found that teenagers may give false information to manipulate whereas younger children may not have the verbal skills to express themselves. To clarify, Representative Weiss observed that there are far fewer cases of interviewing the children alone under MRS than under the old system, and the goal is always to have the children safe.

Representative Dickson expressed concern about coordination of State and federal resources and asked what happens when Work First had helped a family for a long time and the parent is still not employed. Ms. Johnson replied that in a child only case when the child is living with a grandparent, aunt or uncle, a child may receive checks and services until the age of 18. With a parent in the home, there is a five-year (60 month) minimum time clock; if the child is under one year old, the parent can choose to stay home with the child for 12 months; it is 12 months for the lifetime of the program. It can be used at one time, or if just a few months have been used and the mother has another child, she can use the remaining time on the 12-month time clock. Work First Family Assistance Caseworkers work with the family from the day of the application helping with the resume and the job application and they have a van and a worker who drives the applicant to at least 7 places a day in the job search. Work First is a voluntary program with sanctions and terminations. A person can be in the program 24 months then they have to go off the program for three years before coming back on the program. There is a 60-month lifetime use of the program. In the majority of cases, they are on less than six months.

Representative Parmon asked if childcare vouchers are available and do they still have to pay a percentage of wages towards day care? Not under the Work First program said Ms. Johnson but under transitional Medicaid they pay a fee based on income. Also under MRS, if the family has no money and no place to stay, they can be helped and if a child is homeless and not safe, they can provide care. Representative Parmon observed that she had not seen many males, Blacks or Hispanics in this process and asked if there is a problem with recruitment. Ms. Johnson said Caldwell County racially has several workers but no African-American assessment workers. They have recently hired several men and that they need the man's point of view, and that they are able to partner a little better with males in families. Representative Parmon noted that it was not just Caldwell County but also everyone that has been here and presented to the committee.

Representative Hunter voiced concerns about the waiting list for childcare saying that day cares in his district open at 7:00am and close at 4:00pm or 5:00pm and one-third of the people he knows works shift work. There is no night care. How are those children being cared for? The response from Caldwell County is that there are some 2nd shift daycares and one-third-shift daycare there and that there are a lot of jobs available but parents don't have childcare. Representative Hunter said he would like some suggestions on how to solve this problem as not everyone works 8:00am-5:00pm and many who want to work cannot because of a lack of night childcare. Also, Representative Hunter has heard parents complain they can not discipline children because the child threatens to call social services with an abuse complaint against the parent. Ms. Caison said that she has found it helpful to sit down with the family and tell them that parents have a right to discipline their children, that they talk of developing a plan that keeps the children safe and that this would be talked about at each family visit as would appropriate discipline.

Ms. Barringer asked that the difference of abuse and neglect be explained to the committee. Ms. McNeill answered that, in general, neglect is the obvious: not having the appropriate clothes, food, shelter; inappropriate discipline is included as neglect in North Carolina. What they try to look at, because it can also be taken as physical abuse,

is: was the child injured near the eye, are there bruises over the kidney, is there a broken arm or broken bones. They try to look at the seriousness of the injury and if it will have a lasting effect on the child. It is often a judgment call.

Ms. Barringer asked that the issues of severe neglect such as starvation or abandonment be addressed. Ms. McNeill said they will still call it neglect but it can be taken to court with criminal charges of child neglect. She said there are many studies that show that child deaths often occur in families where there has been a history of neglect rather than abuse.

Rep. Hunter asked staff for information on counties listing where there is not enough child day care available, as well as availability of night care, and why.

Rep. Carney asked Ms. Lamm how the 10 original counties were recruited when the MRS program was started in 2001. Ms. Lamm said some of the reasons were because of the federal review, but not completely. They had identified that they needed to improve the way they worked with families. They sent out requests for interest to all 100 counties; they had 10 counties who had worked with them designing policies and procedures regarding some of the strategies, some of which were TANF counties. There were more than 10 interested at first but the special provision language limited the program to 10, now they have the special provision language that allows the number of participating counties to go up to 33 and exceed that if there were counties interested and they had the resources to provide the training. As of 10/1/03 there were 52 counties participating.

Representative Carney asked if resources are the problem in not offering the program to all the counties now? Ms. Lamm answered that they are testing whether they are accomplishing what they want to accomplish with the seven strategies and did not want to go statewide until they could say it works. Now they know it works. Right now all of the counties that expressed interest as of 10/1/03 in being a MRS county are included. The goal of DHHS is to go statewide with MRS; it is the best way to serve families.

Representative Carney asked if, of 10 counties that were the original, if there are statistics on the substantiation rates, and could Ms. Lamm provide those to the committee. Ms. Lamm said she has the statistics and will provide them to the committee and said that in reference to the substantiation rate going down, to not let that equate that they are not finding children where there are safety issues, just the finding is different. In those counties, the substantiation rate only applied to those serious abuse cases. Also, there is a finding of an in-need-of-service and that refers to the children that are being treated through family assessment, and those numbers can also be provided from the 10 original MRS counties.

Laura O'Neal, Director of Nash County Department of Social Services was introduced. Ms. O'Neal brought four staff members with her, and Ms. O'Neal introduced Kaye Radford.

Kaye Radford has been a social worker for the Department of Social Services for 35 years. Ms. Radford was the agency's first protective services social worker. Some structural changes have occurred with DSS. One of the first things they did was to take the two on call workers who worked after hours and make them part of the CPS investigative staff. They now have seven assessors and provide 24-hour coverage. DSS has gone from one staff meeting per week to three per week to discuss families. Also, a case manager is on the decision making team. The case manager will receive the case, and the assessor and the case manager will make their first visit together. This allows you to begin your service plan right away. Ms. Radford has found the biggest need is for facilitators. The facilitators run the child and family team meetings. A plan was developed where adoption and foster care workers were asked to get facilitator training. The workers did the training and they rotate.

Lynn Wilson, Supervisor Case Management Unit, Nash County DSS, was introduced. Ms. Wilson has been in Child Protective Services since 1980. There are five case managers in Nash County. She spoke about the CPS case management system. In-home design has two parts: the CPS management part and the other part is family support services. Ms. Wilson said they are required to meet with a family within seven days of staffing. In thirty days, a team meeting will happen and a case plan will be done. Ms. Wilson also said there were different services for different families.

Georgia Robbins was introduced by Lynn Wilson. Ms. Robbins is a case manager with Nash County DSS. Ms. Robbins helps families make changes that are positive for them and their children. There are child and family team meetings. See Attachment #4 -"Tips for Child and Family Team Meetings". The family is engaged and a case plan is set up. The plan is based on assessments: strengths, needs, and risks. It is good for the families to hear strengths. Facilitators are mandated in a high intense case.

Stephanie Grischow was introduced, and she has been a supervisor of the foster care section for seven months and has been with child welfare for 12 years. Ms. Grischow spoke about one of the seven strategies, "shared parenting." The shared parenting meetings are a time for the social worker, birth parents, and foster parents to meet and discuss the care of the child when out of the home placement is necessary. The meetings are done within seven days of a child coming into foster care. The shared parenting meetings keep a family involved. Shared parenting meetings have demonstrated great promise. Foster parents can serve as a mentor to the birth family. When children see the birth family involved, it reduces anxiety.

Representative Weiss thanked the speakers for describing the MRS in Nash County. Representative Weiss asked if there were any questions from the committee, and there were none. Representative Weiss asked the committee to look at the needs and recommendations list, and to please e-mail any additions to the co-chairs.

Jane Volland, State Administrator, Guardian *ad Litem* (GAL) program was introduced by Representative Weiss. GAL was established by the General Assembly 20 years ago by statute to represent the child in court. The team consists of an attorney advocate and a

community volunteer. See Attachments #5 and #6, which spell out GAL facts and responsibilities. The team focuses on the needs of the child and the best interests of the child. The goal is to move the child out of the court system as fast as possible. Reunification with the parents is always in the best interest of the child if it is possible and the child can be safe. A placement may be made with a relative. A last resort is to terminate parental rights, which makes a child free for adoption. A child has a very different sense of time from an adult. Days seem like weeks, weeks seem like months, months seem like years. To promote a more timely resolution for the child, our courts now do adhere to the federal guidelines that are established under the Adoption and Safe Families Act. Ms. Volland spoke of a case in Durham County. (See Attachment #7.) The GAL program is volunteer driven and aims to be a voice of hope. The attorney and volunteer work together. Cases seem to be more complex and demanding of court time. GAL has seen the burden increasing and funding diminishing. Attorney pay is critical. Attorney advocates are grossly underpaid. GAL attorneys are highly trained and dedicated, and they care about the children, but it doesn't pay the mortgages. Attorneys need better pay and children need legal representation. See Attachment #8 on attorney salaries. Ms. Volland spoke on recommendations. (See Attachment #9.) A critical need is to increase attorney advocate pay so the team can stay in place. Ms. Volland said they need access to NCIC records, and they need this committee's support. There is a need to modify federal guidelines so DSS can have access to the records, and the GAL program can too. GAL screens just as DSS does. They have access through AOC to the state records. GAL also does telephone checks. The third recommendation is to increase the number of staff and benefits of the GAL program. Many program assistants are working ½ time with no benefits and they are poorly paid. The pressure of children in need is there. They lose 1/3 of their program assistants each year, and it is because of low pay and lack of benefits. The GAL program has a database system. It is access- based not web-based. There are many agencies that are developing their database systems. There is a need to interface these systems and collaborate in designing and implementing database systems. Ms. Volland said the funding needs are real. The costs for a child in a training school are $55,000. We need to look into programs that can prevent child abuse and neglect.

Ms. Volland stated that the number of appeals for termination of parental rights is increasing and it is a tragedy for children. Last year there were 85 appeals, and the year before, there were 14. Sometimes appeals can linger two or three years. Ms. Volland said there is a committee that is looking into how to expedite the process. We are one of seven states that does not have an expedited appeal process. She stated that we have fast track, but it is not a fast track. Ms. Volland urges our state to adopt an expedited appeal process. The number of appeals is expected to double this year. That is a critical issue for the children. It also relates to the money issue. They need skilled attorneys. Ms. Volland passed out a chart titled "2002-03 Stat Comparison – Sorted by County. (See Attachment #10.) She also read an essay by Amber Snyder, a former GAL client, titled My GAL. (See Attachment #11.)

Ms. Barringer wanted to know why the appeals are increasing. Ms. Volland responded the Adoption and Safe Families Act has timelines. Parents are increasingly aware of their

fundamental rights as parents, and they are going to fight. Ms. Volland said they do not want to take away that right, but the process needs to be speeded up. Ms. Barringer asked if a significant number of appeals are being filed when there is no parent even involved? Ms. Volland responded it has happened. Sometimes the parent's attorney gives notice of appeal even if the parent is not present. What is happening now in terms of the North Carolina State Bar is there may be an ethics opinion that says a parent's attorney cannot take any legal action without the consent and knowledge of his or her clients so that is a proposed ethics provision that is waiting. Ms. Volland will get a copy of the proposed rule to the committee. Ms. Barringer inquired of the attorneys concern about the potential for malpractice. Ms. Barringer said there was a cost emotionally to the children and daily costs to the citizens of North Carolina to keep children in foster care. Ms. Volland said Ms. Barringer was absolutely right. We need to look at prevention and intervention programs. We need to get children out of being legal orphans that they are in the appellate system and into permanency.

Representative Moore asked if the appeals were coming out of any particular judicial districts? Ms. Volland responded an appellate coordinator is looking into it and trying to track where they are coming from and what is the nature of the appeal. Ms. Volland wishes she could answer that better, but she does not have the answer now. Representative Moore would support something that says not only should an attorney not file an appeal unless the client gets permission in this case, but to maybe say the attorney does not have a duty to do so. Ms. Volland will get a copy of the proposed ethics rule to the committee. It would alleviate the pressure on attorneys if the rule were clear as to their responsibilities to their client. Representative Moore said it is frustrating. Representative Moore has done this and has been through a trial with no one sitting by his side. It is a waste of time.

Representative Clary asked if the GAL attorney is the only attorney in the courtroom for the child? Ms. Volland responded yes. Ms. Volland said DSS has an attorney in the courtroom and that is the agency attorney, but by statute, the GAL attorney is there to represent the child and to provide legal representation to the child and to be an advocate for the best interests of the child. Representative Clary said her experience was there were 2 attorneys representing the child: one through GAL and one through DSS and both were making decisions on behalf of the child. Ms. Volland said that might be happening. Representative Clary will follow-up with staff.

Representative Farmer-Butterfield asked about the costs in the number of staff positions Ms. Volland was talking about as it relates to the GAL program staff----Ms. Volland had talked about program assistants. Ms. Volland said some counties need another program supervisor. Ms. Volland can get the information. Representative Farmer-Butterfield would also like information on the judicial districts where they are needed.

Ms. Volland said the GAL volunteers saved the state over 11 million dollars. That is a big savings. GAL is a cost saving and cost efficient program, and one that is meant to serve the child.

Representative Ross said that we need to fund GAL for what they do, and there may be other things we'd like GAL to do. Ms. Volland wishes they could expand and do more. Ms. Volland sees a need in delinquency cases.

Representative Weiss asked in regards to the Court Improvement Committee with Judge McCoy that is trying to work on expediting the appeals process, what is the timing on that in making recommendations? Ms. Volland said they had had one meeting and have broken into committees. Ms. Volland hopes they will meet again in a month. Representative Weiss would like to hear back on that.

Ms. Volland asked the committee if they could make time to hear from a child. Some children would be happy to come to the committee and address the committee.

Representative Weiss went over the list of needs and concerns. (See Attachment #12.) Some needs that were heard today will be added to the list. Representative Weiss asked the committee to send other ideas to Dianna Jessup and to copy the co-chairs.

The next meeting will be February 19th in the afternoon and February 20th in the morning.

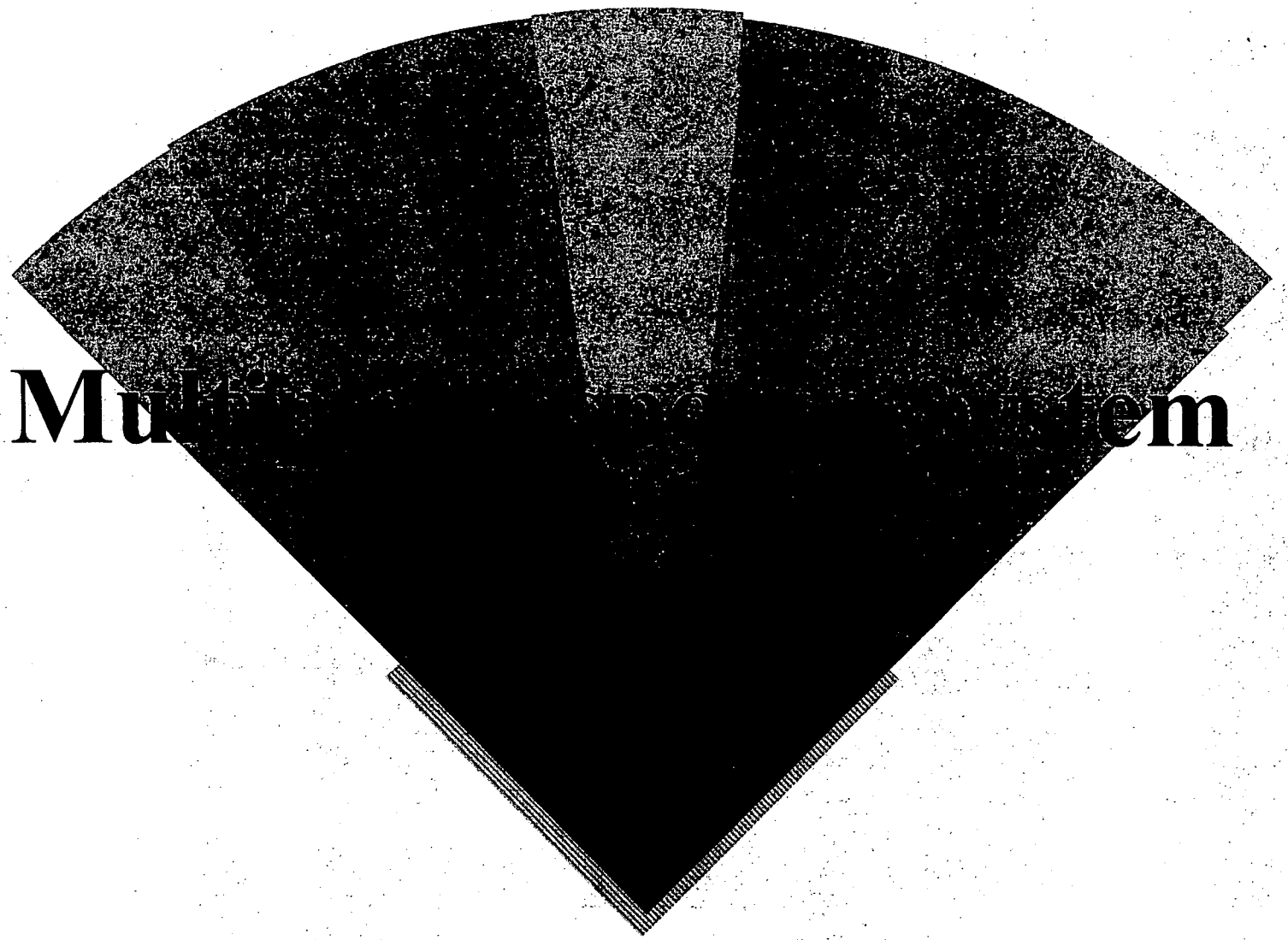
The meeting adjourned at 1:20 p.m.

Jennifer Weiss
Representative Jennifer Weiss, Co-Chair, Presiding

Susan Doty
Susan Doty, Clerk

Representative Tim Moore, Co-Chair

JoAnn La



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Family Support and Child Welfare Services
NC Division of Social Services

Attachment 1
JoAnn Lamm

What Does MRS Mean?

Child Welfare System Reform

CPS Intake through Child Placement

Why Reform is Needed

- In North Carolina:
  - 87% of reports are for neglect
  - 2001 Federal Review
  - Practice not consistent statewide
  - More incident focused and not focused on the underlying needs of the family
  - Less adversarial approach
  - Need for a more family-centered approach

Why Reform is Needed (cont'd)

- Recognition that "One size doesn't fit all"
- Move from an "I gotcha!" attitude to a "How can we help?" attitude
- Need to use existing resources (staff) in the most effective way
- Move from labeling parents and provide services

7 Strategies of MRS

- **Strengths-Based, Structured Intake Process**
- **Choice of Two Approaches to reports of abuse, neglect and dependency**
- **Coordination between Law Enforcement and CPS for the Investigative Assessment**
- **Redesign of In-Home Services**
- **Child and Family Teams**
- **Shared Parenting Meetings**
- **Collaboration between TANF and Child Welfare Services**

Beliefs of Family Centered Practice

- Safety of the child is first concern
- Children have the right to their family
- The family is the fundamental resource for the nurturing of children
- Parents should be supported in their efforts to care for their children
- A crisis is an opportunity for change
- Families have the right to be respected for their diversity
- Inappropriate intervention can do harm
- Families can grow and change
- Family members are our partners
- It is our job to instill hope

An easy way to remember the family centered approach

is to always consider

"how would I want to be treated if this was me and my family?"

Session Law 2003-284, House Bill 397, "2003 Budget Act" effective July 1, 2003

- no fewer than 10 and no more than 33 demonstration areas
- may exceed number of counties if a county request inclusion and resources are available
- 10 original pilots continue
- Continue to evaluate MRS
- Recommendations for statewide implementation must be included in report due by April, 2004

#1 Strengths-Based, Structured Intake Process

The use of an objective structured intake tool which clearly improves the quality of gathering information for the identification of child abuse, neglect and dependency reports.

- Emphasis is placed on family strengths.
- To create consistency across workers/counties in information gathered and in decision making.

#2 Choice of Two Approaches to Reports of Child Abuse, Neglect or Dependency

- Traditional/Forensic Approach
- Family Assessment Approach

"A system that allows a differential response to child neglect and dependency reports, and a partnership in child protection among county departments, other agencies, and local communities to address child maltreatment and the family. The availability of two approaches recognizes the variation in the nature of reports and that one approach does not meet the needs of every case."

Two approaches address CPS concerns by:

- Ensuring that children are safe
- Avoiding negative labels for parents
- Setting aside the issue of fault
- Working in partnership with parents
- Identifying families' strengths and needs
- Providing services and resources matched to families' needs

#3 Coordination of LEA and CPS during Forensic Approach Assessments

- Current law requires DSS to report evidence of abuse to LEA and the District Attorney
- A close working relationship between DSS and LEA is required to achieve joint effort in interviewing and ensuring safety of families and children
- Suggested that a MOA be jointly developed between DSS and LEA to ensure an effective working relationship

#4 Redesign of In-home Family Services

- Services are provided when a finding has been made
- A continuum of in-home services that are unique and specific to the strengths and needs of each family
- The level and intensity of services delivered with the family are based upon the individual strengths and needs of the family
- Services are delivered within the context of the family's own community and culture.

#5 Child and Family Team Meetings

- Primary function of the meetings are to engage the family and other interested parties in joint decision making and to provide the family with support.
- The family and the social worker jointly decide who will be invited to the meeting.
- Typically families invite: their parents, the child (if appropriate), formal and informal supportive relationships.

Child and Family Team Meetings (cont'd)

- The meeting will address the family's strengths and needs and how these impact the child's safety, permanence and well-being.
- It will also address what needs to occur to help the family to safely parent their children.
- The meeting is with the family not about the family.

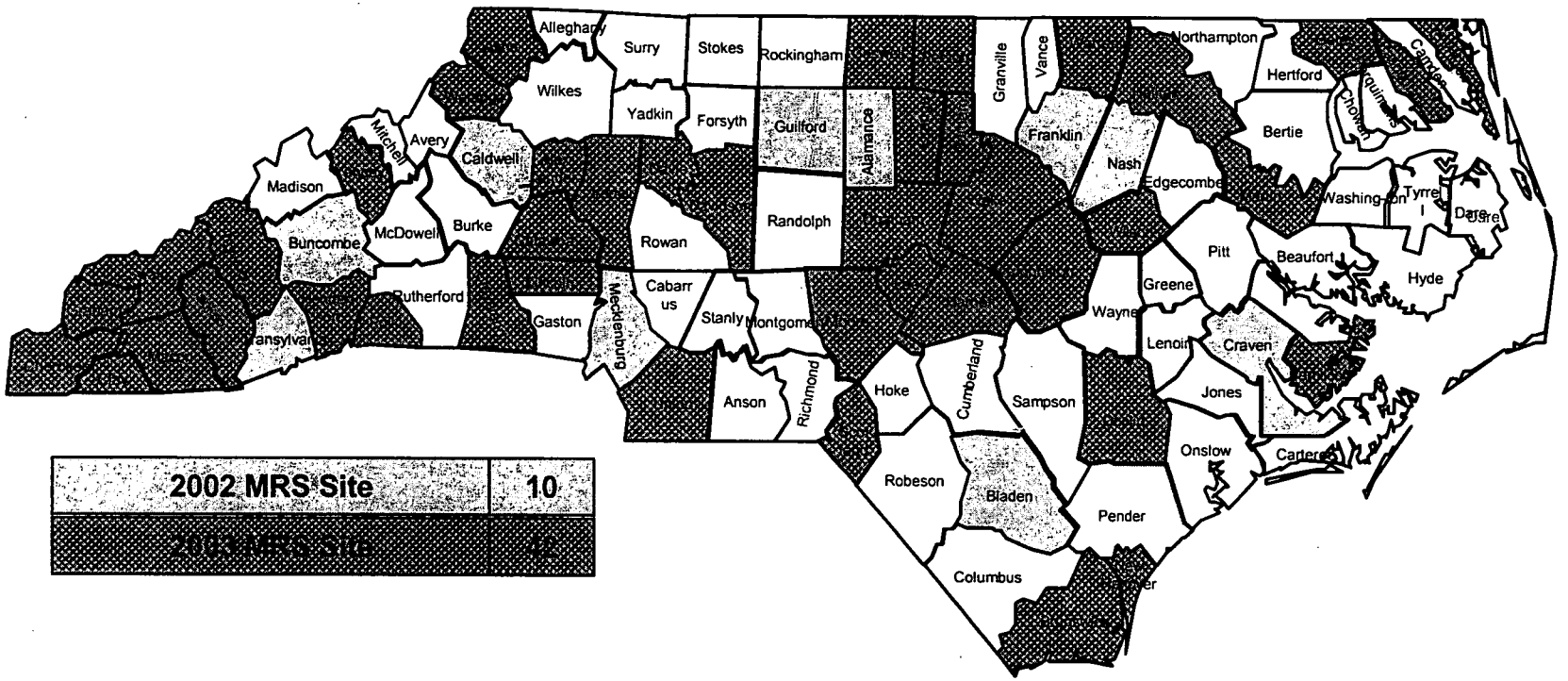
#6 Shared Parenting Meetings

- Shared Parenting meetings are a time for the social worker, birth parents and foster parents to meet and discuss the care of the child when out-of-home placement is necessary.
- Provide the parents with an opportunity to have valuable input into the care of their child. Information regarding the child's favorite foods, toys, sleep patterns, behaviors will assist the foster parents in caring for and comforting the child.
- Plans can be made regarding visitation, medical appointments and transportation.

#7 Collaboration between TANF and Child Welfare Programs

- Many families involved with the TANF program are also involved with child welfare cases.
- TANF and Child Welfare staff need to share information, case planning and resources with one another regarding families they jointly share.
- TANF services can assist in providing follow-up services with families once the abuse/neglect/dependency issues are resolved.

NC MRS 2003 EXPANSION MAP



Caldwell Co
Attachment 2

CPS Intake Report

Received by: _____ Case Name: _____
Date: _____ Case Number: _____
Time Received: _____
Assigned to: _____

Type of Report: ☐ Abuse ☐ Neglect ☐ Dependency
Response Time: ☐ Immediate ☐ 24 hours ☐ 72 hours
MRS Counties: ☐ Family Assessment ☐ Investigative

Category	Information to be Obtained

1. Who

Children's Information

Name (include nicknames)	Sex	Race	Age/DOB	School/Child Care	Relationships to Alleged Perp. A.	B.

Parent/Caretaker's Information

Name (include aliases/nicknames)	Sex	Race	Age/DOB	Employment/School

Alleged Perpetrator's Information

Name (include aliases/nicknames)	Sex	Race	Age/DOB	Employment/School
A.				
B.				

Other household members

Name (include aliases/nicknames)	Sex	Race	Age/DOB	Employment/School

Address & phone number of all household members, including the length of time at current address, include former addresses if family is new to the area:

Family's primary language: _____

Driving Directions:

Others who may have knowledge of the situation (include name, address and phone number):

Do you have any information about the children's other relatives? (include name, address, telephone number):

Has the family ever been involved with this agency or any other community agency? Do you know of other reports made about the family?

2. What	What has happened to the child(ren), in simple terms?
	Did you see physical evidence of abuse or neglect? If yes, please describe.
	Is there anything that makes you believe the child is in immediate danger?
	Has there been any occurrence of domestic violence in the home?
	Are you concerned about a family member's drug/alcohol use?
3. When	Approximately when did the incident occur?
	When is the last time you saw the child?
4. Where	Current location of the child(ren), parent/caretaker, perpetrator?
5. How	How do you know what happened with the family?
	How long has this been going on?

6. Strengths	**What are the strengths of this family? or, Can you tell me anything good about this family?**
	How do family members usually solve this problem? What have you seen them do in the past?
	What is it about this family's culture that is important to know?
7. Safety Factors	**Are you aware of any safety problems with a worker going to the home? If so, what?**
	Calling DSS is a big step, what do you think can be done with the family?
	Is there anything you can do to help the family?
	Has anything happened recently that prompted you to call today?

8. Physical Abuse	The following questions are intended as a guide. These questions are not meant to replace the narrative already completed in this Report. If you have answered the questions that correspond to the specific allegations earlier in this Report, then you should not repeat that information. When these categories are not relevant to the allegations reported, indicate this by noting N/A, non-applicable, by the first question in each category. **Where was the child(ren) when the abuse occurred?** **Describe the injury, for example (Thursday, May 23, 2002, a.m. or p.m., red and blue mark, 1" by 4" shaped like a belt mark, fresh or fading)** **What part of the body was injured?** **Is there a need for medical treatment?** **What is the parent/caretaker's explanation?** **What is the child's explanation?** **What led to the child's disclosure or brought the child(ren) to your attention?** **Did anyone witness the abuse?** **Are any family members taking protective action?** **Have you had previous concerns about the family?** **Is the child currently afraid of the alleged perpetrator?** **Is the child afraid to go home?**
9. Sexual Abuse	**Where was the child(ren) when the abuse occurred?** **To whom did the child disclose the abuse?** **Did the child disclose directly to the reporter?** **What is the age of the alleged perpetrator and his/her relationship to the child?** **What is the alleged perpetrator's access to the victim and other children?** **What steps are being taken to prevent further contact between the perpetrator and the child?** **Has the child had a medical exam?**

10. Emotional Abuse	How does the child function in school?
	What symptoms does this child have that would indicate psychological, emotional, social impairment?
	Are there any psychological or psychiatric evaluations of the child?
	Is the child failing to thrive or developmentally delayed?
	Is there a bond between the parent/caretaker and child?
	What has the parent/caretaker done that is harmful?
	How long has the situation been going on, and what changes have been observed?
	Are there any indications of cruel and unusual punishment?
11. Domestic Violence	Has anyone in the family been hurt or assaulted? If so, describe the assault or harm (what and when). If so, who has been hurt? Who is hurting the child and other family members? Please describe the injuries specifically.
	Can you describe how the violence is affecting the child?
	Have the police ever been called to the house to stop assaults against either the adults or child? Was anyone arrested? Were charges filed?
	Where is the child when the violent incidents occur?
	Has any family member stalked another family member? Has a family member taken another family member hostage?
	Do you know who is caring for and protecting the child right now?
	What is the battered parent/caretaker's ability to protect him/herself and the child(ren)?
	What steps were taken to prevent the perpetrator's access to the home (shelter, police, restraining order)?
	Is there a history of domestic violence?
	Can you provide information on how to contact the battered parent/caretaker alone?

12. Substance Abuse	**What specific drugs are being used by the parent/caretaker?** **What is the frequency of use?** **Do the children have knowledge of the drug use?** **How does their substance use affect their ability to care for the child(ren)?** **Are there drugs, legal or illegal in the home? If so, where are they located?** **Do the children have access to the drugs?** **Has the parent ever experienced black outs?** **How well are the children supervised? Are they left alone for extended periods of time?** **Is there adequate food in the house?**
13. Abandon-ment	**How long has the parent/caretaker been gone?** **Did the parent/caretaker say when they would return?** **Did the parent/caretaker make arrangements with someone to care for the child?** **Are the alternative caretakers adequate? Do they wish to continue to provide care for the child? Have they been in recent contact with the parent/caretaker?** **Is your concern that children were abandoned or that the caretaker is not an adequate provider?**
14. Drug Exposed Infant	**What is the present physical condition of the child?** **If the baby is in the hospital, is he/she scheduled to be released soon?** **What is the attitude of the parent/caretaker toward the child?**

15. Super-vision	**Is the child left alone? If yes, how long is the child unsupervised, what is the age and developmental status of the child, what is the child's ability to contact emergency personnel, is the child caring for siblings or other children, is the child afraid to be alone, what time of day is the child left alone?** **How is the parent/caretaker's ability to provide supervision compromised? Include information regarding the use of substances and mental health issues.** **What are your supervision concerns?**
16. Injurious Environment	**What is it about the child's living environment that makes it unsafe?**
17. Improper Discipline	**If the child is injured from the discipline, please describe the injuries in specific detail; also describe any instrument used to discipline** **Does the parent/caretaker have a pattern of disciplining inappropriately?** **Is the child fearful of the parent/caretaker?** **Do you know what prompted the parent/caretaker to discipline the child?**
18. Proper Care	**Does the parent/caretaker provide adequate food, clothing, shelter? If you feel the parent/caretaker is failing at providing the child with proper care, describe in detail what the child is lacking.** **Is the parent/caretaker ensuring the child receives necessary medical care?** **Is the parent/caretaker ensuring that the child receives a basic education?**
19. Reporter Information	**Reporter's name, address, relationship to family:** **Reporter waives right to notification?** ☐ **Yes** ☐ **No** **Is the reporter available to provide further information if needed?** ☐ **Yes** ☐ **No**

20. Maltreatment Screening Tool

Indicate which of the following screening tools were consulted in the screening of this report:

Abuse:
- ☐ Physical Injury
- ☐ Sexual Abuse
- ☐ Moral Turpitude
- ☐ Cruel/Grossly Inappropriate Behavior Modification
- ☐ Emotional Abuse

Neglect:
- ☐ Improper Care
- ☐ Improper Discipline
- ☐ Improper Medical/Remedial Care
- ☐ Illegal Placement/Adoption
- ☐ Improper Supervision
- ☐ Abandonment
- ☐ Injurious Environment

- ☐ Dependency
- ☐ Substance Abuse
- ☐ Domestic Violence

21. Response Priority Decision Tree

After consulting the appropriate Maltreatment Screening Tool(s), if the decision is to accept the report, you then consult the Response Priority Decision Tree. Indicate which of the following Response Priority Decision Trees you consulted and the response required (immediately, 24 hours, 72 hours).

- ☐ Physical Abuse
- ☐ Sexual Abuse
- ☐ Neglect
- ☐ Dependency

22. Report Not Accepted

If the report is not accepted, explain the reason(s):

If referrals were made for outreach services or other agencies:

This report involves a child who is not a resident of this county. Information transferred to (staff) _____ in _____ county for follow up on (date) ____/____/____.

Allegations of criminal maltreatment reported to DA and law enforcement on the following date(s):
Oral Report: _____ Written Report: _____

Decisions not to investigate a report were given a two-level review by: (Include name, position and date)

Attachment 3

Caldwell County Dept. of Social Services

Thank-you for the opportunity to talk to you about the Multiple Response system. We appreciate your interest and concern for the children and families that we serve. Please feel free to contact any of us with further questions.

Sammy Haithcock, Director
shaithcock@co.caldwell.nc.us
828-426-8256

Joyce Edwards, Program Administrator
jedwards@co.caldwell.nc.us
828-426-8245

Holly McNeill, Family Services Team Supervisor
hmcneill@co.caldwell.nc.us
828-426-8290

Sharon Johnson, Supervisor Work First Family Assistance
sjohnson@co.caldwell.nc.us
828-426-8276

Ginger Caison, Family Assessment worker
gcaison@co.caldwell.nc.us
828-426-8223

Family Assessment vs. Forensic Investigation

By using two approaches to child abuse and neglect, we are better able to serve the families and children of North Carolina. Following is an overview of how each approach meets the needs of one of our most vulnerable populations.

	Family Assessment	Forensic Investigation
First priority	Safety of children	Safety of children
First contact with family	Call for appointment when possible	Unannounced school or home visit.
What first contact looks like.	Will often talk with all family members together.	Usually talk to each family member separately.
Outcome	Findings include: • Needs services • Services recommended (voluntary) or • No Services needed • No perpetrator is named.	Findings include: • Substantiated • Unsubstantiated • Perpetrator is named.
Law enforcement involvement	Seldom, but if so, the involvement is usually at the request of family.	Always involved with reports of physical or sexual abuse, may also be involved with more serious cases of neglect.
Uses Safety Assessment, Risk assessment and Strength/Needs assessment	Yes	Yes
Collaterals contacts	Family is given the option of being present when collateral contacts are made.	Collateral contacts are made away from the family.
Which cases are done in each approach?	Neglect and dependency with a few exceptions.	Abuse cases and any neglect cases that the county may deem to be more appropriately handled forensically.

NORTH CAROLINA
SAFETY ASSESSMENT

Case Name: _____ **Case #** _____ **Current Date:** _____

County Name: _____ **Date Report Received:** _____ **Worker Name:** _____

Children: _____

Primary Caregiver: _____ **Secondary Caregiver:** _____

SECTION I: SAFETY ASSESSMENT AND DESCRIPTION

Safety Factor Identifications and Directions

Directions: The following is a list of factors that may be associated with a child(ren) being in immediate danger of serious harm. **Identify the presence or absence of each by circling either "yes" or "no."** Note: The vulnerability of each child needs to be considered throughout the assessment. Younger children and children with diminished mental or physical capacity or repeated victimization should be considered more vulnerable. **Complete based on most vulnerable child for each factor.** For all safety factors which are marked "yes," note the applicable safety factor number and then briefly describe the specific individuals, behaviors, conditions, and/or circumstances associated with that particular safety factor

1. Yes No **Caregiver's current behavior is violent or out of control.**
   - ☐ Extreme physical or verbal, angry or hostile outbursts at child.
   - ☐ Use of brutal or bizarre punishment (e.g., scalding with hot water, burning with cigarettes, forced feeding).
   - ☐ Domestic violence likely to have a negative impact on the child.
   - ☐ Use of guns, knives, or other instruments in a violent way.
   - ☐ Shakes or chokes baby or young child to stop a particular behavior.
   - ☐ Behavior that seems out of touch with reality, fanatical, or bizarre.
   - ☐ Behavior that seems to indicate a serious lack of self-control (e.g., reckless, unstable, raving, explosive).

_____

_____

_____

Yes No **Caregiver describes or acts toward child in predominantly negative terms or has extremely unrealistic expectations.**
   - ☐ Describes child as evil, stupid, ugly, or in some other demeaning or degrading manner.
   - ☐ Curses and/or repeatedly puts child down.
   - ☐ Scapegoats a particular child in the family.
   - ☐ Expects a child to perform or act in a way that is impossible or improbable for the child's age (e.g., babies and young children expected to be toilet trained or eat neatly, expected to care for younger siblings, expected to stay alone).
   - ☐ Child is seen by either parent as responsible for the parent's problem.
   - ☐ Uses sexualized language to describe child or in name calling (e.g., whore, slut, etc.).

_____

_____

_____

3. Yes No **Caregiver caused serious physical harm to the child or has made a plausible threat to cause serious physical harm.**
   - ☐ Caregiver caused serious non-accidental abuse or injury (e.g. fractures, poisoning, suffocating, shooting, burns, bruises, welts, bite marks, choke marks, etc.).
   - ☐ An action, inaction, or threat which would result in serious harm. (e.g., kill, starve, lock out of home, etc.).
   - ☐ Plans to retaliate against child for CPS assessment.
   - ☐ Caregiver has used torture or physical force, which bears no resemblance to reasonable discipline, or punished child beyond the duration of the child's endurance.
   - ☐ One or both parents fear they will maltreat child and/or request placement.

_____

_____

_____

Case Name: _____ Case # _____

4. Yes No **The family refuses access to the child, there is reason to believe that the family is about to flee, and/or the child's whereabouts cannot to ascertained.**
   - ☐ Family has previously fled in response to a CPS assessment.
   - ☐ Family has removed child from a hospital against medical advice.
   - ☐ Family has history of keeping child at home, away from peers, school, or other outsiders for extended periods.

5. Yes No **Caregiver has not, or will not, provide supervision necessary to protect child from potentially serious harm.**
   - ☐ Caregiver does not attend to child to such as extent that the need for care goes unnoticed or unmet (e.g., although caregiver is present, child wanders outdoors alone, plays with dangerous objects, plays on unprotected window ledge, or is exposed to other serious hazards).
   - ☐ Caregiver leaves child alone (time period varies with age and developmental stage).
   - ☐ Caregiver makes inadequate and/or inappropriate babysitting or child care arrangements or demonstrates very poor planning for child's care
   - ☐ Parents' whereabouts are unknown.

6. Yes No **Caregiver is unwilling, or is unable, to meet the child's immediate needs for food, clothing, shelter, and/or medical or mental health care.**
   - ☐ No food provided or available to child, or child starved or deprived of food or drink for prolonged periods.
   - ☐ Child without minimally warm clothing in cold months.
   - ☐ No housing or emergency shelter, child must or is forced to sleep in the street, car, etc.; housing is unsafe, without heat, etc.
   - ☐ Caregiver does not seek treatment for child's immediate and dangerous medical condition(s) or does not follow prescribed treatment for such condition(s).
   - ☐ Child appears malnourished.
   - ☐ Child has exceptional needs which parent cannot/will not meet.
   - ☐ Child is suicidal and parent will not take protective action.
   - ☐ Child shows effects of maltreatment, such as serious emotional symptoms and lack of behavior control or serious physical symptoms.

7. Yes No **Caregiver has previously maltreated a child and the severity of the maltreatment, or the caregiver's response to the previous incident(s), suggests that child safety may be an immediate concern.**
   - ☐ Previous maltreatment that was serious enough to cause or could have caused severe injury or harm.
   - ☐ Caregiver has retaliated or threatened retribution against child for past incidents.
   - ☐ Escalating pattern of maltreatment.
   - ☐ Caregiver does not acknowledge or take responsibility for prior inflicted harm to the child or explains incident(s) as justified.
   - ☐ Both parents cannot/do not explain injuries and/or conditions.

Case Name: _____ Case # _____

8. Yes No **Child is fearful of caregiver(s), other family member, or other people living in or having access to the home.**
   - ☐ Child cries, cowers, cringes, trembles, or otherwise exhibits fear in the presence of certain individuals or verbalizes such fear.
   - ☐ Child exhibits sever anxiety (i.e., nightmares, insomnia) related to situation(s) associated with a person(s) in the home.
   - ☐ Child has reasonable fears of retribution or retaliation from caregiver.

9. Yes No **The child's physical living conditions are a hazardous and immediately threatening.**
   - ☐ Leaking gas from stove or heating unit.
   - ☐ Dangerous substances or objects stored in unlocked lower shelves or cabinets, under sink, or in open.
   - ☐ Lack of water or utilities (heat, plumbing, and electricity) and no alternate provisions made or alternate provisions are inappropriate (e.g., stove, unsafe space heaters for heat).
   - ☐ Open/broken/missing windows.
   - ☐ Exposed electrical wires.
   - ☐ Excessive garbage or rotted or spoiled food which threatens health.
   - ☐ Serious illness or significant injury has occurred due to living conditions and these conditions will exist (e.g., lead poisoning, rat bites).
   - ☐ Evidence of human or animal waste throughout living quarters.
   - ☐ Guns and other weapons are not locked.

10. Yes No **Child sexual abuse is suspected and circumstances suggest that child safety may be an immediate concern.**
   - ☐ Access by possible or confirmed perpetrator to child continues to exist.
   - ☐ It appears that caregiver or other person has committed rape, sodomy, or has other sexual contact with child.
   - ☐ Caregiver or others have forced or encouraged child to engage in sexual performances or activities.

11. Yes No **Caregiver's drug or alcohol use seriously affects his/her ability to supervise, protect, or care for the child.**
   - ☐ Caregiver has misused a drug(s) or alcoholic beverage(s) to such an extent that control of his or her actions is lost or significantly impaired. As a result, the caregiver is unable, or will likely be unable to care for the child, has harmed the child, or is likely to harm the child.

12. Yes No **Other (specify):**
   - ☐ Child's behavior likely to provoke caregiver to harm the child.
   - ☐ Unexplained injuries.
   - ☐ Abuse or neglect related to child death, or unexplained child death.
   - ☐ Serious allegations with significant discrepancies or contradictions by caregiver or between caregiver, and collateral contacts.
   - ☐ Caregiver refuses to cooperate or is evasive.
   - ☐ Criminal behavior occurring in the presence of the child, or the child is forced to commit a crime(s) or engage in criminal behavior.

Case Name: _____ Case # _____

SECTION 2: SAFETY RESPONSE

Directions: For each factor identified in Section 1, consider the resources available in the family and the community that might help to keep the child safe. Check each response taken to protect the child and explain below. Describe *all* safety interventions taken or immediately planned by you or anyone else, and explain how each intervention protects (or protected) each child.

_____ 1. Use family resources, neighbors, or other individuals in the community as safety resources.
_____ 2. Use community agencies or services as safety resources.
_____ 3. Have the alleged perpetrator leave the home, either voluntarily or in response to legal action.
_____ 4. Have the non-maltreating caregiver move to a safe environment with the child.
_____ 5. Other _____
_____ 6. The caregiver(s) places the child outside the home (in a safe arrangement). Note: include explanation below regarding why responses 1-5 could not be used to keep the child(ren) safe, n the home.
_____ 7. Legal action must be taken to place the child(ren) outside the home. Note: include explanation below regarding why 1-5 could not be used to keep the child(ren) safe, in the home.

_____

_____

_____

_____

_____

_____

_____

_____

SECTION 3: SAFETY DECISION

Directions: Identify your safety decision by checking the appropriate line below. Check one line only. This decision should be based on assessment of all safety factors and any other information known about this case. If "B" or "C" is checked, Section 2 must be completed. "A" is to be checked only if no safety factors were indicated in Section 1, Part A.

A. Safe: _____ There are no children likely to be in immediate danger of serious harm.

B. Conditionally Safe: _____ Controlling safety interventions have been implemented since the report was received, and those interventions will adequately provide for the child's safety for the immediate future.

C. Unsafe: _____ Child(ren) is likely to be in danger of immediate harm. Remove child(ren) from the home.

SECTION 4: SIGNATURES

_____ _____
Parent/Caregiver Date Safety Resource Date

_____ _____
Parent/Caregiver Date Safety Resource's Relationship to Child

_____ _____
Parent/Caregiver Date Safety Resource Date

_____ _____
Parent/Caregiver Date Safety Resource's Relationship to Child

_____ _____
Social Worker Date Supervisor Date

NORTH CAROLINA
FAMILY RISK ASSESSMENT OF ABUSE/NEGLECT

Case Name:_____ Case #:_____ Current Date: _____

County Name:_____ Date Report Received:_____

Worker Name:_____

Children:

_____

Primary Caregiver: _____ Secondary Caregiver: _____

Regardless of the type of allegations reported, all items on the risk assessment are to be compeleted.

Neglect	Score
N1. Current Report is for Neglect	
a. No 0	
b. Yes 1	____
N2. Number of Prior Assigned Reports	
a. None 0	
b. One 1	
c. Two or more 2	____
N3. Number of Children in the Home	
a. Two or fewer 0	
b. Three or more 1	____
N4. Number of Adults in Home at Time of Report	
a. Two or more 0	
b. One or none 1	____
N5. Age of Primary Caregiver	
a. 30 or older 0	
b. 29 or younger 1	____
N6. Characteristics of Primary Caregiver (check and add for Score)	
a. Not applicable 0	
b. Lacks parenting skills 1	
c. Lacks self-esteem 1	
d. Apathetic or hopeless 1	____
N7. Primary Caregiver Involved in Harmful Relationships	
a. No 0	
b. Yes. but not a victim of domestic violence 1	
c. Yes, as a victim of domestic violence 2	____
N8. Primary Caregiver has a Current Substance Abuse Problem	
a. No 0	
b. Alcohol only 1	
c. Other drug(s) (with or without alcohol) 3	____
N9. Household is Experiencing Severe Financial Difficulty	
a. No 0	
b. Yes 1	____
N10. Primary Caregiver's Motivation to Improve Parenting Skills	
a. Motivated and realistic 0	
b. Unmotivated 1	
c. Motivated but unrealistic 2	____
N11. Caregiver(s) Response to Assessment	
a- Viewed situation as seriously as social worker and cooperated satisfactorily 0	
b. Viewed situation less seriously than social worker 1	
c. Failed to cooperate satisfactorily 2	
d. Both b and c 3	____
TOTAL NEGLECT RISK SCORE	____

Abuse	Score
A1. Current Report is for Abuse	
a. No 0	
b. Yes 1	____
A2. Prior Assigned Abuse Reports	
a. None 0	
b. Abuse report(s) 1	
c. Sexual abuse report(s) 2	
d. Both b and c 3	____
A3. Prior CPS Service History	
a. No 0	
b. Yes 1	____
A4. Number of Children in the Home	
a. One 0	
b. Two or more 1	____
A5. Caregiver(s) Abused as Child(ren)	
a. No 0	
b. Yes 1	____
A6. Secondary Caregiver has a Current Substance Abuse problem.	
a. No. or no secondary caregiver 0	
b. Yes (check all that apply)	
____Alcohol abuse problem	
___Drug abuse problem 1	____
A7. Primary or Secondary Caregiver Employs Excessive and/or inappropriate Discipline	
a. No 0	
b. Yes 2	____
A8. Caregiver(s) has a History of Domestic Violence	
a. No 0	
b. Yes 1	____
A9. Caregiver(s) is a Domineering Parent	
a. No 0	
b. Yes 1	____
A10. Child in the Home has a Developmental Disability or History of Delinquency	
a. No 0	
b. Yes (check all that apply) 1	____
____ Developmental disability including emotionally impaired	
____History of delinquency 1	____
A 11. Secondary Caregiver Motivated to Improve Parenting	
a. Yes, or no secondary caregiver in home 0	
b. No 2	____
A12. Primary Caregiver Views Incident Less Seriously than Agency	
a. No 0	
b. Yes 1	____
TOTAL ABUSE RISK SCORE	____

RISK LEVEL

Assign the family's risk level based on the highest score on either scale, using the following chart.

Neglect Score	Abuse Score	Risk Level
___ 0- 4	_____ 0- 2	___Low
___ 5- 7	_____ 3- 5	___Moderate
___ 8-12	_____ 6- 9	___High
___ 13-20	_____ 10-16	____Intensive

Overrides

Policy: Override to intensive. Check appropriate reason.

_____ 1. Sexual Abuse cases where the perpetrator is likely to have access to the child victim.

_____ 2. Cases with non-accidental physical injury to an infant.

_____ 3. Serious non-accidental physical injury requiring hospital or medical treatment.

_____ 4. Death (previous or current) of a sibling as a result of abuse or neglect.

Discretionary: Override one level.

_____ 5. Reason:_____

_____

Override Risk Level: _____Low _____Moderate _____High _____Intensive

Social Worker: _____Date: _____

Supervisor's Review/Approval of Override:_____Date: _____

NORTH CAROLINA
FAMILY ASSESSMENT OF STRENGTHS AND NEEDS

Case Name:_____ Case #:_____ Date Completed_____
County Name:_____ Date Report Received:_____
Worker Name: _____
Children: _____ Circle either Initial or Reassessment # : 1 2 3 4 5: _____
Primary Caregiver:_____ Secondary Caregiver: _____

Some items apply to all household members while other items apply to caregivers only. Assess items for the specified household members, selecting one score only under each category. Household members may score differently on each item. When assessing an item for more than one household member, record the score for the household member with the greatest need (highest score).

Caregivers are defined as adults living in the household who have routine responsibility for child care. For those items assessing caregivers only, record the score for the caregiver with the greatest need (highest score) when a household has more than one caregiver.

		Score
S1. Emotional/Mental Health	a. Demonstrates good coping skills ..... -3 b. No known diagnosed mental health problems..... 0 c. Minor or moderate diagnosed mental health problems.....3 d. Chronic or severe diagnosed mental health problems.....5	_____
S2. Parenting Skills	a. Good parenting skills.....-3 b. Minor difficulties in parenting skills .....0 c. Moderate difficulties in parenting skills .....3 d. Destructive parenting patterns 5	_____
S3. Substance Use	a. No/some substance use .....0 b. Moderate substance use problems .....3 c. Serious substance use problems 5	_____
S4. Housing/Environment/ Basic Physical Needs	a. Adequate basic needs .....-3 b. Some problems, but correctable..... 0 c. Serious problems, not corrected ..... 3 d. Chronic basic needs deficiency 5	_____
S5. Family Relationships	a. Supportive relationships .....-2 b. Occasional problematic relationship (s) .....0 c. Domestic discord.....2 d. Serious domestic discord/domestic violence.....4	_____
S6. Child Characteristics	a. Age-appropriate, no problem..... -1 b. Minor problems..... 0 c. One child has severe/chronic problems..... 1 d. Child(ren) have severe/chronic problem(s)..... 3	_____
S7. Social Support Systems	a. Strong support network ..... -1 b. Adequate support network .....0 c. Limited support network .....1 d. No support or destructive relationships.....3	_____

S8. Caregiver(s) Abuse/ Neglect History

a. No evidence of problem 0
b. Caregiver(s) abused/neglected as a child 1
c. Caregiver(s) in foster care as a child 2
d. Caregiver(s) perpetrator of abuse/neglect in the last five years ..... 3 _____

S9. Communication/ Interpersonal Skills

a. Strong skills ..... -1
b. Appropriate skills 0
c. Limited or ineffective skills 1
d. Hostile/destructive ..... 2 _____

S10. Caregiver(s) Life Skills

a. Good life skills ..... -1
b. Adequate life skills 0
c. Poor life skills 1
d. Severely deficient life skills ..... 2 _____

S11. Physical Health

a. No adverse health problem 0
b. Health problem or disability 1
c. Serious health problem or disability ..... 2 _____

S12. Employment/Income Management

a. Employed ..... -1
b. No need for employment 0
c. Underemployed 1
d. Unemployed ..... 2 _____

S13. Community Resource Utilization

a. Seeks out and utilizes resources ..... -1
b. Utilizes resources 0
c. Resource utilization problems 1
d. Refusal to utilize resources ..... 2 _____

Based on this assessment, identify the primary needs and strengths of the family. Record S code, item score, and title.

Strengths

	S Code	Item Score	Title
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

Needs

	S Code	Item Score	Title
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

Children's Well-Being Needs:

1. _____
2. _____
3. _____

Social Worker: _____ Date: _____

Supervisor's Review/Approval: _____ Date: _____

NC Case Decision Summary/Initial Case Plan

Instructions for the Structured Investigative Assessment Case Decision Process

Determining whether a child is abused, neglected, or dependent requires careful assessment of all the information obtained during the investigative process. In making a case decision it is important to assess not only that maltreatment has occurred, but what are the current safety issues, and is there future risk of harm and the need for protection. The following questions should provide the structure for making a case decision:

1. Has the maltreatment occurred with frequency and/or is the maltreatment severe?
2. Are there current safety issues? Would the child be unsafe in the home where the abuse, neglect or dependency ocurred?
3. Is the child at risk of future harm?
4. Is the child in need of protection?

To make a case decision to substantiate a child for abuse, neglect, and/or dependency, the answer to one or more of the above questions must be yes, and there must be documentation to support the answers included on the case decision tool. Only in unusual circumstances should a supervisor and staffing team override the structured case decision process either to substantiate or to unsubstantiate.

Note: In determining severity of maltreatment, consideration should be given to the degree of harm, level of severity, extent of injury, aggregiousness, gravity and the seriousness of maltreatment.

If the decision of the Safety Assessment is safe, and the findings of the Risk Assessment and the Family Assessment of Strengths and Needs are both low, then the case would be unsubstantiated, unless there is an unusual circumstance that would warrant a substantiation.

Note:

In cases where poverty is the sole factor of the maltreatment and services were offered and accepted by the parent/caretaker, the case decision should be to unsubstantiate, unless there are unusual circumstances that would warrant a substantiation. In cases when poverty is the sole factor of the maltreatment, and there is an ongoing history/pattern of services being offered and declined and the pattern of maltreatment continues, it would be appropriate to substantiate if the answers to the above four questions are "yes, unless there are unusual circumstances that would warrant an unsubstantiation.

Note:
This form also serves as the Initial Case Plan.

STRUCTURED INVESTIGATIVE ASSESSMENT CASE DECISION PROCESS

(Factual Findings of the Investigative Assessment, Safety Assessment, Risk Assessment, Strengths & Needs Assessment)

Case Decision	Maltreatment Substantiated:
Unsubstantiate: _____ Substantiate: _____ Date of Case Decision: _____	Physical Abuse: _____ Neglect: _____ Emotional Abuse: _____ _____ Improper Care Sexual Abuse: _____ _____ Improper Supervision Moral Turpitude: _____ _____ Improper Discipline _____Improper Supervision Dependency: _____ _____Environment Injurious _____Abandonment _____Not providing necessary medical/remedial care _____Placed in violation of the law.

Parent/Guardian/Custodian/Caretaker/Agency/ Foster Home	Relationship to Child	Perpetrator(s)
1)		Yes: No:
2)		Yes: No:
3)		Yes: No:
4)		Yes: No:

CHILDREN (Indicate if each is substantiated or unsubstantiated for maltreatment)

NAME	SUB	UNSUB	NAME	SUB	UNSUB
1)			5)		
2)			6)		
3)			7)		
4)			8)		

DISPOSITION OF CASE

Unsubstantiated: _____
Substantiated and Closed: _____
Substantiated and Transferred to CPS Case Planning & Management: _____
Substantiated and Transferred to Placement: _____
Other: _____

Family Services Assessment: For Multiple Response Counties Only

No Need for Services/Date: _____ In Need of Services/Date: _____

Signatures of Others Present for Staffing:

_____

Social Worker Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

DOCUMENTATION

Document the factual information regarding the findings as they relate to the allegations of abuse, neglect and/or dependency, including behaviorally specific information regarding the frequency and severity of maltreatment, safety issues and future risk of harm.

SAFETY ASSESSMENT

Current Safety Assessment Attached: Yes: ____ No: _____(If not, needs to be attached)
Safety Outcome Safe: _____ Conditionally Safe: _____ Conditionally Unsafe: _____

RISK ASSESSMENT

Current Risk Assessment Attached: Yes: _____ No: ___(If not, needs to be attached)		
Neglect Score	Abuse Score	Risk Level

SUPERVISORY OVERRIDE

Document Supervisory Override: (Supervisor Use Only)

FAMILY STRENGTHS and NEEDS ASSESSMENT

SUMMARY:
The Family Strengths and Needs Assessment Summary serves as the Initial Case Plan and should detail the needs and the activities intended to prevent foster care placement of child for whom, absent effective preventive services, the plan would be removal from the home. This plan is used only when children remain in their own home and shall be in effect no longer than 30 days while the Family Services Case Plan; Part A; Service Agreements is being developed with the family.

Current Family Strengths and Needs Assessment Attached: Yes: _____ No: _____(If not, form needs to be attached)
Identify the Family Strengths:

Identify the Behavioral Needs and activities to be addressed through CPS Case Planning and Case Management or Foster care services for children in DSS custody until the Family Services Case Plan, Part A, Service Agreement is being developed.
1)
2)
3)
4)

Core Strategy Number 7 of the Multiple Response System:

Collaboration Between Work First and Child Welfare Programs
In Caldwell County
January 29, 2004

It is very important for Work First and Child Welfare to work closely together because **we are working with the same families.** Here are some of the things we do in our county to coordinate the services:

a. We complete a front-end strength based assessment on every family.
b. We share reports like our Report B, which list every active case we have and they share their CPS Case Management Report.
c. Work First and Child Welfare are mandatory collaterals for each other.
d. Work First staff makes home visits within 7 days of approving an employment case to help better identify strengths and barriers to becoming self-sufficient.
e. Thereafter, the worker meets with the adult caretaker weekly to develop a Mutual Responsibility Agreement or contract that gives steps in helping them reach their goals.
f. We staff mutual cases within 30 days so we are all working on the same goals for the family. We coordinate our Mutual Responsibility Agreement and the Child Welfare Case Plan so the family is hearing the same thing.
g. Work First staff makes home visits on their child only cases at the six-month review. Most of these cases are grandparents, aunts and uncles taking care of their grandchildren or nieces and nephews. We complete a kinship care assessment and see if general consent custody transfers would be appropriate to help provide permanence for the child. Some other services we may be able to provide are: child care, clothing, job searching if room on our van, gas vouchers for job searching or to get to and from work, summer camp, minor car repair to maintain a job or job search, school expenses, and other needs based on a case-by-case situation.
h. Joint Team meetings are held monthly. Community partners are invited to come educate the agency on their programs to better learn community resources.
i. A three-hour Economic Literacy, or better known as a budgeting class is available for everyone under 200% of poverty.
j. We provide parenting classes for all Work First caretakers including caretakers for child only cases.

The Work First Family Assistance program is a viable resource to child welfare staff and the mutual families we serve.

Nash Co.
Attachment 4

Tips for Child and Family Team Meetings

Child and family team meetings are gatherings of family, extended family, friends, community members, and agency service providers to discuss difficult issues related to child abuse, neglect, and dependency. They are also one of the central family-centered strategies of North Carolina's Multiple Response System (MRS). Although their purpose—planning and decision making—is familiar to child welfare professionals, child and family team meetings are also a radical departure from previous practices, in that they actively involve the family in the creation of a plan to ensure children's safety and well-being. Because they are so different, some child welfare workers are uncertain how to conduct these meetings effectively. To help, we present the following tips, which were developed by social workers based on the things they learned when they held family meetings.

Prepare ahead of time

Find out who will be there. Make notes to yourself about what you will say (i.e., concerns, strengths, synopsis, issues that must be addressed).

Greet everyone

Speak to everyone who comes in. Since family members may be uncomfortable with you, reach out to them in particular.

Seat yourself strategically

Sit next to a child or someone with whom you are trying to build a relationship. Do not sit next to the person facilitating of the meeting.

Identify your concerns and family strengths

Be sure to have these balance each other out. Talk about concerns as a human being, not as an expert social worker (although you surely are one!). Avoid jargon. Keep it brief. Be sure to bring up concerns the family has not already identified.

Provide a relevant case synopsis

Prepare ahead of time for sensitive issues or confidentiality. Act as though this is a group of your friends or family members. Be respectful.

Present the framework for decision making

When the facilitator asks you, be prepared to list the ***essential issues*** that must be addressed in the plan. Do not prescribe the plan.

Stay for entire meeting

No phone calls, etc. Stay nearby during breaks and private family time so that you can answer questions or provide feedback if the family needs you.

Don't gossip about the family

Avoid the "Us versus Them" dynamic. If you must, talk about others during breaks and before and after the meeting. Avoid assessment activities.

Give immediate feedback to plans and decisions

Ask the family to clarify things. Provide as much feedback as possible. Approve of as many things as possible. If you cannot approve of an item in the family's plan, explain why. If you need to check with someone else for approval (e.g., supervisor, judge) tell the family when you will do so and when you will get back to them.

Do not prescribe the plan!

Remember that this is the family's meeting. It is not the time to be directive. Think about "offering options" rather than telling people what to do.

Be prepared for criticism

There are two "hot seats" at family-centered meetings. Yours is one of them. Since you represent the agency and the family's entire history with it, you are likely to be blamed or criticized.

Don't be defensive

Not everyone will like you or your ideas. Listen well. Acknowledge feelings or ideas that are different than you own.

Be ready to feel captive to big feelings of sadness, grief, and anger

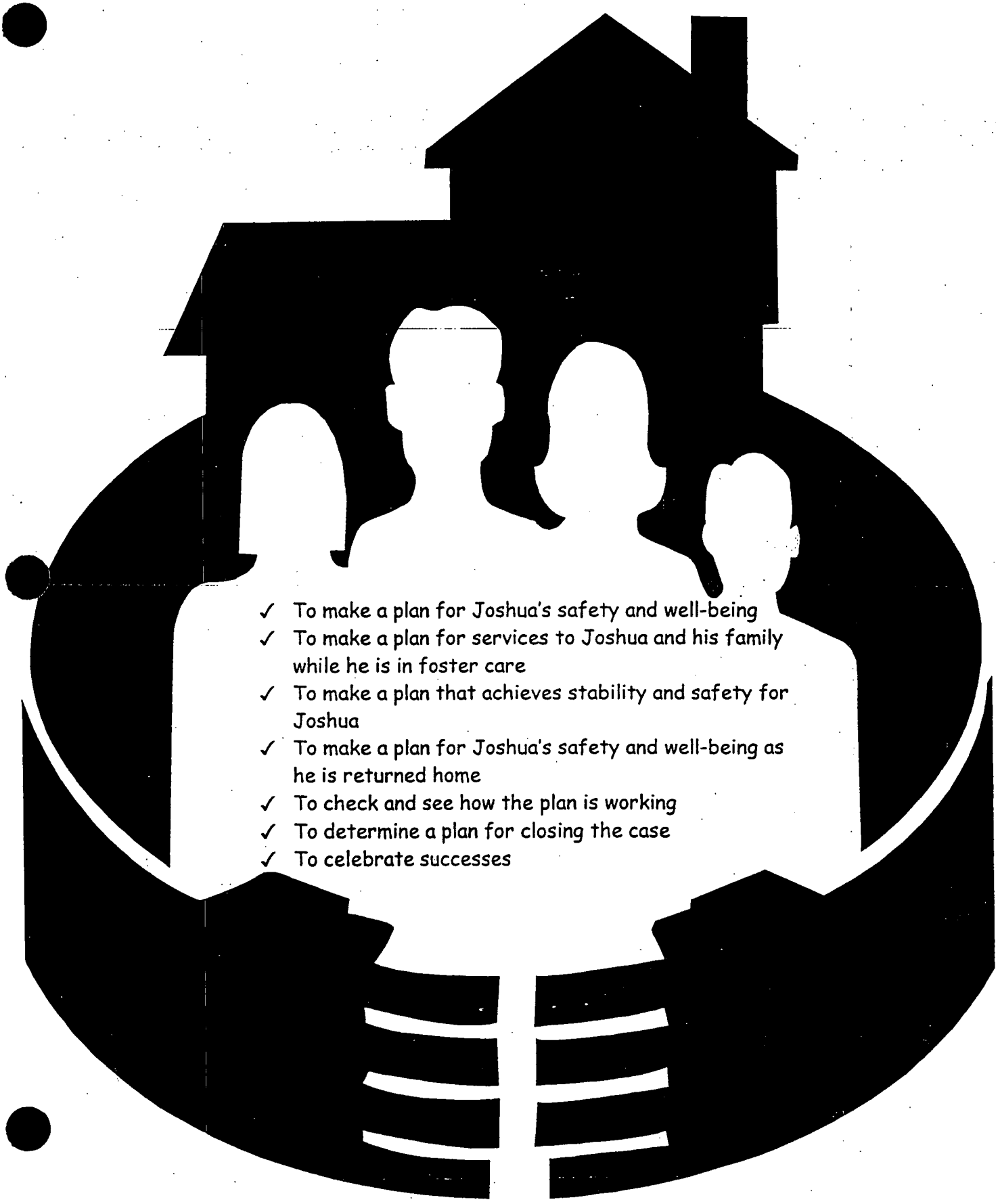
Family-centered meetings can be very emotional. You will witness the expression of feelings you don't always see. You may feel like a captive audience to the family's loss and pain. Plan to have someone to talk to afterwards. Be sure to schedule a time to debrief with the facilitator one-on-one.

To learn more about family meetings, consult:

- *NC Family-Centered Meetings Project <www.ncsu.edu/chass/SocialWork/fcmp/index.htm>*
- *Practice Notes 8(2) at <www.practicenotes.org>*
- *N.C. Division of Social Services Children's Services Manual <info.dhhs.state.nc.us/olm/manuals/dss/csm-10/man/index.htm>*

Source: Adapted from the NC Family-Centered Meetings Project, North Carolina State University

Examples of appropriate purposes:



- ✓ To make a plan for Joshua's safety and well-being
- ✓ To make a plan for services to Joshua and his family while he is in foster care
- ✓ To make a plan that achieves stability and safety for Joshua
- ✓ To make a plan for Joshua's safety and well-being as he is returned home
- ✓ To check and see how the plan is working
- ✓ To determine a plan for closing the case
- ✓ To celebrate successes

FACILITATOR'S AGENDA FOR FAMILY-CENTERED MEETINGS: (A CHEAT SHEET)

I. **Welcome**
- Begins with informal greetings as participants come in
- A brief, personal statement of welcome to start things off
- Explanation of what CFTs are and why we are doing them

II. **Introductions**
- Introduction of yourself and your role as Facilitator
- Introduction of participants and how they are related to the child(ren)

III. **Review of Purpose**
- Restate the purpose of the meeting as you understand it, writing it on the flip chart
- Check for agreement from all participants before moving on
- Make changes to the purpose as necessary
- Remind participants that part of Facilitator role is to make sure everyone stays focused on the purpose

IV. **Ground Rules**
- Either create the ground rules with the participants or
- Review the ground rules prepared ahead of time
- Get agreement from the participants before moving on
- Remind participants that part of the Facilitator role is to monitor the process and make sure that the ground rules are being followed

V. **Confidentiality**
- Explain the family's rights to privacy and confidentiality, according to the protocol of your agency
- Be sure to go over the limits of confidentiality

VI. **Information Sharing**
- Invite all participants to share both strengths and concerns
- Ask the social worker to make a brief report about the case: how the family came to be involved with the agency, what is currently happening with the case, and what their role is with the family/children.
- Emphasize that this is a time for getting everything on the table, not resolving all the concerns
- Be sure that everyone has the opportunity to speak and be heard
- If using flipcharts, list the primary concerns that have been identified

VII. **Options to Consider**
- Ask the service providers and family members to identify any resources or options the family may want to consider in their plan

VIII. **Making the Plan**
- Ask the family how they would like to resolve the identified concerns
- Consider using private family time for planning, if appropriate
- Solicit feedback from the social worker regarding the family's plan
- Help the group make the plan specific by asking questions
- Record the plan as it is agreed upon by the group

IX. **Closing**
- Congratulate the family and participants for their hard work and good will
- Ask the participants how they would like to close the meeting or if anyone would like to say something as we end

Attachment 5

20 Years of The NC Guardian ad Litem Program

2003 The Guardian ad Litem Program celebrates 20 years of advocating for abused and neglected children in the court system! At this milestone, we have 3,824 community volunteers, and in FY02-03, the teams of GAL volunteers and attorney advocates served 15,706 children in 26,112 court hearings. These are record numbers of both volunteers and hearings!

2003 GAL initiates and implements a database system, GAL2003, to track hearings and placements to ensure timely court review for children in abuse and neglect hearings.

2003 Expanded and redesigned GAL web site launched at www.nccourts.org/citizens/GAL/Default.asp providing information on how to volunteer, samples of district newsletters, legal information for GAL attorneys, training and program events.

2002 The North Carolina Guardian ad Litem Program publishes a comprehensive practice manual for attorneys representing children in juvenile court proceedings, and this is distributed statewide to judges and attorneys.

2002 The North Carolina Guardian ad Litem Program establishes a partnership with AmeriCorps*VISTA. Federally funded VISTA members recruit and train more volunteers to respond to the rise in child abuse cases.

2000 North Carolina Guardian ad Litem staff create a manual designed to encourage best practices in operating a GAL child advocacy program.

1997 North Carolina enacts legislation implementing the federal Adoption and Safe Families Act that expedites the placement of children in safe and permanent homes.

1995 General Assembly cuts GAL budget, severely reducing attorney payments, and restricting the GAL role to a two-year term. (This time restriction was eliminated in 1999.) In a Legislative Study Commission of the Guardian ad Litem Program, Judges, DSS Directors, and others strongly endorse the value and need for the GAL Program.

1994 GAL Program completes the 1983 mandate to have a GAL Program in each judicial district. From the coast to the mountains, the program has staff and volunteers in all 39 judicial districts.

1991 The General Assembly adopts a child fatality prevention initiative and establishes a legislative study commission, the Child Fatality Task Force. The GAL Program has maintained an active role in this organization.

1989 We officially join National CASA/GAL, after several years of active involvement with the organization. The North Carolina team of trained GAL and Attorney Advocate serves as a model for the national organization which adopted a revised NC volunteer training manual.

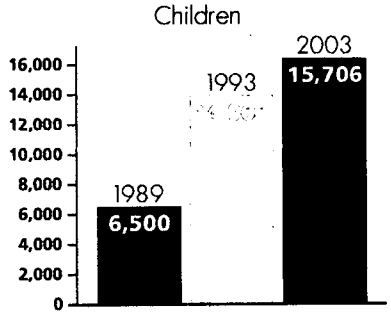
1988 General Assembly empowers, but does not *require*, judges to appoint Guardians ad Litem to cases of dependency.

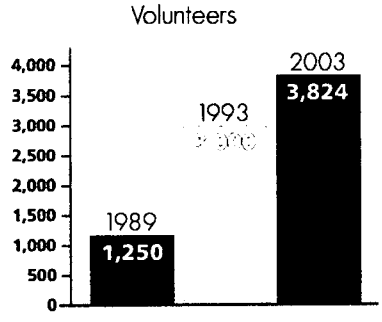
1987 First Training Manual for GAL Volunteers and Attorney Advocates

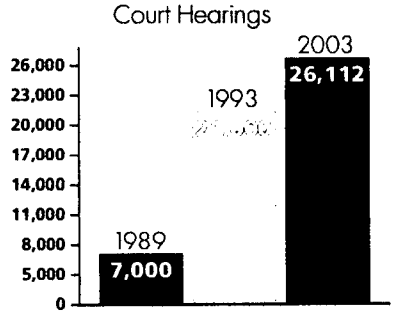
1985 WILKINSON v. RIFFEL, 72 N.C. APP. 220 (1985)
The court affirmed the order requiring DSS to furnish the GAL with information regarding the home in which the minors were placed for adoption; this was the first NC appeal in which the GAL was a party.

1983 The Office of the Guardian ad Litem Services is established in the Administrative Office of the Courts by the General Assembly. NCGS 7B-1200. In 1977 a law was enacted to allow the appointment of an Attorney Guardian ad Litem for abused and neglected children. This was revised in 1979 to require the appointment of Attorney GALs. Pilot programs were established with different models of representation by GAL attorneys and volunteers, and the model deemed most effective was the partnership of attorney and volunteer. This teamwork approach is reflected in the 1983 legislation creating a statewide Guardian ad Litem Program.

2003
2002
2000
1997
1995
1994
1991
1989
1987
1983







Jane Voland
Attachment 6

GUARDIAN AD LITEM
FACT SUMMARY 2003

This October 2003 the North Carolina Guardian ad Litem Program celebrated its 20th anniversary. The program was established by the General Assembly in 1983 to provide mandatory legal representation to abused and neglected children, and the judge has discretionary authority to appoint a guardian ad litem in dependency proceedings. The guardian ad litem and the attorney advocate are mandated by statute to protect and promote the best interest of the juvenile and to report to the court when the needs of the juvenile are not being met. The Juvenile Code, 7B-601, states that:

> The duties of the guardian ad litem program shall be to make an investigation to determine the facts, the needs of the juvenile, and the available resources within the family and community to meet those needs; to facilitate, when appropriate, the settlement of disputed issues; to offer evidence and examine witnesses at adjudication; to explore options with the court at the dispositional hearing; and to protect and promote the best interests of the juvenile until formally relieved of the responsibility by the court.

By 1994 the Guardian ad Litem (GAL) program was staffed in all of the judicial districts in our state and volunteers and attorneys were trained to represent children in neglect and abuse proceedings. There are currently 58 offices with trained program staff, volunteer guardians ad litem, and attorney advocates, in three regional areas of North Carolina: the Nor'east, the Piedmont, and the West.

North Carolina's model of the joint appointment of an attorney advocate and a community volunteer has received national recognition for its effectiveness. The advocacy of the GAL focuses exclusively on the needs of the child and helps move the child out of the court system in a timely manner and into a safe and permanent home. This is critical for the child's well being. It also saves resources for the court system and the taxpayers of the state. In 1997 the General Assembly created a Guardian ad Litem Study Commission that concluded there was overwhelming support for the program – 96% of the judges stated they relied heavily on GAL services and that GAL representation was necessary to serve the best interest of abused and neglected children. The Commission concluded that the child and the court system benefited greatly by having the guardian ad litem as a community voice in the court hearings. The GAL model represents a true public/private partnership.

Statistics for Fiscal Year 2002-03

- 3,824 GAL volunteers and 101 attorney advocates represented 15,706 children. This is a record number of volunteers serving an increasing number of children. (In the preceding year, 3,610 GAL volunteers represented 15,234 children).
- 26,112 hearings were conducted, including adjudication, disposition and review hearings. This is a record high number of court hearings. In addition, the

volunteer GAL and the attorney advocate often attended family court or other out-of-court sessions.

- In FY 2003, we spent $1,477,900 on our attorney advocates, excluding appeals. Based on the 40,554 hours of work performed and excluding court-waiting time, GAL attorneys earned only $36.44 per hour in FY 2003. These fees are significantly lower than the fees received by defense attorneys for indigent representation. Court appointed attorneys for parents in abuse and neglect proceedings are paid at the rate of $65 per hour. **For FY2005, we would need an additional $1,396,070 in order to pay GAL attorneys at the same rate as attorneys appointed to represent parents in abuse and neglect proceedings.**
- Pro bono attorneys assisted the GAL program with 20 appeals statewide – work in this area has significantly increased. There were 85 appeals of abuse/neglect hearings last year.
- As of October 1, 2003, the total number of paid full and part-time staff in the Raleigh state office and throughout the state is 131, and we have contracts with 86 GAL attorney advocates.
- In FY03 our program expenditures totaled $7,065,515. For the current fiscal year we are projecting a total budget of $7,268,449.
- Based on the FY02-03 total expenditures of $7,065,515 the annual cost per child for GAL representation was $450.
- In FY2003, our GAL volunteers gave the state 734,200 hours of service, **a value of over $11.78 million.** (This figure is based upon the *Independent Sector's* calculation of volunteer value at $16.05 per hour).

This year we have trimmed costs and sought to save money while still meeting the goal of providing trained and highly qualified legal representation and advocacy to abused and neglected children, but we need increased funding to address the increased need for services. Based on the recent findings of the NC Child Advocacy Institute, "child abuse and neglect continues to be an epidemic." On the 2003 NC Child Health Report Card, our state received an "F" in child abuse and neglect. In FY01-02 there were 107,218 reports of abuse and neglect, a 29% increase compared to the base line data of 83,257 in FY 96-97.

There is a growing need for the Guardian ad Litem Program and the trained volunteers and attorneys who give a voice of hope to abused and neglected children. Without the GAL advocacy, there is an increased likelihood that these children would spend more time in the limbo of foster care. The program needs the continued support of the legislature and the citizens of North Carolina so that we can continue to represent and advocate for the children who are perhaps the most vulnerable of our citizens as well as our future and greatest resource.

Jane Volland
GAL Administrator
jane.volland@nccourts.org
Phone: 919/571-4820 Fax: 919/788-5321
Please visit our web site at: http://www.nccourts.org/Citizens/GAL/Default.asp

Attachment 7

A Durham County Case

This is the case of a little girl who was born on July 3, 2002 – at birth, she and her mother both tested positive for cocaine. There was a history of severe domestic violence between the mother and the child's father. Due to her prematurity, the child was hospitalized for several weeks after she was born. When she was ready for discharge, DSS petitioned for custody based on the substance abuse of the parents and the severe violence in the home. The little baby was placed in a foster home. There were several uncontested non-secure custody hearings – scheduled to determine whether the baby should be returned to the parents or remain in foster care. One non-secure custody hearing was contested – but the judge ruled that the baby should remain out of the home pending the adjudication hearing. At the adjudication hearing, which lasted almost 10 hours, the mother prevailed in having the child returned to her physical care while DSS retained legal custody. The court order contained multiple conditions, including keeping the father out of the home, and the mother was to obtain substance abuse treatment. There were several review hearings, and the situation looked promising in terms of the mother's compliance with the court order. Then the GAL, at an unannounced home visit, found the boyfriend/father in the home, and there were other violations of the court order. This resulted in DSS removing the child again – this happened in an emergency court hearing on October 14, 2003. There were several hearings on the child's continued placement in foster care, and eventually the Judge returned the child to the mother, under the same conditions as before. At this time, the mother is in compliance – she is drug free and the boyfriend/father is out of the home. The parties hope to close the case within the next 6 months, but there will be at least two more review hearings before the case is closed and legal custody returned to the mother.

Our GAL attorney advocate outlined the activities and time involved in her legal representation, and this is as documented:

PETITION FILED 8/28/02	
review petition/open file/add to calendar database	.25 hours
nsc 9/2/02-uncontested	.25 hours
nsc 9/9/02-contested hearing	1.50 hours
nsc 10/14/02-uncontested	.25 hours
10/14/02 Pretrial conference required by local rules	.25 hours
nsc 10/21/02-uncontested	.25 hours
Adjudication 10/23/02..continued	.25 hours
nsc 11/18/02-hearing	1.00 hours
12/9/02 Pretrial conference required by local rules	.25 hours
12/18/02 Adjudication hearing	9.50 hours

12/23/02 TC with SW	.25 hours
12/23/02, 12/28 and 12/30 TCs with GAL	.25 hours
12/31 and 1/1 TCs with GAL	.25 hours
Reviewed proposed order.	.10 hours
2/28/03 Prepared for pretrial conference	.25 hours
3/3/03 Pretrial conference for first review hearing	.10 hours
3/11/03-first review hearing-negotiated consent	.25 hours
3/31/03-reviewed mental health evaluation of mother	.10 hours
Reviewed proposed order from DSS for accuracy	.10 hour
4/24/03-multiple e-mails with other counsel regarding language on proposed order from 3/11/03 hearing	.25 hours
5/2/03 multiple e-mails with other counsel regarding mother's Compliance with court order	.25 hours
6/27/03 Prepared for pretrial conference	.25 hours
6/30/03 Pretrial conference	.10 hours
7/8/03 second review hearing-negotiated consent	.25 hours
Reviewed proposed order from DSS for accuracy	.10 hour
7/25/03 mtg with GAL re concerns over mother's noncompliance and need to review records that aren't being released by domestic violence counselor	.25 hours
8/1/03 TC and fax to domestic violence counselor with statutory authority for GAL to receive records.	.50 hours
8/20/03 Received and reviewed records from DV counselor. Forwarded to GAL	.25 hours
8/27/03 TC with GAL	.10 hours
9/19/03 Prepared for pretrial conference	.25 hours
9/22/03 Pretrial conference	.10 hours
9/30/03 third review hearing-negotiated consent	.50 hours

10/7/03 Reviewed proposed order from DSS for accuracy	.10 hours
10/8/03 multiple phone calls with GAL because of violations of court order by mother	.25 hours
10/14/03 emergency court hearing on NSC entered due to mother's violation of court order	.25 hours
10/20/03 emergency court hearing -NSC	2.25 hours
10/27/03 pretrial conference for fourth review hearing	.10 hours
11/04/03 4th review hearing-negotiated consent	.25 hours
Reviewed proposed order	.10 hours
12/02/03 5th review hearing-negotiated consent	.25 hours
Reviewed proposed order	.10 hours

The above case was only one of the 352 children from 204 family groups represented by the attorney advocate and the 138 GAL volunteers in Durham County in FY 2002-03. During that time period, there were 97 new petitions filed and there were 1,033 court hearings. The attorney advocate and the GAL volunteers also spent considerable time in out of court conferences and meetings. The Durham GAL office trained 43 new volunteers – 34 volunteers resigned. The recruitment, screening and training of volunteers is an on-going process, as is the appointment, supervision and monitoring of volunteers.

Statewide in FY 2002-03, there were 3,824 GAL volunteers and 101 attorney advocates who represented 15,706 children. This is a record number of volunteers serving an increasing number of children. There was also a record high number of court hearings statewide – 26,112 hearings were conducted, including non-secure custody hearings, adjudications, dispositions and review hearings. Funding fails to acknowledge the growing numbers and the increasing complexity of these cases. Guardian ad Litem attorneys are grossly underpaid. They earn approximately one half of the $65 per hour paid to attorneys appointed to represent parents in abuse and neglect hearings. In FY 2003, Indigent Defensive Services paid attorneys $5,167,877 to represent indigent parents and the GAL Attorney Budget, not including appeals, totaled $1,477,900. We are now losing an increasing number of trained GAL attorneys who would like to remain in the program, but cannot afford to do so. This is a crisis that must be addressed.

Guardian ad Litem Attorney Advocate Pay

Total Paid to Attorneys	Number of Children Served	Per Child Per Year Attorney Expenditure	Budget Rate for Non-Appellate Attorney Work	Additional Funds Needed to Pay $65 per hour
FY2000				
$1,249,942	15,364	$81.36		
FY2001				
$1,556,463	14,781	$105.30		
FY2002				
$1,485,345	15,234	$97.50	$37.38	
FY2003				
$1,491,492	15,706	$94.96	$36.44	
FY2004				
			$34.50	
FY2005			(without budget increase)	
			$33.17	$1,396,070
FY2006			(without budget increase)	
			$31.90	$1,510,113

Attachment 8

FY2005 Budget - Attorney Budget

FY1998 Attorney Time Survey

	Monthly Averages from '98 Time Survey
Total Hours	22.2300
# Case	40.1700
Hours Per Case Per Month	0.5534

FY2002

	1997-98	2001-2002	Comparison
Hearings Scheduled	27,989	31,295	
Hearings Complete	22,378	25,066	
Family Groups	8,608	8,418	
Hear Sched/Family Group	3.25	3.72	1.143
Hear Comp/Family Group	2.60	2.98	1.145

Extrapolated Data	
Hours Per Case Per Month	0.6339
Cases in Time 12/01; 3/02; 6/02; 9/02 Average	5118
Hours Per Month FY2002	3,244
Hours Per Year FY2002	38,929
Non-appeal Attorney Budget	1,455,000
Budget Rate Per Hour FY2002 *** Excludes Wait-time	37.38

Hourly Difference with Parents	27.62
Conservative Budget Need to raise pay to $65/hour excluding wait-time for FY2002 Data	1,075,403

FY2003

	2001-2002	2002-2003	Comparison
Hearings Scheduled	31,295	33,607	1.074
Hearings Complete	25,066	26,112	1.042
Hours Per Month FY2003	3,379		
Hours Per Year FY2003	40,554		
Non-appeal Attorney Budget	1,477,903		
Budget Rate Per Hour FY2003 *** Excludes Wait-time	36.44		

Hourly Difference with Parents	28.56
Conservative Budget Need to raise pay to $65/hour excluding wait-time for FY2003	1,158,093

FY2005 Budget - Attorney Budget

FY2004

Assumes 4% increase in hearings in FY2004			
	2002-2003	FY 2004 Projected	Comparison
Hearings Complete	33,607	34,951	1.040
Hours Per Month FY2004 Projected	3,515		
Hours Per Year FY2004 Projected	42,176		
Current Non-appeal Attorney Budget	1,455,000		
Budget Rate Per Hour FY2004 *** Excludes Wait-time	34.50		

Hourly Difference with Parents	30.50
Conservative Budget Need to raise pay to $65/hour excluding wait-time for FY2004	**Additional Funds Needed** **$1,286,414**

FY2005

Assumes 4% increase in hearings in FY2005			
	FY2004 Projected	FY 2005 Projected	Comparison
Hearings Complete	34,951	36,349	1.040
Hours Per Month FY2005 Projected	3,655		
Hours Per Year FY2005 Projected	43,863		
Current Non-appeal Attorney Budget	1,455,000		
Budget Rate Per Hour FY2005 *** Excludes Wait-time	33.17		

Hourly Difference with Parents	31.83
Conservative Budget Need to raise pay to $65/hour excluding wait-time for FY2005	**Additional Funds Needed** **$1,396,070**

Attachment 9

ADMINISTRATIVE OFFICE OF THE COURTS

PO BOX 2448
RALEIGH, NORTH CAROLINA 27602

JOHN M. KENNEDY
DIRECTOR

DAVID F. HOKE
ASSISTANT DIRECTOR

JANE E. VOLLAND
ADMINISTRATOR
GUARDIAN AD LITEM SERVICES DIVISION
(919 571-4820, Fax: (919) 788-5321

TO: Representatives Jennifer Weiss and Timothy Moore, Co-Chairs and Members of the House Interim Committee on Child Abuse and Neglect, Foster Care and Adoption

FROM: Jane Volland, Administrator of the Guardian ad Litem Program

DATE: January 28, 2004

RE: Recommendations for the Guardian ad Litem Program

The Guardian ad Litem (GAL) Program was established by the General Assembly in 1983 to provide mandatory legal representation to abused and neglected children. The volunteer GAL and the attorney advocate are mandated by statute to protect and promote the best interest of the child in the court system. The GAL program operates in all 39 judicial districts, and in FY 2002-03 teams of 3,824 community volunteers and attorneys represented 15,706 children in 26,112 court hearings. These are record high numbers. Unfortunately in recent years, due to the state budget crisis, the GAL program has suffered cuts in funding and staff positions. The following recommendations address critical needs:

1. Increase the pay for Guardian ad Litem Attorney Advocates, who are mandated by statute, G.S. 7B601, to provide legal representation to abuse and neglected children in the court system. In FY2003, we spent $1,477,900 on our Attorney Advocates, excluding appeals. Based on 40,554 hours of work performed and excluding court waiting time, GAL Attorney Advocates earned only $36.44 per hour. Court appointed attorneys for parents in abuse and neglect hearings earn $65 per hour. **For FY2005, we need an additional $1,396,070 in order to pay GAL Attorneys at the same rate as attorneys appointed to represent parents in abuse and neglect hearings.**

2. Support recommendations to modify the federal guidelines that currently prohibit the Department of Social Services and the Guardian ad Litem program from access to nationwide criminal records. It is essential that both agencies have access to these records in order to protect children. Through the Administrative Office of the Courts, the Guardian ad Litem program has access to state criminal records, but there is now increasing movement of individuals and families across state lines. The Guardian ad Litem program needs access to NCIC in order to accomplish both its statutory mandate and to screen potential volunteers for the program.

3. Additional funding is required to adequately staff GAL programs in certain judicial districts. Based on increased caseloads, there is a critical need in some areas of the state for increased staff positions. If requested, detailed information can be provided to Committee members regarding staffing needs.

Attachment 10

2002-03 Stat Comparison -Sorted by County

Judicial District	County	Investigated Per 1000 Children	Investigative Assessment	Substantiated for Maltreatment	% Children Whose Cases Were Investigated That Were Substantiated	Petition Filed By Children	% Children Whose Cases Were Substantiated that had a Petition Filed
15.1	Alamance	47.17	1584	240	15.2%	57	23.8%
22	Alexander	34.33	294	65	22.1%	15	23.1%
23	Alleghany	54.18	114	27	23.7%	1	3.7%
20	Anson	45.59	285	65	22.8%	18	27.7%
23	Ashe	51.83	249	95	38.2%	11	11.6%
24	Avery	58.82	197	55	27.9%	19	34.5%
2	Beaufort	72.68	743	232	31.2%	37	15.9%
6	Bertie	26.48	125	51	40.8%	3	5.9%
13	Bladen	57.98	463	112	24.2%	21	18.8%
13	Brunswick	22.96	378	213	56.3%	88	41.3%
28	Buncombe	82.38	3854	988	25.6%	99	10.0%
25	Burke	83.94	1844	481	26.1%	78	16.2%
19.1	Cabarrus	48.63	1806	405	22.4%	100	24.7%
25	Caldwell	79.36	1458	390	26.7%	60	15.4%
1	Camden	17.89	30	5	16.7%	0	0.0%
3.2	Carteret	79.08	914	259	28.3%	79	30.5%
9.1	Caswell	52.48	287	83	28.9%	15	18.1%
25	Catawba	71.55	2624	830	31.6%	133	16.0%
15.2	Chatham	63.4	749	228	30.4%	74	32.5%
29	Cherokee	89.48	443	171	38.6%	54	31.6%
1	Chowan	29.78	101	15	14.9%	2	13.3%
29	Clay	46.27	72	7	9.7%	5	71.4%
27.2	Cleveland	55.82	1389	433	31.2%	92	21.2%
13	Columbus	52.31	718	199	27.7%	20	10.1%
3.2	Craven	77.83	1743	376	21.6%	36	9.6%
12	Cumberland	62.7	5373	1279	23.8%	293	22.9%
1	Currituck	72.64	344	103	29.9%	17	16.5%
1	Dare	37.66	247	144	58.3%	48	33.3%
22	Davidson	59.16	2160	662	30.6%	68	10.3%
22	Davie	15.56	140	52	37.1%	10	19.2%
4	Duplin	50.44	684	329	48.1%	30	9.1%
14	Durham	45.24	2521	951	37.7%	187	19.7%
7	Edgecombe	76.99	1089	300	27.5%	77	25.7%
21	Forsyth	24.19	1894	313	16.5%	116	37.1%
9	Franklin	40.87	527	131	24.9%	37	28.2%
27.1	Gaston	65.58	3094	890	28.8%	82	9.2%
1	Gates	43.87	116	25	21.6%	0	0.0%
29	Graham	73.16	127	46	36.2%	14	30.4%
9	Granville	51.24	617	175	28.4%	31	17.7%
8	Greene	61.95	307	65	21.2%	7	10.8%
18	Guilford	35.38	3787	794	21.0%	220	27.7%
6	Halifax	55.14	775	288	37.2%	38	13.2%
11	Harnett	49.37	1319	572	43.4%	56	9.8%
29	Haywood	100.54	1122	379	33.8%	52	13.7%
29	Henderson	91.63	1790	345	19.3%	62	18.0%
6	Hertford	45.53	233	63	27.0%	14	22.2%
16.1	Hoke	22.84	259	39	15.1%	12	30.8%
2	Hyde	21.26	23	12	52.2%	5	41.7%
22	Iredell	60.29	2057	765	37.2%	112	14.6%
29	Jackson	76.77	500	120	24.0%	15	12.5%
11	Johnston	46.69	1689	410	24.3%	94	22.9%

2002-03 Stat Comparison -Sorted by County

Judicial District	County	Investigated Per 1000 Children	Investigative Assessment	Substantiated for Maltreatment	% Children Whose Cases Were Investigated That Were Substantiated	Petition Filed By Children	% Children Whose Cases Were Substantiated that had a Petition Filed
4	Jones	58.32	144	41	28.5%	4	9.8%
11	Lee	62.89	816	104	12.7%	18	17.3%
8	Lenior	64.87	939	351	37.4%	106	30.2%
27.2	Lincoln	46.87	777	223	28.7%	23	10.3%
29	Macon	80.7	495	127	25.7%	24	18.9%
24	Madison	63.53	273	70	25.6%	24	34.3%
2	Martin	125.75	774	254	32.8%	8	3.1%
29	McDowell	34.77	346	65	18.8%	35	53.8%
26	Mecklenburg	39.05	7605	1771	23.3%	360	20.3%
24	Mitchell	122.07	390	127	32.6%	23	18.1%
19.2	Montgomery	51.16	346	121	35.0%	25	20.7%
19.2	Moore	56.99	960	265	27.6%	45	17.0%
7	Nash	51.61	1164	127	10.9%	31	24.4%
5	New Hanover	87.31	3115	1063	34.1%	205	19.3%
6	Northampton	62.15	313	53	16.9%	8	15.1%
4	Onslow	72.99	2923	1364	46.7%	241	17.7%
15.2	Orange	53.49	1365	420	30.8%	96	22.9%
3.2	Pamlico	53.3	134	48	35.8%	5	10.4%
1	Pasquotank	53.05	449	146	32.5%	49	33.6%
5	Pender	68.59	681	158	23.2%	28	17.7%
1	Perquimans	27.81	68	24	35.3%	3	12.5%
9.1	Person	44.11	382	87	22.8%	22	25.3%
3.1	Pitt	52.67	1737	598	34.4%	62	10.4%
29	Polk	47.72	184	64	34.8%	10	15.6%
19.2	Randolph	50.24	1717	367	21.4%	75	20.4%
20	Richmond	88.88	1055	185	17.5%	32	17.3%
16.2	Robeson	85.1	3101	789	25.4%	258	32.7%
17.1	Rockingham	52.96	1126	329	29.2%	30	9.1%
19.3	Rowan	61.61	2072	492	23.7%	118	24.0%
29	Rutherford	88.33	1328	664	50.0%	93	14.0%
4	Sampson	25.24	418	170	40.7%	34	20.0%
16.1	Scotland	72.07	709	177	25.0%	42	23.7%
20	Stanly	46.82	688	211	30.7%	19	9.0%
17.2	Stokes	41.71	465	139	29.9%	51	36.7%
17.2	Surry	55.67	958	342	35.7%	17	5.0%
29	Swain	104.32	333	82	24.6%	15	18.3%
29	Transylvania	59.62	351	51	14.5%	28	54.9%
2	Tyrell	37.3	32	7	21.9%	9	128.6%
20	Union	42.42	1672	387	23.1%	54	14.0%
9	Vance	83.94	1006	225	22.4%	35	15.6%
10	Wake	18.65	3366	890	26.4%	183	20.6%
9	Warren	63.47	290	61	21.0%	12	19.7%
2	Washington	30.01	98	33	33.7%	5	15.2%
24	Watauga	30.66	215	63	29.3%	23	36.5%
8	Wayne	62.28	1856	608	32.8%	158	26.0%
23	Wilkes	61.58	929	225	24.2%	73	32.4%
7	Wilson	56.8	1083	333	30.7%	44	13.2%
23	Yadkin	41.68	382	126	33.0%	31	24.6%
24	Yancey	70.31	269	112	41.6%	49	43.8%

Attachment 11

My GAL
By: Amber Snyder
Newton, NC

I will never be able to repay my GAL. He knew I needed to be treated like I was somebody important.

Have you ever had the only world you've known pulled right out from under your feet? Four and a half years ago that is exactly what happened to me. It was the scariest thing I had ever witnessed, and it was happening to me.

I had given up on my real parents' ability to provide a safe and secure life for me. I felt a need that was not being met, and God guided me to someone who could help. I was placed in the safe care of the state of North Carolina. At that time, I felt unloved by my parents and alone in school. All my friends still lived with their "real" families, but I didn't. I was, however, very grateful to be out of the chaotic life my birthfamily created.

After coming into care, I was introduced to a man who said he would be my "GAL." I found that weird because he was a man. I later found out what GAL stood for, Guardian ad Litem. He is a wonderful man. Was and still is my Guardian Angel Legally, my GAL. He and his co-workers worked really hard to help me get what I needed. When all the other support teams couldn't help with my needs and issues, the whole GAL system built the bridge to meet my needs and resolve my issues. The time that sticks out in my mind most was the summer after my eighth grade year. The Beta Club was going on a reward trip to Carowinds theme park. I really wanted to go, but we didn't have the money to spare. We spoke to my social worker, and he couldn't help me with the money. We also spoke to the GAL program. They said they would see what they could do. In the end, my GAL brought me the money for my trip. I later found out that he took up a collection at the office so I could go on my trip. That is one of the many special things the GAL program has done for me. Any time we went to court, my GAL would make a point to find out what I wanted and how I felt and carried my voice to the judge. They also helped my grandmother, whom I call mom, to adopt me and my two brothers. My GAL never made me feel like I was just a case or a number. He always made me feel that what I had to say was important and really mattered. I will never be able to repay my GAL. He knew I needed to be treated like I was somebody important.

The summer after my freshman year, I was given the opportunity to do an internship with the GAL office. I really enjoyed learning more about their program and how they work with people. I had the privilege of filing papers, making copies, and rearranging the filing cabinets and was given the high honor of being trusted with confidentiality. That summer was truly a learning experience, and I will always be grateful for the opportunity extended to me by my GAL.

My mom has always taught us to give back and be thankful for those who have helped us. One year, mom said, "We're going to do something special for some people this Christmas." My brothers and I, with the help of my mom, decided to use our saved

allowance to buy small gifts for children. We also collected some of our stuffed animals to bring other children comfort. We wrapped the gifts in brightly colored cellophane paper, put them in the car, and took them all to the GAL office. The look on their faces made me cry. They were so surprised and glad to have the little gifts to give children who were in care. It felt so good to support the cause of such a wonderful and caring agency. My GAL was so grateful and excited to receive our gifts for the children. That moment changed my life forever. The warmness of giving far exceeds the joy of receiving.

The next year, I decided to make a bigger project. Just a few teddy bears would not be enough to meet the needs of children in crisis. I went to my student council director and proposed the idea to collect teddy bears for children in crisis as our Christmas project. The director was so excited she had me introduce the idea at our next meeting. I explained that the stuffed animals are given to children when they come into care and stay with them wherever they go. Sometimes when a child comes into care, he or she has nothing. If they are given a stuffed animal that is soft and cozy, they will feel more comfortable and secure.

My motion passed unanimously. Our plan was to collect stuffed animals for a week or two before Christmas break. I would deliver the stuffed animals to the GAL office. Our slogan for the teddy bear drive was: "Please bring in a new or old stuffed animal for a child in crisis to be used as a transitional object, to be taken from place to place."

The student body loved the idea, and the drive was a huge success! We collected more than 300 stuffed animals! I was shocked at the amount! I knew that would be too many to give to the GAL program. I discussed it with my mom. She suggested I give some to social services so they could also give a child in crisis a transitional object. Again, when I made the deliveries, the looks on the faces of the GALs brought tears to my eyes. I plan to continue the tradition of giving. I am grateful to all those who taught me the precious lesson to give with all your heart.

Thank you "My GAL" and everyone who has helped me get to where I am today. You are my heroes!

Attachment 12

NEEDS AND CONCERNS IDENTIFIED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION
January 29, 2004

Information Sharing

- NC FAST. A comprehensive, statewide computer system of Child Protective Service (CPS) records to be made available to all 100 counties. Funding may be needed to implement the statewide computer system. Amount needed?
- Statewide criminal background checks need to be available to all 100 counties through the Administrative Office of the Courts. A contract between DHHS and AOC is currently under negotiation to allow for this process. All 100 counties should have access by July 2004.
- Lack of awareness among sister agencies, professions and all community members of the need to notify the local department of social services when a child is in a potentially harmful situation. Training, education, and better communication should address this issue.
- Federal criminal background checks are not always obtained in situations where the check is available as an assessment tool to the social worker. Training, knowledge, and better communication among agencies should address this issue.

Training/Staffing

- Large turnover rates among CPS workers.
- Training of new, entry-level social workers is not adequate for the worker to begin in the field on the date of employment.
- Recruitment of entry-level social workers is a problem for most counties.
- Pay for CPS workers varies drastically from county to county across the state.
- Ratio of CPS workers to families varies drastically from county to county across the state.

MRS – Multiple Response System

- Implementation and training of the system across the 100 counties. To date 10 counties have fully implemented the system. What can be learned?
- Evaluation of the system. What is being done to evaluate the implementation process? What is being done to evaluate the use of the system and its impact on the children and the family?
- Funding. Is additional funding needed to fully implement the system?

Prevention

- Lack of funding for Child Fatality Task Force. Restore funding for Child Fatality Task Force.
- Lack of parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state. Comprehensive strategy should be developed by DHHS to address need for child abuse/neglect prevention programs across the state (assess what programs are working, examine existing funding sources for prevention programs and restore funding where needed).
- Lack of mental health and substance abuse services in communities.

Foster Care – Miscellaneous

- Low GAL attorney fees for representation of children. (Guardian ad litem attorney advocates' reimbursement rate is approximately one half that of criminal defenders.) Raise reimbursement rate.
- Expedited TPR process, particularly the appeal process, is needed to obtain safe permanent homes in the appropriate time frames.
- Funding for special needs children in foster care is not adequate to address needs. How much is needed?
- Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 29, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Kathy Dobbs	CFSA - NC
Evelyn Williams	NC Child Welfare Education Collaborative
Sharon Scott	Stanly Co. DSS
Pleas Beal	State DSS
Katie Myers	DJJDP
Stoney Blevins	Wake Co. Human Svs.
Sammy R. Hartbeck	Caldwell Co. DSS
Ginger B Carson	Caldwell Co. DSS
Joyce Edwards	"
Sharon Johnson	"
Holly McNeill	"

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 29, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Eddie Caldwell	NC Sheriffs Assn / NC Law Enf. Off. Assn
JoAnn Lamm	DHHS / DSS
Kaye Radford	Nash Co. DSS
Melvia Batts	Nash Co. DSS
Jayne B Norwood	Nash Co. DSS
Laura S. O'Neil	Nash Co. DSS
Lynn Nelson	Nash Co DSS
Georgia Robbins	Nash Co. DSS
Stephanie Dunahan	Nash Co. DSS
Sherry Bradsher	DHHS / DSS
Lane Volland	GAL / AOC

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: January 29, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Claudia Kadis	GAL volenteer

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 17, 2004

MEMORANDUM
2nd CORRECTION

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, February 18, 2004 at 1:00 p.m. is CANCELLED

Thursday, February 19, 2004 at 9:00 a.m. – 12:30 p.m. and ~~1:15~~ 1:45 p.m. until

LOCATION:

Room 643, LOB, on February 19th

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 9, 2004

MEMORANDUM
CORRECTED

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, February 18, 2004 at 1:00 p.m.
Thursday, February 19, 2004 at 9:00 a.m.

LOCATION: Room 1124, LB, on February 18th
Room 643, LOB, on February 19th

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 9, 2004

MEMORANDUM
CORRECTED

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, February 18, 2004 at 1:00 p.m.
Thursday, February 19, 2004 at 9:00 a.m.

LOCATION: Room 1124, LB, on February 18th
Room 643, LOB, on February 19th

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 3, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: February 19, 2004 at 1:00 p.m.
February 20, 2004 at 9:00 a.m.

LOCATION: Room 643, LOB, on February 19th
Room 544 LOB, on February 20th

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 3, 2004

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: February 19, 2004 at 1:00 p.m.
February 20, 2004 at 9:00 a.m.

LOCATION: Room 643, LOB, on February 19th
Room 544 LOB, on February 20th

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Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

February 19, 2004
Room 643, LOB
9:00 a.m.

OPENING REMARKS

Representative Tim Moore
Co-Chair

AGENDA

Approval of Minutes

Presentation of the 2003 Central Registry Data:

David Atkinson, DSS

Adolf Simmons, DSS

Presentation of the "Report Card" on Child Protective Services:

Dr. Marcia Herman-Giddens, Sr. Fellow, Adjunct Professor School of Public Health UNC-Chapel Hill, Former Medical Director of the State Child Fatality Prevention Team, Consultant in child maltreatment

Presentation on the analysis of the central registry data:

Joel Rosch, Duke University

Multiple Response System:

Debbie Brigman, Social Work Program Manager, Moore County

Presentation of the 3 studies---caseloads, budgetary information, and Social Work III position turnover:

JoAnn Lamm, DSS

Karen Taylor George, DSS Director's Association
Brenda Jackson, DSS Director's Association
Roy Young, DSS Director's Association

Patrick McCoy, OSP

Presentation on the current programs and potential expansion of the Child Welfare Collaborative:

Nancy Dickinson, Child Welfare Collaborative

NEEDS AND CONCERNS IDENTIFIED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION

Revised February 18, 2004

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- NC FAST. A comprehensive, statewide computer system of Child Protective Service (CPS) records to be made available to all 100 counties. Funding may be needed to implement the statewide computer system. Amount needed?
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- Recruitment of entry-level social workers is a problem for most counties.
- Pay for CPS workers varies drastically from county to county across the state.
- Ratio of CPS workers to families varies drastically from county to county across the state.
- False reports

MRS – Multiple Response System

- Implementation and training of the system across the 100 counties. To date 10 counties have fully implemented the system. What can be learned?
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- Lack of funding for Child Fatality Task Force. Restore funding for Child Fatality Task Force.
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- Lack of mental health and substance abuse services in communities.
- Need for childcare subsidy
- Need for 2nd and 3rd shift childcare services

Foster Care – Miscellaneous

- Low GAL attorney fees for representation of children. (Guardian ad litem attorney advocates' reimbursement rate is approximately one half that of criminal defenders.) Raise reimbursement rate.
- Expedited TPR process, particularly the appeal process, is needed to obtain safe permanent homes in the appropriate time frames.
- Funding for special needs children in foster care is not adequate to address needs. How much is needed?
- Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.

CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION COMMITTEE

MINUTES

Thursday, February 19, 2004
9:00 a.m.
Room 643, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care, and Adoption Committee met on Thursday, February 19, 2004 in Room 643 of the Legislative Office Building. Representatives Moore and Weiss, Co-Chairs, Barbee, Barnhart, Blackwood, Carney, Dickson, Earle, Eddins, Farmer-Butterfield, Hunter, Jeffus, Lucas, Parmon, Rayfield, Ross, Warner, Ms. Barringer, and Ms. Tolle-Whiteside attended. Also in attendance were Ms. Jessup, Ms. Churchill, Ms. Graf Ray, Ms. Morgan, and Ms. Wilks, staff.

Representative Moore presided and called the meeting to order. Representative Moore welcomed the committee members and those present; thanked the staff and sergeant-at-arms and asked for a motion to adopt the minutes of the previous meeting. Representative Rayfield made a motion to adopt the minutes. The motion carried unanimously.

Mr. David Atkinson, DSS, was introduced to speak on the Central Registry data. Mr. Atkinson recognizes there are inconsistencies in data. Federal review indicated inconsistent practices county to county. He passed out a chart and graph and went over those. See attachment 1. When there are good, experienced social workers on intake, they want to empower families. He spoke on the relationship with other agencies. Many schools have social workers, and they are doing good things with families. It is important for counties to have strong working relationships with other counties. Sometimes there is a wait to get mental health services. Representative Moore said the sergeant-of-arms would be passing out a handout, "North Carolina county statistics for CPS Investigative Assessments based on county child population." See attachment 2. Mr. Atkinson said that when budget cuts occur, preventative services are sometimes the first to go. If preventative services are done away with, it takes down the firewall or safe guard that families have that keeps them from sliding in to the DSS purview.

Representative Moore opened the floor up to questions for Mr. Atkinson. Representative Barnhart had a question on structured intake. Mr. Atkinson responded structured intake took effect statewide June 2003. Representative Barnhart sees on one side the sanctity and privacy of the family and on the other side, he sees the welfare of the child.

Adolf Simmons, DSS, was introduced, but JoAnn Lamm said he was unable to come.

Mr.Joel Rosch from Duke University was introduced to speak on the central registry data. Mr. Rosch has been working on issues with the central registry data for about fifteen years. The central registry was not developed to be a measure of child well being or to count the harm or injuries to children. It was originally developed as a way to measure workload and to measure how many cases different agencies are working on. The central registry is suppose to measure cases that meet the criteria set by law having to do with substantiation which means harm by someone who can be a caregiver or caretaker, and that definition has changed over time. When change happens, it involves more training. . One way to use the data is not to look at the system as a whole, but to look at outlying systems. There is a need to look at the measure of child well being. One of the problems in the Child Protective System is that we do not have that standard marker that we would in some type of management system. A standard intake tool is a move in the right direction. There are two other aspects. One is a case tracking form that is going to be given a score for cases, and the second is risk assessment scores which will be tied to cases. Once the system is in place, it will allow us to use that matrix as a way to look at the variation and identify outliers as they are occurring and possibly do investigations. Training will be a big issue. At Duke, they have started to work with DSS and try to give some technical help on how to develop a system to monitor that. The committee should look at child well being and numerous foundations are looking at this. Mr. Rosch made a suggestion to look at three things to measure child well being. The first we already do which is the number of child deaths. Child deaths are a hard figure and the number varies over time. Also, there is a need to look at the number of deaths under Child Protective Services control. The second suggestion is one that many states do, but North Carolina does not. We need to have e coding of the injuries that come into emergency rooms. Third, today in North Carolina we have a requirement that all children coming into kindergarten receive a screen---a developmental screen, but we could enhance that screen to include social and emotional items. We want to promote child well being, and it should be a positive goal. Child Protective Services cannot do any of this alone. It takes working with churches, schools, and others. We have to create incentives to get inter-agency cooperation.

Representative Lucas asked if Mr. Rosch could provide examples of incentives for agencies to cooperate. Mr. Rosch said yes. He believes if school readiness is done with the emotional and social aspects and you begin to hold the agencies accountable, then the agencies would realize they cannot do it alone and would need to cooperate. Mr. Rosch believes the central registry would also be improved if when cases are not substantiated,

there was a reason given why it was not substantiated. Data is only useful if they are timely and automated. He hopes automation would be a high priority of the committee.

Dr. Marcia Herman-Giddens, Sr. Fellow, Adjunct Professor School of Public Health UNC-Chapel Hill, Former Medical Director of the State Child Fatality Prevention Team, Consultant in child maltreatment was introduced to speak on the report card on Child Protective Services. Dr. Herman-Giddens stated it was not a report card, but she would be speaking on child protective services data. She is interested in the disparity issue. The Child Maltreatment book is published every two years by the federal government. Across the United States about 2 ½ % of children are investigated and about 32% are substantiated. In North Carolina, it is about 5% of children are investigated and about 32% are substantiated. North Carolina is in the top 1/10 to 1/3 of states having the highest in child abuse homicides. Infant homicides are usually always child abuse related. North Carolina has work to do. Since 1985, a child is killed by a caregiver (someone responsible for taking care of the child) approximately every two weeks just in North Carolina. About a third of the children killed have been known to DSS in the last year so the majority of the children are not known to DSS. It is a community problem too. Representative Moore asked how SIDS deaths were figured into that. Dr. Herman-Giddens said every baby that is found unexpectedly dead automatically becomes a medical examiners case. Very rarely is one missed. There is an autopsy. A problem where a case can be missed is when a baby is smothered and there is not enough pressure to leave a bruise. It takes a small amount of time to smother a baby. An autopsy cannot distinguish between a SIDS death and a baby being smothered. A SIDS death is not counted as a statistic because it is a natural death.

Dr. Herman- Giddens talked about the handouts. The handouts are drafts and have a couple of typographical errors. Forsyth and Stanly counties under the rate of substantiations, the decimal point needs to be one place to right. Attachment 3. Dr. Herman-Giddens went over the Child Protective Services Data Card. See attachment 4. See attachment 5. The level of the county does not explain the disparity.

Representative Moore opened the floor for questions. Representative Hunter had a question about screened out cases. Ms. Sherry Bradsher, Deputy Director for the Division of Social Services, commented on the number of calls coming into a local DSS. She said each phone call is investigated. There could be two or three investigations going on in a single family at one time. If the information is the same then it can be combined in one report, but if it is not the same, they look at the incidences reported separately.

Representative Blackwood had a question on the number of calls reporting somebody. Dr. Herman-Giddens said yes, there are some malicious calls. Ms. Bradsher said DSS does get reports from family members going through a divorce, but each call is taken and investigated. They do not want to stop too early before they can complete the risk assessments because they do not want to leave children at harm if there is anything to those reports.

Representative Blackwood wanted to know if there was a penalty for a malicious report. Ms. Bradsher said we currently do not have a penalty. Mr. Rosch said this was another reason of why we needed an automated system so we can track them. Representative Weiss said DSS Directors have been working with Representative Moore exploring this issue of malicious reports.

Representative Barnhart has information on false reports. Thirty-one states plus Puerto Rico, plus the Virgin Islands currently have penalties for false reports. We should look at false reports and do so carefully.

Representative Ross noticed there were statistics by racial categories, but had they thought of breaking down the figures economically? Dr. Herman-Giddens said she had no access to the data. Ms. Bradsher said Medicaid would be the best marker. Representative Weiss asked if Ms. Bradsher could pull it together for the committee.

Representative Weiss said the information had been very informative, and we would now have the presentation of the three studies---caseloads, budgetary information, and Social Work III position turnover.

Ms. JoAnn Lamm was introduced to talk about the caseloads handout. See attachment 6. In the early 90's, it was probably appropriate for a social worker to manage twelve cases at one time based on work load and the complexities of the work. No one has really looked at this issue recently. Is the caseload still appropriate to be one to twelve? The work is extremely complex. No one nationally has looked at this since the early 90's. Ms. Lamm said the best policy is one social worker ought to be able to stay with the family throughout the life of the case. It is for the continuity of the families. MRS (Multiple Response System) counties (ten) were asked to help them figure the appropriate caseload. The MRS counties said the appropriate caseload would be one to eight cases so one worker keeps the case. Every November, DSS workers get a survey----how many workers they have, etc. DSS may have positions in their county, but not all are filled. The turnover rate for our county DSS is 33%. The other human service agencies have a 12% turnover rate. Families deserve one consistent worker. Representative Weiss stated in the last budget, we appropriated an additional one million in TANF money for child welfare workers. Do these numbers in the attachment reflect these figures? Ms. Lamm responded yes. Ms. Lamm responded to other questions and said we do a disservice to our families when we do not equip our Child Protective Service workers.

Mr. David Atkinson did a presentation on budget information. See attachment 7, "Child Welfare Services Expenditures SFY 02-03."

Mr. Patrick McCoy, OSP, was introduced to speak on a Social Worker III study. See attachment 8, "Report: Child Welfare Crisis Compensation And Classification Study."

DSS reports that it took more than 71 days to fill a position. When the years of service totals are looked at, 73% of the workforce has less than five years experience attempting to perform this work. On page 4, Mr. McCoy talked about salaries. Salaries paid are a function of county government not state government. Counties have flexibility to set pay at the local level. The benefits package is also a function of the county. Attachments 9 and 10.

Representative Blackwood asked what does higher classification mean? Mr. McCoy responded that the Social Worker III classification contains various roles. The work is more complex. There is a relationship between pay and classification.

Representative Rayfield asked if social workers are considered state employees. Mr. McCoy said social workers are county workers subject to certain provisions of the state personnel act.

Representative Earle said the legislature put one million more in the last year's budget in TANF. Was that money spent on positions? Ms. Bradsher said money did go out to the counties, and she will need to verify how many counties did establish positions. Representative Earle said the legislature did realize there was a need for more workers. How was the amount of funding determined that went to each county from the new funding? Ms. Bradsher said the money was given on a pro-rata share based on the county's existing allocations. Representative Earle requested a total breakdown of the money to the counties.

Mr. McCoy continued talking about incentives and recommendations.

The committee took a break for lunch at 12:30 p.m.

Representative Tim Moore re-convened The Child Abuse and Neglect Committee after lunch at 1:45 p.m. and welcomed Speaker Richard Morgan. He also welcomed Ms. Beth Duncan, Director of Department of Social Services, Moore County, Ms. Gladerine Dean, Chair of the Moore County DSS Board and Ms. Debbie Brigman, Social Work Program Manager, Moore County.

Ms. Brigman spoke on the Multiple Response System (MRS) and how it is working in Moore County. She said that the caseworkers have found that including the families through the use of the family assessment tools acknowledges and affirms the strengths of the family. They also look at the support systems available in the community, which further strengthens the family. Using the MRS two-pronged approach has enabled the caseworkers to better support those they serve. They also recognize that there are times when the investigative approach is needed. In response to questions by Representative Weiss, Ms. Brigman said that Moore County is one of the new pilot counties; they have implemented portions of MRS over the last five years and, although they are have not completed some of their initial training and have not implemented the second phase of

MRS, the caseworkers are excited to have the opportunity to work with families in the traditional social work approach of reaching out. In discussion about getting the word out about TANF and if there are enough resources in her county to serve families, Ms. Brigman said that many people do not know about the services available to them because many, especially newly unemployed, have never before had need of services; there are a lot of needs and waiting lists for many services and there is never enough money to meet all the needs.

Ms. Brenda Reid Jackson, Co-chair of the Children Services Committee of the North Carolina Association of County Directors of Social Services, and Director of the Greene County Department of Social Services addressed the committee with recommendations from the North Carolina Association of County Directors of Social Services on recruitment and retention of child welfare social workers. See Attachment 11. She stressed the need for higher salaries, casework standards, investment in technology, safety measures for workers, expansion of MRS, and expansion of the Child Welfare Collaborative program.

Ms. Nancy Dickinson, MSSW, PhD, Executive Director of Jordan Institute for Families, School of Social Work, University of North Carolina at Chapel Hill, spoke to the committee on the work of the North Carolina Child Welfare Education Collaborative. The Jordan Institute is the administrative body responsible for the Education Collaborative. Ms. Dickinson reviewed the present locations of the Collaborative, future expansion plans, and what it will take to achieve those goals. See Attachment 12. Ms. Dickinson said that the Collaborative comes under the framework of the University of North Carolina Board of Governors and is fully funded by DHHS with State and federal funds. They do not receive direct university funds except as matching funds (i.e. classrooms, rent, utilities). The University of North Carolina Board of Governors approves new programs.

Mr. Larry Johnson, DSS, Rockingham County, and Ms. Brenda Jackson said that they have had wonderful experiences with students from the Collaborative. Mr. Johnson brought a student to the meeting and Ms. Jackson has hired a BSW graduate and has two MSW interns working now.

Ms. Dickinson explained the payback period by saying that BSW students receive $3,000 per semester for their final two years and MSW students receive $10,000 per year with some tuition, books and travel expenses paid. They must pay back with employment one full year for every part of a year they get assistance. The anticipation is that the majority will continue to work beyond the payback period resulting in higher retention. In California the retention beyond the payback period has risen to 81% with expectations that it will rise further. The Collaborative is in the fifth year of the program and in May will have 213 graduates in the field in 30 plus counties.

Representative Moore asked Mr. John M. Wasson, Director, Cleveland County Department of Social Services, to speak to the committee about some items he had put in a letter to Representative Moore that had been distributed to members of the committee.

Mr. Wasson said that the Child Welfare Collaborative has been helpful in reducing the problem of turnover; of the five people hired, four remain and the other has gone to Durham County. In Cleveland County, with county money, they over-hire creating a reserve unit. They hire at a Social Worker II level, train them, and allow them to accompany and assist workers. When a vacancy arises, the trainee is moved into the vacancy immediately. This prevents re-distribution of caseloads when a person leaves; and Cleveland County has found that morale has increased among all the workers.

Discussion followed on the subject of false reporting, malicious reporting and failure to report. False reporting is often seen in either a custody battle, or from a supporting parent who no longer wants to continue support payments. Failure to report can be as great or an even greater issue as false reporting. Mr. Wasson said safety for the social workers is a major problem. He would like to see the committee think about State participation in funding; there is federal and county funding but very little state funding.

Representative Barnhart has asked staff to send all committee members the information pulled together on failure to report and false reports. North Carolina has nothing on the books listed as to what qualifies or civil penalties. He feels this is an area that the committee should consider.

Representative Moore opened the floor to any members who wished to speak.

Ms. Sherry Bradsher, Deputy Director, State of North Carolina, Department of Health and Human Services, Division of Social Services, reported that the additional one million dollars in TANF funds in the 2003-2004 budget were used by county Departments of Social Services to add forty-four additional child protective services positions which cost county Departments of Social Services $2.6 million.

Representative Eddins asked what other states are doing about false reporting and malicious reporting and how they define it. Representative Barnhart said that staff is working on this, and in material from other states, the words knowingly, willfully, and maliciously repeatedly appear. See attachments 13 and 14. Representative Moore added that guidance will also be sought from Professor Janet Mason.

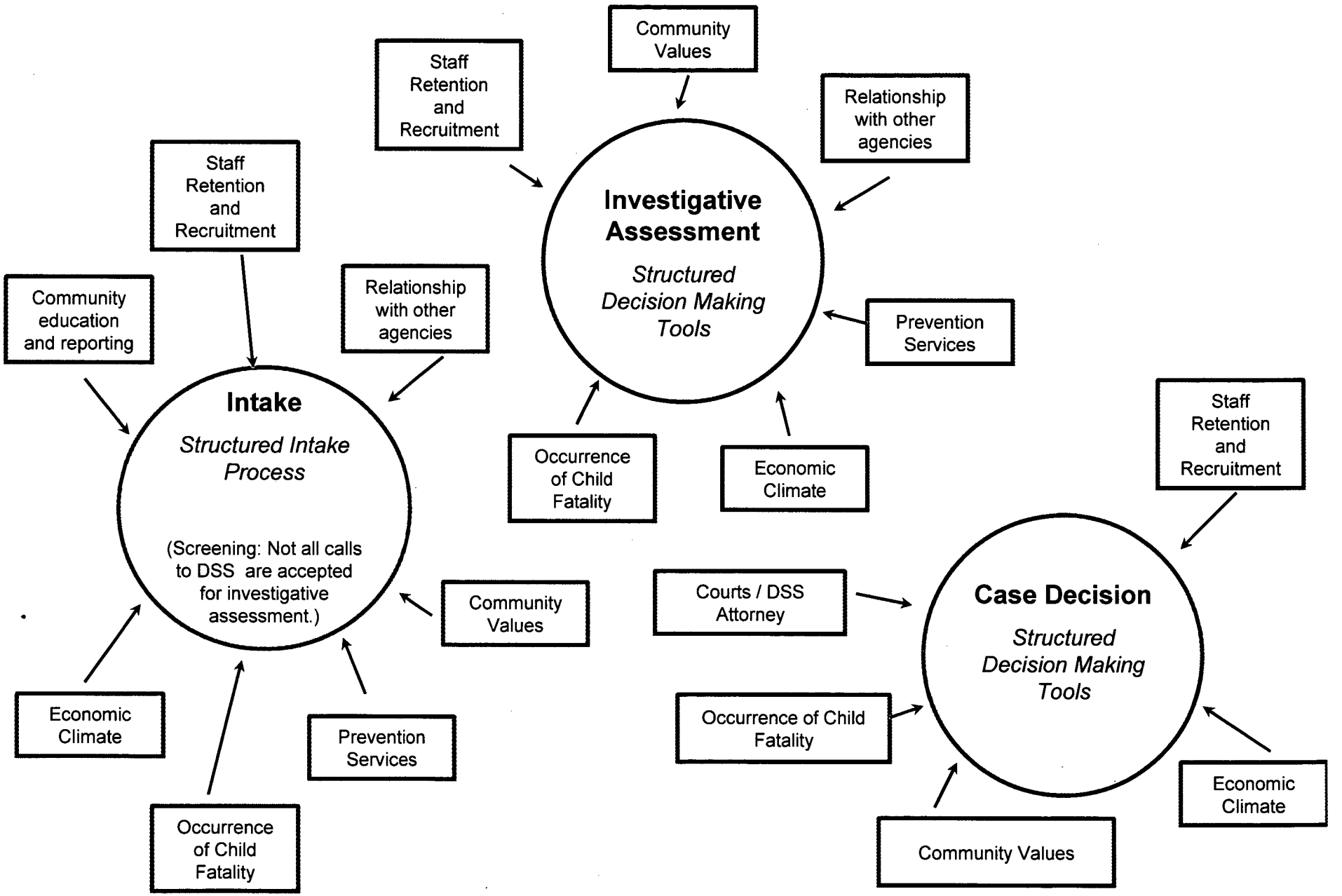
The committee adjourned at 3:00.

Representative Tim Moore, Co-Chair, Presiding
Representative Jennifer Weiss, Co-Chair

Nancy Garriss, Clerk

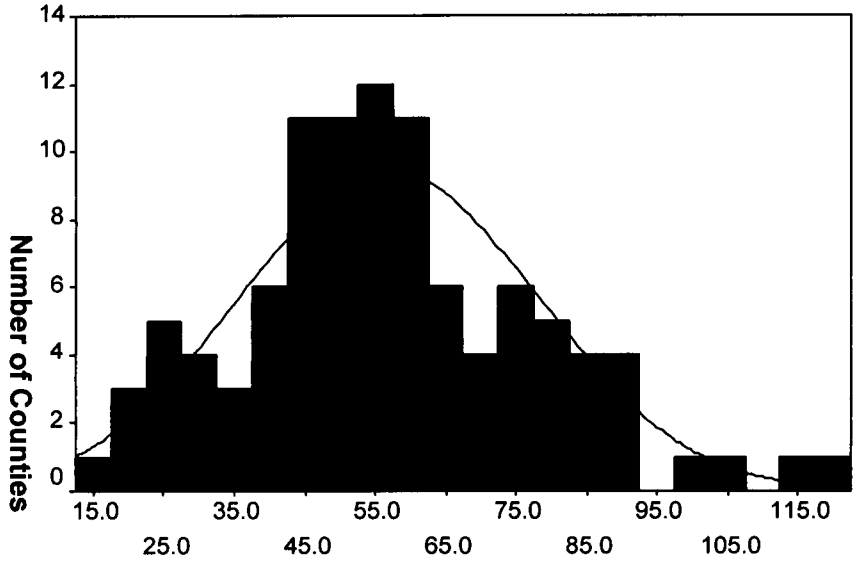
David Atkinson
Attachment 1

Influences on Disparities in Child Protective Services Data



Rate of Children Subject of an Investigative Assessment per 1,000

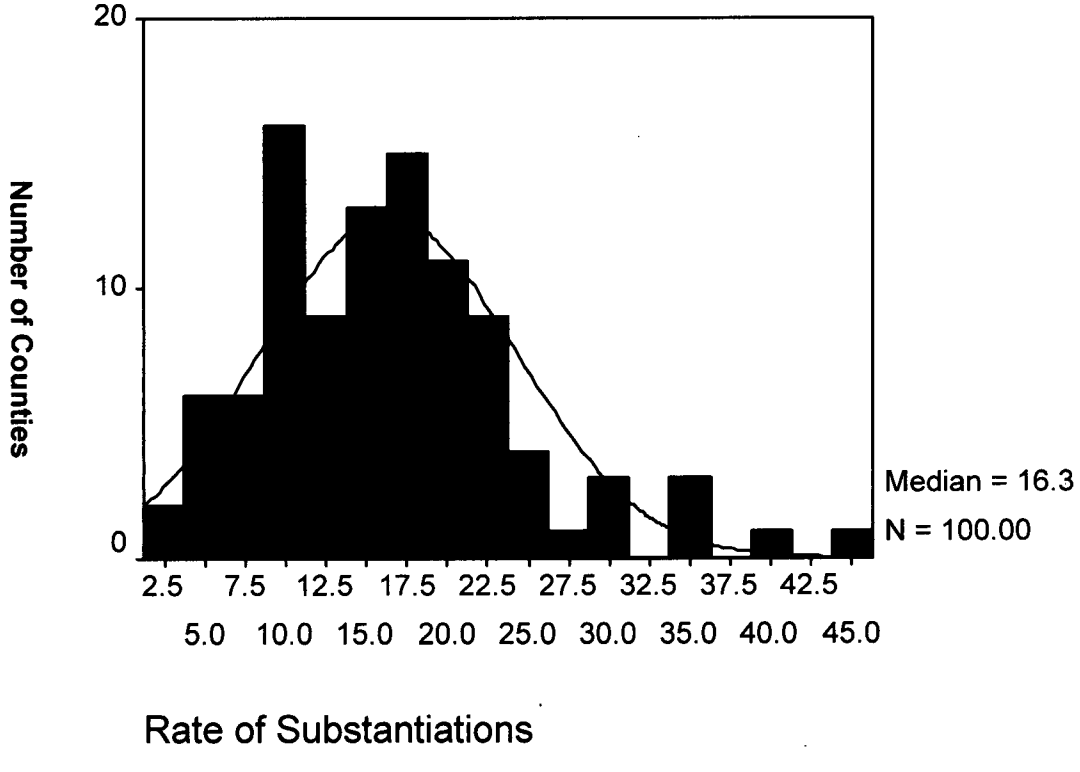
SFY 2002-2003



Median = 56.9
N = 100

In the chart above, the median (56.9) rate of investigations can be interpreted as the midpoint of the values of all 100 counties. The highest peak on the bell curve shows where the median falls. As you can see in the chart there are four counties that are outliers, or those that do not fall within the range of the other counties on the bell curve. Forty-seven of the 100 counties are clustered within the rates of 45 to 65.

NC—Rate of Children Substantiated per 1,000
SFY 2002-2003



In the chart above, the median (16.3) rate of substantiation can be interpreted as the midpoint of the values of all 100 counties. The highest peak on the bell curve shows where the median falls. As you can see in the chart there are five counties that are outliers, or those that do not fall within the range of the other counties on the bell curve. Fifty-one of the 100 counties fall within the rates of 12.5 to 22.5.

Attachment 2

North Carolina county statistics for CPS Investigative Assessments based on county child population

Unduplicated counts of Children Subject of an Investigative Assessment or a Family Assessment* - State Fiscal Year 2002-2003
Population Data From July 2003 Census Data Projections

This table provides a listing for all 100 North Carolina counties of number of unique children subject of an investigative assessment or a family assessment*. "Unique children" is defined so that when the same child is the subject of more than one investigative assessment or a family assessment, he/she is counted only once. These counts are then compared to the total county child population to provide a ratio of children who are subject of an investigative assessment or a family assessment* per total child population. Several factors influence this rate. A county Department of Social Service has the responsibility to make a determination when allegations of child maltreatment warrent an investigative or family assessmen*. This table does not show the rate at which children are found to be maltreated.

RANK	COUNTY	County Population of children AGE 0-17	Subject of an Investigative Assessment	Investigated per 1,000 children in county	RANK	COUNTY	AGE 0-17	Subject of an Investigative Assessment	Investigated per 1,000 children in county
1	MARTIN	6,155	774	125.75	51	ALLEGHANY	2,104	114	54.18
2	MITCHELL	3,195	390	122.07	52	ORANGE	25,521	1,365	53.49
3	SWAIN	3,192	333	104.32	53	PAMLICO	2,514	134	53.30
4	HAYWOOD	11,160	1,122	100.54	54	PASQUOTANK	8,464	449	53.05
5	HENDERSON	19,535	1,790	91.63	55	ROCKINGHAM	21,263	1,126	52.96
6	CHEROKEE	4,951	443	89.48	56	PITT	32,982	1,737	52.67
7	RICHMOND	11,870	1,055	88.88	57	CASWELL	5,469	287	52.48
8	RUTHERFORD	15,034	1,328	88.33	58	COLUMBUS	13,726	718	52.31
9	NEW HANOVER	35,677	3,115	87.31	59	ASHE	4,804	249	51.83
10	ROBESON	36,440	3,101	85.10	60	NASH	22,554	1,164	51.61
11	VANCE	11,985	1,006	83.94	61	GRANVILLE	12,042	617	51.24
12	BURKE	21,969	1,844	83.94	62	MONTGOMERY	6,763	346	51.16
13	BUNCOMBE	46,786	3,854	82.38	63	DUPLIN	13,562	684	50.44
14	MACON	6,134	495	80.70	64	RANDOLPH	34,173	1,717	50.24
15	CALDWELL	18,373	1,458	79.36	65	HARNETT	26,717	1,319	49.37
16	CARTERET	11,558	914	79.08	66	CABARRUS	37,140	1,806	48.63
17	CRAVEN	22,395	1,743	77.83	67	POLK	3,856	184	47.72
18	EDGECOMBE	14,144	1,089	76.99	68	ALAMANCE	33,582	1,584	47.17
19	JACKSON	6,513	500	76.77	69	LINCOLN	16,578	777	46.87
20	GRAHAM	1,736	127	73.16	70	STANLY	14,695	688	46.82
21	ONSLOW	40,044	2,923	72.99	71	JOHNSTON	36,171	1,689	46.69
22	BEAUFORT	10,223	743	72.68	72	CLAY	1,556	72	46.27
23	CURRITUCK	4,736	344	72.64	73	ANSON	6,251	285	45.59
24	SCOTLAND	9,837	709	72.07	74	HERTFORD	5,117	233	45.53
25	CATAWBA	36,672	2,624	71.55	75	DURHAM	55,729	2,521	45.24
26	YANCEY	3,826	269	70.31	76	PERSON	8,661	382	44.11
27	PENDER	9,929	681	68.59	77	GATES	2,644	116	43.87
28	GASTON	47,179	3,094	65.58	78	UNION	39,417	1,672	42.42
29	LENOIR	14,475	939	64.87	79	STOKES	11,148	465	41.71
30	MADISON	4,297	273	63.53	80	YADKIN	9,165	382	41.68
31	WARREN	4,569	290	63.47	81	FRANKLIN	12,896	527	40.87
32	CHATHAM	11,814	749	63.40	82	MECKLENBURG	194,733	7,605	39.05
33	LEE	12,975	816	62.89	83	DARE	6,558	247	37.66
34	CUMBERLAND	85,694	5,373	62.70	84	TYRRELL	858	32	37.30
35	WAYNE	29,800	1,856	62.28	85	GUILFORD	107,032	3,787	35.38
36	NORTHAMPTON	5,036	313	62.15	86	MCDOWELL	9,952	346	34.77
37	GREENE	4,956	307	61.95	87	ALEXANDER	8,564	294	34.33
38	ROWAN	33,633	2,072	61.61	88	WATAUGA	7,012	215	30.66
39	WILKES	15,086	929	61.58	89	WASHINGTON	3,266	98	30.01
40	IREDELL	34,117	2,057	60.29	90	CHOWAN	3,392	101	29.78
41	TRANSYLVANIA	5,887	351	59.62	91	PERQUIMANS	2,445	68	27.81
42	DAVIDSON	36,513	2,160	59.16	92	BERTIE	4,721	125	26.48
43	AVERY	3,349	197	58.82	93	SAMPSON	16,563	418	25.24
44	JONES	2,469	144	58.32	94	FORSYTH	78,291	1,894	24.19
45	BLADEN	7,985	463	57.98	95	BRUNSWICK	16,465	378	22.96
46	MOORE	16,844	960	56.99	96	HOKE	11,340	259	22.84
47	WILSON	19,068	1,083	56.80	97	HYDE	1,082	23	21.26
48	CLEVELAND	24,884	1,389	55.82	98	WAKE	180,502	3,366	18.65
49	SURRY	17,209	958	55.67	99	CAMDEN	1,677	30	17.89
50	HALIFAX	14,055	775	55.14	100	DAVIE	8,995	140	15.56

*In North Carolina, 10 pilot counties were selected in August of 2002 to begin a demonstration project that would test out an alternative response to certain reports of neglect. This is called the "Multiple Response System" and allows for a "family assessment" in certain reports of neglect, rather than the traditional "forensic" investigative assessment. All 10 pilot counties continue to conduct the traditional investigative assessments in reports of abuse and some reports of neglect. Findings in investigative assessments continue to be either substantiated or unsubstantiated. Findings in family assessments include findings of "services needed", "services recommended" or "services not recommended.

NOTE: Data includes all reports for the 10 MRS pilot counties, regardless of the approach (Investigative Assessment or Family Assessment)

North Carolina county statistics for CPS Investigative Assessments based on county child population

Unduplicated counts of Children Substantited for Child Maltreatment - State Fiscal Year 2002-2003

Population Data From July 2003 Census Data Projections

This table provides a listing for all 100 North Carolina counties of number of unique children substantiated for maltreatment following an investigative assessment. "Unique children" is defined so that when the same child is the subject of more than one investigative assessment, he/she is counted only once. These counts are then compared to the total county child population to provide a ratio of children who are substantiated for maltreatment per total child population. A county Department of Social Service has the responsibility to make a determination when information gathered from an investigative assessment warrents a determination of child maltreatment.

RANK	COUNTY	# OF CHILDREN AGE 0-17	# OF CHILDREN Substantiated for Child Maltreatment	# OF CHILDREN Substantiated per 1,000 children in county	RANK	COUNTY	# OF CHILDREN AGE 0-17	# OF CHILDREN Substantiated for Child Maltreatment	# OF CHILDREN Substantiated per 1,000 children in county
1	ASHE	4,804	95	19.78	51	MOORE	16,844	265	15.73
2	AVERY	3,349	55	16.42	52	RICHMOND	11,870	185	15.59
3	BEAUFORT	10,223	232	22.69	53	ROCKINGHAM	21,263	329	15.47
4	BUNCOMBE	46,786	988	21.12	54	CASWELL	5,469	83	15.18
5	BURKE	21,969	481	21.89	55	CUMBERLAND	85,694	1,279	14.93
6	CALDWELL	18,373	390	21.23	56	WILKES	15,086	225	14.91
7	CARTERET	11,558	259	22.41	57	ROWAN	33,633	492	14.63
8	CATAWBA	36,672	830	22.63	58	GRANVILLE	12,042	175	14.53
9	CHATHAM	11,814	228	19.30	59	COLUMBUS	13,726	199	14.50
10	CHEROKEE	4,951	171	34.54	60	STANLY	14,695	211	14.36
11	CLEVELAND	24,884	433	17.40	61	BLADEN	7,985	112	14.03
12	CRAVEN	22,395	376	16.79	62	YADKIN	9,165	126	13.75
13	CURRITUCK	4,736	103	21.75	63	LINCOLN	16,578	223	13.45
14	DARE	6,558	144	21.96	64	WARREN	4,569	61	13.35
15	DAVIDSON	36,513	662	18.13	65	GREENE	4,956	65	13.12
16	DUPLIN	13,562	329	24.26	66	BRUNSWICK	16,465	213	12.94
17	DURHAM	55,729	951	17.06	67	ALLEGHANY	2,104	27	12.83
18	EDGECOMBE	14,144	300	21.21	68	STOKES	11,148	139	12.47
19	GASTON	47,179	890	18.86	69	HERTFORD	5,117	63	12.31
20	GRAHAM	1,736	46	26.50	70	JOHNSTON	36,171	410	11.34
21	HALIFAX	14,055	288	20.49	71	HYDE	1,082	12	11.09
22	HARNETT	26,717	572	21.41	72	CABARRUS	37,140	405	10.90
23	HAYWOOD	11,160	379	33.96	73	BERTIE	4,721	51	10.80
24	HENDERSON	19,535	345	17.66	74	RANDOLPH	34,173	367	10.74
25	IREDELL	34,117	765	22.42	75	NORTHAMPTON	5,036	53	10.52
26	JACKSON	6,513	120	18.42	76	ANSON	6,251	65	10.40
27	JONES	2,469	41	16.61	77	SAMPSON	16,563	170	10.26
28	LENOIR	14,475	351	24.25	78	FRANKLIN	12,896	131	10.16
29	MACON	6,134	127	20.70	79	WASHINGTON	3,266	33	10.10
30	MADISON	4,297	70	16.29	80	PERSON	8,661	87	10.05
31	MARTIN	6,155	254	41.27	81	UNION	39,417	387	9.82
32	MITCHELL	3,195	127	39.75	82	PERQUIMANS	2,445	24	9.82
33	MONTGOMERY	6,763	121	17.89	83	GATES	2,644	25	9.46
34	NEW HANOVER	35,677	1,063	29.80	84	MECKLENBURG	194,733	1,771	9.09
35	ONSLOW	40,044	1,364	34.06	85	WATAUGA	7,012	63	8.98
36	ORANGE	25,521	420	16.46	86	TRANSYLVANIA	5,887	51	8.66
37	PAMLICO	2,514	48	19.09	87	TYRRELL	858	7	8.16
38	PASQUOTANK	8,464	146	17.25	88	LEE	12,975	104	8.02
39	PENDER	9,929	158	15.91	89	ALEXANDER	8,564	65	7.59
40	PITT	32,982	598	18.13	90	GUILFORD	107,032	794	7.42
41	POLK	3,856	64	16.60	91	ALAMANCE	33,582	240	7.15
42	ROBESON	36,440	789	21.65	92	MCDOWELL	9,952	65	6.53
43	RUTHERFORD	15,034	664	44.17	93	DAVIE	8,995	52	5.78
44	SCOTLAND	9,837	177	17.99	94	NASH	22,554	127	5.63
45	SURRY	17,209	342	19.87	95	WAKE	180,502	890	4.93
46	SWAIN	3,192	82	25.69	96	CLAY	1,556	7	4.50
47	VANCE	11,985	225	18.77	97	CHOWAN	3,392	15	4.42
48	WAYNE	29,800	608	20.40	98	FORSYTH	78,291	313	4.00
49	WILSON	19,068	333	17.46	99	HOKE	11,340	39	3.44
50	YANCEY	3,826	112	29.27	100	CAMDEN	1,677	5	2.98
						NORTH CAROLINA	2,066,675	30,016	14.52

*In North Carolina, 10 pilot counties were selected in August of 2002 to begin a demonstration project that would test out an alternative response to certain reports of neglect. This is called the "Multiple Response System" and allows for a "family assessment" in certain reports of neglect, rather than the traditional "forensic" investigative assessment. All 10 pilot counties continue to conduct the traditional investigative assessments in reports of abuse and some reports of neglect. Findings in investigative assessments continue to be either substantiated or unsubstantiated. Findings in family assessments include findings of "services needed", "services recommended" or "services not recommended. The following data represent the children whose families were found to be "in need of services" in the 10 pilot counties following a family assessment.

Multiple Response Findings

RANK	COUNTY	# OF CHILDREN AGE 0-17	Found In Need Of Services	# OF CHILDREN In Need of Services per 1,000 children in county	RANK	COUNTY	# OF CHILDREN AGE 0-17	Found In Need Of Services	# OF CHILDREN In Need of Services per 1,000 children in county
1	ALAMANCE	33,582	203	6.04	6	BLADEN	7,985	23	2.88
2	NASH	22,554	109	4.83	7	BUNCOMBE	46,786	131	2.80
3	CRAVEN	22,395	98	4.38	8	GUILFORD	107,032	170	1.59
4	FRANKLIN	12,896	49	3.80	9	MECKLENBURG	194,733	275	1.41
5	CALDWELL	18,373	59	3.21	10	TRANSYLVANIA	5,887	4	0.68

North Carolina Child Abuse Statistics, 1998 to 2003
(Unduplicated Count)

State Fiscal Year 2002-2003		Children Subject of An Investigative Assessment or Family Assessment 02-03	Children Substantiated 02-03
Age	0-6	48,193	14,550
	7-12	35,828	9,508
	13+	23,136	5,958
Type	Abuse	7,956	1,429
	Neglect	93,542	27,006
	Both abuse and neglect	4,866	1,047
	Dependency	786	534
	Total for 02-03	*107,157	30,016
State Fiscal Year 2001-2002		**Children Subject of Investigative Assessment – 01-02**	**Children Substantiated- 01-02**
Age	0-6	48,190	15,681
	7-12	36,850	10,981
	13+	22,178	6,221
Type	Abuse	8,190	1,805
	Neglect	93,119	29,563
	Both abuse and neglect	5,030	983
	Dependency	879	532
	Total for 01-02	107,218	32,883
State Fiscal Year 2000-2001		**Children Subject of Investigative Assessment – 00-01**	**Children Substantiated- 00-01**
Age	0-6	46,049	15,545
	7-12	35,902	11,305
	13+	20,207	5,731
Type	Abuse	8,414	1,710
	Neglect	87,853	29,308
	Both abuse and neglect	5,089	1,057
	Dependency	802	506
	Total for 00-01	102,158	32,581
State Fiscal Year 1999-2000		**Children Subject of Investigative Assessment – 99-00**	**Children Substantiated- 99-00**
Age	0-6	45,850	15,412
	7-12	35,276	10,916
	13+	19,556	5,500
Type	Abuse	8,596	1,828
	Neglect	86,402	28,469
	Both abuse and neglect	4,915	1,082
	Dependency	769	449
	Total for 99-00	100,682	31,828
State Fiscal Year 1998-1999		**Children Subject of Investigative Assessment - 98-99**	**Children Substantiated- 98-99**
Age	0-6	48,527	15,502
	7-12	36,070	11,072
	13+	19,732	5,541
Type	Abuse	9,762	1,782
	Neglect	88,490	28,720
	Both abuse and neglect	5,131	1,059
	Dependency	946	556
	Total for 98-99	104,329	32,115

All categories age and type, will not have same total due to coding errors in the Central Registry.

* *Note: Includes investigative assessments in all counties, as well as family assessments in the 10 Multiple Response System*

** *Note: Also, of these 107,157 children who were subject of an investigative assessment or a family assessment, 1,121 children were found "in need of services" in the 10 MRS pilot counties and are not included in the numbers of "substantiated" children.*

Multiple Response Comparison Tables

North Carolina Multiple Response Comparison Table—Family Assessment Track SFY 2002-2003					
County	*Child Population < 17*	*Total Family Assessments*	*# Services needed*	*# of Services recommended*	*# of Services not recommended*
Alamance	33,582	915	203	36	676
Bladen	7,985	97	23	13	61
Buncombe	46,786	896	131	18	747
Caldwell	18,373	356	59	60	237
Craven	22,395	437	98	144	195
Franklin	12,896	290	49	38	203
Guilford	107,032	1,209	170	577	462
Mecklenburg	194,733	979	275	88	616
Nash	22,554	718	109	143	466
Transylvania	5,887	270	4	57	209
Totals	**472,240**	**6,167**	**1,121**	**1,174**	**3,872**

North Carolina Multiple Response Comparison Table—Forensic Track SFY 2002-2003						
County	*Child Population < 17*	*CPS Investigative Assessments*	*# Abuse**	*# Neglect*	*# Dependency*	*# Unsubstantiations*
Alamance	33,582	2,103	247	1,837	19	769
Bladen	7,985	581	62	519	0	349
Buncombe	46,786	5,181	345	4,825	11	3,058
Caldwell	18,373	1,821	75	1,741	5	1,007
Craven	22,395	2,066	169	1,896	1	1,171
Franklin	12,896	644	54	587	3	197
Guilford	107,032	4,442	649	3,746	47	2,279
Mecklenburg	194,733	9,722	1,283	8,401	38	6,470
Nash	22,554	1,440	214	1,218	8	512
Transylvania	5,887	469	37	425	7	117
Totals	**472,240**	**28,469**	**3,135**	**25,195**	**139**	**15,929**

* For this analysis the category "Abuse and Neglect" was combined with the "Abuse" category.

Attachment 3

North Carolina Child Protective Services Data, 2001-02 Draft

County Description			Reports, Investigations and Substantiations								Substantiated by Race/Ethnic Group						Case Outcome			Child Abuse Homicides[4]	Social Worker III Avg. Salaries[5]
			Reports			Investigations					White		African-American		Hispanic		DSS Custody				
County	Population[1]	DSS Level	Reported number	Screened Out number	Screened Out percent	Investigated number	Investigated rate[2]	Substantiated number	Substantiated rate[2]	Substantiated percent	%	% Pop[3]	%	% Pop[3]	%	% Pop[3]	number	rate[2]	petitions filed		
N.C.	2,036,497	N/A	136,516	29,298	21.5%	107,218	52.6	32,883	16.1	30.7%	59%	65%	36%	26%	8%	6%	9,775	4.8	5,533	24	$32,546
Alamance	32,931	II	2,077	528	25.4%	1549	47.0	435	13.2	28.1%	56%	69%	30%	22%	15%	10%	98	3.0	60	0	$33,809
Alexander	8,465	I	513	173	33.7%	340	40.2	106	12.5	31.2%	93%	89%	5%	5%	7%	4%	28	3.3	16	0	$31,672
Alleghany	2,088	I	141	59	41.8%	82	39.3	25	12.0	30.5%	100%	95%	0%	1%	4%	7%	1	0.5	4	0	$30,789
Anson	6,265	I	286	29	10.1%	257	41.0	13	2.1	5.1%	23%	40%	77%	57%	0%	1%	14	2.2	7	0	$25,312
Ashe	4,802	I	398	89	22.4%	309	64.3	87	18.1	28.2%	97%	96%	0%	1%	10%	3%	14	2.9	11	0	$31,284
Avery	3,390	I	268	47	17.5%	221	65.2	71	20.9	32.1%	100%	97%	1%	1%	6%	3%	14	4.1	19	0	$28,047
Beaufort	10,328	I	1,100	345	31.4%	755	73.1	261	25.3	34.6%	56%	60%	43%	37%	11%	5%	41	4.0	24	0	$31,745
Bertie	4,849	I	207	77	37.2%	130	26.8	39	8.0	30.0%	23%	27%	77%	71%	3%	1%	9	1.9	1	0	$33,023
Bladen	7,933	I	618	56[4]	9.1%	562	70.8	211	26.6	37.5%	57%	48%	38%	45%	5%	5%	26	3.3	22	0	$28,086
Brunswick	16,271	II	N/A	N/A	N/A	330	20.3	196	12.1	59.4%	82%	74%	17%	21%	6%	4%	90	5.5	72	0	$36,037
Buncombe	46,177	III	4,364	1230[4]	28.2%	3,134	67.9	1,027	22.2	32.8%	80%	85%	15%	10%	6%	4%	299	6.5	201	0	$34,528
Burke	21,646	II	2,532	547	21.6%	1,985	91.7	566	26.1	28.5%	87%	80%	9%	7%	3%	5%	120	5.5	67	0	$32,531
Cabarrus	36,353	II	2,387	620	26.0%	1,767	48.6	320	8.8	18.1%	71%	79%	26%	15%	11%	7%	125	3.4	80	0	$39,734
Caldwell	18,320	II	1,721	267	15.5%	1,454	79.4	522	28.5	35.9%	91%	89%	8%	7%	5%	3%	133	7.3	64	1	$32,462
Camden	1,673	I	37	9	24.3%	28	16.7	5	3.0	17.9%	100%	81%	0%	17%	0%	1%	3	1.8	3	0	$32,190
Carteret	11,752	II	1,062	200[4]	18.8%	862	73.3	298	25.4	34.6%	75%	86%	22%	10%	2%	3%	69	5.9	58	0	$37,026
Caswell	5,438	I	408	122	29.9%	286	52.6	66	12.1	23.1%	59%	59%	36%	37%	9%	3%	28	5.1	14	0	$29,775
Catawba	36,125	III	3,146	651	20.7%	2,495	69.1	772	21.4	30.9%	74%	78%	17%	11%	5%	7%	164	4.5	131	0	$37,430
Chatham	11,689	I	879	105	11.9%	774	66.2	220	18.8	28.4%	60%	70%	35%	19%	35%	14%	95	8.1	71	0	N/A
Cherokee	4,961	I	571	146	25.6%	425	85.7	133	26.8	31.3%	99%	93%	1%	2%	1%	2%	46	9.3	43	0	$30,382
Chowan	3,401	I	90	41	45.6%	49	14.4	15	4.4	30.6%	27%	50%	60%	48%	0%	2%	8	2.4	7	0	$33,276
Clay	1,575	I	100	36	36.0%	64	40.6	12	7.6	18.8%	92%	97%	0%	1%	8%	1%	11	7.0	5	0	$27,604
Cleveland	24,580	II	2,004	557	27.8%	1,447	58.9	626	25.5	43.3%	85%	70%	11%	27%	24%	2%	186	7.6	92	0	$35,544
Columbus	13,698	II	895	290	32.4%	605	44.2	199	14.5	32.9%	51%	54%	45%	38%	3%	4%	68	5.0	7	0	$28,574
Craven	22,488	II	2,052	346	16.9%	1,706	75.9	580	25.8	34.0%	56%	62%	38%	31%	7%	5%	39	1.7	23	0	$35,038
Cumberland	84,947	III	6,434	1,511	23.5%	4,923	58.0	1,512	17.8	30.7%	51%	48%	44%	40%	11%	9%	611	7.2	355	5	$33,667
Currituck	4,700	I	422	102	24.2%	320	68.1	111	23.6	34.7%	88%	89%	10%	8%	4%	2%	22	4.7	19	0	$35,593

Attachment 3

Dare	6,569	I	309	26	8.4%	283	43.1	128	19.5	45.2%	94%	92%	2%	3%	8%	3%	41	6.2	24	0	$34,733
Davidson	36,237	II	2,992	606	20.3%	2,386	65.8	761	21.0	31.9%	83%	83%	14%	11%	6%	5%	164	4.5	115	0	$34,782
Davie	8,890	I	317	151	47.6%	166	18.7	75	8.4	45.2%	81%	88%	17%	7%	1%	5%	27	3.0	21	0	$37,316
Duplin	13,264	II	918	36	3.9%	882	66.5	336	25.3	38.1%	44%	51%	46%	32%	27%	20%	20	1.5	25	0	$31,045
Durham	54,601	III	3,738	911	24.4%	2,827	51.8	987	18.1	34.9%	20%	40%	79%	50%	8%	8%	189	3.5	48	0	$39,462
Edgecombe	14,377	II	1,393	192	13.8%	1,201	83.5	432	30.1	36.0%	35%	31%	64%	66%	4%	4%	109	7.6	74	2	$32,149
Forsyth	76,933	III	2,530	816[6]	32.3%	1,714	22.3	480	6.2	2.8%	41%	60%	55%	32%	9%	9%	301	3.9	114	2	$37,417
Franklin	12,646	II	868	240	27.6%	628	49.7	264	20.9	42.0%	65%	61%	31%	34%	14%	6%	51	4.0	41	1	$30,815
Gaston	47,131	III	4,292	1,192	27.8%	3,100	65.8	838	17.8	27.0%	73%	77%	23%	18%	5%	4%	343	7.3	102	0	$33,173
Gates	2,680	I	108	21[4]	19.4%	87	32.5	12	4.5	13.8%	58%	56%	42%	41%	0%	1%	2	0.8	0	0	$31,864
Graham	1,742	I	N/A	N/A	N/A	61	35.0	17	9.8	27.9%	100%	87%	0%	0%	0%	1%	20	11.5	18	0	N/A
Granville	11,913	I	627	184	29.3%	443	37.2	132	11.1	29.8%	48%	59%	47%	36%	7%	5%	35	2.9	30	0	$30,144
Greene	4,881	I	365	86	23.6%	279	57.2	65	13.3	23.3%	46%	44%	46%	46%	9%	12%	6	1.2	9	0	$28,193
Guilford	104,725	III	5,857	1,376	23.5%	4,481	42.8	1,404	13.4	31.3%	36%	57%	59%	35%	3%	5%	579	5.5	183	0	$41,725
Halifax	14,299	II	1,012	132	13.0%	880	61.5	234	16.4	26.6%	29%	33%	67%	61%	1%	1%	86	6.0	54	0	$26,430
Harnett	26,058	II	1,125	152	13.5%	973	37.3	373	14.3	38.3%	65%	64%	30%	27%	11%	8%	191	7.3	120	1	$29,851
Haywood	11,163	II	1,546	385	24.9%	1,161	10.4	391	35.0	33.7%	98%	95%	2%	1%	2%	3%	90	8.1	54	0	$31,230
Henderson	19,229	II	2,101	340	16.2%	1,761	91.6	352	18.3	20.0%	90%	88%	6%	4%	12%	9%	54	2.8	61	0	$31,473
Hertford	5,245	I	220	35	15.9%	185	35.3	55	10.5	29.7%	29%	28%	71%	69%	15%	2%	36	6.9	5	0	$27,689
Hoke	10,914	I	272	92	33.8%	180	16.5	39	3.6	21.7%	33%	39%	46%	40%	8%	8%	53	4.9	17	0	$29,572
Hyde	1,099	I	45	4	8.9%	41	37.3	13	11.8	31.7%	62%	59%	23%	38%	15%	3%	5	4.6	2	0	$22,381
Iredell	33,376	II	2,296	320	13.9%	1,976	59.2	739	22.1	37.4%	71%	77%	24%	17%	6%	5%	124	3.7	107	0	$37,296
Jackson	6,445	I	613	180	29.4%	433	67.2	90	14.0	20.8%	61%	77%	4%	1%	18%	3%	23	3.6	17	0	$31,405
Johnston	34,908	II	2,222	415	18.7%	1,807	51.8	535	15.3	29.6%	56%	73%	40%	19%	20%	10%	75	2.1	82	0	$39,196
Jones	2,496	I	190	44	23.2%	146	58.5	32	12.8	21.9%	63%	55%	38%	40%	19%	4%	10	0.4	10	0	$29,940
Lee	12,788	I	822	92[4]	11.2%	730	57.1	142	11.1	19.5%	68%	63%	23%	24%	21%	16%	35	2.7	20	0	$34,475
Lenoir	14,580	I	1,214	275	22.7%	939	64.4	369	25.3	39.3%	40%	48%	59%	47%	5%	5%	55	3.8	69	0	$30,826
Lincoln	16,378	I	1,103	215	19.5%	888	54.2	295	18.0	33.2%	86%	87%	12%	8%	3%	8%	45	2.7	11	0	N/A
Macon	6,065	I	455	64[4]	14.1%	391	64.5	52	8.6	13.3%	100%	95%	0%	2%	4%	2%	10	1.6	16	0	$29,900
Madison	4,244	I	492	39[4]	7.9%	453	106.7	115	27.1	25.4%	97%	98%	3%	1%	0%	2%	40	9.4	17	0	$28,150
Martin	6,245	I	295	36	12.2%	259	41.5	83	13.3	32.1%	31%	43%	68%	54%	7%	3%	17	2.7	15	0	$30,439
Mcdowell	9,871	I	1,137	147	12.9%	990	100.3	293	29.7	29.6%	93%	90%	2%	4%	4%	4%	104	10.5	50	0	$30,619
Mecklenburg	189,378	III	9,117	1,927	21.1%	7,190	38.0	2,363	12.5	32.9%	24%	56%	67%	34%	9%	7%	1,099	5.8	378	1	$39,331

Mitchell	3,229	I	450	100	22.2%	350	108.4	108	33.4	30.9%	100%	97%	0%	1%	11%	3%	20	6.2	17	0	$29,428
Montgomery	6,704	I	548	63[4]	11.5%	485	72.3	142	21.2	29.3%	66%	60%	30%	25%	23%	18%	12	1.8	7	0	$28,444
Moore	16,722	II	1,191	135	11.3%	1,056	63.2	370	22.1	35.0%	59%	72%	38%	21%	5%	7%	65	3.9	45	0	$32,744
Nash	22,363	II	1,671	343	20.5%	1,328	59.4	344	15.4	25.9%	38%	54%	58%	40%	12%	5%	37	1.7	43	0	$35,852
New Hanover	35,140	III	3,902	763	19.6%	3,139	89.3	1,142	32.5	36.4%	55%	71%	43%	25%	7%	3%	572	16.3	255	0	$45,648
Northampton	5,091	I	353	82	23.2%	271	53.2	35	6.9	12.9%	26%	30%	69%	68%	0%	1%	25	4.9	0	0	$28,496
Onslow	39,761	II	3,754	849[4]	22.6%	2,905	73.1	1,283	32.3	44.2%	59%	66%	37%	22%	9%	8%	103	2.6	197	5	$30,570
Orange	25,248	II	1,536	115	7.5%	1,421	56.3	414	16.4	29.1%	53%	73%	43%	16%	11%	6%	103	4.1	76	0	$45,099
Pamlico	2,544	I	174	61	35.1%	113	44.4	27	10.6	23.9%	67%	68%	30%	29%	4%	2%	12	4.7	6	0	$29,586
Pasquotank	8,504	I	881	282	3.2%	599	70.4	140	16.5	23.4%	45%	51%	52%	45%	4%	2%	35	4.1	26	0	$32,020
Pender	9,747	I	789	107	13.6%	682	70.0	231	23.7	33.9%	74%	68%	26%	27%	6%	5%	85	8.7	40	0	$30,338
Perquimans	2,492	I	N/A	N/A	N/A	77	30.9	32	12.8	41.6%	56%	64%	44%	34%	0%	1%	10	4.0	2	0	$28,232
Person	8,620	I	543	77	14.2%	466	54.1	91	10.6	19.5%	62%	62%	34%	33%	0%	3%	35	4.1	21	0	$31,583
Pitt	32,474	II	2,005	289	14.4%	1,716	52.8	510	15.7	29.7%	34%	51%	60%	44%	9%	4%	139	4.3	60	1	$37,778
Polk	3,802	I	194	70	36.1%	124	32.6	46	12.1	37.1%	85%	89%	2%	8%	2%	6%	24	6.3	17	0	$29,778
Randolph	33,593	II	2,267	496	21.9%	1,771	52.7	352	10.5	19.9%	92%	86%	8%	7%	8%	10%	123	3.7	64	0	$34,500
Richmond	11,892	I	1,202	217	18.1%	985	82.8	167	14.0	17.0%	54%	56%	46%	38%	0%	4%	28	2.4	32	0	$29,897
Robeson	36,053	III	3,749	575	15.3%	3,174	88.0	639	17.7	20.1%	20%	24%	23%	29%	4%	5%	185	5.1	202	1	$29,979
Rockingham	21,294	II	1,352	138[4]	10.2%	1,214	57.0	309	14.5	25.5%	78%	73%	20%	23%	8%	5%	31	1.5	18	0	$37,874
Rowan	33,119	II	2,769	883	31.9%	1,886	56.9	408	12.3	21.6%	74%	75%	26%	19%	2%	6%	149	4.5	67	0	$34,618
Rutherford	15,001	II	1,723	280	16.3%	1,443	96.2	675	45.0	46.8%	80%	82%	19%	15%	1%	3%	148	9.9	106	1	$30,478
Sampson	16,124	II	389	25	6.4%	364	22.6	152	9.4	41.8%	63%	53%	28%	33%	9%	14%	48	3.0	33	0	$30,497
Scotland	9,830	I	774	76	9.8%	698	7.1	120	12.2	17.2%	33%	42%	57%	44%	0%	2%	40	4.1	33	0	$34,363
Stanly	14,611	I	1,254	395	31.5%	859	58.8	232	15.9	2.7%	74%	79%	16%	14%	5%	3%	28	1.9	19	0	$31,599
Stokes	11,044	I	764	232	30.4%	532	48.2	155	14.0	29.1%	95%	93%	5%	5%	7%	3%	31	2.8	34	0	$30,032
Surry	17,005	II	1,368	415	30.3%	953	56.0	296	17.4	31.1%	89%	86%	5%	5%	16%	11%	35	2.1	31	0	$30,860
Swain	3,171	I	N/A	N/A	N/A	195	61.5	31	9.8	15.9%	42%	53%	0%	2%	0%	2%	7	2.2	4	0	$33,924
Transylvania	5,831	I	314	27[4]	8.6%	287	49.2	59	10.1	20.6%	80%	90%	9%	6%	10%	2%	44	7.5	26	0	$35,000
Tyrrell	892	I	18	5	27.8%	13	14.6	4	4.5	30.8%	100%	51%	0%	43%	0%	5%	1	1.1	2	0	N/A
Union	38,398	II	2,028	501	24.7%	1,527	39.8	453	11.8	29.7%	61%	79%	30%	15%	11%	8%	51	1.3	31	0	$36,237
Vance	11,901	II	1,217	164	13.5%	1,053	88.5	326	27.4	31.0%	42%	38%	58%	57%	9%	6%	94	7.9	32	0	$31,236

Wake	174,663	III	4,792	1,022	21.3%	3,770	21.6	1,039	5.9	27.6%	39%	68%	56%	23%	11%	6%	551	3.2	217	0	N/A
Warren	4,591	I	289	52	18.0%	237	51.6	42	9.1	17.7%	19%	29%	74%	63%	7%	2%	24	5.2	14	0	$35,506
Washington	3,321	I	171	21	12.3%	150	45.2	70	21.1	46.7%	27%	36%	73%	60%	1%	2%	19	5.7	21	0	$28,869
Watauga	7,024	I	426	164	38.5%	262	37.3	70	10.0	26.7%	97%	96%	1%	1%	7%	2%	32	4.6	21	0	$35,458
Wayne	29,707	II	2,281	485	21.3%	1,796	60.5	510	17.2	28.4%	47%	54%	50%	38%	8%	7%	65	2.2	122	0	$33,360
Wilkes	15,013	II	1,024	288	28.1%	736	49.0	328	21.8	44.6%	89%	91%	11%	5%	8%	5%	144	9.6	93	0	$28,682
Wilson	18,945	II	1,475	411	27.9%	1,064	56.2	378	20.0	35.5%	34%	46%	61%	48%	10%	8%	82	4.3	40	0	$30,220
Yadkin	8,996	I	542	104	19.2%	438	48.7	114	12.7	26.0%	91%	90%	1%	4%	27%	11%	78	8.7	34	1	$34,338
Yancey	3,822	I	371	72	19.4%	299	78.2	115	30.1	38.5%	98%	97%	0%	1%	16%	5%	59	15.4	40	0	$30,612

Notes: **Data Are For State Fiscal Year 2001-02 Unless Otherwise Noted**

1. 2002 population projections NC State Data Center
2. Rates based on under 20 events should be used with caution
3. Data From April 2000 US Census
4. Calendar Year 2001
5. 2002-03 — Not Available for prior years
6. Based on 11 months of data available

Acknowledgements

We are grateful to the NC Division of Social Services, the county Departments of Social Services, the Guardian ad Litem Program, and many child advocates and their agencies for their help in gathering these data and for their reviews of the material.

Notes on the availability of variables not on this card

These additional variables may be found at www.ncchild.org:

- Salaries of county DSS Directors
- Annual turnover rates for Children's Services' Social Workers
- Full Time Equivalent Children's Services Social Worker positions
- Median Family Income
- Percent of white and African American children in poverty
- Percent of children living in single parent households
- Cases substantiated by type of maltreatment (abuse, neglect, dependency) and by subcategory of maltreatment, such as physical, sexual abuse, or lack of medical/remedial care, etc.
- Substantiations by age of child
- Parental rights terminated and rate/1,000 children in the county
- Children actually adopted

These additional variables may be found at the Division of Social Services website

Biennial review reports (Copies of individual county Child and Family Services Review Reports can be obtained by request from the specific county or from the Division of Social Services (919-733-9461). An End of Biennium report for the 2001-2003 biennium can be found at *http://www.dhhs.state.nc.us/dss/dcdl/section/fscw.htm*

- Link to the DSS website with statistical reports: *http://www.dhhs.state.nc.us/dss/childrensservices/stats/index.htm*

Additional variables available by special request to the state Division of Social Services

- Average caseload of CPS workers

  (**Note:** These data are collected on an annual basis by surveys of counties DSS agencies and the results of these surveys can be obtained through a special request to the Division of Social Services. These surveys also provide information about turnover rates.)
- Number of children reentering the system in the same year
- Number of children released for adoption
- Number of children returned to families
- Average caseload of CPS workers
- Amount spent per investigation by county

Variables of interest but not available in any data systems

- Number of cases reported to law enforcement by DSS
- Number of neglect deaths
- Children with physical injuries in investigations or substantiations
- Abuse homicides of children with and without a CPS history

Attachment 4

NORTH CAROLINA child ADVOCACY Institute

North Carolina

Child Protective Services Data Card

2001–2002

In collaboration with:

Division of Social Services

NC Department of Health and Human Resources

With financial support:

Governor's Crime Commission

KIDS COUNT

kids count

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www.ncchild.org

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Helping to make North Carolina a better place to *be* a child and *raise* a child.

North Carolina Child Maltreatment Data 2001–2002

Background

Each year, approximately 5 percent to 6 percent of North Carolina's children (0 through 17 years of age) and their families are investigated by Child Protective Services (CPS) for suspected maltreatment. Each county CPS functions within the county Department of Social Services. North Carolina has a county administered/state supervised PS system, with the state providing supervision, training, and some funding. Across the state, there is considerable variation in the number and percentages of children and families receiving services from their county's child protective services.

The starting point for CPS investigations everywhere is a citizen or agency who reports a *suspected* case of child maltreatment (abuse or neglect) to the county Department of Social Services (DSS). North Carolina state law requires *every* person to report suspected child maltreatment. It does not require citizens to provide any proof. Determining whether the suspicion is warranted and can be substantiated is one fundamental role of each CPS unit within each county's DSS agency.

The incidence of child maltreatment is so high that if it were an illness, it would be classified as an epidemic. Whether there is actually more abuse and neglect of children than in previous decades—or whether there simply is a greater ability to recognize cases and make reports remains an open question. What is true is that far too many North Carolina children are experiencing dangerous and damaging childhoods instead of safe and nurturing ones.

Child protective services workers are the "frontline" officials seeking to protect children who cannot protect themselves from harm at the hands of their own families. It is stressful, heartbreaking, and rarely appreciated work, and an essential public role in any society that is serious about enhancing child safety and well-being.

Purpose

This first ever North Carolina Child Protective Services Data Card presents data and information from CPS units across our state. These county level data will be useful to each county Child Protective Services (CPS) agency, public officials, child advocacy and abuse prevention groups, and the general public. This CPS Data Card provides a reference tool for viewing the interrelationships between social services, court interventions, and the Child Fatality Prevention Teams. Data are presented in a format which allows comparison among counties. By providing these data now, the information on the Card may serve as a baseline for monitoring the transition as county CPS agencies change from the traditional investigation approach to the Multiple Response System (MRS). This new system is already affecting next year's CPS data in the 10 pilot counties that have transitioned into MRS. In addition, the card includes the number of child abuse homicides by county. It is important to note that the majority of abuse homicides occur to children not previously known to CPS.

The Data

CPS data are presented for the fiscal year 2001–2002 unless otherwise noted. The indicators presented were selected because they are often requested and many are not easily available. One data category, screened-out reports, has never before been published or collected in the state's automated system. Other data are available in other places, such as the basic Central Registry information about cases accepted for investigation and the proportions substantiated (available on the state Division of Social Services' website, *www.dhhs.state.nc.us/dss/childrensservices.htm)*. Other data offer additional statistics related to CPS practice, such as the proportion of substantiated cases that involve African American children compared to the

proportion of African Americans in the population. Because the size of the card is limited, additional important data are available on the website for the **NC Child Advocacy Institute** *(www.ncchild.org)*. These additional statistics include the types of substantiated maltreatment, the numbers of terminations of parental rights (TPRs), and DSS Directors' salaries among others. Together, these data provide key information that will aid in understanding the impact of our child protection services, the variation in resources, and some of the limitations under which the county CPS agencies must operate.

These data provide benchmarks for child maltreatment services for the population served by the 100 county CPS agencies in our state. The indicators will enable monitoring of certain trends over time as yearly data continue to be collected. These statistics may be used for descriptive purposes, to assist with setting goals, to aid in accountability, and to provide information that will foster helpful questioning of practices and services. They may also be used to examine the variation among counties in basic CPS services to children. Most important, they illustrate the enormous caseloads and challenges which our counties and state must face in investigating, substantiating, and dealing with child maltreatment.

Interpretation

These figures on child maltreatment raise questions; for example questions about the process of reporting, how determinations are made regarding which cases to investigate and which to screen out, the differences in substantiation rates among counties by race/ethnicity, the range in rates of children in DSS custody, the range in number of homicides per county, and the differences in pay rates between counties for social workers who provide the same basic services wherever they are located. The questions raised by the examination of these statistics should bring new attention to the problems of maltreated children and can help improve the public and governmental response.

These data items intentionally have no rankings, no scores, and no grades attached. NCCAI discourages the use of these data to either criticize or congratulate individual counties. Why? Because there are alternative interpretations and explanations for each statistic. For example, one county's relatively high "substantiation rate" may mean that their CPS staff includes extremely good investigators—while a similar rate in another county could mean that only the easy-to-substantiate cases are investigated.

NCCAI's goal is to encourage probing questions about CPS to be asked in each county. Good questions, in turn, should lead to greater attention and a richer understanding of what really *is* happening within each CPS agency. Ultimately, we think that heightened awareness and deeper knowledge will lead to better child protective services throughout North Carolina.

These data cannot be used to indicate accurately whether a particular statistic means that the reality is "better" or "worse," nor can they properly be employed for the evaluation of CPS policies or programs. Rather, they are stepping stones that may point to areas needing further assessment. The differences noted among NC counties should be used to prompt a closer look at CPS procedures and practices. Basic data are the first step in monitoring and examining practices, not the last step.

The North Carolina Child Advocacy Institute will continue to provide information to further our goal of making North Carolina a better place to *be* a child and to *raise* a child.

A web version of this card and additional data on North Carolina Child Protective Services is available at *www.ncchild.org*.

For a helpful additional source of data and discussion of working with child abuse and neglect data visit the website for Prevent Child Abuse NC at *www.preventchildabusenc.org/neglectdata.htm*

Marcia E. Herman-Giddens and Joann H. Haggerty led the development of this publication assisted by Natalie Towns. We thank the many staff members of the state Division of Social Services and the county CPS agencies who helped us in collecting the data.

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Notes and Sources

County Description

Division of Social Services (DSS) level of county. The level, based on the population of the county, establishes three groups which allows counties of similar size to be compared more equitably.

Source: Division of Social Services, NC Department of Health and Human Services. Available at *http://www.dhhs.state. nc.us/dss/childrensservices/adoptions/index.htm. Year:* 2002

County Population Projection, ages 0–17. The projection of the population of children ages 0 through 17 for 2002 as cited by the state Division of Social Services, using the data from the State Data Center which utilizes 2000 US Census data, and adjusts according to a number of migration and birth records to give a projection for subsequent years.

Source: Central Registry Reports of Child Abuse, Neglect and Dependency; Division of Social Services, NC Department of Health and Human Resources. Available at *http://www.dhhs.state.nc.us/dss/childrensservices/stats/programstatistics.htm* and NC State Data Center Available at *http://demog.state.nc.us/ Year:* July 2002 Projections, as accessed in May 2002

Reports, Investigations and Substantiations

The total number of reports of child abuse and neglect including screened-out reports. The number of reports in a given period comprises the sum of the cases accepted for investigation and the number not accepted (screened-out). Because the state Division of Social Services does not require counties to submit data on their screened-out reports, the total number of reports for suspected maltreatment in NC has not been previously published.

Source: Calculated by NCCAI using the DSS reports investigated and the screened-out data collected by NCCAI (see below). *Year:* 2001–2002

Screened-out reports, number and percent of total reports. The number of reports screened out was collected from each county Department of Social Services by the NC Child Advocacy Institute. The percent screened out is number screened out divided by the sum of the reports investigated and the screened out numbers . Reports are screened-out when a two-level review determines the report does not meet the statutory definition of suspected abuse, neglect, dependency, or the suspected perpetrator does not meet the legal definition of caretaker. This determination is made on the basis of the information initially reported; no home visits or further investigation is done. The state requires that counties keep their screened-out data for 3 years and that they use it in assessing new case reports. Counties do not have a uniform method of recording screened-out reports and the proportions vary across counties. Some counties (footnoted) submitted their screened out numbers by calendar year instead of fiscal year. Several counties screened-out reports may include referrals made to other counties.

Source: As collected by NCCAI by telephone, email, and fax. *Year:* 2001–2002

Child Abuse and Neglect Reports Investigated and Substantiated—Number and Rate (per 1,000) Ages 0–17. These numbers reflect the unduplicated number of children 0–17 years of age investigated as abused, neglected, or dependent per 1,000 children residing in the county. Rates are as calculated by the state Division of Social Services, using population estimates for 2002. The number of investigations includes all children in the household. Allegations on some of the children may not be substantiated while allegations on other children in the same family may be substantiated.

Some children may be subjects of investigations that are unsubstantiated and/or substantiated as abuse, neglect, or dependency more than once in a year. If these numbers were available, they would be counted as duplicated cases. Duplicated numbers provide a more accurate reflection of caseloads for DSS social workers as well as reflect the full incidence of maltreatment of children. Duplicated numbers are not available.

Note: These numbers do not include screened-out reports. These data include only children harmed or suspected of being harmed by parents, guardians, or caretakers as defined by NC General Statute 7B-101. Harm to children at the hands of strangers or persons known to them, but not meeting the definitions above, is handled by law enforcement agencies.

Source: Central Registry Reports of Child Abuse, Neglect and Dependency; Division of Social Services, NC Department of Health and Human Resources. Available at *http://www.dhhs.state.nc.us/dss/childrensservices/stats/programstatistics.htm. Years:* NC State Fiscal Year (SFY) 2001–02

Percent of reports investigated which are substantiated. The percent of reports investigated which are substantiated is calculated by dividing the number of substantiated cases by the number of reports investigated.

Source: As calculated by NCCAI using data from NC Division of Social Services. *Year:* 2001–02

Percent of investigations substantiated by race/ethnicity

The percentage of investigated cases substantiated by race is presented with the overall percentage of children ages 0–17 by race/ethnicity. Race/ethnicity is defined according to the United States Census definitions. For purposes of comparison, we have included only those children counted as white alone, or African American alone, not children who listed white or African American in combination with other races. The data for both races does include children of Hispanic origin, as Hispanic is not considered a race, but an ethnicity. The data for Hispanic children includes children of any race.

Source: Central Registry Reports of Child Abuse, Neglect and Dependency; Division of Social Services, NC Department of Health and Human Resources. Available at *http://www.dhhs.state.nc.us/dss/childrensservices/stats/programstatistics.htm. Year:* NC State Fiscal Year (SFY) 2001–02

Children in DSS custody

The unduplicated number of children, ages 0–17, in DSS custody as of June 30, 2001 for whom a county Department of Social Services (DSS) has legal custody and placement authority (as granted through the court system, through voluntary placement agreements, or voluntary relinquishment for adoption). Each child is counted one time. This count includes children who are in out-of-home placements, as well as those who may be in their own home, but in DSS custody or placement responsibility.

(**Note:** The number of children in out of home care, i.e. foster care by non-relatives vs. relative care is available from the state for all children for a point in time through a quarterly report that lists all children in DSS custody or placement responsibility by living arrangement. DSS provides an "Experience of Children in DSS Custody or Placement Responsibility Report" which analyzes entry cohorts of children by year of original entry into care. These longitudinal data show the experiences of children over the entire period of time that they are in DSS custody or placement responsibility and follow up to measure re-entry rates for each cohort. This provides an accurate and detailed picture of children placed in their own or relatives' homes vs. various out-of-home placements as initial placement types. These data also show the proportion of children in each cohort who ever experience a non-family placement setting and the median length of time in those settings. In addition, the Experiences of Children Report also provides data on median length of stay in DSS custody or placement responsibility, placement stability and re-entry rates.

See *http://www.dhhs.state.nc.us/dsschildrensservices/stats.ctyexp.htm.)*

The rate is calculated per 1,000 children in the county population. See note, on population figures.

Source: Children's Services, Division of Social Services, NC Department of Health and Human Services.

Available at *http://www.dhhs.state.nc.us/dss/childrensservices/adoptions/index.htm. Year:* 2001–02. The number of children in DSS custody is point in time data—as of June 30 each year.

Abuse and neglect petitions filed (unduplicated number of children). With the substantiation of abuse, neglect or dependency, under certain circumstances, the county Departments of Social Services may file a petition in court against the caregiver(s). Included are the unduplicated numbers of children who for whom petitions were filed alleging that they were abused or neglected, and were referred to the Guardian ad Litem Program. The GAL program represents these children in court proceedings. Across the state, counties filed petitions in approximately 17% (or 9% of families) of substantiated cases in 2001–02. Because these petitions can be filed at any time, they may reflect filings on cases from other years.

Note: Cases where dependency is alleged are not included in these numbers.

Source: Guardian ad Litem Program data, NC Administrative Office of the Courts Year: 2001–02

Child abuse homicides

Child abuse homicides are reported by the State Child Fatality Prevention Team in the Office of the Chief Medical Examiner, UNC-Chapel Hill. These cases may include fatalities that are not under the authority of DSS since the perpetrator may not always meet the legal definition of "caretaker." The State Team defines child abuse homicide as the killing of a child by any person responsible for the child's health or welfare, their caregiver. The definition of caregiver is intended as a common sense one and has no legal implications such as the terms guardian or caretaker, but merely refers to an individual, usually over the age of 12 years, who is "in charge" of the child at the time of the killing. These abuse homicide numbers do not include children who were killed by a person who does not know the child or who may know the child but is not a caregiver. In addition, "child abuse homicide" does not include deaths caused by child neglect, such as lack of supervision.

Source: Office of the Chief Medical Examiner, UNC-CH. *Year:* 2001–2002

Child Protective Services workers' salaries

The average salary from each county paid for Social Worker III positions since the majority of workers who do the investigative and support work are at this level.

Source: NC Office of State Personnel. *Year:* July 2002

Attachment 5 Draft Human-Giddens

DRAFT: North Carolina Child Advocacy Institute *Child Protective Services Data Card, 2001-02*

Average Data Values by DSS Level of County

Category of Indicator	Child Protective Services Indicator	North Carolina	Average Level 1 counties	Average Level II counties	Average Level III counties	DSS Level I counties	DSS Level II counties	DSS Level III counties
County Description	Child Population, ages 0-17, 2002 (1)	2,036,497	6,515	22,371	80,534	ALEXANDER, ALLEGHANY, ANSON, ASHE, AVERY, BEAUFORT, BERTIE, BLADEN, CAMDEN, CASWELL, CHATHAM, CHEROKEE, CHOWAN, CLAY, CURRITUCK, DARE, DAVIE, GATES, GRAHAM, GRANVILLE, GREENE, HERTFORD, HOKE, HOKE, HYDE, JACKSON, JONES, LEE, LENOIR, LINCOLN, MACON, MADISON, MARTIN, MCDOWELL, MITCHELL, MONTGOMERY, NORTHAMPTON, PAMLICO, PASQUOTANK, PENDER, PERQUIMANS, PERSON, POLK, RICHMOND, SCOTLAND, STANLY, STOKES, SWAIN, TRANSYLVANIA, TYRRELL, WARREN, WASHINGTON, WATAUGA, YADKIN, YANCEY	ALAMANCE, BRUNSWICK, BURKE, CABARRUS, CALDWELL, CARTERET, CLEVELAND, COLUMBUS, CRAVEN, DAVIDSON, DUPLIN, EDGECOMBE, FRANKLIN, HALIFAX, HARNETT, HAYWOOD, HENDERSON, IREDELL, JOHNSTON, MOORE, NASH, ONSLOW, ORANGE, PITT, RANDOLPH, ROCKINGHAM, ROWAN, RUTHERFORD, SAMPSON, SURRY, UNION, VANCE, WAYNE, WILKES, WILSON	BUNCOMBE, CATAWBA, CUMBERLAND, DURHAM, FORSYTH, GASTON, GUILFORD, MECKLENBURG, NEW HANOVER, ROBESON, WAKE
	DSS Assigned Level of County(2)	N/A	I	II	III			
Reports, Investigations and Substantiations	# Reports	136,516	487	1,703	4,720			
	# Reports Screened Out (3)	29,298	114	340	1,103			
	% Reports Screened Out(3)	21.5%	22.8%	19.5%	23.4%			
	# Investigations	107,218	366	1,330	3,632			
	Investigated Rate/1000 (2)	52.6	53.3	61.2	55.9			
	# Substantiated (2)	32,883	101	425	1,109			
	Substantiated Rate/1000 (2)	16.1	14.7	19.9	16.9			
	% Investigated Cases which are Substantiated (2)	30.7%	27.7%	32.8%	30.2%			
Substantiated Race/Ethnic Group	% White Substantiated (4)	59%	68%	64%	47%			
	% White Children in Pop (1)	65%	69%	67%	60%			
	% African American Substantiated (4)	36%	26%	32%	44%			
	% African American Children in Pop (1)	26%	24%	26%	28%			
	% Hispanic Substantiated(4)	8%	7%	9%	7%			
	% Hispanic Children in Pop (1)	6%	4%	6%	6%			
Case Outcome	Total # in DSS Custody (2) June 30, 2002	9,775	29	93	445			
	DSS custody Rate/1000 (4)	4.8	4.6	4.6	6.3			
	# Petitions filed (5)	5,533	19	64	199			
Abuse Homicides	# Abuse Homicides, 2001 (6)	24	0	0	1			
Social workers	Social Work III Ave. Salaries, 2002-03 (7)	$32,546	$30,927	$33,448	$37,236			

Data Sources: 1)US Census and Annie E Casey 2) Children's Services, NC DSS 3)Collected and calculated by NCCAI
4) Calculated by NCCAI based on DSS data 5) Guardian Ad Litem program 6) NC Office of the State Medical Examiner
7) NC Office of State Personnel, 2002-03

Attachment 5

JoAnn Lamm
Attachment 6

Number of FTE Positions Required to Meet Caseload Standards

County	Average CPS Caseloads	Actual CPS Positions	*CPS Positions Considering 33% Turnover (Rounded to Nearest .50)	*CPS Positions Considering 12% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:12 Standard w/33% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:12 Standard w/12% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:8 Standard w/33% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:8 Standard w/12% Turnover (Rounded to Nearest .50)
ALAMANCE	79.66	12.7	8.5	11.5	9.0	7.5	13.5	11.5
ALEXANDER	50.83	5.0	3.5	4.5	6.0	5	8.5	7.5
ALLEGHANY	7.16	1.23	1.0	1.5	1.0	1	1.5	1.0
ANSON	31.17	3.00	2.5	3.0	3.5	3	5.5	4.5
ASHE	34	2.75	2.0	2.5	4.0	3.5	6.0	5.0
AVERY	17.5	2.25	2.0	2.0	2.0	2	3.0	2.5
BEAUFORT	94.2	9.50	6.5	8.5	10.5	9	16.0	13.5
BERTIE	10.5	1.45	1.0	1.5	1.5	1	2.0	1.5
BLADEN	40.4	4.00	3.0	4.0	4.5	4	7.0	6.0
BRUNSWICK	60	7.00	5.0	6.5	7.0	6	10.0	8.5
BUNCOMBE	541	55.00	37.0	48.5	60.0	50.5	90.0	76.0
BURKE	161	17.00	11.5	15.0	18.0	15.5	27.0	22.5
CABARRUS	202	17.00	11.5	15.0	22.5	19	34.0	28.5
CALDWELL	187	20.50	14.0	18.5	21.0	17.5	31.5	16.5
CAMDEN	5.17	0.70	0.5	1.0	1.0	0.5	1.0	1.0
CARTERET	119	12.00	8.5	11.0	13.5	11.5	20.0	17.0
CASWELL	32	3.50	2.5	3.5	4.0	3	5.5	4.5
CATAWBA	288.33	29.50	20.0	26.0	32.0	27	48.0	40.5
CHATHAM	114	8.00	5.5	7.5	13.0	11	19.0	16.0
CHEROKEE	47	4.00	3.0	4.0	5.5	4.5	8.0	7.0
CHOWAN	9.5	0.42	0.5	0.5	1.5	1	2.0	1.5
CLAY	11.5	0.70	0.5	1.0	1.5	1.5	2.0	2.0
CLEVELAND	238.33	28.00	19.0	25.0	26.5	22.5	40.0	33.5
COLUMBUS	72	9.00	6.5	8.0	8.0	7	12.0	10.5
CRAVEN	182.99	17.00	11.5	15.0	20.5	17.5	30.5	26.0
CUMBERLAND	461.2	60.00	40.5	53.0	51.5	43.5	77.0	65.0
CURRITUCK	32.93	4.15	3.0	4.0	4.0	3.5	5.5	5.0
DARE	51.5	4.50	3.5	4.0	6.0	5	9.0	7.5
DAVIDSON	245.1	21.00	14.5	18.5	27.5	23	41.0	34.5
DAVIE	13.82	2.30	2.0	2.5	2.0	1.5	2.5	2.0
DUPLIN	63.63	10.00	7.0	9.0	7.5	6	11.0	9.0
DURHAM	236.3	30.00	20.5	26.5	26.5	22.5	39.5	33.5
EDGECOMBE	93	21.00	14.5	18.5	10.5	9	15.5	13.0
FORSYTH	237	25.00	17.0	22.0	26.5	22.5	39.5	33.5
FRANKLIN	44.33	5.00	3.5	4.5	5.0	4.5	7.5	6.5
GASTON	430	40.00	27.0	35.5	48.0	40.5	71.5	60.5
GATES	14	0.85	1.0	1.0	2.0	1.5	2.5	2.0
GRAHAM	26.4	2.00	1.5	2.0	3.0	2.5	4.5	4.0
GRANVILLE	60	5.40	4.0	5.0	7.0	6	10.0	8.5
GREENE	24	2.00	1.5	2.0	3.0	2.5	4.0	3.5
GUILFORD	369.2	45.00	30.5	40.0	41.0	34.5	61.5	52.0
HALIFAX	151	13.00	9.0	11.5	17.0	14.5	25.5	21.5
Harnett	159	13.00	9.0	11.5	18.0	15	26.5	22.5
HAYWOOD	176.16	15.00	10.5	13.5	20.0	16.5	29.5	25.0
HENDERSON	221.6	17.70	12.0	16.0	25.0	21	37.0	31.0
HERTFORD	22.34	3.00	2.5	3.0	2.5	2.5	4.0	3.5
HOKE	19.67	2.00	1.5	2.0	2.5	2	3.5	3.0
HYDE	8	1.00	1.0	1.0	1.0	1	1.5	1.5
IREDELL	263.8	26.00	17.5	23.0	29.5	25	44.0	37.0
JACKSON	80.5	7.50	5.5	7.0	9.0	8	13.5	11.5
JOHNSTON	167.83	17.00	11.5	15.0	19.0	16	30.0	23.5
JONES	15.83	1.75	1.5	2.0	2.0	1.5	3.0	2.5
Lee	40.5	4.00	3.0	4.0	4.5	4	7.0	6.0
LENOIR	130	11.20	8.0	10.0	14.5	12.5	22.0	18.5
LINCOLN	114	8.85	6.0	8.0	13.0	11	19.0	16.0
MACON	52.83	4.00	3.0	4.0	6.0	5	9.0	7.5
MADISON	54.82	4.00	3.0	4.0	6.5	5.5	9.5	8.0
MARTIN	18.83	2.80	2.0	2.5	2.5	2	3.5	3.0
MCDOWELL	236.46	11.50	8.0	10.5	26.5	22.5	39.5	33.5
MECKLENBURG	1005	115.00	77.5	101.5	111.5	94	167.5	141.0

Data From 06-03 - 11-03

Number of FTE Positions Required to Meet Caseload Standards

County	Average CPS Caseloads	Actual CPS Positions	*CPS Positions Considering 33% Turnover (Rounded to Nearest .50)	*CPS Positions Considering 12% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:12 Standard w/33% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:12 Standard w/12% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:8 Standard w/33% Turnover (Rounded to Nearest .50)	CPS Positions Required to meet 1:8 Standard w/12% Turnover (Rounded to Nearest .50)
MITCHELL	28.34	3.00	2.5	3.0	3.5	3	5.0	4.0
MONTGOMERY	22	5.00	3.5	4.5	2.5	2.5	4.0	3.5
MOORE	173.33	16.75	11.5	15.0	19.5	16.5	29.0	24.5
NASH	103	12.66	8.5	11.5	11.5	10	17.5	14.5
NEW HANOVER	336	31.00	21.0	27.5	37.5	31.5	60.0	47.0
NORTHAMPTON	25.3	3.80	3.0	3.5	3.0	2.5	4.5	3.5
ONSLOW	475	41.00	27.5	36.5	53.0	44.5	79.0	66.5
ORANGE	189.4	21.25	14.5	19.0	21.0	18	31.5	26.5
PAMLICO	11.34	3.30	2.5	3.0	1.5	1.5	2.0	2.0
PASQUOTANK	43.17	7.00	5.0	6.5	5.0	4.5	7.5	6.0
PENDER	77	8.25	6.0	7.5	9.0	7.5	13.0	11.0
PERQUIMANS	5.01	0.67	0.5	1.0	1.0	0.5	0.5	0.5
PERSON	48	5.75	4.0	5.5	5.5	4.5	8.0	7.0
PITT	223.5	27.00	18.5	24.0	25.0	21	37.5	31.5
POLK	32.8	2.40	2.0	2.5	4.0	3.5	5.5	5.0
RANDOLPH	174	20.00	13.5	18.0	19.5	16.5	29.0	24.5
RICHMOND	98	11.00	7.5	10.0	11.0	9.5	16.5	14.0
ROBESON	349	40.00	27.0	35.5	39.0	33	58.0	49.0
ROCKINGHAM	110.83	10.00	7.0	9.0	12.5	10.5	18.5	15.5
ROWAN	173	17.00	11.5	15.0	19.5	16.5	29.0	24.5
RUTHERFORD	285	14.30	10.0	13.0	32.0	27	47.5	40.0
SAMPSON	34.1	5.00	3.5	4.5	4.0	3.5	6.0	5.0
SCOTLAND	53	5.50	4.0	5.0	6.0	5	9.0	7.5
STANLY	73.49	9.00	6.5	8.0	8.5	7	12.5	10.5
STOKES	62.5	5.00	3.5	4.5	7.0	6	10.5	9.0
SURRY	97	11.00	7.5	10.0	11.0	9.5	16.5	14.0
[illegible]WAIN	34.67	5.00	3.5	4.5	4.0	3.5	6.0	5.0
[illegible]ANSYLVANIA	29.5	4.00	3.0	4.0	3.5	3	5.0	4.5
[illegible]YRRELL	1.83	0.80	1.0	1.0	0.5	0.5	0.5	0.5
UNION	150	17.25	12.0	15.5	17.0	14	25.0	21.0
VANCE	95.5	7.50	5.5	7.0	11.0	9	16.0	13.5
WAKE	513	57.00	38.5	50.5	57.0	48	85.5	72.0
WARREN	20	4.00	3.0	4.0	2.5	2	3.5	3.0
WASHINGTON	12	2.75	2.0	2.5	1.5	1.5	2.0	2.0
WATAUGA	26.66	3.40	2.5	3.0	3.0	2.5	4.5	4.0
WAYNE	273.33	17.00	11.5	15.0	30.5	26	45.5	38.5
WILKES	146	12.00	8.5	11.0	16.5	14	24.5	20.5
WILSON	112.5	12.00	8.5	11.0	12.5	10.5	19.0	16.0
YADKIN	30	3.00	2.5	3.0	3.5	3	5.0	4.5
YANCEY	32.49	6.20	4.5	5.5	4.0	3.5	5.5	4.5
Statewide totals	**12757.41**	**1316.18**	**882.0**	**1158.5**	**1414.0**	**1216**	**2145.5**	**1796.5**

Data From 06-03 - 11-03

David Attachment 7

NC Department of Health and Human Services
Division of Social Services
CHILD WELFARE SERVICES EXPENDITURES SFY 02-03
As of 6/29/2003

Program Area	Total	Federal	State	Provider	County	County Non-reimbursable Cost
Foster Care	**171,879,243**	**80,476,637** **46.82%**	**22,373,160** **13.02%**	**9,435,145** **5.49%**	**34,045,620** **19.81%**	**25,548,681** **14.86%**
State Admin. & Training	*4,863,989*	*3,484,095* *71.63%*	*1,130,584* *23.24%*	*249,310* *5.13%*	*0* *0.00%*	*0* *0.00%*
Program Services	*78,688,432*	*45,375,045* *57.66%*	*4,265,140* *5.42%*	*625,914* *0.80%*	*20,207,286* *25.68%*	*8,215,047* *10.44%*
Assist. Payments	*88,326,822*	*31,617,497* *35.80%*	*16,977,436* *19.22%*	*8,559,921* *9.69%*	*13,838,334* *15.67%*	*17,333,634* *19.62%*
Adoptions	**57,345,341**	**26,650,965** **46.47%**	**19,289,270** **33.64%**	**514,398** **0.90%**	**9,350,580** **16.31%**	**1,540,128** **2.69%**
State Admin. & Training	*1,622,808*	*1,162,424* *71.63%*	*377,205* *23.24%*	*83,179* *5.13%*	*0* *0.00%*	*0* *0.00%*
Program Services	*9,118,223*	*5,125,136* *56.21%*	*2,516,603* *27.60%*	*431,219* *4.73%*	*424,324* *4.65%*	*620,941* *6.81%*
Assist. Payments	*46,604,310*	*20,363,405* *43.69%*	*16,395,462* *35.18%*	*0* *0.00%*	*8,926,256* *19.15%*	*919,187* *1.97%*
Child Protective Services	**108,642,631**	**80,592,615** **74.18%**	**8,229,904** **7.58%**	**157,585** **0.15%**	**19,468,962** **17.92%**	**193,565** **0.18%**
State Admin. & Training	*3,074,464*	*2,202,251* *71.63%*	*714,628* *23.24%*	*157,585* *5.13%*	*0* *0.00%*	*0* *0.00%*
Program Services	*105,568,167*	*78,390,364* *74.26%*	*7,515,276* *7.12%*	*0* *0.00%*	*19,468,962* *18.44%*	*193,565* *0.18%*
Family Preservation and Support Svcs (FPS, IFPS, FRC, FS)	**12,317,393**	**9,094,302** **73.83%**	**1,656,388** **13.45%**	**160,876** **1.31%**	**75,951** **0.62%**	**1,329,876** **10.80%**
State Admin. & Training	*655,354*	*613,803* *93.66%*	*41,551* *6.34%*	*0* *0.00%*	*0* *0.00%*	*0* *0.00%*
Program Services	*11,662,039*	*8,480,499* *72.72%*	*1,614,837* *13.85%*	*160,876* *1.38%*	*75,951* *0.65%*	*1,329,876* *11.40%*
Total Expenditures	**350,184,608** **100.00%**	**196,814,519** **56.20%**	**51,548,722** **14.72%**	**10,268,004** **2.93%**	**62,941,113** **17.97%**	**28,612,250** **8.17%**

Attachment 7

Patrick McCoy
Attachment 8

NC OFFICE OF STATE PERSONNEL
FEBRUARY 2004

REPORT: CHILD WELFARE CRISIS COMPENSATION AND CLASSIFICATION STUDY

BASIS FOR COMPENSATION SURVEY AND STUDY

In the fall of 2003, there were a series of articles from two North Carolina news publications outlining the difficulties local departments of social services have to deal with in investigating and managing child protective service cases. As a result of these difficulties, children most vulnerable to abuse and neglect are at risk to fall through the cracks in the child welfare system that can lead to serious consequences including death. Programmatically, local departments of social services are responsible for investigating all reports of alleged child abuse and neglect. The newspaper articles identified many issues that create barriers to effectively track and manage child abuse and neglect cases. This report focuses on the human resources issues raised in the series of articles. The articles pointed out that a high level of turnover of social workers that perform child protective services functions could disrupt the constant monitoring and tracking of child protective services cases. In addition, extreme difficulties in the recruitment of qualified applicants to replace workers who have left only compound the problems associated with adequately staffing child abuse and neglect cases.

Since the articles appeared, the NC Office of State Personnel began to receive anecdotal information from directors of local departments of social services regarding high turnover and recruitment difficulties for Child Welfare Workers across the state. A letter was then sent from NC Department of Health and Human Services (DHHS) Secretary Carmen Hooker Odom to Governor Easley asking for his assistance and support in developing solutions to the problems. Since all local departments of social services employees are covered under State Personnel Act, the Office of State Personnel (OSP) has direct oversight for the classification of child welfare positions at the local level and some degree of oversight for salary ranges of these positions. Under the State Personnel Act, county governments have the authority to administer salary and pay policies independently once they have filed them with OSP. In concert with the Division of Social Services in the NC Department of Health and Human Services and the NC Association of County Directors of Social Services, OSP conducted a survey of certain human resources practices and issues affecting local child welfare positions. This survey was completed in order to obtain employment data related to the recruitment and retention of workers in these positions.

In addition, from the state classification perspective it appears that the child welfare workers engaged in the protective service functions needed to be reviewed for proper allocation in the classification system. There is evidence that increased state and federal mandates have added a level complexity to the technical knowledge required of social workers in order to perform the work successfully. Child welfare social workers are required to complete 72 hours of pre-service training prior to being assigned a caseload. This is highlighted by the Child Welfare Collaborative effort where certain universities with accredited schools of social work have begun incorporating this pre-service training requirement into their curriculum. OSP conducted a factor analysis study to determine the appropriate classification level for positions that perform investigations and case management for at-risk children. The results of this factor analysis are discussed later in this report.

STUDY METHODOLOGY

The study employed the following course of action:

Compensation Survey of all 100 local DSS agencies

Factor Analysis Review of Child Welfare roles

Discussions with NC DHHS Division of Social Services Managers

Discussions with local DSS Directors

Classification comparisons of three counties that have established a specific social work classification that recognizes the investigation and case management role.

SUMMARY OF OSP FINDINGS AND RECOMMENDATIONS

Child Welfare Services Survey- 2003: Summary of Findings as of January 2, 2004

The survey questions were developed jointly between the OSP, the NC DHHS Division of Social Services (DSS) and the NC Association of County Director of Social Services (NCACDSS). The survey was administered and compiled by OSP and reviewed by the above parties. The compensation survey was focused on pay rates, turnover, recruitment and related pay benefits.

At the time of writing this report, there have been approximately 75 survey respondents out of a potential 100. From a statistical standpoint, the level of participation in the survey well exceeded expectations and increases that reliance of the data as a source by which to draw conclusions and recommendations. OSP continues to receive completed surveys at the time of publication of this report. While these surveys may not be in the data set, the responses are consistent with other responses and, therefore, will not alter the results as stated in any significant way.

The findings listed below confirm the anecdotal information with regard to significant difficulties on the recruitment and retention of qualified social worker into child welfare positions at the local level. Turnover in these positions is of major concern. The data suggests that the overall experience level of the work force in the child welfare program area is low, with 73 percent of the employees with less than five years of experience. This is in contrast to the classification and recruitment standards utilized for these positions at Social Worker III, which is considered to be the highest classification level for frontline social workers based years of experience and expertise. Therefore, one would expect to find the most seasoned social workers in this class performing these most difficult and complex cases. The data from the survey is in stark contrast to reality, where the level of experience is much less than what would be expected for child welfare investigative/assessments workers and case managers. Furthermore, high turnover leads to a vicious cycle where the most experienced workers suffer from burnout due to high caseloads and leave while being replaced with relatively inexperienced social workers.

Another issue to note is the variation in base pay from county to county. It appears that those counties that have pay rates above the statewide average tend to have fewer turnovers where the opposite is true for those counties that pay below the statewide average. Since under the statutes counties can manage salary ranges and pay policies at the local level, local policy makers should be attentive to where they are paying Child Welfare Workers in relation to their comparison counties. There may be some correlation between pay and length of time to fill a position with a fully qualified social worker. What tends to happen in low paying counties is that local DSS agencies are forced to fill child welfare positions with staff that do not meet the minimum experience requirements of the Social Worker III classification and train them until they

become fully qualified. This process for training fully qualified social workers can potentially take up to three years. Once they are fully trained, they leave to perform the same work in other counties with higher pay. Thus, some counties feel that they are simply the training ground for Child Welfare Workers.

Presented below is a summation of the data that was submitted through the compensation survey.

Turnover

- Statewide Vacancy Rate: 31 percent
- Turnover rates are the highest in Case Management and Investigations

Average Length of Time to Fill SW III Positions

Average Days	*Local DSS Agency*
21-30	9
31-40	9
41-50	7
51-60	16
61-70	5
71-80	5
81-90	7
91 or more	10

Based on the number of agencies responding to the survey, 36 percent of the agencies reported that it takes at least 71 days or more to fill a SW III position. In addition, once employees are hired into child welfare services positions, they then need to complete a 72- hour pre-services training in child welfare services training before they are allowed to assume a caseload. Many of the positions are not filled with fully qualified Social Workers III, but trainees or work against. A Social Work Trainee is an applicant with only a four-year college degree and no experience. A work against is an applicant who qualifies as a Social Worker I or II, but not a Social Worker III so the employee works against the Social Worker III until they meet the prerequisite years of needed experience to fully qualify.

Years of Service Totals

Social Worker IIIs	
More than 25 years of service	22
21-25 years of service	17
16-20 years of service	38
11-15 years of service	86
6-10 years of services	210
2-5 years of service	512
1-2 years of service	211
0-1 year of service	277

Of the total length of service reported, 73 percent of this population of the child welfare services workforce has less than 5 years of experience.

Exit Interviews

63 of the 75 respondents reported that they conducted exit interviews.

Reasons Given for Leaving/Resigning/Dismissal (ranked order high to low)

Better Paying Job	48
Work Stress	44
Changing Occupations	40
Self/Spouse Moving	36
Personal Reasons	33
Family Reasons	29
Dismissed	27
Continuing Education	22
Working Conditions	22
Pregnancy	14
Retirement	12
Other	11
Health	10
Military Service	3
Workers' Compensation	1
Disability	1

Average Salaries Paid to Child Welfare Social Worker IIIs

High:	New Hanover	$47,489
Low:	Graham	$27,000
Statewide Aggregate Average:		*$33,924

*Aggregate average is a combination of all Child Welfare Social Worker IIIs.

Additional Support to Child Welfare Social Workers

Item	Number of Counties
Supplemental Health Insurance	25
County Car	46
Cell Phone	62
Pager	46
Lap Top	33
Support Staff	54

Selected Suggested Incentives and Proposals by Respondents

1.) Better Pay
2.) Higher classification level
3.) Statewide equalization of salaries
4.) State administered bonus program

5.) Lower caseload standards
6.) Increase staff
7.) Incentive pay

Difficulty in finding qualified candidates?

57 out of 75 respondents reported they have difficulty in recruiting highly qualified candidates.

Recommendations:

1.) For local DSS agencies with significant turnover rates that result in an agency exceeding investigative/assessment and case staffing ratios, review salary ranges and actual pay compared to statewide aggregate average. Range revisions and salary adjustments are recommended to reduce turnover rates and improve recruitment.
2.) Counties should consider a retention bonus program for Child Welfare Workers in order to retain expertise and increase longevity in investigative/assessment and case management roles.
3.) Counties should consider additional support staff and/or equipment to increase effectiveness.
4.) In lieu of pay increases or retention bonuses, counties should consider a pay differential for Child Welfare Workers that can be funded out of lapsed salaries and is not tied into base salary. A pay differential can range anywhere from 10 to 15 percent depending of the severity of turnover rates.
5.) Higher classification level for Child Welfare Workers (See next section).
6.) Expand Child Welfare Collaborative.

CLASSIFICATION

The recommendation to establish a new social work classification is premised on the severe recruitment and retention issues that have plagued child welfare services for years. As documented in the study, the turnover and retention problems have become so acute as to seriously compromise the safety and well being of the most vulnerable children. In addition, a factor analysis was completed that supports that the child welfare roles of investigation/assessment and treatment are the most complex and difficult in the social work classification series at the local level.

The Compensation Survey results confirm labor market difficulties in the recruitment and retention of employees in these roles. While not all local DSS departments reported such difficulties, the overwhelming majority have significant recruitment and retention difficulties that support a higher level classification as one remedy. Guilford, Orange and Wake counties have established classification concepts that recognize the social work functions in question as the most complex.

County	Classification Title	Salary Range
Orange	*Child Protective Services Social Worker*	*$40,082- 64,077*
Guilford	*Social Worker- Protective Services*	*$37,444- 63,655*
Wake	*Human Services Sr. Practitioner*	*$33,321- 55,427*
NC State Government	*Social Worker III*	*$29,354 - 45,515*

Recommendation: Establish a new classification concept (Attachment I) Social Worker-Investigative/Assessment and Treatment at salary grade 70.

In addition, the minimum standard of supervisory ratio for the Social Work Supervisor III classification is 1 supervisor for every 5 social workers. Therefore, the medium to small counties are

disadvantaged because the DSS Director or DSS Program Administrator must take on the supervisory lead and back-up functions for child welfare services in a county. The Director and/or DSS Program Administrators already have a full time role in addition to the child welfare functions and must also have completed the 72-hour pre-service training. The consensus among DSS and County DSS Directors is that the ratio should be 1 to 3 for the first three social workers supervised then go to 1 to 5 for the remainder of staff. The increased level of supervision will assist greatly in the management of a generally inexperienced workforce and decrease the risk of serious child neglect or abuse situations across the state. In addition, it will allow a greater opportunity for career progression for child welfare investigators and case managers.

NC Office of State Personnel On-Going Assistance

There is delineation in the delivery of human resources services to local DSS agencies between the state and counties with regards to classification of positions and pay administration. The classification of positions is inherently the responsibility of the OSP and the administration of local pay policies rests with county management. Since several recommendations that are discussed in this report deal with other pay options such as retention bonuses and differential pay, the OSP is available and committed to provide assistance to any county in the development of pay enhancement policies and procedures. While the implementation of pay enhancement policies are at the discretion of local Boards of County Commissioners, the OSP encourages counties with recruitment and retention difficulties for Child Welfare Social Workers to consider contemporary human resources pay alternatives as possible solutions. Since pay differentials and retention bonuses can generally be funded through lapsed salaries, this could be a viable means of funding and not expand the overall salary line items in a county budget.

Potential Follow-up Action

The Child Welfare Compensation and Classification Study provided good and relevant information regarding the general employment situation of Social Worker IIIs in the Child Welfare programs across the state. The meaningful information has allowed the OSP to take some positive steps in assisting with resolution of the very difficult recruitment and retention problems that currently exists in the employment of qualified Child Welfare Social Workers at the local level. However, the survey data suggests that there are underlying employment issues that need further study and analysis. For instance, the reasons employees provided for leaving child welfare positions suggests a high level of job burnout and stress. Certainly, there are underlying and root causes that could be further studied. An employee survey could be conducted to assess the attitudes, concerns and perceptions of the current child welfare workforce to understand what are triggers that cause turnover. Perhaps, the employee survey could also consider what employment factors could increase retention rates in these positions. Any comprehensive follow up to the initial survey data that has been gathered will require a strong commitment to time, collaboration and resources (financial and personnel) to fully understand the total employment picture of local child welfare social workers in North Carolina.

Patrick McCoy
Attachment 9

NC 35074
OSP

Social Worker – Investigative/Assessment and Treatment

This is advanced, professional level casework providing protective, investigative, counseling and case management services for children who at risk for neglect and/or abuse. Employees are assigned to local departments of Social Services and provide social work services including treatment and immediate response to crisis situations for at-risk children in the most complex cases in the departments. Work involves investigation of alleged neglect and abuse, substantiation of the alleged neglect or abuse as prescribed by federal and state guidelines, providing expert testimony in court hearings, and following-up with case management and preventive services for clients. Employees analyze situations and determine appropriate courses of action immediately or in short time spans and often under very stressful conditions. Employees may provide group, family or individual treatment to clients of any age and any developmental, mental, medical, substance abuse, financial or family problem. Employees typically report to a Social Work Supervisor III under general supervision. Employees may have combined investigative and treatment roles or may have separate functions depending on the size and organizational structure of the departments of Social Services.

I. DIFFICULTY OF WORK:

Variety and Scope – Employees manage a caseload of clients in the most difficult and complex cases. Work may involve providing treatment in group, family or individual therapy to clients of any age and/or with any developmental, mental, medical, financial, substance abuse or family problem including abused, neglected or homeless children. Work includes clinical and social investigation, assessment of individuals and family dynamics, crisis intervention, referrals for treatment and placement in foster care or residential facilities. Employees provide expert testimony.

Intricacy – Employees exercise considerable judgment in determining whether abuse or neglect has occurred, to what extent and how it occurred. The selection of appropriate treatment for the family and clients requires significant understanding of their personalities based on assessments and interviews.

Subject Matter Complexity – Employees must understand social work theory, techniques and practices, individual and group behavior, social problems, medical and mental illness, family dynamics, coping behavior, crisis intervention, and treatment of various medical and mental diseases and social issues.

Guidelines - Guidelines include state and federal laws, program rules, directives, policies and regulations, professional ethics and quality assurance standards.

II. RESPONSIBILITY:

Nature of Instructions – Work is jointly planned with members of multidisciplinary teams or protective services committees and supervisors. Legal precedents are used in some settings.

Nature of Review – Work is reviewed by unit supervisors, program managers or higher-level administrators, usually on a routine basis.

Scope of Decisions – Decisions affect children and their families and are often made under stressful and sometimes dangerous situations. Many decisions must be made immediately or with little time for consultation.

Consequence of Decisions – Assessments, interviews and service treatment decisions affect the safety and well being of children in abuse and neglect situations. Failure to follow-through on case management visits, remove a child from parent or foster custody or monitor treatment outcomes can lead to severe injury, neglect or child fatality.

III. INTERPERSONAL COMMUNICATIONS:

Scope of Contacts – Contacts include clients and their families, foster families, a variety of medical and psychological professionals, law enforcement, legal services and social and community agencies.

Nature and Purpose – The purpose is to gather and share information, to determine the extent of abuse or neglect, to provide counseling, to arrange for services and to provide expert opinions to legal officials.

IV. OTHER WORK DEMANDS:

Work Conditions – Employees work in offices, but work involves visiting homes, schools, health and mental health facilities, and other service agencies.

Hazards – Hazards may include contact with irate clients and/or family members who may be hostile, resistant or violent. Some homes may be poorly maintained and have unsafe living conditions. Some may be in unsafe areas where the threat of violence is real or in isolated areas where access to emergency services may be difficult.

V. RECRUITMENT STANDARDS:

Knowledges, Skills and Abilities – Thorough knowledge of social work principles, techniques and practices and their applications to complex casework, treatment, and investigation of abuse or neglect of children; thorough knowledge of policies and procedures as evidenced by the ability to cite the authority of federal and state law; thorough knowledge of individual and group behavior, family dynamics, and medical, behavioral and/or psychosocial problems and their treatment theory. Considerable knowledge of governmental and private organizations and resources in the community. Ability to interact and motivate a resistant involuntary client population and the public who may not agree with the laws, rules or policies of the process or the programs; ability to prepare documentation such as written investigative reports for the court, case records and treatment plans; ability to testify as an expert witness; ability to employ advanced case management interview techniques to establish a supportive relationship and involve families in the initial assessment for the need of services; ability to quickly assess the risks and safety of the client environment during daylight hours, after dark and in high crime areas; ability to employ expert negotiation skills in the most complex cases; ability to analyze and assess child development safety issues in relation to risk factors; ability to analyze tense family situations and make decisions about removing children when the decision has to be made with limited direct information and limited access to consultation; ability to communicate effectively and establish supportive client relationships. Ability to perform manual work exerting up to 50 pounds of force occasionally and/or up to 10 pounds of force constantly to move objects.

Minimum Training and Experience Requirements: - Master's degree from an accredited school of social work and one year of social work experience; or a Bachelor's degree from an accredited school of social work and two years of social work or counseling experience; or Master's degree in a counseling field and two years of social work or counseling experience; or a four-year degree in a human services field or related curriculum and three years of social work or counseling experience; or graduation from a four-year college or university and four years of experience in rehabilitation counseling, pastoral counseling or a related human service field providing experience in the techniques of casework, group work or community organization; or an equivalent combination of training and experience.

One year of work experience can be credited for completion of the social work collaborative.

Administering the Class – Varying settings, programs and job designs at this level allow for flexibility in accepting counseling experience or social work experience as required by the job.

Special Note – This is a generalized representation of positions in this class and is not intended to identify essential functions per ADA. Examples of work are primarily essential functions of the majority of positions in this class, but may not be applicable to all positions.

Patrick McCoy
Attachment 10

March 2003

CHILD WELFARE

HHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff

GAO Accountability · Integrity · Reliability

Highlights

Highlights of GAO-03-357, a report to Congressional Requesters

Why GAO Did This Study

A stable and highly skilled child welfare workforce is necessary to effectively provide child welfare services that meet federal goals. This report identifies (1) the challenges child welfare agencies face in recruiting and retaining child welfare workers and supervisors, (2) how recruitment and retention challenges have affected the safety and permanency outcomes of children in foster care, and (3) workforce practices that public and private child welfare agencies have implemented to successfully confront recruitment and retention challenges.

What GAO Recommends

GAO recommends that the Secretary of Health and Human Services (HHS) take actions that may help child welfare agencies address the recruitment and retention challenges they face. Such efforts may include HHS (1) using its annual discretionary grant program to promote targeted research on the effectiveness of perceived promising practices; and/or (2) issuing guidance or providing technical assistance to encourage states to use their program improvement plans to address the caseload, training, and staffing issues cited in the reviews HHS conducts.

www.gao.gov/cgi-bin/getrpt?GAO-03-357

To view the full report click on the link above. For more information, contact Cornelia Ashby at (202) 512-8403 or Ashbyc@GAO.gov.

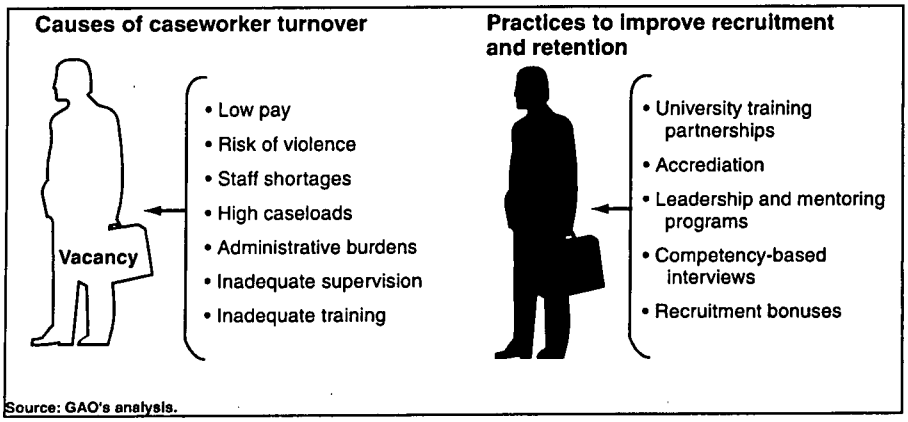
What GAO Found

Child welfare agencies face a number of challenges in recruiting and retaining workers and supervisors. Low salaries, in particular, hinder agencies' ability to attract potential child welfare workers and to retain those already in the profession. Additionally, caseworkers GAO interviewed in all four of the states GAO visited cited high caseloads and related administrative burdens, which they said took from 50 to 80 percent of their time; a lack of supervisory support; and insufficient time to take training as issues impacting both their ability to work effectively and their decision to stay in the child welfare profession. Most of these issues also surfaced in GAO's analysis of 585 exit interviews completed by child welfare staff across the country who voluntarily severed their employment.

According to caseworkers GAO interviewed, high turnover rates and staffing shortages leave remaining staff with insufficient time to establish relationships with children and families and make the necessary decisions to ensure safe and stable permanent placements. GAO's analysis of HHS's state child welfare agency reviews in 27 states corroborated caseworker accounts, showing that large caseloads and worker turnover delay the timeliness of investigations and limit the frequency of worker visits with children, hampering agencies' attainment of some key federal safety and permanency outcomes.

Child welfare agencies have implemented various workforce practices to improve recruitment and retention—including engaging in university-agency training partnerships and obtaining agency accreditation, a goal achieved in part by reducing caseloads and enhancing supervision—but few of these initiatives have been rigorously evaluated.

Causes of and Practices to Prevent Child Welfare Caseworker Vacancies



Source: GAO's analysis.

Brenda Jackson
attachment 11

ncacdss

A Future Oriented Source of Leadership

House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption
Recommendations on Recruitment and Retention
February 19, 2004

- Develop incentives to recruit and retain CPS staff, including finder's fees, signing bonuses, longevity bonuses, and increased pay. We need to pay CPS workers adequately to recognize the difficulty of the work they do and the liability faced each day.

- Invest in technology (NCFAST) so social workers can focus on families rather than paperwork.

- Expand the Child Welfare Collaborative program. County DSS agencies need qualified applicants (BSW/MSW) that come with a core set of skill sets that cannot be acquired with just 72 hours of training.

- Set the state caseload standard for investigation/case management from 12 to 8 per worker. The data from the MRS counties show this to be the correct ratio to achieve the outcomes we are seeking for safety and permanency of children.

- Support the state standard of 1 to 5 supervisor /child welfare staff ratio. When a county employs only three child welfare workers (smaller counties with less workers), there should be a dedicated supervisor for those staff members. A knowledgeable and supportive supervisor, who is not overloaded, can be the key to retaining quality CPS staff. Due to fiscal restraints, many counties have not been able to achieve this ratio.

- Make worker safety a priority by investing in adequate numbers of radios, cell phones, and pagers so those workers can call for help in an unsafe situation.

- Redesign work so that the emphasis is on prevention and intervention – this can be done through the expansion of the Multiple Response System.

- Increase recognition for social workers that do a good job and celebrate achievements in keeping children safe.

- Promote employee-centered management practices such as flexible work schedules, childcare, professional development opportunities (including support to earn an MSW degree)

- Support funding for public service announcements to help educate the public about the good work done within CPS and a difference the workers make in their communities.

NC ASSOCIATION OF COUNTY DIRECTORS OF SOCIAL SERVICES
3824 Barrett Drive, Suite 102 | Raleigh, NC 27609 | P 919.786.4015 | F 919.786.4019 | www.ncacdss.org

Nancy Dickinson
Attachment 12

North Carolina Child Welfare Education Collaborative

Report to the House Interim Committee on Child Abuse & Neglect, Foster Care & Adoption

Nancy S. Dickinson, Jordan Institute for Families

UNC Chapel Hill School of Social Work

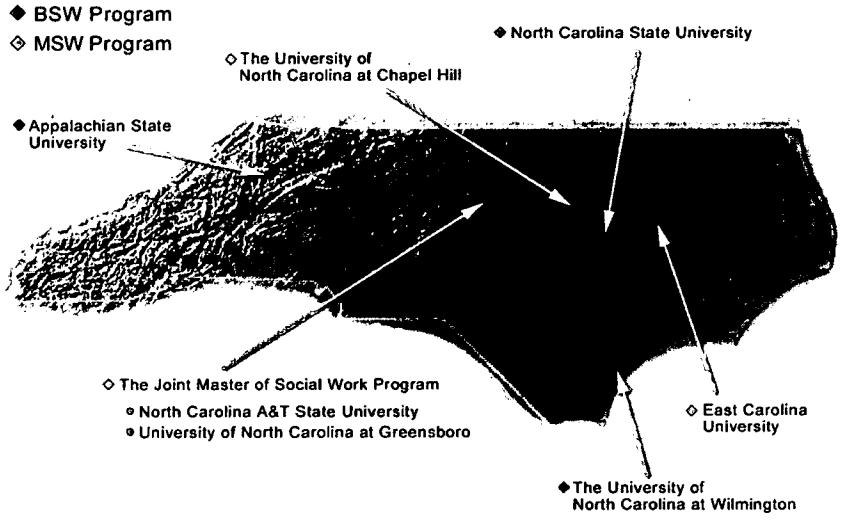
February 18, 2004

The Collaborative works to…

- Prepare social work students for careers in public child welfare
- Enhance the skills of current workers
- Partner with universities, NC Division of Social Services, DSS Directors, and National Association of Social Workers

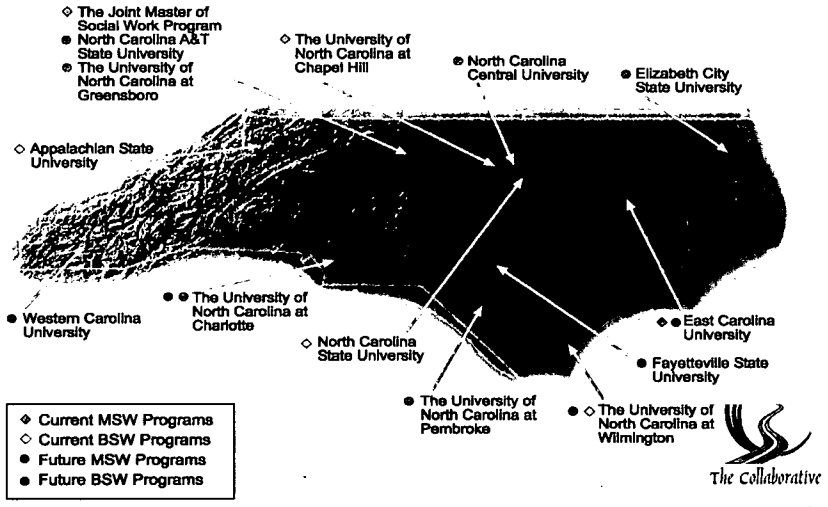
2

Where is the Collaborative Now?



3

Where Could the Collaborative Be?



4

Full Implementation of the Collaborative

- **Restore** funding to existing universities
- Add **current** accredited programs at universities in the UNC System
  - Western Carolina
  - NC Central
  - UNC Pembroke
  - ECU
  - Fayetteville State
  - UNC Greensboro
  - UNC Charlotte
  - UNC Wilmington
  - NC A&T
  - Elizabeth City
- Add **future** UNC system programs

The Collaborative

5

Collaborative Expansion Priorities

1. Reach Unserved Regions of NC
   - Western Carolina BSW Program
   - Elizabeth City State BSW Program
   - UNC Charlotte BSW Program
   - UNC Charlotte MSW Program

The Collaborative

6

Expansion Priorities continued

2. Increase Workforce Diversity
   - NC Central BSW Program
   - UNC Pembroke BSW Program
   - NC A&T BSW Program
   - Fayetteville State MSW Program
3. Reach Underserved Regions of the State
   - UNC Greensboro BSW Program
   - ECU BSW Program
   - UNC Wilmington MSW Program

The Collaborative

7

Restoration Plans and Resources

Restore funds and program support lost since 2001

- Return to 10 BSW Scholars
- Return to 35 MSW Scholars (20 FT, 15 PT)
- Restore faculty and administrative support
- Additional funds=$376,693
- Total restoration funds=$2.5 million

The Collaborative

8

Expansion Plans and Resources

- 7 new programs, Fall 2004:
  - **BSW:** NC Central, UNC Pembroke, UNC Greensboro, WCU, ECU, UNC Charlotte
  - **MSW:** UNC Charlotte
- 2 new programs, January 2005:
  - **MSW:** Fayetteville State, UNC Wilmington
- 2 new programs, Fall 2005:
  - **BSW:** NC A&T, Elizabeth City State
- Expansion funds=$2.5 million

The Collaborative

9

Full Implementation Results

Full Implementation=$5 million

- 172 additional Scholars per year
- 275 total Scholars per year
  - Preservice training
  - Specialized child welfare courses
  - Public child welfare field placements

Social Worker II and III positions filled without need for further training or education

The Collaborative

10

For more information, contact

Dr. Evelyn Williams, MSW, EdD

NC Child Welfare Education Collaborative

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919-962-6437

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The Collaborative

11

Thank You

The Collaborative

Attachment 13

February 12, 2004

Penalties for False Reports of Child Abuse, Neglect, or Dependency

North Carolina is one of very few states that have no statutory penalty for either failing to make required reports or deliberately making false reports of suspected child abuse, neglect, or dependency.

North Carolina law, G.S. 7B-309, provides immunity "from any civil or criminal liability that might otherwise be incurred or imposed" for people who make reports (as well as for people who testify in related court proceedings or participate in related programs). The immunity applies, however, only when a person acts "in good faith." In any court proceeding there is a presumption that the person acted in good faith.

That wording suggests that civil or criminal liability might be incurred by or imposed on someone who makes a report in bad faith, knowing the report to be false. No North Carolina statute specifically addresses liability for such conduct, however, so any legal action against someone who reports in bad faith must be brought under other more generic statutes or the common law.

In a civil action against a North Carolina school principal who reported suspected abuse the plaintiff alleged (1) malicious prosecution, (2) defamation, (3) intentional infliction of emotional distress, and (4) negligence. *Davis v. Durham City Schools*, 91 N.C. App. 520, 372 S.E.2d 318 (1988). In an action against a store and the store employee who made a report to social services a parent alleged slander *per se* and intentional infliction of emotional distress. *Dobson v. Harris*, 352 N.C. 77, 530 S.E.2d 829 (2000). Plaintiffs in both cases were unsuccessful, on the basis that they failed to present evidence sufficient to overcome the statutory presumption that the person making the report had done so in good faith.

In *Dobson v. Harris* the North Carolina Supreme Court stated that false accusations of child abuse are slander *per se*, but that a plaintiff, to overcome the statutory presumption of good faith, has the burden of proving "actual malice" on the part of the person who made the report. Actual malice, the court said, "may be proven by evidence of ill-will or personal hostility on the part of the declarant or by a showing that the declarant published the defamatory statement with knowledge that it was false, with reckless disregard for the truth or with a high degree of awareness of its probable falsity."

Thus, North Carolina courts have acknowledged that civil causes of action may exist against people who report falsely. Because of the state's strong policy of encouraging people to report when they should, however, a plaintiff in that kind of civil case has the burden of overcoming the good-faith presumption. In seeking relief in a civil action a person who thinks he or she is the subject of a maliciously false report also may have practical problems such as (1) learning the identity of the person who made the report, which departments of social services are required to keep confidential; (2) obtaining legal services to undertake civil litigation; and (3) even if successful in overcoming the presumption of good faith, proving damages sufficient to make the litigation worthwhile.

There are no reported cases in North Carolina relating to criminal prosecution for falsely reporting to social services suspected child abuse, neglect, or dependency, and it is not at all clear that such conduct constitutes a crime under North Carolina law. (A statute, G.S. 14-225, does create a Class 2 misdemeanor of making a false, misleading, or unfounded report of any kind to a law enforcement officer or agency for certain prohibited purposes.)

According to a report from the National Clearinghouse on Child Abuse and Neglect Information (current through July 2003),

> [a]pproximately 31 States and Puerto Rico and the Virgin Islands have statutes specifying penalties for false reports of child abuse or neglect. The most common standards are 'knowingly' and/or 'willfully.' The penalties imposed are similar to those for failure to report. The majority of States classify false reporting as a misdemeanor. In nine States, however, a false report may be classified as a felony under specific circumstances.

The report outlines each state's statutory response to false reporting as well as the kind and amount of any civil and/or criminal penalties, which vary greatly from state to state. The full report is available at http://nccanch.acf.hhs.gov/general/legal/statutes/sag/report.pdf.

Those with obvious interest in any change in this aspect of North Carolina law and the policy any such change should reflect include county social services personnel, including agency attorneys; prosecutors; judges; and various advocacy groups.

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The University of North Carolina at Chapel Hill
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Attachment 14

National Clearinghouse on Child Abuse and Neglect Information
National Adoption Information Clearinghouse

NAIC

Gateways to Information: Protecting Children and Strengthening Families

2003 Child Abuse and Neglect State Statute Series Statutes-at-a-Glance
Reporting Penalties

What You Need to Know

Many cases of child abuse or neglect are neither reported nor investigated even when suspected by professionals. Therefore, almost every State and U.S. Territory imposes penalties, in the form of a fine or imprisonment, on those who "knowingly" and/or "willfully" fail to report. Also, in order to prevent malicious or intentional reporting of cases that are not founded, several States and Territories impose additional penalties for false reports of child abuse or neglect.

Penalties for Failure to Report

Approximately[1] 46 States, the District of Columbia, and the U.S. Territories of American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have enacted statutes specifying the penalties for failure to report child abuse or neglect. Of these jurisdictions, approximately 33 States, the District of Columbia, and the Territories use a "knowingly," "knows or should have known," and/or "willfully" standard. Other standards include "intentionally" and "purposely." A few States impose penalties without providing a standard. Failure to report is classified as a misdemeanor in approximately 35 States and American Samoa, Puerto Rico, and the Virgin Islands, while in Arizona, Illinois, and Guam, subsequent violations are classified as felonies.

Penalties for False Reports

Approximately 31 States and Puerto Rico and the Virgin Islands have statutes specifying penalties for false reports of child abuse or neglect. The most common standards are "knowingly" and/or "willfully." The penalties imposed are similar to those for failure to report. The majority of States classify false reporting as a misdemeanor. In nine States, however, a false report may be classified as a felony under specific circumstances.

The Statutes-at-a-Glance listings summarize specific sections of each State's code. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as in agency regulations, case law, and informal practices and procedures. Readers interested in interpretation of specific statutory provisions within an individual jurisdiction should consult with professionals within the State familiar with the statutes' implementation.

To obtain additional copies of this product or for more information, contact:

National Clearinghouse on Child Abuse and Neglect Information
330 C Street, SW
Washington, DC 20447

Phone: (800) 394-3366
E-mail: nccanch@calib.com
Web site: http://nccanch.acf.hhs.gov/

We welcome your comments and suggestions about this product.

The Clearinghouses are services of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

[1] The word *approximately* is used to stress the fact that statutes are constantly being revised and updated.

Alabama

Statute: § 26-14-13; § 13A-10-9

Failure to Report

Standard:
Knowingly

Penalty:
Misdemeanor: imprisonment not exceeding 6 months or a fine not exceeding $500

False Reporting

Standard:
Knowingly

Penalty:
Class A misdemeanor

Alaska

Statute: § 47.17.068

Failure to Report

Standard:
Knew or should have known

Penalty:
Class B misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

American Samoa

Statute: § 45.2002(d)

Failure to Report

Standard:
Willfully

Penalty:
- Class A misdemeanor
- Civilly liable for damages proximately caused

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False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Arizona

Statute: § 13-3620(O); § 13-3620.01

Failure to Report

Standard:
Not specified

Penalty:
- Class 1 misdemeanor
- If it involves a reportable offense, Class 6 felony

False Reporting

Standard:
Knowingly and intentionally, with malice

Penalty:
Class 1 misdemeanor

Arkansas

Statute: § 12-12-504(a),(b),(d)

Failure to Report

Standard:
- Willfully
- Negligently

Penalty:
- Class C misdemeanor
- Civilly liable for damages proximately caused

False Reporting

Standard:
Willfully

Penalty:
- Class A misdemeanor
- Class D felony, when there is a prior conviction

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California

Statute: Penal § 11166(b); § 11172(a)

Failure to Report

Standard:
Knows or reasonably suspects

Penalty:
Misdemeanor: confinement in county jail not exceeding 6 months and/or a fine not exceeding $1,000

False Reporting

Standard:
- Reckless disregard of truth
- Knowingly

Penalty:
Liable for damages proximately caused

Colorado

Statute: § 19-3-304(3.5),(4)

Failure to Report

Standard:
Willfully

Penalty:
- Class 3 misdemeanor
- Liable for damages

False Reporting

Standard:
Knowingly

Penalty:
- Class 3 misdemeanor
- Liable for damages

Connecticut

Statute: § 17a-101a; § 17a-101e(c)

Failure to Report

Standard:
Not specified

Penalty:
- A fine not exceeding $500
- Required to participate in a training program

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False Reporting

Standard:
Knowingly

Penalty:
A fine not exceeding $2,000 and/or imprisonment for not more than 1 year

---

Delaware

Statute: Tit. 16, § 914

Failure to Report

Standard:
Knowingly or willfully

Penalty:
A fine not exceeding $1000 and/or imprisonment not exceeding 15 days

False Reporting

Standard:
Knowingly or willfully

Penalty:
A fine not exceeding $1000 and/or imprisonment not exceeding 15 days

---

District of Columbia

Statute: § 4-1321.07

Failure to Report

Standard:
Willfully

Penalty:
A fine not exceeding $100 and/or imprisonment not exceeding 30 days

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

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Florida

Statute: § 39.205(1)-(2), (6); § 39.206(1)

Failure to Report

Standard:
Knowingly or willfully

Penalty:
Misdemeanor of first degree

False Reporting

Standard:
Knowingly or willfully

Penalty:
Felony of third degree: possible fine not exceeding $10,000

Georgia

Statute: § 19-7-5(h)

Failure to Report

Standard:
Knowingly or willfully

Penalty:
Misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Guam

Statute: Tit. 19, § 13207

Failure to Report

Standard:
Knew or should have known

Penalty:
- Imprisonment not exceeding 6 months and/or a fine not exceeding $1,000
- Subsequent convictions, a 3rd degree felony

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False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Hawaii

Statute: § 350-1.2

Failure to Report

Standard:
Knowingly

Penalty:
Petty misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Idaho

Statute: § 16-1619(d); § 16-1620A

Failure to Report

Standard:
Not specified

Penalty:
Misdemeanor

False Reporting

Standard:
Knowingly; in bad faith or with malice

Penalty:
Liable for damages sustained or statutory damages of $500, whichever is greater, plus attorney's fees and costs

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Illinois

Statute: Ch. 325, para. § 5/4; § 5/4.02

Failure to Report

Standard:
- Knowingly and willfully
- Willfully

Penalty:
- Class A misdemeanor for first violation; Class 4 felony for subsequent violation
- Physician, dentist or dental hygienist: referred to Illinois State Medical Disciplinary Board

False Reporting

Standard:
Knowingly

Penalty:
Offense of disorderly conduct for a first violation; Class 4 felony for subsequent violation

---

Indiana

Statute: § 31-33-22-1; § 31-33-22-3(a)-(b)

Failure to Report

Standard:
Knowingly

Penalty:
- Class B misdemeanor
- Staff member of a medical or other institution, school, facility, or agency: Class B misdemeanor penalty imposed in addition to above

False Reporting

Standard:
Intentionally

Penalty:
- Class A misdemeanor: liable for actual damages and possibly punitive damages
- Class D felony, if there is a prior conviction

Iowa

Statute: § 232.75

Failure to Report

Standard:
- Knowingly and willfully
- Knowingly

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Penalty:
- Simple misdemeanor
- Civilly liable for damages proximately caused

False Reporting

Standard:
Knowingly

Penalty:
Simple misdemeanor

Kansas

Statute: § 38-1522(f), (g)

Failure to Report

Standard:
Knowingly and willfully

Penalty:
Class B misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Kentucky

Statute: § 620.990(1); § 620.050(1)

Failure to Report

Standard:
Intentionally

Penalty:
Class B misdemeanor

False Reporting

Standard:
Knowingly, with malice

Penalty:
Class A misdemeanor

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Louisiana

Statute: Children's Code Ann. art. § 609(A)(2), (C)

Failure to Report

Standard:
Not specified

Penalty:
Subject to criminal prosecution

False Reporting

Standard:
Knowingly

Penalty:
Subject to criminal prosecution

Maine

Statute: Tit. 22, § 4014(1)

Failure to Report

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

False Reporting

Standard:
Knowingly

Penalty:
Subject to criminal or civil action

Maryland

Statute: Not addressed in statutes reviewed

Failure to Report

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

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False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Massachusetts

Statute: Ch. 119, § 51A

Failure to Report

Standard:
Not specified

Penalty:
A fine not exceeding $1,000

False Reporting

Standard:
Knowingly

Penalty:
A fine not exceeding $1,000

Michigan

Statute: § 722.633(1),(2),(5)

Failure to Report

Standard:
Knowingly

Penalty:
- Misdemeanor: imprisonment not exceeding 93 days and/or fine not exceeding $500
- Civilly liable for damages proximately caused

False Reporting

Standard:
- Knowingly
- Intentionally

Penalty:
- Misdemeanor: punishable by imprisonment of not more than 93 days or a fine of not more than $100 if the abuse reported would be a misdemeanor if true
- Felony: if the abuse reported would be a felony if true, punishable by imprisonment of not more than 4 years and/or a fine of not more than $2,000

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Minnesota

Statute: § 626.556 Subd. 5, 6

Failure to Report

Standard:
- Knows or has reason to believe
- Knows or reasonably should know

Penalty:
- Mandatory reporter: misdemeanor
- Parent, guardian, or caretaker: gross misdemeanor if child's health is in serious danger and child suffers great bodily harm due to lack of medical care; felony if child dies
- Imprisonment not exceeding 2 years and/or fine not exceeding $4,000

False Reporting

Standard:
Knowingly or recklessly

Penalty:
Civilly liable for actual and punitive damages; responsible for costs and reasonable attorney fees

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Mississippi

Statute: § 43-21-353(7)

Failure to Report

Standard:
Willfully

Penalty:
Imprisonment not exceeding 1 year and/or a fine not exceeding $5,000

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Missouri

Statute: § 210.165(1)-(3)

Failure to Report

Standard:
Not specified

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Penalty:
Class A misdemeanor

False Reporting

Standard:
Intentionally

Penalty:
- Class A misdemeanor
- Class D felony if previously convicted

Montana

Statute: § 41-3-207; § 41-3-203(1)

Failure to Report

Standard:
Purposely or knowingly

Penalty:
Misdemeanor: civilly liable for damages proximately caused

False Reporting

Standard:
Knowingly

Penalty:
Civilly liable for damages

Nebraska

Statute: § 28-716; § 28-717

Failure to Report

Standard:
Willfully

Penalty:
Class 3 misdemeanor

False Reporting

Standard:
Maliciously

Penalty:
Subject to criminal or civil action

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Nevada

Statute: § 432B.240

Failure to Report

Standard:
Knowingly or willfully

Penalty:
Misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

New Hampshire

Statute: § 169-C:39

Failure to Report

Standard:
Knowingly

Penalty:
Misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

New Jersey

Statute: § 9:6-8.14

Failure to Report

Standard:
Knowingly

Penalty:
Imprisonment not exceeding 6 months

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False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

New Mexico

Statute: § 32A-4-3(F)

Failure to Report

Standard:
Not specified

Penalty:
Misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

New York

Statute: Soc. Serv. § 420

Failure to Report

Standard:
- Willfully
- Knowingly and willfully

Penalty:
- Class A misdemeanor
- Civilly liable for damages proximately caused

False Reporting

Standard:
Knowingly

Penalty:
Class A misdemeanor

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North Carolina

Statute: Not addressed in statutes reviewed

Failure to Report

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

North Dakota

Statute: § 50-25.1-13

Failure to Report

Standard:
Willfully

Penalty:
Class B misdemeanor

False Reporting

Standard:
Willfully

Penalty:
- Class B misdemeanor
- Class A misdemeanor if made to a law enforcement official
- Civilly liable for damages

Northern Mariana Islands

Statute: Tit. 6, § 5315

Failure to Report

Standard:
Knowing or willful failure

Penalty:
Fine not exceeding $100 and/or imprisonment not exceeding 30 days

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False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Ohio

Statute: § 2151.421(A),(G),(H); § 2921.14

Failure to Report

Standard:
Knowledge or suspicion

Penalty:
None specified

False Reporting

Standard:
Knowingly

Penalty:
- Misdemeanor of first degree
- Reasonable attorney's fees and costs in any civil action

Oklahoma

Statute: Tit. 10, 7103(C),(D)

Failure to Report

Standard:
Knowingly or willfully

Penalty:
Misdemeanor

False Reporting

Standard:
Knowingly and willfully

Penalty:
Misdemeanor: a fine not to exceed $5,000 if made during a child custody proceeding

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Oregon

Statute: § 419B.010(3)

Failure to Report

Standard:
Not specified

Penalty:
Class A violation

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Pennsylvania

Statute: 23 PCSA § 6319

Failure to Report

Standard:
Willfully

Penalty:
- Summary offense for first violation
- Misdemeanor of third degree for second or subsequent violation

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Puerto Rico

Statute: Tit. 8, § 441i

Failure to Report

Standard:
Willfully and deliberately

Penalty:
Misdemeanor: minimum fine $200, maximum fine $1,000 or imprisonment not exceeding 30 days

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False Reporting

Standard:
Deliberately

Penalty:
Misdemeanor: minimum fine $200, maximum fine $1,000 or imprisonment not exceeding 30 days

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Rhode Island

Statute: § 40-11-6.1; § 40-11-3.2

Failure to Report

Standard:
Knowingly

Penalty:
- Misdemeanor: a fine not exceeding $500 and/or imprisonment not exceeding 1 year
- Civilly liable for damages proximately caused

False Reporting

Standard:
Knowingly and willingly

Penalty:
Misdemeanor: a fine not exceeding $1000 and/or imprisonment not exceeding 1 year

---

South Carolina

Statute: § 20-7-560; § 20-7-567

Failure to Report

Standard:
Knowingly

Penalty:
Misdemeanor: a fine not exceeding $500 and/or imprisonment not exceeding 6 months

False Reporting

Standard:
Knowingly

Penalty:
Misdemeanor: a fine not exceeding $5000 and/or imprisonment not exceeding 90 days

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South Dakota

Statute: § 26-8A-3; § 26-8A-6; § 26-8A-7

Failure to Report

Standard:
- Intentionally
- Knowingly and intentionally

Penalty:
- Class 1 misdemeanor
- Staff of hospitals or schools: Class 1 misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Tennessee

Statute: § 37-1-412(a); § 37-1-413

Failure to Report

Standard:
Knowingly

Penalty:
- Class A misdemeanor
- If pleads guilty before a court, fine limited to $50

False Reporting

Standard:
Knowingly and maliciously

Penalty:
Class E felony (only applies to sexual abuse reporting)

Texas

Statute: Fam. § 261.107(a)-(b); § 261.109

Failure to Report

Standard:
Knowingly

Penalty:
Class B misdemeanor

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False Reporting

Standard:
Knowingly or intentionally

Penalty:
- Class A misdemeanor
- State jail felony, if there is a prior conviction

Utah

Statute: § 62A-4a-411

Failure to Report

Standard:
Willfully

Penalty:
Class B misdemeanor

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Vermont

Statute: Tit. 33, § 4913(e)

Failure to Report

Standard:
- Not specified
- Intent to conceal

Penalty:
- A fine not exceeding $500
- Imprisonment of not more than 6 months and/or a fine not exceeding $1,000

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

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Virgin Islands

Statute: Tit. 5, § 2539

Failure to Report

Standard:
Knowingly

Penalty:
Misdemeanor: fine not exceeding $500 and/or imprisonment not exceeding 1 year

False Reporting

Standard:
Knowingly

Penalty:
2nd degree false reporting

Virginia

Statute: § 63.2-1509(D); § 63.2-1513(A)

Failure to Report

Standard:
Not specified

Penalty:
- A fine not exceeding $500 for first violation
- A fine of no less than $100 nor exceeding $1,000 for subsequent violations

False Reporting

Standard:
Knowingly

Penalty:
- Class 1 misdemeanor
- Class 6 felony, if there is a prior conviction

Washington

Statute: § 26.44.080; § 26.44.060(4)

Failure to Report

Standard:
Knowingly

Penalty:
Gross misdemeanor

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False Reporting

Standard:
Intentionally and in bad faith or maliciously; knowingly

Penalty:
Misdemeanor

West Virginia

Statute: § 49-6A-8

Failure to Report

Standard:
Knowingly

Penalty:
Misdemeanor: imprisonment in county jail not exceeding 10 days and/or a fine not exceeding $100

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

Wisconsin

Statute: § 48.981(6)

Failure to Report

Standard:
Intentionally

Penalty:
A fine not exceeding $1,000 and/or imprisonment not exceeding 6 months

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

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Wyoming

Statute: Not addressed in statutes reviewed

Failure to Report

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

False Reporting

Standard:
Not addressed in statutes reviewed

Penalty:
Not addressed in statutes reviewed

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VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee

Date: February 19, 2004

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sammy R. Hartbarb	Caldwell Co. DSS
John Shore	Guilford County DSS
Sherry Bradsher	DHHS / Div. of Social Services
Pam Bal	DHHS/DSS
JoAnn Lann	DHHS/DSS
Dan Beerne	JMSW UNC-Greensboro / NC A&T SU
Chris McDougal	JMSW Wake Co. Human Services - NCCWEC Graduate
Karen T George	NCACDSS
Marcy Joyner	Graduate student (Wake Co. Human Services) JMSW (UNC - Greensboro / NC A&T)
Daphne Lyon	OSBM
Rob Lehman	HHS

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: February 19, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Larry King	Council For Children Charlotte
Amie Gauthier	Student - Peace College
John [illegible]	NC Family Policy Council
Kim Howes	NCCAI
Marcia E Aerman-Gulden	NCCAI
Natalie Towns	NCCAI
Joel Rosch	Duke Center for Child + Family Policy
Tasha Gardner	YAIO
Brenda Jackson	Greene County Dept. of Social Services
Leotis McNeil	Rockingham Co. DSS
Larry Johnson	Rockingham Co. DSS

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: February 19, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Evelyn Williams	919 962-6437 ewms@email.unc.edu NC Child Welfare Education Collaborative
Leslie Boyd	Asheville Citizen-Times Asheville
Sgt Schmidt	NC Justice Center
Jane Volland	CAL
Nancy Dickinson	Jordan Institute for Families, UNC-CH
Debbie Brigman	Moore Co. Dept. of Social Services
Tina Guiller-Morgan	OSBM
Leslie Boyd	Asheville Citizen-Times

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 16, 2004

MEMORANDUM
CORRECTION

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: March 2, 2004 at 1:00 p.m.
March 3, 2004 at 9:00 a.m.

LOCATION: Room ~~643~~ 544, LOB, on March 2nd
Room 544, LOB, on March 3rd

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 16, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
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March 3, 2004 at 9:00 a.m.

LOCATION: Room 643, LOB, on March 2nd
Room 544, LOB, on March 3rd

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 16, 2004

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

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Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

March 2, 2004
Room 544, LOB
1:00 p.m.

OPENING REMARKS

Representative Jennifer Weiss
Co-Chair

AGENDA

Approval of Minutes

Sandy Turnage, foster child

Toni Blackwell, foster mother

Beth McAllister, Executive Director, Summit House

Vivian Sanders, Director, Bertie-Lewiston/Woodville Family Resource Center

William Owens, Director, Franklin-Vance-Warren Opportunities Family Resource Center

Esther High, LINKS

ADJOURNMENT

CHILD ABUSE AND NEGLECT, FOSTER CARE AND ADOPTION COMMITTEE

MINUTES

Tuesday, March 2, 2004
1:00 p.m.
Room 544, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care and Adoption Committee met on Tuesday, March 2, 2004 in Room 544 of the Legislative Office Building. Representatives Weiss and Moore, Co-Chairs, Barbee, Barnhart, Blackwood, Clary, Dickson, Earle, Frye, Jeffus, Lucas, Parmon, Preston, Ray, Warner, and Ms. Barringer and Ms. Tolle-Whiteside attended. Also in attendance were Ms. Churchill, Ms. Jessup, Ms. Graf, and Ms. Morgan, staff.

Representative Weiss presided and called the meeting to order. She welcomed the committee members and those present; thanked the staff and sergeant-at-arms and asked for a motion to adopt the minutes of the previous meeting. Representative Lucas moved adoption of the minutes. The motion carried unanimously.

Representative Weiss said the emphasis of today's meeting was prevention. She then introduced the first speaker, Sandy Turnage, a foster child who was accompanied by her foster mother, Ms. Toni Blackwell, who would also speak.

A foster child, Ms. Sandy Turnage, age 15, addressed the committee about her experiences with the Child Protective Services system. Due to an abusive environment, DSS recommended that Sandy and her sister be removed from the home. At age 6 Sandy began living with her grandparents. In 2001, after the death of both grandparents, she entered foster care and over the course of 1-1/2 years, and with encouragement, was able to change her attitude about what she wanted in life. She attends East Wake Academy; is involved in many positive activities, and plans to graduate. She would like to study nursing as a career. Sandy credits Wake County Social Services and the social workers who act as her mentors, Guardian *ad Litem*, being around people with positive attitudes, being involved in positive activities and having transportation to those activities with her new outlook. Her sister is in a foster care home in Garner and they talk by phone two or three times a week.

Ms. Toni Blackwell, foster mother and a foster child at age 14, describes foster care as a blessing to her birth family and an opportunity for them to see how we, as individuals, can make a difference in the life of another. Sandy is the seventh placement in her home in the eight years she has been a foster mother. She feels that the smaller charter school

environment, supportive social workers, advocacy of the Guardian *ad Litem* program, and assisted transportation have all been helpful to Sandy. Ms. Blackwell thinks more community education would dispel some of the myths surrounding foster care. She said that she has never felt that the foster care program tried to hide anything about a child being placed, but there can still be surprises. She feels that Wake County does a good job of informing the foster child and the foster child about each other.

Ms. Beth McAllister, Executive Director of Summit House, spoke. Summit House is a residential treatment house for mothers and their children that has been in operation for ten years. It is a unique, closely supervised, highly structured, therapeutic home that provides an alternative for female offenders facing active prison sentences for non-violent offenses. Mothers live at Summit House with their children for eighteen to twenty-four months. Summit House seeks to intervene and break the cycle of substance abuse and crime by helping mothers become substance free, finish their education, learn parenting techniques, and take care of the needs of themselves and their children. Summit House-Raleigh can serve six families; Summit House-Greensboro can serve seven families; and Summit House-Charlotte can serve eight families. Eighty percent of the mothers served stay out of the criminal justice system. Though she does not know the average waiting time, Ms. McAllister said many of their clients have been able to find homes in Wake County through Section 8 housing. (See Attachment 1.)

Representative Weiss noted that we are fortunate to have programs in Wake County that are cheaper than incarceration. She asked staff to get information on waiting times for programs.

Ms. Vivian Sanders, Director, Bertie-Lewiston/Woodville Family Resource Center, spoke on their program of prevention of abuse and neglect at the Center through various programs. Among the classes and resources offered are: assistance and support for single parents, nutrition, after school programs, awareness and HIV/AIDS support, summer care, hot meals, partnering of grandparent caregivers with single parents, access to a clothes closet and a food pantry. They have also partnered with Bertie County School with an exceptional student program that provides help for students with mild learning disabilities, respite for parents, and a safe place free of verbal abuse. One of the biggest barriers in their county is lack of transportation. They have a volunteer transport program to better access available resources. Their program has been in effect for ten years. When asked how many families they have served in Bertie County, Ms. Jo Ann Lamm, Program Administrator, Family Support and Child Welfare Services Section, Division of Social Services, said that their data shows that this Family Resource Center has served over 10,000 families.

Mr. William Owens, Director, Franklin-Vance-Warren Opportunity, Inc. described the services offered by the South Henderson Family Resource Center to combat child abuse and neglect. (See Attachment 2.) Mr. Owens said their Family Resource Center (FRC) is located in a low-income area and that Vance County has the highest unemployment rate in the State. He spoke about poverty and its impact on family structure. The FRC offers job training but has no jobs for their clients. They are trying to locate employment in

Durham, Raleigh and Butner/Creedmoor and are considering vanpools as a means of transportation to and from work. In answer to a question, Mr. Owens said that the FRC after-school program is limited to elementary school students.

Ms. Esther High, Manager, NC LINKS Program, a foster care and adoption program, spoke to the committee about this program for young people who are not adopted and who cannot return to abusive families. The goal of the program is to help youth and young adults make a successful transition from foster care to self-sufficiency. Ms. High explained the Chafee Foster Care Independence Act and the priorities of the LINKS program. She also spoke of the SaySo (Strong Able Youth Speaking Out) organization and said that nine of the SaySo members would be serving as pages for the General Assembly and the Governor's Office in the 2004 Session. (See Attachment #3.) Ms. High reviewed some of the LINKS best practice examples from North Carolina counties. (See Attachment #4.) Grants of up to $5,000 per year can be provided for community college as well as a post secondary educational or vocational training school. In response to a question about programs overlapping, Ms. High said that this program is only for children in the foster care system and she feels it doesn't overlap with other programs. It is a program designed to help youth be in a position to hold a job.

Representative Barbee said he would like information on how many children are being helped in programs. Representative Weiss answered that staff is trying to assemble information for the committee on all resources across the State.

Representative Weiss recognized Ms. Pheon Beal, Director of Division of Social Services, who stated that Ms. High is a member of her staff. They have a Work Force Development Program Inventory that she offered to provide to the committee as a resource.

Representative Weiss said that Ms. Churchill and other staff members are compiling information with Prevent Child Abuse on non-profit groups that are delivering services in different counties of the State, and that information will also be provided to the committee.

In response to questions about what happens to a child who reaches age 18, Ms. High said that the program is designed to be sure that each child has a connection. They try to have children return home or be adopted as soon as possible, but when that doesn't happen some choose to leave the program and some choose to stay in the program. At age 13 when a child comes into the program, that child is told that, even if he or she leaves the program at age 18 and then want to come back, he or she can. To stay in the program after age 18, the child has to sign an agreement that he or she will remain in school.

Representative Weiss thanked the speakers for their presentations.

Representative Barnhart asked if, in the future, minutes of the meetings could be e-mailed to committee members before meetings. He also asked for clarification on the issue of

the $1 million in TANF funds that was raised in the last meeting. Ms. Sherry Bradsher, Deputy Director, North Carolina Department of Health and Human Services, Division of Social Services, explained that they compared staffing surveys from one year to another and the amount of TANF money that was spent. The staffing surveys showed 44 new positions created. They used an average salary of $33,000. She said they know 50% needs to be added to that amount for overhead (supervision, training, supplies) and that results in an average of about $66,000. The $2.6 million includes the $1 million in TANF; the other money would have been county money that they had to put forth in order to hire those positions.

Representative Weiss said that additional prevention issues would be discussed at the meeting on Wednesday, March 3 and the committee would have additional information about the malicious reporting issue for discussion. Representative Moore added that the meeting would be open to the floor for general discussion by members of the committee on what has been heard thus far. He asked the members to be thinking about what kind of recommendations the committee may want to make. He also asked committee members to look at the list of needs and concerns that has been provided by staff.

Representative Weiss adjourned the meeting at 3:00.

Representative Jennifer Weiss, Co-Chair, Presiding

Susan Doty, Clerk

NEEDS AND CONCERNS IDENTIFIED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION
Revised March 2, 2004

Information Sharing

- NC FAST. A comprehensive, statewide computer system of Child Protective Service (CPS) records to be made available to all 100 counties. Funding may be needed to implement the statewide computer system. Amount needed?
- Statewide criminal background checks need to be available to all 100 counties through the Administrative Office of the Courts. A contract between DHHS and AOC is currently under negotiation to allow for this process. All 100 counties should have access by July 2004.
- Lack of awareness among sister agencies, professions and all community members of the need to notify the local department of social services when a child is in a potentially harmful situation. Training, education, and better communication should address this issue.
- Federal criminal background checks are not always obtained in situations where the check is available as an assessment tool to the social worker. Training, knowledge, and better communication among agencies should address this issue.

Training/Staffing

- Large turnover rates among CPS workers.
- Training of new, entry-level social workers is not adequate for the worker to begin in the field on the date of employment.
- Recruitment of entry-level social workers is a problem for most counties.
- Pay for CPS workers varies drastically from county to county across the state.
- Ratio of CPS workers to families varies drastically from county to county across the state.
- False reports

MRS – Multiple Response System

- Implementation and training of the system across the 100 counties. To date 10 counties have fully implemented the system. What can be learned?
- Evaluation of the system. What is being done to evaluate the implementation process? What is being done to evaluate the use of the system and its impact on the children and the family?
- Funding. Is additional funding needed to fully implement the system?

Prevention

- Lack of funding for Child Fatality Task Force. Restore funding for Child Fatality Task Force.
- Lack of parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state. Comprehensive strategy should be developed by DHHS to address need for child abuse/neglect prevention programs across the state (assess what programs are working, examine existing funding sources for prevention programs and restore funding where needed).
- Lack of mental health and substance abuse services in communities.
- Need for childcare subsidy
- Need for 2nd and 3rd shift childcare services

Foster Care – Miscellaneous

- Low GAL attorney fees for representation of children. (Guardian ad litem attorney advocates' reimbursement rate is approximately one half that of criminal defenders.) Raise reimbursement rate.
- Expedited TPR process, particularly the appeal process, is needed to obtain safe permanent homes in the appropriate time frames.
- Funding for special needs children in foster care is not adequate to address needs. How much is needed?
- Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.
- Transportation assistance
- Availability of information about foster care to attract prospective foster parents

Attachment 1

Summit HOUSE

SUMMIT HOUSE CREATES A BRIGHTER FUTURE FOR CHILDREN

"During my seventeen years as a judge, I became convinced that the cycle of crime is generational. Summit House is one of the few programs in our state that is designed to break this cycle. Mothers and their children are growing together in a positive, loving, learning environment receiving the care, counseling, and education they need."

Tom Ross, Executive Director
Z. Smith Reynolds Foundation, Inc.,
former Superior Court Judge.

Moments in America for Children[6]

Every:	
8 seconds	**a child drops out of school.**
10 seconds	**a child is reported abused or neglected.**
15 seconds	**a child is arrested.**
24 seconds	**a child is born to an unmarried mother.**
35 seconds	**a child is born to a mother who did not graduate from high school.**
5 minutes	**a child is arrested for a violent crime.**
5 minutes	**a child is arrested for an alcohol related offense.**
17 minutes	**an infant dies.**
4 hours	**a child commits suicide.**

Moments for Summit House Children

Moment	**a child has a mom who isn't in prison.**
Night	**a child is tucked-in by mommy.**
Morning	**a child is awakened by mommy.**
Minute	**a child knows he is loved.**
Minute	**a child feels safe.**
Minute	**a child has a clean and sober mom.**
Minute	**Summit House changes a child's life.**

The Facts

- 3,500 children in North Carolina have mothers who are incarcerated.[1]
- Children of incarcerated parents are six times more likely than other children to be incarcerated themselves.[2]
- In North Carolina the **average daily cost** of a childcare group home (foster care) is **$161.27.**[3]
- A child committed to a state training school costs **$146.00 per day**.[4]
- The cost at Summit House of providing services to children is **$72.00 per day**. The services received at Summit House prevent a child from repeating the cycle of crime and substance abuse that has been the pattern of the child's mother and prevents the need to commit a child to a training school.[5]
- **Summit House Saves NC Taxpayers:**

  $89.27 savings per child x 40 children served per day x 365 days = **$1,303,342** in savings.

---

1 Data provided by the Department of Corrections Research and Planning, 2002
2 National Association of School Psychologists
3 North Carolina Department of Health and Human Services, Division of Social Services, 2002
4 Data provided by the Department of Juvenile Justice, 2002
5 Summit House residential financial and statistical data based on 2001-2002
6 The State of America's Children, Children's Defense Fund Yearbook, 1997

Summit House Raleigh • PO Box 27284 • Raleigh, NC 27611-7284
919-755-0733 • summithouse2@yahoo.com

Wms Owens
Attachment 2

NORTH CAROLINA HOUSE INTERIM COMMITTEE
ON
CHILD ABUSE AND NEGLECT

South Henderson Family Resource Center

Services to Combat Child Abuse and Neglect

Presentation Outline

1. Child abuse and neglect threat grows during recessions and economic down-turns. **(Goal: To assist laid off, displaced, unemployed and underemployed, individuals, including those receiving public assistance, to improve their employability skills and obtain jobs that pay wages adequate to support their families.)**

Project Self-Sufficiency (An Employment Boot Camp)

a. Intensive case management services for primarily TANF recipients
b. Counseling
c. Support for parenting
d. Interpreter services
e. Drop-in child care
f. Emergency assistance (rent, utilities, food, medical prescriptions, etc.)
g. Housing placement and transitional housing assistance
h. Clothing
i. Job training, development and placement assistance
j. Life management skills training
k. Personal development skills training
l. Transportation
m. Drug testing, screening and referral services
n. Medical and dental screenings
o. Computer training

2. Child abuse and neglect threat decreases as parents and caregivers' ability to care for their families increase. **(Goal: To ensure that Hispanic parents and caregivers receive needed services and assistance to enable them to be economically and socially viable members of their communities.)**

Resource, Referral and Literacy Services for Hispanic Families

a. Child care
b. Interpreter services
c. Child safety and well being services and training
d. Nutrition education and training
e. Transportation
f. Abuser referral
g. Job development, referral and placement assistance
h. English as a Second language

i. Support for parenting
j. Research and reference materials
k. Medical and dental screenings
l. Computer training
m. Family cultural events

3. Child abuse and neglect threat decreases when children are involved in supervised after-school, educational, recreational or other nurturing environments which protects them from danger, crime, or exploitation. **(Goal: To provide low achieving students from low income families with after-school tutoring and coaching that will assist them in achieving their educational goals, passing their end-of-grade tests, and obtaining medical and dental screenings for the early identification of potential health problems.)**

Academic, Social, Health and Wellness Component

a. After-school academic tutoring for at-risk youths
b. Health and dental screenings and service referrals
c. Summer recreation and social enrichment activities
d. Health education
e. Personal safety education and devices
f. Nutrition education
g. Parenting training

SOUTH HENDERSON FAMILY RESOURCE CENTER

2-YEAR REPORT OF ACCOMPLISHMENTS

March 2, 2004

Compiled for the House Committee on Abuse and Neglect

PROJECT SELF-SUFFICIENCY

Total Number Completing "Boot Camp"	184
Private Sector Job Placements	128
Public Assistance Recipients and Unemployed Placements	69

HISPANIC RESOURCE, REFERRAL AND LITERACY SERVICE

Total First-Time Hispanic Users	141
Private Sector Job Placements	23
Attended English as a Second Language	119
Exceeded ESL Improvement Scale Objectives	53
Total Participants Provided Transportation to Services (excluding classes)	117
Total Participants Provided Translation Services	147
Cultural Events Sponsored	12

ACADEMIC, SOCIAL, HEALTH AND WELLNESS

Extended Day After-School Tutoring Participants (L. B. Yancey Elementary School has been rated "Exemplary" for the past five years)	154
Health Screening Participants	840

SUPPORT SERVICES

Number of Participant Transport Trips	4,275
Number of Child Care Sessions Provided	239
Number of Meals Provided	2,539
Number Assisted with Food/Clothing	57

Attachment 3

What SaySo Youths Are Doing

Below is a brief list of activities and partnerships involving SaySo Youths (statewide Board of Director members and local chapter members)

Wouldn't you like to see youths in your area doing these things? It's possible . . . very possible!

Activities

- Wrote a letter/met with Gov. Hunt
- Met with Hillary Clinton in Washington, DC
- Provides articles and book reviews for Fostering Perspectives
- Developed a SaySo presentation format for members to speak
- Promoted the development of 6 local chapters in NC (Moore, Mecklenburg, Caldwell, Wake, Cumberland, and Guilford)
- Presents annually at the National Independent Living Conference
- Presented at the annual NC Statewide Children's Conferences
- Presented at the NCFPA statewide conferences
- Had two Board members elected to the National Independent Living Association (NILA) Board of Directors
- Participates in continuing education training for Family Court Judges
- Participated in GAL trainings
- Contributed towards Advocates for Children Services brochures on Rights/Responsibilities of Foster Youth and Independent Living
- Assists with MAPP training for Foster Parents
- Participates in Court Improvement Program conferences and seminars
- Sponsored the 2002 National Advocacy in Action Conference
- Did an ad on TV, posters, radio announcements to recruit foster and adoptive parents (Charlotte)
- Master of Ceremony for a Youth Fashion Show promoting teen adoptions (Greensboro)
- Keynote speech at statewide Adoption Celebration 2002
- Provides regular speeches at regional adoption celebrations throughout North Carolina.
- Did a "Believe in a Child" ad on TV, posters, radio announcements to recruit foster homes for teens (Raleigh)
- Spoke at Adoption/Abandonment meetings in Greensboro.
- Trains 13-15 year old foster youths at annual LINK-Up conferences
- Contributed to the SE IL Curriculum Advisory Board
- Participated at the IL National Leadership Conference
- Provided information on health issues related to foster teens
- Sponsored a child who died at the hands of abuse - Child Abuse Vigil
- Speaks annually at Youth Days and the Recognition Ceremonies

- Coordinates annual SaySo Saturday conferences for 200+ foster youths
- Publish newsletter for members
- Contribution to "Social Services for Pregnant and Parenting Teens"
- Provided the award recipients for National Youth of the Year (2002 and 2003) through the National Independent Living Association.

Media involving SaySo Youths

- Spectator Magazine - Durham
- People Magazine, January 2003
- Fostering Perspectives
- Independent Weekly - Durham
- Charlotte Observer
- UNC-TV feature on Child Abuse, April 2002
- Fayetteville Observer
- Burlington Times
- Jamestown Press
- WRAL - For the Children
- Raleigh News & Observer

Partnerships with SaySo

- UNC Institute of Government
- Fostering Perspectives Advisory Board
- Advocates for Children's Services
- Legal Services of NC
- NC Kids
- Guardian Ad Litem Program
- North Carolina Foster Parent Association
- Covenant with NC Children
- National Independent Living Association
- NC DSS LINKS Program
- GEAR UP NC
- Fenwick Foundation
- NC Administration of the Courts, Court Improvement Program
- NC Stakeholders Board for MH/DD/SAS
- Independent Living Resources, Inc.
- Workforce Development Institute
- Prevent Child Abuse NC
- Jordan Institute - UNC School of Social Work
- Southeast Independent Living Curriculum Advisory Board

Having Our Say

The newsletter of SaySo, Strong Able Youth Speaking Out

Volume 4, Number 2

About SaySo, Inc.

SaySo is a statewide association of youth aged 14 to 24 who are or have been in North Carolina's out-of-home care system. This includes all types of substitute care, including foster care, group homes, and mental health placements.

Our mission is to work to improve the substitute care system by educating the community, speaking out about needed changes, and providing support to youth who are or have been in substitute care.

Become a Member!

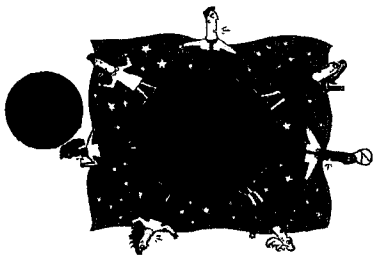
If you are interested in joining **SaySo**, let us know! E-mail or write us with the following information: your name, age, and address (including e-mail), region and the kind of out-of-home placement you are or have been in.

Contact Information

SaySo, Inc.
c/o ILR, Inc.
411 Andrews Rd., Ste. 230
Durham NC 27705
Phone: 800/820-0001
Fax: 919/384-0338
Web Site: http://sayso-nc.tripod.com
Email: sayso@ilrinc.com

Officers

Co-chairs: Chaney P. and Peaches S.
Secretary: Cassandra C.
Treasurer: Brian M.
Sergeant-at-arms: Frank L.



Hello SaySo Members!!

It's been a long time since we've had a newsletter so this one is full of stuff. We are now a non-profit organization!! Read on for more news and contacts. We promise to provide regular newsletters throughout the year!

Introducing the SaySo, Inc. Board Members (2003-2004)

Below is a list of the all the board members-, where they are from and something about their personality that will help SaySo.

Sylvester - Onslow County, very energetic, and outspoken.
Jesica - Onslow County, Hard worker, out spoken.
Cassandra - Cumberland County, well to help at all times, and funny.
Thomas – Guilford County, very helpful, and fun to be around.
Tiffany- New Hanover County, very strong well, good heart.
Dionna – Pitt County, good personality, humor, and outspoken.
Steaphon - Caldwell County, positive attitudes, and his heart is in the right place.
Vivian - Wake County, calm, very out spoken, funny
Jacqueline – Roberson County, Steps very well, draw clothes.
Frank - Forsyth County, caring, good listening
Dayshawn – Guilford County, rap songs, diverse ideas
Melinda - Cleveland County, Leadership, Keep under control
Brian - Mecklenburg County, very stable, funny
Marcus – Wilson, we are keeping this position open in his memory (2003-2004).
Jennifer – Gaston County, encourager and an on the job attitude.
Chaney – Onslow County, funny, intelligent kind heart
Peaches - Sampson County, never quits, very dedicated
Makeisha - Nash County, calm, very sweet.
Nancy - Executive Director, with a kind heart and loves the youth

Speak out to us on how we should reach our goals.
Email: sayso@ilrinc.com

Three Goals For This Board:

1. Build Financial Base
2. Expand Support for Members: expanded services
3. Expand Media Exposure

Local Chapter Update

If you are not a member of your local chapter and would like to be, contact the following adult supporters:

Mecklenburg County-
Jessie Epps
(704) –336-7441
eppsjj@co.mecklenburg.nc.us

Wake County
Quentin Cooper
(919) 212-7099
qcooper@co.wake.nc.us

Join the fun - call now!!

Moore County
Andi Korte
(910) 947-2436 ext. 3351
Akorte@moore.nc.us

Caldwell County
Susan Keller
(828)-426-8280
skeller@co.caldwell.nc.us

Guilford County
Belinda Smith
(336) –641-3688
BSMITH4@co.guilford.nc.us

Cumberland County
Tracey Taylor-Colson
(910) 429-1826
poopud@yahoo.com

Having Our Say

The newsletter of SaySo, Strong Able Youth Speaking Out

Board Member Contact:

Region 1
Steaphon
Sijames28645@yahoo.com

Two openings

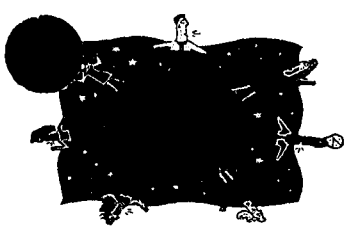
Region 2
Jennifer
jpainter44@hotmail.com
Brian - Treasurer
Smokymcpot123@yahoo.com
Melinda
Tweety81@bellsouth.net

Region 3
Dayshawn
dayshawn@excite.com
Frank
nkstretch@hotmail.com
s
masdavis1985@yahoo.com

Region 4
Peaches – Co-Chair
peaches_sanders@yahoo.com
Vivian
twist162004@yahoo.com
Jacqueline
lovejj85@hotmail.com
Cassandra – Secretary
ccc501@yahoo.com

Region 5
Dionna
dlh1016@mail.ecu.edu
Makeisha
Veronicka27557@yahoo.com
Marcus
Passed away – will keep open

Region 6
Jesica –
Tiffany -
Sylvester -
Chaney- Co-Chair
fatty_gyrql2004@hotmail.com



Upcoming Chapter Local Chapters

- NCCU – contact Peaches at peaches_sanders@yahoo.com
- Roberson County – contact Pamela Locklear Pamela.locklear@dss.co.robeson.nc.us
- Appalachian State University – contact Faith Newsome faithakhop@hotmail.com **Good Luck starting Local Chapters in your area.**

Upcoming Events 2003-2004

LINK-Up – Life skills conference for 13-15 year old youths. January 2004
Advocacy in Action – Youth leadership conference. July 20-22, 2004
SaySo Saturday- Annual conference for all SaySo members March 6, 2004
Gal Conference-Watch SaySo members improve relationships between GAL and teens.October 25, 2003

Hope to see you at the upcoming events this year!!!! Stay tuned for more information on upcoming events and ways to get involved.

SUBMIT, SUBMIT, AND SUBMIT!!

Looking for people to submit their stories to our SaySo Book. We are looking for poems, stories, or any thing that you find interesting to put in this book. We need the stories **ASAP.** Thank you so much for you help this far. You will have to submit these things to:
Say So, Inc., 411 Andrews Rd., Ste. 230, Durham, NC 27705
Email: sayso@ilrinc.com

Thanks a lot. Lets see your stories in the SaySo book to let other youth know that they are not the only ones out there and that there are others just like them.

Conferences and Events:

SaySo Orientation: June 6-8, 2003 was held in Burlington, where the old and new board members got together for training and fellowship. We also had a chance to meet George Duval, and alumni from Kentucky who plans to speak at Advocacy in Action.

SaySo Rally: July 31, 2003 was held in Greensboro, at the Youth Folk Center where the teens learned valuable skills to take back to the community.

LINK-Up Youth Conference: August 1, 2003 was held in Greensboro, N.C. at the Youth Folk Center where teens learned about decision making skills, taking pride in your appearance, and reducing AIDS & HIV Infections.

Growing Pains Conference: August 13-16, 2003 was held in Orlando, Florida where Vivian, Chaney, Makeisha, and Melinda attended. **Melinda won the National Youth of the Year Award**. This is the second year that a SaySo member won this award!! Awesome!

Partnership Update (did you know we partner with these groups?)

Guardian Ad Litem (GAL) is trying to improve services for teens. We have two of our SaySo board members on this committee, Melinda and Thomas.

Advocates for Children Services supported a petition because the governor and his advisory committee had not met to make recommendation to improve youth services in mental health and juvenile justice. The committee is finally meeting after two years. Also, developing a foster youth handbook.

North Carolina Foster Parent Association (NCFPA)- SaySo adhoc Board meaning a SaySo board member could attend all of their meetings.

Look for more in our next newsletter on partnerships and educational vouchers for youths in care! Yes! Money for college and training!

Gotten Hist
Attachment 4

NC LINKS Program
Some Best Practice Examples from North Carolina Counties

Mecklenburg County

- They worked with a young woman who aged out of foster care, went to college for one semester and dropped out. She stayed with a friend and worked for the following two semesters (a dose of reality), and with agency help got into ASU this past fall. She works part time, attends school full time and is very involved in campus life. She is motivated, focused and doing extremely well academically and otherwise.

- Another young woman who aged out in our custody had moved back in with her mother and became pregnant several months prior to her 18th birthday. Because the mother had had some medical problems and was hospitalized for two weeks, they got behind on their bills, and their gas was turned off,. leaving them with no heat. Our agency was considering removing the young woman from the home (against the wishes of both mother and daughter) and placing her in Florence Crittenton on a VPA. LINKS funds are helping this young woman to help with the gas bill so that she can remain in the home with her mother, preventing out of home placement.

- A young man who aged out of foster care refused assistance throughout most of his time in custody, but later agreed to participate in a "partnership" with the Phoenix Project (LINKS). He has now worked at the same place of employment for about two years, has saved about $700, and with the help of LINKS funds, has been able to obtain and maintain his own apartment.

Onslow County

- We've contracted with the local Sylvan program to provide tutoring to LINKS youths that are having serious difficulties academically. Through the program we have provided tutoring for 6 LINKS youth. Despite the fact that we are only able to afford about 4 months of the Sylvan program, all of the participating youth have improved at least one grade level during the time that LINKS was paying for their tutoring. The average grade level improvement has been 1.6 grade levels in their identified area of need. One young woman who would not have graduated did graduate with this assistance, one young man with learning disabilities who was frequently suspended made honor roll, and none of the youth who have received these services have dropped out of school.

- I had a young lady that was in 10th grade when she entered care for dependency and abandonment. Her parents had fled the area and packed up all her belongings and took them with them when they left the County. The girl was doing poorly in her new school and identified that the one subject that she really enjoyed was band. The trouble was she did not have her trumpet as her parents had taken it with them. She was able to borrow a trumpet at her new school but was unable to take it home to practice. Being in band was a positive thing that she wanted to continue. I asked and was able to purchase a trumpet for her through LINKS funds and we contracted that as a part of receiving the trumpet she would bring up her other grades. Next

reporting period she received all A's and B's and maintained an A-B average throughout the time she was in care. She graduated from high school and is planning to attend college in Florida. She told me that it was because we cared enough to insure that she got to continue in band.

Lincoln County

- The LINKS coordinator is working They are starting a LINKS CHEF CLUB. This club will meet on a regular basis and will focus on learning nutritional meal and snack preparation. She wants to get youth involved in cooking as well as teaching them how to shop at the grocery store on a budget, how to eat healthy, how to utilize certain kitchen tools in preparing meals. They plan to use the cooking club to involve the youth in the community with preparing items for the elderly in a nursing facility or rest home. They are also planning to work in the soup kitchen one day. They are focusing on health as well and can use the Chef Club to pull in many other issues that involve health. They also hope to use the LINKS Chef Club in community oriented events and hope this Club will stimulate some positive learning experiences for the youth that participate. While they are just beginning this program and do not know what the outcomes will be, both she and the youth are excited about it.

Moore County

- A young man in the 8th grade was worried about attending high school this year as he was unable to pass most of his 8th grade classes. He was tested and testing revealed that he was at a 4th grade level in math and reading skills. The LINKS program worked with the Huntington Learning Center and provided tutoring assistance for the youth for seven months. He entered high school at an 8th grade reading level and a 7th grade math level. His self-esteem grew more than his reading and math level.

- Several young women who never planned or even thought about attending college are now attending two and four year colleges. This is due in part to the one-on-one assistance youths receive with educational planning and assessment from the LINKS program. Assistance includes; reviewing graduation requirements, researching educational opportunities, registering for standardized college admissions testing, and assistance with the application process, financial aid forms, fee waivers, and college visits. Youth are provided the resources and assistance to format a plan for higher education. The LINKS funds also assist youths with scholarship opportunities.

- Real life experiences are offered to the youths to assist them in becoming aware of "the possibilities". The youths are provided opportunities to test themselves and experience life outside of their own world view. Youths participate in programs throughout the state and southeast including; Youth Conference Days, the Broyhill Youth Development Retreat at the Belmont Abbey College, Tax workshops, Youth Advocacy Conference, The Daniel Memorial Institute Leadership Conference in Florida, Real World Raleigh, and Know Your Rights Day. Each of these opportunities provides the youths with valuable insight into the range of possibilities that exist. This summer two of our youth will be participating in the Page program with the legislature and governor's office.

- The Moore County Jobs Group is offered at least twice a year and is specifically designed to assist youths in obtaining employment. The group focuses on interviewing skills, identifying job vacancies, filling out applications, setting up interviews and interview techniques. Sessions on how to maintain employment once you obtain it are an essential aspect of the program.

Catawba County

Catawba County uses LINKS Special Funds to provide motivational incentives to youth with severe behavioral problems. This is an interim step which is generally not needed once these youth experience the secondary gains of attending school regularly, paying attention in the classroom, staying out of trouble, and accepting placement. Examples of this, with the total costs, include:

- An 18 year old young man whose threatening behaviors, involvement in drugs, and failure to attend school foretold a grim future. At the cost of $300, he is now on track to graduate, has controlled his anger outbursts, has abided by the terms of his probation, has remained free of drugs and alcohol, has not assaulted or threatened anyone. He has signed a voluntary placement agreement while he is in school, has gotten a job and is saving money.

- Another 18 year old young man whose acting out was threatening both his school and personal options was promised attendance at basketball camp if he would control his behaviors. His involvement with basketball team has helped him to learn to work with others and to deal with structure and rules. Cost: $25.

- A 14 year old young woman was stepped down from group care, where she felt safe, to a therapeutic foster home, where she could develop skills for independence. $170 in Special Funds were used as an agreed-upon incentive to help her to overcome her fears and resistance. She has since learned important skills in negotiating, planning, and building positive supports, and in learning about her own strengths. She is an active participant in the LINKS group and even her peers have noticed the positive change in her.

- A fifteen year old wanted to attend his school wrestling program. His contract with his foster parent included maintaining a B average in school, managing his behaviors, attending school daily and following the rules of the foster home. The wrestling fees that were paid with LINKS funds were $60. The social worker says that his improved school performance is encouraging him to focus on academic issues. Prior to this time he was being considered for an alternative school placement.

These examples demonstrate the creativity of LINKS staff as well as the flexibility of use of these funds. We are encouraged by these and other anecdotal reports, and believe that the LINKS program is demonstrating the effectiveness of the approach.

Esther Hyde

NC LINKS

Building connections for youth and young adults for life after foster care

Attachment 4

Goal of all LINKS programming and funds:

To help youth and young adults make a successful transition from foster care to self-sufficiency

- ✓ Help youth to get a High School Diploma plus post-secondary education or vocational training
- ✓ Help youth with career exploration
- ✓ Teach job placement and job retention skills
- ✓ Teach daily living skills
- ✓ Teach youth budgeting and money management
- ✓ Teach substance abuse education and prevention
- ✓ Provide preventive health activities, including avoidance of pregnancy and STD's, health maintenance, basic hygiene and nutrition, etc.

Program Requirements: The Chafee Foster Care Independence Act

- Help youth to become connected to personal and emotional support from dedicated adults and mentors
- Provide transitional services for young adults who were in care to assist their own efforts to achieve self-sufficiency
- Provide for transitional housing costs and services for young adults who "age out" of foster care at age 18
- Coordination with other agencies that serve this population

Program Requirements: The Chafee Foster Care Independence Act

- Youth and young adults must participate directly in designing their own program activities that prepare them for independent living and must accept personal responsibility for doing their part to achieve mutual goals.

- Appropriate support and services must be offered to young adults who aged out of foster care after enactment of the Chafee Act (Dec. 1999), including financial, housing, counseling, employment, and educational support.

Eligibility for LINKS

- Youth and young adults ages 13 to 21 who are or were in foster care as teens. These youth/young adults may be married, adopted, emancipated, discharged, or now be in care and remain eligible.
- Federal funds cannot be used to provide services to illegal or undocumented aliens.
- To use IV-E funds, child cannot have resources of $10,000 or more.

Priorities: Making the most of the LINKS county allocation

FIRST PRIORITY FOR LINKS SERVICES

Services Required

- ✓ Youth in foster care or on a Voluntary Placement Agreement ages 16 to 21

- ✓ Young adults 18 to 21 who aged out of foster care after December 1, 1999 (diligent outreach and providing assistance to those who request services.)

Priorities: Making the most of the LINKS county allocation

SECOND PRIORITY FOR SERVICES:

Services Strongly Recommended

- Youth in foster care ages 13 -15
- Young adults who were discharged from foster care as teenagers and who are now 18 to 21 years of age and who ask for assistance.

Priorities: Making the most of the LINKS county allocation

THIRD PRIORITY FOR SERVICES

Services Recommended

- ✓ Youth ages 13 to 18 who were discharged as teenagers and who request assistance.

LINKS uses a Youth Development Approach

"A process which prepares young people to meet the challenges of adolescence through a coordinated, progressive series of activities and experiences which help them to become socially, morally, emotionally, physically and cognitively competent."

How Positive Youth Development Differs from Traditional Approaches

- ✓ engages youth as resources and partners in making decisions about <u>their</u> lives
- ✓ builds on strengths the youth already has, and helps youth develop skills and attitudes to handle challenges they will face in life.
- ✓ Intentionally provides real life challenges
- ✓ supportive
- ✓ teaches by doing

Rather than

- Providing services "to youth for their own good"
- focused on "fixing what is wrong with the youth"
- taught in isolation from real experience
- stifling
- classroom style learning

Desired Outcomes for LINKS participants

- ✓ Sufficient economic resources to meet daily needs;
- ✓ Safe and stable place to live;
- ✓ Academic/vocational goals are in keeping with young adult's interests and abilities
- ✓ Has sense of connectedness to community
- ✓ Avoids illegal and high risk behaviors
- ✓ Postpones parenthood until financially stable and emotionally mature
- ✓ Has access to medical/mental health/dental services

So what are we doing?

Services to youth in care focus on reducing risks of negative outcomes, by providing

- ✓ intensive tutoring for youth who are behind in school;
- ✓ opportunities for youth to develop healthy relationships with peers and adults, including their biological families;
- ✓ opportunities for youth to learn by doing and, insofar as possible, to experience the learning that comes from natural consequences.

So how are we doing?

- ✓ Providing opportunities for youth to gradually assume control over decisions that affect their lives;
- ✓ Providing the financial means for youth to participate in extracurricular school activities such as athletics, music, language clubs, etc.;
- ✓ Providing incentives for youth who are disrupting placements, failing in school, or otherwise acting in self destructive ways.

SaySo

- SaySo (Strong Able Youth Speaking Out) is North Carolina's statewide youth-run statewide advocacy organization of current and former foster youth. The organization's mission is to improve the foster care system.

- SaySo continues to provide significant guidance to the development and implementation of the LINKS program. Chafee funds are used to help provide administrative support to the organization.

SaySo

- ✓ Last year 298 youth and young adults attended statewide SaySo meetings and conferences. At present there are 173 local chapter members and 20 state board members of SaySo.
- ✓ This summer 9 members of local SaySo chapters will be serving as Pages for the House, Senate and Governor page programs.
- ✓ Next October, the State board of SaySo will be sponsoring a statewide project to get suitcases for youth in foster care on National Make a Difference Day.

What is happening to youth who age out of care now?

- Counties are required to make diligent and persistent efforts to locate all young adults who aged out of foster care in their counties after December 11, 1999. About 80% of those young adults have been contacted despite the fact that we did not begin these intensive efforts until 2001. Over the past several years we have seen a dramatic increase in the percentage of young adults contacted who accepted further services:

2000: 28% 2001: 67% 2002: 71%

The Education Training Voucher Program Benefits

- Grants of up to $5000 are provided to students, which apply to the cost of attendance at a qualifying post secondary educational or vocational training school.

- The grant amount is based on the difference between allowable expenses and the amount of other scholarships or grants the student receives, including the Pell grant.

The Education and Training Voucher Program

- The Education Training Voucher Program was funded through the Chafee Act in October 2003.
- North Carolina's share of the grant is $737,000 and requires a 20% match. However in-kind match is allowed and is being used, at a savings to the state of almost $185,000.
- North Carolina is contracting with Orphan Foundation of America, a scholarship organization, to administer the grant. OFA is contracting with several other states as well. They provide their own match for the Federal funds.

The Education Training Voucher Program Eligibility Requirements

In order to qualify for an Education Training Voucher, the student:

- ✓ must have aged out of foster care at age 18 or have been adopted from foster care after his/her 16th birthday.
- ✓ Must now be 18, 19, or 20 years old
- ✓ must be a citizen or legal resident of the U.S.
- ✓ May have no more than $10,000 in personal assets; and

Education and Training Voucher Program Eligibility (continued)

- must be enrolled in or accepted for enrollment in a qualifying post-secondary educational or vocational program.
- If the student is currently enrolled in school, he/she must be making satisfactory progress toward completion of the degree or certificate.
- Students who are receiving an ETV on their 21st birthday may continue to receive these grants until age 23 if they continue to make satisfactory progress in school.

Education Training Vouchers can pay for:

- Tuition, fees
- Room and board either on or off campus
- Books
- Rental or purchase of required material, equipment or supplies
- Tutoring
- Child care for parenting students
- Transportation that is necessary for a student to attend school
- Repayment of student loans incurred for the current academic year
- Student health insurance

Where do we go from here

- The North Carolina LINKS program is a county-administered, state supervised program of services for adolescents and young adults who live or have lived in the foster care system. While the program holds great promise, implementation continues to be inconsistent.

- The best county programs have creative, invested LINKS staff who have the support of their administration to assure that these youth and young adults have access to the resources they need to help them prepare for adulthood.

The next five years

- The state LINKS coordinator is working with an advisory committee to evaluate the current plan and program and to set the course for the next five years. Federal funding is expected to increase, and the demand for services is also increasing. Recommendations from the committee will be forthcoming in late May.

Examples of Best Practice

The following are a few true stories of youth and young adults who are benefiting LINKS services-

(1.)

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 2, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sherry Bradsher	DHHS Div of Social Services
JoAnn Lamm	DHHS DSS
Esther Wright	DHHS DSS
Karen Georg	NC ACDSS
Jennifer Sullivan	NXSW. NC
Delicia N. Coleman	F-V-W Opp. Inc P.O. Box 1453 Henderson, NC South Henderson Family Resource Center
Rob Lamm	NCDHHS
Pam Beal	DSS/DHHS
Lonnie Hawley	F-V-W Opp, Inc.
Bill Owens	F-V-W, P.O. Box 1453 Henderson
Beth McAllister	Summit House
JOHN KUZENSKI	UNC LAW SCHOOL CHAPEL HILL
Eric Frazier	Charlotte Observer

(2)

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee

Date: March 2, 2004

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Stoney Blevins	Wake County Human Services
Toni Blackwell	Speaker, Therapeutic Foster Care
Tina Howard	Governor's Crime Commission
Brad Fowler	Guardian ad Litem PO Box 2444 Raleigh, NC 27602
Sally Cahoy	Guardian ad Litem P.O. Box 1107 Raleigh NC 27602
Naeime Livingston	Guardian ad Litem Program PO Box 1107 Raleigh, NC 27602
Gloria Williams	Bertie County Family Ct PO Box 598 Lewiston NC 27849
✓ Vivian Saunders	Bertie County Family Ct PO Box 598 Lewiston NC 27849
Kim Howes	NCCAN
Evelyn Williams	NC Child Welfare Education Collaborative

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 16, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: March 2, 2004 at 1:00 p.m.
March 3, 2004 at 9:00 a.m.

LOCATION: Room 643, LOB, on March 2nd
Room 544, LOB, on March 3rd

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 16, 2004

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: March 2, 2004 at 1:00 p.m.
March 3, 2004 at 9:00 a.m.

LOCATION: Room 643, LOB, on March 2nd
Room 544, LOB, on March 3rd

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

February 16, 2004

MEMORANDUM
CORRECTION

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: March 2, 2004 at 1:00 p.m.
March 3, 2004 at 9:00 a.m.

LOCATION: Room ~~643~~ 544, LOB, on March 2nd
Room 544, LOB, on March 3rd

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

March 3, 2004
Room 544, LOB
9:00 a.m.

OPENING REMARKS

Representative Tim Moore
Co-Chair

AGENDA

Michelle Hughes, Prevent Child Abuse of North Carolina

Charisse Johnson, Wayne County First Steps

Janet Mason, Institute of Government

Committee Discussion

ADJOURNMENT

CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION COMMITTEE

MINUTES

Wednesday, March 3, 2004
9:00 a.m.
Room 544, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care, and Adoption Committee met on Wednesday, March 3, 2004 in Room 544 of the Legislative Office Building. Representatives Moore and Weiss, Co-Chairs, Barbee, Barnhart, Blackwood, Clary, Dickson, Earle, Farmer-Butterfield, Frye, Jeffus, Lucas, Parmon, Preston, Ray, Warner, Ms. Barringer, and Ms. Tolle-Whiteside attended. Also in attendance were Ms. Churchill, Ms. Morgan, and Ms. Wilks, staff.

Representative Moore presided and called the meeting to order. Representative Moore thanked the sergeant-at-arms staff.

Michelle Hughes, Prevent Child Abuse of North Carolina, was introduced to speak about the Prevent Child Abuse organization. Ms. Hughes is the Prevention Network Director for Prevent Child Abuse of North Carolina. Ms. Hughes stated there is no single cause of child abuse and neglect, but there are several factors that interact to create a situation in which abuse occurs. The factors are grouped into two categories---risk factors and protective factors. Risk factors increase the likelihood that a child or family will experience child abuse or neglect. Protective factors are those characteristics that buffer children and families from stress and other negative influences, and decrease the likelihood that child abuse or neglect will occur. See attachment 1. When risk factors outweigh protective factors, child abuse and neglect may occur. There are multiple pathways to child maltreatment. Ms. Hughes said child abuse prevention is defined as strategies or programs that try to reduce risk factors related to child maltreatment and increase protective factors associated with good parenting, family stability, and child safety. There are three categories of child abuse prevention---primary, secondary, and tertiary prevention. See attachment 2. The majority of attention and resources both in North Carolina and nationally goes to tertiary prevention---the child protection system. In order to truly prevent child abuse from happening in the first place, we need to place additional resources and attention to primary and secondary prevention. Ms. Hughes gave an example of an effective program that should be supported in North Carolina---intensive home visiting. This program is voluntary and is typically aimed at low-income,

first time parents. The Center for Disease Control concluded that approximately 40% of maltreatment episodes could be prevented through early childhood home visits. We currently have thirteen intensive home visiting sites in North Carolina. Prevent Child Abuse NC is now collecting data on child abuse prevention programs. Less than 100 agencies and organizations have been currently identified that provide child abuse prevention programming directly to children and families. These programs are diverse. Prevent Child Abuse does develop and disseminate information about best practice programs. There is very limited state funding for child abuse prevention in North Carolina. What little funding exists among state agencies is fragmented. There is no one state agency in North Carolina that takes primary responsibility for overseeing child abuse prevention programming. The Prevent Child Abuse office has 275 professionals and agencies across the state that are committed to child abuse prevention. They hear community-based agencies are struggling to keep their programs running. Ms. Hughes concluded with what Prevent Child Abuse of North Carolina is doing to address these issues: a statewide network of professionals and agencies, lead training agency in child abuse prevention, lead organization conducting public awareness campaigns, and the gaining ground initiative. See attachments 3 and 4.

Ms. Barringer asked Ms. Hughes if the Prevent Child Abuse organization was in all counties in North Carolina. Ms. Hughes responded they have thirty-one very closely related affiliates across the state. The rest of their organizational members cover most of the state. There are some counties where they do not have a program they are associated with, but they do cover most counties.

Charisse Johnson, Wayne County First Steps, was welcomed to speak to the committee. Wayne County has had the support of the community. It all started in 1992 with a pediatrician, Dr. David Taylo. Dr. Taylo recognized that an increasing number of children between birth and six years old were victims of child abuse and neglect. He formed a taskforce to discuss what can be done to prevent children from birth to six becoming victims of child abuse and neglect. This started the Wayne County First Steps Program, and in 1996, this program kicked off. A social worker is placed in the hospital to gather information about all the births in Wayne County. There were approximately 1400 births in Wayne County last year. Sixteen percent of the total births were teen moms. First Steps identifies moms for risk factors: no prenatal care, a single parent with no support system, a history of substance abuse, mental illness, limited financial resources, teen parents, abuse of a child, or a parent without a home. The worker goes to the family in the hospital and gathers information about the family, and asks the family questions. It is voluntary. First Steps wants to help the parents be successful. The program builds on strengths of the family. The program also does developmental assessments. Last year the program served 119 families. Ninety-eight percent had no incidences of child abuse and neglect, but two percent had incidences of child abuse and neglect that were substantiated. First Steps did report to DSS that two percent. The program's current funding is $150,000.00. They are a prevention program, and they want children to have healthy starts.

Janet Mason, Institute of Government, was introduced to speak on the reporting law. The reporting law acknowledges that we cannot prevent all child abuse and neglect. At the same time, in part of the response to the reports, we need to continue prevention efforts to prevent any future harm or risk to the children. Ms. Mason went over what the reporting law says. See attachment 5. The law applies to everyone, and it requires people to report when they have a reasonable, good faith cause to suspect. There are issues on either side of that middle ground. Ms. Mason talked about false reporting. See attachment 5 and attachment 6. North Carolina has a universal reporting requirement. Everybody has a duty to report if they have cause to suspect. In a number of states, that duty applies only to certain professional people. North Carolina has no statutory penalty for failure to report. There is a very small potential for criminal prosecution under the old common law theory. There is the potential for civil liability if a failure to report results in harm to the child. Another response not listed on the sheet is the professional ethical code. See attachment 6 concerning failure to report in other states. Ms. Mason talked about what to do about false reports and what modifiers should apply. See attachment 5. No state has a sanction simply for making a report that turns out not to be true, because we encourage people to make reports on the basis of cause to suspect. To encourage people to report, our law says as long as you report in good faith you are immune from civil or criminal liability. In order to be successful in an action for liable or slander or some other civil torte, the person bringing the action has the burden of overcoming that presumption. Ms. Mason has found it nearly impossible to find any studies or statistics about how many malicious reports there are.

Representative Earle had a concern about a private school teacher who did not report the abuse of a child. Representative Earle wanted to know if there was an exemption for private or charter schools in reporting. Ms. Mason said there is not an exemption for any school. In fact, the only exemption for anyone is a teeny, tiny exemption for lawyers, and it is only for lawyers who are representing clients in an abuse or neglect case. There is no other exemption. Everyone has to report. Ms. Tolle-Whiteside asked Ms. Mason her impression of North Carolina's current reporting law versus other states. Ms. Mason said our reporting law goes as far as any state. It goes as far as it is possible to go in terms of saying that the protection of children is the responsibility of everyone. It is a community and statewide responsibility. Representative Barnhart commented on two cases he knows about of malicious reporting. The Department of Social Services says it happens a lot. Representative Barnhart thinks we need to look at malicious reporting, and he thinks there is a misuse of resources. Ms. Tolle-Whiteside wanted to hear from the Department of Social Services about the reporting issue.

Representative Moore recognized JoAnn Lamm, DSS, and Karen Taylor George, the Directors Association, to make comments. Ms. Lamm appreciates the committee looking at malicious and false reports as a workload issue. The question has come up about how big an issue this is, and the answer is they do not know. When it happens, it becomes problematic to county departments of social services. If they had a child welfare information system, they could capture this information about how many types of reports they have received that are either false or malicious or either people have failed to report. Please do not equate all unsubstantiated reports as false or malicious reports. They do

receive valid reports of suspicion of abuse and neglect, and they do respond and provide services. DSS tries to help families before they get to that situation of abuse and neglect. They do find families in crisis and in need, and unsubstantiation really means that we have just not found a child in need of protective services. With the Multiple Response System (MRS), they have tried to address it in two ways: structured intake, and in the ten counties that started MRS in August 2002, they use structured decision making tools. Ms. Lamm believes we have the best reporting law in the country. The Child Fatality Taskforce put forth some legislation, and people started getting scared because if they impose a criminal penalty, then we are scared. The Taskforce started getting people who wanted to be exempted from the reporting law. They had a line of professionals who wanted exemptions so the Taskforce backed away from that. Their goal is to encourage people to report and not be scared.

Representative Barnhart wanted to comment and respond to Ms. Lamm's statement: please do not confuse all unsubstantiated reports with false or malicious reports. He does not feel anyone on the committee believes that all unsubstantiated reports were false or malicious reports. They know the difference between malicious or false reports. Representative Barnhart thinks there are times when the worker might go to a home, and it is an unsubstantiated report. The worker might go back to the home two or three times and then something might happen. The committee knows that. Also, Representative Barnhart made the comment to not think of it as just about workload, but also, to think about it as fairness and justice in the same country where we praise our justice system. It is about justice for a family that is being treated that way with malicious intent versus the other side. There is more than a workload issue, and we should not walk away from that issue either.

Representative Clary made a comment about even when people admit they have given a false report, Child Protective Services continues to visit the family twice a week, and teenagers have threatened to call the Department of Social Services on their mothers. We are wasting valuable resources when there is no abuse. Ms. Clary is not hearing much from DSS about weeding out these false report calls. Ms. Lamm believes that some things have been put in place. She believes structured intake will help and ask more detailed questions. MRS is now in 52 counties. It is hard at the point of intake over the phone to make that determination as to whether or not it is malicious or false. Once DSS goes out to the family, (with MRS), the worker does the safety and risk assessment and looks at the strengths and needs of the family and then walks away from that family. They are telling the workers do not stay in that family's life any longer than you need to. DSS is trying to implement that. DSS wants the workers to look and see if they see severity or a child in need of protective services when they make their findings. It takes awhile for a system to implement a reform effort.

Karen Taylor George, Executive Director of the County Director's Association, spoke to the committee. They did an informal poll of their directors about malicious and false reports, and they do not have good numbers. It is a small percentage, and there is concern when it does happen. They had rather err on the side of the child.

Representative Weiss asked a question concerning custody cases. Are there cases of abuse and neglect in custody cases that are substantiated? Ms. Lamm said yes, and they see examples of emotional abuse too. Representative Moore asked two questions: one of Ms. Lamm and one of Ms. Mason. The first question to Ms. Lamm was can the tracking system be arranged so that a detailed basis of why something is unsubstantiated be explained if it was because the report was malicious. The second question to Ms. Mason concerned the need to change the public records confidentiality requirements regarding the identity of a reporter of alleged abuse, neglect or dependency if the statutes are changed to make malicious reporting a criminal or civil offense. Ms. Lamm thinks that they could collect that information and label it as unsubstantiated and false report. They would need guidance in legislation, and how you would define the malicious and false reports. Some counties have their own automated system, but as a State, we do not have an automated system. Ms. Mason thinks yes to Representative Moore's question, and there would be the need to draft it right so it would not be abused. Representative Moore said advice on the language would be helpful. Representative Parmon spoke about a month old child that had been killed in her county. Her concern was the child had been abused before the death, and no one reported it. Representative Parmon believes we need a penalty if a child dies. Representative Moore agrees with Representative Parmon and said we may need to make it a criminal penalty where there is a death or serious injury.

Karen Taylor George made a point about malicious reports. Often times these reports are related to divorce and custody cases. In the cases of custody, they often find the reports are based on validity. Sometimes the divorce proceedings are initiated because there is some sort of domestic violence or child abuse or something that is bringing this forward. When it comes to the custody issue, the parent that has concern for the safety of the child will then make a report because they are no longer there and able to protect the child. It is important for DSS to take these cases very seriously. The DSS Directors do believe MRS and structured intake will make a difference.

Representative Moore opened up for comments from the committee, and thanked the committee and Representative Weiss. The report is due April 15th. Representative Barnhart asked if we could get more information about the scope of the computer system project and costs. Representative Weiss said we are still waiting to hear from Lanier Cansler. They hope the committee will have a summary at the next meeting. Representative Barnhart said the committee had talked about the need for sharing information among states which is a federal issue and not a state issue, but he would propose the committee come up with a resolution that our General Assembly could pass encouraging our federal people to address that issue. Representative Ray had concerns about the many different kinds of agencies who were doing the same thing. She feels the money is going all over the place, and she is not sure where it all is. Is it possible to get a list of all resources in the State who are performing the same services? Representative Moore mentioned maybe staff could look at that. Ms. Tolle-Whiteside said Prevent Child Abuse is working on a funding analysis about nonprofit prevention programs. There is not any designated State funding that goes towards child abuse prevention except for the North Carolina Children's Trust Fund. Representative Ray mentioned Smart Start money. Representative Weiss said Susan Morgan was putting together a more focused

information sheet on state money and where it is going and specifically related to some Smart Start money. Also, they are trying to get information on what resources different counties do have. Many nonprofits do not have state funding, and it is difficult to assess. Prevent Child Abuse of North Carolina has been asked to get the committee more specific information. Susan Morgan has made a request for some county specific information on dedicated resources for child welfare services. She has also asked for the Smart Start information. From the Division of Social Services, Ms. Morgan hopes to hear back in two weeks. The Smart Start data is probably already available, and she will request that. Ms. Barringer referred to the TPR process on the back page of the needs list. See attachment 7. Ms. Barringer would like to refine this because it is a critical issue that cannot be forgotten. She understands the TPR process has been expedited. The program has seen a dramatic increase in the number of appeals that are occurring. It is increasing the wait for children for adoption from one year to two or three years, and it is a critical problem for children. From a financial standpoint, it is more expensive too. We need some way to deal with this strategy. We need to fast track these appeals. Ms. Barringer said two statutes might be helpful: GS Section 1-288 and Section 7A-451B. It is a human and a fiscal problem for the State.

Representative Moore and Representative Weiss were looking at dates for the next meeting. The Co-Chairs requested information from DSS and Ms. Lamm on what data can be shown on malicious reporting. Also, the Co-Chairs requested information on if something is unsubstantiated, why is it unsubstantiated just in general so we would have more information. March 23 and March 24 were set as the dates for the next meeting.

The meeting adjourned at 11:10 a.m.

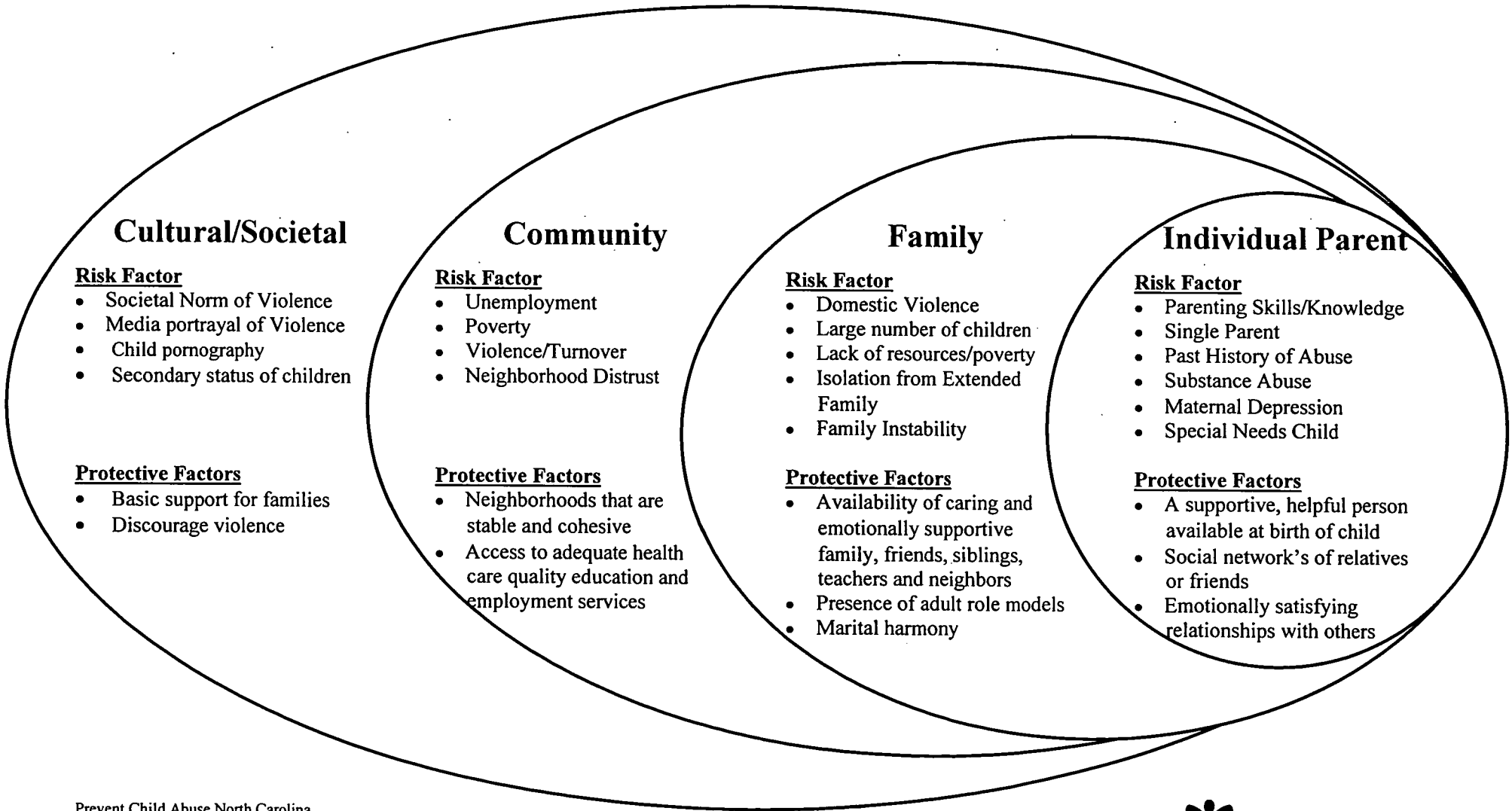
Representative Tim Moore, Co-Chair, Presiding

Nancy Garriss, Clerk

Representative Jennifer Weiss, Co-Chair

Attachment 1

AN ECOLOGICAL MODEL OF CHILD ABUSE AND NEGLECT

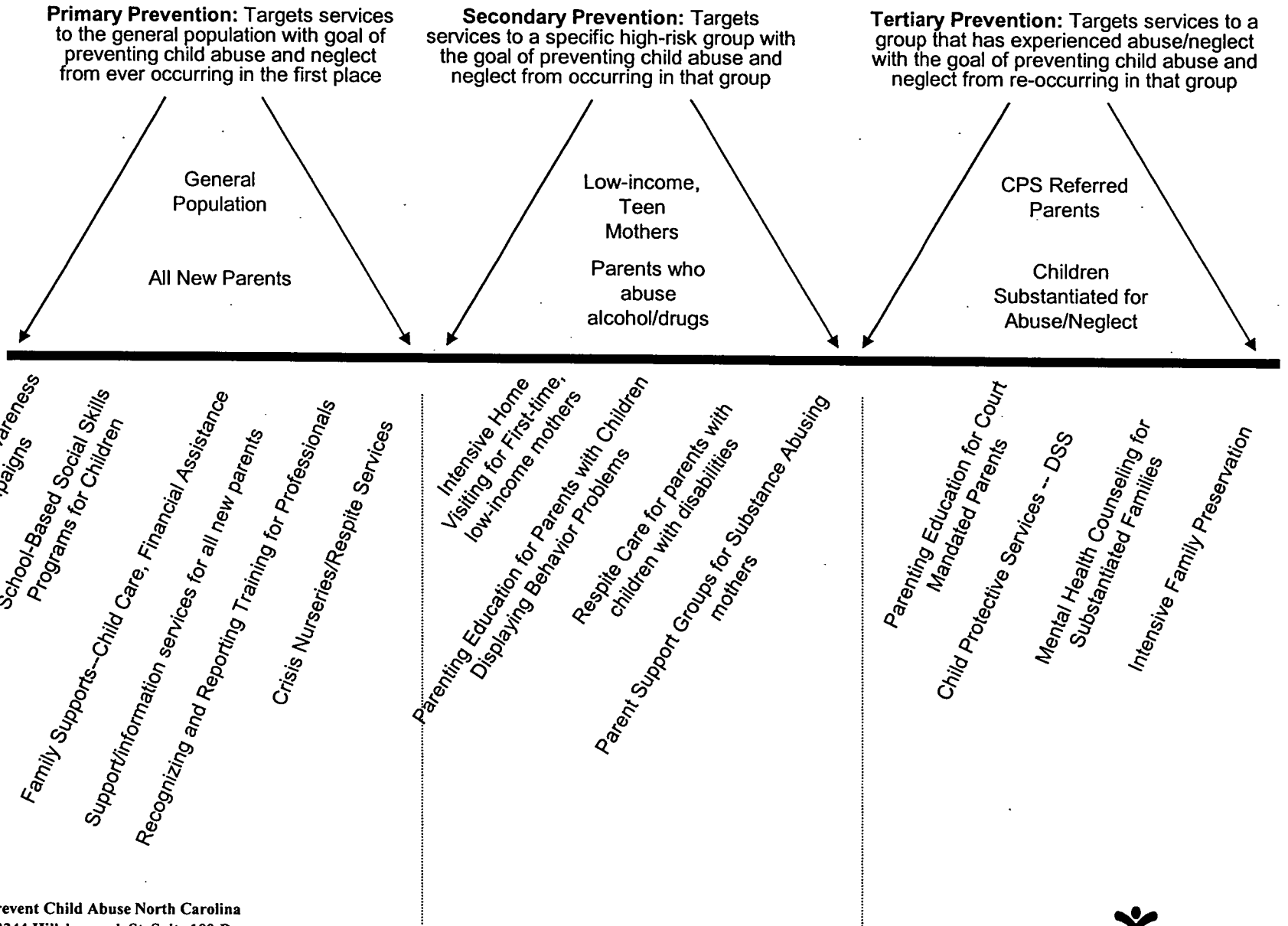


Prevent Child Abuse North Carolina
www.preventchildabusenc.org

Prevent Child Abuse North Carolina

attachment 2

Child Abuse Prevention: Continuum of Services



Prevent Child Abuse North Carolina
3344 Hillsborough St, Suite 100-D
Raleigh NC 27607
1-800-354-KIDS

Prevent Child Abuse
North Carolina

Janet Mason Attachment 5

"Any person or institution who has cause to suspect that any juvenile is abused, neglect, or dependent, as defined by G.S. 7B-101, or has died as the result of maltreatment, shall report the case of that juvenile to the director of the department of social services . . . ." G.S. 7B-301.

What is meant by a "false" report? Definitions of and synonyms for "false" include:
wrong, bogus, concocted, cooked-up, deceitful, dishonest, distorted, erroneous, fallacious, fictitious, fraudulent, improper, inaccurate, incorrect, inexact, lying, mendacious, misleading, misrepresentative, mistaken, specious, spurious, trumped up, unfounded, untrue, untrustworthy.

What modifiers should apply?

- Knowingly
- Willfully
- Intentionally
- Intentionally and in bad faith or maliciously; knowingly
- Maliciously
- Deliberately
- Knowingly or willfully
- Knowingly and willfully
- Knowingly and willingly
- Knowingly or intentionally
- Purposely or knowingly
- Willfully and deliberately
- Knew or should have known
- Knows or reasonably should know
- Knows or has reason to believe
- Knowingly, with malice
- Knowingly and intentionally
- Knowingly and intentionally, with malice
- Knowingly and maliciously
- Negligently
- Knows or reasonably suspects
- Knowingly or recklessly
- Reckless disregard of truth
- Knowingly; in bad faith or with malice

			Reasonable Cause to Suspect / Good Faith	
Malice	**Bad Faith**	**Negligence**		**Certainty; Actual Knowledge**

Attachment 6
Janet Mason

Failure to Report Abuse, Neglect, or Dependency

Current N.C. Law

- Universal reporting requirement. The duty to report applies to everyone.
- No statutory civil or criminal penalty for failing to report.
- Very small potential for criminal prosecution under old common law theory.
- Potential for civil liability if a failure to report results in harm to the child.

Other States: Criminal Penalties

- In many states the duty to report – and therefore any criminal penalty for failing to report – applies only to specified groups of people.
- In most states the failure to make a required report of abuse or neglect is a misdemeanor.
- In a few states the offense is a felony if the person has a prior conviction.

Other States: Civil Remedies

- A few states have statutes that provide specifically for the recovery of civil damages when a child is harmed as the result of someone's failure to report.
- As in North Carolina, even without a statutory provision, the potential for civil liability probably exists in all states if the failure to report results in harm to the child.
- In states that do not have a universal reporting requirement, civil actions are likely only against mandated reporters.

Other States: Other

- In one state (CT), a person who fails to report may be fined and required to attend a training program.
- One state (IL) that has criminal penalties also requires referrals to the professional boards of certain professionals who fail to report.

False Reports of Abuse, Neglect, or Dependency

Current N.C. Law

- No statutory civil or criminal penalty for making false reports.
- Potential for civil liability under common law. Because N.C. law creates a presumption that all reports are made in good faith, a plaintiff has the burden of overcoming that presumption and proving malice.

Other States: Criminal Penalties

- About half of the states have statutory criminal penalties for making false reports if the reports are made knowingly, willingly, maliciously, or as otherwise qualified by the statute.
- The offense generally is a misdemeanor; in some states it becomes a felony if there is a prior conviction.
- No state imposes a penalty just for making a "false" report.

Other States: Civil Remedies

- About ten states have statutes that provide specifically for civil actions against people who make malicious reports. (In some cases recovery can include attorneys' fees and cost.)
- As in North Carolina, even without a statutory provision, there probably is some potential for civil liability.

Other States: Other

- One state (OK) imposes a fine of up to $5,000 if the malicious report is made during a child custody proceeding.
- In one state (TN) malicious reporting is a felony, but the offense applies only to reports of sexual abuse.

February 12, 2004

Penalties for False Reports of Child Abuse, Neglect, or Dependency

North Carolina is one of very few states that have no statutory penalty for either failing to make required reports or deliberately making false reports of suspected child abuse, neglect, or dependency.

North Carolina law, G.S. 7B-309, provides immunity "from any civil or criminal liability that might otherwise be incurred or imposed" for people who make reports (as well as for people who testify in related court proceedings or participate in related programs). The immunity applies, however, only when a person acts "in good faith." In any court proceeding there is a presumption that the person acted in good faith.

That wording suggests that civil or criminal liability might be incurred by or imposed on someone who makes a report in bad faith, knowing the report to be false. No North Carolina statute specifically addresses liability for such conduct, however, so any legal action against someone who reports in bad faith must be brought under other more generic statutes or the common law.

In a civil action against a North Carolina school principal who reported suspected abuse the plaintiff alleged (1) malicious prosecution, (2) defamation, (3) intentional infliction of emotional distress, and (4) negligence. *Davis v. Durham City Schools*, 91 N.C. App. 520, 372 S.E.2d 318 (1988). In an action against a store and the store employee who made a report to social services a parent alleged slander *per se* and intentional infliction of emotional distress. *Dobson v. Harris*, 352 N.C. 77, 530 S.E.2d 829 (2000). Plaintiffs in both cases were unsuccessful, on the basis that they failed to present evidence sufficient to overcome the statutory presumption that the person making the report had done so in good faith.

In *Dobson v. Harris* the North Carolina Supreme Court stated that false accusations of child abuse are slander *per se*, but that a plaintiff, to overcome the statutory presumption of good faith, has the burden of proving "actual malice" on the part of the person who made the report. Actual malice, the court said, "may be proven by evidence of ill-will or personal hostility on the part of the declarant or by a showing that the declarant published the defamatory statement with knowledge that it was false, with reckless disregard for the truth or with a high degree of awareness of its probable falsity."

Thus, North Carolina courts have acknowledged that civil causes of action may exist against people who report falsely. Because of the state's strong policy of encouraging people to report when they should, however, a plaintiff in that kind of civil case has the burden of overcoming the good-faith presumption. In seeking relief in a civil action a person who thinks he or she is the subject of a maliciously false report also may have practical problems such as (1) learning the identity of the person who made the report, which departments of social services are required to keep confidential; (2) obtaining legal services to undertake civil litigation; and (3) even if successful in overcoming the presumption of good faith, proving damages sufficient to make the litigation worthwhile.

There are no reported cases in North Carolina relating to criminal prosecution for falsely reporting to social services suspected child abuse, neglect, or dependency, and it is not at all clear that such conduct constitutes a crime under North Carolina law. (A statute, G.S. 14-225, does create a Class 2 misdemeanor of making a false, misleading, or unfounded report of any kind to a law enforcement officer or agency for certain prohibited purposes.)

According to a report from the National Clearinghouse on Child Abuse and Neglect Information (current through July 2003),

> [a]pproximately 31 States and Puerto Rico and the Virgin Islands have statutes specifying penalties for false reports of child abuse or neglect. The most common standards are 'knowingly' and/or 'willfully.' The penalties imposed are similar to those for failure to report. The majority of States classify false reporting as a misdemeanor. In nine States, however, a false report may be classified as a felony under specific circumstances.

The report outlines each state's statutory response to false reporting as well as the kind and amount of any civil and/or criminal penalties, which vary greatly from state to state. The full report is available at http://nccanch.acf.hhs.gov/general/legal/statutes/sag/report.pdf.

Those with obvious interest in any change in this aspect of North Carolina law and the policy any such change should reflect include county social services personnel, including agency attorneys; prosecutors; judges; and various advocacy groups.

Janet Mason
Professor of Public Law and Government
School of Government
The University of North Carolina at Chapel Hill
Telephone: 919/966-4246
mason@iogmail.iog.unc.edu

attachment 7

NEEDS AND CONCERNS IDENTIFIED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION
Revised March 2, 2004

Information Sharing

- NC FAST. A comprehensive, statewide computer system of Child Protective Service (CPS) records to be made available to all 100 counties. Funding may be needed to implement the statewide computer system. Amount needed?
- Statewide criminal background checks need to be available to all 100 counties through the Administrative Office of the Courts. A contract between DHHS and AOC is currently under negotiation to allow for this process. All 100 counties should have access by July 2004.
- Lack of awareness among sister agencies, professions and all community members of the need to notify the local department of social services when a child is in a potentially harmful situation. Training, education, and better communication should address this issue.
- Federal criminal background checks are not always obtained in situations where the check is available as an assessment tool to the social worker. Training, knowledge, and better communication among agencies should address this issue.

Training/Staffing

- Large turnover rates among CPS workers.
- Training of new, entry-level social workers is not adequate for the worker to begin in the field on the date of employment.
- Recruitment of entry-level social workers is a problem for most counties.
- Pay for CPS workers varies drastically from county to county across the state.
- Ratio of CPS workers to families varies drastically from county to county across the state.
- False reports

MRS – Multiple Response System

- Implementation and training of the system across the 100 counties. To date 10 counties have fully implemented the system. What can be learned?
- Evaluation of the system. What is being done to evaluate the implementation process? What is being done to evaluate the use of the system and its impact on the children and the family?
- Funding. Is additional funding needed to fully implement the system?

Prevention

- Lack of funding for Child Fatality Task Force. Restore funding for Child Fatality Task Force.
- Lack of parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state. Comprehensive strategy should be developed by DHHS to address need for child abuse/neglect prevention programs across the state (assess what programs are working, examine existing funding sources for prevention programs and restore funding where needed).
- Lack of mental health and substance abuse services in communities.
- Need for childcare subsidy
- Need for 2nd and 3rd shift childcare services

Foster Care – Miscellaneous

- Low GAL attorney fees for representation of children. (Guardian ad litem attorney advocates' reimbursement rate is approximately one half that of criminal defenders.) Raise reimbursement rate.
- Expedited TPR process, particularly the appeal process, is needed to obtain safe permanent homes in the appropriate time frames.
- Funding for special needs children in foster care is not adequate to address needs. How much is needed?
- Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.
- Transportation assistance
- Availability of information about foster care to attract prospective foster parents

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 3, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John Kurtz	NCFPC
Charisse Johnson	WAGES
Melissa Parker	NASW-NC
Becky Wrisley	Prevent Child Abuse North Carolina
Janet Mason	Institute of Government - UNC-CH
Debbie Goldstone	YAIO / Dept. of Admin.
Tasha Gardner	YAIO
DAVID GORDON	AG'S OFFICE
JoAnn Lann	DHHS / DSS
Sherry Bradsher	DHHS / DSS
Keitt McCormick	Student

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 3, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Pam Loaman	OSBM
Tina Quiller-Morgan	OSBM
Brad Fowler	GAL Program PO Box 2448 Raleigh 27602
Shaba Mchenry	NC DHHS
Evelyn Williams	NC Child Welfare Education Collaborative
Eric Frazier	Charlotte Observer
Michelle Hughes	Prevent Child Abuse NC

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

March 3, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Monday, March 22, 2004 at 9:00 a.m.
Tuesday, March 23, 2004 at 9:00 a.m.

LOCATION: Room 544, LOB, on March 22nd
Room 643, LOB, on March 23rd

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

March 3, 2004

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Monday, March 22, 2004 at 9:00 a.m.
Tuesday, March 23, 2004 at 9:00 a.m.

LOCATION: Room 544, LOB, on March 22nd
Room 643, LOB, on March 23rd

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

March 5, 2004

MEMORANDUM
CORRECTION

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Monday, March 22, 2004 at 10:00 ~~9:00~~ a.m.
Tuesday, March 23, 2004 at 9:00 a.m.

LOCATION: Room 544, LOB, on March 22nd
Room 643, LOB, on March 23rd

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, & ADOPTION

March 22, 2004, Room 544 LOB, 10:00 a.m.

March 23, 2004, Room 643 LOB, 9:00 a.m.

OPENING REMARKS

Representative Jennifer Weiss - Presiding March 22nd
Co-Chair

Representative Tim Moore – Presiding March 23rd
Co-Chair

AGENDA ITEMS

Approval of Minutes

NC Fast – Lanier Cansler, DHHS

NC Fast & Case Management - Roy Young, Director, Union Co. DSS

Malicious/False Reporting Survey Results – DSS - Keith Dews

DHHS – Secretary Carmen Hooker Odom

Multiple Response System (MRS) Goals for 2004 – DSS - JoAnn Lamm

Fiscal Update – Susan Morgan, Staff

Discussion of the Recommendations of the Committee (Draft Legislation)

CHILD ABUSE AND NEGLECT, FOSTER CARE AND ADOPTION COMMITTEE

Monday, March 22, 2004
10:00 a.m.
Room 544, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care and Adoption Committee met on Monday, March 22, 2004, in Room 544 of the Legislative Office Building. Representatives Weiss and Moore, Co-Chairs, Barnhart, Blackwood, Clary, Dickson, Eddins, Farmer-Butterfield, Frye, Hunter, Jeffus, Lucas, Parmon, Preston, Ray, Ross, Warner, and public members, Ms. Barringer, and Ms. Tolle-Whiteside attended. Also, in attendance were Ms. Churchill, Ms. Morgan, Ms. Jessup, staff counsel, and Doug Holbrook, fiscal staff.

Representative Weiss presided and called the meeting to order. She thanked the committee, the staff, and the sergeant-at-arms and asked for a motion to adopt the minutes of the previous meeting. Representative Jeffus moved adoption of the minutes. The motion carried unanimously.

Representative Weiss introduced Lanier Cansler, DHHS, to update the committee on NC FAST. Mr. Cansler is dedicated to making sure this system is put in place. There are currently eight different pieces of the pie in Health and Human Services and DSS: Work First, Food Stamps, Medicaid, Health Choice for Children, Child Support Enforcement, Child Care, Child Welfare, and Adult and Family Services, and there is currently no system that ties them all together. He gave an example of a family that had moved twenty-seven times and was hard to track. NC FAST would help to identify the case, and the case history would follow the families when they move in the state. This is a child welfare benefit and a safety benefit. With the issue of management, there will be timesavings. Eighty-five percent of the time, workers spend time filling out paperwork. If a system were already in place, they would be able to follow the file. There is a 31% turnover rate of workers. It can take six months to fill a position and then take six months to get the worker trained. If we can focus more on providing the services with a more efficient system, there will be a great benefit in timesaving and cost saving. It will also give a lot of management measures to follow the cases. The workers will be able to see what the outcomes are and will be able to see how we can improve the situation. They will be able to track malicious reports with the system. With the information in one data file, workers can track children throughout the State. It is very important to get a system in place. Building a system ourselves becomes a major and time-consuming project. The timing of how quickly we get this done is important. We do not want to be five years out and not have a system. DHHS is looking at web-based systems across the nation and in our state that will do what we want it to do. Twenty systems have been identified that have the potential. Many of these systems have been previously, partially paid for with Federal dollars, as our system would be. A team of DHHS employees has already been

to Maine, and next week others are going to Minnesota to look at their child welfare system. By the end of April, the best system for North Carolina will be identified. After the April deadline, DHHS will submit an amended request to the federal government for their continued funding of this project. They will be going to the Information Resource Management Commission (IRMC) to start talking about the project and get the preliminary discussions going for their approval on it. Then, they will transfer to the new system. It will cost the State no more $7 ½ million and no less than $2 ½ million. Mr. Cansler will request appropriations for $5 million to try and deal with this in the next year. Mr. Cansler's goal is to have a system operational before June 30, 2005. There are counties in North Carolina that have systems they are looking at, but they are not designed to be statewide, but they are investigating. There will be some additional dollars as they build on this system. They want to get the base system in place. (See Attachment 1.)

Representative Barnhart asked what kind of issues did Mr. Cansler foresee with respect to compatibility. He also asked about the potential need to force counties to do things a different way so that everyone is compatible and the information is truly accessible across the State. Mr. Cansler said their goal is to have a system all counties can use. Their intention is also to have an interface capability so counties that already have systems can interface into their system. The information will pass and they will be able to access the information in their database. Ideally, when counties need to develop or upgrade systems, they will find it more beneficial to join the DHHS system than to develop their own systems. They are developing the interface capability now.

Representative Dickson asked about the anticipated costs, if any, to the individual counties. Mr. Cansler said it is not their intention for the counties to have any costs in the development of this system. There are still a few counties that don't have Internet access, and this is a web-based system. In June, they want to start online verification and find out if someone is signed up and qualified under a particular program such as Medicaid. Basically the counties need a PC in their offices. Representative Weiss said it would be helpful to find out how many counties do not have Internet access in case there is a State appropriation for that. Mr. Cansler responded to a question from Representative Blackwood for the cost of the system. Mr. Cansler thinks $5 million from the State and another $6 million or so from the federal government. Representative Clary wanted to know if the costs he quoted included the costs of securing the site. Mr. Cansler said they had to meet standards. In state dollars over the next several years, they will probably spend $12 to $21 million. That is getting the base system in place, operational, and making whatever adjustments need to be made. If he can get the $5 million appropriation, and if there is a need for more dollars to get the project going, he will try and locate them with the DHHS department. Right now, he does not have enough money to move forward. Representative Eddins requested an e-mail of the states that have success stories because he would like to do some research. Representative Weiss asked for the timeline again. Mr. Cansler stated his goal is to have the base system in place no later than June 30, 2005. They want to identify the systems by the end of April 2004, make application with the federal government to approve what they are doing and

provide funding. They are intent on an implementation. Also, they are looking for dollars to maintain the system.

Roy Young, Director, Union County DSS, was introduced to speak on NC FAST and case management. He said of the 100 counties, 97 counties are in full support of a statewide system. Mr. Young showed an example of two parts of a five-part record of one family. The two parts were thick paper files, which illustrated how DSS has been maintaining records. Most counties do not have any automation to support their workers at the line level. Information is not shared among counties. With a high turnover rate of CPS workers, there is a time when someone else has to pick up the caseload when there is a vacancy. You run the risk of a child being harmed if you have to start all over again. At the county level, they would like to be able to better draw conclusions. If they have better data to work with, then they will make better decisions and allocate their resources in a better way. The online case management system provides the social worker with the tools that are needed to do the job of protecting children. If you can enter the data about a family, you have got the case narrative right there in front of you; you have key dangers to look for in a situation. The system would have triggers for reporting purposes, for sending notices, when to make contacts, and simple reminders. An automated system would make it easier to search for a family in times when you need to make a decision quickly. They need the automated system in order to improve their capacity to protect children.

Representative Blackwood asked if Mr. Young had experienced malicious reports. Mr. Young has.

Keith Davis, DSS, was introduced to speak on the malicious/false reporting survey results. (See Attachment 2 and the Child Welfare Survey on the back of the page.) The counties had a one-week turnaround time so they could get the information back to the committee. Mr. Davis conducted an analysis of the survey and found the counties used a variety of methods to respond to the survey. Some counties gave it their best guess, and some small counties could look at each and every record. Also, some counties polled staff or used one month as an example in malicious reporting. The results varied from no cases of malicious reports to one county reporting 50% of all unsubstantiated reports were malicious and therefore, a huge problem for that county. One point was how can they be sure what was in somebody's head. Another point is what is child abuse and what are minimum standards. Mr. Davis gave several other points. There is a margin of error in the survey, but the counties did a great job in responding quickly. (See Attachment 3 with county results.)

Representative Dickson made the comment there was not much uniformity in the survey information with one county interpreting it one way and another county interpreting it another way. It may not be very meaningful across the state because it is not uniform. Mr. Davis thought it was hard to answer, but counties gave it their best shot. They did develop a definition of malicious to help the counties with that. If they were able to track it on a daily basis then they would have better information.

Sherry Bradsher, Deputy Director, DSS commented she had a number of calls from counties about the surveys. Some counties did not have a lot of documentation to support it. Larger counties had to make their best guess.

JoAnn Lamm, DSS, was introduced to speak on the Multiple Response System (MRS) goals. MRS is a system reform effort in North Carolina that covers the whole broad spectrum of child welfare. There are seven strategies with MRS and the first strategy is structured intake. The second is responding to families in a way that is much more family centered. Third is to emphasize the relationship with law enforcement. The forth and fifth strategies are to engage families more. They have child and family teams. There is no longer hiding behind the social worker's back. The sixth strategy is to engage and keep foster parents. Seventh is a greater collaboration between Work First and Child Welfare because they are serving similar families. MRS started out in ten counties in August 2002. Forty-two counties came in during 2003 so now 52 counties are using MRS. Their goal is to take MRS statewide. They would like help in achieving the one to eight caseload. A goal is to have workers supported in ways of training. Also, Ms. Lamm would encourage the committee to look at expanding the education collaborative. Their goal is not to keep training workers all the time, but to retain them. They also need facilitators for child and family teams. Another area is to help them with a statewide recruitment and retention of foster parents. Also, training and education of the social workers is needed. For them to be successful in implementing MRS, the division needs some support as it relates to staffing to be able to provide the supervision and direction to the county departments of social services.

Representative Clary asked how much is allocated for training. Ms. Susan Morgan, staff, responded that there is an amount of money in the TANF block grant that is directly affiliated with training. Also, counties have a variety of block grant funds. The majority of funds she believes are federal. Representative Clary asked about the amount of training. Ms. Lamm responded it is quite extensive and ongoing. There are five sites in the state. A second series of training deals with details, and there are specialized trainings. A worker has to complete 18 hours of training each year. Representative Ray asked how many BSW workers are we turning away because they do not have two years of experience. Ms. Sherry Bradsher said most DSS's do not turn away that professional degree. They will exchange that for the lack of experience and put them in a work against position. It will give the worker the opportunity to perform, pay them a little less until they get that one-year of experience and then move them into the full position. It seems to be good for education and help them attain the experience. Ms. Tolle-Whiteside asked about costs of staffing issues. Ms. Beal, DSS, said they are working on the costs figures now. Representative Weiss asked Ms. Lamm to provide the Department's MRS goals in writing to the commission. Ms. Lamm passed out a memo to update the committee on the Administrative Office of the Courts Contract for state criminal background checks and on charges in pre-employment training and training requirements for experienced social workers that DHHS was in the process of putting into place to make it easier for county DSS departments to employ temporary social workers in vacant positions. (See Attachment 4.)

The committee recessed for lunch at 11:50, and re-convened at 1:30.

Representative Weiss introduced Ms. Susan Morgan, Fiscal Research staff, who spoke on funding sources, child welfare expenditures, social service expenditures summary by service area and county profiles showing the portion of Federal funds each county spends. (See Attachment 5 with Sub-attachments A, B, C, and D.) Ms. Morgan said that North Carolina is one of thirteen states with a state supervised – county administered system. Of the four parts of Title IV Federal Funding, she presented Part D – Child Support and Part E - Foster Care and Adoption Assistance.

In response to questions about Smart Start funding, Mr. Tony Solari, North Carolina Partnership for Children, stated that 43% of the Smart Start allocation is spent for childcare subsidies and that there is a waiting list of 22,000 – 24,000 statewide. Legislation mandates that Smart Start funds and services are used for children with greatest need being served first. He also said that the subsidy is on a sliding scale based on income and that subsidy needs are tested. (See Attachment 6.) Representative Weiss asked staff to get information, possibly today, on how much money it would take to reduce the waiting list statewide.

There are twenty-seven prevention programs that come under the Children's Trust Fund, which is administered by the Department of Public Instruction. The Fund has a recurring budget of $250,000 per year. Other funds come from the marriage license fee and the Kid's First driver's license fee. This year there is a projected year-end cash balance of $388,000. Programs are funded through an RFP process. The funding guidelines can be changed by legislation. Representative Ross asked that legislation be further discussed when the committee recommendations are discussed.

Doug Holbrook, Fiscal Research staff, talked about the Guardian *ad Litem* funding. (See Attachment 7.) Funding is made on a district basis with the present year's funding based on the total workload for the previous year's work. When asked how much each of the judicial districts uses the GAL program, and which use it to the best advantage, Mr. Holbrook said he would follow up to determine how the different districts use attorney resources and where the differences are.

Representative Moore commented that he wanted to be sure counties are not further burdened with expenses through recommendations made by the committee and, that if more expenses are incurred by the recommendation(s), that the committee find a way to pay those additional expenses at the state level. He asked staff to let the committee know the cost to counties and the cost to the State of any recommendations made.

Carmen Hooker Odom, Secretary, Department of Health and Human Services, thanked the committee for their leadership and she spoke about the requests of DHHS for 2004. Secretary Hooker Odom stressed the need for safe communities and strong families. She focused on four areas critical to child well being and strengthening of families through their partnership with local county departments of social services: 1) the importance of reducing the ratio of social workers to children with a multi-year approach to funding for

more trained social workers and expansion of the Education Collaborative; 2) technical assistance for the Multiple Response System (MRS) to move it statewide and provide assistance in developing child and family teams across the state and providing recruitment and retention of adoptive and foster care parents; 3) training initiative to allow adequate training across the disciplines; and 4) evaluation and monitoring of programs to meet the guidelines for Federal funding. Secretary Hooker Odom also listed NC FAST as a priority of DHHS.

In answer to the question of whether relatives can be adoptive or foster care parents and what training is necessary, Ms. JoAnn Lamm, DHHS, Division of Social Services, said they are required in statute to always look to the family first. They are also required to offer a relative licensure to be a foster parent; though family members do not have to be licensed.

Representative Hunter suggested the committee look at the problem of monies for child welfare and social services being in different departments. Representative Barnhart asked staff to look into this and whether it makes sense to move the monies into DHHS.

Ms. Tolle-Whiteside asked Secretary Hooker Odom to furnish the committee with copies of the report from the Division of Child Development on child abuse.

After a short break, Representative Weiss asked the committee to look at the Draft Outline of Report. (See Attachment 8.) Discussion followed on the recommendations previously made by the committee. Additions, changes, and deletions will be made by staff and sent to the committee via e-mail by Friday, March 26.

Since the business of the committee was concluded today, the meeting for March 23rd was cancelled. The next meeting date was set for Wednesday, March 31st with April 1st reserved if needed.

The committee adjourned at 4:45.

Jennifer Weiss

Representative Jennifer Weiss, Co-Chair, Presiding

Susan Doty

Susan Doty, Clerk

NEEDS AND CONCERNS IDENTIFIED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION

Revised March 2, 2004

Information Sharing

- NC FAST. A comprehensive, statewide computer system of Child Protective Service (CPS) records to be made available to all 100 counties. Funding may be needed to implement the statewide computer system. Amount needed?
- Statewide criminal background checks need to be available to all 100 counties through the Administrative Office of the Courts. A contract between DHHS and AOC is currently under negotiation to allow for this process. All 100 counties should have access by July 2004.
- Lack of awareness among sister agencies, professions and all community members of the need to notify the local department of social services when a child is in a potentially harmful situation. Training, education, and better communication should address this issue.
- Federal criminal background checks are not always obtained in situations where the check is available as an assessment tool to the social worker. Training, knowledge, and better communication among agencies should address this issue.

Training/Staffing

- Large turnover rates among CPS workers.
- Training of new, entry-level social workers is not adequate for the worker to begin in the field on the date of employment.
- Recruitment of entry-level social workers is a problem for most counties.
- Pay for CPS workers varies drastically from county to county across the state.
- Ratio of CPS workers to families varies drastically from county to county across the state.
- False reports

MRS – Multiple Response System

- Implementation and training of the system across the 100 counties. To date 10 counties have fully implemented the system. What can be learned?
- Evaluation of the system. What is being done to evaluate the implementation process? What is being done to evaluate the use of the system and its impact on the children and the family?
- Funding. Is additional funding needed to fully implement the system?

Prevention

- Lack of funding for Child Fatality Task Force. Restore funding for Child Fatality Task Force.
- Lack of parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state. Comprehensive strategy should be developed by DHHS to address need for child abuse/neglect prevention programs across the state (assess what programs are working, examine existing funding sources for prevention programs and restore funding where needed).
- Lack of mental health and substance abuse services in communities.
- Need for childcare subsidy
- Need for 2nd and 3rd shift childcare services

Foster Care – Miscellaneous

- Low GAL attorney fees for representation of children. (Guardian ad litem attorney advocates' reimbursement rate is approximately one half that of criminal defenders.) Raise reimbursement rate.
- Expedited TPR process, particularly the appeal process, is needed to obtain safe permanent homes in the appropriate time frames.
- Funding for special needs children in foster care is not adequate to address needs. How much is needed?
- Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.
- Transportation assistance
- Availability of information about foster care to attract prospective foster parents

Jamie Carolyn Attachment 1

North Carolina Department of Health and Human Services
Benefits of NC FAST
March 2004

NC FAST provides streamlined assessment, eligibility, and work flow management tools that will minimize future county staff labor costs, expand the family case data available, and increase the staff time available to work with families and make decisions to improve child welfare and safety.

Additional benefits of NC FAST are listed below.

- The family unit will be the focus of service delivery.
- Comprehensive, accurate, and timely information will be shared statewide and across program areas.
- Case Management tools will provide child welfare practitioners with the information they need to manage case loads better and make decisions that improve child welfare and reduce child fatalities.
- The automated Case Management tools will reduce the time child welfare practitioners spend on administrative functions.

The program areas included in the scope of NC FAST cover services that impact child welfare. These program areas are:

- Work First
- Food Stamps
- Medicaid
- NC Health Choice for Children
- Child Support Enforcement
- Child Care
- Child Welfare Services
- Adult and Family Services

With the recent developments in the area of Child Welfare, the Department has requested that the Division of Social Services and the Division of Information and Resource Management expedite their review of Case Management systems that could provide potential solutions to this Child Welfare crisis and a solid starting point for the NC FAST project. The evaluation process will be completed in April 2004.

NC FAST Benefits to Child Welfare Services

NC FAST will automate administrative functions for child welfare services by providing a user friendly, web-based method of entering case information. Benefits include availability of comprehensive data, improved communications, case worker time savings, and outcome measures.

Comprehensive Information

- NC FAST will provide immediate access to comprehensive, statewide Child Welfare program data such as child abuse protective services reports and foster care/adoption information. Case Management functionality for child welfare services will give counties information needed across both program and county lines.

- NC FAST will collect and maintain information at the family level, which will result in a more complete view of the situation.

- NC FAST will provide counties with quick on-line access to a family's information when the family moves from one location to another within the State. The State and counties will be able to track families throughout the system regardless of where the family lived last and in which program(s) they participated. This is particularly valuable to Child Welfare / Protective Services workers, who will be able to access immediately this information when the family contacts their office.

- NC FAST will provide ready access to historical information including where the child has lived, who the caretakers have been, other agency involvement, and prior reports of child protective services as well as other program history.

Improved Communications

- NC FAST will implement a single automated system that will enhance communication within an agency and between agencies regarding families. Recent media stories regarding child fatalities cite poor or lack of communication between agencies as a contributing factor. The ability to track children and families across county boundaries and to communicate findings and risk assessments to different agencies can prevent tragedies for children, the elderly, and their families.

- NC FAST will also serve as an effective fraud and abuse prevention tool since information that is entered or later revised by any program will be available to all program areas. Current manual methods (i.e., pen and paper) of determining eligibility and sharing information between program areas cost the county, State, and federal government dollars in ineligible or incorrect benefit amounts and result in incorrect decisions for families.

Time Savings

- A new system will result in time savings since work flow will be streamlined and duplicate and redundant data entry for each incident or contact will be eliminated.
- Case workers will be able to spend more time providing services and support to families.

Outcome Measurements

- NC FAST will assist in determining the effectiveness and efficiency of service delivery and determining whether the intended results for the client were realized.
- The comprehensive information available in NC FAST will facilitate quicker and easier agency response to legislative inquiries about programs and resources.
- NC FAST will provide the State with access to real time information for the performance indicators that must be tracked in the various programs.

NC FAST Case Management Benefits

NC FAST contains many elements considered Case Management functions. These functions will help county case workers and supervisors manage their work more efficiently and completely. The NC FAST scope includes several program areas that impact Child Welfare such as Medicaid, Work First, Food Stamps, and NC Health Choice for Children. The NC FAST Case Management functions have been organized and prioritized, though the project will remain flexible to deliver functions by program as needed by the counties and/or the State.

The Case Management functions to be provided by NC FAST are listed below.

- **Needs Assessment** - This function will provide automated self-evaluation of program eligibility and enable case workers to prescreen applicants and document the client's needs and potential eligibility for benefits and services.
- **Shared Screening Data** – This function will provide an on-line, cross-program application, which captures data elements common to all the programs in scope for NC FAST. The shared screening data eliminates the need for clients and case workers to enter the same demographic data in multiple applications. Plus, data concerning client households and relationships will be created.
- **Eligibility Rules** – This function will automate the addition/updating of programs, including services/benefits associated with programs and detailed program eligibility rules.
- **Eligibility Determination** – This function will provide automated eligibility resolution and benefits/deductible calculations.
- **Program Supplement Applications** – This function will provide on-line, program-specific applications of data elements not shared across programs. For each new program applied for by a client, a new file will be added to the client's case folder.

- **Communications/Contact Management** – This function will capture individuals' contacts with case workers at any point in the human services process. NC FAST will capture client and non-client communications and will provide case workers with correspondence templates and managed intake logs.
- **Service Plan Management** – This function will record all case-related activities and status and will provide service plan templates, calendar events, referrals, narratives, and reviews of closed cases.
- **Service-Benefits Interface** – This function will retrieve and update data from benefits and service delivery systems such as the Eligibility Information System (EIS) and the Food Stamps Information System (FSIS). Users will be able to access benefits and service status from existing legacy systems, as well as track benefits delivery and services provided by these legacy systems.
- **Case Load Management** – This function will provide case worker supervisors with the ability to manage caseloads across a team of workers.
- **Provider Management** – This function will enable the entry and update of provider information for which NC FAST is the system of record. It also associates providers to specific program benefits and services. In addition, the eligibility rules that enable providers to participate in each program will be captured.
- **Additional Communications Methods** – This function will provide additional communication to NC FAST such as a service portal and public kiosks. As a result, citizens will gain limited access to assessment and eligibility tools.

NC FAST Projects in Development

Two priority projects, Online Verification and Service Delivery Interface, are in progress now which will provide more immediate functionality to some county workers:

Online Verification

- A web-based Online Verification system for use by county workers of the Work First, Medicaid, NCHC, Food Stamp, Child Care, and Child Support Enforcement programs.
- The Online Verification system will eliminate the need for workers to log into multiple systems for client data verification.
- The pilot for the Online Verification system will start in July 2004.
- The Online Verification function will be reused for NC FAST Case Management.

Service Delivery Interface

- The Service Delivery Interface will provide an interface engine for county case management systems to eliminate dual data entry for TANF, Medicaid, Food Stamps, and Child Care Subsidies.
- The Service Delivery Interface pilot will start in September 2004.
- The Service Delivery Interface function will be integrated with the NC FAST Case Management.

Keith Davis
Attachment 2

North Carolina Department of Health and Human Services
Division of Social Services

325 North Salisbury Street • Raleigh, North Carolina 27699-2406
Courier # 56-20-25

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Pheon E. Beal, Director
(919) 733-3055

March 5, 2004

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES

ATTENTION: Child Welfare Program Managers and Supervisors

SUBJECT: **Legislative Committee Survey on Malicious CPS Reports**

The House Interim Committee on Child Protective Services, Foster Care and Adoptions has been diligently studying Child Welfare issues in recent months. In the course of this research, the House Committee has interviewed many involved parties, including county DSS Directors and staff, Division staff, child welfare advocates, local law enforcement agencies, private providers and many others. During their contact with county DSS agencies, House Committee members were made aware of a real concern many counties expressed with what is being called malicious CPS reports. As a result of this concern, this week the House Committee requested that the Division compile data for every county DSS agency around this issue. Specifically, the Committee wants input from every county DSS regarding unsubstantiated reports for SFY 03 (July 1, 2002 – June 30, 2003). Based on each county DSS's review of their unsubstantiated reports during this period, the Division has been requested to compile data in response to two survey questions, which are attached.

Please know that we at the Division appreciate all that you have done in providing data for multiple surveys during the past few months. We will continue to work to provide you with as much assistance and support as possible. The collection of data is a part of this process.

Attached to this letter are our survey questions. Please put forth your best effort and respond by completing this survey by March 12, 2004. Because of the House Committee's desire to get this report prior to their next meeting later this month, it is crucial that you answer the survey questions and get the results to Keith Davis no later than close of business on Friday, March 12, 2004. It would be very helpful if your response could be sent by email to keith.davis@ncmail.net. Your Children's Program Representative (CPR) or another Division staff member will be conducting follow-up with you about this survey. If you have any questions, please call your CPR or Mr. Davis at (919) 733-7831.

Sincerely,

Jo Ann Lamm, Administrator
Family Support and Child Welfare Services Section

JAL/men
Attachment
cc: Pheon Beal
Sherry Bradsher
FSCWS Team Leaders
CPRs
FSCWS-06-2004

Child Welfare Survey on Malicious Reports

In support of the work being undertaken by the House Interim Committee on Child Protective Services, Foster Care, and Adoptions, please complete the questions below as thoroughly as possible. Please email your responses to Keith.Davis@ncmail.net no later than close of business on Friday, March 12, 2004. If you have questions, please contact your Children's Program Representative, or Mr. Davis at (919) 733-7831.

1. Of the total number of unsubstantiated investigative assessments conducted by your agency between July 1, 2002 and June 30, 2003 (SFY 2003), what were some of the reasons those reports were unsubstantiated?
   (Examples may be: family referred for services during assessment period and any risk factors have been mitigated by services; or, the facts, as determined during the assessment process, did not rise to the statutory level of abuse or neglect; or, during the course of the Investigative Assessment, it became clear this was a "malicious" report (see definition of "malicious" report below)).

2. Malicious reports can be defined as: ***A report that is intentionally and knowingly made with inaccurate facts.***

   (a.) Of the number of reports your agency received during SFY 2003, how many of those reports could be determined at Intake to be "malicious" reports?

   (b.) How many were determined during the Investigative Assessment process to be malicious reports?

   (c.) How many of those reports determined to be "malicious", either at intake or during the Investigative Assessment, resulted in a family receiving services voluntarily?

Keith Dawes - Attachment 3

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY[redacted]3
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
ALAMANCE	1) No evidence found to confirm the allegations.2) The family was referred to community srvs, accessed these srvs, and there was no need for further CPS intervention.3)Report was one-time incident and family had taken steps to address situation.	1	22	0	1001	810
ALEXANDER	1)Facts did not rise to statutory level of abuse.2)During invs it became clear that the report was malicious.3)Alleged perp was determined not to be in caretaking role	5	15	0	185	141
ALLEGHANY	1)Majority of unsubstantiated reports due to facts not rising to the statutory level of abuse or neglect. 2)Some cases were also due to malicious reporting.	12	7	0	60	49
ANSON	Most unsubstantiated reports did not rise to the statutory level of abuse or neglect.	0	3	0	145	116
ASHE	1)Not enough evidence.2)Services offered lowered risk.3)Facts did not meet statutory definition of abuse or neglect.	0	0	0	175	110
AVERY	Several did not rise to the statutory level of abuse or neglect and some became clear it was a malicious report.	5 to 10	14	2	148	115
BEAUFORT	1)Not enough evidence to support the allegations.2)Conflicting statements between the parents and children.3)Professional collaterals could not provide sufficient evidence of maltreatment.4) Issues were more custody vs abuse/neglect.	35	50	15	535	367
BERTIE	1)Reports involved erroneous allegations or maltreatment did not rise to the level of neglect/abuse.2)Situation resloved prior to CPS intervention, thus no need for srvs.	4	5	0	68	36
BLADEN	1) All examples given by the state division. 2) In addition, reports that lack evidence; reports called in because of child custody battles; rataliation cases; misunderstanding of reporter; and some professionals (e.g. schools) wanting DSS to become a gate keeper.	0	unknown	0	267	199
BRUNSWICK	1) Report untrue.2)Problem was corrected.3)Child no longer in at risk situation.4)Parents received services that resolved situation.	undetermined	" "	0	307	90

County	SFY2003 Reasons for Unsubstantiation	SFY2003 Malicious reports determined at intake	SFY2003 Malicious reports determined during investigation	SFY2003 How many resulted in the family accepting voluntary services	SFY2003 Total # Of Reports	SFY[redacted] Total # Of Unsubstantiated Reports
BUNCOMBE	There is not evidence that meets the statutory definition of abuse, neglect and/or dependency. Note: Buncombe reports that they have no data that any reports were unsubstantiated based on the report being malicious. Also, one program manager stated that during her 15 year experience in CPS, only one report was considered malicious, by law enforcement.	0	0	0	2693	2,003
BURKE	The facts as determined during the invs did not appear to rise to the level of abuse or neglect.	0	13	0	1112	796
CABARRUS	1)No safety or risk factors to the children.2)Did not meet the law for CAN or dependency.3)Issues resolved through mediation or parental court custody issue.4)Other appropriate resources were suggested to family. Note: Cabarrus reported that they rarely have malicious reports, however about 15% of their CPS investigations could be terminated prior to the completion of all steps currently in policy. Families involved in child custody disputes report on the basis that they truly believe the child is in an unsafe environment, however this may not meet the standard set forth in law and policy.	0	"rarely have"	N/A	1147	892
CALDWELL	1)No clear evidence of abuse,negelct or dependency.2)Some were obvious malicious reports but very few.3)Isolated incident.4)Reasonable explanation.5)Issues resolved during assessment.	0	15	0	938	690
CAMDEN	1)Minimum standards of care being met. 2) Different values and judgement among reporters that call in to DSS.3)Acts committed did not meet abuse or neglect definition. 4) Other services and/or referrals needed.5)Malicious reporting and family conflict.	4	4	0	23	19
CARTERET	The investigator is unable to find evidence to support allegations. The children and parents give conflicting information during the investigative process. No physical findings at the Chilld Medical Exam. No disclosures at the Child Mental Health Eval. There were issues with parenting that does not constitute abuse, neglect or dependency.	5%	10%	0	583	400
CASWELL	1)The invs clearly showed the parents were feuding due to custody issues.2)No evidence to support the allegations.3)The evidence found did not warrant a substantiation.	0	10%	1-2%	182	122

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SF 3
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
CATAWBA	1)Unable to establish that the allegations rose to the statutory level of abuse and neglect.2)Risk to the child was low and risk factors mitigated by services and available resources.3)There was a possiblity that the report was malicious.	0	6%	0	1597	1,098
CHATHAM	1)The family was referred for srvs during the assessment period and any risk factors were mitigated by services.2)The facts, as determined during the assessment process did not rise to the statutory level of abuse or neglect.	"hardly any"	"small #"	0	484	377
CHEROKEE	1)Family referred for services or services provided.2)Family could not be located.3)Report had misleading info and identified the wrong family.4)The facts did not rise to the statutory level of abuse or neglect during the assessment process.	0	13	0	363	175
CHOWAN	1)Facts did not rise to the statutory level of abuse/neglect.2)Reporters having a higher standard of care, more than minimum.3)Services put in place to mitigate risk factors.	0	0	0	50	42
CLAY	1)Family referred for srvs during assessment period and any risk factors have been mitigated by srvs.2) The facts did not rise to the statutory level of abuse or neglect during the investigative process.	0	0	0	46	42
CLEVELAND	1)families corrected problems themselves.2)Facts of case did not rise to statutory level of abuse, neglect, or dependency.3)Families referred for services reducing any safety concerns.	7	0	0	976	646
COLUMBUS	1) Children, family and collaterals deny all allegations.2)No evidence to verify allegations to be true.3)Family,collaterals and SW verify children needs to be adequately met and no risk of harm present.4)Poverty issues and not neglect.5)Custody conflicts and not neglect.6)Children with undiscipline and delinquent problems.	Rarely"	20%	0	521	374
CRAVEN	1)Isolated incident and parents have sought help.2)Unable to confirm allegations.3)All reasons stated by the division.	0	unknown	n/a	982	722
CUMBERLAND	Most of the reports unsubstantiated fall in the category of the allegations not meeting the statutory basis for neglect and/or abuse. Some are unsubstantiated for other reasons.	15%	20%	0	2958	2,235
CURRITUCK	The facts as determined in the investigative process did not rise to the statutory level of abuse or neglect.	0	6	0	257	181

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY[redacted]
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
DARE	1)Reports did not rise to the statutory level of abuse or neglect.2)Reports determined as malicious were generally child custody issues or acquaintances that were angry at each other for various reasons.	12	14	2	157	66
DAVIDSON	1)Did not rise to statutory level of abuse/neglect.2)Services already in place and maltreatment no longer occuring.3)Family relocated and could not be located, not enough info to sub.4)Could not verify allegations.5)Malicious reports, e.g. child custody, neighborhood squabbles, and teens angry with their parents.)	20%	30%	<5%	1475	1,033
DAVIE	1)Unintentionaly not factual.2)Services offered during the assessment phase.3)Did not rise to the statutory definition of abuse or neglect.4)Custody dispute.5)Malicious reports	10	12	0	75	39
DUPLIN	1)Unable to prove allegations.2)Children denying allegations.3)family corrected situation.4)Contacts would not confirm allegations.5)Reporter did not obtain full info from child at initial report.	0	7	0	320	142
DURHAM	1)The situation did not rise to the level of conformance with the statutory definitions of child maltreatment.2)The results of the safety, risk and strengths/needs assessment did not justify a substantiation.	suspect 5-10%	240 annually ?	Unknown -low ?	1388	908
EDGECOMBE	1)Discipline-Isolated incident of discipline without severity or frequency.2)Drug use-No evidence found to support drug use.3)Srvs provided to family at onset of assessment alleviated the crisis or need for intervention.4)facts did not rise to the statutory level.	9	30	0	656	457
FORSYTH	1) Reasons given by State Division as examples.2) Family moving out of county.3)Custody cases.	10%	20%	1-2%	1393	1,148
FRANKLIN	1) Cases not rising to the standard set for abuse and neglect.2)The provision of services that reduced the risk of harm.	4	12	0	289	212
GASTON	The facts verified do not meet the statutory definition of abuse or neglect.	unknown	unknown	Unknown	1968	1,382
GATES	Examples given by the division	0	0	n/a	82	56
GRAHAM	1)Facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.2)During the course of the investigative assessment, it became clear that a malicious report was made.	0	2	0	103	63

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SF 3
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
GRANVILLE	Most unsubstantiated assessments were due to insufficient evidence found to substantiate. Conditions did not rise to the level for abuse or neglect. During the assessment process, families are referred for needed services, therefore the conditions that originally reported may longer be present. A significant # of reports include information later found to be untrue, and most likely have been made maliciously.	15%	20 - 25%	0	389	249
GREENE	All examples given by the state division	0	4	0	147	117
GUILFORD	1)Allegations were one time incidents and there were no further safety issues.2)Plans made by the family prior to the report were unknown by the reporter.3)Family receiving services prior to CPS involvement or family referred to services during assessment period and risk factors were mitigated by services.4)Assessment phase revealed that allegations did not rise to level of statutory definition.5)Malicious reports that involve custody or angry relatives.	204(12X17)	228 (12X19)	36(12X3)	2168	1,625
HALIFAX	Many reports are because of custody battles. The agency spends quite a bit of resources investigating these reports that turn out to be malicious.The agency suspects that 50% of their unsubstantiated reports are malicious.	????	50%	???????	484	353
Harnett	1)Facts did not rise to the statutory level of abuse of neglect.2)Services extended that alleviated risk factors so that a substantiation was not made.3) A very small number related to child custody situations or disputes between neighbors.	8	7	2	821	470
HAYWOOD	1) Lack of evidence to substantiate.2) Services provided.	1 or 2	13 (3 months)	0	1132	803
HENDERSON	All examples given by the state division.	<1%	<1%	0	1050	839
HERTFORD	Reports did not rise to the statutory level of abuse or neglect.	2 of 21	2	0	129	96
HOKE	Did not answer question. Apparently in agreement with the division and examples used.	0	2	0	216	146
HYDE	Some reports did not consist of enough information. Other unsubstantiated reports involved the same reporter calling back again and again and nothing could be proven. Many of the reports recived involved custody issues. Some reports that were unsubstantiated dealt with school attendance.	2 of 5	2 of 5	0	20	12

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
IREDELL	1)Parent receptive of srvs offered during invs, child no longer at risk.2)Family moved.3)Custody issues and undisciplined teens.4)Allegations not rising to standard or insufficient evidence.5)Non caretaker/child not involved in incident.6)Situation not as bad as reported or inconsistencies found.	0	28	0	1278	786
JACKSON	1)No risk factors.2)Low Risk factors.3)Did not meet statutory level of abuse/neglect.4)Services provided or arranged during the invs were sufficient to to address issues, continued srvs not needed.	2.80%	9%	0	335	271
JOHNSTON	Johnston Co reports that they conducted 1261 CPS Investigations in SFY 03. Of that #, 878 were unsubstantiated. After a careful review of these unsubstantiated cases that covered several days, Johnston Co determined that 877 reports were unsubstantiated strictly because of the facts, as determined during their assessment process, did not rise to the statutory level of abuse or neglect. Only one report was factually determined as a malicious report.	0	1	0	1239	858
JONES	1)Not enough evidence to substantiate.2)Cooperative families that accepted help, services mitigated the need for on-going CPS.3)Only one report found to be malicious.	0	1	0	80	58
Lee	1)No evidence to support allegations.2)Appears to be spite report.3)Situation not fit within the definitions of A/N/D.	48	10%	0	400	339
LENOIR	1)Child statements and observations of SW did not support allegations.2)One-time incident. Inconclusive statements/lack of evidence. 3)Examples given by the division.	0	0	0	553	376
LINCOLN	1) Reporter not having all the facts.2)A determination that moral beliefs and not CPS issues were relevent.3)Custody cases.4)Examples given by the division.	unknown	3% - 5%	unknown	570	420
MACON	1)Services offered that remedied the concerns immediately 2)Evidence was not present to rise to the statutory level of abuse or neglect.3)Custody dispute that was referred to civil court.	5	15	0	248	207
MADISON	The facts as determined in the process did not rise to the statutory level of abuse or neglect.	10(2.5%	35(8.75%)	UNK	298	225
MARTIN	Did not rise to the statutory level of abuse or neglect.	very small#	very low	n/a	124	84

County	SFY2003 Reasons for Unsubstantiation	SFY2003 Malicious reports determined at intake	SFY2003 Malicious reports determined during investigation	SFY2003 How many resulted in the family accepting voluntary services	SFY2003 Total # Of Reports	SF[redacted]3 Total # Of Unsubstantiated Reports
MCDOWELL	1)Insufficient facts to support allegations.2)Different standards of care, community compared to DSS.	0	7	0	770	582
MECKLENBURG	Approximately 66% of reports unsubstantiated. There were many reasons for these unsubstantiated cases---They range from the allegations not being corroborated, families moving out of county, etc. No reports are unsubstantiated based on a determination of a malicious report. Since there is no way to determinethe intent of the caller at the point of intake, the referral. Note: Agency unable to determine at the point of Intake what is malicious or not, no way to be 100% sure that the allegations made are untrue.	unknown	unknown	unknown	4930	3783
MITCHELL	The allegations and facts around those allegations did not rise to the statutory level of abuse or neglect.	2	1	0	228	158
MONTGOMERY	1)There were no facts found during the course of the investigation to support the allegations.2)The facts that were found did not rise to the statutory level of abuse or neglect.	0	20	0	200	122
MOORE	1) Did not meet statutory level of abuse or neglect.2)Risk factors were mitigated by services provided during the investigation.3)Malicious reporting.	15	20	0	574	412
NASH	Majority of cases that were unsubstantiated or not found in need of services did not rise rise to the statutory level of abuse or neglect. Other reasons were a)services provided by the investigator/assessor in the assessment period; b)Family addressed issues themselves during the assessment period; c) family needed services other than CPS and were referred for these services during the assessment period; and d) it became clear that the report was made maticiously.	2	20	0	691	594
NEW HANOVER	1)The facts as determined during the the assessment process did not rise to the statutory level of abuse or neglect.2)Family receptive to services and services identified and provided.Needs did not warrant continued services.	0	0	0	2342	1666
NORTHAMPTON	1)Allegations did not rise to the stattory level of abuse or neglect.2)Miscommunication between the family and reporter.3)Custody issues.4)Need for parenting skills, referrals made.5)Lack of evidence.	25	20	0	165	134

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
ONSLOW	1)Did not rise to level of statutory abuse or neglect.2)Family already addressing issues and children are not in need of protection.3)The assessment determined that some of the information was malicious.4)No identifiable risk factors found.	24	40	0	1881	1068
	The situations did not rise to the statutory definitions of abuse or neglect.	0	21	0	958	560
PAMLICO	Reports not meeting the Child Abuse/Neglect standard, based on the evidence. Note- DSS representative shared that only two malicious reports seen during last 16 years.	0	0	0	100	64
PASQUOTANK	1)Insufficient information to support allegations.2)No evidence to support finding of maltreatment.3)Isloated incident and risk factors that are low to moderate.4)Although family may have issues, no evidence of harm to children found.5) malicious reports, however case decision is documented based on info gathered.	100	50 - 75	0	287	204
PENDER	1)Alleged incidents did not rise to statutory requirement for abuse or neglect.2)Family accessed services, no need for intervention.3) Small percentage of reports found to be malicious.	0	12	0	400	294
PERQUIMANS	1)Allegations were not proven during the assessment.2)The reported allegations were not accurate.	2	5	0	48	31
PERSON	1)Information gathered during the invs did not confirm allegations.2)Isolated incident and family is seeking services.3)Custody not CPS.4) Concerns failed to meet legal definition of maltreatment.5)Estranged family relationships. 6) Perp removed from the home.	0	0	n/a	231	175
PITT	1)Allegations did not rise to standard for abuse or neglect.2)Family was referred to appropriate resources and the report was unsubstantiated.	0	3	0	1272	807
POLK	1)Family referred referred for services during assessment period and any risk factors have been mitigated by services.2)The facts, as determined during the assessment process did not rise to the statutory level of abuse or neglect.3)During the course of the invs assessment it became clear this was a malicious report.	4%	3%	0	144	96

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY[redacted]
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
RANDOLPH	1)The assessment revealed that the level of child maltreatment did not rise to the level for a substantiated case of abuse or neglect.2)Services offerred to assit famly in resolving issues quickly.3)Reporters just had inaccurate information.3)Reporters having little info.4)Due to changes in circumstances. At the time of the assessment proper care is being provided.	0	1of 21 sample	0	1115	832
RICHMOND	1) Families referred for services during the assessment and risk factors have been mitigated by services. 2)Facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.3)During the course of the investigation, it became clear that the report was malicious.	3%	8%	4%	617	523
ROBESON	Most of the reports unsubstantiated did not meet the statutory level of abuse or neglect. However, several of the reports made were clearly because of malicious reporting.	25 to 30	360 a year	unknown	1839	1398
ROCKINGHAM	1)Facts did not rise to statutory level of abuse/neglect.2) Family was receiving services prior to report which mitigated risk factors.3)Family mitigated risk during invs and requested preventive services. "Rockingham has a very sucessessful preventive services program."	0	1or 2	0	665	491
ROWAN	1)Facts did not meet the statutory definition of abuse or neglect or dependency.2)Safety resource usedduring the assessment to reduce or remove risk.3)malicious report.	20	55	40	1271	978
RUTHERFORD	1)No evidence at/during the investigation (family denies allegation, no collaterals to confirm the report, no disclosure from the children, many reporters are anonymous leaving no way to contact them for additional info, and incident occurred due to no fault of the parent.)	1	31	1	1056	574
SAMPSON	1)The conditions reported were alleviated by services provided during the course of the investigation.2)The facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.	0	5 to 10%	0	198	107
SCOTLAND	1)SW's provided services to families during the investigative process.2)Facts gathered during the investigation do not meet the statutory definitions of abuse or neglect.3)In a rural county, everyone knows everyone, folks that have been investigated know what to say to CPS Intake to get a report accepted on someone they take issue with. The end result is a malicious report.	7%	15%	2%	386	291

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY[illegible]3
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
STANLY	1) The primary reason is that the evidence obtained during the investigative assessment did not rise to the statutory level of abuse, negelct or dependency. 2) Other reasons for unsubstantiated reports were that SW's were unable to obtain sufficient info evidence to support abuse or neglect; the family corrected the conditions that led to the neglect of the children during the invs; and the allegations were found not true.	1	20	0	415	289
STOKES	1) lack of evidence to support the allegations.2)family referred for services during the investigation.3)Reporter misinterpreted an incident.4)One report appeared to have been malicious.	0	1	1	335	229
SURRY	The facts gathered during the investigative assessment either refuted or did not support the allegations reported.	0	0	0	541	358
SWAIN	The allegations did not meet the statutory definition of abuse or neglect or there were no findings of abuse or neglect as defined by NCGS 7B-101. Regarding malicious reports, Swain noted that: How would it be possble to know what is malicious at the point of Intake ? They investigate all reports that meet the statutory definition.	0	1	1	257	213
TRANSYLVANIA	1)Family assessments , more intensive , positive work with families that get families hooked up quickly with services to reduce risk and keep children safe. 2)CPS assessments /investigations with a finding/risk rating that children are at least marginally safe.3)Lack of facts to support substantiation.4)Custody Issues.5)Good interviews with children that result in greater clarification and the findings disprove the allegations.6)Findings where values are the real issues vs child maltreatment.	0	6?	0	242	203
TYRRELL	Main factor:The report after the investigation did not meet the legal definition of abuse or neglect.	0	1	0	26	22
UNION	All examples given by the state division. Also, some cases that did not appear to be malicious were unsubstantiated as the investigator simply found that the situation was not as described at intake. Finally, in some cases the perp may no longer lives with the victim child, which reduces the risk level to the child and family.	0	1%	0	938	743
VANCE					551	427

County	SFY2003 Reasons for Unsubstantiation	SFY2003 Malicious reports determined at intake	SFY2003 Malicious reports determined during investigation	SFY2003 How many resulted in the family accepting voluntary services	SFY2003 Total # Of Reports	SFY2003 Total # Of Unsubstantiated Reports
WAKE	1)Worker did not ascertain any information to support allegation. The allegation did not rise to the level to meet the statutory requirements and no risk to child.2)The incident was islolated.3)CPS reports being filed and all the family really needed is services, the family connected with services and the case closed.4) Lack of/ poor communication, issues resloved during invs.5)Children deny allegations and there is no collaterals to to help support what was reported.6)Custody reports, repeated calls to CPS.7)Only a small # of reports are truly malicious.	?	? small #	?	4301	3066
WARREN	1)No indication of inappropriate discipline or improper supervision 2)Family referred for services during investigation phase and risk factors were alleviated.	2	6	0	128	93
WASHINGTON	1)The facts as determined during the investigation did not meet the statutory level of negelct or abuse.2)No proof of the allegations.3) Conditions were resolved during the investigation.4)Child denied allegations. 5)Custody issues.	0	11	0	41	25
WATAUGA	1) Misundertanding.2)Did not meet the legal definition of abuse or neglect.3)Famy already addressing issues faced by the family.4)Services offered corrected situation.5)Family dynamics changed.6)No factual info was found to support allegations.	maybe 7 ?	1	0	141	104
WAYNE	Custody disputes and family referred to civil court to settle their disagreement. 2)Isolated incident.3)Reporters retaliating on one another.4) Children not realy dependent once agency looked at report.	1%	5%	0	1077	691
WILKES	The primary reason for a case being unsubstantiated was because there was no evidence found that rose to the level of abuse or neglect. Another reason as listed was that services were offered and the risk factor was lowered during the investigation. Wilkes County states that the motive behind the report did not affect the decision to unsubstantiate.	10%	25%	10 families	695	448
WILSON	1) Family rectified problems before, during or after our involvement.2) Issues found did not meet statutory definition of abuse or neglect. 3)facts did not support a case substantiation.4)No risk to children found during assessment.	unknown	27?	unknown	583	415
YADKIN	The facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.	20	25	0	200	147

Count	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SF 3
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
YANCEY	They did not rise to the statutory level of abuse or neglect or dependency. Minimum sufficient care was assessed.	0	0	0	274	101
Statewide totals					70,503	50,205

To Ann Lamm
Attachment 4

North Carolina Department of Health and Human Services
Division of Social Services

325 North Salisbury Street • Raleigh, North Carolina 27633-2401
Courier # 56-20-25

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Pheon E. Beal, Director
(919)733-3055

March 22, 2004

Memorandum

To: House Committee Members on CPS, Foster Care and Adoption

From: Pheon E. Beal Pheon Beal /SB

Subject: Update on Administrative Office of the Courts Contract and Vanguard

The NC DHHS Division of Social Services would like to provide committee members with an update on two issues we have discussed previously with you. You may recall that the Division of Social Services has been working closely with the Administrative Office of the Courts to allow all 100 county departments of social services free and easy access to named-based state criminal record checks via the AOC database. I am pleased to report that the contract required to make this service a reality is now in its final review at the Administrative Office of the Courts and that the legislature's Governmental Operations Commission approved the funding for the contract this week. The commission's approval of this funding was delayed when its February meeting was cancelled due to inclement weather. AOC will now begin the process of filling two positions funded by the NC DHHS Division of Social Services to provide training and access support to all county departments of social services.

Regarding the second issue, your committee has heard compelling testimony regarding the need for increased recruitment and retention of qualified child welfare staff. The NC DHHS Division of Social Services has taken two important steps to address these issues. We appreciate the interest that Representative Farmer-Butterfield and other members have expressed concerning maximizing the use of temporary social work staff to support agencies when vacancies occurred. Towards that end, the Division has developed a mechanism to allow staff from temporary social work agencies such as Vanguard to attend pre-service training for child welfare that is required by statute. Due to funding constraints, temporary staff have not had access to this training in the past. Under a new

arrangement, the Division will now allow Vanguard and other temporary social work agencies to send their social workers to the required 72-hour training course in exchange for a mutually agreed upon fee.

As you may know, current DSS policy requires that any practitioner who has not practiced child welfare in the state within the past 24 months must attend a pre-service training. To make these training requirements more flexible – and increase the pool of qualified child welfare workers in our state – NC DSS has also agreed to consider, on a case by case basis, waiving the pre-service training requirement. For example, a retired social worker with the proper experience and credentials can now apply to have the requirement waived. We are hopeful that this new flexibility will increase the pool of qualified social workers while also maintaining the highest standards within our workforce.

We appreciate the opportunity to provide this update to Committee members. Please let me know if I can provide you with any additional information about these initiatives.

Susan Morgan
Attachment 5

House Interim Committee on Child Abuse and Neglect

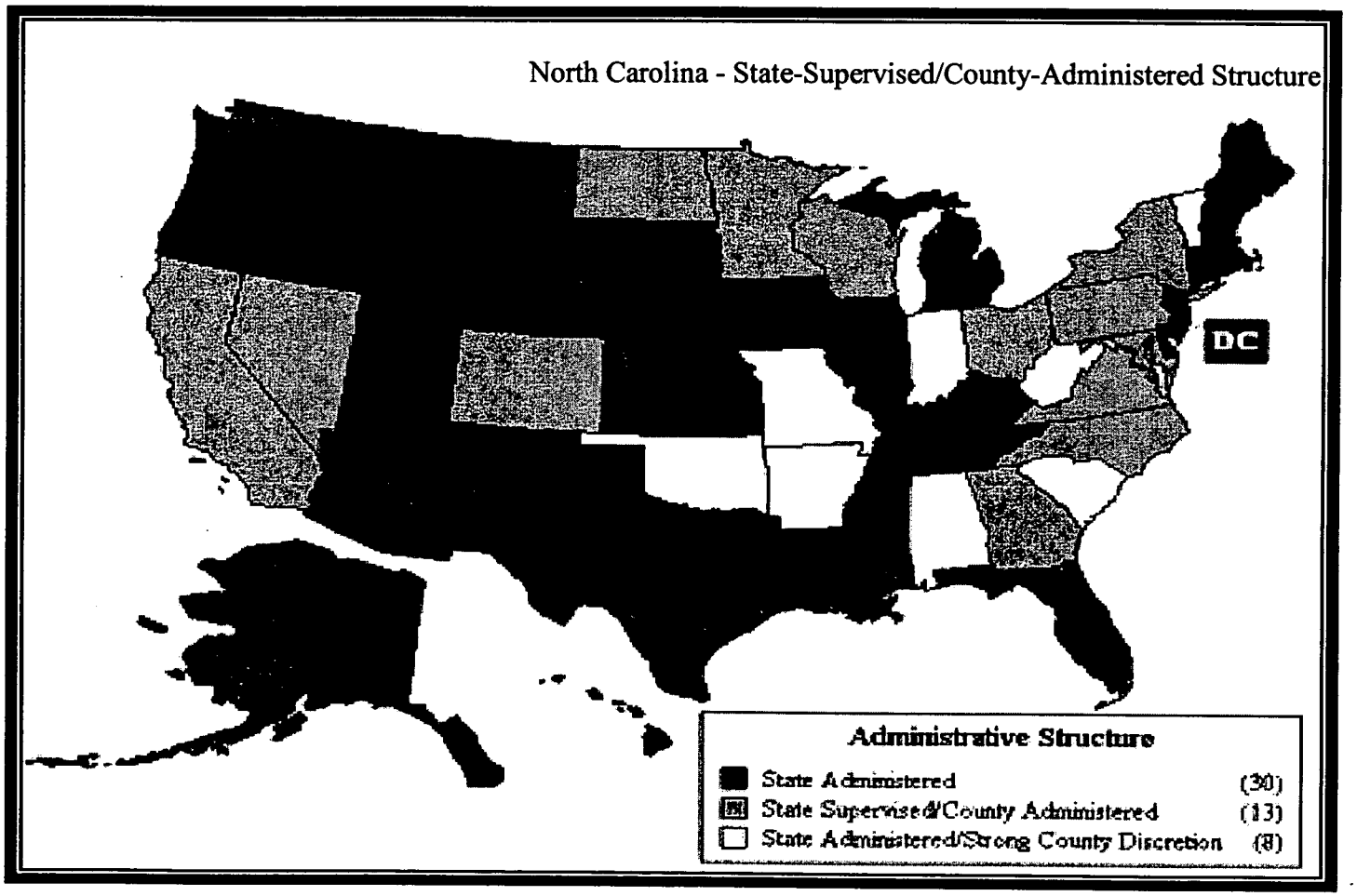
Overview of Resources for Child Welfare Services

North Carolina General Assembly | Fiscal Research Division | March 22, 2004

Presentation Overview:

- Funding Sources
  - Federal, State, Local and Other
- Child Welfare Services Expenditures
  - Social Services Expenditure Summary by Service Area
  - County Profiles
- Questions/Discussion

Administrative Structure of Child Protective Services in the U.S.[1]



North Carolina's Social Services System

State Supervised – County Administered

- Legislature makes laws and appropriates funds
- State agency sets policy and regulations
- Counties set priorities, appropriate funds and deliver services

Combination of State, Local and Federal Funding Sources

- Mandatory Services
- *No mandated levels of service*
- *Levels of service vary across the State*

Funding Sources

Federal Funds

Social Security Act (P.L. 74-271) :

Title IV - Grants to states for aid and services to needy families with children (TANF) and for child welfare services. Administered by the U.S. Department of Health and Human Services.

Four parts of Title IV:

- Part A – Temporary Assistance for Needy Families Block Grant (TANF);
- Part B – Child and Family Services
- *Part C – Repealed*
- Part D – Child Support
- Part E – Foster Care and Adoption Assistance

Federal Funds

With an annual budget of $6.7 billion, the Children's Bureau works with State and local agencies to provide services to families throughout the country.

- State Grant Programs (Attachment A);
- Discretionary Grant Programs (Attachment A)

Federal Funds

State Grant Programs (Attachment A)

- Title IV-B Subpart 1
- Title IV-B Subpart 2
- Title IV-E Foster Care
- Title IV-E Adoption Assistance

State Grant Programs
Federal Funds[2]

Title IV-B

- Subpart 1: Child Welfare Services
  - Funds are primarily used to keep families intact if possible;
  - Placement in foster care and adoption when necessary; and
  - Reunification services are provided to encourage the return home when possible.
- Subpart 2: Promoting Safe and Stable Families
  - Funds are used to prevent the unnecessary separations of children from their families;
  - Improve the quality of care and services to children and families; and
  - Ensure permanency for children by reuniting them with their parents, by adoption or by another permanent living arrangement.

State Grant Programs
Federal Funds[2]

Title IV- E

Foster Care and Adoption Assistance:

These programs provide funds to States to assist with: the costs of foster care maintenance for eligible children; administrative costs to manage the program; and training for staff, for parents and for private agency staff. The programs are open-ended entitlement programs.

Other Federal/State Funds

- Division of Public Health
- Division of Mental Health/Developmental Disabilities and Substance Abuse Services (DMH/DD/SAS)
- Smart Start
- Department of Public Instruction - Children's Trust Fund
- Administrative Office of the Courts – GAL Program

Division of Public Health
(Attachment B)

- Parenting Education Program - $50,433
- Child Service Coordination Program - $3.4 million
- Exchange SCAN/Welcome Baby – Forsyth County - $15,200
- Family Life Council of Greater Greensboro - $15,200
- S.W.I.M – Single Women In Mission – Edgecombe County - $15,160
- N.C. Family Connections Network – Northampton County - $11,000
- UHURU – Fatherhood Initiatives - $11,000

Division of MH/DD/SAS
(Attachment C)

There are approximately 35 programs identified by the Division of MH/DD/SAS that address child abuse and neglect. The funding for these programs flow through 39 local area mental health authorities. *Total funding is approximately $12.5 million.*

Smart Start

Approximately $2.7 million in the Smart Start budget in contracts for activities with a focus on child abuse and neglect for the 2003/2004 fiscal year. This represents approximately 1.5% of the total local Smart Start budget.

Department of Public Instruction

Children's Trust Fund:

§ 7B-1300. Purpose.

It is the expressed intent of this Article to make the prevention of abuse and neglect, as defined in G.S. 7B-101, a priority of this State and to establish the Children's Trust Fund as a means to that end. (1983, c. 894, s. 1; 1998-202, s. 6.)

§ 7B-1302. Children's Trust Fund.

There is established a fund to be known as the "Children's Trust Fund," in the Department of State Treasurer, which shall be funded by a portion of the marriage license fee under G.S. 161-11.1 and a portion of the special license plate fee under G.S. 20-81.12. The money in the Fund shall be used by the State Board of Education to fund abuse and neglect prevention programs so authorized by this Article. (1983, c. 894, s. 1; 1998-202, s. 6; 1999-277, s. 5.)

Administrative Office of the Courts

Guardian ad Litem - $7,357,330

§ 7B-1200. Office of Guardian ad Litem Services established

There is established within the Administrative Office of the Courts an Office of Guardian ad Litem Services to provide services in accordance with G.S. 7B-601 to abused, neglected, or dependent juveniles involved in judicial proceedings and to assure that all participants in these proceedings are adequately trained to carry out their responsibilities. Each local program shall consist of volunteer guardians ad litem, at least one program attorney, a program coordinator who is a paid State employee, and any clerical staff as the Administrative Office of the Courts in consultation with the local program deems necessary. The Administrative Office of the Courts shall adopt rules and regulations necessary and appropriate for the administration of the program. (1983, c. 761, s. 160; 1987 (Reg. Sess., 1988), c. 1037, s. 32; c. 1090, s. 7; 1998-202, s. 6.)

Summary of Funding Sources

• Division of Social Services	$ 350,000,000
• Division of Public Health - primarily Federal funds	$ 3,500,000
• Division of MH/DD/SAS	$ 12,500,000
• Smart Start	$ 2,700,000
• Department of Public Instruction	$ 600,000
• Administrative Office of the Courts (all State money) (all state funds)	$ 7,400,000
Total	**$376,700,000***

*Estimate – Does not include funds all funds from Department of Crime Control and Public Safety; no estimate available for all local funds dedicated to child abuse and neglect.

Child Welfare Services Expenditures

NC Department of Health and Human Services
Division of Social Services
CHILD WELFARE SERVICES EXPENDITURES SFY 02-03
As of 6/29/2003

Program Area - 1	Total - 2	Federal - 3	State - 4	Provider - 5	County - 6	County Non-reimbursable Cost - 7
Foster Care	**171,879,243**	**80,476,637** **46.82%**	**22,373,160** **13.02%**	**9,435,145** **5.49%**	**34,045,620** **19.81%**	**25,548,681** **14.86%**
State Admin. & Training	*4,863,989*	*3,484,095* *71.63%*	*1,130,584* *23.24%*	*249,310* *5.13%*	*0* *0.00%*	*0* *0.00%*
Program Services	*78,688,432*	*45,375,045* *57.66%*	*4,265,140* *5.42%*	*625,914* *0.80%*	*20,207,286* *25.68%*	*8,215,047* *10.44%*
Assist. Payments	*88,326,822*	*31,617,497* *35.80%*	*16,977,436* *19.22%*	*8,559,921* *9.69%*	*13,838,334* *15.67%*	*17,333,634* *19.62%*
Adoptions	**57,345,341**	**26,650,965** **46.47%**	**19,289,270** **33.64%**	**514,398** **0.90%**	**9,350,580** **16.31%**	**1,540,128** **2.69%**
State Admin. & Training	*1,622,808*	*1,162,424* *71.63%*	*377,205* *23.24%*	*83,179* *5.13%*	*0* *0.00%*	*0* *0.00%*
Program Services	*9,118,223*	*5,125,136* *56.21%*	*2,516,603* *27.60%*	*431,219* *4.73%*	*424,324* *4.65%*	*620,941* *6.81%*
Assist. Payments	*46,604,310*	*20,363,405* *43.69%*	*16,395,462* *35.18%*	*0* *0.00%*	*8,926,256* *19.15%*	*919,187* *1.97%*
Child Protective Services	**108,642,631**	**80,592,615** **74.18%**	**8,229,904** **7.58%**	**157,585** **0.15%**	**19,468,962** **17.92%**	**193,565** **0.18%**
State Admin. & Training	*3,074,464*	*2,202,251* *71.63%*	*714,628* *23.24%*	*157,585* *5.13%*	*0* *0.00%*	*0* *0.00%*
Program Services	*105,568,167*	*78,390,364* *74.26%*	*7,515,276* *7.12%*	*0* *0.00%*	*19,468,962* *18.44%*	*193,565* *0.18%*
Family Preservation and Support Svcs (FPS, IFPS, FRC, FS)	**12,317,393**	**9,094,302** **73.83%**	**1,656,388** **13.45%**	**160,876** **1.31%**	**75,951** **0.62%**	**1,329,876** **10.80%**
State Admin. & Training	*655,354*	*613,803* *93.66%*	*41,551* *6.34%*	*0* *0.00%*	*0* *0.00%*	*0* *0.00%*
Program Services	*11,662,039*	*8,480,499* *72.72%*	*1,614,837* *13.85%*	*160,876* *1.38%*	*75,951* *0.65%*	*1,329,876* *11.40%*
Total Expenditures	**350,184,608** **100.00%**	**196,814,519** **56.20%**	**51,548,722** **14.72%**	**10,268,004** **2.93%**	**62,941,113** **17.97%**	**28,612,250** **8.17%**

Child Protective Services Expenditures by County
2003

Ranked by CPS funds/child

1 County Name	2 Program	3 Total	4 Children Age 0 - 17	5 CPS Funds/Child	6 Subject of an Investigation per 1000 Children	7 Substantiated for Maltreatment per 1000 Children
Tyrrell	Child Protective Services	$8,367	858	$10	37.30	8.16
Camden	Child Protective Services	$21,847	1,677	$13	17.89	2.98
Hoke	Child Protective Services	$175,962	11,340	$16	22.84	3.44
Anson	Child Protective Services	$119,734	6,251	$19	45.59	10.40
Bladen	Child Protective Services	$154,224	7,985	$19	57.98	14.03
Chowan	Child Protective Services	$71,700	3,392	$21	29.78	4.42
Davie	Child Protective Services	$196,717	8,995	$22	15.56	5.78
Forsyth	Child Protective Services	$1,715,979	78,291	$22	24.19	4.00
Martin	Child Protective Services	$153,531	6,155	$25	125.75	41.27
Wake	Child Protective Services	$4,504,735	180,502	$25	18.65	4.93
Brunswick	Child Protective Services	$428,667	16,465	$26	22.96	12.94
Bertie	Child Protective Services	$137,278	4,721	$29	26.48	10.80
Franklin	Child Protective Services	$387,268	12,896	$30	40.87	10.16
Lee	Child Protective Services	$395,225	12,975	$30	62.89	8.02
Sampson	Child Protective Services	$532,996	16,563	$32	25.24	10.26
Montgomery	Child Protective Services	$219,561	6,763	$32	51.16	17.89
Johnston	Child Protective Services	$1,259,466	36,171	$35	46.69	11.34
Wayne	Child Protective Services	$1,038,208	29,800	$35	62.28	20.40
Harnett	Child Protective Services	$941,206	26,717	$35	49.37	21.41
Watauga	Child Protective Services	$259,489	7,012	$37	30.66	8.98
Alexander	Child Protective Services	$322,050	8,564	$38	34.33	7.59
Yadkin	Child Protective Services	$348,927	9,165	$38	41.68	13.75
Alamance	Child Protective Services	$1,296,410	33,582	$39	47.17	7.15
Stokes	Child Protective Services	$430,828	11,148	$39	41.71	12.47
Columbus	Child Protective Services	$533,541	13,726	$39	52.31	14.50
Granville	Child Protective Services	$471,726	12,042	$39	51.24	14.53
Gates	Child Protective Services	$104,959	2,644	$40	43.87	9.46
Rowan	Child Protective Services	$1,339,108	33,633	$40	61.61	14.63
Caswell	Child Protective Services	$218,510	5,469	$40	52.48	15.18
Stanly	Child Protective Services	$605,149	14,695	$41	46.82	14.36
Cabarrus	Child Protective Services	$1,551,157	37,140	$42	48.63	10.90
Cumberland	Child Protective Services	$3,603,438	85,694	$42	62.70	14.93
Lenoir	Child Protective Services	$611,335	14,475	$42	64.87	24.25
Greene	Child Protective Services	$212,015	4,956	$43	61.95	13.12
Randolph	Child Protective Services	$1,473,404	34,173	$43	50.24	10.74
Perquimans	Child Protective Services	$108,226	2,445	$44	27.81	9.82
Rockingham	Child Protective Services	$949,799	21,263	$45	52.96	15.47
Vance	Child Protective Services	$535,513	11,985	$45	83.94	18.77
Person	Child Protective Services	$388,131	8,661	$45	44.11	10.05
Ashe	Child Protective Services	$215,674	4,804	$45	51.83	19.78
Chatham	Child Protective Services	$531,907	11,814	$45	63.40	19.30
Wilkes	Child Protective Services	$689,385	15,086	$46	61.58	14.91
Guilford	Child Protective Services	$4,947,569	107,032	$46	35.38	7.42
Union	Child Protective Services	$1,839,896	39,417	$47	42.42	9.82
Transylvania	Child Protective Services	$277,995	5,887	$47	59.62	8.66
Duplin	Child Protective Services	$651,396	13,562	$48	50.44	24.26
Polk	Child Protective Services	$188,370	3,856	$49	47.72	16.60
Moore	Child Protective Services	$831,825	16,844	$49	56.99	15.73
Clay	Child Protective Services	$77,634	1,556	$50	46.27	4.50
Lincoln	Child Protective Services	$841,669	16,578	$51	46.87	13.45
Surry	Child Protective Services	$879,278	17,209	$51	55.67	19.87
Cherokee	Child Protective Services	$254,096	4,951	$51	89.48	34.54

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20

Child Protective Services Expenditures by County
2003

1 County Name	2 Program	3 Total	4 Children Age 0 - 17	5 CPS Funds/Child	6 Subject of an Investigations	7 Substantiated for Maltreatment
Pender	Child Protective Services	$516,112	9,929	$52	68.59	15.91
Mecklenburg	Child Protective Services	$10,217,169	194,733	$52	39.05	9.09
Hertford	Child Protective Services	$271,337	5,117	$53	45.53	12.31
Halifax	Child Protective Services	$749,445	14,055	$53	55.14	20.49
Avery	Child Protective Services	$184,567	3,349	$55	58.82	16.42
Davidson	Child Protective Services	$2,014,022	36,513	$55	59.16	18.13
Robeson	Child Protective Services	$2,043,451	36,440	$56	85.10	21.65
Nash	Child Protective Services	$1,328,751	22,554	$59	51.61	5.63
Gaston	Child Protective Services	$2,782,946	47,179	$59	65.58	18.86
Mitchell	Child Protective Services	$191,966	3,195	$60	122.07	39.75
Rutherford	Child Protective Services	$904,238	15,034	$60	88.33	44.17
Northampton	Child Protective Services	$303,010	5,036	$60	62.15	10.52
Hyde	Child Protective Services	$65,317	1,082	$60	21.26	11.09
Wilson	Child Protective Services	$1,239,338	19,068	$65	56.80	17.46
Iredell	Child Protective Services	$2,217,476	34,117	$65	60.29	22.42
Scotland	Child Protective Services	$649,161	9,837	$66	72.07	17.99
Pitt	Child Protective Services	$2,196,614	32,982	$67	52.67	18.13
Alleghany	Child Protective Services	$140,340	2,104	$67	54.18	12.83
Craven	Child Protective Services	$1,523,263	22,395	$68	77.83	16.79
Madison	Child Protective Services	$294,478	4,297	$69	63.53	16.29
Onslow	Child Protective Services	$2,787,748	40,044	$70	72.99	34.06
Macon	Child Protective Services	$427,731	6,134	$70	80.70	20.70
Warren	Child Protective Services	$318,745	4,569	$70	63.47	13.35
Edgecombe	Child Protective Services	$1,000,544	14,144	$71	76.99	21.21
Carteret	Child Protective Services	$825,503	11,558	$71	79.08	22.41
Henderson	Child Protective Services	$1,396,398	19,535	$71	91.63	17.66
McDowell	Child Protective Services	$713,802	9,952	$72	34.77	6.53
Beaufort	Child Protective Services	$736,821	10,223	$72	72.68	22.69
Richmond	Child Protective Services	$858,042	11,870	$72	88.88	15.59
Pasquotank	Child Protective Services	$627,584	8,464	$74	53.05	17.25
Yancey	Child Protective Services	$287,739	3,826	$75	70.31	29.27
Burke	Child Protective Services	$1,659,075	21,969	$76	83.94	21.89
Orange	Child Protective Services	$1,940,583	25,521	$76	53.49	16.46
Durham	Child Protective Services	$4,340,262	55,729	$78	45.24	17.06
Catawba	Child Protective Services	$2,879,781	36,672	$79	71.55	22.63
Caldwell	Child Protective Services	$1,455,857	18,373	$79	79.36	21.23
Pamlico	Child Protective Services	$200,601	2,514	$80	53.30	19.09
Haywood	Child Protective Services	$890,932	11,160	$80	100.54	33.96
Swain	Child Protective Services	$261,902	3,192	$82	104.32	25.69
Cleveland	Child Protective Services	$2,065,587	24,884	$83	55.82	17.40
Washington	Child Protective Services	$273,489	3,266	$84	30.01	10.10
New Hanover	Child Protective Services	$2,950,693	35,677	$84	87.31	29.80
Jones	Child Protective Services	$217,616	2,469	$88	58.32	16.61
Currituck	Child Protective Services	$420,665	4,736	$89	72.64	21.75
Jackson	Child Protective Services	$595,260	6,513	$91	76.77	18.42
Buncombe	Child Protective Services	$4,501,250	46,766	$96	82.38	21.12
Dare	Child Protective Services	$645,313	6,558	$98	37.66	21.96
Graham	Child Protective Services	$175,313	1,736	$101	73.16	26.50

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COUNTY DEPARTMENTS OF SOCIAL SERVICES
2002-2003 STAFFING SURVEY

* Ranked by Children/position

County	CPS	CPS	CPS	TOTAL CPS	Number of Children	Children/CPS Position	Substantiated for Maltreatment per 1000 Children
SWAIN	1.00	3.00	2.00	6.00	3,192	532.00	25.69
YANCEY	0.60	2.10	4.10	6.80	3,826	562.65	29.27
EDGECOMBE	2.00	8.00	13.00	23.00	14,144	614.96	21.21
HAYWOOD	1.50	8.00	7.00	16.50	11,160	676.36	33.96
GRAHAM	0.50	1.00	1.00	2.50	1,736	694.40	26.50
PAMLICO	0.20	1.90	1.40	3.50	2,514	718.29	19.09
HYDE	0.50	0.50	0.50	1.50	1,082	721.33	11.09
JACKSON	1.10	4.50	3.00	8.60	6,513	757.33	18.42
MCDOWELL	1.50	6.00	5.50	13.00	9,952	765.54	6.53
BUNCOMBE	5.00	30.00	25.00	60.00	46,786	779.77	21.12
CLEVELAND	3.50	18.00	10.00	31.50	24,884	789.97	17.40
CALDWELL	1.50	10.50	10.00	22.00	18,373	835.14	21.23
ROBESON	3.00	25.00	15.00	43.00	36,440	847.44	21.65
TYRRELL	0.20	0.60	0.20	1.00	858	858.00	8.16
CARTERET	1.00	7.00	5.00	13.00	11,558	889.08	22.41
JONES	1.00	0.75	1.00	2.75	2,469	897.82	16.61
MITCHELL	0.55	2.00	1.00	3.55	3,195	900.00	39.75
ONSLOW	3.00	19.00	22.00	44.00	40,044	910.09	34.06
RUTHERFORD	1.80	7.65	6.65	16.10	15,034	933.79	44.17
LENOIR	4.20	6.40	4.80	15.40	14,475	939.94	24.25
HENDERSON	3.00	10.30	7.40	20.70	19,535	943.72	17.66
CURRITUCK	0.85	3.00	1.15	5.00	4,736	947.20	21.75
MOORE	1.00	7.50	9.25	17.75	16,844	948.96	15.73
RICHMOND	1.50	6.00	5.00	12.50	11,870	949.60	15.59
MADISON	0.50	2.00	2.00	4.50	4,297	954.89	16.29
NEW HANOVER	4.61	19.00	12.00	35.61	35,677	1,001.88	29.80
HALIFAX	1.00	7.00	6.00	14.00	14,055	1,003.93	20.49
BEAUFORT	0.50	4.50	5.00	10.00	10,223	1,022.30	22.69
GASTON	6.00	24.00	16.00	46.00	47,179	1,025.63	18.86
WASHINGTON	0.35	1.75	1.00	3.10	3,266	1,053.55	10.10
PASQUOTANK	1.00	4.00	3.00	8.00	8,464	1,058.00	17.25
WARREN	0.25	2.00	2.00	4.25	4,569	1,075.06	13.35
CHEROKEE	0.50	2.00	2.00	4.50	4,951	1,100.22	34.54
PENDER	0.50	4.50	3.75	8.75	9,929	1,134.74	15.91
ORANGE	1.00	11.00	10.25	22.25	25,521	1,147.01	16.46
CATAWBA	2.40	14.50	15.00	31.90	36,672	1,149.59	22.63
BURKE	2.00	11.00	6.00	19.00	21,969	1,156.26	21.89
IREDELL	3.50	13.00	13.00	29.50	34,117	1,156.51	22.42
WILKES	1.00	7.50	4.50	13.00	15,086	1,160.46	14.91
PITT	1.00	13.00	14.00	28.00	32,982	1,177.93	18.13
NORTHAMPTON	0.30	1.90	1.90	4.10	5,036	1,228.29	10.52
DUPLIN	1.00	4.00	6.00	11.00	13,562	1,232.91	24.26
PERSON	1.25	3.25	2.50	7.00	8,661	1,237.29	10.05
	1	2	3	4	5	6	7	8

COUNTY DEPARTMENTS OF SOCIAL SERVICES
2002-2003 STAFFING SURVEY

CRAVEN	1.00	8.00	9.00	18.00	22,395	1,244.17	16.79
DARE	0.74	2.78	1.72	5.24	6,558	1,252.72	21.96
MONTGOMERY	0.20	3.00	2.00	5.20	6,763	1,300.58	17.89
CUMBERLAND	5.00	45.00	15.00	65.00	85,694	1,318.37	14.93
AVERY	0.25	1.25	1.00	2.50	3,349	1,339.60	16.42
CHATHAM	0.80	5.00	3.00	8.80	11,814	1,342.50	19.30
MACON	0.50	3.00	1.00	4.50	6,134	1,363.11	20.70
CASWELL	0.50	2.00	1.50	4.00	5,469	1,367.25	15.18
ASHE	0.75	1.00	1.75	3.50	4,804	1,372.57	19.78
COLUMBUS	1.00	5.00	4.00	10.00	13,726	1,372.60	14.50
TRANSYLVANIA	0.25	3.00	1.00	4.25	5,887	1,385.18	8.66
SURRY	1.00	6.00	5.00	12.00	17,209	1,434.08 *	19.87
HERTFORD	0.50	1.50	1.50	3.50	5,117	1,462.00	12.31
WILSON	1.00	7.00	5.00	13.00	19,068	1,466.77	17.46
STANLY	1.00	5.50	3.50	10.00	14,695	1,469.50	14.36
POLK	0.21	1.07	1.33	2.61	3,856	1,477.39	16.60
LINCOLN	2.25	6.00	2.85	11.10	16,578	1,493.51	13.45
VANCE	0.50	4.50	3.00	8.00	11,985	1,498.13	18.77
SCOTLAND	0.95	4.50	1.00	6.45	9,837	1,525.12	17.99
RANDOLPH	2.00	12.00	8.00	22.00	34,173	1,553.32	10.74
ALLEGHANY	0.13	0.61	0.62	1.35	2,104	1,553.46	12.83
ALEXANDER	0.50	3.00	2.00	5.50	8,564	1,557.09	7.59
WAYNE	2.00	9.00	8.00	19.00	29,800	1,568.42	20.40
DAVIDSON	2.00	12.00	9.00	23.00	36,513	1,587.52	18.13
MECKLENBURG	7.00	64.00	51.00	122.00	194,733	1,596.17	9.09
BLADEN	1.00	3.00	1.00	5.00	7,985	1,597.00	14.03
NASH	1.34	7.33	5.33	14.00	22,554	1,611.00	5.63
CAMDEN	0.30	0.50	0.20	1.00	1,677	1,677.00	2.98
WATAUGA	0.70	1.80	1.60	4.10	7,012	1,710.24	8.98
CLAY	0.20	0.60	0.10	0.90	1,556	1,728.89	4.50
DURHAM	2.00	20.00	10.00	32.00	55,729	1,741.53	17.06
ROWAN	2.00	13.00	4.00	19.00	33,633	1,770.16	14.63
UNION	4.50	12.00	5.25	21.75	39,417	1,812.28	9.82
STOKES	1.00	3.00	2.00	6.00	11,148	1,858.00	12.47
GRANVILLE	1.00	3.60	1.80	6.40	12,042	1,881.56	14.53
Harnett	1.00	7.00	6.00	14.00	26,717	1,908.36	21.41
ANSON	0.25	2.00	1.00	3.25	6,251	1,923.38	10.40
ROCKINGHAM	1.00	6.00	4.00	11.00	21,263	1,933.00	15.47
CABARRUS	2.00	12.00	5.00	19.00	37,140	1,954.74	10.90
GATES	0.50	0.60	0.25	1.35	2,644	1,958.52	9.46
JOHNSTON	1.00	12.00	5.00	18.00	36,171	2,009.50	11.34
MARTIN	0.20	1.40	1.40	3.00	6,155	2,051.67	41.27
BRUNSWICK	1.00	4.50	2.50	8.00	16,465	2,058.13	12.94
GUILFORD	7.00	39.00	6.00	52.00	107,032	2,058.31	7.42
ALAMANCE	2.75	9.20	3.45	15.40	33,582	2,180.65	7.15
1	2	3	4	5	6	7	8

* state average = 1,413/CPS worker

COUNTY DEPARTMENTS OF SOCIAL SERVICES
2002-2003 STAFFING SURVEY

FRANKLIN	0.75	2.50	2.50	5.75	12,896	2,242.78	10.16
YADKIN	1.00	2.25	0.75	4.00	9,165	2,291.25	13.75
GREENE	0.10	1.00	1.00	2.10	4,956	2,360.00	13.12
Lee	1.00	3.00	1.00	5.00	12,975	2,595.00	8.02
FORSYTH	5.00	15.00	10.00	30.00	78,291	2,609.70	4.00
PERQUIMANS	0.25	0.35	0.32	0.92	2,445	2,657.61	9.82
BERTIE	0.30	0.70	0.75	1.75	4,721	2,697.71	10.80
SAMPSON	1.00	3.00	2.00	6.00	16,563	2,760.50	10.26
WAKE	5.00	31.00	26.00	62.00	180,502	2,911.32	4.93
DAVIE	0.30	1.50	0.80	2.60	8,995	3,459.62	5.78
HOKE	0.50	1.50	0.50	2.50	11,340	4,536.00	3.44
CHOWAN	0.25	0.32	0.10	0.67	3,392	5,062.69	4.42
Statewide totals	**146.87**	**774.96**	**541.22**	**1463.05**	**2,066,675**	**1,412.58**	
1	2	3	4	5	6	7	8

Family Preservation and Support Services Expenditures by County

38 Counties

SFY 2003

County Name	Program	Total	Federal	State	County
Alamance	Intensive Family Preservation	36,848.80	18,230.72	22.57	18,595.52
Bladen	Family Preservation Services	908.42	449.44	0.56	458.43
[illegible]combe	Family Preservation Services	106,828.03	106,806.29	0.03	21.71
[illegible]barrus	Family Preservation Services	482,080.95	269,930.12	257.13	211,893.70
Cabarrus	Intensive Family Preservation	361,104.34	208,969.52	184.40	151,950.43
Caldwell	Family Preservation Services	128.85	63.75	0.08	65.03
Catawba	Family Preservation Services	253,245.19	193,501.12	72.41	59,671.66
Clay	Family Preservation Services	75,000.00	75,000.00	0.00	0.00
Cleveland	Intensive Family Preservation	61,726.00	30,538.56	37.80	31,149.64
Craven	Family Preservation Services	1,550.46	767.08	0.95	782.43
Cumberland	Family Preservation Services	98.49	48.73	0.06	49.70
Durham	Family Preservation Services	884.25	437.48	0.54	446.23
Edgecombe	Family Preservation Services	126.03	62.35	0.08	63.60
Forsyth	Family Preservation Services	8,963.52	4,434.65	5.49	4,523.38
Gaston	Intensive Family Preservation	512,408.67	362,757.52	181.39	149,469.77
Guilford	Family Preservation Services	1,210.86	599.06	0.74	611.05
Guilford	Intensive Family Preservation	1,999.79	989.39	1.22	1,009.18
Harnett	Family Preservation Services	1,357.46	671.59	0.83	685.03
Haywood	Family Preservation Services	75,000.00	75,000.00	0.00	0.00
Henderson	Family Preservation Services	50,232.96	24,852.46	30.76	25,349.73
Iredell	Family Preservation Services	101,330.89	101,081.86	0.30	248.74
Iredell	Intensive Family Preservation	139,470.48	69,002.16	85.41	70,382.91
Johnston	Family Preservation Services	3,162.66	1,564.71	1.94	1,596.01
Lincoln	Family Preservation Services	235.47	116.50	0.14	118.83
Lincoln	Intensive Family Preservation	142,196.24	70,350.71	87.08	71,758.44
[illegible]on	Family Preservation Services	120,417.19	97,469.89	27.81	22,919.49
Mecklenburg	Family Preservation Services	84,907.21	82,427.81	3.01	2,476.39
Mecklenburg	Intensive Family Preservation	11,959.61	5,916.94	7.32	6,035.34
Moore	Family Preservation Services	13,640.02	6,748.32	8.35	6,883.35
Onslow	Intensive Family Preservation	2,958.07	1,463.49	1.81	1,492.77
Orange	Family Preservation Services	49,484.06	24,481.95	30.30	24,971.80
Pender	Family Preservation Services	20.72	10.25	0.01	10.46
Richmond	Family Preservation Services	338.43	167.44	0.21	170.79
Sampson	Family Preservation Services	460.55	227.85	0.28	232.41
Stokes	Family Preservation Services	64.48	31.90	0.04	32.54
Wake	Family Preservation Services	621,405.16	307,436.58	380.54	313,588.04
Watauga	Family Preservation Services	535.27	264.82	0.33	270.12
Wayne	Family Preservation Services	135.43	67.00	0.08	68.34
County Total		3,324,425.00			
State Admin. & Training		655,354.00			
Family Resource Center		389,218.00			
County Non-reimbursable cost - Survey		185,030.00			
Provider Share on Contracts		162,605.00			
State Contracts - Fund 1140 6064 6068 6069 6078		7,600,762.00			
CWS Report Total -Fam.Preserv. & Support		**12,317,394.00**			

Division of Public Health & Division of MH/DD/SAS

- DPH county-specific expenditures (Attachment B)
- DMH/DD/SAS county-specific expenditures (Attachment C)

North Carolina Partnership for Children

2003-04 SMART START ACTIVITIES WITH CHILD ABUSE AND NEGLECT FOCUS

Partnership	Activity Name	PSC	Budget in Contract as of 11/30/2003
Albemarle	Early Intervention for Young Victims of Child Abuse	5416	9,500
Burke	Healthy Families	5425	30,721
Burke	Parent Education Family Connections	5505	253,571
Cabarrus	Intensive Home Visiting	5425	82,800
Caldwell	Nurturing Program	5505	54,384
Durham	Healthy Families Durham	5425	366,146
Forsyth	SCAN Professional Parenting Education	5503	6,620
Guilford	Healthy Start	5425	330,208
Iredell	Carolina's Children	5503	30,505
Martin/Pitt	Nurturing Project	5505	4,804
McDowell	Healthy Start	5416	41,807
Mecklenburg	Early Childhood Specialist for Community Policing	5416	30,795
Mecklenburg	Intensive Home Visiting	5425	879,000
Onslow	Parents As Teachers – DSS	5505	143,691
Onslow	Parents As Teachers - PEERS	5505	18,750
Onslow	Parent Education Enhancement Project	5503	17,000
Orange	Families In Focus	5425	62,372
Pamlico	Child and Family Outreach Program	5506	30,000
Region A	K.A.R.E./Second Step	5416	7,273
Robeson	Robeson Co. Early Childhood Advocacy Program	5416	48,186
Rowan	Nurturing Program	5505	18,242
Swain	Parents As Teachers	5505	54,160
Union	Child Abuse Prevention Program	5416	58,170
Wake	Intensive Home Visiting Support For First Time Mothers	5506	45,597
Wayne	First Steps	5425	36,000
Wilson	Parent Responsibility Training	5416	43,496
	TOTAL		2,703,798

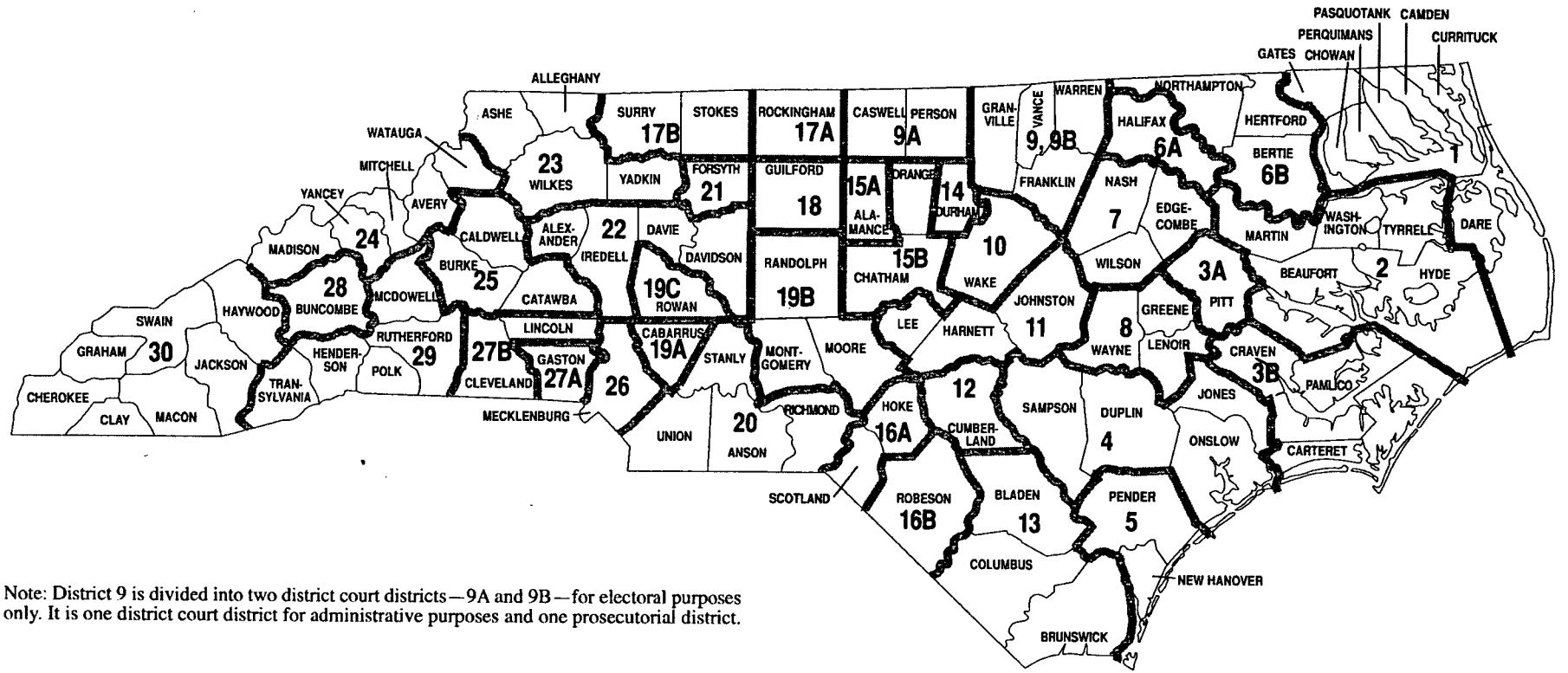
Children's Trust Fund Budget for Year 2003-2004 (July 1, 2003-June 30, 2004)		
Names	**Location (per PCI screen)**	**Budget Amt**
1. Bertie County Even Start		$4,023.00
2. Catawba Co. DSS		$15,000.00
3. Chatham Co. Health Dept.		$15,000.00
4. Child Abuse Prevention Team	Wilkesboro, NC	$15,000.00
5. Child Advocacy Center	Fayetteville, NC	$8,324.00
6. Cleveland County Schools		$15,000.00
7. Davidson County Dept of SS		$15,000.00
8. Domestic Violence Shelter	Wilmington, NC	$15,000.00
9. Eastern Carolina Injury Prevention	Pitt County Memorial Hospital, Greenville	$15,000.00
10. Exceptional Children's Assist.	Davidson, NC	$60,000.00
11. Family Service of Piedmont	High Point, NC	$15,000.00
12. Greensboro Lifeskills Center		$15,000.00
13. Hillsborough Exchange Club		$14,975.00
14. Iredell County Partnership		$14,993.00
15. Jackson County Dept Of PH		$15,000.00
16. Mary's House	Greensboro, NC	$15,000.00
17. NC Medical Society Alliance	PO Box 27167 Raleigh, NC	$5,000.00
18. NC Family Resource Coalition	Southport, NC	$36,427.00
19. Old North State Medical	PO Box 31588 Raleigh, NC	$20,000.00
20. Prevent Child Abuse NC	3344Hillsborough St Raleigh, NC	$75,000.00
21. Puckett Institute	Asheville, NC	$15,000.00
22. SAFEchild	864 W. Morgan St Raleigh, NC	$13,568.00
23. The Riddle Institute (WCU)		$15,000.00
24. Scotland Partnership for Children & Fam.		$3,804.00
25. UNC-Charlotte		$45,000.00
26. Wayne County Group – Econ.		$15,000.00
27. YouthNetwork	Charlotte, NC	$13,920.00
TOTALS:		**$525,034.00**

* Projected Year End Cash Balance of $388,199

GAL Program

North Carolina District Court Districts

as of June 30, 2001



Note: District 9 is divided into two district court districts—9A and 9B—for electoral purposes only. It is one district court district for administrative purposes and one prosecutorial district.

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District	County	# of Ch... Age ...	GAL Expenditures per District	Estimated GAL Expenditures per Child
1	CAMDEN	1,677		
1	CHOWAN	3,392		
1	CURRITUCK	4,736		
1	DARE	6,558		
1	GATES	2,644		
1	PASQUOTANK	8,464		
1	PERQUIMANS	2,445		
District 1 Total		29,916	$129,237.72	$4.32
2	BEAUFORT	10,223		
2	HYDE	1,082		
2	MARTIN	6,155		
2	TYRRELL	858		
2	WASHINGTON	3,266		
District 2 Total		21,584	$24,396.97	$1.13
3A	PITT	32,982		
District 3A Total		32,982	$139,674.88	$4.23
3B	CARTERET	11,558		
3B	CRAVEN	22,395		
3B	PAMLICO	2,514		
District 3B Total		36,467	$121,861.89	$3.34
4	DUPLIN	13,562		
4	JONES	2,469		
4	SAMPSON	16,563		
4	ONSLOW	40,044		
District 4 Total		72,638	$190,802.89	$2.63
5	NEW HANOVER	35,677		
5	PENDER	9,929		
District 5 Total		45,606	$255,761.70	$5.61
6A	HALIFAX	14,055		
District 6A Total		14,055	$78,313.95	$5.57
6B	BERTIE	4,721		
6B	HERTFORD	5,117		
6B	NORTHAMPTON	5,036		
District 6B Total		14,874	$22,591.25	$1.52
7	NASH	22,554		
7	EDGECOMBE	14,144		
7	WILSON	19,068		
District 7 Total		55,766	$212,860.26	$3.82
8	GREENE	4,956		
8	LENOIR	14,475		
8	WAYNE	29,800		
District 8 Total		49,231	$163,781.53	$3.33
1	2	3	4	5

District	County	# of Ch... Age 0...	GAL Expenditures per District	Estimated GAL Expenditures per Child
9	FRANKLIN	12,896		
9	GRANVILLE	12,042		
9	VANCE	11,985		
9	WARREN	4,569		
District 9 Total		41,492	$137,780.36	$3.32
9A	CASWELL	5,469		
9A	PERSON	8,661		
District 9A Total		14,130	$22,259.38	$1.58
10	WAKE	180,502		
District 10 Total		180,502	$208,051.21	$1.15
11	HARNETT	26,717		
11	LEE	12,975		
11	JOHNSTON	36,171		
District 11 Total		75,863	$184,378.71	$2.43
12	CUMBERLAND	85,694		
District 12 Total		85,694	$303,963.71	$3.55
13	BLADEN	7,985		
13	BRUNSWICK	16,465		
13	COLUMBUS	13,726		
District 13 Total		38,176	$124,218.03	$3.25
14	DURHAM	55,729		
District 14 Total		55,729	$198,682.14	$3.57
15A	ALAMANCE	33,582		
District 15A Total		33,582	$97,858.51	$2.91
15B	CHATHAM	11,814		
15B	ORANGE	25,521		
District 15B Total		37,335	$165,330.47	$4.43
1	2	3	4	5

District	County	# of Ch... Age 0...	GAL Expenditures per District	Estimated GAL Expenditures per Child
16A	HOKE	11,340		
16A	SCOTLAND	9,837		
District 16A Total		21,177	$89,622.01	$4.23
16B	ROBESON	36,440		
District 16B Total		36,440	$143,989.70	$3.95
17A	ROCKINGHAM	21,263		
District 17A Total		21,263	$95,666.76	$4.50
17B	STOKES	11,148		
17B	SURRY	17,209		
District 17B Total		28,357	$87,791.95	$3.10
18	GUILFORD	107,032		
District 18 Total		107,032	$349,440.93	$3.26
19A	CABARRUS	37,140		
District 19A Total		37,140	$64,830.54	$1.75
19B	MONTGOMERY	6,763		
19B	MOORE	16,844		
19B	RANDOLPH	34,173		
District 19B Total		57,780	$155,326.87	$2.69
19C	ROWAN	33,633		
District 19C Total		33,633	$127,077.15	$3.78
20	ANSON	6,251		
20	RICHMOND	11,870		
20	STANLY	14,695		
20	UNION	39,417		
District 20 Total		72,233	$145,512.64	$2.01
21	FORSYTH	78,291		
District 21 Total		78,291	$215,343.10	$2.75
22	ALEXANDER	8,564		
22	DAVIDSON	36,513		
22	DAVIE	8,995		
22	IREDELL	34,117		
District 22 Total		88,189	$205,520.66	$2.33
23	ALLEGHANY	2,104		
23	ASHE	4,804		
23	WILKES	15,086		
23	YADKIN	9,165		
District 23 Total		31,159	$125,770.17	$4.04
24	AVERY	3,349		
24	MADISON	4,297		
24	MITCHELL	3,195		
24	WATAUGA	7,012		
24	YANCEY	3,826		
District 24 Total		21,679	$109,590.44	$5.06
1	2	3	4	5

District	County	# of Ch... Age ...	GAL Expenditures per District	Estimated GAL Expenditures per Child
25	BURKE	21,969		
25	CALDWELL	18,373		
25	CATAWBA	36,672		
District 25 Total		77,014	$333,142.75	$4.33
26	MECKLENBURG	194,733		
District 26 Total		194,733	$387,474.37	$1.99
27A	GASTON	47,179		
District 27A Total		47,179	$193,235.84	$4.10
27B	CLEVELAND	24,884		
27B	LINCOLN	16,578		
District 27B Total		41,462	$130,092.49	$3.14
28	BUNCOMBE	46,786		
District 28 Total		46,786	$232,009.11	$4.96
29	HENDERSON	19,535		
29	MCDOWELL	9,952		
29	POLK	3,856		
29	RUTHERFORD	15,034		
29	TRANSYLVANIA	5,887		
District 29 Total		54,264	$211,931.13	$3.91
30	CHEROKEE	4,951		
30	CLAY	1,556		
30	GRAHAM	1,736		
30	MACON	6,134		
30	SWAIN	3,192		
30	HAYWOOD	11,160		
30	JACKSON	6,513		
District 30 Total		35,242	$234,840.51	$6.66 *
North Carolina Total		**2,066,675**	**$6,420,014.68**	$3.11
1	2	3	4	5

min. max.

Range = ($1.13/child to $6.66/child)

District 2 District 30

21,584 children 35,242 children

$24,396 Expenditures $234,840 Expenditures

North Carolina's Social Services System

State Supervised – County Administered

- Legislature makes laws and appropriates funds
- State agency sets policy and regulations
- Counties set priorities, appropriate funds and deliver services

Combination of State, Local and Federal Funding Sources

- Mandatory Services
- *No mandated levels of service*
- *Levels of service vary across the State*

Questions/Discussion

Information Sources

1- National Study of Child Protective Services Systems and Reform Efforts: Data from the American Public Human Services Association.

2.- U.S. Department of Health and Human Services – Administration for Children and Families – Children's Bureau

3. Department of Health and Human Services
4. Department of Public Instruction
5. Administrative Office of the Courts.

U.S. Department of Health & Human Services

Administration for Children & Families

Programs

State Grant Programs

Title IV-E Foster Care

Title IV-E Adoption Assistance

John H. Chafee Foster Care Independence Program

Title IV-B, Subpart 1, Child Welfare Services

Title IV-B, Subpart 2, Promoting Safe and Stable Families

CAPTA State Grants

Community-Based Grants for the Prevention of Child Abuse and Neglect (formerly the Community-Based Family Resource and Support Program)

Children's Justice Act

- The Title IV-E Foster Care program provides funds to States to assist with: the costs of foster care maintenance for eligible children; administrative costs to manage the program; and training for staff, for foster parents and for certain private agency staff. The purpose of the program is to help States provide care for children who are under the jurisdiction of the administering State agency and need temporary placement outside their homes, in a foster family home or an institution.

- The Title IV-E Adoption Assistance program provides funds to States to assist in providing ongoing financial and medical assistance for adopted children (AFDC or SSI eligible) with special needs, e.g., children with disabilities or who are older. Funds also are used for the administrative costs of managing the program and training staff and adoptive parents. The goal of this program is to facilitate the timely placement of children, whose special circumstances would otherwise make it diffcult to place, with adoptive families, thus prevention long, inappropriate stays in foster care.

- The Foster Care Independence Act of 1999, which enacted the John H. Chafee Foster Care Independence Program (CFCIP) offers assistance to help current and former foster care

youths achieve self-sufficiency. Grants are offered to States who submit a plan to assist youth in a wide variety of areas designed to support a successful transition to adulthood. Activities and programs include, but are not limited to help with education, employment, financial management, housing, emotional support and assured connections to caring adults for older youth in foster care as well as youth 18-21 who have aged out of the foster care system. Information on the CFCIP Education and Training Vouchers provides resources specifically to meet the education and training needs of youth aging out of foster care. A reporting system for States and a program evaluation component will be used to attain more knowledge about the outcomes of youth transitioning to adulthood. Many questions and their answers regarding the CFCIP can be found in the Child Welfare Policy Manual. In addition, the Children's Bureau has funded two contracts designed to develop a performance assessment system for CFCIP: Developing a System of Program Accountability Under the CFCIP and Developing Data Elements, Instruments, and an Implementation Plan for a Reporting System Under CFCIP. For additional information contact the National Resource Center for Youth Development at (918) 660-3700.

- The Title IV-B, subpart 1, Child Welfare Services program helps State public welfare agencies improve their child welfare services with the goal of keeping families together. State services include preventive intervention, so that, if possible, children will not have to be removed from their homes; services to develop alternative placements like foster care or adoption if children cannot remain at home; and reunification so that children can return home if at all possible.

- The Title IV-B, subpart 2, Promoting Safe and Stable Families program provides funds to states to provide family support, family preservation, time-limited family reunification services, and services to promote and support adoptions. These services are primarily aimed at preventing the risk of abuse and promoting nurturing families, assisting families at risk of having a child removed from their home, promoting the timely return of a child to his/her home, and if returning home is not an option, placement of a child in a permanent setting with services that support the family. As part of this program, the Court Improvement Program provides grants to help State courts improve their handling of proceedings relating to foster care and adoption. After an initial assessment of court practices and policies, States use these funds for improvements and reform activities. Typical activities include development of mediation programs, joint agency-court training, automated docketing and case tracking, linked agency-court data systems, one judge / one family models, time-specific docketing, formalized relationships with the child welfare agency, and legislative change.

- CAPTA State Grants provide funds for States to improve their child protective service systems. Reauthorized by the Keeping Children and Families Safe Act of 2003, CAPTA State Grant program requires States to submit a five-year plan and an assurance that the State is operating a Statewide child abuse and neglect program that includes several programmatic requirements including: establishment of citizen review panels; expungement of unsubstantiated and false reports of child abuse and neglect; preservation of the confidentiality of reports and records of child abuse and neglect, and limited disclosure to individuals and entities permitted in statute; provision for public disclosure of information and findings about a case of child abuse and neglect that results in a child fatality or near fatality; expedited termination of parental rights (TPR) for abandoned infants, and provisions that make conviction of certain felonies grounds for TPR. In addition, the CAPTA amendments of 2003 added several new eligibility requirements for States, including: policies and procedures that address the needs of drug-exposed infants; triage procedures for referral of children not at imminent risk of harm to community or preventative services; notification of an individual who is the subject of an investigation about allegations made against them; training for CPS workers on their legal duties and parents' rights; provisions to refer children under age three who are involved in a substantiated case to early intervention services under IDEA Part C; and flexibility for States to determine open court policies in cases of child abuse and neglect.

- Community-Based Grants for the Prevention of Child Abuse and Neglect (formerly known as the Community-Based Family Resource and Support Program and now known administratively as the Community-Based Child Abuse Prevention grants CBCAP) are provided to States to develop, operate, expand and enhance community-based, prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect, through networks where appropriate. The program was reauthorized, renamed as part of CAPTA amendments in the Keeping Children and Families Safe Act of 2003. To receive these funds, the State Chief Executive Officer must designate an agency to receive and implement the program. Federal, State, and private funds are blended and made available to community agencies for child abuse and neglect prevention activities and family support programs. In FY 2003, 56 jurisdictions received grants totaling $31.5 million.

- The Children's Justice Act helps States to develop, establish, and operate programs designed to improve the investigation and prosecution of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child; and to improve the handling of cases of suspected child abuse or neglect related fatalities. The CAPTA amendments of the Keeping Children and Families Safe Act of 2003 authorizes grants from this program to address the handling of cases of children with disabilities and serious health problems who are victims of child abuse and neglect. Funds for this program are allocated from the Department of Justice's Victims of Crime Fund. In FY 2003, $17,000,000 was available for distribution.

Home Back Top

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Please send all comments and Web feedback to Feedback.
Updated on January 29, 2004

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U.S. Department of Health & Human Services

Administration for Children & Families

Programs

Discretionary Grant Programs

Adoption Opportunities Program

Child Welfare Training Program

Child Welfare Research and Demonstration Program

Abandoned Infants Assistance Program

Child Abuse Prevention & Treatment Act Research and Demonstration Projects

Community-Based Grants for the Prevention of Child Abuse and Neglect (CBCAP) (formerly the Community-Based Family Resource and Support (CBFRS) Program)

Infant Adoption Awareness Training Program (IAATP)

- The Adoption Opportunities program eliminates barriers to adoption and helps to find permanent families for children who would benefit by adoption, particularly children with special needs. The seven major program areas, as mandated by the legislation, are: (1) the development and implementation of a national adoption and foster care data gathering and analysis system; (2) the development and implementation of a national adoption information exchange system; (3) the development and implementation of an adoption training and technical assistance program; (4) increasing the placements in adoptive families of minority children who are in foster care and have the goal of adoption with a special emphasis on recruitment of minority families; and (5) post-legal adoption services for families who have adopted children with special needs; (6) study the nature, scope, and effects of placement of children in kinship care arrangements, pre-adoptive, or adoptive homes; and (7) study the efficacy of States contracting with public and private nonprofit agencies (including community-based and other organizations).

- The Child Welfare Training program upgrades the skills and qualifications of child welfare workers through their participation, full-time or part-time, in programs focused specifically on child welfare services. Discretionary grants are awarded to public and private non-profit institutions of higher learning to develop and improve education/training programs and resources for child welfare service providers.

- The Child Welfare Research and Demonstration program strengthens the family as the primary agent responsible for the developmental needs of children and youth. The Administration for Children, Youth and Families funds research, demonstration, dissemination, utilization and technical assistance activities in four basic areas: child welfare, child care, youth development, and child and family development. The resources budgeted for these four areas address the needs and problems confronting some of the most vulnerable children and families in the country: children in foster care, children in need of adoptive homes, children from poor families who require child care, and vulnerable youth who are runaways or homeless. Since FY 1996 no funds have been appropriated for this program.

- The Abandoned Infants Assistance program provides funding for the development of comprehensive service programs to infants and their families to demonstrate strategies to: (1) prevent abandonment; (2) identify and address needs of abandoned infants, especially those with AIDS; (3) assist these children to reside with their biological families if possible, or in foster care; (4) recruit, train and retain foster parents; (5) carry out residential care programs for abandoned children and children with AIDS; (6) establish programs of respite care for families and foster families; (7)recruit and train health and social services personnel to work with families, foster families and residential care staff. Grants are made to public and nonprofit private entities.

- The **Child Abuse Prevention & Treatment Act Research and Demonstration Projects** are funds that support research on the causes, prevention, and treatment of child abuse and neglect; demonstration programs to identify the best means of preventing maltreatment and treating troubled families; and the development and implementation of training programs. Grants for these projects are provided nationwide on a competitive basis to State and local agencies and organizations and public or private agencies/organizations. Projects have focused on every aspect of the prevention, identification, investigation, and treatment of child abuse and neglect. CAPTA amendments to the Keeping Children and Families Safe Act of 2003 added a number of new optional areas for research and demonstration projects that may be supported. In FY 2003, approximately $18 million in discretionary funds were awarded to support new and continuing research and demonstration grants, as well as evaluation, technical assistance and information dissemination activities.

- Under the Community-Based Grants for the Prevention of Child Abuse and Neglect (formerly the **Community-Based Family Resource and Support** (CBFRS) program and now administratively known as the Community-Based Child Abuse Prevention Grants (CBCAP), discretionary grants may be awarded to selected Indian tribes, tribal organizations, and migrant programs to develop linkages with the statewide CBCAP program and/or to provide services otherwise consistent with the purposes of the CBCAP. These funds must support more effective and comprehensive child abuse prevention activities and family support services, including an emphasis on strengthening marriages and reaching out to fathers, that will enhance the lives and ensure the safety and well-being of migrant and Native American children and their families. In FY 2002, approximately $1.3M in discretionary funds were awarded to support community-based prevention programs for Indian tribes, tribal organizations, and migrant programs. This discretionary grant program also supports a national resource center, "FRIENDS," to assist CBFRS lead agencies for the Community-Based Child Abuse Prevention grants with the development and evaluation of their programs and activities.

- The Infant Adoption Awareness Training Program (IAATP) provides support for developing and implementing new training curriculum and evaluating and adapting exisiting IAATP training programs and/or curricula to train designated staff of eligible health centers in providing adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling to pregnant women. Discretionary grants are awarded to adoption organizations to carry out this training following best-practice guidelines developed in conjunction with consultants representing the fields of

adoption, law, social services, child welfare and health services, as well as adoptive parents. In FY 2001, $8.6 million was awarded to four grantees to implement this new program, which was enacted in October 2000.

Home Back Top

Please send all comments and questions on this subject to Questions.
Please send all comments and Web feedback to Feedback.
Updated on January 27, 2004

B Attachment 5B

Division of Public Health

Sloan

Program Name	Program Description & How Related to Preventing Child Abuse or Fostering Parenting Skills	Current SFY 03-04 Authorized	Counties Funded	Source of funds
Parenting Education	Local Parenting Education programs provide classes in a group setting, based on a written plan that outlines course objectives and specific content: physical care of newborn, understanding growth and development, self-esteem, injury prevention, and child health supervision (birth - 1yr). Most of the parenting education information is focused on the baby's first year. Many parents often experience the greatest stress associated with parenting after the first year, when the child becomes more mobile, demanding, and support systems are less apparent. The Parenting Consultant also provides consultation,coordination and technical assistance to Fatherhood Development Programs. These programs are sponsored by a variety of non-profit, community and faith-based organizations to enhance family support services, parenting skills skills and community resource and referral. All programs also provide limited case management services. No state funding is provided from DPH to the community based programs. One position is funded through DPH. Budget includes salary and fringe.	$ 50,433	None	Maternal and Child Health Block Grant/State match Fed $28,817 State $21,616
Child Service Coordination Program	Program provides case management/care coordination to eligible children at risk for or diagnosed with special needs. The program has multiple requirements including: Identification and Referral; Strengths, Needs and Concerns Assessment; Development of a Care Coordination Plan; and Assessment of Parent/Child Interaction. Currently there are 42 Risk Indicators, for entry into the program many of which relate to a child/family at increased risk for child abuse/neglect. These include such items as difficulty with parent/infant bonding, mother less than age 15, parental substance abuse, parental mental retardation, parental mental illness, difficulty in providing basic parenting, lack of stable housing, and lack of familial/social support. There are two risk indicators that specifically address child abuse/neglect:History of abuse or neglect of parent; and Suspected abuse/neglect of the child.	$ 3,357,505	All Counties (see tab for detail)	Maternal and Child Health Block Grant/State match

Exchange SCAN/ Welcome Baby	Welcome Baby provides outreach to African-American first time parents in Forsyth County to deal proactively with postpartum depression, adjustment needs of the parents, development and health needs of infants, and child spacing. Parents will be recruited through obstetrician offices, pharmacies, retail stores, and other agencies. Professional and peer home visitors will be trained to provide support to families. Each family is screened for adjustment issues, family violence, and postpartum depression and is referred to the appropriate services. Monthly educational and support groups take place to teach about personal health and infant development and health.	$ 15,200	Forsyth	Federal Grant:Eliminating Disparities in Perinatal Health
Family Life Council of Greater Greensboro	Family Life Council works with drug treatment agencies in Guilford County to educate fathers and mothers in residential treatment centers, as well as, those who are incarcerated with risk factors that contribute to infant mortality: (They anticipate working with 500 men and women in the drug treatment centers.) After their release, support will be provided to help fathers and mothers become more actively and positively involved in their child's life. This will be done on an individual or as needed basis.	$ 15,200	Guilford	Federal Grant:Eliminating Disparities in Perinatal Health
S.W.I.M (Single Women In Mission)	This program focuses on improving parenting skills and empowerment for the participants. The program provides support to single women in need through a collaborative effort among local businesses, churches, and other agencies. The services are provided in Edgecombe county and consist of the following efforts: volunteer mentors for program participants (emotional and spiritual support) to enhance the quality of life for participants (One on One Mentoring); life coping skill classes; Bible study; personal development planning; vehicle program (vehicles are donated by members of the community and given to participants); referrals to other agencies (DSS, Mental Health, Health Dept, physicians, etc); children's clothes closet; opportunities to further education (GED, college)	$ 14,160	Edgecombe	Federal Grant:Eliminating Disparities in Perinatal Health
NC Family Connections Network	Intensive, regular one-on-one contact to men enrolled in the proram is provided. Working with the Northampton County Court System for referrals, fathers are selected to participate in the fatherhood initiative. These men participate in a structured fatherhood training curriculum consisting of 20 sessions. The men meet twice per month. The sessions include training's on the following: conflict resolution, domestic violence, criminal justice interventions and processes, child abuse, anger management, parenting and nurturing skills. The goal of the program is to support, empower and enhance fathers and parents to effectively fulfill their roles as the caregivers and nurturers of their children. The main focus will be to work to establish a regional network and seamless delivery of services, which are offered to fathers and encourage their participation in pre and post-natal care of thier children. The target population includes all families and especially men who are fathers, grandfathers, who have guardianship or custody of children and/or men who are awaiting the arrival of their child(ren).	$ 11,000	Northampton	Federal Grants:Eliminating Disparities in Perinatal Health, and Improving Systems of Care for Pregnant Women

UHURU	UHURU operates and manages a program based on Fatherhood Initiatives called "Building Fathers and Families' Future". The program offers multiple services. This includes, monthly fatherhood sessions on conflict resolution, domestic violence, criminal justice interventions and processes, child abuse, anger management, parenting and nurturing skills. In addition, UHURU offers assistance with the following: education (adult basic education, GED preparation, computer training); assistance with employement (job readiness training and job placement training); counseling services (individual counseling, case management). UHURU targets African American males in an effort to increase their parenting skills, broaden knowledge around child development issues, personal development (values, self-esteem, manhood issues), through peer support groups and/or parenting sessions. The overall intent of the program is to foster, promote, and provide information and services that will increase a male's ability to have a job, improve his ability and capacity to provide support to his partner offered by UHURU is that it offers shelter for men who have been abused by their partners or provides shelter for a man for a "cooling off period" when circumstances at home have become tense. As a condition of being provided a safe haven, these individuals must agree to be referred to participate in anger management or mental health classes.	$ 11,000	Northampton	Federal Grants:Eliminating Disparities in Perinatal Health, and Improving Systems of Care for Pregnant Women

C

Attachment 5C

Sara

DHHS: Division of MH/DD/SAS Project Name & Address	PREVENTING CHILD ABUSE AND NEGLECT Program Description	SFY 03-04 Funding $ in US Dollars
	NORTH CAROLINA PERINATAL/MATERNAL SUBSTANCE ABUSE INITIATIVE	
Brighter Day Edgecombe-Nash MH/DD/SAS Program Edgecombe-Nash County	This program provides gender-specific outpatient services and therapeutic case management including transportation, linkages to primary and preventive healthcare, etc. to pregnant adolescents and their children.	50,000 State Funds (MOE)
Clean Start Program Sandhills Area MH/DD/SAS Anson, Hoke, Montgomery, Moore, Richmond, Randolph Counties	Clean Start is a Perinatal Substance Abuse Services Program of Sandhills Center for MH/DD/SA Services. The target population of the program is women who are of child bearing age (pregnant and parenting) and who have a substance abuse disorder. The program is unique because most of their contact with the consumer and their family is within their home. This provides a more realistic perspective of the home and family dynamics. Services provided include; outreach, screening and assessment, counseling, parenting skills and case management. Detoxification, inpatient/residential, and halfway house placement are provided though contract agencies, based on consumer needs. The Program receives referrals for services from a variety of sources such as DSS including Child Welfare, Probation, Health Departments, and within the Center.	80,000 State Funds
Courage and Support for Changing Attitudes, Dependencies, and Environments Program (CASCADE) Therapeutic Living Program Mecklenburg County Health, Mental Health & Community Services Department Mecklenburg County	The CASCADE* Services Program provides long term residential services (up to 12 months) for pregnant and parenting substance abuse women. Comprehensive gender specific services individual, group and family counseling, parenting skills, case management, transportation, child care and linkage with community agencies to address a host of other needs of the families being served. Referrals are made from health, child welfare, Work First, domestic violence programs, etc. *CASCADE is an acronym for Courage and Support for Changing Attitudes, Dependencies and Environments	333,000 State Funds

Courage and Support for Changing Attitudes, Dependencies, and Environments Program (CASCADE) Adult Services Mecklenburg County Health, Mental Health & Community Services Department Mecklenburg County	The current continuum of care includes an outpatient treatment program with 26 residential beds. CASCADE Services is a holistic, gender-specific substance abuse treatment program for pregnant, postpartum and parenting adult women and their children. The purpose of CASCADE Services is to support women of childbearing age and their children by: ♦ interrupting the cycle of addiction; ♦ decreasing the morbidity and mortality that is related to substance misuse; ♦ increasing positive birth outcomes; ♦ decreasing the cost of health care; and ♦ promoting well families through healthy lifestyles. *CASCADE is an acronym for **C**ourage and **S**upport for **C**hanging **A**ttitudes, **D**ependencies and **E**nvironments.	189,298 State Funds 202,013 SAPTBG Funds
Day by Day Treatment Center Selma, NC Johnston County	The primary goals of this program are to improve reproductive health outcomes for substance abusing pregnant women and decrease long term neurodevelopmental and physical consequences of prenatal exposure to alcohol and other drugs for their infants and children and to help empower women to live healthy and sober lives and to provide services and support for their families. The program aims to increase the numbers of substance-abusing pregnant women who receive early and consistent prenatal care and substance abuse residential treatment, case management, peer support, parenting skills and other intervention services. The program also connects consumers and their families with needed health and support services such as housing, transportation, childcare and financial support.	168,886 State Funds
Eastern Region Women and Infant's Project Walter B. Jones Alcohol and Drug Abuse Treatment Center Albemarle, EastPoint, Edgecombe-Nash, Riverstone, Wilson-Greene, Neuse, Onslow, Pitt, Roanoke-Chowan, Southeastern Ctr., and Tideland MH/DD/SAS Area Programs	The Eastern Region Women and Infants Project (ERWIP) is a twenty-four hour, in-patient treatment project that is based at Walter B. Jones Alcohol and Drug Abuse Treatment Center (WBJ/ADATC) in Greenville, North Carolina. Seven of the fifty-five beds at the facility are designated for perinatal consumers whose infants accompany them to treatment (age 0 to 12 months). ERWIP provides individual and group counseling, parenting skills, case management services and linkage to primary and preventive healthcare.	348,000 SAPTBG Funds

Family Care Program (Duke University) The Durham Center Durham County	The Family Care Program (FCP) is an outpatient based clinical service for adult substance abusing women and their children provided by the Duke Addictions Program (DAP) under a contact between the Duke University Medical Center and the Durham Center. Services offered include assertive outreach and screening, case management, early intervention, parenting skills training, and individual, group, and family therapy. Community-based services are provided in a variety of sites including DAP, Lincoln Health Center, at consumers' homes, and in area hospitals and day care centers. The FCP treatment approach is based on a gender-specific view of addiction as a result of biological vulnerability, psychological stress, spiritual emptiness, current social context, and often a history of abuse and neglect.	131,865 State Funds 115,270 SAPTBG Funds
Hope Meadow Family Wellness and Recovery Service, Inc. Orange-Person-Chatham Mental Health Center Orange County Person County Chatham County	Hope Meadow is a therapeutic residential community for pregnant, substance-addicted women and their children. The mission of Hope Meadow is to help each woman successfully engage in recovery, have a healthy infant, develop a positive parent-child relationship, and complete a sustainable return to independent and responsible community life. Hope Meadow's first goal is to help each high-risk mother to successfully give birth to a healthy, full-term, drug-free baby. Hope Meadow is unique in being able to house older children of any age. Each consumer and her family can stay for up to one year. Referrals are provided from agencies statewide including DSS, CPS, local heal departments, domestic violence programs, local area programs, hospitals, etc.	245,000 State Funds 68,000 SAPTBG Funds

Horizons Program **UNC Department of OB-GYN** Orange-Person-Chatham Mental Health Center Chatham County Orange County Person County	UNC Horizons' Perinatal Program is a comprehensive, gender specific substance abuse treatment program for pregnant and postpartum women. The service area targets the six county region of Lee, Harnett, Chatham, Orange, Caswell, and Alamance Counties as well as referrals from other parts of the State. The goals of the program are to successfully engage pregnant women and mothers in recovery and prenatal care, to promote self-sufficiency, and to assure the health, safety, and adequate parenting of the infant and other children. Horizons is one of the original perinatal substance abuse projects funded by the State in 1993 in response to concerns about North Carolina's high infant mortality/morbidity rates and the lack of gender specific addiction treatment services for women, particularly pregnant women.	235,834 State Funds 355,012 SAPTBG Funds
Kelly House **East Coast Solutions** Southeastern Center for MH/DD/SAS Brunswick, New Hanover and Pender Counties	Kelly House is a therapeutic residential community for pregnant, substance-addicted women and their children. Services offered include screening and assessment, case management, parenting skills training, transportation, childcare and individual, group, and family therapy. Referrals are provided from agencies statewide including DSS, CPS, local heal departments, domestic violence programs, local area programs, hospitals, etc.	156,808 SAPTBG Funds
Maria's House **Robeson Health Care Corporation** Pitt County MH/DD/SAS Center Pitt County	Maria's House provides therapeutic residential and intensive outpatient substance abuse treatment (individual, group, and family counseling and intensive case management services with the goal of sustaining a drug free lifestyle, and enhancing maternal coping and life skills to improve maternal parenting skills and case management services. Linkages are provided to a number of community agencies including OB/GYN, family medicine, and pediatric health care, Child Protective services, vocational rehabilitation, etc.	200,000 State Funds 100,000 SAPTBG Funds

Mary Benson House Western Highlands MH/DD/SAS Buncombe County Madison County Mitchell County Yancey County Rutherford-Polk Counties Henderson County Transylvania County	The Mary Benson House (MBH) is a therapeutic home which is designed to meet the statewide need for available and accessible residential, treatment and wraparound services for adult pregnant, postpartum and parenting women with substance abuse disorders and their children, ages 0-5. The main features of MBH's family-centered approach include: (1) population-specific outreach, identification and engagement strategies; (2) safe, drug-free housing and a positive living environment; (3) a sustained continuum of comprehensive therapeutic interventions including parenting and coordinated wraparound services which are culturally, racially and gender sensitive; (4) utilization of multidisciplinary, multi-agency collaborative treatment teams which establish individualized plans for each family's unique needs and offer staffing and programming appropriate to each woman's developmental stage in recovery; (5) a network of support for the woman's family members while she is in treatment; and (6) readily accessible post-treatment support and relapse prevention.	233,000 State Funds 100,000 SAPTBG Funds
New Leaf **Housing for New Hope** The Durham Center Durham County	The New Leaf Center in Durham is a residential treatment program for pregnant and parenting women with substance abuse disorders and their children. The New Leaf Center represents collaboration among The Durham Center, Housing for New Hope, and Duke's Child Development Unit. Services include intensive case management, individual, group and family counseling, parenting skills, child care, transportation and linkage to primary and preventive healthcare for mothers and their children.	333,000 State Funds
New Visions Southeastern Center for MH/DD/SAS Hanover County Brunswick County Columbus County Bladen County Sampson County Duplin County Pender County	New Visions is dedicated to the reduction of infant mortality and morbidity and helping families in New Hanover, Brunswick, and Pender counties to have healthy babies. The goal of the program is to assist substance abusing pregnant women and dependent women with children achieve emotional, physical and social health and therefore provide their children and families a much better chance for a healthy life. This is achieved through providing the following gender specific services: outreach and assessment, individual, group and family counseling, parenting skills, case management, transportation, and child care.	158,873 SAPTBG Funds

The Perinatal Health Partners (Adolescent) – *(MAPSAP)* Western Highlands MH/DD/SAS Buncombe County Madison County Mitchell County Yancey County Rutherford-Polk Counties Henderson County Transylvania County	The Perinatal Health Partners program is an outpatient substance abuse treatment and intensive case management program committed to providing services to adolescents that have substance abuse or dependence disorders and who are pregnant and/or parenting and their children. Services include intensive case management, out-patient treatment, child service coordination, parenting skills, child care, transportation and linkage to primary and preventive healthcare for mothers and their children.	80,000 State Funds
The Perinatal Health Partners (Adult) – *(MAPSAP)* Western Highlands MH/DD/SAS Buncombe County Madison County Mitchell County Yancey County Rutherford-Polk Counties Henderson County Transylvania County	The Perinatal Health Partners program is an outpatient substance abuse treatment and intensive case management program committed to providing services to pregnant and post partum women and their children who are hard to reach and are often afraid of and/or resistant to traditional office based substance abuse treatment options. The goal of the program is to increase the availability and coordination of comprehensive substance abuse programs for pregnant and postpartum women and their families. The objectives include increased access to services for women and their families and extension of the range of available specialized services. Services include intensive case management, out-patient treatment, parenting skills, child service coordination, child care, transportation and linkage to primary and preventive healthcare for mothers and their children.	189,336 State Funds 217,013 SAPTBG Funds
Roanoke-Chowan Adolescent Perinatal Substance Abuse Services Roanoke-Chowan MH/DD/SAS Bertie County Gates County Hertford County Northampton County	This program is an outpatient substance abuse treatment and intensive case management program committed to providing services to adolescents that have substance abuse or dependence disorders and who are pregnant and/or parenting and their children. Services include intensive case management, out-patient treatment, parenting skills, child care, transportation and linkage to primary and preventive healthcare for mothers and their children.	40,000 SAPTBG Funds

Professional Counseling Services-Perinatal Program **Robeson Health Care Corporation** Southeastern Regional for MH/DD/SAS Bladen, Columbus, Robeson, Scotland Counties	Professional Counseling Services goal is to increase the numbers of substance abusing and high-risk women in its target area who receive early and consistent prenatal care and substance abuse education, intervention and treatment services; and to connect consumers with needed health and support services such as housing, transportation, childcare and financial support. PCS offers a continuum of perinatal substance abuse treatment (outpatient and residential) services and interventions.	165,077 State Funds 265,352 SAPTBG Funds
Step by Step Partnership to Prevent Perinatal Substance Abuse Wake County Human Services Wake County	The Step-by-Step (SBS) program is a comprehensive, multi-agency health care program designed to serve pregnant and postpartum women with a substance abuse disorder and their children. The primary target population of the Step By Step Program is substance abusing pregnant and postpartum women who are residents of Wake and surrounding counties. Referrals are received from maternity care coordinators at the WCHS Public Health Department, other programs operated by Wake MH/DD/SAS including DSS, OB units at local hospitals, and many other human service agencies. A secondary target population is the infants and children prenatally and/or environmentally exposed to alcohol and other drugs. The program has three major components: Intensive Case Management, Gender Specific Outpatient Treatment Services and Residential Treatment services where each consumer can take up to two children under age three.	406,262 State Funds
Women's and Infant's Services for Health (WISH) CenterPoint Human Services	The WISH program's goal is to increase the numbers of substance-abusing women in its target area who receive early and consistent prenatal care and substance abuse case management, peer support and gender specific substance abuse treatment services. The program assists in strengthening consumer self-sufficiency by connecting consumers with needed health and support services such as housing, transportation, childcare, financial support, and vocational assistance. WISH offers a continuum of substance abuse referral, holistic case management, peer support, parenting skills training and treatment services for pregnant and parenting women.	327,804 State Funds

	NC CASAWORKS for Families Residential Initiative	
1-Crystal Lake-CASAWORKS ** **Robeson Health Care Corporation** Sandhills Center for MH/DD/SAS Anson, Hoke, Montgomery, Moore, and Richmond Counties **2- Hovovita at Day by Day Treatment Center *** Selma, NC Johnston, County **3- Kinton Court-CASAWORKS **** **Robeson Health Care Corporation** Wake County Human Services Wake County **4- My House: CASAWORKS **** Pathways MH/DD/SAS Gaston, Lincoln, and Cleveland Counties **5- Searise CASAWORKS** Brunswick, New Hanover, and Pender Counties **East Coast Solutions, Inc. *** Southeastern Center for MH/DD/SAS Brunswick, New Hanover, and Pender Counties	The NC CASAWORKS for Families Residential Initiative is a collaborative effort of the Division of MH/DD/SAS, and the Division of Social Services. This initiative includes eight program statewide. This is a 12 month apartment-based substance abuse residential program followed with six months of outpatient aftercare. The target population for this initiative are women with a substance abuse or dependency disorder that are receiving Work First Cash Assistance and who have at least one child under age 11 in their home and included in their Work First case. This model combines residential substance abuse treatment, mental health and developmental services for children, healthcare, case management, parenting training and support, job readiness training and job placement leading to employment and self sufficiency. The programs also provide an array of ancillary services including after school tutoring, family oriented activities, and on-site childcare.	Each program received 500,000 in SFY 03-04 (4 of the programs were funds with *TANF Funds and 4 were funded with **SAPTBG Funds)

6- Sunrise @HORIZONS: CASAWORKS * Orange-Person-Chatham Mental Health Center Orange-Person and Chatham Counties **7- The Village-CASAWORKS**** **Robeson Health Care Corporation** Pitt County MH/DD/SAS Pitt County **8-CASCADE –CASAWORKS *** Mecklenburg County Health, Mental Health &Community Services Dept. Mecklenburg County		

	Child Protective Services Substance Abuse Project Inventories	
Work First/Substance Abuse Initiative NC Div MH/DD/SAS and NC Div DSS	The Child Protective Services/Work First/Substance Abuse Initiative funds positions formerly known as Work First/QSAP statewide. The positions are supported with $40,000 in SAPTBG Non-UCR funds. The intent is that the additional funds necessary to support the position will be generated by the QSAP billing Medicaid for screening, assessment, and case management services provided to the Child Protective Services and Work First target populations. These positions serve as point of entry and engagement for two Substance Abuse target populations into LME/AP for services and supports. These positions provide substance abuse screening for parents involved with child protective services and Work First and assist through assessment and case management services the recovery and improved parenting for these individuals.	2,160,000 Federal Funds
Intensive Substance Abuse and Child Protective Services Demonstration Project NC Div MH/DD/SAS and NC Div DSS	Project Description: This Initiative involves collaboration between two service systems in order to provide a focused, effective approach to the 75% of all families and children in the Child Welfare system with substance abuse problems. Special consideration will be given to LME/APs hardest hit by methamphetamine addiction. Communities are asked to develop and implement innovative program services models across the Child Welfare and Substance Abuse Services Delivery Continuum. This Continuum includes: child protective services investigations of abuse or neglect; family court services; preventive services; foster care services for birth parents and for adolescents in group homes and institutional facilities; and continuing care services for families after re-unification. Outcomes for these programs will include improved parenting and increased timely reunification.	900,000 Federal Funds
Methamphetamine Demonstration Projects NC Div MH/DD/SAS	Planning grants to four (4) counties hardest hit by methamphetamine addiction. These grants are to be used in the development of a demonstration project for intensive substance abuse services for individuals who are in need of intervention due to use, abuse and/or dependency of methamphetamine. Goals during planning include: ongoing coordination and collaboration with a multidisciplinary advisory group consisting of representatives from agencies; identify and develop educational training needs; and develop a comprehensive method of collecting, analyzing and utilizing outcome based data. Outcomes for these programs will include improved parenting and increased timely reunification.	900,000 Federal Funds

First In Families (FIF) Div MH/DD/SAS Cherokee, Clay, Macon, Swain, Jackson, Haywood, Graham, Cleveland, Ashe, Allegheny, Watauga, Avery, Wilkes, Stokes, Forsyth, Davie, Mecklenburg, Anson, Montgomery, Richmond, Moore, Hoke, Durham, Wake, Johnston, Pender, Brunswick, and New Hanover Counties Union (Pending-will be funded in July)	First In Families provides flexible supports to individuals with developmental disabilities and their families. Supports are provided through community projects which are governed by a consumer management team.	1,200,000 State Funds

FOSTERING PARENTING SKILLS

	North Carolina Substance Abuse Prevention Parent CORPS	
Parent CORPS NC Div MH/DD/SAS Halifax, Gaston, New Hanover, Wake, Wilson, Alamance, Cumberland, Hoke, Forsyth, Guilford, Chatham, Buncombe, Durham, Edgecombe, Moore, Rockingham Counties	The North Carolina parent Drug Prevention CORPS (NC-Parent CORPS) was launched in March, 2002 in an effort to build and institutionalize a new parent movement in North Carolina. Cooperative agreements were made with local mental health centers and a collaboration was established with the National Guard for on-going technical assistance and support. The focus is to increase North Carolina's capacity to prevent illicit drug use by children and youth by recruiting and training parent Leaders to educate and mobilize other parents as partners in prevention. Seventeen (17) sites across the state is presently being funded for a parent leader position.	500,000 Total 250,000 Federal Crime Commission And 250,000 State Funds
	STRENGTHENING FAMILIES PROGRAM	
Strengthening Families NC Div MH/DD/SAS Buncombe, Durham, Edgecombe, Moore, Rockingham, Wake, Mecklenburg, Montgomery, Union, Yadkin, Alamance, Chatham, Cumberland, Forsyth, Gaston, Guilford, Halifax, Hoke, New Hanover, and Wilson Counties	The Strengthening Families Program(SFP) is composed of three component: 1)a Parent Training Program, 2) a Children's or Youth's Skills Training Program, and 3) a Family Skills Training Program. These are implemented simultaneously so as to have maximum impact on risk factors associated with alcohol and/or drug use. Juvenile delinquency, and emotional, academic and behavioral problems in at-risk youth. The SFP is designed to be implemented with 14 weekly 2-3 hour sessions with four to eight families attending. In the first hour the parents and youth are separated into classes learning similar material. In the second hour they work together in two multi-family groups to practice as a family. This skill practice with both the parent and the child makes the major difference in helping the families make real and sustained changes in their family interactions. Funding 3 sites over the state.	800,000 Block Grant

Attachment 5D

National Conference of State Legislatures
December 19, 2003

Children and Families Program
Susan Robison, Consultant

State-Local Organization of Child Welfare Systems

The Status of State Child Welfare: Children and Systems in Trouble

States across the nation are struggling to protect and nurture vulnerable children and to improve the child welfare systems intended to serve them. Unfortunately, however, the results of their struggles are similarly disappointing. States share Illinois' tragic experiences of children who are harmed or lost, class action lawsuits, and continually growing financial costs. Other issues that Illinois experiences are widespread.

Public child welfare agencies are turning away families they would have helped in the past. Nationally, only about half of child abuse and neglect reports are substantiated. Of children who are confirmed as victims of abuse and neglect, only about half receive services beyond the initial investigation. Child welfare administrators report that their agencies are no longer able to provide services to children who are identified as being at low or moderate risk of harm.[1]

States are spending more despite decreasing caseloads. In state fiscal year (SFY) 2000, state child welfare expenditures topped $20 billion on child welfare services, 20 percent more than in SFY 1998, despite a decline in the number of children reported as abused and neglected and the number of children in foster care.[2] This suggests that not only are child welfare agencies spending more money than they have in the past, they are spending more money per-child.

- Child welfare administrators point to the increasing number of children with multiple or severe special needs and difficulty recruiting and retaining qualified workers.

- Policy experts cite the costs of administering a cumbersome and complex web of federal and state funding streams and adverse incentives inherent in the financing structure.

  For example, a recent federal rule prohibits states from collecting federal reimbursement for children placed with kin unless relatives meet the same licensing/approval standards as non-relative foster family homes—even kin who are provisionally licensed or providing emergency care. As a result, states are not receiving federal reimbursement for foster care payments they are making to many kin, and many kin are being denied foster care payments entirely. *In a state such as Illinois that relies strongly on kinship care, this rule alone has enormous implications.*

State legislators are frustrated by the system's lack of accountability for improving vulnerable children's lives and for system failures. Despite billions of dollars invested in

information management, legislators have difficulty getting information about child welfare activities, use of state resources, and changes in conditions for children and families. More frustrating, however, is the inability to assign responsibility to "the system."

The fact that these problems are widespread is no consolation for state policymakers, citizens, and vulnerable individuals. States are developing a range of approaches for addressing the crisis, including steps to strengthen the child welfare workforce and frontline practices. This paper briefly describes two particular approaches--state-local organizational strategies and steps to improve accountability. It outlines state trends, experiences, and key issues to consider.

State-Local Partnerships

Regardless of the organizational structure, the goal for many states is a new type of state-local partnership that improves the lives of children and families and makes better use of existing resources. A growing number of states are working to give residents, communities and non-governmental organizations a larger role in planning and delivery of human services. In the child welfare arena, these efforts have focused on frontline practice and prevention—interacting differently with families and local resources. Emerging strategies include:

- *Development of the child welfare workforce* to improve recruitment, retention, and skills of frontline staff and their supervisors—the heart of the system.[3]
- *Family group conferences and other case planning* that embrace--as partners--youth, families, members of informal support networks, and representatives of community resources.
- *Neighborhood-based child protection* that engages residents and other local assets as resources for protecting children.
- *New approaches to foster care* that utilize local families and keep children in their home schools and communities.

As new community-based practices and decision-making take root, states are expanding their use beyond isolated communities. Whether state administered or state supervised/ county administered, many child welfare agencies are working to develop stronger partnerships with communities. Strategies include:

- *Collaborative, strategic planning* of prevention efforts at the local level with consumers, residents, and local service providers. Many of these efforts grew out of state and local experiences with collaborative planning for family support and family preservation services.
- *Flexible and pooled funding* that allows local jurisdictions to use existing, categorical resources differently in order to accomplish local and state goals. California's longstanding Youth Pilot Projects and Iowa's statewide decategorization are examples.

- *Local governing entities* created to set priorities for the community's children and families and to distribute state and other resources for particular strategies. Many of these entities focus on child abuse and neglect prevention rather than intervention with children and families who have experienced maltreatment and are court-involved. Florida's Community Alliances, Maryland's local management boards, Missouri's Caring Communities, Ohio's County Children and Families First Councils, and Washington's Community Public Health and Safety Networks include communities that work on intervention as well as prevention.

While these emerging organizational and financing strategies represent significant innovations in state-local partnerships, they may not address the fundamental state-local governance and administrative system for child welfare.

State and County-Based Systems

State-local roles in child welfare are a complex dynamic within a complex system. There is a continuum of options that involve different allocations of authority, resources and responsibility.

County-Administered/ State Supervised	***Shared Functions***	**State-Administered**
	County and other local field offices	*State employees*
County employees	*State operated facilities*	*State funded*
County funding share	*Local juvenile and family courts*	*State legal mandates/ liability*
County legal mandates/ liability	*Court-operated programs*	
	Community organizations and resources	

At one end of the continuum are less than a dozen states (California, Colorado, Maryland, Minnesota, New York, North Carolina, Ohio, Pennsylvania, and Wisconsin) with child welfare systems that are state-supervised and county-administered. Frontline staff and their direct supervisors are county employees, counties contribute a least some portion of operating funds from local revenue, and county government has some degree of legal liability for performance.

At the other end of the range are states like Illinois with child welfare programs directly administered at the state level. Agency staff are state employees, the state directly allocates funds to programs and organizations, and state government (along with its contract agencies) has primary legal liability for performance.

In reality, many states are hybrids. Child welfare responsibilities and authority are shared by the state and counties or other local jurisdictions.

State Administered Systems

The majority of states directly administer child welfare programs. However, a growing number are looking for ways to better connect these systems with communities and to overcome the barriers of a large state bureaucracy.

Some Pros and Cons

States that directly administer child welfare services report a number of potential benefits and challenges for the approach. Although systems vary enormously, there are some general similarities in these reports.

Potential Benefits	*Potential Challenges*
Resources, policies and practices are relatively uniform statewide.	Large state bureaucracies are difficult to manage. The agency is often a complex web of programs, funding streams and mandates that is difficult to understand or navigate.
The agency represents a wealth of program expertise, skills working with clients or service providers, and organizational support capacity.	The state bureaucracy may be difficult to navigate and seem impersonal to individuals who need assistance.
Centralized administration allows for relatively efficient management, policy development and implementation.	Local flexibility to respond to community needs, assets and priorities may be lacking.
Strong leadership can have an enormous impact statewide. Promising practices can be directed in ways that permeate the organizations.	Individuals who make policy and service delivery decisions may not know the needs and strengths of each community.
Allocation of resources is determined for the state as a whole. Funding does not depend on the individual county's ability to generate funding.	Coordination with agencies and programs that are not state administered— the courts, community mental health, schools, community organizations—is difficult.
Accountability for some areas of performance clearly rests with the state agency. It is the single entity responsible for implementing federally authorized programs and receiving federal funds.	Communication, coordination and collaboration may be more challenging at the state level than at the local level.
State government has legal responsibility. In some states, counties have given up	Oversight of the complex agency is difficult. The organizational culture may promote finger-pointing, blaming and failure to accept responsibility for

child welfare administration due to concerns about lawsuits filed by workers and clients.	performance. Incentives for innovation—especially for individual communities or staff--may be lacking. There is often a culture of inertia. The sheer size and momentum of the organization may make change difficult.

The Local Role in State-Administered Systems

In all states, some resources that children and families need are likely to be administered at the local level. Nationally, 11 percent of child welfare expenditures came from local funds in SFY 2000. Sixteen states report that local governments are required to match either federal or state child welfare funds.[4] Juvenile and family courts and their services are often funded and administered by local jurisdictions. Many services for abused and neglected children and their families are provided and funded by local public and private organizations, including school districts, nonprofit agencies, and community organizations. Here are some ways that state child welfare agencies share responsibility with local jurisdictions:

- *County field offices* with some degree of authority and responsibility for decision-making. In Georgia, Indiana, Michigan and South Carolina, for example, county offices have relatively strong decision-making traditions. Staff are state employees, but county administrators have some authority and flexibility in implementing state policies.

  Oregon's recent reorganization of its Department of Human Services, an umbrella health and human services agency, consolidated multiple field offices into a single local office in each county or community. One-stop service centers are being created to house both public and private providers, conduct a single assessment of individuals who need multiple services, and provide a single case navigator with coordinated service teams. The manager of each field office has planning and administrative responsibility for the jurisdiction.

- *Local administration of key jurisdictions*. In 2001, the Nevada legislature transferred child welfare responsibilities from the state agency to Clark County (Las Vegas) and Washoe County (Reno), the state's two largest counties. In these jurisdictions, there was a long history of shared and often unclear responsibilities between the state, local juvenile and family courts, and county government. The counties had generated their own revenue for child protective services and conducted investigations and assessments. The legislative change was intended to clarify roles and to increase efficiencies.

In 2000, the Missouri General Assembly authorized a pilot project in Jackson County to develop a community response to child abuse and neglect, including investigation of hot line reports, assessments and case dispositions.

- *Local funding*. Even in state-administered systems, local funding may play a significant role. In Indiana, counties generate their own revenue for a share of child welfare and other services.

- *Decategorization* of funding to counties. Since the 1980s, Iowa has decategorized up to 35 child welfare and juvenile justice funding streams to participating counties. Teams that consist of the local child welfare administrator, local juvenile court judge and other local public agency managers determine how the funds will be used. The county "decat" teams have been allowed to keep any savings for investment in community-based resources and to roll the funds over to the next year.

- *Performance contracts* with counties. In the early 1990s, Michigan's state child welfare agency developed contracts with county offices. Performance goals were negotiated for each participating county, for example to reduce out of state placements, other highly restrictive placements, and unnecessary out-of-home care. Funding was tied to these goals and county offices were allowed to keep savings.

County-Based Systems

In many states, social services and child welfare started with settlement houses, the county poor house and orphanage, and local charitable organizations providing assistance for community residents. Over the years, the majority of states assumed responsibility and liability for administering and operating social programs. In those states with county-administered systems, there is a strong tradition of local governance and county government has authority for a wide range of functions beyond human services.

In 1999, NCSL staff interviewed state and county child welfare administrators in three county-administered states: New York, North Carolina and Ohio. Together with other research on human services organizational strategies, the following findings were revealed.

Key Issues

State-local funding. Funding responsibilities have enormous implications for state-local relationships, outcomes for children and families, and system performance. Local jurisdictions and the state must develop financing strategies that are clear and equitable for both. Counties often complain of unfair funding allocation and un-funded mandates from the state. From the state perspective, because it may not be the primary funder, it lacks the "clout" to direct agencies to take needed action.

State mandates and local authority. State-local authority and responsibility must be clearly delineated in a way that is agreeable to both levels. Counties frequently resent the state's role, and the state is often challenged to ensure local compliance with federal and state law and regulations. Areas of shared responsibility are especially challenging.
Local capacity and state commitment and ability to support counties. Counties often view the state agency as overly prescriptive and bureaucratic. In reality, state agencies may lack the skills and commitment to help counties develop capacity.
Accountability. Counties complain that they are held accountable for achieving outcomes set by the federal or state government without being provided adequate input, resources, or flexibility.

Some Pros and Cons

Potential Benefits	***Potential Challenges***
Policy and practice-level decision makers are likely to be familiar with local needs, assets and priorities and able to respond to local variation.	Organizational approaches, information management, and service availability, quality and costs may vary widely throughout the state.
Administrators and frontline staff are likely to know the community needs, strengths and priorities and even individual families.	Federal-state-county funding is often very complex and difficult to manage. Funding that is viewed as inequitable may undermine state-local relationships and staff morale.
Communication, collaboration and coordination may be more feasible at the local level. County staff may be able to better leverage and use private sector resources.	State-local responsibilities may be unclear or disputed. Some states and counties have longstanding disagreements regarding responsibility for hard-to-serve children and families.
The county has more authority to determine how services are delivered. The local agency may be able to determine which functions are contracted to private providers. It can develop its own contracts and choose the private providers.	State commitment and capacity to provide support and assistance to county staff may be limited.
There are opportunities to negotiate state-county partnership agreements that identify responsibilities, outcomes, and recourse.	Timely, useful information from the state that allows counties to monitor their progress and helps the state provide oversight is often lacking.
Innovation may be easier to foster at the local level, e.g. managed care approaches to child welfare in Ohio, integrated one-stop service centers in California.	States are challenged to hold counties accountable for use of state resources, mandated responsibilities, and protection of individual rights.

County staff may be well-positioned to work with the courts. Some states are able to influence the courts to work on behalf of counties, children and families.	Counties are legally liability for use of federal resources and agency operations. Lawsuits have been financially crippling for some counties. The state agency may be viewed by counties as compliance enforcer rather than facilitator and supporter. Mutual state-local understanding of system dynamics may be lacking. State agencies report that county level staff do not understand state and federal functions and requirements. Counties report that state policy development is not relevant to reality. Inter-jurisdictional issues and differences, including implications for child abuse and neglect reports and investigations, adoption recruitment and placement, and permanency services. States may be unable to participate in certain federal financing options unless all counties agree.

The State Role in County-Based Systems

The state agency has a critical role in county-administered systems. Often the state agency must wear many hats that encompass potentially conflicting roles, such as regulatory enforcer and technical assistance consultant. Productive state-local relationships provide support for the counties and help the state develop and implement crucial policies. However, counties often see the state as more supervisor than partner. Positive relationships require ongoing effort and leadership.

The state agency's role varies greatly even among county-based systems. In most, some facilities such as specialized residential treatment facilities are operated directly by state government. Wisconsin's Department of Health and Family Services (DHFS) is a county-based system with the exception of the Bureau of Child Welfare in Milwaukee, by far the state's largest child welfare system. DHFS accepted direct administration of this entity when the county was unable to comply with the court-ordered settlement of a class action lawsuit.

State agencies perform a productive role in county-based systems through the following functions:

- *Facilitating change.* The state child welfare agency has a leading role in moving toward more community-based child protection and child welfare. It can provide mechanisms for county input into state policies, building consensus about desired results and strategies for achieving them, and negotiating state-local agreements.

- *Providing local support.* Counties report that they value and welcome friendly support from state agencies in the form of technical assistance, training, and consultation. Some see state regional staff as valuable resources and partners. The goal is a partnership that provides local jurisdictions with the support, information and assistance they need to improve the lives of vulnerable children and families. To provide the support that communities need, state agencies themselves need adequate skills, resources, and other capacity. Often the agency must work to develop its own ability to teach strategic planning skills, community development strategies and service delivery approaches that respond to highly varied communities and local systems.

- *Providing standards, guidelines and best practices*. Many policymakers, administrators and service providers have debated the state's role in providing local guidance and ensuring performance. Its activities can range from prescribing standards to suggesting best practices. Caseload standards, procedures for responding to child abuse and neglect reports, training requirements, and requirements of private agencies are common areas of debate. Local jurisdictions in county based systems report that the state is most helpful when it identifies best practices and provides information regarding successful models instead of setting standards. Legislative champions of Iowa's Community Empowerment Initiative favor allowing communities great flexibility to develop their own strategies within overarching results for children and families. Other policymakers believe that more explicit state standards are necessary to ensure local equity, service availability and quality, and individual protections.

- *Oversight*. In county-based systems, the state has a key role in monitoring county use of state resources and protection of the rights of individual citizens. Counties generally believe that the state's oversight should be consistent with the resources it contributes and that the state should have limited oversight authority if it does not contribute a fair share of funding. Oversight responsibilities in county-based systems are often shared:

    - *Licensing of facilities and providers*. In New York, North Carolina, and Ohio, the state licenses group homes and residential care facilities, which are mostly privately operated. Counties or private child placement agencies recruit, license and provide training for foster families.
    - *Child fatality reviews*. New York State conducts its own review and submits a report to the county commissioners, state legislators and the

county agency. The State is also helping counties set up their own reviews. A number of Ohio counties have their own multidisciplinary child death review teams. If a child dies in the custody of a county agency, the state conducts a review. In North Carolina, legislation mandates that county teams review all fatalities and that a state team review certain cases.

- *Monitoring private contract agencies*. This is largely a county-level responsibility, but the state may provide guidelines and/or conduct audits when problems arise. This has been an issue in Ohio, where the state has held counties responsible for the actions of private providers.

Child Welfare Accountability

Regardless of the organization of child welfare systems, states and communities struggle with accountability. Although the distribution of responsibilities varies, key components of accountability systems are the same for both state and county-administered systems.

Key Components

Ongoing Legislative Oversight. To provide adequate oversight of the child welfare system requires a legislative forum for review apart from the appropriations process. Individual legislative champions can monitor overall agency performance, bring attention to issues and advocate for improvements. However, there is both strength and ongoing capacity in a systematic approach to legislative oversight. To prevent crises rather react to them, standing committees with jurisdiction over children and family policy routinely review system performance. Utah's Child Welfare Oversight Panel is a joint, bipartisan body created to examine executive and judicial branch implementation of child welfare laws. Stakeholders provide information and testimony, and the child welfare agency and judicial branch annually report to the Panel. The Panel also may review individual cases to determine the system's effectiveness. It recommends budgetary, statutory and other changes to improve child welfare.

Independent Monitoring Bodies. A number of legislatures have authorized independent entities to monitor state agencies' performance and outcomes for children and families. The Delaware legislature created the Child Protection Accountability Commission to examine and evaluate the policies, procedures and effectiveness of the child protection and child welfare system and recommend changes. The Commission advocates for legislation, makes legislative recommendations, and develops training for child welfare staff, attorneys general, family court, law enforcement officers, the medical community, educators, day-care providers, and others on child protection issues.

Citizen Review Panels. The federal Child Abuse Prevention and Treatment Act (CAPTA) requires states, as a condition of eligibility for grants under the Act, to have in place "citizen review panels." The purpose of such panels is to provide an opportunity for citizens to play a role in ensuring that the state is meeting its goals in protecting

children from abuse and neglect. States are allowed to designate existing panels, such as foster care review panels or child fatality review panels, to fulfill the CAPTA requirements. Each citizen review panel is required to evaluate the extent to which the state agency is fulfilling its child protection responsibilities in accordance with the CAPTA state plan.

Data Monitoring. To monitor the safety and well-being of the state's children requires data regarding key indicators. Systematic, ongoing data collection and public reports allow everyone with a stake in the system to track progress. Public attention to well-being indicators and engagement in monitoring provides another level of accountability and can help build a political force for children and families. The Tennessee Commission on Children and Families, an independent state agency, collects and publicizes data regarding child and family well-being throughout the state.

Ongoing Quality Service Reviews. While population level data provide a snapshot of overall conditions of the state's children and families, quality service reviews provide a picture of the experiences of individual children and families who come into contact with the child welfare agency. In depth review of individual cases helps determine how the child welfare system is performing, service consumers' level of satisfaction, system problems, and strategies for improvement. Intensive reviews of random cases include examination of case records as well as interviews with case workers, school personnel and other service providers, family members, and youth.

Many court-appointed monitors of class action lawsuits against states utilize quality service reviews to track improvements. Iowa's Department of Human Services obtained outside training to conduct its own ongoing reviews, which the agency uses for quality assurance, staff training, and continuous improvement. Tennessee's Commission on Children and Families regularly conducts quality service reviews of children in state custody and uses the information to formulate recommendations for policy, procedural and practice changes.

Child Advocate or Ombudsman Offices. Investigation of individual complaints or cases provides another level of accountability. Legislators in Connecticut, New Jersey, and Rhode Island, for example, created independent child advocate offices to investigate individual cases and system issues, review the practices of public and private agencies responsible for child welfare and other services, provide public education and advocacy, and recommend policy and procedural changes. State advocates may initiate administrative hearings or litigation to protect the safety and well-being of children. The New Jersey advocate operates a hot line to accept and respond to calls from concerned citizens. Indiana community child protection teams review cases and investigate complaints at the county level.

Child Fatality Reviews. Many states have established child fatality review teams to determine what happened when the system is unable to protect a child and what can be done to prevent future tragedies. The teams investigate the circumstances of individual deaths, try to identify the roles and responsibilities of public and private parties, and may

recommend recourse and changes in the system. While internal reviews can be used productively by the child welfare agency, teams may be especially effective if they are multidisciplinary, independent of the public child welfare agency, and able to present their recommendations directly to policymakers.

Community Self Assessment and Monitoring. Communities that are becoming more active participants in decisions for children and families, including those that are developing community child protection initiatives, are using a range of tools to monitor their progress. As states provide greater flexibility and authority to communities, they expect greater accountability. Communities continue their initial assessment of local needs and assets through ongoing tracking of well-being data, local mapping and surveys, and continual outreach to community residents and stakeholders. States are working with communities to develop oversight strategies such as negotiated funding agreements with performance objectives and routine review, performance contracting, and independent longitudinal evaluations.

Child and Family Service Reviews

Another important accountability mechanism is the federal Child and Family Service Review (CFSR) process. The U.S. Department of Health and Human Services oversees state child welfare systems to ensure conformity with the state plan requirements associated with the major child welfare funding streams, Titles IV-B and IV-E of the Social Security Act. Beginning with FY 2001, HHS has shifted from a process-oriented compliance system to a more results-based, collaborative performance review. The reviews seek to determine state achievement of seven outcomes in the areas of child safety, permanency and well-being and the adequacy of seven required system components. The reviews consist of the following phases:

- **Statewide assessment:** The state is required to submit a comprehensive assessment of the strengths and weaknesses of its system and an analysis of data on child outcomes;

- **On-site review:** Over the course of a week, a team of federal and state experts review 50 cases randomly selected from 3 sites in the state, including the state's largest metropolitan area, and interview key stakeholders involved in the child welfare system, including caseworkers, parents, judges, and service providers;

- **Final Report:** After the on-site review, HHS issues a final report combining the findings of the statewide assessment and the on-site review;

- **Program Improvement Plan:** A state found not to be in substantial conformity with all seven outcomes and all seven systemic factors is required to develop and implement a program improvement plan (PIP). The state and HHS negotiate the level of required improvement. To date, 46 states and the

District of Columbia have undergone reviews and all of them have been required to implement PIPs. States that fail to meet their PIP obligations are subject to financial penalties.

Illinois completed its review in September 2003. Although a final report has not yet been released, the statewide assessment is available on DCFS' web site at http://www.state.il.us/dcfs/library/com_communications_swa.shtml.

The CFSRs provide an opportunity for legislators to learn more about the performance of their states' child welfare systems, to compare their state to others, and to play a role in program improvement efforts. For example, legislators can hold hearings on their state's performance on the review and its implications for state policy, programs and budget.

Getting Started: Three Essential Steps

Reform of child welfare systems is enormously challenging. Although single strategies may not be difficult, there is no silver bullet. Individual band aids are not sufficient. We present a few important first steps for significant change.

Rally Political Will. The commitment of public officials, the advocacy community, and the general citizenry to improvement is essential. Their active, long term involvement is perhaps the most significant factor for success. A solid group of committed champions can gain support from other stakeholders at the local and state level, within and outside the existing system. Ongoing work is necessary to reach out to all stakeholders--everyone who has something to gain or something to lose.

Find Skilled Leaders. Recent studies of state and local efforts to change decision making for children and families reveal the critical role of skilled, stable leadership. In addition to political leadership, other necessary skills include strong communication skills, ability to build consensus and relationships, and management expertise.[5]

Commit to Persevere Over Time. Experts estimate that it takes five to ten years to turn around a child welfare system.[6] This is certainly borne out in the current reform of the troubled New York City Child Welfare system. In 1999, settlement of a class action lawsuit began a comprehensive overhaul of frontline practice. An outside panel of experts has provided guidance, and the local public and private sector leaders contribute ongoing commitment. The efforts have produced positive results and they continue to contribute to significant reform.

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[1] Rob Geen, *Improving Child Welfare Agency Performance through Fiscal Reforms: An Assessment of Recent Proposals*, report prepared for the Joint Center on Poverty Research Conference, Child Welfare Services Research and Its Policy Implications, March 20-23, 2003, 7.
[2] Geen, 2.
[3] Susan Robison, *Organizational Strategies for Improving Human Services: Moving From Restructuring to Reform*, (Denver: National Conference of State Legislatures) forthcoming.
[4] Geen, 4-5.

[5] Center for the Study of Social Policy, *Assessing the Evidence of the Effectiveness of Community Decision Making for Children and Families*,(Washington, D.C.: CSSP) forthcoming.
[6] John Mattingly, *National Perspective: Where We Could Go in Transforming Georgia's Child Welfare System*, testimony to the Georgia Senate Study Committee on the Implementation of Children and Youth Services Improvement Plans, November 10, 2003.

E

Attachment 5E

DHHS-Division of Social Services
TANF Child Welfare Workers for Local DSS
(CFDA#93.558-Federal Funds)

COUNTY	Original SFY 2002-2003 Allocation	Original SFY 2003-2004 Allocation	Allocation Difference	Expenditures 2002-2003		✧ CPS Positions 2002	✧ CPS Positions 2003
Alamance	474,509	526,885	(52,376)	473,588		17.75	12.7
Alexander	22,052	24,196	(2,144)	1,124		4	5
Alleghany	3,448	3,588	(140)	3,932	*	1.22	1.23
Anson	8,619	7,737	882	8,649	*	3	3
Ashe	10,978	12,113	(1,135)	11,203	*	2.75	2.75
Avery	65,791	70,725	(4,934)	65,891	*	2.5	2.25
Beaufort	15,586	16,289	(703)	14,790		10	9.5
Bertie	5,126	4,279	847	5,126		1.5	1.45
Bladen	8,499	11,806	(3,307)	8,498		5	4
Brunswick	32,542	35,896	(3,354)	33,442	*	7	7
Buncombe	179,213	194,844	(15,631)	179,214	*	52	55
Burke	235,004	234,122	882	235,004		20	17
Cabarrus	104,511	123,923	(19,412)	103,819		16.5	17
Caldwell	385,853	421,799	(35,946)	385,897	*	20.5	20.5
Camden	1,003	1,063	(60)	1,005	*	0.7	0.7
Carteret	6,253	9,258	(3,005)	0		10	12
Caswell	11,589	12,783	(1,194)	13,221	*	3	3.5
Catawba	70,737	87,083	(16,346)	70,737		29.5	29.5
Chatham	87,617	99,535	(11,918)	93,306	*	8	8
Cherokee	69,951	76,219	(6,268)	69,619		3.5	4
Chowan	3,274	545	2,729	3,300	*	0.42	0.42
Clay	6,363	7,019	(656)	6,363		1	0.7
Cleveland	109,140	127,457	(18,317)	109,140		28	28
Columbus	41,731	46,032	(4,301)	41,731		7	9
Craven	86,787	84,174	2,613	88,384	*	22	17
Cumberland	384,046	423,625	(39,579)	384,046		63	60
Currituck	10,228	10,938	(710)	10,228		3.65	4.15
Dare	10,243	13,420	(3,177)	17,063	*	4.5	4.5
Davidson	389,466	429,604	(40,138)	389,466		23	21
Davie	-	-	-	0		2.4	2.3
Duplin	39,882	45,409	(5,527)	41,206	*	10	10
Durham	174,248	192,206	(17,958)	180,353	*	32	30
Edgecombe	114,964	137,717	(22,753)	114,875		14.5	21
Forsyth	149,199	152,192	(2,993)	147,840		25	25
Franklin	5,925	10,130	(4,205)	7,284	*	4.5	5
Gaston	203,575	224,555	(20,980)	203,575		41	40

COUNTY	Original SFY 2002-2003 Allocation	Original SFY 2003-2004 Allocation	Allocation Difference	Expenditures 2002-2003		CPS Positions 2002	CPS Positions 2003
Gates	4,195	4,700	(505)	0		0.72	0.85
Graham	5,353	2,551	2,802	5,353		2	2
Granville	185,022	204,090	(19,068)	185,022		5.5	5.4
Greene	6,626	10,468	(3,842)	5,850		2	2
Guilford	227,739	264,258	(36,519)	227,739		50	45
Halifax	301,021	332,044	(31,023)	303,839	*	11	13
Harnett	69,241	72,550	(3,309)	69,241		12	13
Haywood	104,530	130,271	(25,741)	106,238	*	14	15
Henderson	157,865	180,501	(22,636)	157,904	*	15.7	17.7
Hertford	22,059	24,332	(2,273)	22,059		2.6	3
Hoke	18,794	16,861	1,933	18,794		3.5	2
Hyde	1,768	677	1,091	36,613	*	1.4	1
Iredell	110,219	123,239	(13,020)	113,618	*	26	26
Jackson	12,509	6,478	6,031	12,509		6.73	7.5
Johnston	346,351	400,865	(54,514)	367,459	*	17.5	17
Jones	11,135	12,283	(1,148)	14,896	*	1.75	1.75
Lee	62,598	77,530	(14,932)	62,615	*	4	4
Lenoir	32,850	29,314	3,536	30,938		11.2	11.2
Lincoln	37,208	39,537	(2,329)	37,208		8.35	8.85
Macon	21,516	21,541	(25)	21,516		4	4
Madison	19,706	24,235	(4,529)	19,706		5	4
Martin	-	1,089	(1,089)	0		3	2.8
McDowell	205,479	221,045	(15,566)	205,847	*	11.05	11.5
Mecklenburg	526,382	534,005	(7,623)	526,382		112	115
Mitchell	6,877	9,512	(2,635)	10,103	*	2.25	3
Montgomery	16,442	19,407	(2,965)	16,442		4.7	5
Moore	49,774	57,477	(7,703)	52,418	*	10.3	16.75
Nash	93,577	109,757	(16,180)	93,594	*	12.97	12.66
New Hanover	720,243	787,752	(67,509)	756,060	*	31	31
Northampton	10,514	10,737	(223)	13,577	*	3.6	3.8
Onslow	162,275	185,738	(23,463)	162,275		44	41
Orange	326,414	373,190	(46,776)	326,414		20	21.25
Pamlico	51,659	56,535	(4,876)	52,203	*	3	3.3
Pasquotank	23,949	26,417	(2,468)	23,943		6	7
Pender	32,765	38,737	(5,972)	32,765		7.5	8.25
Perquimans	4,051	3,609	442	4,051		0.66	0.67
Person	22,707	24,290	(1,583)	17,979		5.25	5.75
Pitt	188,858	208,322	(19,464)	180,199		27	27
Polk	7,203	6,140	1,063	7,174		2.1	2.4
Randolph	297,883	328,583	(30,700)	297,915	*	19	20
Richmond	285,479	316,748	(31,269)	174,753		11	11

COUNTY	Original SFY 2002-2003 Allocation	Original SFY 2003-2004 Allocation	Allocation Difference	Expenditures 2002-2003		✧ CPS Positions 2002	✧ CPS Positions 2003
Robeson	291,490	321,531	(30,041)	291,439		36	40
Rockingham	43,780	45,043	(1,263)	40,321		10	10
Rowan	293,184	323,399	(30,215)	293,184		20	17
Rutherford	389,159	448,236	(59,077)	389,144		14	14.3
Sampson	14,720	15,165	(445)	14,720		5	5
Scotland	32,306	26,188	6,118	33,304	*	6	5.5
Stanley	92,382	104,335	(11,953)	92,382		8	9
Stokes	130,806	144,287	(13,481)	130,806		5	5
Surry	28,599	33,144	(4,545)	28,599		10	11
Swain	3,313	2,396	917	3,552	*	3.5	5
Transylvania	124,086	137,824	(13,738)	124,086		3.5	4
Tyrrell	313	563	(250)	0		0.5	0.8
Union	47,657	52,568	(4,911)	48,941	*	17.25	17.25
Vance	38,096	43,765	(5,669)	38,096		7	7.5
Wake	229,775	253,455	(23,680)	229,822	*	47	57
Warren	14,681	14,554	127	14,681		4	4
Washington	5,784	6,380	(596)	0		3.05	2.75
Watauga	8,963	8,425	538	8,963		3	3.4
Wayne	134,682	132,768	1,914	154,935	*	14	17
Wilkes	22,551	33,154	(10,603)	22,252		11	12
Wilson	89,824	93,257	(3,433)	89,824		12	12
Yadkin	12,302	14,575	(2,273)	13,048	*	3	3
Yancey	15,150	20,798	(5,648)	14,150		4.8	6.2
Total	10,382,391	11,452,391	(1,070,000)	10,372,379		1289.32	1316.23

NOTE: * These counties expenditures are more then their original allocation due to a year-end reallocation.

The reallocation transfers dollars from counties that underspent to counties that overspent.

✧ Staffing information supplied by county departments of social services through an annual survey.

✧ This 2002 and 2003 staffing survey information includes only Child Protective Services positions. It does not reflect Foster Care or Adoption positions. Any differences noted in this chart that depicts a decrease in CPS positions from one year to the next year is a result of county departments of social services managing their workforce by moving child welfare staff where the greatest need exist. For example, if a county experiences an increase in the number of children in foster care and their number of CPS reports remain constant, they may choose to move staff from CPS to Foster Care to accommodate the need. There will always be this reassignment occurring based on county's maximizing their workforce. The TANF funds allowed counties to create positions in all child welfare program areas.

There was a statewide increase of 27positions from 2002 to 2003.

E

Attachment 5E

DHHS-Division of Social Services
TANF Child Welfare Workers for Local DSS
(CFDA#93.558-Federal Funds)

COUNTY	Original SFY 2002-2003 Allocation	Original SFY 2003-2004 Allocation	Allocation Difference	Expenditures 2002-2003		✧ CPS Positions 2002	✧ CPS Positions 2003
Alamance	474,509	526,885	(52,376)	473,588		17.75	12.7
Alexander	22,052	24,196	(2,144)	1,124		4	5
Alleghany	3,448	3,588	(140)	3,932	*	1.22	1.23
Anson	8,619	7,737	882	8,649	*	3	3
Ashe	10,978	12,113	(1,135)	11,203	*	2.75	2.75
Avery	65,791	70,725	(4,934)	65,891	*	2.5	2.25
Beaufort	15,586	16,289	(703)	14,790		10	9.5
Bertie	5,126	4,279	847	5,126		1.5	1.45
Bladen	8,499	11,806	(3,307)	8,498		5	4
Brunswick	32,542	35,896	(3,354)	33,442	*	7	7
Buncombe	179,213	194,844	(15,631)	179,214	*	52	55
Burke	235,004	234,122	882	235,004		20	17
Cabarrus	104,511	123,923	(19,412)	103,819		16.5	17
[redacted]dwell	385,853	421,799	(35,946)	385,897	*	20.5	20.5
Camden	1,003	1,063	(60)	1,005	*	0.7	0.7
Carteret	6,253	9,258	(3,005)	0		10	12
Caswell	11,589	12,783	(1,194)	13,221	*	3	3.5
Catawba	70,737	87,083	(16,346)	70,737		29.5	29.5
Chatham	87,617	99,535	(11,918)	93,306	*	8	8
Cherokee	69,951	76,219	(6,268)	69,619		3.5	4
Chowan	3,274	545	2,729	3,300	*	0.42	0.42
Clay	6,363	7,019	(656)	6,363		1	0.7
Cleveland	109,140	127,457	(18,317)	109,140		28	28
Columbus	41,731	46,032	(4,301)	41,731		7	9
Craven	86,787	84,174	2,613	88,384	*	22	17
Cumberland	384,046	423,625	(39,579)	384,046		63	60
Currituck	10,228	10,938	(710)	10,228		3.65	4.15
Dare	10,243	13,420	(3,177)	17,063	*	4.5	4.5
Davidson	389,466	429,604	(40,138)	389,466		23	21
Davie	-	-	-	0		2.4	2.3
Duplin	39,882	45,409	(5,527)	41,206	*	10	10
Durham	174,248	192,206	(17,958)	180,353	*	32	30
Edgecombe	114,964	137,717	(22,753)	114,875		14.5	21
[redacted]rsyth	149,199	152,192	(2,993)	147,840		25	25
[redacted]nklin	5,925	10,130	(4,205)	7,284	*	4.5	5
Gaston	203,575	224,555	(20,980)	203,575		41	40

COUNTY	Original SFY 2002-2003 Allocation	Original SFY 2003-2004 Allocation	Allocation Difference	Expenditures 2002-2003		CPS Positions 2002	CPS Positions 2003
Gates	4,195	4,700	(505)	0		0.72	0.85
Graham	5,353	2,551	2,802	5,353		2	2
Granville	185,022	204,090	(19,068)	185,022		5.5	5.4
Greene	6,626	10,468	(3,842)	5,850		2	2
Guilford	227,739	264,258	(36,519)	227,739		50	45
Halifax	301,021	332,044	(31,023)	303,839	*	11	13
Harnett	69,241	72,550	(3,309)	69,241		12	13
Haywood	104,530	130,271	(25,741)	106,238	*	14	15
Henderson	157,865	180,501	(22,636)	157,904	*	15.7	17.7
Hertford	22,059	24,332	(2,273)	22,059		2.6	3
Hoke	18,794	16,861	1,933	18,794		3.5	2
Hyde	1,768	677	1,091	36,613	*	1.4	1
Iredell	110,219	123,239	(13,020)	113,618	*	26	26
Jackson	12,509	6,478	6,031	12,509		6.73	7.5
Johnston	346,351	400,865	(54,514)	367,459	*	17.5	17
Jones	11,135	12,283	(1,148)	14,896	*	1.75	1.75
Lee	62,598	77,530	(14,932)	62,615	*	4	4
Lenoir	32,850	29,314	3,536	30,938		11.2	11.2
Lincoln	37,208	39,537	(2,329)	37,208		8.35	8.85
Macon	21,516	21,541	(25)	21,516		4	4
Madison	19,706	24,235	(4,529)	19,706		5	4
Martin	-	1,089	(1,089)	0		3	2.8
McDowell	205,479	221,045	(15,566)	205,847	*	11.05	11.5
Mecklenburg	526,382	534,005	(7,623)	526,382		112	115
Mitchell	6,877	9,512	(2,635)	10,103	*	2.25	3
Montgomery	16,442	19,407	(2,965)	16,442		4.7	5
Moore	49,774	57,477	(7,703)	52,418	*	10.3	16.75
Nash	93,577	109,757	(16,180)	93,594	*	12.97	12.66
New Hanover	720,243	787,752	(67,509)	756,060	*	31	31
Northampton	10,514	10,737	(223)	13,577	*	3.6	3.8
Onslow	162,275	185,738	(23,463)	162,275		44	41
Orange	326,414	373,190	(46,776)	326,414		20	21.25
Pamlico	51,659	56,535	(4,876)	52,203	*	3	3.3
Pasquotank	23,949	26,417	(2,468)	23,943		6	7
Pender	32,765	38,737	(5,972)	32,765		7.5	8.25
Perquimans	4,051	3,609	442	4,051		0.66	0.67
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Rutherford	389,159	448,236	(59,077)	389,144		14	14.3
Sampson	14,720	15,165	(445)	14,720		5	5
Scotland	32,306	26,188	6,118	33,304	*	6	5.5
Stanley	92,382	104,335	(11,953)	92,382		8	9
Stokes	130,806	144,287	(13,481)	130,806		5	5
Surry	28,599	33,144	(4,545)	28,599		10	11
Swain	3,313	2,396	917	3,552	*	3.5	5
Transylvania	124,086	137,824	(13,738)	124,086		3.5	4
Tyrrell	313	563	(250)	0		0.5	0.8
Union	47,657	52,568	(4,911)	48,941	*	17.25	17.25
Vance	38,096	43,765	(5,669)	38,096		7	7.5
Wake	229,775	253,455	(23,680)	229,822	*	47	57
Warren	14,681	14,554	127	14,681		4	4
Washington	5,784	6,380	(596)	0		3.05	2.75
Watauga	8,963	8,425	538	8,963		3	3.4
Wayne	134,682	132,768	1,914	154,935	*	14	17
Wilkes	22,551	33,154	(10,603)	22,252		11	12
Wilson	89,824	93,257	(3,433)	89,824		12	12
Yadkin	12,302	14,575	(2,273)	13,048	*	3	3
Yancey	15,150	20,798	(5,648)	14,150		4.8	6.2
Total	10,382,391	11,452,391	(1,070,000)	10,372,379		1289.32	1316.23

NOTE: * These counties expenditures are more then their original allocation due to a year-end reallocation.

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✧ This 2002 and 2003 staffing survey information includes only Child Protective Services positions. It does not reflect Foster Care or Adoption positions. Any differences noted in this chart that depicts a decrease in CPS positions from one year to the next year is a result of county departments of social services managing their workforce by moving child welfare staff where the greatest need exist. For example, if a county experiences an increase in the number of children in foster care and their number of CPS reports remain constant, they may choose to move staff from CPS to Foster Care to accommodate the need. There will always be this reassignment occurring based on county's maximizing their workforce. The TANF funds allowed counties to create positions in all child welfare program areas.

✧ There was a statewide increase of 27positions from 2002 to 2003.

Attachment 6

North Carolina Partnership for Children

Additional information
About
Smart Start Expenditures for Abuse and Neglect

- The programs and services listed having a purpose service code of 5416 are specifically targeted at children who are abused and neglected. Other programs and services are designed to be preventative in nature and reduce instances of abuse and neglect. Smart Start funds such programs under authority granted to it under G.S. 143B-168.10. Smart Start's purpose is to ensure that each and every child in North Carolina arrive at school healthy and ready to succeed. Clearly, children who are abused and neglected are at risk for school failure.

- As specified by G.S. 143B-168.15(e) and other legislation, Smart Start programs and services do not duplicate or supplant other services or funds currently expended by counties on behalf of young children and their families. This means that the programs and services listed would not exist were it not for Smart Start funding. Each year, Smart Start engages in a thorough evaluation of the programs and services that exist in a county and seeks to provide programs and services for which a need exists that is not currently met, or fill in gaps in currently existing programs and services. During last year's session the General Assembly required the Department of Health and Human Services and the North Carolina Partnership for Children to study the issue of potential duplication of services in the health and family support areas. This study found no duplication of services in these areas. This report is due to be delivered to members of the General Assembly by the end of this month.

- As specified in G.S. 143B-168.15(a) and other legislation, Smart Start programs and services are targeted first on children and their families who are below the poverty level. In most instances, Smart Start funded programs and services dealing with abuse and neglect are referred to them by the Department of Social Services or the Health Department. We are thus able to know that these children are at greatest risk and are from the neediest families.

Attachment 7

Doug

ADMINISTRATIVE OFFICE OF THE COURTS

GUARDIAN AD LITEM SERVICES DIVISION
PO BOX 2448
RALEIGH, NORTH CAROLINA 27602

JOHN KENNEDY
DIRECTOR

DAVID HOKE
ASSISTANT DIRECTOR

JANE VOLLAND
ADMINISTRATOR
(919) 571-4820 ♦ (919) 788-5321
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To: Co-Chairs Representatives Jennifer Weiss and Timothy Moore, and Members of the House Interim Committee on Child Abuse and Neglect, Foster Care and Adoption
From: Jane Volland, Administrator of the Guardian ad Litem Program
Date: March 22, 2004
Re: Guardian ad Litem Attorney Advocate Pay Plan

I am writing to clarify how the Guardian ad Litem Attorney Advocate compensation plan is implemented. Our Attorney Advocates are paid based on fee-for-service contracts, not hourly rates.

The equivalent of an average hourly rate that was provided to Members of the *Interim Committee on Child Abuse, Neglect, and Foster Care, and Adoption* was calculated in the following manner. Based on our last timestudy of Attorney Advocates, we determined the approximate hourly pay rate equivalent for GAL Attorney Advocates. For FY2003 GAL attorney advocates earned a statewide average of $36.44 per hour, compared to the $65 per hour paid attorneys representing the parents of abused and neglected children. For future years, we assumed a 4% increase in hearings to calculate the approximate effective hourly rate of GAL attorney pay.

We developed this approximate hourly rate so that we could make a comparison with attorneys working in the same arena (primarily parents' attorneys and attorneys for county Departments of Social Services). This comparison clearly demonstrates the inadequacy of Guardian ad Litem Attorney Advocate compensation. It is increasingly difficult to recruit and retain attorneys who are willing to work for the compensation offered.

Our current Attorney Advocate compensation plan is based on a monthly fee-for-service, not an actual hourly rate. This plan was adopted to ensure that we remain within our authorized budget. Each year we determine for each district the approximate percentage their workload represents of the statewide program. This is based on the district's number of family cases, hearings, and new petitions. Each district is then allocated their share of the $1.5 million statewide budget for Guardian ad Litem Attorney Advocates. For example, in FY2003, the workload for Judicial District 1 was computed to be approximately 1.44% of the statewide workload. The FY2004 Attorney Advocate budget for Judicial District 1 was approximately $20,000. This District Administrator recruited four attorneys who provide all of Guardian ad Litem Program's legal representation in the district. Based on FY2003 data, the attorneys represented 234 children who had 471 hearings scheduled in this seven county district for a total of approximately $1,667 per month.

As the workload demands have grown without an increase in our attorney budget, the effective hourly rate for Guardian ad Litem Attorney Advocates continues to decrease. It is critical that increased funding be provided for Guardian ad Litem Attorney Advocates so the program can meet its statutory mandate to provide representation to abused and neglected children.

Attachment Bowers

Guardi[illegible]d Litem
3 Year Stats Report

District/County	2002-03 Year End Totals					2001-02 Year End Totals					2000-01 Year End Totals				
	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions
East Region															
District 1	**149**	**234**	**100**	**471**	**73**	**119**	**184**	**100**	**377**	**51**	**117**	**180**	**98**	**337**	**42**
Camden	3	4	5	6	0	3	4	3	9	2	2	2	5	5	0
Chowan	7	9	10	19	2	8	10	8	28	5	11	16	7	28	2
Currituck	23	39	11	84	10	23	39	13	74	10	21	35	15	68	7
Dare	59	80	42	170	38	37	60	37	93	15	40	58	37	111	14
Gates	1	2	4	4	0	1	2	6	5	0	1	2	4	5	1
Pasquotank	48	88	19	168	21	40	58	18	149	17	36	56	13	108	14
Perquimans	8	12	9	20	2	7	11	15	19	2	6	11	17	12	4
District 2	**74**	**139**	**22**	**255**	**33**	**65**	**126**	**24**	**240**	**31**	**55**	**94**	**18**	**181**	**16**
Beaufort	39	74	13	132	19	30	54	17	93	13	33	55	12	107	7
Hyde	6	10	2	21	3	6	12	1	26	2	3	7	1	8	2
Martin	12	23	3	48	3	13	28	3	49	6	10	18	3	34	3
Tyrell	5	11	1	8	4	2	3	1	6	1	2	3	1	9	1
Washington	12	21	3	46	4	14	29	2	66	9	7	11	1	23	3
District 3A	**87**	**145**	**50**	**502**	**44**	**82**	**150**	**57**	**522**	**38**	**96**	**162**	**63**	**719**	**34**
Pitt	87	145	50	502	44	82	150	57	522	38	96	162	63	719	34
District 3B	**150**	**258**	**86**	**661**	**68**	**118**	**202**	**72**	**455**	**47**	**111**	**185**	**73**	**405**	**50**
Carteret	104	172	42	450	49	69	119	35	265	31	64	101	33	232	33
Craven	38	72	40	188	17	40	71	33	151	13	38	73	35	154	15
Pamlico	8	14	4	23	2	9	12	4	39	3	9	11	5	19	2
District 4	**317**	**602**	**116**	**1107**	**147**	**315**	**592**	**82**	**1101**	**146**	**230**	**453**	**66**	**696**	**106**
Duplin	23	52	11	66	13	29	60	11	83	10	28	58	5	78	13
Jones	5	12	1	14	2	11	33	1	41	4	10	29	2	33	7
Onslow	236	454	98	859	115	223	416	65	828	111	150	299	57	486	74
Sampson	53	84	6	168	17	52	83	5	149	21	42	67	2	99	12
District 6A/B	**90**	**168**	**52**	**379**	**36**	**86**	**149**	**43**	**372**	**34**	**88**	**147**	**40**	**355**	**26**
Bertie	8	16	3	43	3	7	13	5	28	1	6	13	4	21	4
Halifax	56	102	28	255	22	55	93	23	257	30	52	84	16	236	17
Hertford	14	32	9	48	6	13	27	6	43	3	18	33	5	55	4
Northampton	12	18	12	33	5	11	16	9	44	0	12	17	15	43	1

Guardian ad Litem
3 Year Stats Report

District/County	2002-03 Year End Totals					2001-02 Year End Totals					2000-01 Year End Totals				
	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions
District 7*	**219**	**407**	**155**	**783**	**81**	**210**	**383**	**136**	**766**	**82**	**198**	**343**	**142**	**701**	**65**
Edgecombe	94	189	0	394	35	90	169	0	388	37	83	142	0	353	30
Nash	57	102	155	173	20	57	100	136	195	23	52	84	142	148	19
Wilson	68	116	0	216	26	63	114	0	183	22	63	117	0	200	16
District 8	**240**	**474**	**137**	**909**	**134**	**238**	**425**	**116**	**782**	**121**	**212**	**362**	**80**	**652**	**83**
Greene	9	15	5	40	4	10	19	6	28	3	11	16	3	26	4
Lenior	88	195	48	291	46	84	167	40	217	41	80	148	20	231	30
Wayne	143	264	84	578	84	144	239	70	537	77	121	198	57	395	49
District 9	**165**	**307**	**92**	**765**	**59**	**166**	**305**	**93**	**827**	**67**	**155**	**283**	**85**	**749**	**47**
Franklin	46	84	36	173	16	46	79	36	172	25	39	67	27	141	10
Granville	38	64	12	98	17	35	54	13	123	20	27	45	12	96	9
Vance	62	122	33	411	19	59	123	37	425	14	69	134	40	421	19
Warren	19	37	11	83	7	26	49	7	107	8	20	37	6	91	9
District 9A/17A	**104**	**179**	**43**	**366**	**32**	**140**	**217**	**49**	**418**	**34**	**123**	**209**	**52**	**441**	**30**
Caswell	26	42	6	86	7	36	59	6	104	10	30	50	6	83	5
Person	40	71	18	130	11	66	104	21	175	12	48	85	20	212	11
Rockingham	38	66	19	150	14	38	54	22	139	12	45	74	26	146	14
District 10	**308**	**555**	**259**	**1011**	**113**	**284**	**520**	**230**	**744**	**123**	**247**	**476**	**187**	**534**	**59**
Wake	308	555	259	1011	113	284	520	230	744	123	247	476	187	534	59
District 17B	**88**	**147**	**26**	**273**	**40**	**89**	**153**	**33**	**312**	**42**	**94**	**169**	**20**	**266**	**24**
Stokes	55	90	10	188	29	48	77	10	196	23	50	76	5	172	17
Surry	33	57	16	85	11	41	76	23	116	19	44	93	15	94	7
District 23	**172**	**324**	**49**	**543**	**65**	**156**	**298**	**49**	**432**	**70**	**166**	**305**	**62**	**414**	**62**
Alleghany	2	2	3	8	1	7	13	3	11	3	8	19	3	14	4
Ashe	19	29	9	52	6	18	27	8	46	7	23	33	9	55	6
Wilkes	99	193	35	351	39	82	155	35	232	45	69	127	46	193	28
Yadkin	52	100	2	132	19	49	103	3	143	15	66	126	4	152	24

Guardi[redacted]d Litem
3 Year Stats Report

District/County	2002-03 Year End Totals					2001-02 Year End Totals					2000-01 Year End Totals				
	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions
Piedmont Region															
District 5	**458**	**800**	**167**	**1311**	**145**	**479**	**858**	**144**	**1345**	**160**	**447**	**799**	**126**	**1206**	**157**
New Hanover	407	703	155	1177	125	416	718	133	1174	142	385	661	114	1062	126
Pender	51	97	12	134	20	63	140	11	171	18	62	138	12	144	31
District 11	**246**	**431**	**131**	**1058**	**93**	**272**	**486**	**113**	**1032**	**121**	**275**	**496**	**112**	**967**	**112**
Harnett	105	192	58	434	32	133	249	48	509	64	106	195	50	367	48
Johnston	112	193	53	515	47	110	174	48	427	48	129	226	43	474	42
Lee	29	46	20	109	14	29	63	17	96	9	40	75	19	126	22
District 12	**429**	**844**	**123**	**1809**	**144**	**504**	**978**	**112**	**1705**	**180**	**463**	**860**	**87**	**2018**	**145**
Cumberland	429	844	123	1809	144	504	978	112	1705	180	463	860	87	2018	145
District 13	**144**	**270**	**42**	**721**	**65**	**126**	**237**	**43**	**602**	**54**	**144**	**262**	**50**	**471**	**47**
Bladen	20	39	6	74	9	20	37	7	84	12	28	51	9	72	10
Brunswick	101	185	28	566	47	85	157	28	433	37	93	162	28	302	29
Columbus	23	46	8	81	9	21	43	8	85	5	23	49	13	97	8
District 14	**204**	**352**	**138**	**1173**	**97**	**182**	**279**	**116**	**724**	**35**	**229**	**384**	**125**	**1014**	**56**
Durham	204	352	138	1173	97	182	279	116	724	35	229	384	125	1014	56
District 15A	**89**	**143**	**56**	**481**	**32**	**86**	**136**	**58**	**405**	**37**	**71**	**130**	**51**	**356**	**16**
Alamance	89	143	56	481	32	86	136	58	405	37	71	130	51	356	16
District 15B*	**228**	**363**	**108**	**621**	**102**	**192**	**324**	**108**	**654**	**99**	**175**	**290**	**106**	**519**	**79**
Chatham	98	159	0	283	42	97	155	0	293	46	82	135	0	217	40
Orange	130	204	108	338	60	95	169	108	361	53	93	155	106	302	39
District 16A	**87**	**198**	**42**	**302**	**27**	**91**	**192**	**32**	**326**	**24**	**90**	**182**	**32**	**209**	**20**
Hoke	37	83	14	120	7	38	78	11	112	10	39	78	11	86	10
Scotland	50	115	28	182	20	53	114	21	214	14	51	104	21	123	10
District 16B	**277**	**559**	**31**	**956**	**126**	**240**	**469**	**41**	**1150**	**108**	**225**	**449**	**75**	**797**	**90**
Robeson	277	559	31	956	126	240	469	41	1150	108	225	449	75	797	90

Guardian ad Litem
3 Year Stats Report

District/County	2002-03 Year End Totals					2001-02 Year End Totals					2000-01 Year End Totals				
	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions
District 19A	**121**	**240**	**24**	**588**	**55**	**80**	**163**	**13**	**430**	**38**	**69**	**131**	**14**	**235**	**20**
Cabarrus	121	240	24	588	55	80	163	13	430	38	69	131	14	235	20
District 19B	**198**	**319**	**136**	**837**	**77**	**196**	**305**	**139**	**628**	**65**	**201**	**330**	**117**	**788**	**59**
Montgomery	18	34	7	84	10	18	22	14	50	6	17	21	11	77	7
Moore	64	110	45	285	24	64	110	37	248	23	78	134	41	252	28
Randolph	116	175	84	468	43	114	173	88	330	36	106	175	65	459	24
District 19C	**143**	**228**	**55**	**503**	**68**	**124**	**199**	**52**	**325**	**46**	**124**	**219**	**52**	**370**	**34**
Rowan	143	228	55	503	68	124	199	52	325	46	124	219	52	370	34
District 20	**148**	**254**	**67**	**772**	**68**	**167**	**286**	**69**	**664**	**56**	**194**	**337**	**74**	**962**	**72**
Anson	17	29	9	78	8	15	23	11	80	5	17	29	12	105	9
Richmond	46	70	28	209	19	71	101	27	220	22	79	127	32	404	30
Stanly	23	47	5	112	11	19	35	8	99	8	22	30	10	103	9
Union	62	108	25	373	30	62	127	23	265	21	76	151	20	350	24
West Region															
District 18	**411**	**690**	**196**	**1382**	**127**	**434**	**738**	**206**	**1415**	**106**	**478**	**876**	**239**	**1424**	**142**
Guilford	411	690	196	1382	127	434	738	206	1415	106	478	876	239	1424	142
District 21	**352**	**697**	**291**	**788**	**62**	**365**	**722**	**250**	**955**	**60**	**366**	**712**	**172**	**974**	**75**
Forsyth	352	697	291	788	62	365	722	250	955	60	366	712	172	974	75
District 22	**298**	**531**	**85**	**1166**	**113**	**305**	**571**	**81**	**1146**	**132**	**293**	**537**	**73**	**1046**	**113**
Alexander	33	47	1	139	11	27	41	1	78	11	29	43	3	85	7
Davidson	113	204	36	495	36	131	252	39	505	57	117	236	32	409	27
Davie	24	44	12	69	8	26	50	14	77	11	25	51	16	71	9
Iredell	128	236	36	463	58	121	228	27	486	53	122	207	22	481	70
District 24	**164**	**275**	**40**	**539**	**76**	**140**	**226**	**41**	**451**	**66**	**114**	**187**	**37**	**398**	**51**
Avery	24	33	5	71	11	20	28	6	52	12	17	27	5	65	5
Madison	34	58	5	112	15	27	48	5	101	8	24	41	6	64	13
Mitchell	25	33	2	81	17	16	22	2	75	12	11	16	2	36	5
Watauga	28	48	20	98	11	29	45	20	68	12	22	34	17	75	6
Yancey	53	103	8	177	22	48	83	8	155	22	40	69	7	158	22

Guardian ad Litem
3 Year Stats Report

District/County	2002-03 Year End Totals					2001-02 Year End Totals					2000-01 Year End Totals				
	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions	Cases	Children	Volunteers	Hearings Scheduled	New Petitions
District 25	**421**	**756**	**127**	**3127**	**151**	**390**	**686**	**111**	**2554**	**150**	**388**	**693**	**128**	**2339**	**126**
Burke	126	224	30	676	41	112	192	20	523	43	106	202	30	514	32
Caldwell	90	169	24	791	29	99	180	21	787	36	105	185	25	756	38
Catawba	205	363	73	1660	81	179	314	70	1244	71	177	306	73	1069	56
District 26	**742**	**1478**	**222**	**1856**	**194**	**703**	**1387**	**226**	**1848**	**188**	**634**	**1225**	**220**	**1475**	**154**
Mecklenburg	742	1478	222	1856	194	703	1387	226	1848	188	634	1225	220	1475	154
District 27A	**232**	**415**	**83**	**831**	**50**	**219**	**399**	**116**	**1081**	**56**	**249**	**428**	**107**	**1045**	**59**
Gaston	232	415	83	831	50	219	399	116	1081	56	249	428	107	1045	59
District 27B	**200**	**356**	**42**	**964**	**66**	**178**	**343**	**53**	**802**	**62**	**185**	**404**	**46**	**609**	**61**
Cleveland	162	287	28	842	54	147	286	35	690	54	150	317	32	503	52
Lincoln	38	69	14	122	12	31	57	18	112	8	35	87	14	106	9
District 28	**251**	**466**	**137**	**1060**	**52**	**284**	**546**	**123**	**1235**	**98**	**290**	**548**	**119**	**1218**	**104**
Buncombe	251	466	137	1060	52	284	546	123	1235	98	290	548	119	1218	104
District 29	**363**	**661**	**73**	**1718**	**131**	**346**	**612**	**68**	**1538**	**146**	**310**	**542**	**69**	**1331**	**119**
Henderson	90	160	29	688	39	82	150	24	510	32	97	161	23	555	35
McDowell	72	128	10	246	20	69	121	11	230	28	49	88	12	181	27
Polk	23	34	5	76	6	24	33	3	86	13	14	22	3	35	8
Rutherford	130	255	19	430	49	119	218	20	431	56	92	169	19	290	32
Transylvania	48	84	10	278	17	52	90	10	281	17	58	102	12	270	17
District 30	**271**	**441**	**221**	**1019**	**109**	**247**	**388**	**211**	**931**	**105**	**241**	**392**	**208**	**745**	**103**
Cherokee	77	130	68	205	29	64	97	53	212	30	68	109	49	160	32
Clay	7	19	18	21	2	4	12	17	19	2	5	10	17	11	2
Graham	22	41	19	80	9	20	37	20	60	10	19	33	15	42	12
Haywood	99	142	46	479	37	107	160	58	432	42	95	153	68	338	32
Jackson	27	48	22	100	9	20	38	19	99	7	18	28	19	79	10
Macon	20	35	25	77	13	20	31	24	68	10	22	37	24	79	14
Swain	19	26	23	57	10	12	13	20	41	4	14	22	16	36	1

*Volunteers for all counties

Attachment 8

House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

DRAFT Outline of Report

Monday, March 22, 2004

I. Charge of Committee

II. Summary of Committee Meetings
- A. November 5 & 6
- B. January 13 & 14
- C. January 29
- D. February 19
- E. March 22 & 23

III. Findings and Recommendations

A. **Information Sharing.**

1. *NC FAST.* The county departments of social services could better serve the families of North Carolina with a comprehensive, statewide computer system of records maintained by the various programs of DSS that would accessible by all 100 counties. An appropriation of $ 5 million ($5,000,000) to DHHS for implementation of the system.
2. *Statewide criminal background checks.* Information regarding the criminal background of alleged perpetrators of child abuse, neglect and dependency would assist the county departments of social services in better protecting children in North Carolina. This information with respect to the alleged perpetrators actions within the State of North Carolina needs to be to be available to all 100 counties through the Administrative Office of the Courts. A contract between DHHS and AOC is currently under negotiation to allow for this process. All 100 counties should have access by July 2004.
3. *Federal criminal background checks.* Information regarding the criminal background of alleged perpetrators of child abuse, neglect and dependency would assist the county departments of social services in better protecting children in North Carolina. This information with respect to the alleged perpetrators actions across the nation is not always obtained in situations where the check is available as an assessment tool to the social worker. Training, knowledge, and better communication among agencies should

address this issue. DHHS and the Attorney General, along with other interested agencies, are directed to develop and implement a method for educating the governmental employees involved with child protective services investigations with regard to the scope, responsibilities, and limitations of their role in the investigation.

4. *Lack of awareness.* Sister agencies, professions and community members are always aware of the need to notify the local department of social services when a child is in a potentially abusive, neglectful, or dependency situation. Training, education, and better communication should address this issue.

B. **Training/Staffing Issues.**

1. *Recruitment and Retention.* The county department social services report a turnover rate of almost 30% in the Social Worker III classification, which is the "in-the-field" worker for child protective services. Recruitment of qualified candidates to fill that position is a lengthy process that is extended further by the requirement of 72 hours of pre-service training once a person is hired to fill the position. The Child Welfare Collaborative, designed to educate and train committed social workers, within the University of North Carolina system is working to address these issues. Expansion of the Collaborative would be beneficial. An appropriation of $5 million to DHHS for the purpose of fully funding and expanding the Collaborative.
2. *Salaries and Caseloads.* Pay, benefits, and the ratio of child protective services workers to families vary across the state. The creation of positions and the salary compensation of those workers are the responsibility of the county board of commissioners.
3. *False/Malicious Reports.* Persons in the child protective services system report that scarce resources are diverted from needy families when knowingly and willfully untrue reports of abuse, neglect and dependency are made. The Division of Social Services shall require counties to notate in the file whether the report of suspected abuse, neglect or dependency was made maliciously and report such information annually to the Fiscal Research Division of the General Assembly.

C. **Multiple Response System (MRS).**

1. *Expansion of the existing pilot program.* Currently 10 counties are fully trained and implemented. An additional 42 counties are being trained and beginning implementation of the multiple response system. DHHS recommends that MRS be implemented as follows:

_____.

2. *Evaluation of MRS.* As MRS is new to North Carolina families and agencies providing a child protective service, evaluation of the system is needed to provide feedback and improvement.

3. Funding.

D. **Prevention Programs and Initiatives.**
   1. *Child Fatality Task Force.* The North Carolina Child Fatality Task Force is charged with reviewing cases of deceased children to learn what can be done to prevent future harm to other children. Employee positions within the Task Force were cut in 2003. An appropriation of $64,000 would restore these positions.
   2. *Parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state.* DHHS should develop a comprehensive strategy to address the need for child abuse/neglect prevention programs across the state, including an assessment of best practices, an examination of existing funding sources, and restoration of funding where needed.
   3. Lack of mental health and substance abuse services in communities.
   4. Need for additional childcare subsidy monies.
   5. Need for 2nd and 3rd shift childcare services.

E. **Foster Care and Other Miscellaneous Issues.**
   1. *Low Guardian ad litem (GAL) attorney fees for representation of children.* According to the Guardian *ad litem* program, the GAL attorney advocates' reimbursement rate is approximately one half that of criminal defenders. An appropriation of $1.4 million to AOC.
   2. *Expedited juvenile appeals.* The North Carolina Court Improvement Project is currently studying the increase in appeals from juvenile protective services hearings, including termination of parental rights hearings. The Court Improvement Project shall report its findings and recommendations to the Appropriations Committee of the House and Senate and to the House Children, Youth and Families Committee on or before June 1, 2004.
   3. *Funding for special needs children in foster care is not adequate to address needs.* An appropriation of _____ to DHHS for this purpose.
   4. *Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.* The Committee heard from the Division Social Services about its resources for juveniles reaching the age of majority while still in the foster care system. The program, NC LINKS, is available to all foster children age 13 and above and assists in the transition to becoming an educated, productive citizen.
   5. *Need for foster parents.* The Committee heard from several sources that the counties need additional licensed foster parents. One such parent suggested that the information about foster care should be more readily available to attract prospective foster

parents, and that transportation assistance has been one of the greatest needs as a foster parent.

March 17, 2004

The Honorable Margaret Dickson
1219 Legislative Building
Raleigh, NC 27601-1096

Dear Representative Dickson:

Thank you again for serving on The House Interim Committee on Child Abuse and Neglect; and thank you for the discussions and request for information concerning the challenges we face in providing the most effective child welfare services to families in Cumberland County.

While exploring the factors that contribute to child fatalities caused by caretakers, it is important to look further back than just the events that contributed to the fatality. We have got to go further upstream and help vulnerable families earlier and, at the same time, strengthen our response to reports of child abuse and neglect. In Cumberland County, we are partnering with families and the neighborhoods where they live, with the faith community, and with other public and private non-profits to provide early help to vulnerable families before family violence, family dissolution and the removal of children from their homes. Please call on us to talk more with you about this work.

With regard to strengthening our response to families where children are alleged to be abused and neglected, we provide the following:

1. We need to strengthen our ability to attract and keep the very best social work staff to receive and investigate reports of abuse and neglect, assess family dysfunction in substantiated cases, establish a relationship with the family, and work with the family to restore its health; and, where necessary, separate the child from the immediate family with court's involvement, then move expeditiously to restore the family or establish an alternate permanent home for the child. Our turnover is high across Social Services but especially in child welfare.

    - Child welfare staff are often not able to control the amount of work that is assigned since the amount of work is determined by the numbers of children reported, the numbers substantiated, the level of family dysfunction, and the availability of service resources, e.g. treatment for chemical dependency, foster family care, therapeutic care, etc. As a result, dedicated workers often become concerned about the quantity of work that adversely affects their decisions, their effectiveness and the quality of work.

- Child welfare staff are often not competitively compensated monetarily for the work they do.

2. The timely sharing of important information about families between staff in different areas within our Department and between counties will increase our effective provision of services. We have implemented actions to increase information sharing through automation and Team Decision Making meetings that involve all staff working with a family inside our Department, together with staff from other agencies involved with the family.

3. The appeal process for children whose parental rights have been terminated has become unnecessarily laborious and is causing substantial delay in children achieving a placement with a permanent family.

4. The laws relating to dependent children and the interpretation of those laws by medical providers and schools prevent grandparents and other relatives from meeting the needs of children in their care for whom they do not have custody.

5. Malicious reporting of child abuse and neglect is more significant than I had thought when we talked earlier. While we do not track for statistical purpose those reports thought to be malicious, our child welfare staff estimates 15-20%. A malicious report is one wherein the complainant knowingly provides false information to cause difficulty for the caretaker. Malicious reports often are related to custody battles or neighborhood disputes. Not only does staff report wasted time investigating malicious reports, but sometimes staff are subpoenaed to domestic court. Consideration should be given to flagging cases in our central registry to identify repeat reporters who may be making false reports. We will also explore doing this through our information system in-house. We need to be careful not to discourage legitimate reports by complainants truly concerned about children. Any legal sanctions for malicious reporting must be introduced in a way that simultaneously emphasizes a person's legal obligation to report child abuse and neglect.

Please call me for any additional information or questions. Thanks again.

Sincerely,

William F. Scarlett, Director
Department of Social Services

WFS/sp

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 22, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Ben Rose	Chowan County DSS PO Box 296 Edenton, NC 27932
Larry Johnson	Rockingham Co. DSS
Roy Young	Union Co - DSS
Karen Geor[illegible]	NC ACDSS
Dan Beerman	JHSW - UNCG
Angela Taylor	DHHS - DIRM
Deanna Oden	DHHS - DIRM
Sherry Bradsher	DHHS - DSS
Jennifer Sullivan	NASW-NC / Covenant w/NC's Children
Pamela S. Moye	MSW/UNC-CH
Evelyn Williams	NC Child Welfare Education Collaborative

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 22, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Keith Davis	DHHS - DSS
Daphne Lyon	OSBM
Richard Wright	Guilford County DSS-CPS
TERESA WHITE	Guilford Cty DSS- CPS
[illegible]	ODR/YDZO
LARRY King	Council For Children

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 22, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Tony Solari	SMART-START
Emmy Marshall	SMART START
Tina Howard	Governor's Crime Commission
Wooker Armfield	Office of the Governor, Policy Office
Sterlen Scott Robbins	Div. of MH/DD/SAS
Joy Stewart	Guilford County DSS
Corinne Russell	Wake County Atty's office - Raleigh
Sara Volland	GAL - Administrator
Gregg Stahl	AOC
Debbie Goldstone	YAIO

North Carolina General Assembly

House of Representatives
State Legislative Building
Raleigh 27601-1096

March 23, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, March 31, 2004 at 9:00 a.m.
Thursday, April 1, 2004 at 9:00 a.m. (if needed)

LOCATION: Room 643, Legislative Office Building

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601-1096

MEMORANDUM

TO: Members, Ms. Tamara Barringer, Ms. Jennifer Tolle-Whiteside

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Meeting Notice

There will be a meeting of the House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption:

DATES: Wednesday, March 31, 2004 at 9:00 a.m.
Thursday, April 1, 2004 at 9:00 a.m. (if needed)

LOCATION: Room 643, Legislative Office Building

Parking for non-legislative members of the committee/commission is available in the visitor parking deck #75 located on Salisbury Street across from the Legislative Office Building. Parking is also available in the parking lot across Jones Street from the State Library/Archives (see attached map). The cost for visitor parking is $.50 per hour or $4.00 per day and may be reimbursed with a parking receipt submitted with your travel reimbursement form.

Please advise Nancy Garriss, Committee Assistant, at 733-4838, or e-mail moorela@ncleg.net if you will be unable to attend.

Posted:

cc: Committee Record _____
Interested Parties _____

March 31, 2004

MEMORANDUM

TO: Members, House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption

FROM: Rep. Tim Moore, Co-Chair
Rep. Jennifer Weiss, Co-Chair

SUBJECT: Canceled meeting for April 1, 2004

Thank you for the good work you did on the Child Abuse Committee. We finished our meeting today, and we will not be meeting tomorrow.

AGENDA

HOUSE INTERIM COMMITTEE ON CHILD ABUSE & NEGLECT, FOSTER CARE, AND ADOPTION

March 31, 2004
Room 643 LOB
9:00 a.m.

OPENING REMARKS

Representative Tim Moore
Co-Chair

AGENDA

Approval of Minutes

Discussion of the Report

CHILD ABUSE AND NEGLECT, FOSTER CARE AND ADOPTION COMMITTEE

MINUTES

Wednesday, March 31, 2004
9:00 a.m.
Room 643, Legislative Office Building

The House Interim Child Abuse and Neglect, Foster Care and Adoption Committee met on Wednesday, March 31, 2004 in Room 643 of the Legislative Office Building. Representatives Moore and Weiss, Co-Chairs, Barnhart, Blackwood, Carney, Clary, Dickson, Earle, Farmer-Butterfield, Frye, Hunter, Jeffus, Lucas, Parmon, Ray, Ross, and Ms. Barringer and Ms. Tolle-Whiteside attended. Also in attendance were Ms. Churchill, Ms. Morgan, Ms. Wilks, and Mr. Holbrook, staff.

Representative Moore presided and called the meeting to order. He thanked the sergeant-at-arms, and said Rule 12D was suspended. Co-Chair brought some goodies. Representative Moore said a full committee report was sent to the members, and the changes are redlined in the report. Representative Moore asked for a motion to reconsider the approval of the minutes on March 2nd. Representative Weiss made the motion. A couple of sentences were changed in the minutes that had detailed information about the young lady who testified. Representative Lucas made a motion to approve the minutes. The motion carried unanimously. Representative Moore asked for a motion to adopt the minutes of the previous meeting (March 22, 2004). Representative Blackwood moved adoption of the minutes. The motion carried unanimously.

Representative Moore said the business of the day would be the report and to vote on various recommendations. The meat of the report is on pages 20 – 26, and then the appendices. The committee would vote on each part of the recommendations. Representative Moore said we would begin with Information Sharing, and staff would give a brief synopsis.

A. **Information Sharing**---1. **NC Fast**. Discussion followed and Representative Barnhart asked what exactly was the committee trying to commit to and for staff to check the wording. Representative Weiss said it could be changed to: the committee strongly supports NC FAST and recommends the Appropriation Committees of the General Assembly look at that. We can support NC Fast. Representative Barnhart does not want to lock into a number when we do not know what it is. Representative Moore asked staff

about the language change, and asked staff to repeat back how it would read. Staff responded the language would read: The committee strongly supports NC Fast and recommends the Appropriation Committees of the General Assembly consider this request. Representative Moore said a motion was made for a vote for those that favor the amendment. The amendment passed.

Further discussion followed on NC Fast. Representative Ray said the committee was still referring back to the request we had eliminated in the beginning. Representative Weiss thinks the language addresses that. We are supporting the concept of NC Fast and recommending the General Assembly consider the request. Representative Moore asked for a motion to approve the amended language to NC FAST. Representative Jeffus was recognized for the motion. The motion passed and the language for NC FAST was approved.

A. 2. **Statewide criminal background checks**. There were no questions or discussion. Representative Ray made a motion to approve this language as submitted. The motion passed unanimously.

A. 3. **Federal criminal background checks**. Representative Carney made a motion to approve the language in A. 3. The motion passed.

A. 4. **Lack of Awareness**. Representative Barnhart referred back to A. 3. b. and said the Appendix G needs to be changed to read Appendix H. It was amended. There was no discussion on lack of awareness. The motion was passed to approve the language in A. 4.

B. **Training and Staffing Issues**.
B. 1. **Recruitment and Retention**. Representative Moore recognized Representative Barnhart to amend the language in 1 a. It would now read the Committee strongly supports the expansion of the Child Welfare Collaborative and recommends the Appropriations Committees of the General Assembly consider this request at the appropriate time.... Representative Parmon made a motion to approve the amended language under sub 1 of letter b. The motion passed.

B. 2. **Salaries and Caseloads**. Representative Barnhart asked in section a, how DSS feels we can track this at the county levels. Can it be done? Ms. Pheon Beal, DSS, said they could track this through their staffing surveys and through their tracking on expenditures. Representative Moore asked if what is tracked would be reported to the General Assembly also. Ms. Beal said yes if they request that. Representative Earle was uncomfortable with the first sentence in a: historically overburdened counties. She feels it gets into unfairness and seems too vague. If we target certain counties then we need to come up with some criteria. Representative Weiss said that section deals with the creation of new additional positions for the counties that are historically understaffed. It would not be to increase pay. Representative Earle was still not comfortable with that. Representative Hunter said he comes from a low wealth district, and most of the low wealth counties would not hire additional personnel. Some real assistance is going to have to go to these low wealth counties. They cannot afford to tax their folks another

penny or two. Representative Barnhart suggested the committee might want to come up with some language dealing with low wealth counties or ability to pay. Representative Blackwood does not feel a county should be excluded for fast growth. Number 2 was set aside for staff to work on.

C. Mult**iple Response System (MRS).** Representative Hunter had a problem with the funding part and the low wealth counties. He said Medicaid costs are going up. Representative Hunter had a problem with the local, state, and funding part, and he would like to see the local part left off. Representative Hunter made a motion to strike the word local and leave in from state and federal level. Discussion followed. Ms. Tolle-Whiteside understood the committee had asked DSS to come forward with recommendations around money to implement MRS. Ms. Pheon Beal, DSS, said a response was sent to the committee and said it was a part of the Governor's budget expansion process. DSS hopes the committee would support the request. Representative Barnhart had a comment to Representative Hunter that he concurs with what he said about the local government. The committee recognizes that they will most likely need a financial contribution from the local government. Taking the word local government out does not preclude that. Representative Hunter said it does not solve it. Representative Hunter agreed with Representative Barnhart, and he withdrew his amendment. There was further discussion about funding in section 3. Representative Carney stated there are some counties in the State that have a tax rate over a dollar. We have to be careful with the wording. Ms. Tolle-Whiteside said in number 2, Duke University is working on the evaluation tool, and it is pro bono work they are doing with the division. She would like to suggest that the committee add to section 3: additional funding may be needed to do reduce caseloads, facilitators for child and family teams, conduct evaluation and provide assistance. We also need to include an evaluation in the funding piece. Representative Moore said there was a motion to amend. The motion passed. Representative Hunter made a motion to amend the provision under MRS. The motion passed. Representative Hunter had a real concern about the possible increasing costs to local governments---especially those in low wealth counties. There are counties in this State that are taxing at the maximum. They cannot afford increases. Representative Moore asked Representative Hunter if he wanted some language to be inserted to address that concern. Representative Hunter said yes with the ability of low wealth counties to pay for some of what they have to do. Representative Hunter will work with staff. Representative Barnhart would like input from DHHS as well. Representative Earle was concerned with low wealth counties and the counties that cannot afford to pay, but the committee cannot put the total burden on the other counties to have to pay and the State. There may need to be a subcommittee. Representative Moore appointed Representatives Hunter, Barnhart, and Earle to work with staff to discuss this.

D. **Prevention Programs and Initiatives.**

D. 1. **Child Fatality Task Force**. Representative Barnhart cannot support the Task Force. Representative Earle sees the value in appropriating the money. Representative Weiss said the Task Force has provided information and done good work, and they have reduced Child Fatalities. The Task Force was working, and it was cut out. It is a small fix that can go along way. Representative Ross said the Task Force has reduced Child

Fatalities. Representative Barnhart is not saying the Task Force has not done an outstanding job. We have got to prioritize spending because there is a limit. Am I better to put two more CPS workers in the field or fund the Task Force? Representative Blackwood had a concern because the General Assembly will have to cut his year rather than expand. How does it stand in competition with some other things the General Assembly needs to do? Representative Ross thinks it is a small amount to pay for what the Task Force does. Representative Moore asked for a motion to approve the provision concerning The Child Fatality Task Force. Representative Dickson made the motion, and the motion passed.

D. 2. **Parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state.** Representative Frye made a motion to approve this provision. The motion was approved.

D. 3. **Availability of treatment services**. Representative Hunter made a motion to approve. The motion was approved.

D. 4. Child Care. Representative Ross said there was article in the News and Observer, March 31, 2004, stating the U.S. Senate is looking at appropriating $6 billion in new child care subsidies and it would trickle down to the states. She encouraged everyone to contact their congressional representatives. Representative Barnhart made the comment that the committee had talked about the childcare subsidies going to the neediest first. Representative Dickson agreed with Representative Barnhart and thinks there is some room for improvement. She asked staff to help with the language. Representative Earle wanted to know if the committee had received information about the eligibility requirements for subsidy. Mr. Tony Solari, Policy Analyst with the State Partnership in Raleigh spoke to the committee. If one is on childcare subsidy, it is tested. The folks at the top end are the working poor, and they need the subsidy to keep their jobs. There is not an easy answer. We need more money in the system. Tremendous strides in the State have been made with childcare quality, but he urges finding more money to put in the system. There is a sliding scale and your ability to pay. Mr. Solari responded to Representative Barnhart's comments. The people who are getting subsidies are all working people who need the subsidy to keep working. To get a subsidy in North Carolina, one has to demonstrate a real need for it. You have to be working in North Carolina. Representative Ross understands one of the goals of Smart Start is the mixing of income levels. She would like to see who is on the waiting list and what their income is, and who is in these programs and what their income is. Representative Moore said we might not have had enough testimony. Rob Lamme, DHHS, spoke to the committee. There is an income range for people who qualify for subsidies. People at the lower end of that salary range pay a smaller percentage of their income as a premium. The people at the higher end pay a higher percent of their income. If you reduce the eligibility, then you are reducing the amount of money the families pay out of their incomes. That is a significant portion of the money that is used for subsidies. Fewer children may end up being served. Representative Weiss said there is a long waiting list, and this is a critical need. Children need safe day care. The committee can recommend that more children be

served with childcare subsidy. She recommends more children be served with childcare subsidy, and the waiting list be reduced.

D. 5. Children's Trust Fund. Representative Blackwood asked how much money of the Trust Fund is being spent under DPI. Ms. Susan Morgan responded approximately $3,088 at the end of this year. The total amount in the trust fund changes because it is associated with two different fees: the marriage license fee and the license's plate fee. Approximately $600,000 is in the Children's Trust Fund. Representative Moore asked what they spent last year. Ms. Morgan responded as of this year, 2003 – 2004, their contracts total $525,000, but she does not have last year's amount. Ms. Morgan said if the Trust Fund is moved to the Department of Health and Human Services then additional language could be added. Representative Carney said we needed to look at the language a little closer if the Trust Fund is moved from DPI to DHHS. She would like to add in that prevention is the key to focus on. She would like a special provision in the budget where the Trust Fund is reported to Gov. Ops, and the General Assembly would know this money is being spent on prevention. The legislators would get a direct report. Representative Moore asked if Representative Carney wanted it to be added in the language and she did.

The committee took a 5-minute break.

Representative Moore referred the committee back to 4. **Child Care**. Representative Weiss was recognized for an amendment, and staff read the amendment. 4 a.---The last sentence in the section would be: "The Committee strongly supports a recommendation that the Appropriations Committees of the General Assembly consider appropriating additional funds to reduce the number of families waiting for Child Care Subsidy." Representative Weiss said there was a waiting list, and this would be one piece to improve the situation. A motion was made by Representative Weiss to approve the amendment. The motion passed.

Representative Moore referred back to 4. **Child Care**. Representative Moore took a motion to approve the amended provision. Representative Ross made the motion, and the motion passed.

Children's Trust Fund. Representative Farmer-Butterfield asked if there was an extra administrative cost for DHHS to administer the Trust Fund. Doug Holbrook, staff, responded there would not be expected any additional costs. Representative Carney made a motion to amend. Ms. Churchill, staff, read the change in the first sentence. "The Children's Trust Fund was created by the General Assembly to focus on prevention of child abuse and neglect." The second part of the amendment included a subsection b: The Committee recommends that the Children's Trust Fund report annually on revenues and expenditures of the Fund to the Joint Committee on Governmental Operations." Representative Moore recognized Representative Carney for a motion to approve the amendment. The motion passed. Representative Moore took a motion from Representative Hunter to approve the amended language. The provision passed and was adopted.

Foster Care and Other Miscellaneous Issues.

1. **Low Guardian ad litem (GAL) attorney reimbursement rates**. Representative Ross thought this was an excellent proposal. She asked staff if they think the AOC (Administrative Office of the Courts) needs to work with IDS on this because they are separate? Representative Moore responded he and staff had looked at the possibility of an outside agency to study this. He recommended to amend the provision that the study be conducted by an outside agency and an appropriation be recommended to study the whole issue of attorney compensation. Representative Clary wanted to know if the language is to equalize the pay of the GAL attorney advocates and not increase the number of attorneys taking care of children in the courtroom. Mr. Doug Holbrook responded that GAL attorneys are paid different from indigent defense attorneys. This provision would be an effort to increase the average compensation per hour for GAL attorneys to bring it to the level of indigent defense attorneys who are paid per hour on a reimbursement basis. $35.00 per hour is approximately how much GAL attorneys are paid, and $65.00 per hour is how much indigent defense attorneys are paid. It would take the GAL attorneys to the $65.00 level. Representative Clary does not support this because other State Employees need to be brought up to par with the rest of the country such as community college teachers. Representative Ross had a minor amendment to the outside agency provision. She would like the word "independent" in there. Mr. Holbrook responded to a comment from Representative Blackwood. The GAL program sets up contracts with attorneys that must take cases that come to them during that year based on the terms of their contract. Mr. Holbrook read the proposed amendment to E. 1. b. "The Committee recommends that $50,000 be appropriated to the AOC to contract with an independent research entity to report on court appointed attorney compensation and report these findings to the 2005 regular session of the General Assembly. The AOC must consult with the Office of Indigent Defense Services in the selection of the independent entity." Representative Clary asked why are we putting in $50,000 and giving the attorneys a raise too. Representative Moore was uncomfortable with the dollar amount, and Mr. Holbrook said we could say: of the funds appropriated may use up to $50,000.

2. **Expedited juvenile appeals**. Representative Weiss heard a motion from Ms. Barringer to approve this section. The motion passed.

6. **Funding for foster care is not adequate to address needs.** Representative Weiss understood there might need to be some language change because the department did not ask for this, but the committee recognized there was a need to enhance appropriations here. Staff responded we would need to amend the language.

3. **Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society**. Representative Weiss stated the numbering was wrong on this one in the draft report. Representative Weiss took a motion from Representative Blackwood to support item 3. The motion passed.

7. **Need for foster parents.** Staff said the change would state in subsection a. "The committee strongly supports the need to recruit and retain licensed foster parents..." Representative Frye moved to support Item 7. The motion was passed.

Representative Hunter asked about his amendment after paragraph one on the first page of the findings and recommendations. Ms. Churchill read the language which included a new second paragraph. "The Committee also found that an overriding consideration of the legislative and executive branches when enacting and implementing child protective services programs and policies should be the fiscal impact on the counties carrying out the programs and policies. Specific consideration should be given to each individual county's ability to fund and implement new programs and services." Representative Hunter made a motion to approve the amendment. The amendment was adopted.

Representative Moore withdrew his amendment concerning **foster care and other miscellaneous issues**—paragraph E, subsection 1 concerning the low GAL attorney reimbursement rates. Representative Hunter had a substitute amendment. Mr. Holbrook read the amendment. "The Committee recommends that the Administrative Office of the Courts contract with an independent research entity to study court appointed attorney compensation and report to the 2005 Regular Session of the 2005 General Assembly. AOC shall consult with the Office of Indigent Defense Services on the selection of the independent research entity. AOC and IDS shall jointly use up to $50,000 of available funds to secure this contract." Representative Moore took a motion to favor this amendment. The motion passed. Representative Moore took a motion to approve subparagraph E, subsection 1 from Representative Parmon. The amendment was adopted.

Representative Moore referred the committee back to Representative Earle's amendment on the **salaries and caseloads provision**. Representative Earle was recognized on a motion to amend. Ms. Morgan read the amendment. "The Committee recommends that the Department of Health and Human Services and the Fiscal Research Division of the General Assembly review the current funding formulas for Child Protective Services at the local level. The Department shall report to the General Assembly and the Fiscal Research Division information regarding the rationale applied in determining county funding for Child Protective Services. The report shall also include recommendations on improving the funding formula to assure that counties are funded on an equitable basis." Representative Earle made a motion to approve the amendment. The motion passed. Representative Hunter made a motion to approve as amended. The amendment was approved.

B. 3. **Malicious False Reports**. Representative Barnhart said we still need to walk carefully in this area. He recommended the legislative staff collect information from states that have data on both ends of the spectrum. He would like to see what their experiences were. Representative Moore said Representative Barnhart would confer with staff. Representative Parmon had concerns about failure to report where there is serious injury or death.

Representative Moore referred the committee back to page 25, number 6, but should actually be numbered number 3. There was an amendment, which Ms. Morgan read from Representative Barnhart. **Funding for foster care is not adequate to address needs.** "The Committee recognizes that current funding for foster care and adoption parents is inadequate. a. The Committees strongly recommends that the Appropriations Committees of the General Assembly consider this concern at the appropriate time, taking into consideration any potential financial impact to local governments." Representative Moore took a motion from Representative Barnhart to favor the amendment. The motion passed. Representative Lucas made a move to approve the amended provision. The amendment was adopted.

Representative Weiss recommended the committee go through the appendices. She knows there will be some cleanup of the report, and there will be grammatical changes. Representative Moore stated Ms. Morgan had said there was some incorrect data in Appendix A. He said Appendix A will be replaced with the correct version in the report. Representative Ross made a comment that Representative Barnhart's amendment might refer to Appendix C, pages 37-39 of the report.

Representative Weiss said in Appendix F, we need to insert in section 1 after child welfare information system, the Child Welfare Collaborative and that will be one of the Secretary's recommendations. In addition, they want to take out foster care and adoption board rates because that is not one of the department's recommendations. Section 2, Attorney General needs to be taken out and replaced with Department of Justice, and add language after investigation, and with regard to the availability of criminal background information in certain situations. Representative Moore said without objection the amendments are made to Appendix F.

Representative Lucas had a concern with Appendix C with the definitions of false. He had a problem with the word, mistaken. Representative Moore said Ms. Mason with the Institute of Government provided the definition. The words were more of a benefit for the committee as a background. Ms. Morgan said Representative Moore was correct. The document was provided by someone else and probably the committee would not want to amend their document. Representative Lucas wanted the committee to understand about the language. Ms. Tolle-Whiteside said Ms. Mason's name was on page 36, and thought we should add her name to the other pages. Representative Moore asked staff to note on Appendix C, that it is for informational purposes to provide background on this issue, and there is no recommendation from this. Ms. Morgan said staff could add underneath the titling of Appendix A, B, C, they could include a byline. This was acceptable to the committee.

Representative Moore moved back to the provision concerning malicious reports. Representative Barnhart has an amendment. Ms. Churchill said the title would be changed to "Reporting Issues." The first sentence will read, "Persons in the child protective services system report that scarce resources are diverted from needy families when knowingly and willfully untrue reports of abuse, neglect, and dependency are made and expressed concern regarding instances of failure to report in situations of abuse,

neglect, and dependency." Subsection b at the end of the first sentence will read "... and why those statements are reasonably believed to have been knowingly and willfully made with untrue statements. A new subsection c reads "The committee recommends that the Division of Social Services also collect and maintain data of instances of failure to report allegations of abuse, neglect, or dependency and the known reasons for that failure to report. A new subsection d reads, "The committee recommends that the Department of Health and Human Services review other states reporting practices, including legislation, implementation concerns, and frequency of violations of the reporting laws, and report to the 2005 Regular Session of the 2005 General Assembly with recommendations and any suggested amendment to the North Carolina reporting laws on or before the convening of session." Staff reported the changes to section 3 reflect the committee's two concerns with failure to report and knowingly and willfully making an untrue statement. Representative Moore had a question of the Division of Social Services: if this was put in place, would the division ask the local departments of social services to document this information so the division could compile a report for the General Assembly? Ms. Sherry Bradsher, DSS, said in the short time frame, they would not be able to pull it together in the automated system to have the counties report to them. They would have to look at some manual process because there is not time to get the automation in place to track this. Representative Moore had a comment under a. where the DSS would be directed to collect and maintain data as to why a report of abuse, neglect, and dependency is determined to be unsubstantiated. Would that be as simple as putting an explanation under the code as to whether is it subbed or unsubbed? Ms. Bradsher said that is correct. The time period to get it done would be a three to six month period, and there would be some costs to that. Representative Moore took a motion to approve the proposed amendment. The amendment passed. Representative Moore took a motion to approve the reporting issues section----section 3. The motion passed.

Representative Moore took a motion to approve the full report subject to grammatical changes and changes authorized in prior votes. The report was adopted.

Representative Weiss was recognized for closing remarks. She thanked the committee for their hard work, and said the committee knows a lot more now. The committee made good recommendations. She does not think their work is over. The committee needs to let their colleagues know about the issues. The committee needs to be advocates of this report and to make it into a reality.

Representative Moore made closing remarks. He thanked Speakers Morgan and Black for naming this committee, and making this committee a top priority in protecting our children. Representative Moore thanked Ms. Barringer and Ms. Tolle-Whiteside, the public members. He thanked the committee and staff for all their hard work, and the advocacy groups who helped. The report is due April 15th. Representative Moore would like to see what the committee has done become law.

Representative Farmer-Butterfield thanked the co-chairs.

Representative Moore took a motion from Representative Hunter to adjourn, and the motion passed.

Representative Moore adjourned the meeting at 12:10 p.m.

Representative Tim Moore, Co-Chair, Presiding

Nancy Garriss, Clerk

Representative Jennifer Weiss, Co-Chair

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee **Date: March 31, 2004**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Stella McKenney	NCDHHS
Evelyn Williams	NC Child Welfare Education Collaborative
Pheen Beal	DSS / DHHS
JoAnn Lam	DSS / DHHS
Adolph Simmons, Jr.	DSS/DHHS
Walker Armfield	Governor's Policy Office
Rob Lamme	HHS
Evelyn Dove-Coleman	Pathchoice, INC 539 Briary Run Rd. Kinston, NC 28501
Pam Greanthram	Alamance Co DSS Burlington, NC
Susan Osborne	Director Alamance County DSS
Larry Johnson	Director Rockingham County DSS - President - Director's Assoc.

VISITOR REGISTRATION SHEET

House Interim Committee on Child Abuse & Neglect, Foster Care,& Adoption
Name of Committee

Date: March 31, 2004

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jane Volland	GAL / AOC
Joann Haggerty	NC Child Advocacy Institute
Natalie Tawes	NCCAI
Anthony Solari	SMART START
AL DETER	YA IJ/DOA
Kim Howes	NCCAI
Lori Schmidt	NC Justice Center

HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION

REPORT TO THE HOUSE OF REPRESENTATIVES

2004 SESSION OF THE

2003 GENERAL ASSEMBLY

OF NORTH CAROLINA

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HOUSE OF REPRESENTATIVES
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RALEIGH, NC 27601

March 31, 2004

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES:

Attached for your consideration is the report of the **House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption**, established by the Speakers effective September 19, 2003 as an interim committee of the House pursuant to G.S. 120-19.6(a1).

Respectfully submitted,

Representative Timothy K. Moore

Representative Jennifer Weiss

Cochairs

TABLE OF CONTENTS

COMMITTEE CHARGE AND MEMBERSHIP i

COMMITTEE PROCEEDINGS 1

FINDINGS AND RECOMMENDATIONS 13

APPENDICES 21

A. CENTRAL REGISTRY DATA 21

B. SOCIAL WORKER III CLASSIFICATION SURVEY (OSP) 24

C. MALICIOUS REPORTING PRESENTATION 31

D. NC FAST PRESENTATION 36

E. MALICIOUS REPORTING SURVEY RESULTS 40

F. COMMITTEE PROPOSAL I – CPS Special Provisions 53

G. DSS MEMORANDUM 54

H. COMMITTEE PROPOSAL II – FBI Criminal Histories Resolution 57

I. COMMITTEE PROPOSAL III – Appropriations for CPS 58

J. COMMITTEE PROPOSAL IV – Children's Trust Fund 59

James B. Black
Speaker

Richard T. Morgan
Speaker

Office of the Speaker
North Carolina House of Representatives
Raleigh, North Carolina 27601-1096

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES

WHEREAS, the State and the counties have a duty to ensure that suspected cases of child abuse and neglect are thoroughly investigated and that future abuse and neglect of children is prevented; and

WHEREAS, since 1998, the cases of 92 dead children whose families had recent contact with child protective services have been reviewed by the State; and

WHEREAS, in the course of those investigations, officials found flawed risk assessments, lack of coordination and communication between and among governmental agencies, and other bureaucratic roadblocks to the full investigation and prevention of child abuse and neglect; and

WHEREAS, approximately 700 social services workers investigate more than 100,000 reports of child abuse and neglect annually, and social workers often face an overwhelming, emotional, and thankless task, resulting in high turnover; and

WHEREAS, research indicates that most social worker mistakes in child abuse and neglect cases stem from a lack of time, training, or resources; and

WHEREAS, children deserve a child protective services system that will help families when needed and remove children from abusive or neglectful situations when necessary; and

WHEREAS, in addition to ensuring that children are safe from abuse and neglect, the State should also ensure that its foster care and adoption system fulfills the need for children to be part of a loving, safe, and stable home;

NOW, THEREFORE:

Section 1. The **House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption** is established by the Speakers, effective September 19, as an interim committee of the House pursuant to G.S. 120-19.6(a1).

Corrected Copy: September 22, 2003

Section 2. The Committee consists of 24 members. The individuals listed below are appointed as members of the Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

1) Representative Tim Moore, Co-Chair
2) Representative Jennifer Weiss Co-Chair
3) Representative Bobby Barbee
4) Representative Jeff Barnhart
5) Representative Curtis Blackwood
6) Representative Becky Carney
7) Representative Debbie Clary
8) Representative Margaret Dickson
9) Representative Beverly Earle
10) Representative Rick Eddins
11) Representative Jean Farmer-Butterfield
12) Representative Phillip Frye
13) Representative Howard Hunter
14) Representative Maggie Jeffus
15) Representative David Lewis
16) Representative Marvin Lucas
17) Representative Earline Parmon
18) Representative Jean Preston
19) Representative Karen Ray
20) Representative John Rayfield
21) Representative Deborah Ross
22) Representative Alex Warner
23) Mrs. Tamara Barringer
24) Ms. Jennifer Tolle-Whiteside

Section 3. The Committee may meet during the interim period between regular sessions upon the call of its cochairs.

Section 4. (a) In undertaking the study of child abuse and neglect, the Committee shall review the following to determine how children might be better protected from abuse and neglect:

1. The efficacy, structure and operation of the child protective services system as compared to similar systems in other jurisdictions.
2. High social worker turnover rates and their causes and effects on child protective services.
3. Improving the sharing of information between county Departments of Social Services and between county Departments of Social Services and other governmental agencies.
4. Improving computer systems to process and track child protective services cases.
5. The ability of the child protective services system to access the criminal records of individuals who are being investigated for child abuse or neglect.
6. The statutes relating to the protection of children and child guardianship, including specifically Subchapter 1 of Chapter 7B of the General Statutes.
7. The coordination of efforts between and among governmental agencies in investigating abuse, neglect, and dependency and child deaths.
8. Improving risk assessment by and training of social services workers.
9. The work, findings, and recommendations of the House Select Committee on Domestic Violence

(b) In undertaking the study of the foster care and adoption systems, the Committee shall review the laws on these subjects and the implementation of these laws to determine whether the systems need to be altered to more efficiently and effectively ensure that children are placed in safe, loving, stable, and caring homes.

Section 5. The Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before April 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Committee terminates on May 15, 2004 or upon the filing of its final report, whichever occurs first.

Section 6. The Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

Section 7. Members of the Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1, G.S. 138-5, or G.S. 138-6, as appropriate.

Section 8. The expenses of the Committee shall be paid upon the written approval of the Speaker pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations.

James B. Black
Speaker

Richard T. Morgan
Speaker

COMMITTEE PROCEEDINGS

November 5, 2003

The House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption (the Committee) met on November 5, 2003. The purpose of this meeting was to provide background information to assist the Committee in its work.

Professor Janet Mason, of the Institute of Government and the author of Reporting Child Abuse and Neglect in North Carolina, was introduced and began her remarks by quoting the 2003 North Carolina Child Health Report Card that characterized child abuse as an epidemic in North Carolina. Professor Mason explained how the State responds to child maltreatment through the criminal justice system and the child welfare system, how the child welfare laws and policy rules were established, and the limits of how and when intervention by the State can occur. The screening process for reports of child abuse was explained and discussed. Professor Mason ended her presentation by stating that the goal in every case is for the child to have a safe, permanent home within a reasonable period of time, which may be accomplished by keeping the child in the child's own home and providing the family needed resources, or removing the child from the home temporarily and returning the child home when it is safe, usually within a year. If neither of these options is possible, adoption, guardianship or legal custody of the child is pursued. Professor Mason then answered questions about the handling of false reports.

Mr. Tom Vitaglione, Senior Fellow, NC Child Advocacy Institute and Co-Chair, NC Child Fatality Task Force, was introduced next and reported on child homicides. He called attention to a memorandum from Covenant with North Carolina's Children listing recommendations to the Committee and a chart released by the NC Child Fatality Task Force showing that since the Task Force began in 1988, there has been a reduction in child fatalities of 31%. He then discussed the recent history of child deaths in North Carolina and the need to make progress in preventing child abuse homicides.

Ms. Jo Ann Lamm, Program Administrator for Family Support and Child Welfare Services Section, Division of Social Services, then made a presentation to the Committee on child protective services in North Carolina and stated that their mission is to ensure safe, permanent, nurturing families for children. She explained the process undertaken when a report of abuse or neglect is received by Social Services, pointing out that North Carolina has a mandatory reporting law. Ms. Lamm also spoke about the Central Registry, a confidential registry of abuse, neglect and dependency and child fatalities that are a result of alleged maltreatment. She also discussed caseload standards and enhancements to child protective services (CPS), including the Multiple Response System (MRS). The MRS system provides social service agencies with the opportunity to use two approaches to help families and protect children: a family assessment approach and an investigative approach. One of the goals is to expand the MRS system to all 100 counties in the state. Ms. Lamm stressed the importance of and need for: 1) a strengths based, structured intake process, 2) coordination between law enforcement and DSS, 3) improvement in recruitment and retention of child welfare workers, and 4) access to State criminal records for social workers. Discussion followed with a range of questions asked about the available workforce, foster care, families moving from county to county or out of state, cross county issues, salary range, and casework ratios.

Ms. Susan Osborne, Director, Alamance County Department of Social Services, spoke next to give the Committee the local front line view of child protective services work. In her remarks, she stressed the need for a statewide communication system for use by counties to track families. She explained the process of investigating/assessing a family, the complexity of family situations, and the different risks involved. Ms. Osborne also stressed the priorities of protecting children and maintaining the integrity of families.

Mr. Joe Lasinger, Child Protection Services Supervisor, Johnston County, spoke to the Committee about the challenges faced by caseworkers trying to help families: the personnel issues, including recruitment and retention of workers, psychological and physical trauma, excessive work hours, low pay, and lack of training and preparation. He also spoke of the lack of necessary information sources available to CPS both at the county and State levels, limited access to State criminal record checks and limited or no access to federal criminal record checks. Mr. Lasinger called on the Committee to do whatever is necessary to help families and protect the children of North Carolina.

Ms. Susan Morgan, Fiscal Research Division of the North Carolina General Assembly, presented a review of past legislative highlights by the General Assembly and showed the funding as recurring or non-recurring. Reductions in funding were also listed. Committee discussion followed.

November 6, 2003

The Committee met on November 6, 2003. During this meeting, the Committee focused on technology, prevention, and training.

Ms. JoAnn Lamm, Program Administrator for Family Support & Child Welfare Services Section, Division of Social Services, was introduced to report on information needed to adequately protect children. Ms. Lamm explained that one automated system is needed for all 100 counties, as well as access to statewide criminal records through the Administrative Office of the Courts. A question and answer period followed the presentation, and the Committee requested additional information about criminal background checks.

Ms. Marjorie Menestres, Executive Director of SAFEchild, was introduced next and spoke about how communities can come together to protect children. She shared with the Committee SAFEchild's mission, objectives, goals, and how to prevent child abuse. The Junior League of Raleigh established SAFEchild in 1992, and the organization works with families to teach parenting skills.

Ms. Evelyn Williams, Director of the NC Child Welfare Education Collaborative, was introduced to talk about the Collaborative. There are 6 social work education programs in the State, and Ms. Williams pointed out that social work education makes a difference in retention and performance. There are 152 child welfare scholars who have completed the Collaborative program, and 85% of those students work in a county DSS. The Collaborative started in 1999 and has had about a 22% cut in funding since they started, requiring them to cut the number of slots available for students. Discussion followed, including comments from Larry Johnson, DSS Director, Rockingham County, and Earl

Marrett, DSS Director, Johnston County, who both stated that they had positive experiences with Collaborative students.

January 13, 2004

The Committee met on January 13, 2004 to discuss matters related to information sharing.

Mr. Lanier Cansler, Deputy Secretary, Department of Health and Human Services, discussed NCFAST, which is a system designed to promote the sharing of information between counties statewide. Mr. Cansler stated that the Division of Social Services is reviewing the costs associated with establishing the system, and whether it is better to develop a new system or modify and build on existing systems.

Mr. David Atkinson, Child Protective Services Statistician, presented statistical charts discussing the variations in reporting between the counties. In response to questions by Committee members, it was decided that more time would be devoted to this subject at a future meeting.

Ms. Sherry Bradsher, Division of Social Services, gave an update on the inability of CPS workers to consistently access statewide criminal background checks. She stated that her Division is in the process of contracting with the Administrative Office of the Courts (AOC) to have two persons staffed at AOC twenty-four hours a day, seven days a week, which would enable CPS workers to access these records consistently and affordably. The cost is $201,835, half of which would be offset by federal funds. Currently 10 counties are using the AOC database, with a goal of having access for all 100 counties by July 2004.

Ms. Tammy Tyson, NC State Bureau of Investigation, discussed federal criminal history checks and how the SBI supports agencies that want federal criminal history checks. Mr. Ashby Ray from the North Carolina Attorney General's Office informed the Committee that local law enforcement is allowed to run national criminal history checks on a person if there is an ongoing criminal investigation. Ms. Sherry Bradsher pointed out that live scan systems are usually located inside the jail area, and CPS workers do not have access to them. However, when they do have access to the live scan system, the turn-around time on investigations is twenty-four hours.

January 14, 2004

The Committee met on Wednesday, January 14, 2004. Topics discussed during this meeting included CPS staffing issues and the CPS investigation process.

Ms. Sarah Worley, Sampson County Child Protective Services Supervisor, described the needs for her county from a rural county's perspective. She discussed the need for additional social workers and juvenile officers, the need for better communication between local agencies as well as the court system, the need for more training so that teachers, local law enforcement, and others will know when and what to report, and more mental health resources.

Ms. Lora Blanchard, Deputy Sheriff in Sampson County, discussed her experience investigating child abuse and sexual abuse cases from a rural law enforcement perspective. She has 12 years of investigative experience, and she described her caseloads and the investigative process. Ms. Blanchard expressed a need for more investigative assistance, a database, more training, and the need to know if DSS has previously dealt with a particular individual.

Mr. John Webster, Wake County Child Protective Services Supervisor, was one of several individuals that discussed child abuse and neglect cases from an urban county's perspective. Mr. Webster stated that Wake County is doing well in this area, as it has more resources than some of the smaller counties. He discussed the process for receiving an abuse report, and stated that a multidisciplinary team consisting of social workers, law enforcement personnel, assistant DA's, a guardian ad litem, a sexual abuse doctor and others meet at the courthouse to discuss reported cases in a confidential environment. Mr. Webster added that this process helps to expedite cases in a more efficient manner. However, Mr. Webster stated that Wake County still has many needs, including the need to improve communication, the need for more workers and services, the need for interpreters due to the growing Hispanic population, the need for programs for juvenile offenders, as well as the need for CPS access to statewide criminal checks and a national registry.

Ms. Kathy Sutehall, CPS Investigator with Wake County DSS, discussed her experience as a social worker in Wake County over the past 14 years. She stated that she works very hard with law enforcement on her investigations and feels that law enforcement has been very helpful to her and CPS.

The Committee discussed CPS employee turnover. Ms. Worley, from Sampson County, commented that her county has about a 25% turnover rate, and felt that workers need incentives and bonuses similar to those given to teachers. Mr. Webster stated that it takes approximately two to three years for an employee to establish a comfort level and that incentives were needed as well. Mr. John Eller, Swain County DSS, commented on the disparities between larger urban counties and smaller, rural counties. He stated that there is a need to review variations in salary between counties, and that there is a greater need for mental health and substance abuse resources.

Mr. Stoney Blevins, Wake County Child Protective Services, spoke on the disparities between the counties, and stated that recruitment and salaries were issues that need to be addressed. In response to a question, Ms. Sherry Bradsher responded that three surveys would hopefully be available in February relating to statewide turnover rates, retention rates, and salary.

Ms. Linda Barker, Child Protection Coordinator for the Wake County DA's Office, discussed the investigative process from her office's perspective. She works closely with DSS and law enforcement on child abuse, child sexual abuse, and neglect referrals in an effort to ensure cases are investigated. She stated that to investigate properly, it takes coordination between the agencies, so she believes that training is important.

Deputies Graham Wood and Kim Pearce, both with the Wake County Sheriff's Department, discussed the process for investigating crimes relating to juveniles. Deputy Pearce expressed a need to have more assistance in the sheriff's office.

Following these presentations, the Committee discussed what they had heard regarding disparities in staffing and resources and requested additional information from staff. A request was made to have a list compiled of all the needs and recommendations made thus far, and Committee members and individuals in the audience were invited to send recommendations and information to the chairs.

January 29, 2004

The Committee met on January 29, 2004. Topics discussed during this meeting included the Multiple Response System pilot, childcare, false reporting of abuse and neglect, and the Guardian *ad litem* program.

Ms. JoAnn Lamm, Section Administrator, Family Support & Child Welfare, Division of Social Services, gave an overview of the Multiple Response System (MRS). MRS is a child welfare system reform effort. It is a system that no other state has undertaken at this point. She reviewed the needs that prompted the reform and spoke on the 7 strategies of MRS and the beliefs of family centered practice in their approach.

Mr. Sam Haithcock, Director, Caldwell County Department of Social Services, introduced 3 members of his staff to explain how MRS is working in Caldwell County. Caldwell and Nash are two of the 10 pilot MRS counties. The staff spoke about various aspects of MRS and all felt that the MRS approach is more supportive and family friendly, building on the strengths of the family rather than the weaknesses.

Representative Moore raised the issue of false reports in child custody cases. The staff from Caldwell County stated that there are a lot of malicious reports in custody battles that are usually easy to spot and that it is usually the same families involved.

The Committee discussed the availability of second and third shift childcare and child care subsidy to support families who are trying to work. It was noted that there is a need for childcare for people who work second and third shifts. It was also determined that there is a large list for people waiting for child care subsidies, a key to helping parents go to work and remain working.

Ms. Laura O'Neal, Director of Nash County Department of Social Services was introduced to discuss Nash County's experience with MRS. Ms. O'Neal brought four staff members with her, who talked about the structural changes to staff with MRS, case management, child and family teams, and shared parenting.

Ms. Jane Volland, State Administrator, Guardian *ad Litem* (GAL) program was recognized to talk about the GAL program. The GAL program was established by the General Assembly 20 years ago. GALs are appointed to represent the child in court. Ms. Volland spoke on recommendations. A critical need is to increase attorney advocate pay. Ms. Volland said they need access to NCIC records. There is a need to modify federal guidelines so DSS can have access to the records, and the GAL program can too. The

third recommendation is to increase the number of staff and benefits of the GAL program. The final recommendation was to update database systems so they can interface.

Ms. Volland stated that the number of appeals of termination of parental rights cases is increasing. Last year there were 85 appeals, and the year before, there were 14. Sometimes appeals can linger two or three years. Ms. Volland said there is a committee that is looking into how to expedite the process. Ms. Volland urged our State to adopt an expedited appeal process.

February 19, 2004

The Committee met on February 19, 2004 to discuss the Central Registry, malicious reporting and training and staffing issues.

Mr. David Atkinson, with the Division of Social Services, made a presentation on historical data from the Central Registry for the year 2003. Mr. Atkinson recognized there are inconsistencies in the data. A federal review had also indicated inconsistent practices county to county. See *Appendix A* for a copy of the data discussed.

Mr. Joel Rosch from Duke University also spoke on the Central Registry data. According to Mr. Rosch, the Central Registry was not developed as a measure of child well being or to count the harm or injuries to children; it was originally developed as a way to measure staff workload and to measure how many cases are being handled by different agencies. Mr. Rosch believes there is a need to look at the measure of child well being. However, one of the problems in the child protective services system is that it does not have a standard marker that could be used. A standard intake tool is a move in the right direction. Mr. Rosch made a suggestion to look at three ways to measure child well-being. The first is to keep a count of the number of child deaths. The second is to encode the injuries of children that go to emergency rooms. Many states currently do this, but North Carolina does not. Third is to enhance the developmental screening given to all children beginning kindergarten to include social and emotional measures.

Dr. Marcia Herman-Giddens, Sr. Fellow, Adjunct Professor School of Public Health UNC-Chapel Hill, spoke on child protective services data. Nationally, about 2-½ % of children are investigated and about 32% are substantiated. In North Carolina, about 5% of children are investigated and about 32% are substantiated. North Carolina is in the top 1/10 to 1/3 of states having the highest incidence of child abuse homicides. Since 1985, in North Carolina a child has been killed by a caregiver (someone responsible for taking care of the child) approximately every two weeks. Only about a third of the children killed have been known to DSS in the last year prior to the death.

The Committee then discussed malicious reporting. Currently, North Carolina does not have a statute prohibiting persons from making a malicious report of child abuse, neglect or dependency, and the State does not currently collect data of these reports. The Committee determined that further information and discussion on this topic was warranted.

The Committee then focused on training and staffing issues. Several studies were presented to the Committee and copies of those reports. *See Appendix B.* According to these studies, local county departments of social services, which employ CPS workers (including social workers), report that it takes more than 71 days to fill a position. Seventy-three percent of the social worker III workforce in the counties have less than five years experience in the position. Salaries of these social worker positions are a function of county government, not State government. Social workers are county workers subject to certain provisions of the State Personnel Act.

The Multiple Response System (MRS) was discussed as a way to address some of the staffing and training issues. Ms. Debbie Brigman with Moore County addressed the Committee on the implementation of MRS in Moore County. She said that the caseworkers have found that including the families through the use of the family assessment tools acknowledges and affirms the strengths of the family. Ms. Brigman said that Moore County is one of the new pilot counties; they have implemented portions of MRS over the last five years and, although they are have not completed some of their initial training and have not implemented the second phase of MRS, the caseworkers are excited to have the opportunity to work with families in the traditional social work approach of reaching out.

Ms. Brenda Reid Jackson, Co-chair of the Children Services Committee of the North Carolina Association of County Directors of Social Services, and Director of the Greene County Department of Social Services, addressed the Committee with recommendations from the North Carolina Association of County Directors of Social Services on recruitment and retention of child welfare social workers. She stressed the need for higher salaries, casework standards, investment in technology, safety measures for workers, expansion of MRS, and expansion of the Child Welfare Collaborative program.

Ms. Nancy Dickinson, MSSW, PhD, Executive Director of Jordan Institute for Families, School of Social Work, University of North Carolina at Chapel Hill, spoke to the Committee on the work of the North Carolina Child Welfare Education Collaborative. The Jordan Institute is the administrative body responsible for the Education Collaborative. Ms. Dickinson reviewed the present locations of the Collaborative, future expansion plans, and what it will take to achieve those goals. Ms. Dickinson said that the Collaborative comes under the framework of the University of North Carolina Board of Governors and is fully funded by DHHS with State and federal funds. They do not receive direct university funds except as matching funds (i.e. classrooms, rent, utilities). The University of North Carolina Board of Governors approves new programs, and $5 million is needed to fully fund the existing program and expand to additional university sites within the UNC system. Several local directors expressed accolades for the Collaborative program, stating training and retention issues are both addressed by its process.

March 2, 2004

The Committee met on March 2, 2004 with an emphasis on prevention programs.

Ms. Sandy Turnage, a foster child aged 15, and her foster mother, Ms. Toni Blackwell,

spoke of their experiences with the foster care system. Ms. Turnage credits Wake County Social Services and the social workers who act as her mentors, Guardian *ad Litem*, being around people with positive attitudes, being involved in positive activities and having transportation to those activities with her new outlook. Ms. Toni Blackwell, foster mother and a foster child at age 14, describes foster care as a blessing to her birth family and an opportunity for them to see how an individual can make a difference in the life of another. Ms. Blackwell thinks more community education would dispel some of the myths surrounding foster care. She said that she has never felt that the foster care program tried to hide anything about a child being placed, but there can still be surprises.

Ms. Beth McAllister, Executive Director of Summit House, spoke. Summit House, in operation for 10 years, is a residential treatment home for mothers and their children and is closely supervised, highly structured, therapeutic home providing an alternative for female offenders facing active prison sentences for non-violent offenses. Mothers live at Summit House with their children for eighteen to twenty-four months. Summit House seeks to intervene and break the cycle of substance abuse and crime by helping mothers become substance free, finish their education, learn parenting techniques, and take care of the needs of themselves and their children. Eighty percent of the mothers served at Summit House stay out of the criminal justice system.

Ms. Vivian Sanders, Director, Bertie-Lewiston/Woodville Family Resource Center, spoke on their program of prevention of abuse and neglect at the Center through various programs. Among the classes and resources offered are: assistance and support for single parents, nutrition, after school programs, awareness and HIV/AIDS support, summer care, hot meals, partnering of grandparent caregivers with single parents, and access to a clothes closet and a food pantry. They have partnered with Bertie County School with an exceptional student program that provides help for students with mild learning disabilities, respite for parents, and a safe place free of verbal abuse. One of the biggest barriers in their county is lack of transportation. They have a volunteer transport program to better access available resources. The program has been in effect for ten years. Data shows that this Family Resource Center has served over 10,000 families.

Mr. William Owens, Director, Franklin-Vance-Warren Opportunity, Inc. described the services offered by the South Henderson Family Resource Center to combat child abuse and neglect. That Family Resource Center (FRC) is located in a low-income, high unemployment area. Vance County has the highest unemployment rate in the State. The FRC offers job training but has no jobs for their clients. They are trying to locate employment in Durham, Raleigh, and Butner/Creedmoor and are considering vanpools as a means of transportation to and from work. Mr. Owens said that the FRC after-school program is limited to elementary school students.

Ms. Esther High, Manager, NC LINKS Program, a foster care and adoption program within the Division of Social Services, spoke to the Committee about this program for young people who are not adopted and who cannot return to abusive families. The goal of the program is to help youth and young adults make a successful transition from foster care to self-sufficiency. Ms. High explained the Chafee Foster Care Independence Act and the priorities of the LINKS program. She also spoke of the SaySo (Strong Able Youth Speaking Out) organization and said that nine of the SaySo members would be

serving as pages for the General Assembly and the Governor's Office in the 2004 Session. Ms. High reviewed some of the LINKS best practice examples from North Carolina counties. Grants of up to $5,000 per year can be provided for community college as well as a post secondary educational or vocational training school. Ms. High said that this program is only for children in the foster care system; it is a program designed to help youth be in a position to hold a job.

Representative Barnhart asked for clarification on the use of $1 million in TANF block grant funds that was to be distributed to the counties for creating new child protective services positions in the county. Ms. Sherry Bradsher, Deputy Director of the Division of Social Services, explained that staffing surveys showed 44 new positions were created with an average salary of $33,000. She said they know 50% needs to be added to that amount for overhead (supervision, training, supplies) and that results in an average of about $66,000. The $2.6 million includes the $1 million in TANF; the other money would have been county money that counties had to put forth in order to hire those positions.

March 3, 2004

The Committee met on March 3, 2004. The focus of this meeting was prevention and child abuse reporting laws.

Ms. Michelle Hughes, Prevent Child Abuse of North Carolina, was introduced to speak about the Prevent Child Abuse organization. Ms. Hughes said child abuse prevention is defined as strategies or programs that try to reduce risk factors related to child maltreatment and increase protective factors associated with good parenting, family stability, and child safety. There are three categories of child abuse prevention---primary, secondary, and tertiary prevention. The majority of attention and resources both in North Carolina and nationally goes to tertiary prevention---the child protection system. Ms. Hughes gave an example of an effective prevention program that should be supported in North Carolina---intensive home visiting. This program is voluntary and is typically aimed at low-income, first time parents. The Center for Disease Control concluded that approximately 40% of maltreatment episodes could be prevented through early childhood home visits. Currently, there are 13 intensive home visiting sites in North Carolina. Prevent Child Abuse NC is now collecting data on child abuse prevention programs. Currently, less than 100 agencies and organizations have been identified that provide child abuse prevention programming directly to children and families. These programs are diverse. Prevent Child Abuse does develop and disseminate information about best practice programs. There is very limited State funding for child abuse prevention in North Carolina. What little funding exists among state agencies is fragmented. There is no one state agency in North Carolina that takes primary responsibility for overseeing child abuse prevention programming.

Ms. Charisse Johnson, Wayne County First Steps, spoke to the Committee about her organization's child abuse prevention efforts. Wayne County First Steps Program officially began operation in 1996. First Steps identifies mothers of newborns in Wayne County for risk factors: no prenatal care, a single parent with no support system, a history of substance abuse, mental illness, limited financial resources, teen parents, abuse of a child, or a parent without a home. The program is voluntary. First Steps wants to

help the parents be successful, and the program builds on strengths of the family. The program also does developmental assessments. Last year the program served 119 families. Ninety-eight percent of the families served had no incidences of child abuse and neglect, but two percent had incidences of child abuse and neglect that were substantiated. The program's current funding is $150,000.00.

Professor Janet Mason, Institute of Government was introduced to speak on the abuse, neglect, and dependency reporting laws. North Carolina has a universal reporting requirement -- everyone has a duty to report if they have a reasonable, good faith cause to suspect abuse, neglect or dependency. In a number of states, that duty applies only to certain professionals. North Carolina has no statutory penalty for failure to report. No state has a sanction simply for making a report that turns out not to be true, because society wants to encourage people to make reports on the basis of cause to suspect. There is a very small potential for criminal prosecution under the common law. There is also the potential for civil liability if a failure to report results in harm to the child. To encourage people to report, North Carolina law says as long as you report in good faith you are immune from civil or criminal liability. In order to be successful in an action for libel or slander or some other civil tort, the person bringing the action has the burden of overcoming that presumption. Ms. Mason has found it nearly impossible to find any studies or statistics about how many malicious reports occur. *See Appendix C* for additional background information.

Ms. JoAnn Lamm, Division of Social Services, clarified that if the Division had a child welfare information system, they could capture information about how many types of reports they have received that are either false or malicious or instances where people have failed to report. None of this information is collected or available now. With the Multiple Response System (MRS), they have tried to address it in two ways: structured intake, and in the ten counties that started MRS in August 2002, they use structured decision making tools. Ms. Karen Taylor George, Executive Director of the County Director's Association, informed the Committee that they conducted an informal poll of their directors about malicious and false reports, and they do not have good numbers. The current practice is to err on the side of the child and investigate. Karen Taylor George pointed out that typically malicious reports are related to divorce and custody cases. In the cases of custody, they often find the reports are valid. When it comes to the custody issue, the parent that has concern for the safety of the child will then make a report because they are no longer there and able to protect the child. It is important for DSS to take these cases very seriously. The DSS Directors do believe MRS and structured intake will make a difference.

March 22, 2004

The Committee met on March 22, 2004. During this meeting, the Committee discussed NC FAST, malicious reporting, funding sources for child welfare, the Department of Health and Human Services' priorities in child welfare, and Committee recommendations for its report.

Mr. Lanier Cansler updated the Committee on the status of NC FAST. There are currently eight different areas in Health and Human Services dealing with children:

Work First, Food Stamps, Medicaid, Health Choice for Children, Child Support Enforcement, Child Care, Child Welfare, and Adult and Family Services, and they do not have the technology to link them all together. NC FAST would help to identify the case, and the case history would follow the families when they move in the state. With the information in one data file, workers could track children throughout the State. Mr. Cansler's goal is to have a system operational before June 30, 2005. *See Appendix D.*

Mr. Roy Young, Director, Union County DSS, spoke about NC FAST and case management. He said of the 100 counties, 97 counties are in full support of a statewide system. Most counties do not have the technology to support their workers. Information is not shared between counties. If counties have better data, then they can make better decisions and allocate their resources more efficiently. The online case management system would provide the social worker with the tools that are needed to do the job of protecting children. An automated system would make it easier to search for a family in times when you need to make a decision quickly.

Mr. Keith Davis, Division of Social Services, spoke on the malicious/false reporting survey results requested in an earlier meeting. *See Appendix E.* The counties had a one-week turnaround time to get the information back to the Committee. Mr. Davis conducted an analysis of the survey and found the counties used a variety of methods to respond to the survey. Some counties gave it their best guess, and some small counties looked at all of their records. Some counties polled staff or used one month as a sample. Because counties used varying methods to determine the level of malicious reporting, the usefulness of the information was questioned. The Committee concluded that more information is needed.

Ms. JoAnn Lamm, Division of Social Services, was introduced to speak on the Multiple Response System (MRS) goals. MRS started out in ten counties in August 2002. Forty-two counties came in during 2003 so now 52 counties are using MRS. Their goal is to take MRS statewide. They would like help in achieving the one to eight caseload. A goal is to have workers supported in ways of training. Also, Ms. Lamm encouraged the Committee to look at expanding the education collaborative. Their goal is not to keep training workers all the time, but to retain them. They also need facilitators for child and family teams. Another area is to help them with a plan for statewide recruitment and retention of foster parents. Also, training and education of the social workers is needed. For them to be successful in implementing MRS, the Division needs some support as it relates to staffing to be able to provide the supervision and direction to the county departments of social services.

Ms. Susan Morgan, Fiscal Research staff, spoke on funding sources, child welfare expenditures, social service expenditures summary by service area and county profiles showing the portion of federal funds each county spends. Mr. Tony Solari, North Carolina Partnership for Children, stated that 43% of the Smart Start allocation is spent for childcare subsidies and that there is a waiting list of 22,000 – 24,000 statewide. Legislation mandates that Smart Start funds and services are provided first to the children with greatest need. He also said that the subsidy is on a sliding scale based on income. He also discussed the Children's Trust Fund, established by statute to fund abuse and neglect prevention programs. Programs are funded through an RFP process. Mr. Doug

Holbrook, Fiscal Research staff, talked about the Guardian *ad Litem* funding. Funding is made on a district basis with the current year's funding based on the total workload for the previous year's workload.

Ms. Carmen Hooker Odom, Secretary, Department of Health and Human Services thanked the Committee for their leadership and she spoke about the requests of DHHS for 2004. She focused on four areas critical to child well being and strengthening families through their partnership with local county departments of social services: the importance of reducing the ratio of social workers to children with a multi-year approach to funding for more trained social workers and expansion of the Education Collaborative; technical assistance for the Multiple Response System (MRS) to move it statewide and provide assistance in developing child and family teams across the state and providing recruitment and retention of adoptive and foster care parents; training initiative to allow adequate training across the disciplines; evaluation and monitoring of programs to meet the guidelines for federal funding. Secretary Hooker Odom also identified NC FAST as a priority of DHHS.

The Committee concluded its meeting with a discussion of recommendations for the final report to the House of Representatives.

March 31, 2004

The Committee met and discussed its final report. Upon motion and discussion, the Committee adopted its final report.

FINDINGS AND RECOMMENDATIONS

The House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption recognized that the issues affecting the safety and well being of North Carolina's children are multi-faceted and there are no simple, easy solutions to the problems presented.

The Committee also found that an overriding consideration of the legislative and executive branches when enacting and implementing child protective services programs and policies should be the fiscal impact on the counties carrying out the programs and policies. Specific consideration should be given to each individual county's ability to fund and implement new programs and services.

Upon discussion and debate, the Committee makes the following findings and recommendations:

A. **Information Sharing.**

1. ***NC FAST.*** In order to better serve families, the county departments of social services need a comprehensive, statewide computer system of records maintained by the various programs of DSS that would be accessible by all 100 counties (NC FAST). The U. S. Department of Health and Human Services may reimburse the State for one-half the cost of implementing such an information system if the system is designed according to the federal guidelines for a Statewide Automated Child Welfare Information System (SACWIS). The Secretary of the Department of Health and Human Services has submitted a request regarding NC FAST as part of the Department's expansion budget request to the Governor.
    a. The Committee strongly supports NC FAST and recommends that the Appropriations Committees of the General Assembly consider this request for the design, development, and implementation of the system in compliance with SACWIS at the appropriate time, taking into consideration any potential financial impact to local governments as a result of the implementation of the request. *See Appendix F.*
2. ***Statewide criminal background checks.*** Information regarding the criminal background of alleged perpetrators of child abuse, neglect and dependency would assist the county departments of social services in better protecting children in North Carolina. This information with respect to the alleged perpetrators' actions within the State of North Carolina as maintained electronically by the Administrative Office of the Courts (AOC) needs to be available in all 100 county departments of social services offices. A contract between DHHS and AOC is currently under negotiation to allow for this process. All 100 counties should have access by July 2004. *See Appendix G.*
3. ***Federal criminal background checks.*** Information regarding the criminal background of alleged perpetrators of child abuse, neglect and dependency would assist the county departments of social services in better protecting children in North Carolina. This information with

respect to the alleged perpetrators' actions across the nation is not always obtained in situations where the check is available as an assessment tool to the social worker. Training, knowledge, and better communication among agencies should address this issue.

a. The Committee recommends that DHHS and the Department of Justice, along with other interested agencies, are directed to develop and implement a method for educating law enforcement and child protective services personnel involved with CPS investigations with regard to the scope, responsibilities, and limitations of their role in the investigation and with regard to the availability of criminal background histories on alleged perpetrators. *See Appendix F.*

b. The Committee recommends that the General Assembly seek review and amendment of the federal law to allow sharing of information to better protect the children of the State of North Carolina. *See Appendix H.*

4. ***Lack of Awareness.*** Sister agencies, professions and community members are not always aware of the need to notify the local department of social services when a child is in a potentially abusive, neglectful, or dependency situation. Training, education, and better communication should address this issue.

B. **Training/Staffing Issues.**

1. ***Recruitment and Retention.*** The county departments of social services report a turnover rate of almost 30% in the Social Worker III classification, which is the "in-the-field" worker for child protective services. Recruitment of qualified candidates to fill that position is a lengthy process that is extended further by the requirement of 72 hours of pre-service training once a person is hired to fill the position. The Child Welfare Collaborative, designed to educate and train committed social workers, within the University of North Carolina system is working to address these issues.

a. The Committee found that expansion of the Collaborative would be beneficial. The Secretary of the Department of Health and Human Services has submitted a request regarding the Collaborative as part of the Department's expansion budget request to the Governor. The Committee strongly supports the expansion of the Child Welfare Collaborative and recommends that the Appropriations Committees of the General Assembly consider this request for the Collaborative at the appropriate time, taking into consideration any potential financial impact to local governments as a result of the implementation of the request. *See Appendix F.*

b. The Division of Social Services has agreed, at no cost to the State, to allow personnel from temporary social work agencies to be provided the 72 hours of pre-service training so that qualified temporary help will be available to fill in while protective services positions are being filled. The Division has also agreed to review experience of child welfare workers that

have not practiced in the State in the past 24 months on a case-by-case basis with regard to the required 72-hour pre-service training. *See Appendix G.*

2. ***Salaries and Caseloads.*** Pay, benefits, and the ratio of child protective services workers to families vary across the state. For each county, the creation of positions and the salary compensation of those workers are the responsibility of the county board of commissioners. The Committee found that variations in pay and benefits existed across the State for the same position.
    a. The Committee recommends that additional monies be made available to historically overburdened counties to create and fund new positions. As part of this recommendation, the Committee recommends that the TANF Block Grant funds allocated by the General Assembly for welfare services personnel should be restricted to the creation of new, additional positions at the local level for direct child protective services; and such funds should not be used for administrative or overhead costs, training or other activities, or supplant existing federal, state, local or other resources currently funding existing child protective services staff. *See Appendix F.*
    b. The Committee recommends that a study of the child protective services positions in the counties be performed to discern the reasons for the variations in compensation and the possible solutions. *See Appendix F.*
    c. The Committee recommends that the North Carolina County Commissioners Association, DHHS, and the Office of State Personnel develop an incentive program for child protective services personnel to address recruitment and retention concerns. *See Appendix F.*
    d. The Committee recommends that the Department of Health and Human Services and the Fiscal Research Division of the General Assembly review the current funding formulas for Child Protective Services at the local level. The Department shall report to the General Assembly and the Fiscal Research Division information regarding the rationale applied in determining county funding for Child Protective Services. The report shall also include recommendations on improving the funding formula to assure that counties are funded on an equitable basis. *See Appendix F.*
3. ***Reporting Issues.*** Persons in the child protective services system report that scarce resources are diverted from needy families when knowingly and willfully untrue reports of abuse, neglect and dependency are made and expressed concern regarding instances of failure to report in situations of abuse, neglect, and dependency. The Committee found that more information about the frequency with which such reports occur is needed to evaluate the situation.
    a. The Committee recommends that the Division of Social Services collect and maintain data as to the reason why a report

of abuse, neglect and dependency is determined to be unsubstantiated if the report is classified as such upon investigation. *See Appendix F.*

b. The Committee recommends that the Division of Social Services also collect and maintain data as to whether all reports of suspected abuse, neglect or dependency are reasonably believed to have been knowingly and willfully made with untrue statements and why those statements are reasonably believed to have been knowingly and willfully made with untrue statements. The Division of Social Services shall report such information annually to the General Assembly. *See Appendix F.*

c. The Committee recommends that the Division of Social Services also collect and maintain data of instances of failure to report allegations of abuse, neglect, or dependency and the known reasons for that failure to report. *See Appendix F.*

d. The Committee recommends that the Department of Health and Human Services review other states' reporting practices, including legislation, implementation concerns, and frequency of violations of the reporting laws, and report to the 2005 Regular Session of the 2005 General Assembly with recommendations and any suggested amendment to the North Carolina reporting laws on or before the convening of session. *See Appendix F.*

C. **Multiple Response System (MRS).**

1. ***Expansion of the existing pilot program.*** Currently 10 counties are fully trained and implemented. An additional 42 counties are being trained and beginning implementation of the Multiple Response System. DHHS has recommended statewide expansion of the program. The Secretary of the Department of Health and Human Services has submitted a request regarding MRS, including additional personnel positions for counties with CPS worker shortages, as part of the Department's expansion budget request to the Governor.

   a. The Committee strongly supports MRS and recommends that the Appropriations Committees of the General Assembly consider this request for MRS at the appropriate time, taking into consideration any potential financial impact to local governments as a result of the implementation of the request. *See Appendix F.*

2. ***Evaluation of MRS.*** As MRS is new to North Carolina families and agencies providing a child protective service, evaluation of the system is needed to provide feedback and improvement. Duke University is currently working with the Division to develop and implement an evaluation tool.

3. ***Funding.*** The Committee recognizes that additional funding from the local, state and federal level will most likely be needed to fully implement MRS. Additional qualified workers to reduce caseloads,

lead Child and Family Team meetings, provide program evaluation, and provide assistance in support roles are needed.

4. ***Technical Assistance.*** The Committee found that the Division, in its role as the supervisory agency, will need infrastructure to support the work of the county departments of social services.
5. ***Lack of mental health and substance abuse services in communities.*** The Committee heard from multiple sources including social workers, the Division of Social Services, and law enforcement officers that lack of availability of mental health and substance abuse services in communities was an impediment to providing safe and secure environments for children to prosper.
    a. The Committee recommends the Joint Mental Health Oversight Committee be notified of this finding for further study and recommendation.

D. **Prevention Programs and Initiatives.**

1. ***Child Fatality Task Force.*** The North Carolina Child Fatality Task Force is charged with developing a system for the multidisciplinary review of child deaths in North Carolina and with undertaking a statistical study of child deaths. The Task Force is also mandated to report annually to the Governor and General Assembly regarding its conclusions and recommendations for changes to any law, rule or policy that it has determined will promote the safety and well being of children, including specific legislative and policy proposals with accompanying detailed fiscal notes setting forth the costs to the State. One full time and one part time employee position within the Task Force were cut in 2003. An appropriation of $64,429 would restore these positions.
    a. The Committee recommends that $64,429 be appropriated to DHHS for the purpose of restoring the personnel positions of the Child Fatality Task Force. *See Appendix I.*
2. ***Parenting education, home visitation, child development information and other child abuse/neglect prevention programs across the state.*** DHHS should develop a comprehensive strategy to address the need for child abuse/neglect prevention programs across the state, including an assessment of best practices, an examination of existing funding sources, and restoration of funding where needed. *See Appendix F.*
3. ***Availability of treatment services.*** The Committee heard from multiple sources including social workers, the Division of Social Services, and law enforcement officers that lack of availability of mental health and substance abuse services in communities was an impediment to providing safe and secure environments for children to prosper.
    a. The Committee recommends the Joint Mental Health Oversight Committee be notified of this finding for further study and recommendation.
4. ***Child Care.***
    a. The Committee found that there is a critical need for additional childcare subsidy monies. As of March 2004, approximately

24,000 children are on the waiting list for childcare slots. The cost for funding these slots is approximately $57.6 million.

i. The Committee strongly supports a recommendation that the Appropriations Committees of the General Assembly consider appropriating additional funds to reduce the number of families waiting for Child Care Subsidy.

b. The Committee found that there is a need for 2nd and 3rd shift childcare services.

5. ***Children's Trust Fund.*** The Children's Trust Fund was created by the General Assembly to focus on prevention of child abuse and neglect. Funding for the Trust Fund derives from marriage licenses and specialty motor vehicle license tags. Currently, the Children's Trust Fund is administered within the Department of Public Instruction. The Committee found that the children would be better served if the Trust Fund were administered within DHHS.

   a. The Committee recommends that the Children's Trust Fund be moved from the Department of Public Instruction to DHHS. *See Appendix J.*

   b. The Committee recommends that the Children's Trust Fund report annually on revenues and expenditures of the Fund to the Joint Committee on Governmental Operations. *See Appendix F.*

E. **Foster Care and Other Miscellaneous Issues.**

1. ***Low Guardian ad litem (GAL) attorney reimbursement rates.*** According to the Guardian *ad litem* program, the GAL attorney advocates' reimbursement rate is approximately one half that of criminal defenders. The program reports that an appropriation of $1.4 million would equalize the pay GAL attorney advocates receive. It was also reported that reimbursement for all court appointed attorneys is at a level that does not encourage attorneys to participate in the program. The Committee found that more information on both the reimbursement of the GAL program and the indigent defense program was needed to sort out the discrepancies and encourage more attorneys to participate in the programs.

   a. The Committee recommends that $1.4 million ($1,400,000) be appropriated to the Administrative Office of the Courts for the Guardian ad Litem program for the specific purpose of attorney advocate reimbursement. *See Appendix I.*

   b. The Committee recommends that the Administrative Office of the Courts contract with an independent research entity to study court appointed attorney compensation and report to the 2005 Regular Session of the 2005 General Assembly. AOC shall consult with the Office of Indigent Defense Services on the selection of the independent research entity. AOC and IDS shall jointly use up to $50,000 of available funds to secure this contract. *See Appendix F.*

2. ***Expedited juvenile appeals.*** Final decisions in juvenile protective services hearings are important to the stability and permanency of the juvenile. The courts are reporting a rapid increase in the volume of appeals from decisions in juvenile protective services hearings, including termination of parental rights. The Committee found that as the need for permanency within a reasonable time is a requirement of the Adoption of Safe Families Act of 1997, this issue needs immediate attention. The North Carolina Court Improvement Project is currently studying the reported significant increase in appeals from juvenile cases, including termination of parental rights hearings.
    a. The Committee recommends that the Court Improvement Project report its findings, including annual statistical data and results of appeals, and recommendations to the Appropriations Committees of the House and Senate and to the House Children, Youth and Families Committee on or before June 1, 2004. *See Appendix F.*
3. ***Funding for foster care is not adequate to address needs.*** The Committee recognizes that current funding for foster care and adoption parents in inadequate.
    a. The Committees strongly recommends that the Appropriations Committees of the General Assembly consider this concern at the appropriate time, taking into consideration any potential financial impact to local governments.
4. ***Availability of resources for children aging out of the foster care system to allow the child to become a productive member of society.*** The Committee heard from the Division Social Services about its resources for juveniles reaching the age of majority while still in the foster care system. The program, NC LINKS, is available to all foster children age 13 and above and assists in the transition to becoming an educated, productive citizen.
5. ***Need for foster parents.*** The Committee heard from several sources that the counties need additional licensed foster parents. One such parent suggested that the information about foster care should be more readily available to attract prospective foster parents, and that transportation assistance has been one of the greatest needs as a foster parent. The Secretary of the Department of Health and Human Services has submitted a request regarding foster parent recruitment and retention as part of the Department's expansion budget request to the Governor.
    a. The Committee strongly supports the need to recruit and retain licensed foster parents and recommends that the Appropriations Committees of the General Assembly consider this request at the appropriate time, taking into consideration any potential financial impact to local governments as a result of the implementation of the request. *See Appendix F.*

APPENDIX A
Prepared by the David Atkinson, Division of Social Services

North Carolina county statistics for CPS Investigative Assessments based on county child population

Unduplicated counts of Children Subject of an Investigative Assessment or a Family Assessment* - State Fiscal Year 2002-2003
Population Data From July 2003 Census Data Projections

This table provides a listing for all 100 North Carolina counties of number of unique children subject of an investigative assessment or a family assessment*. "Unique children" is defined so that when the same child is the subject of more than one investigative assessment or a family assessment, he/she is counted only once. These counts are then compared to the total county child population to provide a ratio of children who are subject of an investigative assessment or a family assessment* per total child population. Several factors influence this rate. A county Department of Social Service has the responsibility to make a determination when allegations of child maltreatment warrent an investigative or family assessmen*. This table does not show the rate at which children are found to be maltreated.

RANK	COUNTY	County Population of children AGE 0-17	Subject of an Investigative Assessment	Investigated per 1,000 children in county	RANK	COUNTY	AGE 0-17	Subject of an Investigative Assessment	Investigated per 1,000 children in county
1	MITCHELL	3,195	390	122.07	51	ALLEGHANY	2,104	114	54.18
2	MADISON	4,297	495	115.20	52	ORANGE	25,521	1,365	53.49
3	SWAIN	3,192	333	104.32	53	PAMLICO	2,514	134	53.30
4	HAYWOOD	11,160	1,122	100.54	54	PASQUOTANK	8,464	449	53.05
5	HENDERSON	19,535	1,790	91.63	55	ROCKINGHAM	21,263	1,126	52.96
6	CHEROKEE	4,951	443	89.48	56	PITT	32,982	1,737	52.67
7	RICHMOND	11,870	1,055	88.88	57	CASWELL	5,469	287	52.48
8	RUTHERFORD	15,034	1,328	88.33	58	COLUMBUS	13,726	718	52.31
9	NEW HANOVER	35,677	3,115	87.31	59	ASHE	4,804	249	51.83
10	ROBESON	36,440	3,101	85.10	60	NASH	22,554	1,164	51.61
11	VANCE	11,985	1,006	83.94	61	GRANVILLE	12,042	617	51.24
12	BURKE	21,969	1,844	83.94	62	MONTGOMERY	6,763	346	51.16
13	BUNCOMBE	46,786	3,854	82.38	63	DUPLIN	13,562	684	50.44
14	CALDWELL	18,373	1,458	79.36	64	RANDOLPH	34,173	1,717	50.24
15	CARTERET	11,558	914	79.08	65	HARNETT	26,717	1,319	49.37
16	CRAVEN	22,395	1,743	77.83	66	CABARRUS	37,140	1,806	48.63
17	MCDOWELL	9,952	774	77.77	67	POLK	3,856	184	47.72
18	EDGECOMBE	14,144	1,089	76.99	68	ALAMANCE	33,582	1,584	47.17
19	JACKSON	6,513	500	76.77	69	LINCOLN	16,578	777	46.87
20	GRAHAM	1,736	127	73.16	70	STANLY	14,695	688	46.82
21	ONSLOW	40,044	2,923	72.99	71	JOHNSTON	36,171	1,689	46.69
22	BEAUFORT	10,223	743	72.68	72	CLAY	1,556	72	46.27
23	CURRITUCK	4,736	344	72.64	73	ANSON	6,251	285	45.59
24	SCOTLAND	9,837	709	72.07	74	HERTFORD	5,117	233	45.53
25	CATAWBA	36,672	2,624	71.55	75	DURHAM	55,729	2,521	45.24
26	YANCEY	3,826	269	70.31	76	MARTIN	6,155	273	44.35
27	PENDER	9,929	681	68.59	77	PERSON	8,661	382	44.11
28	GASTON	47,179	3,094	65.58	78	GATES	2,644	116	43.87
29	LENOIR	14,475	939	64.87	79	UNION	39,417	1,672	42.42
30	WARREN	4,569	290	63.47	80	STOKES	11,148	465	41.71
31	CHATHAM	11,814	749	63.40	81	YADKIN	9,165	382	41.68
32	LEE	12,975	816	62.89	82	FRANKLIN	12,896	527	40.87
33	CUMBERLAND	85,694	5,373	62.70	83	MECKLENBURG	194,733	7,605	39.05
34	WAYNE	29,800	1,856	62.28	84	DARE	6,558	247	37.66
35	NORTHAMPTON	5,036	313	62.15	85	TYRRELL	858	32	37.30
36	GREENE	4,956	307	61.95	86	GUILFORD	107,032	3,787	35.38
37	ROWAN	33,633	2,072	61.61	87	ALEXANDER	8,564	294	34.33
38	WILKES	15,086	929	61.58	88	WATAUGA	7,012	215	30.66
39	IREDELL	34,117	2,057	60.29	89	WASHINGTON	3,266	98	30.01
40	TRANSYLVANIA	5,887	351	59.62	90	CHOWAN	3,392	101	29.78
41	DAVIDSON	36,513	2,160	59.16	91	PERQUIMANS	2,445	68	27.81
42	AVERY	3,349	197	58.82	92	BERTIE	4,721	125	26.48
43	JONES	2,469	144	58.32	93	SAMPSON	16,563	418	25.24
44	BLADEN	7,985	463	57.98	94	FORSYTH	78,291	1,894	24.19
45	MOORE	16,844	960	56.99	95	BRUNSWICK	16,465	378	22.96
46	WILSON	19,068	1,083	56.80	96	HOKE	11,340	259	22.84
47	MACON	6,134	346	56.41	97	HYDE	1,082	23	21.26
48	CLEVELAND	24,884	1,389	55.82	98	WAKE	180,502	3,366	18.65
49	SURRY	17,209	958	55.67	99	CAMDEN	1,677	30	17.89
50	HALIFAX	14,055	775	55.14	100	DAVIE	8,995	140	15.56
							2,066,675	107,157	51.85

*In North Carolina, 10 pilot counties were selected in August of 2002 to begin a demonstration project that would test out an alternative response to certain reports of neglect. This is called the "Multiple Response System" and allows for a "family assessment" in certain reports of neglect, rather than the traditional "forensic" investigative assessment. All 10 pilot counties continue to conduct the traditional investigative assessments in reports of abuse and some reports of neglect. Findings in investigative assessments continue to be either substantiated or unsubstantiated. Findings in family assessments include findings of "services needed", "services recommended" or "services not recommended.

NOTE: Data includes all reports for the 10 MRS pilot counties, regardless of the approach (Investigative Assessment or Family Assessment)

North Carolina county statistics for CPS Investigative Assessments based on county child population

Unduplicated counts of Children Substantited for Child Maltreatment - State Fiscal Year 2002-2003

Population Data From July 2003 Census Data Projections

This table provides a listing for all 100 North Carolina counties of number of unique children substantiated for maltreatment following an investigative assessment. "Unique children" is defined so that when the same child is the subject of more than one investigative assessment, he/she is counted only once. These counts are then compared to the total county child population to provide a ratio of children who are substantiated for maltreatment per total child population. A county Department of Social Service has the responsibility to make a determination when information gathered from an investigative assessment warrents a determination of child maltreatment.

RANK	COUNTY	# OF CHILDREN AGE 0-17	# OF CHILDREN Substantiated for Child Maltreatment	# OF CHILDREN Substantiated per 1,000 children in county	RANK	COUNTY	# OF CHILDREN AGE 0-17	# OF CHILDREN Substantiated for Child Maltreatment	# OF CHILDREN Substantiated per 1,000 children in county
1	RUTHERFORD	15,034	664	44.17	51	RICHMOND	11,870	185	15.59
2	MITCHELL	3,195	127	39.75	52	ROCKINGHAM	21,263	329	15.47
3	CHEROKEE	4,951	171	34.54	53	CASWELL	5,469	83	15.18
4	ONSLOW	40,044	1,364	34.06	54	CUMBERLAND	85,694	1,279	14.93
5	HAYWOOD	11,160	379	33.96	55	WILKES	15,086	225	14.91
6	NEW HANOVER	35,677	1,063	29.80	56	ROWAN	33,633	492	14.63
7	MADISON	4,297	127	29.56	57	GRANVILLE	12,042	175	14.53
8	YANCEY	3,826	112	29.27	58	COLUMBUS	13,726	199	14.50
9	GRAHAM	1,736	46	26.50	59	STANLY	14,695	211	14.36
10	SWAIN	3,192	82	25.69	60	BLADEN	7,985	112	14.03
11	MCDOWELL	9,952	254	25.52	61	YADKIN	9,165	126	13.75
12	DUPLIN	13,562	329	24.26	62	LINCOLN	16,578	223	13.45
13	LENOIR	14,475	351	24.25	63	WARREN	4,569	61	13.35
14	BEAUFORT	10,223	232	22.69	64	GREENE	4,956	65	13.12
15	CATAWBA	36,672	830	22.63	65	BRUNSWICK	16,465	213	12.94
16	IREDELL	34,117	765	22.42	66	ALLEGHANY	2,104	27	12.83
17	CARTERET	11,558	259	22.41	67	STOKES	11,148	139	12.47
18	DARE	6,558	144	21.96	68	HERTFORD	5,117	63	12.31
19	BURKE	21,969	481	21.89	69	MARTIN	6,155	70	11.37
20	CURRITUCK	4,736	103	21.75	70	JOHNSTON	36,171	410	11.34
21	ROBESON	36,440	789	21.65	71	HYDE	1,082	12	11.09
22	HARNETT	26,717	572	21.41	72	CABARRUS	37,140	405	10.90
23	CALDWELL	18,373	390	21.23	73	BERTIE	4,721	51	10.80
24	EDGECOMBE	14,144	300	21.21	74	RANDOLPH	34,173	367	10.74
25	BUNCOMBE	46,786	988	21.12	75	MACON	6,134	65	10.60
26	HALIFAX	14,055	288	20.49	76	NORTHAMPTON	5,036	53	10.52
27	WAYNE	29,800	608	20.40	77	ANSON	6,251	65	10.40
28	SURRY	17,209	342	19.87	78	SAMPSON	16,563	170	10.26
29	ASHE	4,804	95	19.78	79	FRANKLIN	12,896	131	10.16
30	CHATHAM	11,814	228	19.30	80	WASHINGTON	3,266	33	10.10
31	PAMLICO	2,514	48	19.09	81	PERSON	8,661	87	10.05
32	GASTON	47,179	890	18.86	82	UNION	39,417	387	9.82
33	VANCE	11,985	225	18.77	83	PERQUIMANS	2,445	24	9.82
34	JACKSON	6,513	120	18.42	84	GATES	2,644	25	9.46
35	PITT	32,982	598	18.13	85	MECKLENBURG	194,733	1,771	9.09
36	DAVIDSON	36,513	662	18.13	86	WATAUGA	7,012	63	8.98
37	SCOTLAND	9,837	177	17.99	87	TRANSYLVANIA	5,887	51	8.66
38	MONTGOMERY	6,763	121	17.89	88	TYRRELL	858	7	8.16
39	HENDERSON	19,535	345	17.66	89	LEE	12,975	104	8.02
40	WILSON	19,068	333	17.46	90	ALEXANDER	8,564	65	7.59
41	CLEVELAND	24,884	433	17.40	91	GUILFORD	107,032	794	7.42
42	PASQUOTANK	8,464	146	17.25	92	ALAMANCE	33,582	240	7.15
43	DURHAM	55,729	951	17.06	93	DAVIE	8,995	52	5.78
44	CRAVEN	22,395	376	16.79	94	NASH	22,554	127	5.63
45	JONES	2,469	41	16.61	95	WAKE	180,502	890	4.93
46	POLK	3,856	64	16.60	96	CLAY	1,556	7	4.50
47	ORANGE	25,521	420	16.46	97	CHOWAN	3,392	15	4.42
48	AVERY	3,349	55	16.42	98	FORSYTH	78,291	313	4.00
49	PENDER	9,929	158	15.91	99	HOKE	11,340	39	3.44
50	MOORE	16,844	265	15.73	100	CAMDEN	1,677	5	2.98
						NORTH CAROLINA	2,066,675	30,016	14.52

*In North Carolina, 10 pilot counties were selected in August of 2002 to begin a demonstration project that would test out an alternative response to certain reports of neglect. This is called the "Multiple Response System" and allows for a "family assessment" in certain reports of neglect, rather than the traditional "forensic" investigative assessment. All 10 pilot counties continue to conduct the traditional investigative assessments in reports of abuse and some reports of neglect. Findings in investigative assessments continue to be either substantiated or unsubstantiated. Findings in family assessments include findings of "services needed", "services recommended" or "services not recommended. The following data represent the children whose families were found to be "in need of services" in the 10 pilot counties following a family assessment.

Multiple Response Findings

RANK	COUNTY	# OF CHILDREN AGE 0-17	Found In Need Of Services	# OF CHILDREN In Need of Services per 1,000 children in county	RANK	COUNTY	# OF CHILDREN AGE 0-17	Found In Need Of Services	# OF CHILDREN In Need of Services per 1,000 children in county
1	ALAMANCE	33,582	203	6.04	6	BLADEN	7,985	23	2.88
2	NASH	22,554	109	4.83	7	BUNCOMBE	46,786	131	2.80
3	CRAVEN	22,395	98	4.38	8	GUILFORD	107,032	170	1.59
4	FRANKLIN	12,896	49	3.80	9	MECKLENBURG	194,733	275	1.41
5	CALDWELL	18,373	59	3.21	10	TRANSYLVANIA	5,887	4	0.68
							472,223	1,121.00	2.37

APPENDIX B
Prepared by the Office of State Personnel

NC OFFICE OF STATE PERSONNEL
February 2004

REPORT: CHILD WELFARE CRISIS COMPENSATION AND CLASSIFICATION STUDY

BASIS FOR COMPENSATION SURVEY AND STUDY

In the fall of 2003, there were a series of articles from two North Carolina news publications outlining the difficulties local departments of social services have to deal with in investigating and managing child protective service cases. As a result of these difficulties, children most vulnerable to abuse and neglect are at risk to fall through the cracks in the child welfare system that can lead to serious consequences including death. Programmatically, local departments of social services are responsible for investigating all reports of alleged child abuse and neglect. The newspaper articles identified many issues that create barriers to effectively track and manage child abuse and neglect cases. This report focuses on the human resources issues raised in the series of articles. The articles pointed out that a high level of turnover of social workers that perform child protective services functions could disrupt the constant monitoring and tracking of child protective services cases. In addition, extreme difficulties in the recruitment of qualified applicants to replace workers who have left only compound the problems associated with adequately staffing child abuse and neglect cases.

Since the articles appeared, the NC Office of State Personnel began to receive anecdotal information from directors of local departments of social services regarding high turnover and recruitment difficulties for Child Welfare Workers across the state. A letter was then sent from NC Department of Health and Human Services (DHHS) Secretary Carmen Hooker Odom to Governor Easley asking for his assistance and support in developing solutions to the problems. Since all local departments of social services employees are covered under State Personnel Act, the Office of State Personnel (OSP) has direct oversight for the classification of child welfare positions at the local level and some degree of oversight for salary ranges of these positions. Under the State Personnel Act, county governments have the authority to administer salary and pay policies independently once they have filed them with OSP. In concert with the Division of Social Services in the NC Department of Health and Human Services and the NC Association of County Directors of Social Services, OSP conducted a survey of certain human resources practices and issues affecting local child welfare positions. This survey was completed in order to obtain employment data related to the recruitment and retention of workers in these positions.

In addition, from the state classification perspective it appears that the child welfare workers engaged in the protective service functions needed to be reviewed for proper allocation in the classification system. There is evidence that increased state and federal mandates have

added a level complexity to the technical knowledge required of social workers in order to perform the work successfully. Child welfare social workers are required to go through 72 hours of pre-service training prior to being assigned a caseload. This is highlighted by the Child Welfare Collaborative effort where certain universities with accredited schools of social work have begun incorporating this pre-service training requirement into their curriculum. OSP conducted a factor analysis study to determine the appropriate classification level for positions that perform investigations and case management for at-risk children. The results of this factor analysis are discussed later in this report.

STUDY METHODOLOGY

The study employed the following course of action:

Compensation Survey of all 100 local DSS agencies

Factor Analysis Review of Child Welfare roles

Discussions with NC DHHS Division of Social Services Managers

Discussions with local DSS Directors

Classification comparisons of three counties that have established a specific social work classification that recognizes the investigation and case management role.

SUMMARY OF OSP FINDINGS AND RECOMMENDATIONS

Child Welfare Services Survey- 2003: Summary of Findings as of January 2, 2004

The survey questions were developed jointly between the OSP, the NC DHHS Division of Social Services (DSS) and the NC Association of County Director of Social Services (NCACDSS). The survey was administered and compiled by OSP and reviewed by the above parties. The compensation survey was focused on pay rates, turnover, recruitment and related pay benefits.

At the time of writing this report, there have been approximately 75 survey respondents out of a potential 100. From a statistical standpoint, the level of participation in the survey well exceeded expectations and increases that reliance of the data as a source by which to draw conclusions and recommendations. OSP continues to receive completed surveys at the time of publication of this report. While these surveys may not be in the data set, the responses are consistent with other responses and, therefore, will not alter the results as stated in any significant way.

The findings listed below confirm the anecdotal information with regard to significant difficulties on the recruitment and retention of qualified social worker into child welfare positions at the local level. Turnover in these positions is of major concern. The data suggests that the overall experience level of the work force in the child welfare program area is low, with 73 percent of the employees with less than five years of experience. This is in contrast to the classification and recruitment standards utilized for these positions at Social Worker III, which is considered to be the highest classification level for frontline social workers based years of experience and expertise. Therefore, one would expect to find the most seasoned social workers in this class performing these most difficult and complex cases. The data from the survey is in stark contrast to reality, where the level of experience is much less than what would be expected for child welfare investigative/assessments workers and case managers. Furthermore, high turnover leads to a vicious cycle where the most experienced workers suffer from burnout due to high caseloads and leave while being replaced with relatively inexperienced social workers.

Another issue to note is the variation in base pay from county to county. It appears that those counties that have pay rates above the statewide average tend to have fewer turnovers where the opposite is true for those counties that pay below the statewide average. Since under the statutes counties can manage salary ranges and pay policies at the local level, local policy makers should be attentive to where they are paying Child Welfare Workers in relation to their comparison counties. There may be some correlation between pay and length of time to fill a position with a fully qualified social worker. What tends to happen in low paying counties is that local DSS agencies are forced to fill child welfare positions with staff that do not meet the minimum experience requirements of the Social Worker III classification and train them until they become fully qualified. This process for training fully qualified social workers can potentially take up to three years. Once they are fully trained, they leave to perform the same work in other counties with higher pay. Thus, some counties feel that they are simply the training ground for Child Welfare Workers.

Presented below is a summation of the data that was submitted through the compensation survey.

Turnover

- Statewide Vacancy Rate: 31 percent
- Turnover rates are the highest in Case Management and Investigations

Average Length of Time to Fill SW III Positions

Average Days	*Local DSS Agency*
21-30	9
31-40	9
41-50	7
51-60	16
61-70	5

71-80	5
81-90	7
91 or more	10

Based on the number of agencies responding to the survey, 36 percent of the agencies reported that it takes at least 71 days or more to fill a SW III position. In addition, once employees are hired into child welfare services positions, they then need to complete a 72- hour pre-services training in child welfare services training before they are allowed to assume a caseload. Many of the positions are not filled with fully qualified Social Workers III, but trainees or work against. A Social Work Trainee is an applicant with only a four-year college degree and no experience. A work against is an applicant who qualifies as a Social Worker I or II, but not a Social Worker III so the employee works against the Social Worker III until they meet the prerequisite years of needed experience to fully qualify.

Years of Service Totals

Social Worker IIIs

More than 25 years of service	22
21-25 years of service	17
16-20 years of service	38
11-15 years of service	86
6-10 years of services	210
2-5 years of service	512
1-2 years of service	211
0-1 year of service	277

Of the total length of service reported, 73 percent of this population of the child welfare services workforce has less than 5 years of experience.

Exit Interviews

63 of the 75 respondents reported that they conducted exit interviews.

Reasons Given for Leaving/Resigning/Dismissal (ranked order high to low)

Better Paying Job	48
Work Stress	44
Changing Occupations	40
Self/Spouse Moving	36
Personal Reasons	33
Family Reasons	29
Dismissed	27
Continuing Education	22
Working Conditions	22

Pregnancy	14
Retirement	12
Other	11
Health	10
Military Service	3
Workers' Compensation	1
Disability	1

Average Salaries Paid to Child Welfare Social Worker IIIs

High:	New Hanover	$47,489
Low:	Graham	$27,000

Statewide Aggregate Average: *$33,924

*Aggregate average is a combination of all Child Welfare Social Worker IIIs.

Additional Support to Child Welfare Social Workers

Item	Number of Counties
Supplemental Health Insurance	25
County Car	46
Cell Phone	62
Pager	46
Lap Top	33
Support Staff	54

Selected Suggested Incentives and Proposals by Respondents

1.) Better Pay
2.) Higher classification level
3.) Statewide equalization of salaries
4.) State administered bonus program
5.) Lower caseload standards
6.) Increase staff
7.) Incentive pay

Difficulty in finding qualified candidates?

57 out of 75 respondents reported they have difficulty in recruiting highly qualified candidates.

Recommendations:

1.) For local DSS agencies with significant turnover rates that result in an agency exceeding investigative/assessment and case staffing ratios, review salary ranges and actual pay compared to statewide aggregate average. Range revisions and salary adjustments are recommended to reduce turnover rates and improve recruitment.
2.) Counties should consider a retention bonus program for Child Welfare Workers in order to retain expertise and increase longevity in investigative/assessment and case management roles.
3.) Counties should consider additional support staff and/or equipment to increase effectiveness.
4.) In lieu of pay increases or retention bonuses, counties should consider a pay differential for Child Welfare Workers that can be funded out of lapsed salaries and is not tied into base salary. A pay differential can range anywhere from 10 to 15 percent depending of the severity of turnover rates.
5.) Higher classification level for Child Welfare Workers (See next section).
6.) Expand Child Welfare Collaborative.

CLASSIFICATION

The recommendation to establish a new social work classification is premised on the severe recruitment and retention issues that have plagued child welfare services for years. As documented in the study, the turnover and retention problems have become so acute as to seriously compromise the safety and well being of the most vulnerable children. In addition, a factor analysis was completed that supports that the child welfare roles of investigation/assessment and treatment are the most complex and difficult in the social work classification series at the local level.

The Compensation Survey results confirm labor market difficulties in the recruitment and retention of employees in these roles. While not all local DSS departments reported such difficulties, the overwhelming majority have significant recruitment and retention difficulties that support a higher level classification as one remedy. Guilford, Orange and Wake counties have established classification concepts that recognize the social work functions in question as the most complex.

County	**Classification Title**	**Salary Range**
Orange	*Child Protective Services Social Worker*	*$40,082 - 64,077*
Guilford	*Social Worker- Protective Services*	*$37,444- 63,655*
Wake	*Human Services Sr. Practitioner*	*$33,321- 55,427*
NC State Government	*Social Worker III*	*$29,354- 45,515*

Recommendation: Establish a new classification concept (Attachment I) Social Worker-Investigative/Assessment and Treatment at salary grade 70.

In addition, the minimum standard of supervisory ratio for the Social Work Supervisor III classification is 1 supervisor for every 5 social workers. Therefore, the medium to small

counties are disadvantaged because the DSS Director or DSS Program Administrator must take on the supervisory lead and back-up functions for child welfare services in a county. The Director and/or DSS Program Administrators already have a full time role in addition to the child welfare functions and must also have completed the 72- hour pre-service training. The consensus among DSS and County DSS Directors is that the ratio should be 1 to 3 for the first three social workers supervised then go to 1 to 5 for the remainder of staff. The increase level of supervision will assist greatly in the management of a generally inexperienced workforce and decrease the risk of serious child neglect or abuse situations across the state. In addition, it will allow a greater opportunity for career progression for child welfare investigators and case managers.

NC Office of State Personnel On-Going Assistance

There is delineation in the delivery of human resources services to local DSS agencies between the state and counties with regards to classification of positions and pay administration. The classification of positions is inherently the responsibility of the OSP and the administration of local pay policies rests with county management. Since several recommendations that are discussed in this report deal with other pay options such as retention bonuses and differential pay, the OSP is available and committed to provide assistance to any county in the development of pay enhancement policies and procedures. While the implementation of pay enhancement policies are at the discretion of local Boards of County Commissioners, the OSP encourages counties with recruitment and retention difficulties for Child Welfare Social Workers to consider contemporary human resources pay alternatives as possible solution. Since pay differentials and retention bonuses can generally be funded through lapsed salaries, this could be a viable means of funding and not expand the overall salary line items in a county budget.

Potential Follow-up Action

The Child Welfare Compensation and Classification Study provided good and relevant information regarding the general employment situation of Social Worker IIIs in the Child Welfare programs across the state. The meaningful information has allowed the OSP to take some positive steps in assisting with resolution of the very difficult recruitment and retention problems that currently exists in the employment of qualified Child Welfare Social Workers at the local level. However, the survey data suggests that there are underlying employment issues that need further study and analysis. For instance, the reasons employees provided for leaving child welfare positions suggests a high level of job burnout and stress. Certainly, there are underlying and root causes that could be further studied. An employee survey could be conducted to assess the attitudes, concerns and perceptions of the current child welfare workforce to understand what are triggers that cause turnover. Perhaps, the employee survey could also consider what employment factors could increase retention rates in these positions. Any comprehensive follow up to the initial survey data that has been gathered will require a strong commitment to time, collaboration and resources (financial and personnel) to fully understand the total employment picture of local child welfare social workers in North Carolina.

APPENDIX C
Prepared by Janet Mason, Institute of Government

February 12, 2004

Penalties for False Reports of Child Abuse, Neglect, or Dependency

North Carolina is one of very few states that have no statutory penalty for either failing to make required reports or deliberately making false reports of suspected child abuse, neglect, or dependency.

North Carolina law, G.S. 7B-309, provides immunity "from any civil or criminal liability that might otherwise be incurred or imposed" for people who make reports (as well as for people who testify in related court proceedings or participate in related programs). The immunity applies, however, only when a person acts "in good faith." In any court proceeding there is a presumption that the person acted in good faith.

That wording suggests that civil or criminal liability might be incurred by or imposed on someone who makes a report in bad faith, knowing the report to be false. No North Carolina statute specifically addresses liability for such conduct, however, so any legal action against someone who reports in bad faith must be brought under other more generic statutes or the common law.

In a civil action against a North Carolina school principal who reported suspected abuse the plaintiff alleged (1) malicious prosecution, (2) defamation, (3) intentional infliction of emotional distress, and (4) negligence. *Davis v. Durham City Schools*, 91 N.C. App. 520, 372 S.E.2d 318 (1988). In an action against a store and the store employee who made a report to social services a parent alleged slander *per se* and intentional infliction of emotional distress. *Dobson v. Harris*, 352 N.C. 77, 530 S.E.2d 829 (2000). Plaintiffs in both cases were unsuccessful, on the basis that they failed to present evidence sufficient to overcome the statutory presumption that the person making the report had done so in good faith.

In *Dobson v. Harris* the North Carolina Supreme Court stated that false accusations of child abuse are slander *per se*, but that a plaintiff, to overcome the statutory presumption of good faith, has the burden of proving "actual malice" on the part of the person who made the report. Actual malice, the court said, "may be proven by evidence of ill-will or personal hostility on the part of the declarant or by a showing that the declarant published the defamatory statement with knowledge that it was false, with reckless disregard for the truth or with a high degree of awareness of its probable falsity."

Thus, North Carolina courts have acknowledged that civil causes of action may exist against people who report falsely. Because of the state's strong policy of encouraging people to report when they should, however, a plaintiff in that kind of civil case has the burden of overcoming the good-faith presumption. In seeking relief in a civil action a person who thinks he or she is the subject of a maliciously false report also may have practical problems such as (1) learning the identity of the person who made the report, which departments of social services are required to

keep confidential; (2) obtaining legal services to undertake civil litigation; and (3) even if successful in overcoming the presumption of good faith, proving damages sufficient to make the litigation worthwhile.

There are no reported cases in North Carolina relating to criminal prosecution for falsely reporting to social services suspected child abuse, neglect, or dependency, and it is not at all clear that such conduct constitutes a crime under North Carolina law. (A statute, G.S. 14-225, does create a Class 2 misdemeanor of making a false, misleading, or unfounded report of any kind to a law enforcement officer or agency for certain prohibited purposes.)

According to a report from the National Clearinghouse on Child Abuse and Neglect Information (current through July 2003),

> [a]pproximately 31 States and Puerto Rico and the Virgin Islands have statutes specifying penalties for false reports of child abuse or neglect. The most common standards are 'knowingly' and/or 'willfully.' The penalties imposed are similar to those for failure to report. The majority of States classify false reporting as a misdemeanor. In nine States, however, a false report may be classified as a felony under specific circumstances.

The report outlines each state's statutory response to false reporting as well as the kind and amount of any civil and/or criminal penalties, which vary greatly from state to state. The full report is available at http://nccanch.acf.hhs.gov/general/legal/statutes/sag/report.pdf.

Those with obvious interest in any change in this aspect of North Carolina law and the policy any such change should reflect include county social services personnel, including agency attorneys; prosecutors; judges; and various advocacy groups.

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Failure to Report Abuse, Neglect, or Dependency

Current N.C. Law

- Universal reporting requirement. The duty to report applies to everyone.
- No statutory civil or criminal penalty for failing to report.
- Very small potential for criminal prosecution under old common law theory.
- Potential for civil liability if a failure to report results in harm to the child.

Other States: Criminal Penalties

- In many states the duty to report – and therefore any criminal penalty for failing to report – applies only to specified groups of people.
- In most states the failure to make a required report of abuse or neglect is a misdemeanor.
- In a few states the offense is a felony if the person has a prior conviction.

Other States: Civil Remedies

- A few states have statutes that provide specifically for the recovery of civil damages when a child is harmed as the result of someone's failure to report.
- As in North Carolina, even without a statutory provision, the potential for civil liability probably exists in all states if the failure to report results in harm to the child.
- In states that do not have a universal reporting requirement, civil actions are likely only against mandated reporters.

Other States: Other

- In one state (CT), a person who fails to report may be fined and required to attend a training program.
- One state (IL) that has criminal penalties also requires referrals to the professional boards of certain professionals who fail to report.

False Reports of Abuse, Neglect, or Dependency

Current N.C. Law

- No statutory civil or criminal penalty for making false reports.
- Potential for civil liability under common law. Because N.C. law creates a presumption that all reports are made in good faith, a plaintiff has the burden of overcoming that presumption and proving malice.

Other States: Criminal Penalties

- About half of the states have statutory criminal penalties for making false reports if the reports are made knowingly, willingly, maliciously, or as otherwise qualified by the statute.
- The offense generally is a misdemeanor; in some states it becomes a felony if there is a prior conviction.
- No state imposes a penalty just for making a "false" report.

Other States: Civil Remedies

- About ten states have statutes that provide specifically for civil actions against people who make malicious reports. (In some cases recovery can include attorneys' fees and cost.)
- As in North Carolina, even without a statutory provision, there probably is some potential for civil liability.

Other States: Other

- One state (OK) imposes a fine of up to $5,000 if the malicious report is made during a child custody proceeding.
- In one state (TN) malicious reporting is a felony, but the offense applies only to reports of sexual abuse.

"Any person or institution who has cause to suspect that any juvenile is abused, neglect, or dependent, as defined by G.S. 7B-101, or has died as the result of maltreatment, shall report the case of that juvenile to the director of the department of social services . . . ." G.S. 7B-301.

What is meant by a "false" report? Definitions of and synonyms for "false" include:

wrong, bogus, concocted, cooked-up, deceitful, dishonest, distorted, erroneous, fallacious, fictitious, fraudulent, improper, inaccurate, incorrect, inexact, lying, mendacious, misleading, misrepresentative, mistaken, specious, spurious, trumped up, unfounded, untrue, untrustworthy.

What modifiers should apply?

- Knowingly
- Willfully
- Intentionally
- Intentionally and in bad faith or maliciously; knowingly
- Maliciously
- Deliberately
- Knowingly or willfully
- Knowingly and willfully
- Knowingly and willingly
- Knowingly or intentionally
- Purposely or knowingly
- Willfully and deliberately
- Knew or should have known
- Knows or reasonably should know
- Knows or has reason to believe
- Knowingly, with malice
- Knowingly and intentionally
- Knowingly and intentionally, with malice
- Knowingly and maliciously
- Negligently
- Knows or reasonably suspects
- Knowingly or recklessly
- Reckless disregard of truth
- Knowingly; in bad faith or with malice

			Reasonable	
Malice	**Bad Faith**	**Negligence**	**Cause to Suspect**	**Certainty; Actual Knowledge**
			Good Faith	

APPENDIX D
Presented by Lanier Cansler, Department of Health and Human Services

North Carolina Department of Health and Human Services
Benefits of NC FAST
March 2004

NC FAST provides streamlined assessment, eligibility, and work flow management tools that will minimize future county staff labor costs, expand the family case data available, and increase the staff time available to work with families and make decisions to improve child welfare and safety.

Additional benefits of NC FAST are listed below.

- The family unit will be the focus of service delivery.
- Comprehensive, accurate, and timely information will be shared statewide and across program areas.
- Case Management tools will provide child welfare practitioners with the information they need to manage case loads better and make decisions that improve child welfare and reduce child fatalities.
- The automated Case Management tools will reduce the time child welfare practitioners spend on administrative functions.

The program areas included in the scope of NC FAST cover services that impact child welfare. These program areas are:

- Work First
- Food Stamps
- Medicaid
- NC Health Choice for Children
- Child Support Enforcement
- Child Care
- Child Welfare Services
- Adult and Family Services

With the recent developments in the area of Child Welfare, the Department has requested that the Division of Social Services and the Division of Information and Resource Management expedite their review of Case Management systems that could provide potential solutions to this Child Welfare crisis and a solid starting point for the NC FAST project. The evaluation process will be completed in April 2004.

NC FAST Benefits to Child Welfare Services

NC FAST will automate administrative functions for child welfare services by providing a user friendly, web-based method of entering case information. Benefits include availability of comprehensive data, improved communications, case worker time savings, and outcome measures.

Comprehensive Information

- NC FAST will provide immediate access to comprehensive, statewide Child Welfare program data such as child abuse protective services reports and foster care/adoption information. Case Management functionality for child welfare services will give counties information needed across both program and county lines.

- NC FAST will collect and maintain information at the family level, which will result in a more complete view of the situation.

- NC FAST will provide counties with quick on-line access to a family's information when the family moves from one location to another within the State. The State and counties will be able to track families throughout the system regardless of where the family lived last and in which program(s) they participated. This is particularly valuable to Child Welfare / Protective Services workers, who will be able to access immediately this information when the family contacts their office.

- NC FAST will provide ready access to historical information including where the child has lived, who the caretakers have been, other agency involvement, and prior reports of child protective services as well as other program history.

Improved Communications

- NC FAST will implement a single automated system that will enhance communication within an agency and between agencies regarding families. Recent media stories regarding child fatalities cite poor or lack of communication between agencies as a contributing factor. The ability to track children and families across county boundaries and to communicate findings and risk assessments to different agencies can prevent tragedies for children, the elderly, and their families.

- NC FAST will also serve as an effective fraud and abuse prevention tool since information that is entered or later revised by any program will be available to all program areas. Current manual methods (i.e., pen and paper) of determining eligibility and sharing information between program areas cost the county, State, and federal government dollars in ineligible or incorrect benefit amounts and result in incorrect decisions for families.

Time Savings

- A new system will result in time savings since work flow will be streamlined and duplicate and redundant data entry for each incident or contact will be eliminated.

- Case workers will be able to spend more time providing services and support to families.

Outcome Measurements

- NC FAST will assist in determining the effectiveness and efficiency of service delivery and determining whether the intended results for the client were realized.

- The comprehensive information available in NC FAST will facilitate quicker and easier agency response to legislative inquiries about programs and resources.

- NC FAST will provide the State with access to real time information for the performance indicators that must be tracked in the various programs.

NC FAST Case Management Benefits

NC FAST contains many elements considered Case Management functions. These functions will help county case workers and supervisors manage their work more efficiently and completely. The NC FAST scope includes several program areas that impact Child Welfare such as Medicaid, Work First, Food Stamps, and NC Health Choice for Children. The NC FAST Case Management functions have been organized and prioritized, though the project will remain flexible to deliver functions by program as needed by the counties and/or the State.

The Case Management functions to be provided by NC FAST are listed below.

- **Needs Assessment** - This function will provide automated self-evaluation of program eligibility and enable case workers to prescreen applicants and document the client's needs and potential eligibility for benefits and services.

- **Shared Screening Data** – This function will provide an on-line, cross-program application, which captures data elements common to all the programs in scope for NC FAST. The shared screening data eliminates the need for clients and case workers to enter the same demographic data in multiple applications. Plus, data concerning client households and relationships will be created.

- **Eligibility Rules** – This function will automate the addition/updating of programs, including services/benefits associated with programs and detailed program eligibility rules.

- **Eligibility Determination** – This function will provide automated eligibility resolution and benefits/deductible calculations.

- **Program Supplement Applications** – This function will provide on-line, program-specific applications of data elements not shared across programs. For each new program applied for by a client, a new file will be added to the client's case folder.

- **Communications/Contact Management** – This function will capture individuals' contacts with case workers at any point in the human services process. NC FAST will capture client and non-client communications and will provide case workers with correspondence templates and managed intake logs.

- **Service Plan Management** – This function will record all case-related activities and status and will provide service plan templates, calendar events, referrals, narratives, and reviews of closed cases.
- **Service-Benefits Interface** – This function will retrieve and update data from benefits and service delivery systems such as the Eligibility Information System (EIS) and the Food Stamps Information System (FSIS). Users will be able to access benefits and service status from existing legacy systems, as well as track benefits delivery and services provided by these legacy systems.
- **Case Load Management** – This function will provide case worker supervisors with the ability to manage caseloads across a team of workers.
- **Provider Management** – This function will enable the entry and update of provider information for which NC FAST is the system of record. It also associates providers to specific program benefits and services. In addition, the eligibility rules that enable providers to participate in each program will be captured.
- **Additional Communications Methods** – This function will provide additional communication to NC FAST such as a service portal and public kiosks. As a result, citizens will gain limited access to assessment and eligibility tools.

NC FAST Projects in Development

Two priority projects, Online Verification and Service Delivery Interface, are in progress now which will provide more immediate functionality to some county workers:

Online Verification

- A web-based Online Verification system for use by county workers of the Work First, Medicaid, NCHC, Food Stamp, Child Care, and Child Support Enforcement programs.
- The Online Verification system will eliminate the need for workers to log into multiple systems for client data verification.
- The pilot for the Online Verification system will start in July 2004.
- The Online Verification function will be reused for NC FAST Case Management.

Service Delivery Interface

- The Service Delivery Interface will provide an interface engine for county case management systems to eliminate dual data entry for TANF, Medicaid, Food Stamps, and Child Care Subsidies.
- The Service Delivery Interface pilot will start in September 2004.
- The Service Delivery Interface function will be integrated with the NC FAST Case Management.

APPENDIX E
Prepared by Keith Davis, Division of Social Services

County	SFY2003	FY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
ALAMANCE	1) No evidence found to confirm the allegations.2) The family was referred to community srvs, accessed these srvs, and there was no need for further CPS intervention.3)Report was one-time incident and family had taken steps to address situation.	1	22	0	1001	810
ALEXANDER	1)Facts did not rise to statutory level of abuse.2)During invs it became clear that the report was malicious.3)Alleged perp was determined not to be in caretaking role	5	15	0	185	141
ALLEGHANY	1)Majority of unsubstantiated reports due to facts not rising to the statutory level of abuse or neglect. 2)Some cases were also due to malicious reporting.	12	7	0	60	49
ANSON	Most unsubstantiated reports did not rise to the statutory level of abuse or neglect.	0	3	0	145	116
ASHE	1)Not enough evidence.2)Services offered lowered risk.3)Facts did not meet statutory definition of abuse or neglect.	0	0	0	175	110
AVERY	Several did not rise to the statutory level of abuse or neglect and some became clear it was a malicious report.	5 to 10	14	2	148	115
BEAUFORT	1)Not enough evidence to support the allegations.2)Conflicting statements between the parents and children.3)Professional collaterals could not provide sufficient evidence of maltreatment.4) Issues were more custody vs abuse/neglect.	35	50	15	535	367
BERTIE	1)Reports involved erroneous allegations or maltreatment did not rise to the level of neglect/abuse.2)Situation resloved prior to CPS intervention, thus no need for srvs.	4	5	0	68	36
BLADEN	1) All examples given by the state division. 2) In addition, reports that lack evidence; reports called in because of child custody battles; rataliation cases; misunderstanding of reporter; and some professionals (e.g. schools) wanting DSS to become a gate keeper.	0	unknown	0	267	199
BRUNSWICK	1) Report untrue.2)Problem was corrected.3)Child no longer in at risk situation.4)Parents received services that resolved situation.	undetermined	" "	0	307	90

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
BUNCOMBE	There is not evidence that meets the statutory definition of abuse, neglect and/or dependency. Note: Buncombe reports that they have no data that any reports were unsubstantiated based on the report being malicious. Also, one program manager stated that during her 15 year experience in CPS, only one report was considered malicious, by law enforcement.	0	0	0	2693	2,003
BURKE	The facts as determined during the invs did not appear to rise to the level of abuse or neglect.	0	13	0	1112	796
CABARRUS	1)No safety or risk factors to the children.2)Did not meet the law for CAN or dependency.3)Issues resolved through mediation or parental court custody issue.4)Other appropriate resources were suggested to family. Note: Cabarrus reported that they rarely have malicious reports, however about 15% of their CPS investigations could be terminated prior to the completion of all steps currently in policy. Families involved in child custody disputes report on the basis that they truly believe the child is in an unsafe environment, however this may not meet the standard set forth in law and policy.	0	"rarely have"	N/A	1147	892
CALDWELL	1)No clear evidence of abuse,negelct or dependency.2)Some were obvious malicious reports but very few.3)Isolated incident.4)Reasonable explanation.5)Issues resolved during assessment.	0	15	0	938	690
CAMDEN	1)Minimum standards of care being met. 2) Different values and judgement among reporters that call in to DSS.3)Acts committed did not meet abuse or neglect definition. 4) Other services and/or referrals needed.5)Malicious reporting and family conflict.	4	4	0	23	19
CARTERET	The investigator is unable to find evidence to support allegations. The children and parents give conflicting information during the investigative process. No physical findings at the Chilld Medical Exam. No disclosures at the Child Mental Health Eval. There were issues with parenting that does not constitute abuse, neglect or dependency.	5%	10%	0	583	400
CASWELL	1)The invs clearly showed the parents were feuding due to custody issues.2)No evidence to support the allegations.3)The evidence found did not warrant a substantiation.	0	10%	1-2%	182	122

County	SFY2003	FY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
CATAWBA	1)Unable to establish that the allegations rose to the statutory level of abuse and neglect.2)Risk to the child was low and risk factors mitigated by services and available resources.3)There was a possiblity that the report was malicious.	0	6%	0	1597	1,098
CHATHAM	1)The family was referred for srvs during the assessment period and any risk factors were mitigated by services.2)The facts, as determined during the assessment process did not rise to the statutory level of abuse or neglect.	"hardly any"	"small #"	0	484	377
CHEROKEE	1)Family referred for services or services provided.2)Family could not be located.3)Report had misleading info and identified the wrong family.4)The facts did not rise to the statutory level of abuse or neglect during the assessment process.	0	13	0	363	175
CHOWAN	1)Facts did not rise to the statutory level of abuse/neglect.2)Reporters having a higher standard of care, more than minimum.3)Services put in place to mitigate risk factors.	0	0	0	50	42
CLAY	1)Family referred for srvs during assessment period and any risk factors have been mitigated by srvs.2) The facts did not rise to the statutory level of abuse or neglect during the investigative process.	0	0	0	46	42
CLEVELAND	1)families corrected problems themselves.2)Facts of case did not rise to statutory level of abuse, neglect, or dependency.3)Families referred for services reducing any safety concerns.	7	0	0	976	646
COLUMBUS	1) Children, family and collaterals deny all allegations.2)No evidence to verify allegations to be true.3)Family,collaterals and SW verify children needs to be adequately met and no risk of harm present.4)Poverty issues and not neglect.5)Custody conflicts and not neglect.6)Children with undiscipline and delinquent problems.	Rarely"	20%	0	521	374
CRAVEN	1)Isolated incident and parents have sought help.2)Unable to confirm allegations.3)All reasons stated by the division.	0	unknown	n/a	982	722
CUMBERLAND	Most of the reports unsubstantiated fall in the category of the allegations not meeting the statutory basis for neglect and/or abuse. Some are unsubstantiated for other reasons.	15%	20%	0	2958	2,235
CURRITUCK	The facts as determined in the investigative process did not rise to the statutory level of abuse or neglect.	0	6	0	257	181

County	SFY2003 Reasons for Unsubstantiation	SFY2003 Malicious reports determined at intake	SFY2003 Malicious reports determined during investigation	SFY2003 How many resulted in the family accepting voluntary services	SFY2003 Total # Of Reports	SFY Total # Of Unsubstantiated Reports
DARE	1)Reports did not rise to the statutory level of abuse or neglect.2)Reports determined as malicious were generally child custody issues or acquaintances that were angry at each other for various reasons.	12	14	2	157	66
DAVIDSON	1)Did not rise to statutory level of abuse/neglect.2)Services already in place and maltreatment no longer occuring.3)Family relocated and could not be located, not enough info to sub.4)Could not verify allegations.5)Malicious reports, e.g. child custody, neighborhood squabbles, and teens angry with their parents.)	20%	30%	<5%	1475	1,033
DAVIE	1)Unintentionaly not factual.2)Services offered during the assessment phase.3)Did not rise to the statutory definition of abuse or neglect.4)Custody dispute.5)Malicious reports	10	12	0	75	39
DUPLIN	1)Unable to prove allegations.2)Children denying allegations.3)family corrected situation.4)Contacts would not confirm allegations.5)Reporter did not obtain full info from child at initial report.	0	7	0	320	142
DURHAM	1)The situation did not rise to the level of conformance with the statutory definitions of child maltreatment.2)The results of the safety, risk and strengths/needs assessment did not justify a substantiation.	suspect 5-10%	240 annually ?	Unknown -low ?	1388	908
EDGECOMBE	1)Discipline-Isolated incident of discipline without severity or frequency.2)Drug use-No evidence found to support drug use.3)Srvs provided to family at onset of assessment alleviated the crisis or need for intervention.4)facts did not rise to the statutory level.	9	30	0	656	457
FORSYTH	1) Reasons given by State Division as examples.2) Family moving out of county.3)Custody cases.	10%	20%	1-2%	1393	1,148
FRANKLIN	1) Cases not rising to the standard set for abuse and neglect.2)The provision of services that reduced the risk of harm.	4	12	0	289	212
GASTON	The facts verified do not meet the statutory definition of abuse or neglect.	unknown	unknown	Unknown	1968	1,382
GATES	Examples given by the division	0	0	n/a	82	56
GRAHAM	1)Facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.2)During the course of the investigative assessment, it became clear that a malicious report was made.	0	2	0	103	63

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
GRANVILLE	Most unsubstantiated assessments were due to insufficient evidence found to substantiate. Conditions did not rise to the level for abuse or neglect. During the assessment process, families are referred for needed services, therefore the conditions that originally reported may longer be present. A significant # of reports include information later found to be untrue, and most likely have been made maliciously.	15%	20 - 25%	0	389	249
GREENE	All examples given by the state division	0	4	0	147	117
GUILFORD	1)Allegations were one time incidents and there were no further safety issues.2)Plans made by the family prior to the report were unknown by the reporter.3)Family receiving services prior to CPS involvement or family referred to services during assessment period and risk factors were mitigated by services.4)Assessment phase revealed that allegations did not rise to level of statutory definition.5)Malicious reports that involve custody or angry relatives.	204(12X17)	228 (12X19)	36(12X3)	2168	1,625
HALIFAX	Many reports are because of custody battles. The agency spends quite a bit of resources investigating these reports that turn out to be malicious.The agency suspects that 50% of their unsubstantiated reports are malicious.	????	50%	???????	484	353
Harnett	1)Facts did not rise to the statutory level of abuse of neglect.2)Services extended that alleviated risk factors so that a substantiation was not made.3) A very small number related to child custody situations or disputes between neighbors.	8	7	2	821	470
HAYWOOD	1) Lack of evidence to substantiate.2) Services provided.	1 or 2	13 (3 months)	0	1132	803
HENDERSON	All examples given by the state division.	<1%	<1%	0	1050	839
HERTFORD	Reports did not rise to the statutory level of abuse or neglect.	2 of 21	2	0	129	96
HOKE	Did not answer question. Apparently in agreement with the division and examples used.	0	2	0	216	146
HYDE	Some reports did not consist of enough information. Other unsubstantiated reports involved the same reporter calling back again and again and nothing could be proven. Many of the reports recived involved custody issues. Some reports that were unsubstantiated dealt with school attendance.	2 of 5	2 of 5	0	20	12

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
IREDELL	1)Parent receptive of srvs offered during invs, child no longer at risk.2)Family moved.3)Custody issues and undisciplined teens.4)Allegations not rising to standard or insufficient evidence.5)Non caretaker/child not involved in incident.6)Situation not as bad as reported or inconsistencies found.	0	28	0	1278	786
JACKSON	1)No risk factors.2)Low Risk factors.3)Did not meet statutory level of abuse/neglect.4)Services provided or arranged during the invs were sufficient to to address issues, continued srvs not needed.	2.80%	9%	0	335	271
JOHNSTON	Johnston Co reports that they conducted 1261 CPS Investigations in SFY 03. Of that #, 878 were unsubstantiated. After a careful review of these unsubstantiated cases that covered several days, Johnston Co determined that 877 reports were unsubstantiated strictly because of the facts, as determined during their assessment process, did not rise to the statutory level of abuse or neglect. Only one report was factually determined as a malicious report.	0	1	0	1239	858
JONES	1)Not enough evidence to substantiate.2)Cooperative families that accepted help, services mitigated the need for on-going CPS.3)Only one report found to be malicious.	0	1	0	80	58
Lee	1)No evidence to support allegations.2)Appears to be spite report.3)Situation not fit within the definitions of A/N/D.	48	10%	0	400	339
LENOIR	1)Child statements and observations of SW did not support allegations.2)One-time incident. Inconclusive statements/lack of evidence. 3)Examples given by the division.	0	0	0	553	376
LINCOLN	1) Reporter not having all the facts.2)A determination that moral beliefs and not CPS issues were relevent.3)Custody cases.4)Examples given by the division.	unknown	3% - 5%	unknown	570	420
MACON	1)Services offered that remedied the concerns immediately 2)Evidence was not present to rise to the statutory level of abuse or neglect.3)Custody dispute that was referred to civil court.	5	15	0	248	207
MADISON	The facts as determined in the process did not rise to the statutory level of abuse or neglect.	10(2.5%	35(8.75%)	UNK	298	225
MARTIN	Did not rise to the statutory level of abuse or neglect.	very small#	very low	n/a	124	84

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
MCDOWELL	1)Insufficient facts to support allegations.2)Different standards of care, community compared to DSS.	0	7	0	770	582
MECKLENBURG	Approximately 66% of reports unsubstantiated. There were many reasons for these unsubstantiated cases---They range from the allegations not being corroborated, families moving out of county, etc. No reports are unsubstantiated based on a determination of a malicious report. Since there is no way to determinethe intent of the caller at the point of intake, the referral. Note: Agency unable to determine at the point of Intake what is malicious or not, no way to be 100% sure that the allegations made are untrue.	unknown	unknown	unknown	4930	3783
MITCHELL	The allegations and facts around those allegations did not rise to the statutory level of abuse or neglect.	2	1	0	228	158
MONTGOMERY	1)There were no facts found during the course of the investigation to support the allegations.2)The facts that were found did not rise to the statutory level of abuse or neglect.	0	20	0	200	122
MOORE	1) Did not meet statutory level of abuse or neglect.2)Risk factors were mitigated by services provided during the investigation.3)Malicious reporting.	15	20	0	574	412
NASH	Majority of cases that were unsubstantiated or not found in need of services did not rise rise to the statutory level of abuse or neglect. Other reasons were a)services provided by the investigator/assessor in the assessment period; b)Family addressed issues themselves during the assessment period; c) family needed services other than CPS and were referred for these services during the assessment period; and d) it became clear that the report was made maticiously.	2	20	0	691	594
NEW HANOVER	1)The facts as determined during the the assessment process did not rise to the statutory level of abuse or neglect.2)Family receptive to services and services identified and provided.Needs did not warrant continued services.	0	0	0	2342	1666
NORTHAMPTON	1)Allegations did not rise to the stattory level of abuse or neglect.2)Miscommunication between the family and reporter.3)Custody issues.4)Need for parenting skills, referrals made.5)Lack of evidence.	25	20	0	165	134

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
ONSLOW	1)Did not rise to level of statutory abuse or neglect.2)Family already addressing issues and children are not in need of protection.3)The assessment determined that some of the information was malicious.4)No identifiable risk factors found.	24	40	0	1881	1068
	The situations did not rise to the statutory definitions of abuse or neglect.	0	21	0	958	560
PAMLICO	Reports not meeting the Child Abuse/Neglect standard, based on the evidence. Note- DSS representative shared that only two malicious reports seen during last 16 years.	0	0	0	100	64
PASQUOTANK	1)Insufficient information to support allegations.2)No evidence to support finding of maltreatment.3)Isloated incident and risk factors that are low to moderate.4)Although family may have issues, no evidence of harm to children found.5) malicious reports, however case decision is documented based on info gathered.	100	50 - 75	0	287	204
PENDER	1)Alleged incidents did not rise to statutory requirement for abuse or neglect.2)Family accessed services, no need for intervention.3) Small percentage of reports found to be malicious.	0	12	0	400	294
PERQUIMANS	1)Allegations were not proven during the assessment.2)The reported allegations were not accurate.	2	5	0	48	31
PERSON	1)Information gathered during the invs did not confirm allegations.2)Isolated incident and family is seeking services.3)Custody not CPS.4) Concerns failed to meet legal definition of maltreatment.5)Estranged family relationships. 6) Perp removed from the home.	0	0	n/a	231	175
PITT	1)Allegations did not rise to standard for abuse or neglect.2)Family was referred to appropriate resources and the report was unsubstantiated.	0	3	0	1272	807
POLK	1)Family referred referred for services during assessment period and any risk factors have been mitigated by services.2)The facts, as determined during the assessment process did not rise to the statutory level of abuse or neglect.3)During the course of the invs assessment it became clear this was a malicious report.	4%	3%	0	144	96

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
RANDOLPH	1)The assessment revealed that the level of child maltreatment did not rise to the level for a substantiated case of abuse or neglect.2)Services offerred to assit famly in resolving issues quickly.3)Reporters just had inaccurate information.3)Reporters having little info.4)Due to changes in circumstances. At the time of the assessment proper care is being provided.	0	1of 21 sample	0	1115	832
RICHMOND	1) Families referred for services during the assessment and risk factors have been mitigated by services. 2)Facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.3)During the course of the investigation, it became clear that the report was malicious.	3%	8%	4%	617	523
ROBESON	Most of the reports unsubstantiated did not meet the statutory level of abuse or neglect. However, several of the reports made were clearly because of malicious reporting.	25 to 30	360 a year	unknown	1839	1398
ROCKINGHAM	1)Facts did not rise to statutory level of abuse/neglect.2) Family was receiving services prior to report which mitigated risk factors.3)Family mitigated risk during invs and requested preventive services. "Rockingham has a very sucessessful preventive services program."	0	1or 2	0	665	491
ROWAN	1)Facts did not meet the statutory definition of abuse or neglect or dependency.2)Safety resource usedduring the assessment to reduce or remove risk.3)malicious report.	20	55	40	1271	978
RUTHERFORD	1)No evidence at/during the investigation (family denies allegation, no collaterals to confirm the report, no disclosure from the children, many reporters are anonymous leaving no way to contact them for additional info, and incident occurred due to no fault of the parent.)	1	31	1	1056	574
SAMPSON	1)The conditions reported were alleviated by services provided during the course of the investigation.2)The facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.	0	5 to 10%	0	198	107
SCOTLAND	1)SW's provided services to families during the investigative process.2)Facts gathered during the investigation do not meet the statutory definitions of abuse or neglect.3)In a rural county, everyone knows everyone, folks that have been investigated know what to say to CPS Intake to get a report accepted on someone they take issue with. The end result is a malicious report.	7%	15%	2%	386	291

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
STANLY	1) The primary reason is that the evidence obtained during the investigative assessment did not rise to the statutory level of abuse, negelct or dependency. 2) Other reasons for unsubstantiated reports were that SW's were unable to obtain sufficient info evidence to support abuse or neglect; the family corrected the conditions that led to the neglect of the children during the invs; and the allegations were found not true.	1	20	0	415	289
STOKES	1) lack of evidence to support the allegations.2)family referred for services during the investigation.3)Reporter misinterpreted an incident.4)One report appeared to have been malicious.	0	1	1	335	229
SURRY	The facts gathered during the investigative assessment either refuted or did not support the allegations reported.	0	0	0	541	358
SWAIN	The allegations did not meet the statutory definition of abuse or neglect or there were no findings of abuse or neglect as defined by NCGS 7B-101. Regarding malicious reports, Swain noted that: How would it be possble to know what is malicious at the point of Intake ? They investigate all reports that meet the statutory definition.	0	1	1	257	213
TRANSYLVANIA	1)Family assessments , more intensive , positive work with families that get families hooked up quickly with services to reduce risk and keep children safe. 2)CPS assessments /investigations with a finding/risk rating that children are at least marginally safe.3)Lack of facts to support substantiation.4)Custody Issues.5)Good interviews with children that result in greater clarification and the findings disprove the allegations.6)Findings where values are the real issues vs child maltreatment.	0	6?	0	242	203
TYRRELL	Main factor:The report after the investigation did not meet the legal definition of abuse or neglect.	0	1	0	26	22
UNION	All examples given by the state division. Also, some cases that did not appear to be malicious were unsubstantiated as the investigator simply found that the situation was not as described at intake. Finally, in some cases the perp may no longer lives with the victim child, which reduces the risk level to the child and family.	0	1%	0	938	743
VANCE					551	427

County	SFY2003 Reasons for Unsubstantiation	SFY2003 Malicious reports determined at intake	SFY2003 Malicious reports determined during investigation	SFY2003 How many resulted in the family accepting voluntary services	SFY2003 Total # Of Reports	SFY Total # Of Unsubstantiated Reports
WAKE	1)Worker did not ascertain any information to support allegation. The allegation did not rise to the level to meet the statutory requirements and no risk to child.2)The incident was islolated.3)CPS reports being filed and all the family really needed is services, the family connected with services and the case closed.4) Lack of/ poor communication, issues resloved during invs.5)Children deny allegations and there is no collaterals to to help support what was reported.6)Custody reports, repeated calls to CPS.7)Only a small # of reports are truly malicious.	?	? small #	?	4301	3066
WARREN	1)No indication of inappropriate discipline or improper supervision 2)Family referred for services during investigation phase and risk factors were alleviated.	2	6	0	128	93
WASHINGTON	1)The facts as determined during the investigation did not meet the statutory level of negelct or abuse.2)No proof of the allegations.3) Conditions were resolved during the investigation.4)Child denied allegations. 5)Custody issues.	0	11	0	41	25
WATAUGA	1) Misundertanding.2)Did not meet the legal definition of abuse or neglect.3)Famy already addressing issues faced by the family.4)Services offered corrected situation.5)Family dynamics changed.6)No factual info was found to support allegations.	maybe 7 ?	1	0	141	104
WAYNE	Custody disputes and family referred to civil court to settle their disagreement. 2)Isolated incident.3)Reporters retaliating on one another.4) Children not realy dependent once agency looked at report.	1%	5%	0	1077	691
WILKES	The primary reason for a case being unsubstantiated was because there was no evidence found that rose to the level of abuse or neglect. Another reason as listed was that services were offered and the risk factor was lowered during the investigation. Wilkes County states that the motive behind the report did not affect the decision to unsubstantiate.	10%	25%	10 families	695	448
WILSON	1) Family rectified problems before, during or after our involvement.2) Issues found did not meet statutory definition of abuse or neglect. 3)facts did not support a case substantiation.4)No risk to children found during assessment.	unknown	27?	unknown	583	415
YADKIN	The facts as determined during the assessment process did not rise to the statutory level of abuse or neglect.	20	25	0	200	147

County	SFY2003	SFY2003	SFY2003	SFY2003	SFY2003	SFY
	Reasons for Unsubstantiation	Malicious reports determined at intake	Malicious reports determined during investigation	How many resulted in the family accepting voluntary services	Total # Of Reports	Total # Of Unsubstantiated Reports
YANCEY	They did not rise to the statutory level of abuse or neglect or dependency. Minimum sufficient care was assessed.	0	0	0	274	101
Statewide totals					70,503	50,205

APPENDIX F

A BILL TO BE ENTITLED

AN ACT TO RECOMMEND FURTHER CONSIDERATION AND STUDY OF ISSUES RELATING TO THE PROVISION OF CHILD PROTECTIVE SERVICES AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.

The General Assembly of North Carolina enacts:

SECTION 1. The Appropriations committees should consider the expansion budget request made by the Secretary of the Department of Health and Human Services with respect to a statewide automated child welfare information system, expansion of the Child Welfare Collaborative, the multiple response system, and a statewide foster parent recruitment and retention strategy, at the appropriate time, taking into consideration any potential financial impact on local governments as a result of the implementation of the budget requests.

SECTION 2. The Department of Health and Human Services and the Department of Justice, along with other interested agencies, shall develop and implement a method for educating law enforcement and child protective services personnel involved with CPS investigations with regard to the scope, responsibilities, and limitations of their role in the investigation and with regard to the availability of criminal background histories on alleged perpetrators.

SECTION 3. The Committee recommends that the TANF Block Grant funds allocated by the General Assembly for welfare services personnel be restricted to the creation of new, additional positions at the local level for direct child protective services; and such funds not be used for administrative or overhead costs, training or other activities, or to supplant existing federal, state, local or other resources currently funding existing child protective services staff.

SECTION 4. The Department of Health and Human Services, Office of State Personnel, and other interested organizations shall study child protective services positions in the counties to discern the reasons for the variations in compensation and recommend possible solutions. The study shall also recommend options for an incentive program for child protective services personnel to address recruitment and retention concerns, and a report shall made to the 2005 Regular Session of the 2005 General Assembly.

SECTION 5. The Department of Health and Human Services and the Fiscal Research Division of the General Assembly shall review the current funding formulas for Child Protective Services at the local level. The Department shall report to the 2005 Regular Session of the 2005 General Assembly and the Fiscal Research Division information regarding the rationale applied in determining county funding for Child Protective Services. The report shall also include recommendations on improving the funding formula to assure that counties are funded on an equitable basis.

SECTION 6. The Division of Social Services within the Department of Health and Human Services shall collect and maintain data as to the reason why a report of abuse, neglect and dependency is determined to be unsubstantiated if the report is classified as such upon investigation.

SECTION 7. The Division of Social Services within the Department of Health and Human Services shall collect and maintain data as to whether all reports of suspected abuse, neglect or dependency are reasonably believed to have been knowingly and willfully made with untrue statements and why those statements are reasonably believed to have been knowingly and willfully made with untrue statements.

SECTION 8. The Division of Social Services within the Department of Health and Human Services shall collect and maintain data of instances of failure to report allegations of abuse, neglect, or dependency and the known reasons for that failure to report.

SECTION 9. The Department of Health and Human Services shall review other states reporting practices, including legislation, implementation concerns, and frequency of violations of the reporting laws, and report to the 2005 Regular Session of the 2005 General Assembly with recommendations and any suggested amendment to the North Carolina reporting laws on or before the convening of the session.

SECTION 10. The Department of Health and Human Services shall develop a comprehensive strategy to address the need for child abuse/neglect prevention programs across the state, including an assessment of best practices, an examination of existing funding sources, and restoration of funding where needed.

SECTION 11. The Children's Trust Fund shall report annually on revenues and expenditures of the Fund to the Joint Committee on Governmental Operations.

SECTION 12. The Administrative Office of the Courts shall contract with an independent research entity to study court appointed attorney compensation and report to the 2005 Regular Session of the 2005 General Assembly. AOC shall consult with the Office of Indigent Defense Services on the selection of the independent research entity. AOC and IDS shall jointly use up to $50,000 of available funds to secure this contract.

SECTION 13. The North Carolina Court Improvement Project shall report its findings, including annual statistical data and results of appeals, and recommendations to the Appropriations Committees of the House and Senate and to the House Children, Youth and Families Committee on or before June 1, 2004.

SECTION 14. This act becomes effective July 1, 2004.

APPENDIX G

Prepared by Pheon Beal, Division of Social Services

North Carolina Department of Health and Human Services
Division of Social Services

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Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Pheon E. Beal, Director
(919)733-3055

March 15, 2004

Memorandum

To: House Committee Members on CPS, Foster Care and Adoption

From: Pheon E. Beal

Subject: Update on Administrative Office of the Courts Contract, Temporary Social Work Agencies and Personnel Related Issues

The NC DHHS Division of Social Services would like to provide committee members with an update on two issues we have discussed previously with you. You may recall that the Division of Social Services has been working closely with the Administrative Office of the Courts to allow all 100 county departments of social services free and easy access to named-based state criminal record checks via the AOC database. I am pleased to report that the contract required making this service a reality is now in its final review at the Administrative Office of the Courts and that the legislature's Governmental Operations Commission approved the funding for the contract this week. The commission's approval of this funding was delayed when its February meeting was cancelled due to inclement weather. AOC will now begin the process of filling two positions funded by the NC DHHS Division of Social Services to provide training and access support to all county departments of social services.

Regarding the second issue, your committee has heard compelling testimony regarding the need for increased recruitment and retention of qualified child welfare staff. The NC DHHS Division of Social Services has taken two important steps to address these issues. We appreciate the

interest that Representative Farmer-Butterfield and other members have expressed concerning maximizing the use of temporary social work staff to support agencies when vacancies occurred. Towards that end, the Division has developed a mechanism to allow staff from temporary social work agencies to attend pre-service training for child welfare that is required by statute. Due to funding constraints, temporary staffs have not had access to this training in the past. Under an approved agreement, the Division will now allow temporary social work agencies to send their social workers to the required 72-hour training course in exchange for a mutually agreed upon fee.

Current DSS policy requires that any practitioner who has not practiced child welfare in the state within the past 24 months must attend a pre-service training. To make these training requirements more flexible – and increase the pool of qualified child welfare workers in our state – NC DSS has also agreed to consider, on a case by case basis, waiving the pre-service training requirement. For example, a retired social worker with the proper experience and credentials can now apply to have the requirement waived. We are hopeful that this new flexibility will increase the pool of qualified social workers while also maintaining the highest standards within our workforce.

The Office of State Personnel, in conjunction with The Division of Social Services and the NC Association of County Directors of Social Services, recently completed a report on child welfare compensation, recruitment and retention. This report was shared with the committee at an earlier meeting. One of the conclusions supported the need for a higher classification level for Child Welfare Social Workers that perform investigative/assessment and treatment functions. This recommendation came from the overwhelming evidence noting the extreme difficulties in recruiting fully qualified child welfare social workers. A letter was sent to counties dated February 17, 2004 giving staff that have primary responsibilities for child protective services a higher classification than other child welfare workers. Counties have until July 1, 2004 to implement the new classification. The reallocation of these positions coupled with progressive pay policies can assist in the recruitment and development of a more highly qualified and experienced workforce in child welfare.

We appreciate the opportunity to provide this update to Committee members. Please let me know if I can provide you with any additional information about these initiatives.

APPENDIX H

A HOUSE RESOLUTION TO URGE CONGRESS TO CONSIDER AMENDING FEDERAL LAW TO PERMIT CHILD PROTECTIVE SERVICES WORKERS TO OBTAIN FEDERAL CRIMINAL HISTORIES WHEN INVESTIGATING ALLEGATIONS OF CHILD ABUSE AND NEGLECT.

Whereas, 107,157 children in North Carolina were the subject of an investigative assessment or family assessment as the result of a report of suspected abuse, neglect or dependency during the State fiscal year 2002-2003;

Whereas, G.S. 7B-302 requires the director of social services performing the investigation to conduct a thorough review of the background of the alleged abuser or abusers whenever a juvenile is removed from the home of a parent, guardian, custodian, stepparent, or adult relative entrusted with the juvenile's care due to physical abuse, which review must include a criminal history check and a review of any available mental health records;

Whereas, G.S. 7B-101 defines a criminal history check to include a local, State and federal criminal history of conviction or pending indictment to crime, whether a misdemeanor or a felony, involving violence against a person;

Whereas, such information is needed to assist the director of social services in protecting the safety and wellbeing of the juvenile in an alleged abusive or neglectful situation in a timely fashion;

Whereas, 28 U.S.C. 534 and its implementing policies and regulations restrict access to federal criminal history information to only criminal justice agencies engaged in the administration of criminal justice and the provision of child protective services is not deemed to be the administration of criminal justice; and

Whereas, the director of social services may not access federal criminal history information directly and in a timely manner under federal law and such information would assist the director in carrying out the director's duty to protect children;

Be it resolved by the House of Representatives:

SECTION 1. The North Carolina House of Representatives requests our elected representatives in the United States Congress to seek amendment of 28 U.S.C. 534 and its implementing policies and regulations to allow a county director of social services to obtain federal criminal histories when investigating allegations of child abuse and neglect in the provision of child protective services.

SECTION 2. The Principal Clerk shall transmit a certified copy of this resolution to each member of North Carolina's Congressional delegation.

SECTION 3. This resolution is effective upon adoption.

APPENDIX I

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE PURPOSE OF CHILD PROTECTIVE SERVICES AND CHILD ABUSE PREVENTION.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Department of Health and Human Services for fiscal year 2004-2005 the sum of sixty-four thousand four hundred twenty-nine dollars ($64,429) for the purpose of funding the Child Fatality Task Force employee positions cut in 2003.

SECTION 2. There is appropriated from the General Fund to the Administrative Office of the Courts for fiscal year 2004-2005 the sum of one million four hundred thousand dollars ($1,400,000) for the purpose of increasing the reimbursement rate of the Guardian ad litem attorney advocates.

SECTION 3. This act becomes effective July 1, 2004.

APPENDIX J

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE CHILDREN'S TRUST FUND AND RESPONSIBILITY FOR AWARDING GRANTS FOR CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS FROM THE DEPARTMENT OF PUBLIC INSTRUCTION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-1301 reads as rewritten:

"§ 7B-1301. Program on Prevention of Abuse and Neglect.

(a) The Department of Health and Human Services shall implement the Program on Prevention of Abuse and Neglect.

(b) In order to carry out the purposes of this Article:

(1) The Department shall review applications and award contracts under this Article.

(2) The Department shall contract with public or private nonprofit organizations, agencies, schools, or with qualified individuals to operate community-based educational and service programs designed to prevent the occurrence of abuse and neglect. Every contract entered into by the Department shall contain provisions that at least twenty-five percent (25%) of the total funding required for a program be provided by the administering organization in the form of in-kind or other services and that a mechanism for evaluation of services provided under the contract be included in the services to be performed. In addition, every proposal to the Department for funding under this Article shall include assurances that the proposal has been forwarded to the local department of social services for comment so that the Department may consider coordination and duplication of effort on the local level as criteria in funding programs.

(3) The Secretary shall adopt rules to develop appropriate guidelines and criteria for awarding contracts under this Article. These criteria shall include, but are not limited to: documentation of need within the proposed geographical impact area; diversity of geographical areas of programs funded under this Article; demonstrated effectiveness of the proposed strategy or program for preventing abuse and neglect; reasonableness of implementation plan for achieving stated objectives; utilization of community resources including volunteers; provision for an evaluation component that will provide outcome data; plan for dissemination of the program for implementation in other communities; and potential for future funding from private sources.

(4) The Department shall develop guidelines for regular monitoring of contracts awarded under this Article in order to maximize the investments in prevention programs by the Children's Trust Fund and to

establish appropriate accountability measures for administration of contracts.

(5) The Department shall develop a State plan for the prevention of abuse and neglect for submission to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) To assist in implementing this Article, the Department may accept contributions, grants, or gifts in cash or otherwise from persons, associations, or corporations. All monies received by the Department from contributions, grants, or gifts and not through appropriation by the General Assembly shall be deposited in the Children's Trust Fund. Disbursements of the funds shall be on the authorization of the Secretary of the Department. In order to maintain an effective expenditure and revenue control, the funds are subject in all respects to State law and regulations, but no appropriation is required to permit expenditure of the funds.

(d) Programs contracted for under this Article are intended to prevent abuse and neglect of juveniles. Abuse and neglect prevention programs are defined to be those programs and services that impact on juveniles and families before any substantiated incident of abuse or neglect has occurred. These programs may include, but are not limited to:

(1) Community-based educational programs on prenatal care, perinatal bonding, child development, basic child care, care of children with special needs, and coping with family stress; and

(2) Community-based programs relating to crisis care, aid to parents, and support groups for parents and their children experiencing stress within the family unit.

(e) No more than twenty percent (20%) of each year's total awards may be utilized for funding State-level programs to coordinate community-based programs."

SECTION 2. G.S. 7B-1302 reads as rewritten:

"§ 7B-1302. Children's Trust Fund.

There is established a fund to be known as the "Children's Trust Fund," in the Department of State Treasurer, which shall be funded by a portion of the marriage license fee under G.S. 161-11.1 and a portion of the special license plate fee under G.S. 20-81.12. The money in the Fund shall be used by the Department of Health and Human Services to fund abuse and neglect prevention programs so authorized by this Article."

SECTION 3. This act becomes effective July 1, 2004.

Higher child care subsidies suggested

House panel seeks to trim waiting list

By Steve Hartsoe
THE ASSOCIATED PRESS

A state House committee recommends North Carolina increase spending on child care subsidies for the working poor to help decrease a waiting list of some 24,000 children.

The recommendation was approved Wednesday as part of a final report by the House Interim Committee on Child Abuse and Neglect. The General Assembly will consider the report when it reconvenes in May.

The report doesn't suggest how much money should be spent, but says it would cost $57.6 million to cover the entire waiting list.

The report initially did not make any child care recommendations. But the committee approved an amendment by co-chairwoman Rep. Jennifer Weiss, a Cary Democrat, who said providing more day care would help reduce the neglect of children.

Advocates for children say the child care need is the result of a sour economy and spending cuts. Recent census figures show North Carolina has the eighth fastest growing population of children under 5, and the fourth fastest for ages 5-13.

North Carolina is also among the states hardest hit by job cuts, having lost more than 22,000 manufacturing jobs in 2003, according to state figures.

Most families pay a portion of their child care cost based on their gross income. The child care subsidy gives struggling families a leg up, advocates said.

"It's an important piece to families [that] are trying to become self-sufficient," said Greer Bowen Beaty, spokeswoman for the N.C. Partnership for Children, which oversees Smart Start, a state early childhood development program.

"People returning to work are earning less than they originally made."

Other steps the committee recommends for curbing child abuse include improving communications and the sharing of information between law enforcement and social workers.

The committee also recommends a statewide computer data system of state social services records that counties could access, as well as expanding the training of county social workers. The turnover rate for field workers in the industry is about 30 percent, the report says.

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