GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

S SENATE BILL 517*

Short Title: Child Abuse in Child Care Facility Study-AB. (Public)

Sponsors: Senators Lucas; Ballance, Clodfelter, Dannelly, Kinnaird, and Shaw of Cumberland.

Referred to: Rules and Operations of the Senate.

March 19, 2001

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON THE

INVESTIGATION OF CHILD ABUSE AND NEGLECT IN CHILD CARE
FACILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. There is established the Legislative Study Commission on the Investigation of Child Abuse and Neglect in Child Care Facilities. The Commission shall consist of 14 members appointed as follows:

- (1) The Speaker of the House of Representatives shall appoint seven members as follows: one member of the House of Representatives, one child care provider, one parent of a child in child care, one pediatrician, one representative of a local law enforcement agency, one representative from the Attorney General's office, and one representative from a medical research facility that deals with children's injuries.
- (2) The President Pro Tempore of the Senate shall appoint seven members as follows: one member of the Senate, one child care provider, one director of a local department of social services, one representative from the Division of Facility Services who works with the Health Care Personnel Registry, one representative from the Division of Child Development, one representative from the North Carolina Child Care Commission, and one representative from a local child care resource and referral agency.

SECTION 2. The Legislative Study Commission on the Investigation of Child Abuse and Neglect in Child Care Facilities shall study the investigation process associated with allegations of child abuse and neglect in child care facilities in order to

determine the most effective and efficient means of investigation and to help ensure the safety of children. The study shall specifically include:

- (1) Identification of factors which limit the efficiency and effectiveness of investigations of child abuse or neglect in child care facilities conducted by local departments of social services, local law enforcement agencies, and the Division of Child Development.
- (2) Determination of the reasons behind the factors identified as limitations to the effectiveness and efficiency of investigations and of the impact these factors have on the safety of children in child care.
- (3) Recommendations on ways to make the investigation of child abuse and neglect allegations in child care facilities more effective and efficient. These recommendations may include a revision of the responsibility of the various authorities in investigating these complaints.
- (4) Determination of how the safety of children is impacted by the presence of child care workers who are perpetrators in substantiated cases of child abuse or neglect.
- (5) Recommendations on the need for work-related sanctions against individual child care workers who are perpetrators in substantiated cases of child abuse and neglect.
- (6) Recommendations on the need for a registry of individuals who are perpetrators in substantiated cases of child abuse and neglect. Any such recommendation shall include consideration of who should have access to the registry and how the due process rights of the alleged perpetrators should be protected.

SECTION 3. The Legislative Study Commission on the Investigation of Child Abuse and Neglect in Child Care Facilities shall make an interim report, including any legislative proposals, to the 2002 Regular Session of the 2001 General Assembly and a final report to the 2003 General Assembly.

SECTION 4. This act is effective when it becomes law.