

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 490\*

Short Title: Comm. Child Protection Teams.

(Public)

Sponsors: Senators Cooper; and Carpenter.

Referred to: Children and Human Resources.

March 16, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE CHILD FATALITY TASK FORCE TO ESTABLISH COMMUNITY CHILD PROTECTION TEAMS AS STATUTORY ENTITIES.

The General Assembly of North Carolina enacts:

Section 1. The title of Article 62 of Chapter 143 of the General Statutes reads as rewritten:

"North Carolina Child Fatality Review Team; North Carolina Child Fatality Task Force and ~~Study~~-Study; Community Child Protection Teams."

Sec. 2. Article 62 of Chapter 143 of the General Statutes is amended by adding new sections to read:

**"§ 143-579.5. Community Child Protection Teams; nature and purpose.**

Community Child Protection Teams are established in every county of the State. A community child protection team is a group comprised of community representatives meeting together on a regular basis to promote the development of a community-wide approach to the problem of child abuse and neglect. The team is established by the county commissioners, who shall appoint all the members other than the county director of the department of social services and a member of the director's staff, and who also shall fill any vacancies in the team. If the county commissioners do not appoint the members of the team within 30 days of the effective date of this section, or if they fail to fill any vacancies, the county director of the department of social services shall make the appointments or fill the vacancies.

No single team shall encompass a geographic or governmental area larger than one county. The county commissioners may establish more than one community child

1 protection team when needed (i) due to caseload size, or (ii) to access the special  
2 expertise of existing groups.

3 **"§ 143-579.6. Community Child Protection Teams; responsibilities and duties.**

4 Each team shall:

5 (1) Review cases of child fatalities:

6 a. In which a child died as a result of suspected abuse or neglect  
7 and in which a report of abuse or neglect has been made about  
8 the child or the child's family to the county department of social  
9 services within the previous 12 months; or

10 b. In which the child or the child's family were recipients of child  
11 protective services within the previous 12 months;

12 (2) Review selected active cases pursuant to the procedures set out in G.S.  
13 143-579.9 in which abuse or neglect is suspected or found. This  
14 review shall assist the county director of the department of social  
15 services in evaluating allegations of abuse or neglect and in planning  
16 and providing services to prevent further abuse or neglect; and

17 (3) Recommend, and advocate for, system improvements and needed  
18 resources where gaps and deficiencies exist.

19 **"§ 143-579.7. Community Child Protection Teams; composition.**

20 Each team shall consist of the county director, a member of the director's staff  
21 selected by the director, and representatives from other human services and law  
22 enforcement agencies engaged in the provision of services to children and their families  
23 and of individuals representing the community, appointed by the county commissioners  
24 from the following groups:

25 (1) Local law enforcement;

26 (2) The District Attorney's office;

27 (3) The medical profession;

28 (4) The local community action agency, as defined by the Division of  
29 Economic Opportunity, Department of Human Resources;

30 (5) School personnel;

31 (6) A county social services board member;

32 (7) A local mental health professional;

33 (8) The local guardian **ad litem** coordinator; and

34 (9) A representative of local public health.

35 The county commissioners may appoint as many people as they consider necessary to  
36 effect the work of the team and may appoint people from additional groups. At their  
37 option, the county commissioners may designate up to five representatives of agencies  
38 or of the community to be selected by the county director of the department of social  
39 services.

40 The team shall elect a member to serve as chair at its pleasure. The county director  
41 of the department of social services or a member of the director's staff may serve as  
42 chair, if elected.

43 **"§ 143-579.8. Community Child Protection Teams; duties and responsibilities of**  
44 **chair.**

1       The chair shall schedule meetings, in consultation with the county director of the  
2 department of social services, including time and place, and shall prepare the agenda.  
3 The chair shall schedule team meetings no less often than once per quarter and often  
4 enough to allow adequate review of the cases selected for review. The chair shall call  
5 the first meeting within 45 days of the effective date of G.S. 579.8 et seq. Within three  
6 months of election, the chair shall participate in training developed by the Division of  
7 Social Services, Department of Human Resources. This training shall address the role  
8 and function of the child protection team, confidentiality requirements, an overview of  
9 child protective services law and policy, and team record keeping.

10 **"§ 143-579.9. Community Child Protection Teams; duties of the county director of**  
11 **the department of social services.**

12       In addition to any other duties as a member of the team, the county director of the  
13 department of social services shall:

- 14           (1) Assure the development of written operating procedures for the team,  
15 including composition of membership, frequency of meetings,  
16 confidentiality policies, training of members, and duties and  
17 responsibilities of members;
- 18           (2) Distribute copies of the written procedures to the administrator of all  
19 agencies represented on the team as well as to each team member and  
20 maintain the records required by G.S. 143-579.11;
- 21           (3) Assure that the team defines the categories of cases that are subject to  
22 review by the team;
- 23           (4) Determine the cases in these categories in which the director initiates a  
24 review and bring for team review any case requested by any team  
25 member; and
- 26           (5) Report quarterly to the county board of social services, as required by  
27 the board, on the activities of the team.

28 **"§ 143-579.10. Community Child Protection Teams; responsibility for training of**  
29 **team members.**

30       The Division of Social Services, Department of Human Resources, shall develop  
31 and make available for the team members, on an ongoing basis, training materials that  
32 address the role and function of the child protection team, confidentiality requirements,  
33 an overview of child protective services law and policy, and team record keeping.

34 **"§ 143-579.11. Community Child Protection Teams; required records.**

35       The county director of the department of social services shall maintain lists of  
36 participants for each team meeting and confidentiality statements signed by the team  
37 members and any invited participants. These records shall be maintained according to  
38 the standard administrative record retention schedule. The director shall ensure that  
39 minutes are kept of all official meetings. Minutes of all meetings, excluding of  
40 executive sessions, shall be kept in compliance with the open meetings law. These  
41 minutes shall be permanent public records and shall be maintained according to the  
42 standard administrative record retention schedule. Information regarding individual  
43 clients shall be discussed in executive session, which is exempt from the provisions of  
44 Article 33C of Chapter 143 of the General Statutes. Any minutes or any other

1 information generated from any executive session shall be sealed from public  
2 inspection.

3 **"§ 143-579.12. Community Child Protection Teams; access to records;**  
4 **confidentiality.**

5 Each team has the same access to records and the same confidentiality rules and  
6 protections accorded the North Carolina Child Fatality Task Force and the North  
7 Carolina Child Fatality Task Force by G.S. 143-572. In addition, all records created by  
8 the team are confidential and not subject to public disclosure or discovery in court  
9 proceedings, regardless of whether they are gathered from otherwise confidential  
10 material.

11 Each team member and invited participant shall sign a statement indicating an  
12 understanding of and adherence to confidentiality requirements, including the possible  
13 civil or criminal consequences of any breach of confidentiality. These rules do not  
14 preclude any team member's sharing any available information with the team that is  
15 needed to carry out the team's duties and responsibilities."

16 Sec. 2. Nothing in this act obligates the General Assembly to appropriate any  
17 funds to implement this act.

18 Sec. 3. This act becomes effective July 1, 1993.