

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 894
SENATE BILL 291

AN ACT RELATING TO THE PREVENTION OF CHILD ABUSE AND NEGLECT
AND ESTABLISHING A CHILDREN'S TRUST FUND FOR THAT PURPOSE.

Whereas, the large number of confirmed cases of child abuse and neglect places an enormous burden upon the citizens and government of North Carolina because victimized and maltreated children often bear the scars of abuse and neglect for many years and even throughout their lives and because siblings, parents and entire families suffer from the disruption and turmoil which accompany incidents of child abuse and neglect; and

Whereas, the taxpaying public labors under the heavy economic burden of paying for the destructive effects of child maltreatment including subsequent juvenile delinquency, educational problems, adult criminal activity, mental illness, and poor parenting behavior; and

Whereas, the General Assembly recognizes that child abuse and neglect is a problem that should be approached through prevention efforts and that society presently possesses the ability to prevent many of these problems before the suffering and social costs begin to mount; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The following new Article is added to Chapter 110 of the General Statutes:

"Article 10.

"Prevention of Child Abuse and Neglect.

"§ 110-145. **Purpose.**—It is the expressed intent of this Article to make the prevention of child abuse and neglect as defined in G.S. 7A-517, a priority of this State and to establish the Children's Trust Fund as a means to that end.

"§ 110-146. **Council on Prevention of Child Abuse and Neglect.**—(a) For purposes of implementing this program, the State Board of Education shall designate the Interagency Advisory Council on Community Schools in the Department of Public Instruction as the Advisory Council on Prevention of Child Abuse and Neglect, hereinafter called the Council.

(b) Staff and support services for implementing this program shall be provided by the Division of Community Schools in the Department of Public Instruction.

(c) In order to carry out the purposes of this Article:

(1) The Council shall, with the assistance of the Division of Community Schools, review applications and make recommendations to the State

Board of Education concerning the awarding of contracts pursuant to this Article.

- (2) The State Board of Education 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 child abuse and neglect. Every contract entered into by the State Board of Education 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 Council for funding pursuant to this Article shall include assurances that the proposal has been forwarded to the local Department of Social Services for comment so that the Council may consider coordination and duplication of effort on the local level as criteria in making recommendations to the State Board of Education.
- (3) The State Board of Education shall, with the assistance of the Division of Community Schools, develop appropriate guidelines and criteria for awarding contracts pursuant to this Article. These criteria shall include, but not be limited to: documentation of need within the proposed geographical impact area; diversity of geographical areas of programs funded pursuant to this Article; demonstrated effectiveness of the proposed strategy or program for preventing child 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 State Board of Education shall, with the assistance of the Division of Community schools, develop guidelines for regular monitoring of contracts awarded pursuant to 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 State Board of Education shall, with the assistance of the Division of Community Schools, report to the General Assembly at the time of its convening on odd-numbered years the use of these funds and shall develop a State plan for the prevention of child abuse and neglect for submission to the Governor, the President of the Senate, and the Speaker of the House no later than January 1, 1987.

(d) To assist in implementing this Article, the State Board of Education may accept contributions, grants, or gifts in cash or otherwise from persons, associations, or corporations. All monies received by the State Board of Education from contributions,

grants or gifts and not through appropriation by the legislature shall be deposited in the Children's Trust Fund. Disbursements of the funds shall be on the authorization of the State Board of Education or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control, such funds shall be subject in all respects to State law and regulations, but no appropriation shall be required to permit expenditure of the funds.

"§ 110-147. Programs.—(a) Programs contracted for under this Article are intended to prevent child abuse and neglect. Child abuse and neglect prevention programs are defined to be those programs and services which impact on children and families before any substantiated incident of child abuse or neglect has occurred. Such 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.

(b) 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.

"§ 110-148. Children's Trust Fund.—There is established a fund to be known as the 'Children's Trust Fund', in the State Treasurer's office, which shall be funded pursuant to G.S. 161- 11.1, and which shall be used by the State Board of Education to fund child abuse and neglect prevention programs so authorized by this Article."

Sec. 2. G.S. 161-10(a) is amended by inserting immediately after the phrase "G.S. 130-40" the phrase "or G.S. 161-11.1".

Sec. 3. G.S. 161-10(a)(2) is amended by deleting the phrase "For issuing a license - ten dollars (\$10.00)" and by substituting the phrase "For issuing a license - fifteen dollars (\$15.00)".

Sec. 4. Article 1 of Chapter 161 of the General Statutes is amended by adding a new section to the end to read:

"§ 161-11.1. Fees for Children's Trust Fund.—Five dollars (\$5.00) of each fee collected by a register of deeds on or after October 1, 1983, for issuance of a marriage license pursuant to G.S. 161-10(a)(2) shall be forwarded, as soon as practical but no later than 60 days of collection by the register of deeds, to the county finance officer, who shall forward same to the State Treasurer for deposit in the Children's Trust Fund."

Sec. 5. There is appropriated from the Children's Trust Fund established pursuant to G.S. 110-148 to the State Board of Education, Department of Public Instruction for the 1983-85 biennium all monies in the Children's Trust Fund to provide grants from the State Board of Education upon the recommendations of the Advisory Council on Child Abuse and Neglect to fund prevention programs pursuant to Article 10 of Chapter 110 of the General Statutes.

Sec. 6. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 21st day of July, 1983.